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| Guidance Information:Application for New Health Service Establishment Licence |

# Guidance Information: Application for New Health Service Establishment Licence

## Executive Summary

The object of licensing is to ensure the quality and safety of services delivered by private health service establishments through specifying the standards to be met by licence holders, and to ensure that services are provided to effectively meet the needs of Tasmanians in accordance with clinical practice guidelines and best practice standards.

All health service establishments requiring licensing under the *Health Service Establishments Act 2006* (the Act) are to comply with the statutory requirements specified in the *Health Service Establishments Regulations 2011(*the Regulations*).*

This document provides guidance to ensure appropriate documented evidence of the health service’s arrangements is provided to support the licensing process.

## Which Licence is needed?

In accordance with the Act, facilities that undertake the following types of procedures require licensing:

* Type A procedures (procedure involving professional attention normally requiring admitted overnight hospital stay).
* Type B procedures (procedure involving professional attention normally requiring admitted hospital treatment that does not include part of an overnight stay).
* Type C procedures (procedure involving professional attention that does not normally require admitted hospital treatment) – when determined by the Department of Health (DoH) Secretary.

‘Professional attention’ is defined as:

*Medical or surgical treatment by or under the supervision of a registered medical practitioner; or*

*Obstetric treatment by or under the supervision of a registered medical practitioner or a registered nurse with obstetric qualifications; or*

*Dental treatment by or under the supervision of a registered dental practitioner; or*

*Podiatric treatment by a registered podiatrist.[[1]](#footnote-1)*

It is important to note that ‘admitted’ is not defined in the Act and in practice, day procedure centres in Tasmania do not ‘admit’ patients in the general understanding of the term. Licensing therefore focuses on the types of procedures performed in day procedure settings that require professional attention and align with the classes of day procedure centre listed below. Type B procedures are seen as procedures requiring treatment in an environment that has appropriately qualified staff, equipment, infection control, emergency procedures and where necessary, accreditation. Type C procedures are generally low risk procedures that can safely be performed in rooms, without infection control and safety and quality concerns.

Private hospitals can be licensed in one or more of the following classes:

* General
* Surgical
* Maternity
* Rehabilitation
* Psychiatric[[2]](#footnote-2)

Day procedure centres can be licensed in one of more of the following classes:

* Low risk/minimally invasive: low risk procedures that can be safely performed using simple sedation.
* Endoscopic: providing endoscopic treatment that involves general anaesthetic or intravenous sedative other than simple sedation.
* Surgical: surgical procedures involving general, spinal, epidural or major regional block anaesthetic or intravenous sedation other than simple sedation.[[3]](#footnote-3)

In addition to the class/es, private hospitals and day procedure centres can also be licensed to provide specific specialised services. These services are:

* All forms of cardiac surgery
* Coronary angioplasty
* Emergency department
* Intensive care
* Maternity services
* Mental health services
* Neonatal intensive care
* Neurosurgery
* Nuclear medicine
* Radiation therapy
* Renal dialysis, haemofiltration or haemoperfusion
* Tertiary vascular procedures

Part 1 of the application asks which services the facility would like to be licensed to provide. The applicant should note the class sought and any specialised services as well as the medical specialities (eg surgical class day procedure centre performing urology procedures).

## Completing the Application

There are three parts to the application. Each Part needs to be completed to the best of the applicant’s knowledge. There may be some Parts where further collaboration or clarification on how this applies to individual services is needed from the Regulation Unit.

### Part 1

Part 1 gathers information about the business, the procedures that are proposed to be performed and the staffing arrangements. Part 1 includes:

* Form 1 – New Licence Application
* Form 1A – Director’s Statutory Declaration
* Form 1B – Conviction Check Consent Form - Licensee

All forms must be completed. The checklist at the back of the form can assist with ensuring the appropriate information is provided.

### Part 2

Part 2 gathers information on the clinical governance arrangements of the service. The health service must ensure that the safety and quality requirements underpinning clinical governance are supported with policies, procedures and other applicable documentation.

The policies and procedures will be developed by the applicant, in collaboration with the Regulation Unit, to ensure all they are inclusive of the statutory safety and quality requirements.

These requirements include infection prevention and control; management and reporting of injuries, transfers, death and other sentinel events; feedback and complaints management; and clinical practice.

During development, changes to documents may be required and additional documents requested, depending on the individual service. The Regulation Unit will provide assistance and advice on additional documents as appropriate.

Part 2 includes:

* Form 2 – Clinical Governance Requirements
* Form 2A – Infection Prevention & Control Requirements

### Part 3

Part 3 addresses accreditation of the facility. All private hospitals and day procedure centres are required to be accredited to the National Health and Medical Research Council’s (NHMRC) National Safety and Quality Health Service (NSQHS) Standards overseen by the Australian Commission on Safety and Quality in Health Care (ACSQHC). The only exception to this is day procedure centres that are classed as low risk/minimally invasive, and while NSQHS accreditation is not mandated it is strongly encouraged. The information on the procedures intended to be performed in the facility provided in Part 1 of the application will determine what class the health service will be licensed as.

***Disclaimer***

Assessment and review of documents provided by the licence applicant will be undertaken by the Regulation Unit prior to a determination being made on the application by the Secretary. The initial documents provided do not necessary have to reflect the final package as some changes may be required to ensure the statutory requirements are met. The Regulation Unit will work through this process with the applicant once the application package has been submitted.

If you have any questions about the information contained in this document please contact the Regulation Unit on 03 6166 3856 or [hselicensing@health.tas.gov.au](mailto:hselicensing@health.tas.gov.au).

1. Section 3, *Health Service Establishments Act 2006* [↑](#footnote-ref-1)
2. Regulation 5(1), *Health Service Establishment Regulations 2011* [↑](#footnote-ref-2)
3. Regulation 5(2), *Health Service Establishment Regulations 2011* [↑](#footnote-ref-3)