

TASMANIA

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**HEALTH SERVICE ESTABLISHMENTS  
AMENDMENT REGULATIONS 2019  
STATUTORY RULES 2019, No. 54**

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## **HEALTH SERVICE ESTABLISHMENTS AMENDMENT REGULATIONS 2019**

I, the Governor in and over the State of Tasmania and its Dependencies in the Commonwealth of Australia, acting with the advice of the Executive Council, make the following regulations under the *Health Service Establishments Act 2006*.

Dated 27 August 2019.

C. WARNER  
Governor

By Her Excellency's Command,

S. COURTNEY  
Minister for Health

### **1. Short title**

These regulations may be cited as the *Health Service Establishments Amendment Regulations 2019*.

### **2. Commencement**

These regulations take effect on the day on which their making is notified in the *Gazette*.

### **3. Principal Regulations**

In these regulations, the *Health Service Establishments Regulations 2011*\* are referred to as the Principal Regulations.

### **4. Regulation 3 amended (Interpretation)**

Regulation 3 of the Principal Regulations is amended as follows:

- (a) by inserting the following definition after the definition of *child* in subregulation (1):

***Commission*** means the Australian Commission on Safety and Quality in Health Care established by section 8 of the *National Health Reform Act 2011* of the Commonwealth;

- (b) by omitting from subregulation (2)(f) “Australian Commission on Safety and Quality in Healthcare” and substituting “Commission”;
- (c) by omitting from subregulation (2)(g) “Australian Commission on Safety and Quality in Healthcare” and substituting “Commission”.

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\*S.R. 2011, No. 97

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**5. Schedule 1 amended (General Licensing Standards for Private Hospitals and Day-procedure Centres)**

Schedule 1 to the Principal Regulations is amended as follows:

(a) by omitting paragraph (a) from clause 2(1) of Part 2 and substituting the following paragraph:

(a) the private hospital or day-procedure centre is granted accreditation by an approved industry body –

(i) if the private hospital or day-procedure centre is established before the commencement of the *Health Service Establishments Amendment Regulations 2019*, within 2 years after it commences its functions; or

(ii) subject to subparagraph (iii), if the private hospital or day-procedure centre is established on or after the commencement of the *Health Service Establishments Amendment Regulations 2019*, within 18 months

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after it commences its functions; or

(iii) despite subparagraph (ii), if –

(A) the private hospital or day-procedure centre is established on or after the commencement of the *Health Service Establishments Amendment Regulations 2019*; and

(B) an advisory issued by the Commission in respect of accreditation applies to the private hospital or day-procedure centre and specifies a time period within which the hospital or centre is to be granted accreditation –

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within the time period so  
specified in the advisory;  
and

- (b) by omitting subclause (2) from clause 2 of Part 2;
- (c) by omitting from clause 2(4) of Part 2 “centre), or no exemption from the Secretary is in force,” and substituting “centre),”;
- (d) by omitting from clause 3 of Part 2 “*National Standard for Credentialing and Defining the Scope of Clinical Practice*” and substituting “*Standard for Credentialling and Defining the Scope of Clinical Practice: A National Standard for credentialling and defining the scope of clinical practice of medical practitioners, for use in public and private hospitals*”;
- (e) by inserting in clause 3 of Part 2 “, as amended or substituted by the Commission” after “Care”;
- (f) by omitting from clause 7(4) of Part 2 “*National Standard for Credentialing and Defining the Scope of Clinical Practice*” and substituting “*Standard for Credentialling and Defining the Scope of Clinical Practice: A National Standard for credentialling and defining the scope of clinical practice of medical*”

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*practitioners, for use in public and private hospitals”;*

- (g) by inserting in clause 7(4) of Part 2 “, as amended or substituted by the Commission” after “Care”;
- (h) by omitting from clause 8(1) of Part 2 “*National Safety and Quality Healthcare Standard on Governance for Safety and Quality in Health Service Organisations*” and substituting “*National Model Clinical Governance Framework*”;
- (i) by omitting from clause 8(1) of Part 2 “Australian Council on Safety and Quality in Healthcare” and substituting “Commission”;
- (j) by omitting from clause 9(1) of Part 2 “*National Statement on Ethical Conduct in Research Involving Humans*” and substituting “*National Statement on Ethical Conduct in Human Research*”;
- (k) by omitting paragraph (a) from clause 10 of Part 2 and substituting the following paragraph:
  - (a) the *Specifications for a Standard Patient Identification Band* as published by the Commission; and
- (l) by omitting from clause 5(2) of Part 4 “Australian Commission on Safety and

Quality in Healthcare” and substituting  
“Commission”;

- (m) by omitting from clause 8(2) of Part 4 “Australian Commission on Safety and Quality in Healthcare” and substituting “Commission”;
- (n) by omitting from clause 10(1)(d) of Part 4 “Australian Commission on Safety and Quality in Healthcare” and substituting “Commission”.

