



PROVISIONAL INSTITUTIONS OF SELF GOVERNMENT

**KUVENDI I KOSOVËS**  
**СКУПШТИНА КОСОВА**  
**ASSEMBLY OF KOSOVO**

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**Law No. 02/L-78**

**ON PUBLIC HEALTH**

Kosovo Assembly,

Based on the Chapter 5.1(h) and 9.1.26(a) of the Constitutional Framework of Provisional Self-Government in Kosovo (UNMIK Regulation No. 2001/9, dated 15 May 2001).

Approves:

**LAW ON PUBLIC HEALTH**

Chapter I  
Determinations

Article 1

Defining of the used Terms in Law:

- a) Public Health: is an independent discipline dealing with identification and solving of all community problems from every health aspects, prevention of diseases, research on the etiology of the diseases, health promotion, rehabilitation and re-adaptation of the handicapped, health education and social issues.
- b) Disinfection: means of the infective agents out of the organism, which is carried out-performed by the assistance of the physical, chemical instruments and other different activities.
- c) Dis-insection: means destroying of the vectors and arthropods by physical, chemical and biological methods.
- d) Derattization: means disposal of the gnawers by specified mechanical, biological and chemical methods.
- e) Epidemic: means occurrence of two or more cases of an infective disease, which are closely related in time and with a certain area-territory, with an enormous cases number increasing of the infectious disease.
- f) Vaccine-prophylaxis: means carrying of the infectious disease causers or their dead products or weakened into the human or the animal organism in order to formation of the specific active immunity.

- g) Endemic Zone: a territory where an infective disease is present for a long time in specific circumstances, the disease that, in favorable conditions can be spread out to public in an epidemic form.
- h) Health Preventive: means a strategic intervention based on science and the natural flow of the causers, which lead in direction to health harm with intention to effective reduction of the possible causers as well as the eventual consequences, if it comes to health harming.
- i) Health Education: means the measures complex to be taught in order to increase the health knowledge possibilities as well the individual and community abilities who intend to change the behaviors on behalf of the health protection.
- j) Disease Prevention: means the measure complex in order to prevent disease development, its spread, prevention of the disease progress and its consequences.
- k) Immunization: preventing infectious disease with immunological preparations - vaccines and serums: an efficient prophylactic and antiepidemy measure, aim of which is to practice active and passive protection against the disease.
- l) Health Communication: an undertaken activity in order to realize population information in relation to health concerns and a permanent presence of the health issues in agenda of the decision-makers and public.
- m) Health Advocacy: means every undertaken-initiated activity by individuals or representatives of the interest group by intention to raise the health issues-problems with interest to community, at the decision-making authority and to realize a progress, prevention and the adequate health treatment.
- n) Health Behaviors: undertaken activities in order to improve health prevention and protection, no matter if it is about the estimated or the existing health state.
- o) Environmental health: means inspection of all factors nearby the human physical environment, which exercise or may exercise a negative effect to his physical, mental, health development or to his/her living conditions.
- p) Pollution: means the abnormal and undesired changes of the physical, chemical and biological characteristics of the water, air, land and food that affect or may affect negatively in the human and other living organisms.
- q) Polluter: is an element, material substance (physical, chemical and biological by natural or synthetic origin), which is not a component of the normal structure, (foreign), above the "maximal allowed values" (MAV).
- r) Sanitation: means the wholeness of the sanitary hygienic measures that deal with maintaining and improving of the environmental health.
- s) Sanitary Education: a process through which the individual and the community learn to protect, preserve improve and recover their health.
- t) Bank of the microbiologic samples: means the collecting, safeguard and samples conservation of a particular importance under the prescribed conditions.

- u) Expanded Immunization Program: includes the disease supervision, preventable vaccine, vaccination, procurement of vaccines and other materials, cold storage facility and management of supplies, safe immunization, safe injection, monitoring of the unexpected-undesired post-vaccine effects, elimination of the epidemic indications and international traffic.
- v) Sensitive groups: families with one parent, orphan children, the extreme poor, victims of trafficking, the chronically ill, elderly, imprisoned, homeless, drug users with injections, mentally sick especially PTSD (post-traumatic stress disorder persons).
- w) Extraordinary situation: are situations when dealing with public health dangerousness, are considered massive epidemic cases, earthquakes, fires, floods, draughts, stormy winds, migration of population, wars and other similar cases.

