

LAW N° 27657

THE PRESIDENT OF THE REPUBLIC

HOW MUCH:

The Congress of the Republic has given the following Law:

THE CONGRESS OF THE REPUBLIC;

He has given the following Law:

LAW OF THE MINISTRY OF HEALTH

TITLE I

CHAPTER I

FROM THE MINISTRY OF HEALTH

Article 1o- Of the objective of the law

This Law includes the scope, competence, purpose and organization of the Ministry of Health as well as that of its decentralized public organizations and decentralized bodies.

Article 2 On the nature of the Ministry of Health

The Ministry of Health is an organ of the Executive Branch. It is the governing entity of the Health Sector that conducts, regulates and promotes the intervention of the National Health System, with the purpose of achieving the development of the human person through the promotion, protection, recovery and rehabilitation of their health and the development of a healthy environment, with full respect for the fundamental rights of the person, from conception to natural death.

CHAPTER II

OF THE SECTORAL DIRECTORY POWERS OF THE MINISTRY OF HEALTH

Article 3.-Of the sectoral steering powers of the Ministry The sectoral steering powers of the Ministry of Health in the National Health System are the following:

- a) The analysis and monitoring of the health situation and its determinants b) The development of methods and procedures for prioritizing problems, populations and interventions.
- c) The analysis, training and evaluation of public health policies. d) The articulation of public and private resources and actors, intra- and intersectoral, that can contribute to the achievement of the objectives of public health policies.
- e) Coordination with multilateral and bilateral technical and financial cooperation organizations, which will carry out their work taking into consideration the sectoral policy.
- f) Sector insertion in regional and subregional health coordination institutions.

g) The development and improvement of national health legislation, through the regulation of laws and legislative initiative. h) The analysis and technical regulation of the provision of

health services, accreditation of establishments, certification and recertification of the practice of health professionals.

i) The evaluation of national mechanisms for monitoring and evaluating processes, products and impact of sectoral interventions.

j) The evaluation and control of health technologies.

k) The formulation and implementation of health research policies, technological development and dissemination of scientific-technical information. l) The definition of resource allocation criteria

that must be awarded to decentralized or deconcentrated public organizations for the provision of health services.

m) The harmonization of action and management plans of different decentralized or deconcentrated public organizations.

n) The definition of contents of basic public health services that are the responsibility of the State.

o) Technical cooperation to decentralized or deconcentrated entities for the development of their tasks of providing health services.

p) The definition of redistributive mechanisms for current spending and investment spending to compensate for imperfections and inequities generated by decentralizing processes.

q) The establishment of contract mechanisms or service management commitments that serve as a basis for assigning services and resources. r) The promotion of health culture, education

and health information to the population. s) The promotion of the defense of citizen rights in health. t) The definition of the

financial policy for the collection, administration and allocation of resources for health, in

accordance with the objectives, priorities and prioritized interventions. u) Financial insurance for individual and collective health care.

v) The conduct and regulation of deconcentrated bodies that regulate and manage the provision of health services through their health establishments.

Chapter III

OF THE SYSTEMIC ORGANIZATION, FUNCTIONAL OBJECTIVES AND GENERAL STRUCTURE

Article 4.- Of the functions of the Ministry of Health

The Ministry of Health designs and organizes organizational management, operation and support processes, which must implement medium-term strategies. The subprocesses and component activities are modified based on technological innovations and the reformulation of the strategic objectives, which are established in the Regulations of this Law and in the subsequent Organic Regulations.

Article 5.- Of the functional objectives

The Ministry of Health designs and regulates the corresponding organizational processes, within the scope of its institutional and sectoral management, to achieve the following functional objectives:

1. Health sector management and strategic planning.
2. The organization of the Ministry of Health.
3. The development and integration of sectoral information processes and systems.
4. The culture of health for the physical, mental and social development of the entire population.
5. The healthy environment for the entire population.
6. The protection and recovery of health and the rehabilitation of people's capacities in conditions of equity and full accessibility.
7. The prevention and control of epidemics, and the development of sufficient capacities to recover and maintain the health of people and populations affected by disasters.
8. Control of the supply and quality of supplies, medications and drugs.
9. The financial assurance of public health and comprehensive health of all people.
10. Financing of national investment in health.
11. The training, assignment and supervision of the quality of human resources in health.
12. Logistical support of goods, services, infrastructure, equipment and maintenance, both of administrative agencies and health establishments.

