

# LICENCE CONDITIONS FOR LICENSEES PROVIDING OR INTENDING TO PROVIDE TREATMENTS TO TERMINATE PREGNANCY

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

### 1 Application

- 1.1 These licence conditions (“**LCs**”) apply to :
- (a) all persons that have been licensed under the Healthcare Services Act 2020 (the “**HCSA**”) to provide:
    - (i) an acute hospital service (“**AHS**”);
    - (ii) an ambulatory surgical centre service (“**ASCS**”); and
    - (iii) an outpatient medical service (“**OMS**”); and
  - (b) that provide or intend to provide, as part of the aforementioned service or services, treatments to terminate pregnancy
- (such persons referred to as “**Licensees**”).
- 1.2 These LCs set out Licensees’ duties and responsibilities in ensuring that every treatment to terminate pregnancy under the Termination of Pregnancy Act 1974 (“**TOPA**”) is conducted in a safe and proper manner on patients.
- 1.3 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 licence(s) to provide AHS, ASCS and/or OMS;
  - (b) shortening the term of the Licensee’s licence(s) to provide AHS, ASCS and/or OMS;
  - (c) a direction requiring the Licensee to rectify the contravention, or prevent a recurrence of the contravention; and/or
  - (d) a direction requiring the Licensee to pay a financial penalty.

1.4 For avoidance of doubt:

- (a) the defined terms as used in these LCs shall have the meanings ascribed to them in the HCSA, TOPA and any Regulations made thereunder, unless otherwise stated;
- (b) the requirements in these LCs are without prejudice, and in addition to the requirements imposed under the HCSA, TOPA as well as any Regulations and other applicable licensing conditions, directions, codes of practice made thereunder; and
- (c) these LCs do not override a healthcare professional's duty to make clinical decisions that are in the best interests of each patient.

## 2 Definitions

2.1 The following definitions shall apply to these LCs:

- (a) “**anaesthesiologist**” means a medical practitioner who is registered under the Medical Registration Act 1997 by the Singapore Medical Council as a specialist in anaesthesiology;
- (b) “**nurse**” means a registered nurse and enrolled nurse as respectively defined under the Nurses and Midwives Act 1999;
- (c) “**Mandatory Counselling**” means pre-termination of pregnancy counselling and post-termination of pregnancy counselling;
- (d) “**pre-termination of pregnancy counselling**” means counselling as provided to a patient who goes for treatment to terminate her pregnancy, before that patient provides written consent to the treatment to terminate pregnancy;
- (e) “**post-termination of pregnancy counselling**” means counselling as provided to a patient on the same day of the treatment to terminate her pregnancy;
- (f) “**trained counsellor**” means a medical practitioner or nurse who has undergone a course of training in termination of pregnancy counselling conducted by KK Women's and Children's hospital and in the manner directed by the Director-General of Health; and
- (g) “**Specified Website**” means the Healthcare Application and Licensing Portal of the Ministry of Health at <https://halp.moh.gov.sg>.

## 3 Specific Restrictions

3.1 The following specific restrictions shall apply to Licensees that have been licensed to provide an OMS only, and provide or intend to provide, as part of

OMS, treatments to terminate pregnancy which include any surgical operation or procedure:

- (a) The Licensee shall ensure that such treatments shall only be performed through permanent premises as the mode of service delivery; and
- (b) The Licensee shall ensure that such treatments shall only be performed where the duration of the pregnancy is up to 12 weeks or 84 days.

#### **4 Licensee's Obligations in the Performance of Treatments for Termination of Pregnancy**

4.1 The Licensee shall ensure that every treatment to terminate pregnancy must be carried out by an authorised medical practitioner in an approved institution.

4.2 Notwithstanding Clause 4.1, where the treatment to terminate pregnancy consists solely of the use of drugs prescribed by an authorised medical practitioner and does not, therefore, include any surgical operation or procedure, it shall not be necessary for the Licensee to ensure that:

- (a) the authorised medical practitioner holds the prescribed qualifications or has acquired skill in the treatment over the prescribed period; and
- (b) the treatment is carried out in an approved institution.

