

## Legal Policy of Hospital Social Work Activities in Vietnam

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*In this article, the authors analyze the legal regulations on social work in hospitals in Vietnam. Firstly, the authors analyze the basis and reality of social work activities in medical facilities. Then, the article mentions the existing problems of social work activities in medical facilities in Vietnam nowadays. From there, the authors propose solutions to further strengthen and improve the effectiveness of social work in hospitals and medical facilities in Vietnam in the future.*

**Keywords**

Legal System, Social Work Activities, Hospitals, Vietnam.

**Introduction**

The right to health care is one of the basic human rights, recognized in international law and the legal system of each country. The right to health care - one of the basic human rights is regulated in the 1946 Constitution of the World Health Organization (WHO) stated in its preamble: "Health is a fundamental right of every human being, without distinction as to race, religion, and political opinion, economic or social condition". The Charter promoted the provision on health in the 1948 Universal Declaration of Human Rights (UDHR). The recognition of the right to health is part of the right to an adequate standard of living. Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, and housing and medical care and necessary social services... Mothers and children have the right to special care and assistance [1]. The provisions of Article 25 of the UDHR were later specified in many Conventions, such as the 1966 International Convention on Economic, Social and Cultural Rights (ICESCR), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Convention on the Rights of the Child (CRC), the International Convention on the Elimination of All Forms of Racial Discrimination (CERD), the 1993 Vienna Declaration and Program of Action adopted at the Second World Conference

on Human Rights. In particular, Article 12 of the ICESCR is considered the most comprehensive international legal provision on the right to health. According to this Article, everyone has the right to the enjoyment of the highest attainable standard of physical and mental health. States member to the Convention shall take measures to achieve the full realization of this right, including those necessary to reduce infant and child mortality; improve all aspects of environmental and industrial hygiene; prevention, treatment and control of epidemics, skin diseases, occupational diseases and other diseases, and creation of conditions to ensure all medical services and care in case of illness. In addition, the right to health care is also recognized in a number of regional human rights instruments, such as the 1961 European Social Charter, as amended (Article 11), the 1981 African Charter on Human and Peoples' Rights (Article 16), the 1988 Additional Protocol to the American Convention on Economic, Social and Cultural Rights (Article 10)... and in the laws of countries around the world [2].

In Vietnam, right after gaining independence, in 1946, President Ho Chi Minh pointed out: "Every weak citizen means the whole country is weak, every healthy citizen means the whole country is healthy... a strong people means a prosperous country". Vietnam has always identified health as the most basic condition for human development, social development and consider ensuring the right to health care of the people as a basic and inevitable right. Not only recognized in the international conventions that Vietnam

participates in, the right to health care of the people is also specifically recognized in the Constitution and many important laws. Currently, to help patients enjoy the best benefits and care when coming to meet a doctor or receive treatment in hospital, the law stipulates that each hospital must have social staff to support patients. This is completely correct, demonstrating humanity and fulfilling the obligation to protect human rights. In Vietnam, the Government has enacted many legal documents as well as policy to promote and increase the effectiveness of social work in hospitals and medical facilities. However, there are many issues and problem need to solve. Therefore, in this article, the authors analyze the legal regulations on social work in hospitals in Vietnam. Then, the authors assess the implantation that legal policy and recommend solutions to solve the existed problem so far.

## Literature Review

### Definition

Hospital social work is the activity of supporting patients, their families and medical staff in the hospital to solve social and psychological problems related to illness and the medical examination and treatment process.

### Roles of Social Work in Hospitals

Hospital social workers play a crucial role in supporting patients and their families by addressing the social, emotional, and practical challenges associated with illness and hospitalization. Their activities range from providing emotional support and counseling to coordinating care, connecting patients with resources, and advocating for their needs.

### Key Activities of Hospital Social Workers:

- i. Patient Assessment and Care Planning: Social workers conduct psychosocial assessments to understand patients' needs and develop tailored care plans.
- ii. Emotional Support and Counseling: They offer counseling and emotional support to patients and their families to help them cope with the stress, anxiety, and grief associated with illness.
- iii. Discharge Planning: Social workers assist with discharge planning, ensuring a smooth transition from the hospital to home or another care setting.
- iv. Resource Coordination: They connect patients and families with various resources, such as financial assistance, housing, transportation, and community support services.
- v. Advocacy: Social workers advocate for patients' rights and needs, ensuring they receive appropriate care and support.
- vi. Education and Support: They educate patients and families about their illness, treatment options, and available resources, empowering them to make informed decisions.
- vii. Crisis Intervention: Social workers provide support during crises, offering immediate assistance and connecting individuals with appropriate resources.
- viii. Collaboration with Healthcare Teams: They work closely with doctors, nurses, and other healthcare professionals to ensure comprehensive and coordinated patient care.
- ix. Addressing Social Determinants of Health: Social workers

help patients overcome barriers to care related to social, economic, and environmental factors.

