



THE PRIVATE HOSPITALS REGULATIONS 1964

BERNARD FERGUSSON, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 30th day of November 1964

Present:

THE RIGHT HON. KEITH HOLYOAKE, C.H., PRESIDING IN COUNCIL

PURSUANT to the Hospitals Act 1957, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Private Hospitals Regulations 1964.

(2) These regulations shall come into force on the seventh day after the date of their notification in the *Gazette*.

2. Interpretation—(1) In these regulations, unless the context otherwise requires,—

“The Act” means the Hospitals Act 1957:

“Carrier”, “communicable disease”, and “Medical Officer of Health” have the meanings respectively assigned to those expressions in section 2 of the Health Act 1956:

“Nurse” means any person, whether registered under the Nurses and Midwives Act 1945 or not, who carries out any nursing duties in a private hospital, and words importing the feminine gender when used in connection with nurses include males.

(2) Expressions defined in the Act have the meanings so defined:

Provided that the expression “private hospital” does not, except when used in regulation 3 of these regulations, include a hospital which is licensed as a maternity hospital or any part of a hospital which is licensed as a maternity hospital.

3. Licences—(1) Every application for a licence to keep a private hospital shall be made in triplicate to the Director-General of Health through the Medical Officer of Health for the district.

(2) The application shall contain the particulars prescribed in the First Schedule hereto, and shall be accompanied by a fee of 10s.

(3) The fee to be paid on the grant of a licence to keep a private hospital, and, in the month of December in each year in respect of the continuance of the licence, shall be:

Where the maximum number of patients that may be maintained at any one time does not exceed four	£1
Where the maximum number of patients that may be maintained at any one time exceeds four	5s. for each patient comprising that number, with a maximum fee of £5.

4. Registered nursing staff—For every psychiatric hospital there shall be employed at least the following number of registered psychiatric nurses and for every other kind of private hospital there shall be employed at least the following number of registered nurses:

Where the maximum number of patients that may be maintained at any one time does not exceed five	1
Where the maximum number of patients that may be maintained at any one time exceeds five	1 for every five patients and 1 for any number of patients in excess of all multiples of five.

Records

5. Register of Patients—In every private hospital the licensee shall cause to be entered in the Register of Patients the following particulars in addition to the particulars required to be entered by section 137 of the Act:

- (a) Whether the patient is married or single:
- (b) Diagnosis on admission:
- (c) Nature of any operation performed on the patient:
- (d) Nature and quantity of any anaesthetic given and by whom.

6. Registers to be retained—The licensee of a private hospital shall cause each register to be retained for three years after the date of the last entry in it:

Provided that in the event of a licence being revoked or otherwise terminated the licensee shall forthwith forward all registers in his hands to the Medical Officer of Health.

7. Patient's chart to be kept—(1) The manager of a private hospital shall take all reasonable steps to ensure that there is kept in respect of each patient admitted to the hospital a chart (to be called a patient's chart) in a form approved by the Director-General of Health.

(2) There shall be entered on the patient's chart in ink as soon as practicable after the occurrence of the act or event to which the entry relates—

- (a) The temperature and pulse rate of the patient on each occasion these are taken and the date and time of each observation:
- (b) Instructions given by a medical practitioner as to the administration to the patient of any drug or as to any treatment other than routine management:

- (c) Particulars of any drug administered to the patient or treatment given other than routine management:
- (d) Particulars of any other significant observations made or action taken in relation to the treatment or nursing care of the patient.

8. Availability of patient's charts—In every private hospital the manager shall take all reasonable steps to ensure that, in the case of each patient in the hospital, the patient's chart is so kept that the temperature record is available for inspection by any medical practitioner who is in attendance on a patient in the hospital, and that, after the discharge or death of a patient, the patient's chart is retained in the hospital for at least three years:

Provided that in the event of a licence being revoked or otherwise terminated the licensee shall forthwith forward all patient's charts in his hands to the Medical Officer of Health.

9. Medical practitioner's instructions to be in writing—Every medical practitioner who gives instructions as to the administration of any drug to a patient in a private hospital, or as to any treatment other than routine management, shall write over his signature such instructions on the patient's chart, or, if he gives such instructions orally in cases of emergency, shall confirm them in writing on the patient's chart as soon as practicable. Instructions which the medical practitioner requires to be observed in the routine management of any patient's treatment shall be given to the manager in writing and be signed by the medical practitioner concerned.

Precautions for Preventing Spread of Communicable Disease

10. Nurses suffering from communicable diseases—A nurse shall not attend any patient, or undertake any duty, in a private hospital while suffering from any communicable disease; nor shall she do so while she is a carrier, except with the consent of the Medical Officer of Health and subject to such conditions as he may specify.

11. Nurses contracting communicable disease—A nurse who contracts any communicable disease shall not thereafter attend any patient, or undertake any duty, in a private hospital until she is permitted to do so by the Medical Officer of Health.

12. Attendance on other patients—A nurse who attends any patient suffering from, or suspected of suffering from, any communicable disease shall not attend any other patient, or undertake any duty, in a private hospital until she is permitted to do so by the Medical Officer of Health and until she has carried out such measures for personal disinfection as he may specify.

