



Article Content

Title : Yu Cheng Patients Health Care Services Act CH

Amended Date : 2016-11-16

Category : Ministry of Health and Welfare (衛生福利部)

- Article 1 This Act is established for the purpose of enabling Yu Cheng patients to receive proper healthcare services and to protect their rights and interests pertaining to health.
- Article 2 The competent authorities in charge in this Act refer to the Ministry of Health and Welfare at the central level; the municipal government at the municipal level; the county (city) governments at the county (city) level.
- Article 3 Yu Cheng patients referred in this act are those who, in 1979, were exposed to excessive Polychlorinated biphenyls (PCB) due to ingestion of contaminated rice bran oil.
Yu Cheng patients of the preceding Paragraph are categorized as follows:
1. The first generation Yu Cheng patients refers to people who meet one of the following conditions:
 - I. Patients born before December 31st, 1979, who are already registered by the central government competent authority, or can be otherwise reviewed and confirmed as such.
 - II. Patients born between January 1st, 1980 and December 31st, 1980, whose birth mothers were the first generation of Yu Cheng patients in accordance with the preceding item, or can be otherwise reviewed and confirmed as such.
 2. The second generation of Yu Cheng patients refers to people who were born after January 1st, 1981 and whose birth mothers were the first generation of Yu Cheng patients.
- Article 4 The Yu Cheng patients who must be reviewed and confirmed by the central competent authority according to Subparagraph 1, Paragraph 2 of the preceding article shall provide documentation of toxic exposure and application to the municipal or county (city) competent authority. This documentation is then transferred to the central competent authority for review. The documentation mentioned in the preceding paragraph shall be reviewed by a committee of experts invited by the central competent authority.
The abnormal report of blood levels of polychlorinated biphenyls (PCBs) or polychlorinated dibenzofuran (PCDF) concentrations

issued by an analytical laboratory authorized by the central competent authority may be used as the supplementary documentation as mentioned in the preceding paragraph. The criteria for the evaluation of PCBs or PCDF concentrations mentioned in the preceding paragraph shall be prescribed by the central competent authority.

Article 5 Those who have been positively reviewed according to the preceding Article can apply for subsidies from the central government competent authority with the expense receipt for the examination report.

Article 6 The personality and legitimate rights of Yu Cheng patients shall be respected and protected; his or her rights to receive education, employment, medical treatment, etc. shall not be discriminated against; the regulations related to protections of rights shall be prescribed by the central government competent authority with consultation of central competent authorities in charge of various related affairs.

Recording, videotaping, or photographing of Yu Cheng patients shall not be permitted without consent from the patients.

Media reports on the events or subjects related to the Yu Cheng patients must be conscientious of the reputation and privacy of the Yu Cheng patients and/or their dependents.

Agencies, institutions, organizations and the personnel thereof which are administering treatment or care for Yu Cheng patients shall be conscientious of the attitudes and methods of such treatments, so as to maintain their privacy and management of social lives, and must not disclose their information without cause.

Article 7 The central government competent authority shall promote the following items:

1. The establishment of special clinics for Yu Cheng patients in coordination with medical institutions.
2. Research and development on Yu Cheng patients' health status assessment, medical care, and health improvement.
3. Education of medical personnel on how to care for Yu Cheng patients.
4. International exchange and cooperation regarding Yu Cheng patients' healthcare.
5. Periodic reviews of policies regarding Yu Cheng patients' health care and the implementation results of these policies.
6. Other items related to Yu Cheng patients' health care.

The research results of Subparagraph 2 in the preceding Paragraph shall be disclosed without request.

The central government competent authority promoting the items of Paragraph 1 shall invite the participation of relevant ministries, Yu Cheng patients, experts/scholars and private organizations; among these stakeholders, the representative

ratio by each gender should not be less than 1/3, and the ratio of patients, expert/scholar- and private organization- representatives shall not be less than 1/2.

Article 8 The central government competent authority shall provide the following health care subsidies for Yu Cheng patients:

1. Yu Cheng patient's annual health examination expenses.
2. Yu Cheng patient's copayments for National Health Insurance outpatient and emergency services expenses.
3. First generation Yu Cheng patient's copayments for National Health Insurance inpatient expenses.

Article 9 The subsidy standards and health examination items of Article 5 and the preceding Article, are to be prescribed by the central government competent authority.

Article 10 Municipalities and county (city) competent authorities shall periodically visit Yu Cheng patients, provide health information, medical referrals, consultations and tracking services, and keep records to be submitted to the central government competent authority for reference.

Article 11 When the legitimate rights of a Yu Cheng patients in this Act are infringed upon, and a lawsuit is filed, the central government competent authority shall provide legal aid. The regulations on legal aid of the preceding Paragraph are to be prescribed by the central government competent authority. If a Yu Cheng patient files a lawsuit according to the Paragraph 1, and applies for perpetuating measures, the court may reduce or exempt the guarantee deposit.

Article 12 For Yu Cheng patients listed by the government who died before the implementation of this Act, their surviving spouse and lineal descendants may apply for a one-time solatium of 200,000 NTD. For Yu Cheng patients without a spouse or lineal descendants, surviving parents may apply for the solatium. If the Yu Cheng patients mentioned in the preceding paragraph have two or more surviving family members, the surviving family members shall entrust one representative among themselves to file the application. The solatium mentioned in Paragraph 1 shall be applied by August 9, 2020. Applications after the deadline shall not be accepted. The central competent authority shall send the application form for the solatium mentioned in Paragraph 1 to the surviving family members. However, this does not apply to cases in which the surviving family members cannot be confirmed through a review of the household registration records. If the Yu Cheng patient mentioned in Paragraph 1 has two or more

surviving family members, the central competent authority shall s
application form to one of them.

A solatium received according to this Act is exempt from income t

Article 13 Violators of Article 6 shall be fined an amount from 20,000 NTD
to 100,000 NTD.

Article 14 This Act shall become effective on the date of promulgation.

Web site : Laws & Regulations Database of The Republic of China (Taiwan)