(Informal Translation)

Kingdom of Cambodia
Nation Religion King

Royal Government of Cambodia
No. 24 ANK.BK

SUB-DECREE

ON

THE CODE OF ETHICS FOR MIDWIVES

Royal Government of Cambodia

- Having seen the Constitution of the Kingdom of Cambodia
- Having seen the Royal Decree No. NS/RKT/0704/124 dated 15 July 2004, on the Appointment of the Royal Government of Cambodia
- Having seen the Reach Kram No. 02 NS/94 dated 20 July 1994 promulgating the Law on the Organization and Functioning of the Council of Ministers.
- Having seen the Reach Kram No. NS/RKT/0196/06 dated 24 January 1996 promulgating the Law on the Establishment of the Ministry of Health
- Having seen the Reach Kram No. CS/RKM/1197/06 dated 12 November 1997 promulgating the Law on Abortion
- Having seen the Reach Kram No. NS/RKT/1100/10 dated 3 November 2000 promulgating the Law on the Management of Private Medical Professional, Para-Clinic Professional and Medical Assistance Professional
- Having seen the Royal Decree No. NS/RKT/0906/389 dated 18 September 2006 on the Establishment of the Cambodian Midwives Council
- Having seen the Sub-decree No. 67 ANK/BK dated 22 October 1997 on the Organization and Functioning of the Ministry of Health
- Having seen Sub-decree No. 94 ANK/BK dated 11 September 2002 on the Procedure and Conditions for the Authorization of Foreign Medical, Para-Clinic, Medical Assistance Professional to Practice in the Kingdom of Cambodia
- Having seen the Approval of the Council of Ministers Meeting on 04 January 2013

HEREBY DECIDED

CHAPTER 1:
General Provisions

Article 1._

The goal of the Sub-decree is to uphold Midwives' ethics, value, integrity, effectiveness, and discipline in midwifery practice in particular obtaining the public's trust.

Article 1._

The objective of the Sub-decree is to define professional midwifery code of ethics in the Kingdom of Cambodia.

Article 3._

The Sub-decree governs all midwives who received permission from the Ministry of Health to practice midwifery.

Article 4._

The terminologies in the Sub-decree are:

"Midwife" is referred to a legal person holding a Midwifery Degree issued by the Ministry of Health of the Royal Government of Cambodia or issued by any educational institution whose quality of education is recognized by the Accreditation Committee of Cambodia (ACC).

"Midwifery practice" is referred to giving the necessary support, care and advice during pregnancy, labour and the postpartum period, to conduct births on the midwife's own responsibility includes family planning, contraception, safe abortion as well as care for the newborn and the infant.

"Midwifery establishments" is referred to location where midwife practice such as referral hospital, obstetric clinic, health centre, clinic, private nursing room which received permission from the competent authorities.

CHAPTER 2
General Duties and Responsibilities of a Midwife

Article 5._

To fulfil/achieve its duties and responsibilities, A Midwife shall:

1. Be responsible and accountable professional and works in partnership with women and her partner, family, and representative.
2. Function in accordance with law, regulation/provision, national guideline and protocol regulating on midwifery practice.
3. Maintain her professional independence in all circumstances.
4. Be involved in relevant effective policy and strategy development and collaboration in midwifery practice to promote maternal and child health.
5. Provide safe and effective midwifery care with morality, good behaviour, friendly and correct words/information, and care/attention.
6. Act to enhance regular professional development of self through continuing education, research and receiving new information.
7. Develop midwifery profession through contribution in improving national protocol, guideline, and other related provisions/regulations.
8. Respect the life, body, honor and dignity of patients while providing midwifery services
9. Be responsible for professional confidentiality as prescribed by law and relevant provisions for maintaining the privacy, honor and dignity of patients.
10. Respect the rights of a patient in choosing any midwife and shall facilitate a patient in choosing a midwife of her choice.
11. Provide midwifery services to a patient without discrimination based on race, color, language, belief, religion, political affiliation, origin, social status, resource, or other status.
12. Advocate to protect the rights of women, families and communities in relation to maternity care, including the right to carry out the pregnancy.