Article 6.- Of the general organic units

The Ministry of Health to meet its functional objectives, design and execution of the Organizational Processes necessary in their sectoral and institutional scope, assigns and establishes as resources the Organic Units

General, which are grouped in a hierarchy as follows:

1. SENIOR MANAGEMENT

- 1.1 Minister of Health
- 1.2 Vice Minister of Health
- 1.3 General Secretariat

2. ADVISORY BODY

- 2.1 National Health Council **3.**

CONTROL BODY

- 3.1 General Inspectorate

4. JUDICIAL DEFENSE BODY

- 4.1 Public Prosecutor's Office of the Ministry of Health

5. ADVISORY BODIES

- 5.1 Senior Management Advisory Cabinet
- 5.2 General Office of Strategic Planning

- 5.3 General Office of International Cooperation
- 5.4 General Office of Epidemiology
- 5.5 General Legal Advice Office

6. SUPPORT BODIES

- 6.1 General Office of Statistics and Informatics
- 6.2 General Office of National Defense
- 6.3 General Office of Human Resources Management
- 6.4 General Administration Office
- 6.5 General Communications Office

7. LINE ORGANS

- 7.1 General Directorate of People's Health
- 7.2 General Directorate of Environmental Health
- 7.3 General Directorate of Medicines, Supplies and Drugs
- 7.4 General Directorate of Health Promotion

8 DECONCENTRATED ORGANS

- 8.1 Health Directions
- 8.2 Specialized Institutes

9. DECENTRALIZED PUBLIC BODIES

- 9.1 The National Institute of Health (INS), made up of:
 - a) The National Center for Occupational Health and Environmental Protection for Health;
 - b) The National Center for Public Health;
 - c) The National Center for Food and Nutrition;
 - d) The National Center for Biological Products;
 - e) The National Center for Intercultural Health; and,
 - f) The National Quality Control Center.
- 9.2 The Superintendency of Health Providing Entities (SEPS).
- 9.3 The Institute for Human Resources Development (IDREH).
- 9.4 Comprehensive health insurance (SIS).

CHAPTER IV

FROM TOP MANAGEMENT

Article 7.- Formation of Senior Management

The Senior Management of the Ministry of Health is the decision-making and leadership body of the National Health Sector and System, it is made up of the Minister of Health and the Vice Minister of Health. It is also made up of the General Secretariat.

Article 8.- Of the Minister of Health

The Minister of Health is the political person in charge and is in charge of the Health Sector, holding the following responsibilities and powers:

- a) Represents the State at the national and international level in the fields of its competence.
- b) Guides, formulates, directs and supervises the national health policy, in harmony with the constitutional provisions, general policy and Government plans. c) Establishes the objectives and the national strategic plan for development and investment in health.
- d) He is the owner of the health budget statement. e) Leads and integrates the National Health System.
- f) It is in charge of regulating public services that are the responsibility of the Health Sector.
- g) Coordinates and establishes the powers of Regional and Local Governments in public and individual health. h) Supervises the application of the sectoral policy by the regional bodies and organizations of the Health Sector.
- i) Appoints the heads of the Decentralized Public Organizations of the Ministry of Health and the regional health authorities.
- j) Proposes bills, legislative decrees, supreme decrees and supreme resolutions to the Executive Branch. k) Endorses the presidential acts that concern the Health Sector. l) Issues ministerial resolutions on matters within its jurisdiction and resolves in the last administrative instance the claims filed against bodies dependent on it, except in cases where the law requires supreme resolution.
- m) He may delegate powers and attributions that are not exclusive to his role as Minister of State.

