

# LICENCE CONDITIONS FOR NURSING HOME SERVICE LICENSEES ON RESTRICTED AND PROHIBITED SERVICES

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

### 1 APPLICATION

- 1.1 These licence conditions (“**LCs**”) apply to all persons that have been licensed under the Healthcare Services Act 2020 (the “**HCSA**”) to provide a Nursing Home Service (“**Service**”) (such persons referred to as “**Licensees**”).
- 1.2 For avoidance of doubt:
- (1) the defined terms as used in these LCs shall have the meaning ascribed to them in the HCSA and any Regulations made thereunder, unless otherwise stated;
  - (2) these LCs do not override a healthcare professional’s duty to make clinical decisions that are in the best interests of each patient; and
  - (3) 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, and codes of practice made thereunder.
- 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:
- (1) suspension or revocation of the Licensee’s HCSA licence;
  - (2) shortening the term of the Licensee’s HCSA licence;
  - (3) a direction requiring the Licensee to rectify the contravention, or prevent a recurrence of the contravention; and/or
  - (4) a direction requiring the Licensee to pay a financial penalty.

### 2 Definitions

- 2.1 For the purposes of these LCs:
- (1) “**Non-Standard Medicine**” means any complementary and alternative medicine services that are not:
    - (a) Chiropractic and Osteopathic Services;
    - (b) NEBMT; and

- (c) Traditional Medicine.
- (2) **"Chiropractic and Osteopathic Services"** means the diagnosis and manipulative treatment of any misalignment of the joints or muscles of an individual (such as chiropractic or osteopathic services) but excluding:
  - (a) physiotherapy as described in the third column of the Second Schedule of the Allied Health Professions Act 2000 by a registered allied health professional who is registered with the Allied Health Professions Council in that allied health profession; and
  - (b) any practice of medicine by a medical practitioner such as sports and exercise medicine.
- (2) **"Non-Evidence Based Medical Treatment" or "NEBMT"** means a medical treatment, therapy or procedure that:
  - (a) has little or no scientific research demonstrating the effectiveness in achieving its intended outcome; or
  - (b) is specified in **Annex A**.
- (3) **"practice of traditional Chinese medicine"** and **"prescribed practice of traditional Chinese medicine"** have the meanings given to them under section 2 of the Traditional Chinese Medicine Practitioners Act 2000.
- (4) **"Prohibited Service"** means any of the following services:
  - (a) Traditional Medicine excluding any practice of traditional Chinese medicine;
  - (b) NEBMT; or
  - (c) Non-Standard Medicine.
- (5) **"Restricted Service"** means any of the following services:
  - (a) Chiropractic and Osteopathic Services; or
  - (b) any practice of traditional Chinese medicine.
- (6) **"Traditional Chinese Medicine Practitioner" or "TCMP"** means an individual who is registered under the Traditional Chinese Medicine Practitioners Act 2000 and holds a valid practising certificate under that Act.
- (7) **"Traditional Medicine"** means a system of therapeutics according to a Chinese, Malay, or Indian method.

### **3 Conditions relating to Prohibited Services**

- 3.1 The Licensee **shall not** provide or allow the provision of any Prohibited Service to any patient in the Licensee's approved permanent premises.

### **4 Conditions relating to Restricted Services**

- 4.1 Subject to paragraph 4.2, the Licensee **shall not** provide or allow the provision of any Restricted Service to any patient in the Licensee's approved permanent premises unless all of the following conditions are met:

- (1) the Restricted Service is provided to the patient by a person other than the Licensee (the "**Third-Party Provider**");
- (2) the provision of the Restricted Service to the patient by the Third-Party Provider is independently requested by the patient or his/her appointed representative(s) (the "**Requestor**"), without any suggestion, promotion, endorsement, recommendation, duress, coercion, influence (undue or otherwise), or any similar act by the Licensee or its personnel that may induce or lead to the inducement of the Requestor to make such request;
- (3) the Requestor has provided the Licensee with an acknowledgement in writing stating that the Requestor:
  - (a) has requested and consented to the provision of that Restricted Service to the patient by the Third-Party Provider; and
  - (b) understands the Restricted Service is:
    - (i) not provided by the Licensee;
    - (ii) not a licensable healthcare service under HCSA; and
    - (iii) not provided as part of the Service; and
- (4) the Requestor appends his/her signature on the acknowledgement referred to in paragraph 4.1(3).

