



New South Wales

Private Health Facilities Amendment (Prescribed Treatment and Prescribed Services) Regulation 2015

under the

Private Health Facilities Act 2007

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Private Health Facilities Act 2007*.

JILLIAN SKINNER, MP
Minister for Health

Explanatory note

Section 33 of the *Private Health Facilities Act 2007* makes it an offence for a person to conduct a private health facility unless the private health facility is licensed and the person is the licensee.

The object of this Regulation is to prescribe certain services or treatments for the purpose of the definition of *private health facility* in that Act.

This Regulation is made under the *Private Health Facilities Act 2007*, including sections 4 (1) (definition of *private health facility*) and 65 (the general regulation-making power).

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1 Name of Regulation

This Regulation is the *Private Health Facilities Amendment (Prescribed Treatment and Prescribed Services) Regulation 2015*.

2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

Schedule 1 Amendment of Private Health Facilities Regulation 2010

[1] Clause 3 Definitions

Insert in alphabetical order in clause 3 (1):

anaesthesia means the administration of general, epidural or major regional anaesthetic or sedation resulting in more than conscious sedation, other than sedation provided in connection with dental procedures.

cardiac catheterisation means the passing of a catheter, or other instrument, through a major blood vessel and into the heart for a diagnostic or therapeutic purpose.

chemotherapy means parenteral treatments using one or more cytotoxic agents.

gastrointestinal endoscopy means the use of a flexible endoscope with an internal lumen for the passage of an instrument to examine the upper or lower gastrointestinal tract.

interventional neuroradiology means the passing of a catheter or other instrument through the spinal canal, the cranial cavity or through a major blood vessel, to the brain or spine.

radiotherapy means the use of ionising radiation from a radioactive substance.

rapid opioid detoxification means the use of one or more opioid antagonists, in particular naltrexone or naloxone or a combination of the two, in a person who is physiologically dependent on opioids for the purpose of accelerating opioid withdrawal in the person and rendering the person opioid free.

[2] Clause 3A

Insert after clause 3:

3A Definition of “private health facility”: prescribed services or treatments

For the purposes of the definition of ***private health facility*** in section 4 (1) of the Act, the following are prescribed services or treatments (irrespective of whether the person being provided with the service or treatment is admitted to the facility):

- (a) anaesthesia,
- (b) cardiac catheterisation,
- (c) chemotherapy,
- (d) services or treatments relating to the care of patients injured in accidents, or those suffering from medical or other emergencies, through the provision of reception, resuscitation, medical and surgical treatment and use of life support systems,
- (e) gastrointestinal endoscopy,
- (f) interventional neuroradiology,
- (g) radiotherapy,
- (h) rapid opioid detoxification,
- (i) renal dialysis,
- (j) surgical procedures performed on patients who are administered general, epidural or major regional anaesthetic or sedation resulting in

more than conscious sedation, other than a surgical procedure carried out by a dentist.

Note. The definition of *private health facility* in section 4 (1) of the Act also includes certain facilities at which a person is admitted, provided with medical or surgical treatment and then discharged.