Article 9.- Of the Deputy Minister

The Vice Minister of Health is the immediate authority of the Minister of Health, is appointed by supreme resolution and has the following responsibilities and powers: a) Formulates, directs and supervises. by order of the

Minister of Health, the policy of the Health Sector under responsibility. b) Guides and supervises the activities carried out by the bodies of the

Ministry of Health and those of the institutions or Decentralized Public Organizations of the Health Sector, in accordance with the directives indicated by the Minister of Health. c) Coordinates and evaluates the design, execution and evaluation of the organizational processes carried out by the bodies of

the Ministry of Health, its deconcentrated bodies and its decentralized public bodies. d) Assumes functions by delegation of the Minister. e) The Vice Minister issues vice ministerial resolutions on administrative matters that fall within his jurisdiction or by ministerial delegation.

Article 10. From the General Secretariat

The General Secretary has the following responsibilities and powers:

- a) Assists and advises the Minister administratively and is the administratively responsible body of the entity.
- b) Supports the Minister in the coordination of official communications and document flow, which occur in the relationship of the Ministry of Health with the Powers Public, State entities and other public and private organizations, in accordance with the directives indicated by the Minister of Health
- c) Standards and establishes the documentary processing system of the Ministry of Health.
- d) Standard and ensure the systematization and conservation of the general file.
- e) By delegation of the Minister, he may coordinate or execute the institutional administrative support actions that are delegated to him.

CHAPTER V OF THE ADVISORY BODY

Article 11. From the National Health Council

The National Health Council is the advisory body of the Ministry of Health, in charge of advising the Head of the Sector on the matters determined by him. It is also in charge of coordination between the subsystems that make up the National Decentralized Health System. which is chaired by the Minister of Health or his representative.

CHAPTER VI OF THE CONTROL BODY

Article 12. Of the General Inspectorate The

General Inspectorate is the Control Body of the Ministry of Health, it is organized and functions in accordance with the standards established in this Law and that of the National Control System, taking into consideration the following:

- a) It is the body specialized in Government Control of the Ministry of Health. b) Control and ensure compliance with technical Health regulations. c) Exercises subsequent internal administrative and financial control of the Ministry of Health.
- d) It depends on the Minister of Health.
- e) Maintains a technical and functional relationship in matters of control with the Comptroller General of the Republic as the governing body of the National Control System.

Chapter VII OF THE JUDICIAL DEFENSE ORGAN

Article 13.- Of the Public Prosecutor's Office

The Public Prosecutor's Office in charge of judicial affairs of the Ministry of Health: a) Is in charge of the judicial defense of the interests of the Ministry of Health. b) It is governed by its special rules.

- c) It depends on the Minister of Health.

CHAPTER VIII

OF THE ADVISORY BODIES

Article 14. From the Senior Management Advisory Cabinet

The Cabinet of Senior Management Advisors, in accordance with the Law of Power Executive, holds the following responsibilities:

a) Provides specialized advice to Senior Management for the analysis of the policy and activities that are their responsibility. b) Prepares the studies

and issues the opinions entrusted to it.

c) The others that are entrusted to him by the members of Senior Management.

Article 15.- Of the General Office of Strategic Planning The General Office of Strategic

Planning:

a) It is the body in charge of designing, advising and evaluating the strategic planning, finance and organization processes at the sector level. b) Formulate and evaluate the budget of the

Ministry of Health specifications.

c) Coordinates with all sectoral and institutional bodies and entities in charge of administrative systems in the field of its competence.

Article 16.-Of the General Office for International Cooperation

The General Office of International Cooperation: a) It is the body

in charge of advising Senior Management in negotiation and other activities to obtain international financing for projects within the framework of the Sector's Strategic Plan. b) Advisor on international policy aspects that are the responsibility of the Ministry of Health and on

the designation of project executing units.

c) Develops technical advice for the design of projects, monitors and evaluates their results, improving the strategic planning of the investment, making adjustments that guarantee the continuity of the participation of the Cooperating Organizations d) Coordinates with all the agencies that They develop projects and with their executing units.