- x. End-of-Life Care: Social workers provide support and guidance to patients and families facing end-of-life decisions and bereavement

### Research Methods

To do this research, the authors use many kinds of methodologies such as method of analysis international and Vietnamese legal documents (laws and regulations) related to the social work activities in hospital and clinics; method of survey, and the hypotheses developed in the study shows how to use law and regulation to govern the social work activities in hospital and clinics, etc...

For international legal documents, the authors mentioned the 1948 Universal Declaration of Human Rights (UDHR), the 1966 International Convention on Economic, Social and Cultural Rights (ICESCR), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Convention on the Rights of the Child (CRC), the International Convention on the Elimination of All Forms of Racial Discrimination (CERD), the 1993 Vienna Declaration and Program of Action adopted at the Second World Conference on Human Rights, the 2030 Agenda for Sustainable Development that includes 17 Sustainable Development Goals (SDGs) [3].

Vietnamese legal documents, the authors use some law and regulations related to the research subject such as:

- i. Vietnam National Assembly [4]. Constitution
- ii. Vietnam National Assembly [5]. Law on Medical Examination and Treatment
- iii. Vietnam National Assembly [6]. Law on Health Insurance
- iv. Vietnam Government [7]. Decree No. 110/2024/ND-CP on social work
- v. Vietnam Minister of Health [8]. Circular No.51/TT-BYT on regulating the implementation of social work in medical examination and treatment facilities
- vi. Vietnam Prime Minister [9]. Decision No. 112/QĐ-TTg and Decision No. 712/QĐ-BYT on the development of social work in the period 2021-2030

Moreover, the authors also use the questionnaires for survey to get the opinion of related people and statistic data to assess the role and affection of law on the social work activities in hospital and clinics in Vietnam.

Lastly, the authors also use some hypotheses developed in the study shows how to use law and regulation to govern the social work activities in hospital and clinics such as [10- 14]:

- i. Pham Tuong Van, Tran Tho Nhi, Han Dinh Hoe, Tran Thi Thanh Huong (2024). The Status of Social Work Activities at Some Hospitals in Hanoi. Tạp chí Y học Cộng đồng. DOI: 10.52163/yhc.v65i13.1794
- ii. Nguyen Trung Hai (2022). The Current Situation of Social Work Activities in Hospitals in Vietnam. International Journal

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- iii. Janice Fern, Janice Fern, Nancy Preston, Catherine E Walshe, Catherine E Walshe (2020). Hospital-based social staffs' perceptions of generalist- and specialist-level palliative social work activities. *Journal of Social Work* 21(3):146801732091150. DOI: 10.1177/1468017320911507
- iv. Nguyen Toan Thang, Dang Nhu, Nguyen Thi Mai Hien, Pham Huy Cuong (2025). *Current Status of Health Communication Activities in Hospitals Under the Ministry Of Health In 2024*. Vietnam Journal of Public Health. DOI: 10.52163/yhc.v66ienglish.2736
- v. Hossein Zare, Gerard Anderson (2025). *The Significance of Definitions in Determining the Level of Community Benefits for Nonprofit Hospitals*. *Milbank Quarterly*. DOI: 10.1111/1468-0009.70041. License CC BY-NC-ND 4.0

## Findings and Discussion

### Vietnam's Law and Regulation of Social Work in Hospitals

Since 1992, the health insurance policy has been implemented nationwide in Vietnam. The 2008 Law on Health Insurance (amended and supplemented in 2014) has contributed to perfecting the policies and laws on health insurance in particular and the policy on public health care in general. If the State's health insurance policy is economic support, sharing the financial burden of medical expenses for the people, the 2009 Law on Medical Examination and Treatment stipulates the procedures and forms for the medical examination process, specifically the rights and obligations of patients, medical practitioners, conditions for practicing medical examination and treatment, regulations on technical expertise in medical examination and treatment, conditions for ensuring medical examination and treatment, application of new techniques and methods in medical examination and treatment, technical errors, settlement of complaints, denunciations and disputes in medical examination and treatment, conditions for ensuring medical examination and treatment. These are basic provisions of the law, ensuring people's right to health care, one of the basic human rights. The right to health care is once again reaffirmed, which states: "Everyone has the right to health protection and care, equality in the use of health services, and the obligation to comply with regulations on disease prevention, medical examination, and treatment. Acts that threaten the life and health of others and community is strictly prohibited" (Article 38, the 2013 Vietnam's Constitution). Compared to previous Constitutions, the 2013 Constitution emphasized "the right to equality in the use of health services of the people". All Vietnamese citizens, regardless of wealth, social status, ethnicity, religion, gender, etc., have the right to be respected, to receive medical treatment and to enjoy the same services and facilities. This is a new point, meeting the objective requirements of practical life. Economic growth must go hand in hand with social justice and progress, including ensuring the right to equality in the use of the people health services. This shows that the right to health care in particular and human rights in general. In the 2013 Constitution, there have been supplemented and improved. The Law amending and supplementing a number of articles of the 2014 Law on Health Insurance of Vietnam has many