## Chapter II General Provisions

### Article 2

The activity of public health is an activity of a particular interest for the society in national as well as in the international level.

### Article 3

- 3.1 Institutions exercising public health activity, in the legal aspect, are subject to the supervision provided by the founder.
- 3.2 In the professional aspect, public health activity is subject to internal and external professional supervision.

### Article 4

- 4.1 Ministry of Health compiles-sets forth and supervises application of public health policies through the National Institute of Public Health of Kosova.
- 4.2 National Institute for Public Health of Kosovo (NIPHK) is a public institution which exercises referral activities in the area of public health as follows:
  - a) Planning and health programming;
  - b) Processing, analyzing and publishing of records in the area of health economy,
  - c) Work quality control;
  - d) Epidemiological preparedness and responsibility check;
  - e) Managing and evaluating the epidemiological situation of the infectious disease;
  - f) Managing the exceeded program of immunization;
  - g) Managing the hospitalized intra infections;
  - h) Analyzing and evaluating the Sanitary hygienic situation in public and private facilities;
  - i) Analyzing and evaluating the quality of the drinking water;
  - j) Analyzing and evaluating the sanitation;
  - k) Analyzing and evaluating quality of food and nourishment;

- l) Analyzing and evaluating the areolation;
  - m) Analyzing and evaluating the hygiene in pre school and school facilities;
  - n) Analyzing and managing of activities regarding the microbiology of the Environment;
  - o) Evaluating and controlling the labs that exercise activities in the area of public health;
  - p) Referring center in the area of public health for TB, HIV/AIDS and STI;
  - q) Referring center in public health for zoonoses;
  - r) Referring center in the area of public health for health and educational promotion;
  - s) Analyzing, evaluating and managing the health protection of special categories of the population with social medical importance as well the malignity, cardiovascular, diabetes diseases and similar;
  - t) Gathering, processing and analyzing of the records from the System of health information (SHI) and proposing the measures for advancement and managing of SHI;
  - u) Gathering, processing and analyzing of the records from the System of geographical Information (SGI) and proposing the measures for advancement and managing of SGI;
- 4.3 The NIPHK closely cooperates with governmental and nongovernmental institutions for its successful activity performance.
- 4.4 NIPHK coordinates and supervises application of public health policies in its organizational units.

#### Article 5

- 5.1 The NIPHK as the highest health, professional and scientific Institution organizes, develops, supervises and participates in application of the public health policies throughout Kosova territory.
- 5.2 The NIPHK's activity, organization and management is regulated by its statute.

### Chapter III Environmental Health and Residence

#### Article 6

- 6.1 The NIPHK researches the environment factors which harm public health and proposes the protection measures for preventing the health harmful effects
- 6.2 The NIPHK proposes and undertakes professional actions and recommends the competent institutions to eliminate the discovered deficiencies and any other health harmful effects.
- 6.3 Within the activity scope regarding to environmental health and the residence one, the NIPHK will act as follows:
- a) Inform the population regarding to environment pollution causes, which may threaten their health,

- b) Elaborates the health harm reporting system and diseases, actually the environmental effects.

#### Article 7

7.1 The NIPHK recommends and applies the protection measures from the field activity of human ecology:

- a) supervises and inspects the drinking water,
- b) supervision and inspection of the packing water,
- c) Supervision and inspection of the recreation waters, natural springs-mineral waters-(spa water) and swimming pools.

7.2 This issue will be regulated by a sub-legal.

#### Article 8

The NIPHK supervises, inspects and researches the causes and consequences of air pollution, which harm public health, and proposes the protection measures.

#### Article 9

The NIPHK supervises controls and researches the land contamination scale, in aspect of the threatening of the public health directly or indirectly.

