LICENCE CONDITIONS FOR

ACUTE HOSPITAL AND OUTPATIENT MEDICAL SERVICE LICENSEES PROVIDING OR INTENDING TO PROVIDE ARTIFICIAL INSEMINATION PROCEDURES

IMPOSED UNDER SECTION 13(1) OF THE HEALTHCARE SERVICES ACT 2020

1. Application

1.1 These licence conditions ("**LCs**") apply to all persons which have been licensed under the Healthcare Services Act 2020 (the "**HCSA**") to provide the following services (such persons referred to as "**Licensees**") and which provide or intends to provide, as part of their licensable healthcare service, Artificial Insemination Procedures:

a) an outpatient medical service; or

b) an acute hospital service.

1.2 A breach of these LCs may result in regulatory action being taken against Licensees under section 20 of the HCSA, including but not limited to:

a) suspension or revocation of the Licensee's licensable healthcare service license;

b) shortening the term of the Licensee's licensable healthcare service licence;

c) directing the Licensee to rectify the contravention, or prevent a recurrence of the contravention; and/or

d) directing the Licensee to pay a financial penalty.

1.3 For avoidance of doubt:

a) the defined terms as used in these LCs shall have the meanings ascribed to them in the HCSA and any Regulations made thereunder, unless otherwise stated;

b) these LCs do not override a healthcare professional's duty to make clinical decisions that are in the best interests of each patient; and

c) the requirements in these LCs are without prejudice, and in addition to the requirements imposed under the HCSA as well as any Regulations and other applicable licensing conditions, directions, codes of practice made thereunder.

2. Definitions

2.1 The following definitions shall apply to these LCs:

"**Artificial Insemination Procedure**" means the procedure of inserting sperm directly into a patient's vagina, cervix, fallopian tubes or uterine cavity for the purpose of achieving a pregnancy.

"**MRA**" means Medical Registration Act 1997.

"**Patient**", in relation to a Licensee, means any woman who has an Artificial Insemination Procedure performed on her by the Licensee.

"**Registered Medical Practitioner**" means a person who is registered under the MRA as a registered medical practitioner and holds a valid practising certificate issued under the MRA to practise as a registered medical practitioner.

3. Persons who may conduct Artificial Insemination Procedures

3.1. A Licensee shall ensure that only a Registered Medical Practitioner who meets any of the following criteria performs an Artificial Insemination Procedure on a Patient:

a) that Registered Medical Practitioner must be registered under section 22 of the MRA as a specialist in obstetrics and gynaecology ("**Specialist Practitioner**"); or

b) that Registered Medical Practitioner must conduct the Artificial Insemination Procedure under the supervision of a Specialist Practitioner who has at least 2 years of relevant working experience as a Specialist Practitioner in obstetrics and gynaecology.

4. Allowable Modes of Service Delivery

4.1. A Licensee shall ensure that any Artificial Insemination Procedure conducted on a Patient, is conducted **only** at any of the Licensee's approved permanent premises.

5. Marital status

3.1 A Licensee must not conduct any Artificial Insemination Procedure, with the sperm of any man, on a Patient unless —

a) the Patient is legally married to a man; and

b) the Patient's husband provides written consent for the Artificial Insemination Procedure.

6. Provision of information before obtaining consent

6.1. A Licensee shall ensure that they provide to the Patient, and the Patient's husband, the following information before obtaining the Patient's written consent for the Artificial Insemination Procedure:

a) the potential health risks of the Artificial Insemination Procedure, including the possibility of multiple births, and possibility of ovarian hyperstimulation syndrome, if applicable;

b) the examination, medication and procedures required before or after the Artificial Insemination Procedure is performed;

c) the possible side effects of the Artificial Insemination Procedure;

d) any additional information or increased risks that is relevant based on the age of the Patient;

e) the challenges of older parenthood, if applicable; and

f) the estimated financial costs of the Artificial Insemination Procedure and all other relevant examination, procedures and medication, if any.

7. Preventing ovarian hyperstimulation syndrome

7.1. A Licensee shall establish and implement policies and procedures to minimise the incidence of ovarian hyperstimulation syndrome in any Patient undergoing the Artificial Insemination Procedure.

7.2. The policies and procedures mentioned in paragraph 7.1 shall minimally:

a) identify and manage Patients at risk of or experiencing ovarian hyperstimulation syndrome;

b) monitor the incidence of ovarian hyperstimulation syndrome; and

c) document the efforts taken to minimise the incidence of ovarian hyperstimulation syndrome.

7.3. A Licensee shall keep proper, complete and accurate records for the policies and procedures set out in paragraph 7.1 above.

8. Other Requirements

8.1. A Licensee shall comply with all relevant requirements, including for record retention, under the HCSA and any applicable Regulations and Guidelines issued thereunder.