Article 17.- Of the General Office of Epidemiology The General Office

of Epidemiology:

a) It is the body in charge of the design, advice and evaluation of the Epidemiological Surveillance System and the Process of Prevention and Control of Epidemics and Disasters in the Health Sector.

b) Provides advice and informs the analysis of the health situation.

Article 18.- Of the General Office of Legal Counsel

The General Legal Advice Office

a) It is the body in charge of providing legal advice required by Senior Management, decentralized bodies and decentralized public organizations of the Sector.

b) Prepares projects of legal regulations established by Senior Management. c) Visas the draft legal provisions submitted for its consideration.

d) Issues opinions of a nature that are requested by the bodies of the Ministry of Health.

e) Compiles, controls and systematizes legislation related to the Health Sector and standardizes its interpretation and application. f) Projects and endorses the resolutions requested.

CHAPTER IX OF THE SUPPORT BODIES

Article 19. Of the General Office of National Defense

The General Office of National Defense:

- a) It is the articulation body of the National Health System with the National Defense System.
- b) Plan, coordinate and execute the mobilization in compliance with the planning of national defense and civil defense in charge of the Ministry of Health.
- c) Carry out strategic studies, disseminate and train in national defense doctrine.

Article 20.-Of the General Office of Statistics and Informatics. -

The General Office of Statistics and Informatics:

- a) It is the body in charge of conducting the process of strategic planning, development and integration of information systems focused on the systems for the services and processes of the Health Sector and the administrative support systems.
- b) Produces health statistical information for decision-making at all levels in the Sector.

Article 21. From the General Office of Human Resources Management

The General Office of Human Resources Management is the body in charge of the Administration and Management of Human Resources of the Ministry of Health.

Article 22.- Of the General Office of Administration

The General Administration Office:

- a) It is the body in charge of the administration of the processes of the supply system, which ensures the logistical support of goods and services to the Ministry of Health and on behalf of the Deconcentrated Bodies and Decentralized Public Organizations of the Sector.
- b) Manages budget execution activities, accounting and treasury systems, and produces information for the corresponding Public Organizations and for Senior Management decision-making.

Article 23. From the General Communications Office

The General Communications Office is the body in charge of planning and conducting the communication system of the Ministry of Health, coordinates and executes protocol, press, audiovisual production, Web, image, user service and social communication actions.

CHAPTER X OF THE LINE ORGANS

Article 24. From the General Directorate of People's Health

The General Directorate of People's Health:

- a) It is the technical-regulatory body in the processes related to comprehensive health care of the person, categorization and accreditation of health services and health management.
- b) Standardizes and evaluates the process of health protection, recovery and rehabilitation in the Sector.
- c) Coordinates the technical-regulatory framework with the Specialized Institutes, the Decentralized Public Health Organizations, Deconcentrated Bodies and with the National or International Scientific Community

Article 25°. From the General Directorate of Environmental Health

The General Directorate of Environmental Health:

- a) It is the technical-regulatory body in aspects related to basic sanitation, occupational health, food hygiene, zoonoses and environmental protection.
- b) Standards and evaluates the Environmental Health Process in the Sector. c) Arranges support and coordination for compliance with its standards with public and private organizations that support or have responsibilities in environmental control.
- d) Coordinates the technical-regulatory framework with the Specialized Institutes, Decentralized Public Health Organizations, Deconcentrated Bodies and with the National and International Scientific Community.

Article 26. From the General Directorate of Medicines, Supplies and Drugs The General Directorate of Medicines. Supplies and Drugs:

- a) It is the technical-regulatory body in aspects related to the control of the production, distribution and marketing of medicines, supplies and drugs in the Health Sector. b) Standards, registers, evaluates and accredits public and private entities that import, export, produce, distribute, donate and market medicines, supplies and drugs for the population. c) Coordinates the technical-regulatory framework with the Specialized Institutes, Decentralized Public Health Organizations, Deconcentrated Bodies and with the National and International Scientific Community.

