

# *The Health Facilities Licensing Regulations*

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[Chapter H-0.02 Reg 1](#) (effective February 22, 1999) as amended by Saskatchewan Regulations [40/2008](#) and [10/2011](#).

## **NOTE:**

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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## **CHAPTER H-0.02 REG 1**

### *The Health Facilities Licensing Act*

#### **Title**

- 1** These regulations may be cited as *The Health Facilities Licensing Regulations*.

#### **Interpretation**

- 2** In these regulations, “**Act**” means *The Health Facilities Licensing Act*.

29 Jan 99 cH-0.02 Reg 1 s2.

#### **Health facility exemption**

**2.1** For the purposes of subclause 2(1)(i)(ii) of the Act, a place or facility at which diagnostic or therapeutic medical procedures are performed is not a health facility if:

- (a) the owner of the place or facility:
  - (i) is the government of another province or territory of Canada or an agency analogous to a regional health authority that is established pursuant to the laws of another province or territory of Canada; and
  - (ii) has a subsisting agreement with a regional health authority to provide diagnostic or therapeutic medical procedures within Saskatchewan; and
- (b) the agreement mentioned in clause (a):
  - (i) governs the standards of care and terms of payment for diagnostic and therapeutic medical procedures provided in the place or facility; and
  - (ii) is approved by the minister.

20 Jne 2008 SR 40/2008 s2.

#### **Application Fees**

**2.2** Every applicant for a licence or renewal of a licence shall pay a fee in the amount required to reimburse the minister for reasonable costs incurred by or on behalf of the minister with respect to:

- (a) reviewing and processing the application and accompanying information and material;
- (b) determining if the health facility conforms to the standards of the accreditation program; and
- (c) any other services provided by the minister or the accreditation program operator that are necessary or incidental to the matters mentioned in clauses (a) and (b).

25 Mar 2011 SR 10/2011 s2.

**H-0.02 REG 1****HEALTH FACILITIES LICENSING****Accreditation program**

3(1) The Health Facilities Accreditation Program established by the College of Physicians and Surgeons of the Province of Saskatchewan is prescribed as the accreditation program for health facilities at which physicians' services are provided.

(2) For the purposes of section 5 of the Act, the College of Physicians and Surgeons is approved as an accreditation program operator.

(3) A licensee of a health facility to which subsection (1) applies must participate in the accreditation program and must comply with the standards contained in it.

29 Jan 99 cH-0.02 Reg 1 s3.

**Medical director**

4(1) A licensee must ensure that the diagnostic and therapeutic medical procedures performed in the health facility are under the continuous supervision of a medical director.

(2) A medical director must be a duly qualified medical practitioner whose training and experience is relevant, in accordance with the accreditation program, to the diagnostic and therapeutic medical procedures performed in the health facility.

29 Jan 99 cH-0.02 Reg 1 s4.

**Employment of staff**

5 A licensee must ensure that:

- (a) all persons who provide or assist in providing health services are qualified, in accordance with an Act or a generally accepted standard, to provide those health services;
- (b) a record of the qualifications of the persons mentioned in clause (a) is kept in the health facility;
- (c) sufficient staff members are employed to provide health services in a safe and appropriate manner; and
- (d) each staff member is appropriately trained and proficient in the proper use of any equipment that may be used by the staff member in providing health services at the health facility.

29 Jan 99 cH-0.02 Reg 1 s5.

**Health records**

6(1) A licensee of a health facility must keep a health record for each person who receives health services at the health facility.

(2) A person's health record must include:

- (a) any information collected for the purpose of providing a health service to the person; and
- (b) all information related to the health services provided to the person, including orders for and particulars of any examination, test, consultation or treatment.

(3) A licensee must keep health records at the health facility in which the health services were provided.

- (4) A licensee must keep a person's health record for the longer of:
  - (a) a period of seven years after the date of the person's last visit; and
  - (b) a period that ends when the person attains the age of 19 years of age or would have attained the age of 19 years.
- (5) Subsection (4) continues to apply if the licensee ceases to be a licensee.
- (6) A licensee or a person employed by a licensee must not release any information concerning a person who receives health services at the health facility or information contained in a person's health record except:
  - (a) for the purposes of administering the Act;
  - (b) on the request, or with the written approval, of the person to whom the matter relates;
  - (c) where disclosure is necessary for the purpose of providing health services to the person to whom the information relates, reasonable steps have been taken to inform the person of the anticipated use and disclosure of the information and it is reasonable for the licensee to infer that the person would consent to the disclosure; or
  - (d) where required by any Act or law.

29 Jan 99 cH-0.02 Reg 1 s6.

#### **Standards**

- 7(1) A licensee must ensure that all aspects of the health services provided in the health facility are provided in accordance with generally accepted standards and the standards of the accreditation program.
- (2) A licensee must ensure that all equipment used in the provision of health services at the health facility:
  - (a) is appropriate for the health services being provided at the health facility;
  - (b) is in a safe operating condition; and
  - (c) is serviced at regular intervals in accordance with manufacturers' recommendations to ensure that it performs all of its functions within the manufacturers' specifications.

29 Jan 99 cH-0.02 Reg 1 s7.

#### **Business records**

- 8 A licensee must ensure that all business records of a health facility, including financial statements, are kept at the health facility.

29 Jan 99 cH-0.02 Reg 1 s8.

#### **Annual returns and financial statements**

- 9 For the purposes of subsection 13(2) of the Act, annual returns and financial statements must be furnished to the minister within 180 days after the end of each fiscal year of the health facility.

29 Jan 99 cH-0.02 Reg 1 s9.

**Coming into force**

**10(1)** Subject to subsection (2), these regulations come into force on the day on which section 29 of *The Health Facilities Licensing Act* comes into force.

(2) If these regulations are filed with the Registrar of Regulations after the day on which section 29 of *The Health Facilities Licensing Act* comes into force, these regulations come into force on the day on which they are filed with the Registrar of Regulations.

29 Jan 99 cH-0.02 Reg 1 s10.