

Unofficial Translation

Notification of the Central Committee on the Price of Goods and Services

No. 45, B.E. 2564 (2021)

Regarding Declaration of Price, Prescription of Rules and Conditions

Associated with Sale of Medicines, Medical Supplies, Medical Treatment Fees,

Medical Service Fees, and Other Service Fees of Clinics¹

Whereas the Notification of the Central Committee on the Price of Goods and Services No. 18, B.E. 2563 (2020) regarding Determination of Goods and Services under Control dated 1st July B.E. 2563 (2020) comes to an end, resulting in the end of enforcement of the Notification of the Central Committee on the Price of Goods and Services No. 55, B.E. 2563 (2020) regarding Declaration of Price, Prescription of Rules and Conditions Associated with Sale of Medicines, Medical Supplies, Medical Treatment Fees, Medical Service Fees, and Other Service Fees of Clinics dated 1st July B.E. 2563 (2020). In the meantime, the Central Committee on the Price of Goods and Services has already reconsidered the exercise of its power regarding the stipulation of the aforesaid measure, it is of the view that the measure requiring a hospital, a pharmaceutical manufacturer, an importer of medicines into the Kingdom for sale, a distributor of a manufacturer, or a distributor of an importer of medicines into the Kingdom to declare information relating to the prices of medicines and medical supplies, medical treatment fees, medical service fees, and other service fees of clinics should be maintained. In addition, there shall be the continuity of the prescription of rules and conditions associated with the sale of medicines and medical supplies, and the aforesaid service fees in order to bring about transparency in the supervision of the prices of medicines and medical supplies, the medical treatment fees, the medical service fees, and other service fees of clinics to be at optimum level and fair to all parties involved, and to give more choice to service users.

By virtue of Section 9 (2), (3), Section 25 (3), (4), and paragraph one of Section 26 of the Price of Goods and Services Act, B.E. 2542 (1999), the Central Committee on the Price of Goods and Services therefore issues this Notification, as follows.

Article 1. This Notification shall come into force in all areas of the Kingdom for the period of one year as from the day following the date of its publication, except for there being the issuance of a new notification.

¹ Published in the Government Gazette, Volume 138, Special Part 242 d, Page 266, dated 3rd October B.E. 2564 (2021).

DISCLAIMER: THIS TEXT HAS BEEN PROVIDED FOR THE BENEFIT OF ACCESS TO INFORMATION ON LAW ONLY. THIS TEXT CANNOT BE USED AS A SOURCE OF REFERENCE. THE PROVISIONS OF THE LAW IN THE ONLY THAI-LANGUAGE VERSION CAN BE USED AS THE REFERENCE. THE DEPARTMENT OF INTERNAL TRADE SHALL ASSUME NO RESPONSIBILITY FOR ANY LIABILITIES ARISING FROM THE USE AND/OR REFERENCE OF THIS TEXT. THE ORIGINAL THAI TEXT AS FORMERLY ADOPTED AND PUBLISHED SHALL IN ALL EVENTS REMAIN THE SOLE AUTHORITY HAVING LEGAL FORCE.

Article 2. This Notification shall apply to the hospital which is not exempted by the law governing the price of goods and services and the law governing clinics.

Chapter 1

Declaration of Prices of Medicines and Medical Supplies, Medical Treatment Fees,
Medical Service Fees, and Other Service Fees of Clinics

Article 3. The hospital, the pharmaceutical manufacturer, the importer of medicines into the Kingdom for sale, the distributor of the manufacturer, or the distributor of the importer of medicines into the Kingdom are required to declare the following information.

(1) The hospital shall declare the purchase prices and the sale prices of medicines according to the items on the List of Universal Coverage Emergency Patients : UCEP and other items of medicines as prescribed by the Secretary-General of the Central Committee on the Price of Goods and Services according to the List of Thai Medicines Terminology : TMT.

(2) The hospital shall declare the purchase prices and the sale prices of medical supplies, the medical treatment fees, the medical service fees, and other service fees relative to treatments according to the items on the List of Universal Coverage Emergency Patients : UCEP.

(3) The pharmaceutical manufacturer, the importer of medicines into the Kingdom for sale, the distributor of the manufacturer, or the distributor of the importer of medicines into the Kingdom shall declare the prices of medicines which are sold to the hospital according to the List of Thai Medicines Terminology : TMT.

As regards the declaration of the information under paragraph one, it is required to declare the information within thirty days as from the date of this Notification coming into force.

The hospital, the pharmaceutical manufacturer, the importer of medicines into the Kingdom for sale, the distributor of the manufacturer, or the distributor of the importer of medicines into the Kingdom who does the business after the date of this Notification coming into force shall declare the information under paragraph one within thirty days as from the date of starting the business.

