

**Guidance Notes for Application for First Registration of Nursing Homes
under the Hospitals, Nursing Homes and Maternity Homes
Registration Ordinance (Cap. 165)**

1. Purpose

- 1.1 This document serves as a *general guide for persons applying for first registration of a nursing home* under the *Hospitals, Nursing Homes and Maternity Homes Registration Ordinance* (hereafter referred to as ‘Cap. 165’). It should not be regarded as complete registration requirements.

2. Registration of a Nursing Home

- 2.1 Under Cap. 165, it is an offence for any person to carry on a hospital without being duly registered in respect thereof. Examples of hospitals that fall within the jurisdiction of this ordinance are private hospitals, maternity homes, nursing homes for the elderly, renal dialysis centres, treatment centres for drug dependent persons and day surgery facilities.
- 2.2 Any person who intends to operate a healthcare institution in the form of a nursing home must obtain prior approval from the Director of Health (DH).

3. Criteria for Registration of a Nursing Home

- 3.1 Conditions relating to the accommodation, staffing or equipment of the nursing home under application shall be fit for the proposed purposes.
- 3.2 The “Code of Practice For Private Hospitals, Nursing Homes and Maternity Homes” (hereinafter referred as “the Code”) sets out the standards of good practice for healthcare institutions to adopt for patient safety and quality services. The Code constitutes the basis of assessment of the suitability of the healthcare institution for registration under Cap. 165. Compliance with Cap. 165 and the requirements set out under the Code are the conditions for the registration and re-registration of healthcare institutions.
- 3.3 The applicant shall also ensure that the building and engineering works comply with relevant ordinances, regulations and codes, including but not

limited to the following :

- ◆ Buildings Ordinance and its subsidiary legislation (Cap. 123). Codes of Practice, Practice Notes and Circulars published by the Buildings Department, Government of HKSAR
- ◆ Fire Safety (Commercial Premises) Ordinance (Cap. 502), Fire Safety (Buildings) Ordinance (Cap. 572). Codes of Practice and Circulars published by the Fire Services Department, Government of HKSAR
- ◆ Waterworks Ordinance and its subsidiary legislation (Cap. 102). Practice Notes, Circulars and the Hong Kong Waterworks Standard Requirements for Plumbing Installation in Buildings published by the Water Supplies Department, Government of HKSAR
- ◆ Electricity Ordinance and its subsidiary legislation (Cap. 406). Code of Practice for the Electricity (Wiring) Regulations published by the Electrical and Mechanical Services Department, Government of HKSAR
- ◆ Lifts and Escalators Ordinance and its subsidiary legislation (Cap. 618). Circulars, Codes of Practice published by the Electrical and Mechanical Services Department, Government of HKSAR
- ◆ Code of Practice for Prevention of Legionnaires' Disease published by the Prevention of Legionnaires' Disease Committee, Government of HKSAR

4. Application Procedures for First Registration of a Nursing Home under Cap. 165

- 4.1 The person intending to be registered in respect of the nursing home (hereafter referred to as 'the applicant') or his/her authorized representative shall submit application for registration to DH.
- 4.2 At least **4 months** before the intended date of commencement of operation, the Applicant should submit to DH a "Letter of Intent for a new Nursing Home" with the documents as set out in **Annex I**.
- 4.3 Within **15 working days**, DH will send to the Applicant a list of specified documents required in support of the application for registration of the nursing home for operating the proposed services. Basic documents

required for registration of nursing homes is at **Annex II** for reference.

- 4.4 At least **2 months** before the intended date of commencement of operation, the Applicant shall submit a completed “Application Form for First Registration / Re-Registration of Private Hospitals, Nursing Homes and Maternity Homes” and the required documents specified by DH.

5. Inspection and Notification of Result of Application

- 5.1 When the site is ready for inspection and calibrated equipment are in place, the Applicant should inform DH for arrangement of inspection. Upon receiving notification, complete set of completed application form and all required documents, inspection team of the Department of Health would conduct site inspection within **20 working days**.
- 5.2 The Applicant may at any time be required to submit supplementary information before the application is approved.
- 5.3 Upon completion of inspection(s) and receipt of all information required to show compliance with the registration requirements, the Certificate of Registration for the nursing home will be issued by DH within **14 working days**.