- 4.2 Notwithstanding paragraph 4.1, the Licensee **shall not** provide or allow the provision of any Restricted Service to any patient in the Licensee's approved permanent premises if the Licensee assesses and finds that the provision of that Restricted Service to a patient:

- (1) may adversely interfere with the Licensee's provision of care to that patient; or

- (2) may not in the best interest of that patient.
- 4.3 If any Restricted Service is provided to any patient by a Third-Party Provider in the Licensee's approved permanent premises, the Licensee shall ensure that such Restricted Service is only provided by:
  - (1) if the Restricted Service being provided are Chiropractic or Osteopathic Services, a person who has attained a degree or equivalent professional qualification in Chiropractic and/or Osteopathy (whichever is relevant);
  - (2) if the Restricted Service being provided is a practice of traditional Chinese medicine that is not a prescribed practice of traditional Chinese medicine, a TCMP; and
  - (3) if the Restricted Service being provided is a prescribed practice of traditional Chinese medicine, a TCMP who is:
    - (a) registered under the Traditional Chinese Medicine Practitioners Act 2000 to carry out that prescribed practice of traditional Chinese medicine; and
    - (b) has in force a valid practicing certificate which authorises him/her to carry out that prescribed practice of traditional Chinese medicine.
- 4.4 The Licensee shall ensure that the acknowledgement referred to in paragraph 4.1(3) and its assessment referred to in paragraph 4.2 is properly documented and retained.
- 4.5 The Licensee shall ensure that the details of any Restricted Service provided to a patient by a Third-Party Provider in the Licensee's approved permanent premises are properly documented and retained. The details to be documented and retained by the Licensee shall minimally include:
  - (1) the specific type(s) of Restricted Service provided to that patient as well as the date and time that such Restricted Service was provided;
  - (2) the name of the Third-Party Provider's staff who provided the said Restricted Service to that patient; and
  - (3) the business name and contact details of the Third-Party Provider.
- 4.6 The Licensee must ensure that if a Third-Party Provider provides a Restricted Service to any patient in the Licensee's approved permanent premises:

- (1) the Third-Party Provider's staff are supervised at all times by at least one of the Licensee's personnel who has an unobstructed view of the Third-Party Provider's staff for the entire duration that the Third-Party Provider's staff are in the Licensee's approved permanent premises;
  - (2) the Third-Party Provider's staff do not suggest, promote, endorse, recommend, put under duress, coerce, influence (undue or otherwise), or carry out any similar act that may induce or lead to the inducement of patients or their appointed representative(s) to request for the Restricted Services to be provided to patients.
- 4.7 Before and after any patient is provided any Restricted Service by a Third-Party Provider, the Licensee shall review that patient, including assessing his/her general condition and monitor his/her vital signs. In the event that there is any untoward change in that patient's condition, the Licensee shall promptly identify and escalate that change to facilitate appropriate interventions.

## Annex A – Specified NEBMT

1. The intravenous infusion of Vitamin B or C into a patient for any of the following purposes:
  - (1) treatment for Herpes Zoster;
  - (2) boosting of the immune system for patients on chemotherapy; or
  - (3) rehydration following fever and diarrhoea.
2. The intravenous infusion of Glutathione into a patient to treat fatigue.
3. The intravenous injection of Progesterone, Oestrogen, Testosterone, DHEA, or thyroid hormones into a patient to treat any of the following:
  - (1) cognitive decline;
  - (2) weight gain;
  - (3) osteoporosis;
  - (4) skin aging;
  - (5) fibromyalgia; or
  - (6) sleep disorders.
4. The use of testosterone for hormone replacement treatment ('Testosterone Replacement Therapy' or 'TRT') for patients without laboratory confirmation of testosterone deficiency.
5. Compounded 'Bio-identical' Hormone Replacement Therapy ('cBHRT').
6. The intravenous injection of edetate disodium (Na<sub>2</sub>EDTA) into a patient ('Chelation Therapy') to unblock clogged heart arteries.
7. The injection of a concentration of the patient's own platelets into himself ("**Platelet-Rich Plasma Therapy**") for any purpose excluding the following:
  - (1) by a registered medical practitioner for:
    - (a) non-surgical treatment of acute muscle and ligament injuries;
    - (b) biological augmentation of acute Achilles Tendon repairs;or
  - (2) by a registered dentist for:
    - (a) enhancement of healing of sinus lift bone grafts;
    - (b) enhancement of healing of bone grafts to the maxillofacial region;
    - (c) improvement of bony healing in Periodontal attachment loss surgery; or
    - (d) regeneration of Periodontal soft tissue with free gingival grafts.