

Democratic People's Republic of Korea

Law on the Protection of Mental Health

Adopted by Decree No. 346 of the Standing Committee of the Supreme People's Assembly
on July 4, Juche 109 (2020)

Article 1 (Mission of the Law on the Protection of Mental Health)

The Law on the Protection of Mental Health of the Democratic People's Republic of Korea contributes to the protection and promotion of people's health by strictly establishing systems and order in the prevention, examination, diagnosis, and treatment of mental disorders.

Article 2 (Principles of Prevention of Mental Disorders)

The prevention of mental disorders is a fundamental requirement for protecting people's mental health. The state thoroughly establishes all preventive measures to prevent the occurrence of mental disorders.

Article 3 (Principles of Diagnosis and Treatment of Mental Disorders)

The state modernizes mental disorder treatment and prevention institutions and ensures scientific diagnosis and treatment of mental disorders. The criteria for classification, diagnosis, and treatment of mental disorders are determined by the central health guidance agency.

Article 4 (Principles of Guaranteeing the Rights of Persons with Mental Disorders)

The state ensures that persons with mental disorders are not discriminated against due to their condition.

Article 5 (Promotion and Dissemination of Mental Health Knowledge)

The central health guidance agency, mental disorder treatment and prevention institutions, education and publishing, and reporting agencies strengthen the promotion and dissemination of knowledge about mental health protection to encourage people to pay close attention to mental health management.

Article 6 (Obligations of Guardians of Patients with Mental Disorders)

Guardians of patients with mental disorders must promptly send patients to mental disorder treatment and prevention institutions for examination, diagnosis, and treatment. If there is no guardian, the relevant people's committee is responsible for taking care of the patient's life and health.

Article 7 (Mental Health Examination)

Citizens must regularly undergo examinations at medical institutions to protect their mental health. Medical workers must register and notify mental disorder treatment and prevention institutions if they suspect a patient has a mental disorder during the examination process.

Article 8 (Mental Disorder Diagnosis Institutions)

Diagnosis of mental disorders is conducted at specialized mental disorder treatment and prevention institutions and relevant hospital departments (hereinafter referred to as mental disorder treatment and prevention institutions).

Article 9 (Mental Disorder Assessment)

If a mental disorder assessment is required for individuals being handled by legal institutions or undergoing legal punishment, it must be requested from specialized mental disorder treatment and prevention institutions. Procedures and methods related to mental disorder assessment are separately determined.

Article 10 (Scientific Diagnosis of Mental Disorders)

Mental disorder treatment and prevention institutions must ensure scientific, objective, and fair diagnosis of mental disorders. Diagnosis of mental disorders is determined by mental disorder treatment and prevention institutions. If diagnosis is difficult, it is discussed by a medical council or referred to a higher medical institution for determination.

Article 11 (Re-diagnosis of Mental Disorders)

Relevant institutions, enterprises, organizations, and citizens can request re-diagnosis if they have opinions on the diagnosis of mental disorders. Re-diagnosis of mental disorders is conducted by the medical council of higher mental disorder treatment and prevention institutions or a specialized medical council.

Article 12 (Recording of Diagnosis)

Mental disorder treatment and prevention institutions must accurately record the diagnosis of mental disorders in the patient's medical history. Records of diagnosis can be made in foreign languages if necessary.

Article 13 (Notification of Diagnosis)

Medical workers at mental disorder treatment and prevention institutions must inform patients and guardians of the results of mental disorder diagnosis. However, if it is

recognized that informing the patient may negatively affect their treatment, only the guardian may be informed.

Article 14 (Compliance with Treatment Norms for Patients with Mental Disorders)

Mental disorder treatment and prevention institutions must comply with treatment norms for patients with mental disorders. Individuals without relevant professional qualifications or those not working at mental disorder treatment and prevention institutions cannot treat patients with mental disorders.

Article 15 (Voluntary Hospitalization for Treatment)

Patients diagnosed with mental disorders can voluntarily be hospitalized for treatment at relevant hospitals.