### Chapter IV Food and Health

#### Article 10

It is the duty of the NIPHK, regarding to food articles that are used for public consuming purposes, to research the poisonings and infections caused by the contaminated food articles.

#### Article 11

The NIPHK makes researches, controls and gives recommendations regarding to sanitary hygienic.

### Chapter V Health state and nutrition

#### Article 12

12.1 The NIPHK supervises, analyzes, and makes the evaluation of the health state and the population nutrition's level and at the same time proposes the adequate to nutrition improvement.

12.2 The process itself and reporting period on the population health state and the nutrition level will be regulated by a sub-legal enactment.

#### Article 13

NIPHK proposes a general plan in a way of organizing the systematic visit for the children in preschool, school institutions and groups with special importance subject to systematic visits by competent institutions.

#### Article 14

The NIPHK compiles growing, developing and the population nutrition standards.

### Chapter VI Health and Radiation

#### Article 15

15.1 The harmful effects of the ionized and non-ionized radiation are subject of supervision, research and the influence evaluation in public health.

15.2 Rules and care measures against radiation harmful effect, Determination of the use conditions, and management and radioactive substance conservation that are used for diagnosis and therapy will be regulated by a sub-legal act.

15.3 Exposure to ionized radiation for diagnostic and therapeutic purposes will be performed under the health indications and in accordance to patient's approval.

### Chapter VII Employees Health Care

#### Article 16

16.1 Standardization, research and observing of the conditions influence and the employees health care will be regulated by a sub-legal act.

16.2 Activity application under paragraph 1 of this article is the competence of the health institution authorized by Ministry of Health.

16.3 The employees, whose health is endangered, can be subject to systematic medical controls, macro and microclimate by the NIPHK.

### Chapter VIII Health care under the Extraordinary conditions

#### Article 17

Announcement of the emergency state in cases when it is ascertained the dangerousness of the public health, is regulated with a sub legal act.

Chapter IX  
Microbiological diagnosis activity

Article 18

- 18.1 Public microbiological diagnosis activity will be performed only in laboratories of the public sector.
- 18.2 Clinical microbiological diagnosis will be performed in public, mixed and private institutions.
- 18.3 In private and mixed institutions is impermitted to perform referral microbiological services such as sonosis, TBC, causes of diseases from bioterrorism, food and water quality.

Article 19

- 19.1 The referent NIPHK laboratories coordinate and monitor the public and private microbiological laboratories.
- 19.2 The microbiological diagnosis activity in the NIPHK includes organization and cooperation with the laboratories in the national and international level for quality controlling of the confirming tests.
- 19.3 This issue will be regulated by a sub-legal act.

Article 20

- 20.1 Referent Laboratories in the NIPHK analyze and evaluate the microbiological fitness of the samples.
- 20.2 Referent Laboratories analyze and evaluate the microbiological fitness of the samples regarding to sterilization control.
- 20.3 The NIPHK organizes the referent laboratories for the following:
  - a) enteric infection
  - b) tuberculosis,
  - c) bacteria serology,
  - d) mycology,
  - e) parasitology,
  - f) nosocomial infections,
  - g) sexually transmitted diseases – STI and HIV/ AIDS,
  - h) zoonosis and bio-terrostatic diseases,
  - i) molecular diagnostic.
- 20.4 In the NIPHK is the bank of the microbiological samples, whose activity will be regulated by a sub-legal enactment.

## Chapter X Immunization

### Article 21

- 21.1 Immunization with immunology preparations is obliged, based on the vaccine-prophylaxis and immunization-prophylaxis under the expanded immunization program in the whole territory of Kosovo.
- 21.2 The expanded immunization program is proposed by NIPHK according to epidemiological indications and the International Standards.
- 21.3 The NIPHK conducts quality research and the collective population immunity.
- 21.4 Ministry of Health, by the proposal made by the NIPHK, determines the list of the infectious diseases, which are subject to obligated immunization, according to epidemiological indications and the international traffic regulation.
- 21.5 Obligatory Immunization on vaccine- prophylaxis, seroprophylaxis and chemic-prophylaxis will be regulated by a sub-legal act.
- 21.6 The NIPHK compiles-sets forth and proposes the immunization program obligatory for the calendar year as well as the program for emergency immunization, which are approved by the Ministry of Health.
- 21.7 Centers of Family Medicine make the application of immunization program under the supervision and evaluation carried out by the NIPHK.
- 21.8 Municipality sets forth the immunization program basing on the Expanded Immunization Program.