4.3 The Licensee shall ensure that an authorised medical practitioner shall not carry out any treatment to terminate pregnancy unless the patient:

- (a) is a citizen of Singapore or the wife of a citizen of Singapore;
- (b) is the holder, or is the wife of a holder, of a work pass issued under the Employment of Foreign Manpower Act 1990; or
- (c) has been resident in Singapore for a period of at least 4 months immediately preceding the date on which the treatment is to be carried out,

except where the treatment to terminate pregnancy is immediately necessary to save the life of the patient.

4.4 For the purposes of Clause 4.3(b), a work pass issued under the Employment of Foreign Manpower Act 1990 shall not include a Temporary Permit.

4.5 The Licensee shall ensure that each approved institution shall notify the Ministry of Health (“**MOH**”) through the Specified Website when there is any change to its list of authorised medical practitioners.

- 4.6 The Licensee shall ensure that each approved institution must provide the following for every treatment to terminate pregnancy:
- (a) an authorised medical practitioner;
  - (b) a nurse;
  - (c) a trained counsellor, who may be the same person as the authorised medical practitioner or nurse referred to in sub-paragraphs (a) or (b) respectively; and
  - (d) where general anaesthesia is to be induced, an anaesthesiologist.

## **5 Mandatory Counselling**

### Trained Counsellor

- 5.1 The Licensee shall ensure that Mandatory Counselling shall be provided by a trained counsellor.
- 5.2 The Licensee shall ensure that each approved institution shall employ at least 1 trained counsellor. Where a trained counsellor leaves the employment of an approved institution, the Licensee shall ensure that:
- (a) that approved institution informs MOH through the Specified Website within 2 weeks of the last day of employment of that trained counsellor;
  - (b) where that trained counsellor is the only trained counsellor of that approved institution, that approved institution shall employ a trained counsellor within 6 months; and
  - (c) during the period of 6 months where that approved institution does not employ a trained counsellor, that approved institution shall make appropriate arrangements to ensure that Mandatory Counselling is provided by a trained counsellor to patients, including referring patients to another approved institution for counselling.

### Refresher Training Course for Trained Counsellor

- 5.3 The Licensee shall ensure that every trained counsellor of every approved institution must undergo the relevant refresher training course for abortion counselling conducted by KK Women's and Children's Hospital ("**Refresher Course**") before the approved institution applies to renew its approval as approved institution.
- 5.4 The Licensee shall ensure that every trained counsellor who has not provided Mandatory Counselling for a period of at least 2 years, must complete the Refresher Course before such trained counsellor resumes providing Mandatory Counselling.

### Pre-Termination of Pregnancy Counselling

- 5.5 The Licensee shall, except as provided in Clause 5.6, ensure that every authorised medical practitioner shall provide a trained counsellor and facilities for counselling for pre-termination of pregnancy counselling.
- 5.6 Where an unmarried patient below the age of 16 years (“**Underaged Patient**”) seeks treatment to terminate pregnancy at an approved institution, the Licensee shall ensure that every authorised medical practitioner shall refer the Underaged Patient to the Health Promotion Board (“**HPB**”) Counselling Centre or such other facilities for counselling as approved by the Director-General of Health for pre-termination of pregnancy counselling.
- 5.7 The Licensee shall ensure that every authorised medical practitioner shall not provide treatment to terminate pregnancy to an Underaged Patient unless the Underaged Patient produces a Certificate of Attendance (“**COA**”) issued by the HPB Counselling Centre or such other facilities for counselling as approved by the Director-General of Health.
- 5.8 Notwithstanding Clause 5.6 and Clause 5.7, an Underaged Patient who is a victim of rape shall not be required to:
- (a) be referred to the HPB Counselling Centre or such other facilities for counselling as approved by the Director-General of Health for pre-termination of pregnancy counselling; and
  - (b) produce a COA issued by the HPB Counselling Centre or such other facilities for counselling as approved by the Director-General of Health.
- 5.9 The Licensee shall ensure that each approved institution shall attach an Underaged Patient’s COA to that patient’s case notes for documentation and audit purposes.
- 5.10 The Licensee shall ensure that each approved institution shall comply with the procedure for counselling for Underaged Patients except victims of rape as set out in **Annex A**.