Article 27.- Of the General Directorate of Health Promotion

The General Directorate of Health Promotion

- a) It is the technical-regulatory body in aspects of promoting the health of the population.
- b) Coordinate the participation of technical and social agents and actors to achieve the maintenance of the population's health and the strategic conditions to achieve it. c) Conduct the Health Promotion Process in the Sector. d) Coordinates the technical-normative framework with the Specialized Institutes, the Decentralized Public Health Organizations, the Deconcentrated Bodies and the National and International Scientific Community.
- e) Promotion, communication and dissemination proposals will be approved by Senior Management.

CHAPTER XI

OF DECONCENTRATED BODIES

Article 28.- Of the Deconcentrated Bodies The Deconcentrated

Bodies of the Ministry of Health are the Health Directorates and the Specialized Institutes,

Article 29.- Of the Health Directorates

The Health Directorates in their respective jurisdictions: a) They are the bodies that, by delegation from Senior Management, exercise health authority.

b) They are in charge of enforcing the technical regulations of the Ministry of Health and regulate in addition.

c) They comply with and enforce organizational processes. d) They direct, regulate and evaluate health establishments. e) They direct the execution of the processes of protection, recovery and rehabilitation of the health of the population, through national hospitals, hospitals and health establishments.

f) The Regulations of this Law establish the standardization of the organic regulations of the Health Directorates, which are approved by ministerial resolution.

g) They coordinate intersectorally at the regional level.

Article 30.- Of the Specialized Institutes The Specialized

Institutes:

a) They are the bodies of scientific-technological research and innovation and teaching in their field.

b) They coordinate and propose technical standards to the technical-normative General Directorates.

c) They develop specific investigations commissioned by Senior Management and the technical-normative General Directorates of the Ministry.

d) They develop specialized health services, specifically to research, apply, publish, train and disseminate knowledge in their scientific and technological area.

e) They establish scientific and technological cooperation relations with the national and international scientific community, within the framework of their functional objectives through Senior Management.

f) The Regulations of this Law determine their number, specialty and General Organization.

CHAPTER XI

OF PUBLIC AGENCIES

DECENTRALIZED

Article 31.- Of the nature of Decentralized Public Organizations

The Decentralized Public Organizations of the Ministry of Health are legal entities under internal public law with economic and administrative autonomy, in charge of proposing policies, regulations, promoting, programming, executing and evaluating

the activities inherent to its administrative nature. They report to the Minister of Health and receive guidance, supervision and evaluation of their activities and processes from the Vice Minister of Health, commissioned by the Minister of Health.

Article 32.- Decentralized Public Organizations The Decentralized

Public Organizations of the Ministry of Health are the following:

a) The National Institute of Health (INS), made up of:

1. The National Center for Occupational Health and Environmental Protection for Health.
2. The National Center for Public Health.
3. The National Center for Food and Nutrition.
- 4 The National Center for Biological Products.
5. The National Center for Intercultural Health.
6. The National Center for Quality Control.

b) The Superintendency of Health Providing Entities (SEPS).

c) The Human Resources Development Institute (IDREH). d)

Comprehensive Health Insurance (SIS).

Article 33.- Of the missions of the Decentralized Public Organizations The

missions fulfilled by the Decentralized Public Organizations of the Ministry of Health are the following:

a) The National Institute of Health's mission is to develop and disseminate research and technology in the fields of:

1. Occupational health and environmental protection focused on people's health.
2. Public health and control of communicable diseases.
3. Food and nutrition for the health of the population.
4. Biological products related to people's health.
5. Research, knowledge and dissemination of intercultural aspects to improve the health of the population.
6. Quality control of medications, supplies, drugs and others.

b) The Human Resources

Development Institute's mission is to conduct academic research activities, training, training and specialization of personnel, development and evaluation of the quality of human resources in the Health Sector.

c) The Comprehensive Health Insurance (SIS) has the mission of managing the funds destined to finance individual health benefits, in accordance with the Sector's policy.

d) The Superintendency of Health Providing Entities supervises, regulates and controls the Health Providing Entities.

