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Crown Law Department,
Perth, 30th January, 1973.

THE undermentioned Regulations made under the provisions of the Health Act, 1911, and amended from time to time up to and including the 26th July, 1972, are reprinted as so amended pursuant to the Reprinting of Regulations Act, 1954 by authority of the Attorney General.

W. J. ROBINSON,
Under Secretary for Law.

HEALTH ACT, 1911.

PRIVATE HOSPITALS REGULATIONS, 1970.

Published in the *Government Gazette* on the 3rd July, 1970, and incorporating the amendments thereto published in the *Government Gazette* on the 26th July, 1972; and reprinted pursuant to the Reprinting of Regulations Act, 1954.

Reprinted pursuant to the Reprinting of Regulations Act, 1954 by authority of the Attorney General, dated 26th January, 1973.

HEALTH ACT, 1911.

PRIVATE HOSPITALS REGULATIONS, 1970.

1. These regulations may be cited as the Private Hospitals Regulations, 1970.

2. The Private Hospitals Regulations published in the *Government Gazette* on the 9th February, 1945, and reprinted in the *Government Gazette* on the 9th February, 1967, pursuant to the Reprinting of Regulations Act, 1954, incorporating the amendments thereto published in the *Government Gazettes* of the 20th March, 1963, the 8th January, 1965, and the 9th March, 1966, and the amendments that, pursuant to the provisions of section 8 of the Decimal Currency Act, 1965, are deemed to be amendments to those regulations, are subject to regulation 3 of these regulations, revoked.

3. The registration of a private hospital granted pursuant to regulation 7 of the regulations revoked by regulation 2 of these regulations, that was in force immediately prior to the coming into operation of these regulations, shall remain in force and be subject to the same rights and liabilities as were provided under the regulations so revoked, until the 31st December, 1970, but thereafter the provisions of these regulations apply to any re-registration of, or any other matter concerning or affecting, that private hospital.

4. In these regulations unless the contrary intention appears—

“application” means any application for registration of a private hospital whether an original application or an application by way of renewal;

“approved” means approved by the Commissioner;

“conduct” in relation to a private hospital means to open, occupy or maintain a private hospital or to cause any private hospital to be kept open, occupied or maintained;

“general private hospital” means any private hospital that is not a nursing home as defined by this regulation;

“nursing home” means any private hospital to which only patients who require medical supervision but not constant medical attention are admitted;

“original application” means an application to register as a private hospital any premises that are not, at the time the application is made, already so registered.

5. (1) Every application shall be made in accordance with the form of Form No. 1 set out in the First Schedule to these regulations and shall be accompanied by the appropriate fee calculated in accordance with the Second Schedule to these regulations.

(2) Where the application is an original application, the applicant shall cause notice of the application to be published in a newspaper circulating in the district in which the private hospital is to be established and the Commissioner shall not grant the application until at least one month has elapsed after the publication of the notice.

6. Every application other than an original application shall be made to the Commissioner not later than the 30th day of November in the year immediately preceding the year with respect to which the application is made.

Reg. 7.
Amended by
G.G. 26/7/72,
p. 2801.

7. (1) The Commissioner shall grant an application for registration of a private hospital, where the applicant satisfies the Commissioner that—

(a) the applicant or other person who conducts or will conduct the premises the subject of the application, as the case may be, is a fit and proper person to conduct the private hospital;