### Post-Termination of Pregnancy Counselling

- 5.11 The Licensee shall ensure that every authorised medical practitioner shall provide a trained counsellor and facilities for counselling for post-termination of pregnancy counselling.
- 5.12 For the purposes of Clause 5.11, post-termination of pregnancy counselling may be provided at any time during a patient’s admission for the termination of pregnancy procedure (whether before or after the procedure). The authorised medical practitioner may determine an appropriate time for post-termination of pregnancy counselling upon assessing the patient and taking into consideration the patient’s condition and the type of anaesthesia or sedation to be given to the patient during the termination of pregnancy procedure.

- 5.13 Where the post-termination of pregnancy counselling is provided after the termination of pregnancy procedure is carried out, the Licensee shall ensure that such counselling is provided only after the patient has fully recovered from the effects of anaesthesia or sedation.

#### Components or Contents of Mandatory Counselling

- 5.14 The Licensee shall ensure that Mandatory Counselling as provided by a trained counsellor shall minimally cover the components or contents as set out in **Annex B**.
- 5.15 The Licensee shall ensure that records of the components or contents of Mandatory Counselling provided are properly documented and retained.
- 5.16 Notwithstanding Clause 5.14, the components or contents of Mandatory Counselling may be tailored in accordance with the needs of each patient, including:
- (a) adapting the components or contents of pre-termination of pregnancy counselling for patients diagnosed with foetal abnormalities; or
  - (b) adapting the components or contents of post-termination of pregnancy counselling for patients who have undergone sexual sterilisation following the termination of pregnancy procedure.

#### Counselling Facilities and Materials

- 5.17 The Licensee shall ensure that every approved institution shall provide the following facilities and materials for counselling which shall, where applicable, be in proper working condition:
- (a) television set;
  - (b) video player;
  - (c) abortion counselling video produced by HPB (refer to **Annex C**); and
  - (d) pamphlets produced by HPB (refer to **Annex C**).
- 5.18 The Licensee shall ensure that every authorised medical practitioner shall make appropriate arrangements to (1) comply with the Procedure for Mandatory Counselling as set out in **Annex D** and (2) ensure that Mandatory Counselling includes:
- (a) personal counselling provided by a trained counsellor; and
  - (b) viewing of abortion counselling video and reading of appropriate educational materials produced by HPB.

## 6 Returns or Reports

6.1 The Licensee shall ensure that every authorised medical practitioner must complete and submit the Report on Request for Treatment to Terminate Pregnancy to the Director-General of Health via the Specified Website in accordance with the following timelines:

(a) where no treatment to terminate pregnancy is carried out after pre-termination of pregnancy counselling: within 30 days of the pre-termination of pregnancy counselling; and

(b) where treatment to terminate pregnancy is carried out: within 30 days of the post-termination of pregnancy counselling.

6.2 The Licensee shall ensure that every authorised medical practitioner must comply with the procedure for completion and submission of the Report on Request for Treatment to Terminate Pregnancy as set out in **Annex E**.

## 7 Facilities and Equipment

7.1 The Licensee shall ensure that the physical and emergency facilities and equipment of every approved institution shall comply with the following requirements:

(a) Operating Room

(i) Room space: at least 3 metres x 4 metres in dimensions with sufficient space for free movement. The operating room shall be used for operation and examination of patients.

(ii) Air-conditioning: the operating room shall be air-conditioned.

(iii) Lighting: sufficient lighting and emergency lighting shall be provided and angle-poised light source shall be used. Illumination level shall not be less than 20,000 LUX at task with one metre clearance height. The colour temperature of the light shall be between 3,000K and 6,000K.

(iv) Wall and Ceiling: for easy cleaning, the wall and ceiling shall be of smooth surface. The wall shall preferably be tiled and shall be covered with durable washable paint or washable impervious material.

(v) Door: the width of the door shall not be less than 1.2 metres.