Article 6._

A midwife shall distribute medicine based on the prescription and in accordance with national guideline of the Ministry of Health.

Article 7._

A midwife shall stay with a woman, who is pre-delivery, delivering, has recently delivered, and/or an infant. In the case of mother and/or an infant in an immediate danger, a midwife shall provide emergency obstetric neonatal care or provide primary life saving and refer to midwifery service or other appropriate services.

Article 8._

A midwife who is requested by the competent authorities to examine or counsels a suspect, an accused, a detainee or a convicted person on midwifery profession shall notify the competent authority about her healthcare status.

Article 9._

To fulfil/achieve its duties and responsibilities, A Midwife shall not:

1. Work in any affairs or institutions which may humiliate or degrade the honor or dignity of the midwifery profession.
2. Use her authority for obtaining a contract, privilege, rights, or interests from a patient.
3. Act in conflict of interest with hospitals, clinics or other midwifery establishments in regards to the referral of patients for commissions or fees.
4. Perform midwifery practice in a public places except of emergency.
5. Issue a midwifery certificate and other letter of certification concerning midwifery practice.
6. Overcharge or provide false information concerning her services and fees.
7. Use a pseudonym in midwifery practice.
8. Advertise midwifery services without permission from the Ministry of Health.
9. Reveal a patient's identity for publication or scientific purposes except when the patient gives her consent.
10. Prescribe or sell medicine.
11. Provide midwifery services or offer midwifery counseling outside her field of expertise or responsibility except in the case of an emergency.

Article 10._

A midwife who holds any electoral mandates or formal positions shall not use her position to attract patients.

CHAPTER 3
Relationship between Midwife and Woman or Patient

Article 11._

In the event that a patient, her husband, parents, guardian or the legal representative of the patient refuses the treatment or healthcare administered by the midwife, the midwife shall respect their choice and explain to them the consequences of such refusal.

Article 12._
A midwife shall inform about the health condition to the patient, her husband, partner, family or her legal representative with patient's consent.

Article 13._

A midwife may refuse to provide midwifery services to any patients based on professional or personal reasons except in case of emergency. If services are refused the midwife shall refer the patient to alternative services.

Article 14._

A midwife who examines a minor or a person under general guardianship shall notify his or her parents, general guardian or a legal representative and shall seek consent from them before providing midwifery services.

In life threatening conditions, a midwife shall provide necessary services with the presence and agreement from colleagues even they could not contact with those people.

A midwife may also consider the comments made by a minor and a person under general guardianship.

Article 15._

A midwife shall offer special protection for a minor, if she or he is not well treated, or if her or his interests or rights in health are not well protected. In such case, a midwife shall notify the competent authority as soon as possible.

Article 16._

A midwife or a midwifery establishment shall advertise the fee for midwifery examination, consultation, care, treatment, and other midwifery services.

A midwife may inform the patient about the fees quote and other necessary costs before providing midwifery service, except in case of emergency.

Article 17._

In case of an accident in a public place, a midwife shall not abandon the patients, infants and/or children unless there is an appropriate order by competent authority.

Article 18._

A midwife shall not interfere in personal issues or invade the personal privacy of the patients except when relating to midwifery practice.

CHAPTER 4

Relationship between Midwife and Colleagues and other Medical Professionals

Article 19._

A midwife shall maintain a good relationship with her colleagues and other medical professionals by encouraging and supporting each other in the interests of professional healthcare and wellbeing in the community and workplace.

Article 20._

A midwife shall carry out any midwifery duty with collaboration or seek advice or ask for assistance from other midwives or medical professional except in the case it is contradictory to the midwifery profession.

Article 21._

A midwife who provides midwifery services to a patient who has previously been attended by another midwife shall comply as follows:

- A midwife who may be invited to replace another midwife who is not available or able to provide midwifery services shall have consent from the patient.