13. Cleanliness of nurses—The manager of a private hospital shall take all reasonable steps to ensure that every nurse observes strict cleanliness in her person and clothing and gives proper attention to the care of her hands.

14. Proper aseptic technique to be observed—Every person who conducts or directly assists in conducting any surgical procedure in a private hospital shall observe proper aseptic technique including when appropriate the wearing of a sterilised gown, cap, and mask and sterilised rubber gloves.

15. Equipment—(1) The licensee of a private hospital shall take all reasonable steps to ensure that there is maintained in the hospital for the purpose of preventing the spread of any communicable disease—

- (a) Adequate sanitary appliances:
- (b) Adequate sterilising apparatus:
- (c) Adequate laundry equipment.

(2) If any question arises as to whether any appliance, apparatus, or equipment is adequate for the purposes specified in subclause (1) of this regulation the matter shall be referred to the Director-General whose decision shall be final.

16. Supply of articles in a sterile state—Nothing in regulation 15 of these regulations shall be so construed as to prevent arrangements being made for any class of article to be supplied in a sterile state instead of being sterilised in the hospital or to prevent the making of suitable arrangements for part or all of the laundry work to be carried out elsewhere.

17. Laundering of linen—The manager of a private hospital shall take all reasonable steps to ensure that all linen is effectively laundered by a process which includes boiling or other means of sterilisation by heat, or by any other process approved in writing for the time being by the Director-General, and that all reasonable precautions are taken to prevent its being subject to any form of bacterial contamination thereafter.

18. Medical asepsis—The manager shall take all reasonable steps to ensure that any patient who is placed in isolation in a private hospital is nursed in accordance with a proper technique of medical asepsis as set out in the Department of Health pamphlet H.Mt. 18, *The Technique of Isolation*, published in the year 1960 and issued by the Director-General:

Provided that any patient may be nursed in accordance with the said technique as modified in writing from time to time by the Director-General.

19. Rooms and equipment to be disinfected—The manager of a private hospital shall not permit—

- (a) Any room which has been occupied by a patient suffering from or suspected of suffering from any communicable disease to be occupied by any other patient until the room and its contents have been disinfected in the manner provided in the Department of Health pamphlet H.Mt. 18, *The Technique of Isolation*, published in the year 1960 and issued by the Director-General:

- (b) Any equipment which may have become infected during the treatment of any such patient to be used in connection with the treatment of any other patient until it has been disinfected in the manner provided in the said pamphlet:

Provided that any such room and its contents and any such equipment may be disinfected in any other manner approved for the time being in writing by the Director-General.

Miscellaneous Provisions

20. Penalties—Every person who acts in contravention of or fails to comply with any provision of these regulations commits an offence and shall be liable on summary conviction to a fine not exceeding £50, or, in the case of a continuing offence, not exceeding £5 for every day or part of a day during which the offence has continued.

21. Revocations—The regulations specified in the Second Schedule hereto are hereby revoked.

SCHEDULES

FIRST SCHEDULE

Reg. 3 (2)

PARTICULARS TO BE CONTAINED IN APPLICATION FOR A LICENCE TO KEEP
A PRIVATE HOSPITAL

1. The name, address, and qualifications of the applicant.
2. The name of the proposed manager (if not the applicant for the licence).
3. The name of the proposed hospital.
4. The address of the premises and the name of the registered proprietor thereof.
5. A description of the premises including the area and legal description of the site, the number of storeys and type of construction of each of the buildings thereon, the source of water supply, the method of sewerage disposal, details of toilet facilities available to patients and staff respectively, and details of service rooms and their equipment.
6. A schedule of rooms showing for each room the identification number, the dimensions, ventilation and window area, method of heating, whether or not a washhand basin is installed, the type of call system provided, and the use to which the room will be put and the intended number of occupants.
7. Two copies of the plan of each of the buildings constituting the premises on which every room is identified by number to correspond with the schedule of rooms provided in accordance with paragraph 6 of this Schedule.
8. Two references as to the character of the applicant and his fitness to be the licensee of a private hospital.
9. A certificate from the appropriate local authority that the fire precautions throughout the premises comply with current requirements.

Reg. 21

SECOND SCHEDULE

REGULATIONS REVOKED

Title or Subject-matter	Reference
Regulations made under the Hospitals Act 1926 on the 13th day of April 1927	<i>Gazette</i> 1927, Vol. I, p. 1096
Regulations made under the Hospitals Act 1926 on the 2nd day of December 1930	1930, Vol. III, p. 3671
Regulations made under the Hospitals Act 1926 on the 29th day of June 1932	1932, Vol. II, p. 1590
Subclause (3) of regulation 91 and the Second Schedule to the Obstetrical Regulations 1963	<i>Statutory Regulations</i> 1963/60

T. J. SHERRARD,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations consolidate and amend, without substantial alteration, the existing regulations relating to private hospitals.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 3 December 1964.

The regulations are administered in the Department of Health.