- (vi) Floor: the floor shall be covered with smooth washable material and shall preferably be tiled. Wooden flooring and carpets are not permitted.
- (vii) Partition of room: full partition is required.
- (viii) Cleanliness: tidiness and cleanliness shall be maintained at all times. The operating room shall be thoroughly cleaned before and after each operation.

(b) Equipment

- (i) Proper operating table with facilities for tilting shall be used.
- (ii) Adequate and appropriate equipment shall be used.
- (iii) Surgical instruments used for invasive procedures shall be rendered sterile by the appropriate procedure of sterilisation including steam autoclaving. Alternatively, sterile disposable instruments may be used.
- (iv) Hand brush and antiseptic preparations including Chlorhexidine or providone-iodine shall be used for hand washing before each operation.
- (v) Sterile gloves, gowns and hand towels shall be used during each operation. The authorised medical practitioner providing the treatment to terminate pregnancy shall wear a mask, goggles and surgical cap.
- (vi) Medical and surgical equipment, instruments, appliances and materials shall be functional, effective and shall comply with established or recommended procedures for their maintenance and use.
- (vii) Unnecessary equipment or furniture shall not be kept in the operating room.

(c) Emergency facilities

- (i) AHS Licensees shall ensure that the following emergency drugs and equipment for resuscitation are available at all times:
  1. Injection Atropine;
  2. Injection Adrenaline;
  3. Antihistamines including injection Phenergan or Piriton;



4. Injection Calcium Gluconate 10%;
5. Steroids including injection Hydrocortisone or equivalent;
6. Injection Sodium Bicarbonate 8.4%;
7. Intravenous infusion set and cannulas;
8. Intravenous solutions including Hartman's;
9. Airviva and airways; and
10. Motor suction apparatus.

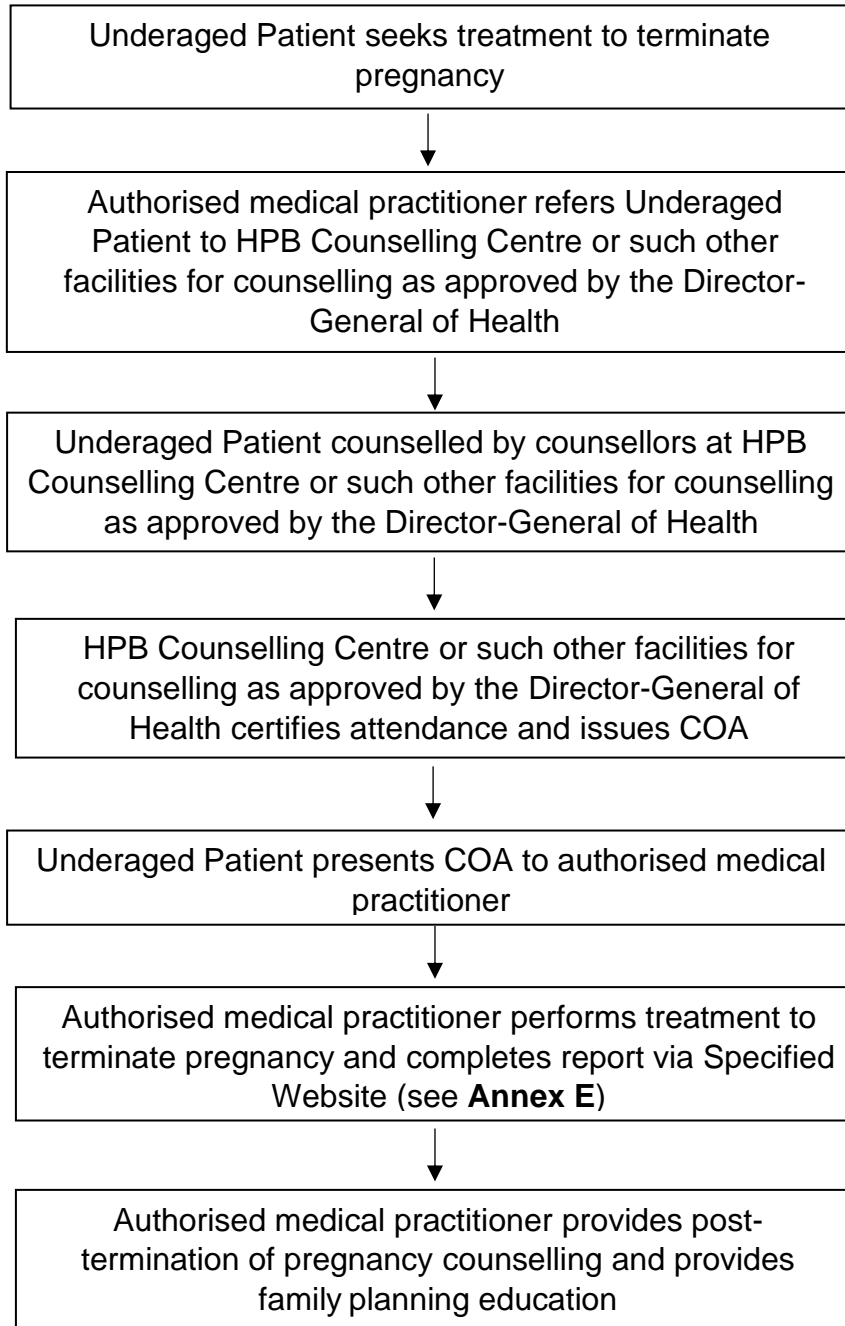
(ii) ASCS Licensees shall ensure that the following emergency drugs for resuscitation are available at all times:

