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## **No. S 73**

### **PRIVATE HOSPITALS AND MEDICAL CLINICS ACT (CHAPTER 248)**

#### **PRIVATE HOSPITALS AND MEDICAL CLINICS (AMENDMENT) REGULATIONS 2021**

In exercise of the powers conferred by section 22 of the Private Hospitals and Medical Clinics Act, the Minister for Health makes the following Regulations:

#### **Citation and commencement**

1. These Regulations are the Private Hospitals and Medical Clinics (Amendment) Regulations 2021 and come into operation on 1 May 2021.

#### **Amendment of regulation 2**

2. Regulation 2(1) of the Private Hospitals and Medical Clinics Regulations (Rg 1) (called in these Regulations the principal Regulations) is amended —

(a) by inserting, immediately after the definition of “licensee”, the following definitions:

““living donor”, in relation to a living donor organ transplant, means the living person from whom a specified organ is or will be removed for the purpose of transplantation into the body of another living person;

“living donor organ transplant” and “specified organ” have the meanings given by section 2 of the Human Organ Transplant Act (Cap. 131A);

“organ”, in relation to a human body, means any organ of the human body;

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“part”, in relation to a human body —

(a) includes tissues, eyes, bones and blood vessels of a human body; but

(b) excludes blood and other fluids;” and

(b) by inserting, immediately after the definition of “renal dialysis centre”, the following definition:

““transplant-related clinical services” means the following:

(a) the selection and evaluation for suitability, for the purposes of a proposed living donor organ transplant, of an individual as a living donor or recipient of a specified organ;

(b) the medical evaluation and screening of an individual who is to undergo a transplant of any organ or part of a human body;

(c) the medical care and management of an individual who is undergoing or has undergone a transplant of any organ or part of a human body, including the recipient of a specified organ;

(d) the medical care and management, after a living donor organ transplant has been carried out, of a living donor of a specified organ;”.

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**New regulation 14A**

3. The principal Regulations are amended by inserting, immediately after regulation 14, the following regulation:

**“Nursing homes**

**14A.**—(1) Without affecting any other provision in this Part, a licensee of a nursing home must take all reasonable steps —

- (a) to ensure that every patient residing at the nursing home receives appropriate nursing care provided by the nursing home; and
- (b) to ensure the safety and wellbeing, and protect the privacy, of every patient residing at the nursing home.

(2) In paragraph (1)(b), “wellbeing”, in relation to a patient residing at a nursing home, means the patient’s wellbeing so far as relating to either of the following:

- (a) personal dignity;
- (b) physical, mental and emotional health.”.

**New regulation 29A**

4. The principal Regulations are amended by inserting, immediately after regulation 29, the following regulation:

**“Radiological findings**

**29A.**—(1) This regulation applies to the licensee of a private hospital (other than a maternity home or nursing home) (called in this regulation the applicable hospital) in respect of the findings of a radiological examination (called in this regulation the radiological findings) of any patient of the applicable hospital, regardless of whether the radiological examination is conducted —

- (a) by the radiology service of the applicable hospital; or

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(b) where the licensee of the applicable hospital refers the patient to another private hospital or a medical clinic or clinical laboratory for the conduct of the radiological examination — by the radiology service of the other private hospital or the licensee of the medical clinic or clinical laboratory, as the case may be.

(2) Where the radiological examination is conducted in accordance with paragraph (1)(b), the licensee of the applicable hospital must take all reasonable steps to obtain, in a timely manner, the radiological findings from the other private hospital, medical clinic or clinical laboratory, as the case may be.

(3) The licensee of the applicable hospital must also ensure all of the following:

- (a) the radiological findings are brought to the attention of a medical practitioner practising at the applicable hospital without undue delay;
- (b) the medical practitioner mentioned in sub-paragraph (a), or another medical practitioner practising at the applicable hospital who is designated by the firstmentioned medical practitioner, reviews the radiological findings in a timely manner;
- (c) the patient is informed of the radiological findings without undue delay;
- (d) the medical practitioner who reviews the patient's radiological findings advises the patient, based on the radiological findings and without undue delay, on the patient's condition, prognosis and clinical management.

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(4) Where the patient, after receiving the advice mentioned in paragraph (3)(d), seeks care or treatment at the applicable hospital for the patient's condition, the licensee of the applicable hospital must ensure that the patient receives appropriate and timely care and treatment.

(5) Where the licensee of the applicable hospital becomes aware that the patient, after receiving the advice mentioned in paragraph (3)(d), has sought or intends to seek care or treatment at another private hospital or a medical clinic, the licensee must, without undue delay, take all reasonable steps to facilitate the transfer of the patient's care or treatment to the other private hospital or medical clinic, as the case may be.

(6) Without limiting paragraph (3)(b), the licensee of the applicable hospital must put in place such processes and procedures as are necessary and appropriate to ensure that radiological findings are reviewed by a medical practitioner practising at the applicable hospital in a timely manner under paragraph (3)(b).

(7) For the purposes of paragraph (3), "medical practitioner", in relation to a patient of an applicable hospital who has undergone a radiological examination —

- (a) includes the medical practitioner who ordered the radiological examination of the patient; but
- (b) excludes any medical practitioner who conducted the radiological examination of the patient or issued any report on the radiological findings of the patient."

### **Amendment of regulation 56C**

5. Regulation 56C(4) of the principal Regulations is amended —

- (a) by deleting the word "accredited" in sub-paragraph (a)(i)(B) and substituting the words "otherwise authorised"; and

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(b) by deleting sub-paragraph (b) and substituting the following sub-paragraph:

“(b) appoint a medical practitioner who satisfies the following requirements to ensure the proper provision of all collaborative prescribing services at the approved institution:

- (i) the medical practitioner is the medical director, or a member of the medical board or clinical board, of the approved institution;
- (ii) the medical practitioner has not, in the period of 3 years before the medical practitioner’s appointment by the approved institution, been the subject of any order made by a Disciplinary Tribunal under section 53(2) or 54 of the Medical Registration Act (Cap. 174);
- (iii) the medical practitioner is employed by the approved institution, or is otherwise authorised, to practise medicine at the approved institution;”.

### **Amendment of Second Schedule**

**6.** The Second Schedule to the principal Regulations is amended by inserting, immediately after item 9, the following item:

“10. Organ transplant services, including transplant-related clinical services.”.

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**Amendment of Third Schedule**

7. The Third Schedule to the principal Regulations is amended by inserting, immediately after item 9, the following item:

“10. Transplant-related clinical services.”.

**Amendment of Fifth Schedule**

8. The Fifth Schedule to the principal Regulations is amended by inserting, immediately after item 5, the following item:

“6. The following tests:

- (a) pre-implantation genetic testing for monogenic or single gene defects;
- (b) pre-implantation genetic testing for chromosomal structural rearrangements.”.

*[G.N. Nos. S 223/2003; S 237/2003; S 411/2003; S 308/2008; S 831/2010; S 189/2011; S 450/2013; S 493/2014; S 213/2015; S 450/2015; S 169/2016; S 110/2017; S 430/2017; S 103/2018; S 414/2018]*

Made on 29 January 2021.

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