- (b) the premises the subject of the application comply with those provisions of regulations 8 to 24 of these regulations which apply in relation to that particular hospital;
 - (c) the premises the subject of the application comply with the requirements of the Public Buildings Regulations and the Health Act (Public Building Electrical) Regulations, made under the provisions of the Health Act, 1911, and which apply in relation to that particular hospital
- (2) Where the Commissioner grants an application, he shall issue to the applicant a certificate of registration in accordance with the form of Form No. 2 set out in the First Schedule to these regulations.
- (3) The Commissioner, when granting an application, may impose such conditions as he thinks fit with respect to—
- (a) the maximum number of patients that may be admitted to the hospital at any one time; and
 - (b) the class of cases that may be admitted to the hospital, and shall cause those conditions to be set out in the certificate of registration issued to the applicant.
8. Every room in a private hospital occupied or intended for occupation by a patient—
- (a) shall be independently and efficiently ventilated to the external air;
 - (b) shall be provided with windows in the external walls so that there is a ratio of one square foot of clear glass to each ten square feet of floor area of the room; and
 - (c) shall contain for each patient a standard hospital bed, a bedside locker with impervious surfaces, a wardrobe, an innerspring mattress and two pillows, a chair and a bed-lamp.
9. Every room in a private hospital occupied or intended for occupation by a single patient shall, in addition to the requirements of regulation 8 of these regulations, have at least one hundred square feet of floor area.
10. Every room in a private hospital, occupied or intended for occupation by more than one patient shall, in addition to the requirements of regulation 8 of these regulations, have—
- (a) at least eighty square feet of floor area for each patient;
 - (b) a distance of at least eight feet between bed centres;
 - (c) no bed placed lengthwise against a wall; and
 - (d) individual bed screens.
11. Where a private hospital is also licensed as a maternity home under the Act, there shall be provided—
- (a) birth rooms located in such a position that pedestrian traffic does not pass through them, and which are in the ratio of one to every ten midwifery beds and each of which rooms has—
 - (i) minimum dimensions of 16 feet by 13 feet; and
 - (ii) the head of any bed located against one of the longer walls;
 - (b) patient toilet facilities adjoining or conveniently accessible to each birth room;
 - (c) a sufficient number of general nurseries containing not more than eight bassinets of a type approved by the Commissioner mounted on suitable stands and with at least thirty square feet of floor space for each bassinet;
 - (d) a sufficient number of isolation nurseries containing not more than six bassinets of a type approved by the Commissioner mounted on suitable stands and with at least forty square feet of floor space for each bassinet;
 - (e) in each nursery, a scrub up basin, stainless steel sink and bench, adequate storage for linen and other supplies, soiled linen receptacles, weighing scales, oxygen and suction facilities, and such other items as required by the Commissioner,

12. The inner surfaces of every wall and ceiling in a private hospital shall be so constructed that they can be frequently washed and disinfected without sustaining damage.

13. The external walls and the roof of a private hospital shall be weather proof and the roof shall be provided with gutters, downpipes and drains to carry off all rainwater falling on the building to a distance of at least six feet from the walls of the building.

14. The drainage system of a private hospital shall be, in the opinion of the Commissioner, adequate and comply with the by-laws of the local authority.

15. The water supply to a private hospital shall be abundant and wholesome.

16. Ablutionary and sanitary conveniences in a private hospital shall be provided in a ratio of at least one shower, one water closet and one hand basin for every eight patients or proportion thereof, together with at least one island plunge bath, available to patients, on each floor.

17. A laundry shall be provided in a private hospital together with sufficient appliances to cleanse and disinfect all bedding, clothing, linen, napery, and other similar articles.

18. Adequate accommodation shall be provided for staff living on the premises of a private hospital.

19. Bathrooms, toilet facilities and change rooms shall be provided for living out staff in addition to any accommodation provided under regulation 18 of these regulations.

20. Sufficient storage space shall be provided in a private hospital for all food, drugs, linen, appliances and utensils necessary for the proper conduct of the hospital.

21. Every private hospital shall be provided with—

- (a) separate toilet facilities for each sex, clearly distinguished by signs, for use by the public;
- (b) on each floor, not less than one water closet that is capable of accommodating a wheel-chair and is 4 feet wide by 5 feet deep with the pedestal positioned 18 inches from side wall to bowl centre;
- (c) doors which open outwards on water closets, bathrooms and shower recesses;
- (d) a chair in each bathroom;
- (e) grab bars of a type approved by the Commissioner, fitted in an approved manner in shower recesses, water closets and near plunge baths;
- (f) guide rails in corridors frequented by patients;
- (g) emergency lighting for use in case of power failure, in operating rooms, birth rooms, nurseries and out-patients areas;
- (h) an emergency patient-to-nurse communication system at each bed and in bathrooms and toilets; and
- (i) heating and cooling appliances installed in all areas of the hospital frequented by patients.