In the case where the hospital, the pharmaceutical manufacturer, the importer of medicines into the Kingdom for sale, the distributor of the manufacturer, or the distributor of the importer of medicines into the Kingdom has already declared the information pursuant to the Notification of the Central Committee on the Price of Goods and Services No. 55, B.E. 2563 (2020) regarding Declaration of Price, Prescription of Rules and Conditions Associated with Sale of Medicines, Medical Supplies, Medical Treatment Fees, Medical Service Fees, and Other Service Fees of Clinics dated 1st July B.E. 2563 (2020), it shall be deemed that the declaration of information under paragraph one of this Notification has already been made.

Article 4. In the case where the hospital has an intention to sell medicines and medical supplies, and to charge medical treatment fees, medical service fees, or other service fees of clinics at prices or fees which are different from those which have already been declared under Article 3 (1), (2), the hospital shall declare the aforesaid change in advance not less than fifteen days.

In the case where the hospital declares prices or fees which are different from those which have already been declared pursuant to the Notification of the Central Committee on the Price of Goods and Services No. 55, B.E. 2563 (2020) regarding Declaration of Price, Prescription of Rules and Conditions Associated with Sale of Medicines, Medical Supplies, Medical Treatment Fees, Medical Service Fees, and Other Service Fees of Clinics dated 1st July B.E. 2563 (2020), it shall be deemed that the declaration of changes in prices or fees under paragraph has already been made. However, the hospital shall be able to change the prices or the fees when fifteen days have elapsed since this Notification comes into force.

Article 5. The declaration under Article 3 or Article 4 shall be made to the Secretary-General of the Central Committee on the Price of Goods and Services in the form prescribed by the Secretary-General of the Central Committee on the Price of Goods and Services. The declaration shall be made by electronic data, and the date when the electronic data enters into the data system of the Office of the Central Committee on the Price of Goods and Services, the Department of Internal Trade, the Ministry of Commerce shall be deemed as the date of declaration.

The hospital, the pharmaceutical manufacturer, the importer of medicines into the Kingdom for sale, the distributor of the manufacturer, or the distributor of the importer of medicines into the Kingdom who declares the information via the electronic data under paragraph one shall sign the memorandum of agreement to declare the information via the electronic data in accordance with the rules and procedures as prescribed by the Secretary-General of the Central Committee on the Price of Goods and Services.

Chapter 2

Rules and Conditions for Sale of Medicines and Medical Supplies, Medical Treatment Fees,
Medical Service Fees, and Other Service Fees of Clinics

Article 6. The hospital is required to display a mark “QR Code”, which is the information regarding a comparison of the sale prices of medicines and medical supplies, the medical treatment fees, the medical service fees, and other service fees relative to treatments, as made by the Department of Internal Trade. The mark shall be displayed within the area of the hospital in a manner of being disclosed, clear, convenient, and sufficient to be seen by service users.

The hospital who does the business after the date of this Notification coming into force is required to declare the mark “QR Code”, which is the information regarding a comparison of the sale prices of medicines and medical supplies, the medical treatment fees, the medical service fees, and other service fees relative to treatments under paragraph one, within fifteen days as from the date on which the hospital has already declared the information under Article 3.

Article 7. The hospital is required to estimate the medical treatment fees according to an initial diagnosis and to inform a patient of the estimated fees every time.

The hospital shall inform the patient about the prices of medicines and medical supplies, the medical treatment fees, the medical service fees, and other service fees relative to treatments prior to selling or providing services upon the patient’s request.

Article 8. In the case where there is the sale of medicines to an outpatient, the hospital is required to issue a doctor’s prescription according to the practice standard of medical profession and the quotation of medicine prices to the patient every time in advance. The prescription and the quotation must be clear and readable.

The prescription and the quotation under paragraph one shall comprise at least the following information.

(1) The prescription shall consist of a generic drug name and/or a brand name, a drug form, a dosage or an amount, a number, administration and the duration of application.

(2) The quotation of medicine prices shall consist of a drug name according to a prescription and a price per unit.

Chapter 3

Extension of Duration

Article 9. When the hospital, the pharmaceutical manufacturer, the importer of medicines into the Kingdom for sale, the distributor of the manufacturer, or the distributor of the importer of medicines into the Kingdom has requested the Secretary-General of the Central Committee on the Price of Goods and Services to extend the specified period of time in this Notification; or when the Secretary-General of the Central Committee on the Price of Goods and Services has deemed as appropriate; the Secretary-General of the Central Committee on the Price of Goods and Services may give an order to make an extension of the specified period of time prior to the expiry date of such a period. Nevertheless, such an extension shall be made only when there is a special circumstance or an unavoidable event; and the hospital, the pharmaceutical manufacturer, the importer of medicines into the Kingdom for sale, the distributor of the manufacturer, or the distributor of the importer of medicines into the Kingdom has requested; or the Secretary-General of the Central Committee on the Price of Goods and Services has given an order prior to the expiry date of such a period, except for the case of force majeure.

Given on the 1st Day of July B.E. 2564 (2021)

Jurin Laksanawisit

Minister of Commerce

Chairperson of the Central Committee on the Price of Goods and Services