1. Injection Calcium Gluconate 10%; and
2. Injection Sodium Bicarbonate 8.4%;

(iii) OMS Licensees shall ensure that the following emergency drugs and equipment for resuscitation are available at all times:

1. Injection Atropine;
2. Injection Calcium Gluconate 10%;
3. Injection Sodium Bicarbonate 8.4%; and
4. Motor suction apparatus.

**PROCEDURE FOR COUNSELLING  
FOR UNDERAGED PATIENTS EXCEPT VICTIMS OF RAPE**



**COMPONENTS OR CONTENTS OF COUNSELLING REQUIRED FOR PATIENTS SEEKING TREATMENT FOR TERMINATION OF PREGNANCY**

**[A] PRE-TERMINATION OF PREGNANCY COUNSELLING**

S/N	Component or Content	Covered with patient	
		Yes	No
1	Viewed abortion counselling video		
2	Read educational materials listed in <b>Annex C</b>		
3	Personal counselling <ul style="list-style-type: none"> <li>a) Exploration of attitude about children</li> <li>b) Exploration of relationship with the patient</li> <li>c) Exploration of the reason for patient wanting to undergo treatment to terminate pregnancy</li> <li>d) Holistic information on the risks from the procedure to terminate pregnancy</li> <li>e) Exploration of other alternatives</li> </ul>		

**[B] POST-TERMINATION OF PREGNANCY COUNSELLING**

S/N	Component or Content	Covered with patient	
		Yes	No
1	Viewed abortion counselling video		
2	Information on risks of repeat abortions		
3	Counselling on family planning and ensuring patient adopts a family planning or contraception method		

**EDUCATIONAL MATERIALS FOR TERMINATION OF PREGNANCY  
COUNSELLING**

The following are available for purchase and collection from:

Address: Student Health Centre at Level 3, Health Promotion Board, 3 Second Hospital Avenue, Singapore 168937.

Contact number: 6435 3937

**1. ABORTION COUNSELLING VIDEO**

Abortion counselling video titled "Abortion-Consider with Care" available in 3 languages (English, Mandarin & Malay).