22. (1) Every general private hospital shall have an operating theatre suite, located in such a position that pedestrian traffic does not pass through it to other parts of the hospital and containing—

- (a) either a major operating room of at least 20 feet by 18 feet in dimension or a minor operating room of at least 18 feet by 16 feet in dimension;
- (b) sterilizing facilities situated near the operating room and including a hi-speed autoclave;
- (c) scrub-up facilities, adjacent to the operating room;

- (d) a utility room, containing a counter, clinical sink, waste and soiled linen receptacles;
 - (e) storage for sterile supplies, unsterile supplies, anaesthetic agents, surgical and monitoring equipment, medications, nitrous oxide and for oxygen if it is not piped in;
 - (f) a room containing lockers where personnel can change clothing; and
 - (g) such other basic operating requirements as are approved from time to time by the Commissioner.
- (2) All floors in anaesthetic areas and rooms used for the storage of gases in a general private hospital shall conform to Australian Standard C.Z.9.

23. Every private hospital shall have—

- (a) a kitchen with space and equipment appropriate for—
 - (i) food preparation;
 - (ii) cooking;
 - (iii) handling and serving food;
 - (iv) washing up, consisting of a double bowl stainless steel sink and bench;
 - (v) hand washing; and
 - (vi) the storage of perishables, frozen goods, dry goods, bread, crockery and cutlery,
 and shall also have cleaning materials, facilities for garbage disposal and, in hospitals with over 20 beds, a cook's sink and bench;
- (b) a day room or lounge, appropriately furnished;
- (c) a separate dining room for the use of patients which has an approved capacity and is appropriately furnished;
- (d) a pan room containing—
 - (i) impervious storage racks of an approved kind;
 - (ii) a slop hopper;
 - (iii) a macintosh rail;
 - (iv) a pan sterilizer;
 - (v) a 24 inch stainless steel trough and stainless steel bench; and;
 - (vi) impervious floor coverings;
- (e) a treatment room containing—
 - (i) a medicine cupboard with built in security locker for narcotics;
 - (ii) adequate storage for equipment and supplies;
 - (iii) a stainless steel sink and drainer;
 - (iv) a work bench with an impervious top;
 - (v) a small high pressure sterilizer for dressings and instruments; and
- (f) scrub-up facilities in or adjacent to wards.

24. In every private hospital—

- (a) all windows and outside doors shall be flywired; and
- (b) rooms shall be numbered.

25. Where a change in ownership or conduct of a registered private hospital occurs, the registration of that private hospital lapses until the consent of the Commissioner to the change has been obtained in writing.

26. (1) Subject to subregulation (2) of this regulation, the registration of a private hospital granted under these regulations—

- (a) in the case of an original application—has effect on and from the date of issue of the certificate of registration and expires on the 31st day of December in the year in which that certificate was issued;
- (b) in the case of any other application; has effect from the 1st day of January to the 31st day of December, in the year immediately following the year in which the application is made.

(2) The Commissioner may cancel the registration of a private hospital where—

- (a) the private hospital ceases to comply with the requirements for registration set out in regulation 7 of these regulations;
- (b) a breach of any condition on which the registration of the private hospital was granted, occurs; or
- (c) an offence against these regulations is committed at the private hospital.