important new points, breakthroughs, international integration, expanding the rights of people participating in health insurance, especially the poor, near-poor, ethnic minorities living in areas with difficult socio-economic conditions, especially difficult conditions; people living in coastal and islands areas, aiming to move towards universal health insurance. The amendment and supplementation of this Law pays much attention to the rights of health insurance participants, expanding the scope of health insurance benefits and health insurance benefits, aiming to reduce the burden of medical examination and treatment costs, increasing access to health services for some policy subjects.

### The Reality Situation of Social Work in Vietnam's Hospitals

The field of social work in the health sector has been receiving attention, investment and promotion from Vietnam's hospitals. In 2025, the Vietnam Ministry of Health organized a conference on Social Work in the health sector with the theme "Inter-sectorial coordination in developing social work activities in the health sector". This is one of the practical activities of the Vietnam Ministry of Health to promote social work activities in hospitals in recent times. In 2010, the Government approved the Project on Developing Social Work Profession for the 2010-2020 period. From here, social work was identified as a specialized profession, gradually receiving attention and strong development. By 2016, the Vietnam Government continued to affirm the role of social work, officially taking March 25 every year as "Vietnam Social Work Day". Up to now, 100% of central hospitals and more than 90% of general and specialized hospitals at provincial and district levels have established Social Work Departments/Units. Social work human resources in the health sector have also increased rapidly, with nearly 10,000 employees working in hospitals and medical facilities nationwide, with high professional qualifications, contributing to improving the quality of health care and protection for the people.

Social work activities have shifted from spontaneous, mainly charity, to more professional and diverse, including counseling, psychological support, management, and case management, helping patients, their families and medical staff. Inter-sectorial coordination with the police, justice and social protection is effectively implemented, along with a focus on training and improving the quality of human resources.

In addition to treatment, patients may encounter psychological and social problems. To achieve optimal treatment results, the participation of a multidisciplinary team to support patients, including social staffs, is essential. It can be said that social staffs play many roles such as consultants, educators, connectors, etc... Therefore, it is necessary to understand that social work is not a charity activity. Mobilizing, receiving and coordinating resources to support disadvantaged patients and medical staff is one of the work groups of social work. Every year, the Social Work Department has mobilized support for treatment costs and living expenses for thousands of patients. To coordinate to those in need, social staffs learn and use support tools such as assessment scale, and coordinate with the treatment unit to determine the needs of

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each case. Therefore, helping people in difficult circumstances cannot be done spontaneously. In addition, due to the cumbersome procedures for implementing health insurance, causing difficulties and inconveniences, patients are not treated promptly. Therefore, support and guidance from social staffs in the patient for the patient is extremely necessary. Clinical social work activities are deployed, closely coordinated with the treatment unit. For patients hospitalized for the first time or even long-term patients in need of support, social staffs will visit and assess the difficult situation of psychosocial and problems of accessing social security policies, social support services during the treatment process of the patient, the level of difficulty in treatment costs. In addition, doctors, nurses or patients, caregivers are also important "collaborators" to help social staffs approach many cases in need assistance. Social staffs appear at the bedside every day. From initial assistance such as talking, consulting and instructing on relaxation and stress reduction techniques, to dedicated consultations such as how to discuss treatment between the patient/caregiver and medical staff... In cases requiring deep intervention, social staffs will follow the process from the beginning approach, create relationships, collect information, identify patient problems, then plan interventions and evaluate results. In many cases, social staffs need to persevere for months, even years. In addition, many programs and events to support patients mentally are organized on holidays; Yoga and meditation sessions support physical health; free haircut programs help patients and caregivers look neat even when going to the hospital. Children are also a group of subjects that receive deep attention through the organization of cultural classes, dance classes, painting classes, birthdays, etc.

The Social Work Department also coordinates with units under the Institute to organize communication programs, disseminate knowledge about diseases, nutritional care, update hospital regulations, regulations on environmental hygiene, infection prevention, fire prevention, social security policy consultation, health insurance, ... according to the annual plan.