**2. PAMPHLETS**

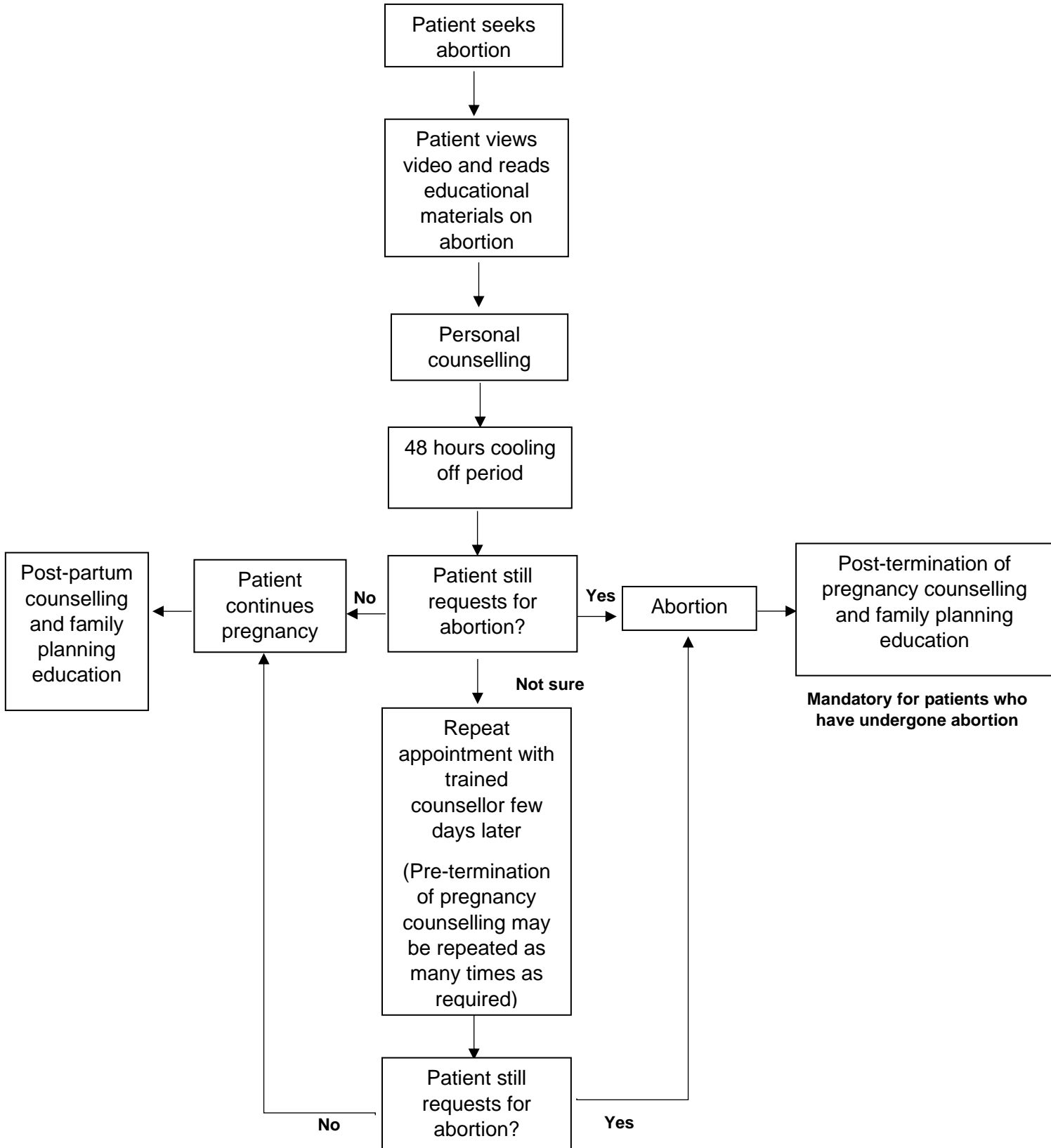
Examples of the pamphlets include:

- a. Unplanned Pregnancy\*\*
- b. Teen Talk\*\*\*

\*\* must be given to the patient to read

\*\*\* must be given to Underaged Patients by HPB Counselling Centre or such other facilities for counselling as approved by the Director-General of Health

**PROCEDURE FOR MANDATORY COUNSELLING**



**PROCEDURE FOR COMPLETION AND SUBMISSION OF THE REPORT ON REQUEST FOR TREATMENT TO TERMINATE PREGNANCY**