27. Every person who conducts a private hospital shall—

- (a) accept only those patients recommended for admission by a medical practitioner;
- (b) at all times, give access to every part of the premises to a medical officer, or Public Health Official, and afford to any of these officers any reasonable assistance that they may require for the purpose of making an inspection of the premises;
- (c) at all times, exercise a close personal supervision of the premises and of the persons employed therein or thereon, and cause all orders or directions of a medical practitioner in charge of the treatment of any patient to be diligently carried out;
- (d) keep and maintain upon the premises, all materials, equipment and appliances necessary for the proper care of the patients and shall provide any additional equipment and appliances as may be directed by the Commissioner from time to time;
- (e) ensure that meals are prepared with due regard for nutritional and aesthetic aspects and that weekly menus are available for inspection;
- (f) ensure that animals and birds are not allowed on the premises;
- (g) at all times, keep all household linen, beds, bedding, furniture, cutlery, crockery, cooking and other utensils and all other things used in the conduct or management of the hospital, thoroughly clean and disinfected;
- (h) not permit persons of different sexes to occupy the same room except married couples or children under the age of twelve years, who should be accommodated in a ward separate from adults except in the case of a mother admitted with children;
- (i) not permit more than one married couple to occupy the same room at the same time;
- (j) provide separate approved airtight receptacles into which all used surgical dressings, human tissues or fluids shall be placed;
- (k) cause all infected wastes, condemned linen or clothing and the matter referred to in paragraph (j) of this regulation to be burnt, or disposed of in any other manner as may be directed by a Public Health Official;
- (l) ensure that at least ten per cent. of the beds in the hospital have adjustable height facilities;
- (m) cause to be carried out forthwith all orders or directions that may be given him in writing from time to time by a medical officer of health or an inspector, with respect to sanitary arrangements, the collection and disposal of excreta, refuse, or liquid and other wastes.

28. (1) Every person who conducts a private hospital shall cause the private hospital to be so conducted as to comply at all times with the provisions of these regulations, and where the hospital is not so conducted and maintained, the Commissioner may, by notice in writing given to the person conducting the hospital, require him to carry out within a time specified in the notice, any work the Commissioner considers necessary to ensure that the hospital will comply with those provisions.

(2) The Commissioner may suspend or may cancel the registration of a private hospital where the person conducting the hospital fails to carry out, within the specified time, the work required by the Commissioner pursuant to a notice given under subregulation (1) of this regulation.

29. A person conducting a private hospital shall not be absent from the hospital unless a responsible person is left in charge thereof and in any case shall not be absent from the hospital for a period exceeding one week without notifying the Commissioner of the name of the responsible person so left in charge.

30. A person conducting a private hospital in which notifiable infectious or contagious disease occurs or is suspected shall—

- (a) immediately report the fact to the Commissioner;
- (b) cause forthwith, the patient discovered, or suspected to be so suffering, to be isolated from all other patients in the hospital; and
- (c) carry out forthwith the requirements of a Public Health Official and execute all cleansing and disinfecting as may be directed by that officer.

31. A person conducting a general private hospital shall—

- (a) where the hospital is also a licensed maternity home under the Act, provide for obstetrical patients to be treated in a ward or wards of the hospital set apart exclusively for that purpose;
- (b) provide for surgical patients to be treated in a ward or wards of the hospital used exclusively for that purpose;
- (c) not permit any obstetrical or surgical patient to be treated in the same ward as any other class of patient.

32. (1) A person conducting a private hospital shall keep and maintain a Register of Patients and shall cause to be recorded therein, in respect of each patient—

- (a) full name;
- (b) age;
- (c) sex;
- (d) home address;
- (e) marital status;
- (f) name and address of doctor or nurse under whose professional care the patient had been, immediately prior to admission; and
- (g) a short history of the patient's stay in hospital stating particularly—
 - (i) the name of admitting doctor and of doctor or doctors treating patient during stay;
 - (ii) the date of admission;
 - (iii) the nature of any disease manifest at the time of admission or that occurs after admission;
 - (iv) the description of any operation performed on the patient together with the name of the person or persons who operated and the result of the operation; and
 - (v) the date of discharge from hospital or, in the event of death, the date of death.

(2) Where the hospital is also a licensed maternity home under the Act, there shall also be recorded in the register maintained under sub-regulation (1) of this regulation in respect of each patient admitted for confinement, the date of and a short history of the confinement, stating particularly—

- (a) the date and time of the confinement and whether live-birth, still-birth or abortion;
- (b) the weight and height of the infant;
- (c) the sex of the infant or infants; and
- (d) the condition of the mother and infant during their stay in hospital.

33. The Register of Patients kept pursuant to these regulations shall be made available, on demand, for inspection by a Public Health Official.

34. A person conducting a general private hospital shall forward to the Commissioner on the last day of each month a complete record of all patients discharged during that month substantially in accordance with the form of Form No. 3 in the First Schedule to these regulations.

