

Queensland



Subordinate Legislation 2000 No. 295

Health Act 1937

Integrated Planning Act 1997

Private Health Facilities Act 1999

**PRIVATE HEALTH FACILITIES
REGULATION 2000**

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Short title

1. This regulation may be cited as the *Private Health Facilities Regulation 2000*.

Commencement

2. This regulation commences on 30 November 2000.

Day hospital health services—Act, s 10(3)(b)(iii)

3. For section 10(3)(b)(iii) of the Act, the following are prescribed diagnostic, surgical or other procedures—

- (a) cardiac stress testing;
- (b) haemodialysis;
- (c) cytotoxic infusion, other than cytotoxic infusion performed as maintenance therapy within an established treatment regime;
- (d) gastrointestinal endoscopy, other than the following types of gastrointestinal endoscopy—
 - (i) proctoscopy;
 - (ii) sigmoidoscopy.

Minimum patient throughput standard—Act, s 12(2)(g)

4. For section 12(2)(g) of the Act, the following are prescribed health services—

- (a) cardiac surgery;
- (b) cardiac catheterisation;
- (c) intensive care;
- (d) obstetrics.

**Quality assurance entities and programs—Act, sch 3, definitions
“quality assurance entity” and “quality assurance program”**

5.(1) An entity stated in schedule 1, column 1 is an entity for the

definition of “quality assurance entity” in schedule 3 of the Act.

(2) Also, an entity accredited by JAS-ANZ as being competent to conduct a quality assurance program based on the AS/NZS ISO 9000 series of quality system standards is an entity for the definition of “quality assurance entity” in schedule 3 of the Act.

(3) A program stated in schedule 1, column 2 that is conducted by an entity stated in schedule 1, column 1 shown opposite the program is a program for the definition of “quality assurance program” in schedule 3 of the Act.

(4) Also, a quality assurance program based on the AS/NZS ISO 9000 series of quality system standards is a program for the definition of “quality assurance program” in schedule 3 of the Act.

(5) In this section—

“AS/NZS” means an Australian/New Zealand Standard jointly published by Standards Australia and Standards New Zealand.

“JAS-ANZ” means the Joint Accreditation System of Australia and New Zealand.¹

Notification of change of circumstances—Act, ss 23(4), 48(6), 154(5), 155(4) and 156(7)

6.(1) The following kinds of change in matters, relating to an authority holder, are the kinds of change for sections 23(4), 48(6), 154(5), 155(4) and 156(7) of the Act—

- (a) a change in the name of the authority holder or authority holder’s associate;
- (b) a change in the authority holder’s address;
- (c) if the authority holder or authority holder’s associate is a corporation—
 - (i) a change of the corporation’s executive officers; or

¹ JAS-ANZ is declared under the *Joint Accreditation System of Australia and New Zealand (Privileges and Immunities) Regulations 1998* (Cwlth) to be an international organisation to which the *International Organizations (Privileges and Immunities) Act 1963* (Cwlth) applies.

- (ii) for a corporation, other than a listed corporation, a change of the corporation's shareholders;
- (d) if the authority holder is the holder of a licence for a private health facility—
 - (i) a change of the person who has the day-to-day management of the facility; or
 - (ii) a change of the nurse in charge of the nursing staff at the facility; or
 - (iii) a change of the quality assurance program, conducted by a quality assurance entity, for the facility; or
 - (iv) a change of the quality assurance entity conducting the quality assurance program for the facility; or
 - (v) a change as to when the facility will be reviewed, by a quality assurance entity, to decide whether to certify under a quality assurance program that the facility operates, or continues to operate, under a quality assurance system.

(2) In this section—

“listed corporation” has the same meaning as in section 92 of the Corporations Law.

“nurse” means a person who is registered under the *Nursing Act 1992* as a registered nurse.

Giving of reports—Act, s 144

7.(1) This section applies to reports required to be given under section 144 of the Act.

(2) For section 144(3)(b) of the Act—

- (a) if the report is about patient identification, diagnosis and activity data—the report must be given by the licensee within 35 days after the end of each month during the term of the licence; and
- (b) if the report is about clinical indicator data—the report must be

² Corporations Law, section 9 (Dictionary)

given by the licensee within 35 days after the end of each 6 month period during the term of the licence.

Giving of information—Act, s 147(4)(c)(ii)

8. The agreements stated in schedule 2 are agreements for section 147(4)(c)(ii) of the Act.

Fees

9.(1) The fees payable under the Act are stated in schedule 3.

(2) For section 42(c) of the Act, the fee is the total of the following—

- (a) an application fee;
- (b) a licence fee.

(3) For section 51(2)(c) of the Act, the fee is a licence fee.

Refund of fees

10. The chief health officer must, as soon as practicable, refund the licence fee paid on an application for the issue or renewal of a licence if—

- (a) the chief health officer refuses to grant the application; or
- (b) the applicant withdraws the application before it is decided.

Amendment of Health Regulation 1996

11.(1) This section amends the *Health Regulation 1996*.

(2) Section 16—

omit.

(3) Sections 17 and 18(c), before ‘hospital’—

insert—

‘private health facility or’.

(4) Sections 18(a) and 19, ‘or hospital’—

omit, insert—

‘, private health facility or hospital’.

Amendment of Integrated Planning Regulation 1998

12.(1) This section amends the *Integrated Planning Regulation 1998*.

(2) Schedule 2—

insert—

<p>11. Assessment of an aspect of building work against the Standard Building Regulation if the building work purports to comply with performance requirements for the work other than by the acceptable solutions provisions for the work under the Queensland Development Code, Part A7</p>	<p>The chief health officer under the <i>Health Act 1937</i></p>	<p>Concurrence</p>	<p>Assessment of the building work for compliance with the performance requirements of the Queensland Development Code, Part A7</p>
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SCHEDULE 1**QUALITY ASSURANCE ENTITIES AND PROGRAMS**

section 5

column 1**Quality assurance entities**

The Australian Council on
Healthcare Standards
ACN 008 549 773

Quality Improvement Council
Limited ACN 080 125 908

column 2**Quality assurance programs**

Evaluation and quality
improvement program

Review/accreditation program

SCHEDULE 2**AGREEMENTS**

section 8

1. Agreement between the State of Queensland and the Australian Institute of Health and Welfare for the giving of certain health information by the State to the Institute dated 4 May 1999.
2. The agreement dated 28 August 1998 between the Commonwealth and the State entered into under the *Health Care (Appropriation) Act 1998* (Cwlth).

SCHEDULE 3

FEES

section 9

Division 1—Approvals

	\$
1. Application fee for an approval	255.00
2. Application for an extension of the term of an approval .	100.00
3. Application for a change in details about a proposed private health facility stated in an approval	100.00
4. Issue of another approval to replace a lost, stolen, destroyed or damaged approval	10.00

Division 2—Licences

5. Application fee for a licence	255.00
6. Licence—	
(a) 1 year or less	65.00
(b) more than 1 year but not more than 2 years	130.00
(c) more than 2 years but not more than 3 years	195.00
7. Application for a change in details about a private health facility stated in a licence for the facility	100.00
8. Issue of another licence to replace a lost, stolen, destroyed or damaged licence	10.00
9. Application for the transfer of a licence	255.00
10. Application for approval of a prescribed alteration to a private health facility	100.00

ENDNOTES

1. Made by the Governor in Council on 23 November 2000.
2. Notified in the gazette on 24 November 2000.
3. Laid before the Legislative Assembly on . . .
4. The administering agency is the Department of Health.