- A midwife may communicate with a midwife who previously provided midwifery services to the patient for comments or advice before providing services.

- A midwife shall withdraw herself from the replacement when the first midwife returns to practice and provide necessary information for sustainable care.

Article 22._

A midwife shall supervise or govern midwifery trainee who is practicing in her working place.

Article 23._
A midwife shall not establish any groups or networking in order to discriminate other colleagues.

Article 24._

A midwife shall not act any things which affect the midwifery profession or dignity of midwives.

CHAPTER 5

Midwifery Practice

Article 25._

A midwife may print personal identification and information includes:

1. Full name, qualification, midwifery registration number with Cambodian Midwives Council, address of the midwifery establishment, phone number, fax number, e-mail address, website, date and time of consultation.
2. Full name of all midwives if practice as group

Article 26._

A midwife or midwifery establishment shall publicize information as follows:

1. Full name, midwifery registration number with Cambodian Midwives Council, address of the midwifery establishment, phone number, fax number, e-mail address, and website.
2. Full names and registration numbers with Cambodian Midwives Council of all midwives employed in the establishment
3. Table of services prices

Article 27._

A midwife shall be allowed to practice in a private institution as a private midwife. If a midwife work public and private, her private work shall not affect the public.

Article 28._

A midwife who treats a patient shall not be a member of disciplinary committee for the same case.

A midwife who works at the same midwifery establishment or is a relative up to 3rd level or a close connection to a person involved in the case being reviewed shall not be a member of disciplinary committee.

Article 29._

A midwife who is a member of disciplinary committee shall be professionally independent and competent to express opinions concerning her analysis and findings of the reviewed case.

A midwife (A midwifery reviewer) shall not be biased in providing her arguments or conclusions concerning to the reviewed case.

Article 30._

A midwifery reviewer shall not interfere in the treatment or healthcare plan of the attended midwife except as the law or provisions state otherwise.

Article 31._

A midwifery reviewer shall strictly respect professional confidentiality. Reports or documents containing identification of the patient or attending midwife shall not be disclosed to irrelevant institutions or the public.

CHAPTER 6
Other Provisions

Article 32._

At the time of registration, a midwife shall declare before the Provincial Midwives Council that she has understood the Sub-decree on the Code of Ethics for Midwives and promise in the official written document you follow the Ethics .

Article 33._

A false statement submitted to the Provincial Midwives Council by a midwife shall be subject to disciplinary actions.

Article 34._

A midwife who changes or gives up her midwifery professional practice shall notify to the Provincial Midwives Council. Provincial Midwives Council acknowledges and report to the National Midwives Council.

Article 35._

Each level of the Midwives Council shall make its decisions in implementing the Sub-decree on Code of Ethics for Midwives based on clear reason.

Article 36._

In case of refusal of the decision of the Provincial Midwives Council, The request shall be made within 2 months after the decision to the National Midwives Council by the woman or midwife.

CHAPTER 7
Final Provisions

Article 37._

All provisions contrary to this Sub-decree shall be hereby repealed.

Article 38._

The Minister of the Council of Ministers, the Minister of Ministry of Economics and Finance, the Minister of the Ministry of Health, the Minister of the Ministry of Women Affairs, all ministers, secretary of states of relevant ministries and institutions shall be responsible to apply this Sub-decree from the date of signature.

Phnom Penh, 18 January 2013

Prime Minister

Signature & Stamp

Samdech Akka Maha Sena Padei Techo HUN SEN

Places of Reception

- Ministry of the Royal Palace
- General Secretariat of the Constitutional Council
- General Secretariat of the Senate
- General Secretariat of the National Assembly
- General Secretariat of the Royal Government
- Cabinet of the Prime Minister
- Cabinets of H.E. Deputy Prime Ministers
- As indicated in Article 38 of this Sub-decree
- Official Gazette
- Chronological File