**6. Schedule 2 amended (Additional Licensing Standards for Particular Classes of Private Hospitals)**

Part 1 of Schedule 2 to the Principal Regulations is amended as follows:

- (a) by omitting from clause 3 “*Guidelines on the Assistant for the Anaesthetist*” and substituting “*Statement on the Assistant for the Anaesthetist*”;
- (b) by omitting from clause 5(1)(e) “*Recommendations on Monitoring During Anaesthesia*” and substituting “*Guidelines on Monitoring During Anaesthesia*”;
- (c) by omitting from clause 5(1)(f) “*Recommendations for the Post-Anaesthesia Recovery Room*” and substituting “*Statement on the Post-Anaesthesia Care Unit*”.

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**7. Schedule 3 amended (Additional Licensing Standards for Private Hospitals authorised to provide Specialised Services)**

Schedule 3 to the Principal Regulations is amended by omitting “Joint Faculty of Intensive Care Medicine” from clause 3 of Part 3 and substituting “College of Intensive Care Medicine of Australia and New Zealand”.

**8. Schedule 4 amended (Additional Licensing Standards for Particular Classes of Day-Procedure Centres)**

Schedule 4 to the Principal Regulations is amended as follows:

- (a) by omitting from clause 3 of Part 1 “*Guidelines on the Assistant for the Anaesthetist*” and substituting “*Statement on the Assistant for the Anaesthetist*”;
- (b) by omitting from clause 4(1)(c) of Part 1 “*Recommendations on Monitoring During Anaesthesia*” and substituting “*Guidelines on Monitoring During Anaesthesia*”;
- (c) by omitting from clause 4(1)(d) of Part 1 “*Recommendations for the Post-Anaesthesia Recovery Room*” and substituting “*Statement on the Post-Anaesthesia Care Unit*”;
- (d) by omitting from clause 1(1)(e) of Part 2 “*Recommendations on Monitoring*”

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*During Anaesthesia” and substituting  
“Guidelines on Monitoring During  
Anaesthesia”;*

- (e) by omitting from clause 1(1)(f) of Part 2  
*“Recommendations for the Post-  
Anaesthesia Recovery Room”* and  
substituting *“Statement on the Post-  
Anaesthesia Care Unit”;*
- (f) by omitting from clause 1(2) of Part 2  
*“Recommendations for the Perioperative  
Care of Patients Selected for Day Care  
Surgery”* and substituting *“Guidelines for  
the Perioperative Care of Patients  
Selected for Day Care Surgery”;*
- (g) by omitting from clause 3 of Part 2  
*“Guidelines on the Assistant for the  
Anaesthetist”* and substituting *“Statement  
on the Assistant for the Anaesthetist”;*
- (h) by omitting from clause 1(e) of Part 3  
*“Recommendations on Monitoring  
During Anaesthesia”* and substituting  
*“Guidelines on Monitoring During  
Anaesthesia”;*
- (i) by omitting from clause 1(f) of Part 3  
*“Recommendations for the Post-  
Anaesthesia Recovery Room”* and  
substituting *“Statement on the Post-  
Anaesthesia Care Unit”;*
- (j) by omitting from clause 2 of Part 3  
*“Guidelines on the Assistant for the*

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*Anaesthetist” and substituting “Statement  
on the Assistant for the Anaesthetist”.*

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Printed and numbered in accordance with the *Rules Publication Act 1953*.

Notified in the *Gazette* on 4 September 2019.

These regulations are administered in the Department of Health.

**EXPLANATORY NOTE**

*(This note is not part of the regulations)*

These regulations amend the *Health Service Establishments Regulations 2011* by –

- (a) making certain interim accreditation requirements for certain health service establishments consistent with Commonwealth requirements; and
- (b) updating references to certain documents and organisations.