With an easily accessible location right on the first floor lobby - Outpatient Examination and Treatment Department, social staffs have welcomed, guided, and advised people on medical examination and treatment as soon as they arrived at the Institute; maintained a hotline to schedule medical examinations upon request. Many cases of difficulties with medical examination and treatment procedures such as lack of personal documents, health insurance problems were also enthusiastically supported by social staffs in coordination with related units, creating convenience for people to go to the clinic and enjoy full benefits. In addition, regulations on health insurance payment for patients still have many problems, the results of universal health care are not uniform. There is a large difference in health status between regions. Preventive medicine work still has many challenges. Propaganda work has not reached all people, medical examination and treatment services are still limited, especially in difficult areas, and the quality inspection of medical examination and treatment has not been implemented. Therefore, guidance for patients from the social work department will help patients and their families reduce the burden and anxiety

when hospitalized and treated.

## **Some Problem of Social Work in Vietnam's Hospitals Currently**

### **(i) Ineffective Communication and Coordination**

Effective communication and collaboration among multi-disciplinary teams, patients and families is crucial for successful discharge planning. However, ensuring that everyone involved is informed, engaged and working toward the same goals can be a tricky task. These are some of the communication barriers we encounter most often:

- Lack of standardised communication protocols.
- Limited availability of multi-disciplinary meetings.
- Difficulty in accessing relevant patient information.
- Insufficient opportunities for collaboration between healthcare teams.
- Navigating Cultural and Linguistic Differences

The multicultural nature of the Vietnam population poses unique challenges for hospital-based social workers who will often encounter patients with language barriers, cultural differences and healthcare beliefs. Social workers are already trained to be empathetic listeners and communicators but navigating these challenges is a delicate art that takes additional time and resources.

### **(ii) Time Constraints**

Social workers in hospitals often have large caseloads, juggling multiple patients with varying needs. This can lead to time constraints, making it a challenge to provide the comprehensive level of support each individual needs. Time-consuming bureaucratic and administrative tasks can also eat up a social worker's time, especially if the technology is outdated and requires keying in multiple times. This leaves professionals with even less time to spend with their patients.

### **(iii) Lack of Role Clarity**

There can sometimes be a lack of clarity regarding the scope and responsibilities. This means that social workers can often feel pressured to relinquish their power and surrender the decision-making to the medical team. This can be extremely demoralizing and poses a serious threat to a social worker's professional identity. It also hinders the progress of creating a truly integrated health and care system.

### **(iv) Ethical and Moral Quandaries**

The pressure to meet deadlines, hit targets and free up hospital beds can put hospital-based social workers in a hard position. In a study by Ulster University, hospital-based social workers specifically mentioned the ethical challenges of trying to balance the needs of their patients with the requirements of their employers. Many also mentioned the difficulty of trying to act in line with their own ethics and professional identity when faced with conflicting employer codes and guidelines.

## **Recommendations**

To improve the quality of social work in hospitals in the coming time, it is necessary to:

First, consolidate and develop the social work system in the health sector, 100% of provincial and district hospitals and medical facilities have social work departments, expand social work in preventive health facilities, population and other fields.

Second, improve the quality and professionalize the human resources; strengthen training and professional development for social work staff in the health sector; complete training programs, training materials and reference materials to raise awareness of the position, role and content of social work activities in the health sector.

Third, promote propaganda work to raise awareness of health facility leaders, cadres, civil servants, public employees and medical staff about the important role of social work in health care. Develop an effective communication strategy so that social work is properly understood, implemented synchronously and brings practical value to patients and society.

Fourth, move towards establishing the Health Sector Social Work Association; organize inspection, supervision and evaluation of the implementation of social work activities at health facilities to promptly adjust and improve implementation effectiveness.

Fifth, promote coordination between the health sector and relevant agencies such as the police, justice, social protection and cooperation with international organizations to improve the effectiveness of social work in the health sector.

Last, multi-disciplinary working is the key to creating a more effective and efficient health and care system. Social work intervention in healthcare settings has the potential to decrease length of admission, freeing up hospital beds at a faster rate according to one study. So how can we improve the system to ensure hospital social workers and healthcare professionals have the tools needed to thrive as a multi-disciplinary team. Using Technology to Improve Communication and Streamline Workflows.

## Conclusion

In brief, for social work activities to be implemented in a diverse and rich manner for many ages and groups of patients, the accompaniment of units, organizations and individuals is indispensable. At the same time, the understanding of the community will also help social work activities to play their proper role. However, the social work force is still weak and lacking. Therefore, it is necessary to promote new training as well as retraining of skills and professional knowledge for the team of social staffs in hospitals so that they can serve and support patients better. In addition, it is necessary to reform administrative procedures in the organization of medical examination and

treatment with health insurance in the direction of streamlining and simplifying procedures and processes of medical examination and treatment, promoting the application of information technology in the management of administrative procedures at medical facilities, to reduce inconvenience, shorten time, create favorable conditions for health insurance participants to best enjoy health services; promote propaganda, dissemination and guidance on the implementation of the law on health insurance, identify the important role of the Health Sector and Social Insurance in propaganda so that each person understands and voluntarily participates in health insurance.

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