### Article 22

- 22.1 Ministry of Health is obliged to provide the furnishing with immunology preparations, based on the expanded program from article 21.2, of this law.
- 22.2 Storage of the immunology preparations and their distribution in the whole territory of Kosovo is the competence for the NIPHK.

### Article 23

- 23.1. The way of individual or group traveling through endemic-epidemic places abroad can be organized under the supervision of NIPHK.
- 23.2. Persons who return from the endemic-epidemic places will be subject to sanitary inspection within five (5) days term from the returning day by NIPHK.
- 23.3. Immunization, and preparations for issuing of the international certificates for persons who travel to endemic-epidemic places abroad, is an exclusive competence of NIPHK.

Chapter XI  
Preventive and anti-epidemic measures

Article 24

Preventive measures for uninfected chronic diseases and the program for their application are defined by a special sub-legal act.

Article 25

Disinfection, disinsection, derattization: (DDD) represent the preventive and anti-epidemic measures, will be regulated by a sub legal act.

Chapter XII  
Prevention of HIV/AIDS spreading

Article 26

26.1 Referent Institution for laboratory diagnostician and HIV/AIDS prevention is the NIPHK.

26.2 The activity, structure and health service functions dealing with HIV/AIDS will be regulated by a sub-legal enactment.

Chapter XIII  
Health Improvement

Article 27

27.1 Health institutions, health professionals, and the trained health personnel are obliged to do as follows:

- a) Identification and earlier estimation of the community and individuals needs regarding to health state, their previous health state, diseases and other health complication;
- b) Previous factor identification, which lead in direction to abnormal process health development, actually those factors, which disorder the overall physical, mental and social welfare.

27.2 Health trained professionals, trained personnel for health education, health and non-health institutions and the educational and health promotion schools are obliged to organize and apply to health improvement and educational activities by purpose of the health improvement, life quality betterment and reduction or elimination of the factors that affect negatively the health.

27.3 With the intention of improvement and prevention measures application, individuals and institutions are obliged as follows:

- a) To inform the population regarding to possibility of avoiding of the danger factors and their elimination using the health protective instruments and methods;
- b) To notify for possibilities and advantages of resistance increase of the organism against the pathogenic and other factors harmful to health;
- c) To notify in most special way the sensitive groups for the role of developing the activities of promotion and health education, with the aim to reduct risk factors.

## Article 28

28.1 With intention to health promotion and education, the individuals and community will be informed about, at least, for the following:

- a) Action laws in the human body and interactions of the natural, social and psychological environment;
- b) Healthy food, air, water and healthy soil, living condition and creating a healthy;
- c) Personal, body and mental hygiene, as well the collective hygiene;
- d) Role of the physical, sports, and music exercises in health improvement;
- e) Prevention methods and solving of the tress situations and for conflict dominating;
- f) Information for prevention of the infections transmitted sexually;
- g) The dependants from the psychoactive substances, their harmful effects and avoiding approaches from them;
- h) Theory and first aid practice;
- i) Conditions and opportunities of health service utilization and advocacy for health;
- j) Basic ethics pertinent to health.
- k) Health education and the citizen responsibility relating to his/her health improvement.

28.2 Health education will also be enriched in direction to disease prevention information and methods, and previous health state and with an earlier disease introduction, by making progress in citizen's possibility and responsibility regarding to his/her health improvement.

28.3 Each employee is obliged to take care after his/her health, to participate actively in health education, in health employees training, with a particular emphasis to their preparation for advice giving for a living condition;

28.4 The educational health aspects shall be taken in consideration regarding to public media in elaborating of their programming policies.

## Article 29

29.1 The NIPHK is a referent center for health educational policies programs, compilation, supervision and programs evaluation and information materials, health education and communication.