Article 16 (Mandatory Hospitalization for Treatment)

The following individuals must be mandatorily hospitalized for treatment at relevant hospitals:

1. Patients with mental disorders determined by the medical council to require hospitalization.
2. Patients with mental disorders recognized as capable of dangerous behavior to themselves or others.
3. Individuals subject to medical disposition by legal institutions based on mental disorder assessment results.

Article 17 (Outpatient Treatment of Patients with Mental Disorders)

Medical workers and guardians responsible for outpatient treatment of patients with mental disorders must properly manage treatment, nursing, and care of patients.

Article 18 (Treatment Methods)

Mental disorder treatment and prevention institutions adopt effective treatment methods, including medication, non-medication treatments, traditional treatments, and psychological therapy, ensuring the safety and scientific nature of treatment. Medication prescriptions for patients with mental disorders can only be made by medical workers at mental disorder treatment and prevention institutions.

Article 19 (Isolation Treatment)

Mental disorder treatment and prevention institutions can isolate and treat hospitalized patients who harm themselves, pose a danger to the health and life of others, or violate hospital order according to established norms.

Article 20 (Patient Treatment Documents)

Mental disorder treatment and prevention institutions must accurately prepare patient treatment documents such as medical histories, diagnosis certificates, and prescriptions. These documents must be kept as originals or copies for the prescribed period.

Article 21 (Discharge)

The discharge of patients receiving inpatient treatment for mental disorders is decided by mental disorder treatment and prevention institutions based on the medical conclusions of the medical council. If a patient hospitalized by legal disposition is to be discharged, the relevant legal institution must be notified.

Article 22 (Measures for Unauthorized Discharge)

Mental disorder treatment and prevention institutions must promptly notify the relevant resident administrative and social safety institutions if a patient receiving inpatient treatment for mental disorders is discharged without approval and their whereabouts are unknown.

Article 23 (Mental Health Recovery of Patients with Mental Disorders)

Patients with mental disorders can receive services for mental health recovery at institutions equipped with mental health recovery facilities. Relevant institutions, enterprises, and organizations must ensure education and labor conditions necessary for maintaining recovery once the patient has recovered.

Article 24 (Prohibited Acts)

Institutions, enterprises, organizations, and citizens must not engage in the following acts:

1. Concealing individuals with mental disorders and preventing them from receiving diagnosis and treatment.
2. Hospitalizing individuals without mental disorders as patients with mental disorders.
3. Improper registration and management of patients with mental disorders, creating risks.
4. Exaggerating symptoms of mental disorders or providing false information.

5. Failing to timely hospitalize or discharge patients with mental disorders who need hospitalization or discharge.
6. Encouraging patients with mental disorders to engage in illegal activities.
7. Other acts that hinder mental health protection activities.

Article 25 (Guidance of Mental Health Protection Activities)

Guidance of mental health protection activities is carried out by the central health guidance agency and local people's committees under the unified guidance of the Cabinet. The central health guidance agency and local people's committees must establish a proper system for guiding the prevention, examination, diagnosis, and treatment of mental disorders and strengthen their grasp and guidance.

Article 26 (Guarantee of Conditions for Mental Health Protection Activities)

Relevant agencies, including state planning agencies, labor administrative agencies, financial institutions, and local people's committees, must fully guarantee the labor, equipment, materials, medicines, medical instruments, and funds necessary for the prevention, examination, diagnosis, and treatment of mental disorders.

Article 27 (Supervision and Control of Mental Health Protection Activities)

Supervision and control of mental health protection activities are carried out by the central health guidance agency and relevant supervision and control agencies. The central health guidance agency and relevant supervision and control agencies must strictly supervise and control the prevention, examination, diagnosis, and treatment of mental disorders.

Article 28 (Application of Relevant Laws)

Matters not regulated by this law regarding the prevention, examination, diagnosis, and treatment of mental disorders are governed by relevant laws.

Article 29 (Administrative or Criminal Responsibility)

If serious consequences arise from violations of this law, responsible workers of institutions, enterprises, organizations, and individual citizens are subject to administrative or criminal responsibility according to the circumstances.