35. A person conducting a private hospital shall not suffer or permit the number of patients accommodated in the hospital at the one time to exceed the number determined by the Commissioner and set out in the certificate of registration.

36. (1) A person conducting a general private hospital shall at all times maintain a nursing staff of the following numbers and with the following qualifications—

(a) in a ratio of not less than one registered general trained nurse to every three patients or proportion thereof, but where a ward or wards of the hospital are set apart exclusively for obstetrical patients, the nursing staff for that section of the hospital may be in the ratio of one registered midwifery nurse to every four patients or proportion thereof accommodated in that section;

(b) a sufficient number of nursing aides or nursing assistants to ensure proper patient care,

and at all times there shall be on duty at least one registered nurse and where obstetrical cases are accommodated at least one registered midwifery nurse shall be on duty at all times.

(2) A person conducting a nursing home private hospital shall at all times maintain a nursing staff of such numbers and with such qualifications that there is at least one registered general trained nurse to every ten patients or proportion thereof and so that, at all times, there shall be available at the hospital at least one registered general trained nurse and a sufficient number of nursing aides or nursing assistants to ensure proper patient care.

37. (1) Where by these regulations anything is directed or forbidden to be done, or authority is given to any Public Health Official to direct, or forbid anything to be done, and that authority is exercised, any person failing or neglecting to do anything so directed, or doing anything so forbidden, commits an offence.

(2) Any person guilty of an offence against these regulations is liable to a penalty not exceeding two hundred dollars and in the case of a continuing offence to a penalty not exceeding four dollars for each day the offence continues.

FIRST SCHEDULE.

Form No. 1.

Reg. 5.

Private Hospitals Regulations, 1970.

APPLICATION FOR REGISTRATION.

To the Commissioner of Public Health,

I hereby apply for registration of the undermentioned premises as a private hospital:—

Name of hospital.....
 Address of hospital.....
 Dimensions of site.....
 Type of construction of building.....
 Number of rooms for patients.....
 Measurements of each room.....
 Number of other rooms.....
 Number of storeys.....
 Method of drainage.....
 Source of water supply.....
 Classes of cases to be admitted.....
 Full names of applicant.....
 Occupation,
 Address,
 Date..... Signature.....

Private Hospitals Regulations, 1970.

CERTIFICATE OF REGISTRATION.

This is to certify that the premises known as.....
situated at.....
are registered in accordance
 with the provisions of the Health Act, 1911, as a private hospital of the class
until the 31st December next ensuing.

Name of Applicant.....

Number of patients..... Fee \$.....

Date.....

Commissioner of Public Health.

Private Hospitals Regulations, 1970

Admission No.....

Ward.....

PATIENT ADMISSION AND STATISTICS

Hospital..... Ward Size..... Unit No.....

Surname..... Forenames.....

Address..... Post Code =

--	--	--

Age..... Date of Birth

--	--	--	--	--	--

Country of Birth..... Sex (M/F) Marital State.....

Occupation..... Race.....

Date of Admission..... Religion.....

Doctor..... Time of Admission.....

Classification of Patient..... Source of Admission.....

Insurance..... Type of Admission.....

Pensioner Ent.

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 No..... Hosp. Benefit Fund.....

Type of Discharge..... Date of Discharge..... =

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Where Discharged to.....

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Name and Address of Next of Kin or Friend.....

..... Phone.....

* Enter here the disease, condition, operation or cause of accident which best characterizes the period of hospitalisation.

External Cause of Accident, Poisoning or Violence*

Operations: Principal*

Others.....

Diagnosis at Separation (Discharge, Transfer or Death).....

1. (a) Principal Condition Treated*

(b) Underlying Cause where different.....

2. Principal Complications of 1 (a) and (b).....

3. Other Conditions Present.....

Second Schedule

Reg. 6.

SCALE OF FEES.

							\$
(1) Private Hospitals with 9 beds or less	....	....	....	....	....	....	2.00
(2) Private Hospitals with 10 to 19 beds	....	....	....	....	....	....	10.00
(3) Private Hospitals with 20 beds or more	....	....	....	....	....	....	30.00

In respect of every original registration made after the 30th day of June in any year, only one-half of the registration fee shall be payable.