

# Public Health Risk (Health Care Facilities) Declaration 2001

## INSTRUMENT NO. 183 OF 2001

I hereby make the following declaration under section 18 of the *Public Health Act 1997*.

Dated 3 July 2001.

**MICHAEL MOORE**

Minister

### 1 Name of declaration

This declaration is the *Public Health Risk (Health Care Facilities) Declaration 2001*.

### 2 Commencement

This declaration commences 30 days from the day this declaration is notified in the Gazette.

### 3 Definitions

In this declaration—

*health care facility* means a premises upon which *prescribed medical and dental procedures* are carried out and/or a premise in which over night patient stays are provided, but does not include an aged care facility.

*prescribed medical and dental procedures* means procedures undertaken for medical or cosmetic reasons by a health care professional that involves:

- (a) the administration of a general, spinal, epidural or major regional block anaesthetic or intravenous sedative for the purpose of performing an elective procedure, but does not include mandibular blocks;
- (b) endoscopy;
- (c) dialysis, haemofiltration or haemoperfusion;
- (d) prolonged intravenous infusion of a single cytotoxic agent or sequential intravenous infusion of more than one cytotoxic agent; or
- (e) cardiac catheterisation.

**4 Health Care Facilities—public health risk activities**

It is a licensable public health risk activity to operate, manage or control a business, charity or service that is a *health care facility*.

**5 Revocation of Private Hospital—public health risk activities**

I hereby revoke the previous *Private Hospital Public Health Risk Declaration 2000* (Instrument No. 346 of 2000).

**6 Saving —Private Hospital licensed before commencement of this instrument**

A Private Hospital licensed under the *Public Health Act 1997* before the commencement of this instrument is taken to be licensed as a Health Care Facility under the *Public Health Act 1997* at the commencement this instrument until the expiration of that Private Hospital Licence.

**7 Saving —Skin Penetration Procedures licensed before commencement of this instrument**

A business licensed under the *Skin Penetration Procedures Act 1994* before the commencement of this instrument is taken to be a licensed as a Health Care Facility under the *Public Health Act 1997* at the commencement this instrument until the expiration of that Skin Penetration Procedure Licence.