CHAPTER XIII

OF THE ECONOMIC AND FINANCIAL REGIME

Article 34.-Financial resources

The following constitute financial resources of the Ministry of Health: a) The ordinary resources assigned in the Budget of the Republic.

b) Resources directly collected. c) Donations and

transfers made by public institutions and organizations as well as natural or legal persons.

d) Those coming from projects commissioned by national and international entities.

e) Those coming from the funds created for health. f) Others that are established by legal provisions.

CHAPTER XIV OF RELATIONSHIPS

Article 35 - Relations of the Ministry of Health

The Ministry of Health relates to public and private, national and international entities, governments and international organizations linked to its objectives.

CHAPTER XV

COMPLEMENTARY, TRANSITIONAL AND FINAL PROVISIONS

FIRST.- For the implementation of this Law, the necessary budgetary resources will be granted by the Ministry of Economy and Finance.

SECOND.- The Ministry of Health is empowered to modify the Personnel Assignment Tables and the Analytical Budgets corresponding to the Ministry of Health Specifications and specifications of its decentralized public organizations, to cover the needs of the Administrative Authorities and the Administered.

The Ministry of Health is empowered to coercively demand the payment of a debt or the execution of an obligation to do or not to do, in accordance with the scope of Law No. 26979, Coercive Execution Procedure Law.

THIRD The National Institute of Health (INS) has under its purview the National Center for Public Health, the National Center for Food and Nutrition, the National Center for Biological Products, the National Institute of Traditional Medicine, which changes its name to the National Health Center. Intercultural, the Institute of Occupational Health and the National Institute of Environmental Protection for Health, which are integrated and change their name to the National Center for Occupational Health and Environmental Protection for Health.

By ministerial resolution, the respective Commission for Evaluation, Transfer, Organization, Installation and Equipment of the National Institute of Health will be formed, and must assume its mission within a period of no more than one hundred and eighty (180) calendar days.

FOURTH.- The National School of Public Health changes its name to the Institute of Human Resources Development, maintaining its university rank. By ministerial resolution, a Transfer and Evaluation Commission of the efforts and capacities for the assumption of its new mission will be established, whose term will be sixty (60) calendar days.

FIFTH The functional components of the Ministry of Health Programs: design, planning, regulations, coordination, administration, execution, evaluation, control and others, will be assigned to the competent bodies according to the nature of their functions.

SIXTH Since the structuring of organic units is a resource to achieve the functional objectives of the organizational processes that must implement strategic planning, said organic structure must evolve permanently, for which the Minister of Health will propose the necessary changes and the technical regulations of organization, The same ones that will be approved by supreme decree.

SEVENTH. By means of a supreme resolution, endorsed by the President of the Council of Ministers, an Organizing Commission will be appointed in charge of preparing the Regulations of this Law within a period of no more than one hundred (100) business days, counted from the day following its installation.

EIGHTH. The Regulations of this Law are approved by supreme decree, which establishes the structuring of organizational subprocesses and organic units of the Ministry of Health up to the third level.

NINTH Repeal Legislative Decree No. 584 and other legal and regulatory provisions that oppose this Law.

Please inform the President of the Republic for its promulgation.

In Lima, on the seventeenth day of January, two thousand and two.

CARLOS PERRERO

President of the Congress of the Republic

HENRY PEASE GARCÍA

First Vice President of the Congress of the Republic

TO THE CONSTITUTIONAL PRESIDENT OF THE REPUBLIC

THEREFORE:

Command was published and complied.

Given at the Government House in Lima, on the twenty-eighth day of the month of January of the year two thousand two.

ALEJANDRO TOLEDO

Constitutional President of the Republic

FERNANDO CARBONE CAMPOVERDE

Health Minister