29.2 The NIPHK is a referent center for application of the continued education in field of health improvement and education.

29.3 Healthy educational professional promoting activities are performed by NIPHK through its departments, respectively the section for health promotion and education of while incorporating the committees for health promotion and education.

#### Article 30

30.1 Persons, organizations that research the factors and activities that endanger public health, and the persons and organization that perform these activities, are obliged to make reports for their work. The way of reporting will be regulated by a sub-legal act.

30.2 The defined information in the article 28.1, of this law will be offered to public opinion, and completed with necessary information for health harm prevention.

#### Article 31

31.1 With purpose of observing activities and obligations application in the above prescribed paragraph 37.2, the NIPHK will establish the Health Education Promotion Commission.

31.2 Way of organization and Commission functioning will be regulated by a sub-legal act.

#### Article 32

Other issues regarding to health education promotion will be regulated by a sub-legal act.

### Chapter XIV Health care for mother and child

#### Article 33

Promotion of health care for mother and child is regulated by a special sub legal act.

### Chapter XV Youth Health Care

#### Article 34

34.1 The purpose of health care offered to young people is to promote their harmonic body and mental development through:

- a) Health education;
- b) Systematic control corresponding to their age;
- c) Obligatory vaccine corresponding to their age, and analyses of the results and vaccine effectiveness as well the vaccine campaigns;
- d) Providing of Instructions to professional determination;

34.2 In the sphere of the specific tasks of the offered health care for youth, include as follows:

- a) Added control and the psychological care for persons who suffer from the born disorders, for those who suffer from chronic diseases with body, sense, or mental disabilities, basing on cooperation with their family doctor, the psychological care and promoting their integration into a healthy community;
- b) Consult regarding to (body) physical education in schools, physical assisting education and students sports;
- c) Consult with parents and teachers, in case of discovery of the threatening circumstances for harmonic body and mental development, use of psychoactive substances, such as, (drugs, alcohol, smoking) and, if necessary, the initiation of the measures in order to overpass this state and the possibility of the sexual transmission infection.

34.3 Within the frameworks of youth health care, will be observed the following:

- a) public health standards application in the premises which serve for providing the theoretical and practical training, as well in fields of education and recreation in the open air,
- b) applying of the provided food in the infirmary and in educational and teaching institutions,
- c) applying of the epidemiological regulations,
- d) the first aid providing,
- e) application of regular and appropriate information for damages related to the consume of alcohol, tobacco, drugs and other psycho active substances;
- f) monitoring of the students and pupils state and stability,
- g) in case of infectious disease, the defined anti-epidemic measures will be taken;

34.4 Providing of the health care in schools will be defined by a sub-legal acts.

34.5 With purpose of realization of their tasks, the health service providers will cooperate with the public educational institutions, with institutions and persons who offer social, family and assistance as well as the children's protection.

## Chapter XVI Health Care in Relation to Sport

### Article 35

The activity, structure and the way of health care functioning in relation to sports, because of the specifications, will be regulated by a sub-legal act.

## Chapter XVII Financial Part

### Article 36

36.1 Public Health and the National Institution of Public Health of Kosova, as the main implementation institution of the Public Health, is financed by the following:

- a) Kosova Consolidated Budget,
- b) Municipality Budget,
- c) Its incomes earned through the performed services, and
- d) Donations.

36.2 Government of Kosova will establish the specific Budget Code for NIPHK.

36.3 The way of its creation of the incomes and way of their expenses are defined by a sub-legal act.

Chapter XVIII  
Disciplinary provisions and measures

Article 37

In cases of failure to provisions applying and violations of the Public Health Law, will be taken measures according to article 118 and 119 of Health Law.

Chapter XIX  
Transitional Provisions

Article 38

With intention of this law enforcement, the Ministry of Health issues sub-legal acts within 12 months from the day this law enters into force.

Article 39

The present law shall enter into force after adoption by the Assembly of Kosova on the date of its promulgation by the Special Representative of the Secretary-General.

**Law No. 02/L-78**  
**22 February 2007**

**President of the Assembly**

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**Kolë Berisha**