6. Submission of Application

- 6.1 “Letter of Intent for a new Nursing Home” and completed “Application Form for First Registration/ Re-Registration of Private Hospitals, Nursing Homes and Maternity Homes” shall be submitted and signed by the Applicant or his/her authorised representative.
- 6.2 The application form can be downloaded at http://www.dh.gov.hk/english/useful/useful_forms/files/orphf_reg_hospital.pdf. Application for first registration shall be accompanied by the prescribed fee (\$6815).
- 6.3 All letters, application-related documents and completed application form shall be submitted to the Department of Health at the following address :

Office for Regulation of Private Healthcare Facilities
Department of Health
Room 402, 4/F
14 Taikoo Wan Road
Taikoo Shing
Hong Kong
(Enquiry Number : 3107 8451)

- 6.4 For enquiry, the Applicant can contact Office for Regulation of Private Healthcare Facilities, Department of Health by telephone Department of Health by telephone (3107 8451) or by email (orphf@dh.gov.hk).

Office for Regulation of Private Healthcare Facilities
Department of Health
April 2016

Documents to be submitted with the “Letter of Intent for a new Nursing Home” for application for first registration of a Nursing Home under Cap. 165

1. Key information regarding the proposed Nursing Home

- (a) Name and address of the proposed Nursing Home
- (b) Name of the person to be registered in respect of the Nursing Home
- (c) Contact details of the applicant and/or name & contact details of the authorized representative for the application for first registration of the Nursing Home
- (d) List of service(s) to be provided by the Nursing Home
- (e) Expected date of commencement of service provision of the Nursing Home (where service will be implemented in phases, the respective dates should be provided)

2. Documents to prove fitness for carrying out the service in respect of accommodation

- (a) Documentation showing compliance with the land grant/lease conditions for the use of the building/premises as a nursing home
- (b) Layout plan of the premises
- (c) [*For new buildings only*] Occupation permit issued by the Building Authority
- (d) Other approval document issued by the Building Authority and/or other authorised parties if there is structural change of premises
- (e) [*For proposed services involving specialised ventilation area[#] only*]
 - (i) summary of the healthcare ventilation and air-conditioning standard(s)/code(s) against which the key parameters of the specialized ventilation areas will comply*
 - (ii) Engineering calculation, air-side schematic diagram(s) and layout plan(s) which substantiate the appropriateness of air-conditioning and/or ventilation provisions for the intended use and showing compliance with the proposed healthcare facility standard / code and the indoor requirement of medical equipment
- (f) [*For haemodialysis services only*]
 - (i) Information on the proposed water treatment and distribution

system, including schematic diagram(s) and as-built layout plan(s);

(ii) information on the piping and plumbing system with material used

3. Document to prove fitness for carrying out the service in respect of equipment

- (a) List of major medical equipment (e.g. haemodialysis machine, defibrillators, medical gas cylinders, ceiling hoist, etc.) supporting proposed services.
- (b) List of other equipments essential for supporting the services.
- (c) Information on whether the equipment(s) will have means of alternative power supply other than normal power source should be provided (e.g. built-in battery, external battery, etc.)

Remarks:

Specialised ventilation areas are areas with special ventilation design for infection control and/or occupational safety.

If the proposed change in services involves any specialised ventilation area, the Applicant shall submit ventilation system specifications of the involved specialised ventilation area and demonstrate the compliance to relevant international standard.

Examples are isolation room with differential pressure from adjacent areas, procedure room, bronchoscopy room, plant room housing combustion equipment, welding facility, woodworking workshop, and area containing oxygen-displacing gases.

* *Examples of reference healthcare facility standards / codes for the following systems are:-*

Ventilation and Air-conditioning System:

HTM 03-01 or ASHRAE 170 and “Infection Control Branch (ICB) Infection Control Guidelines” published by the Centre of Health Protection (CHP) for airborne infection, isolation rooms and protective environment (if applicable)

If the applicant proposes to adopt alternative standard(s) / code(s) other than the standard(s) as stated for the corresponding areas, justifications such as best practices and technical capability for healthcare operational needs shall be submitted with substantial project reference and technical drawings together with engineering calculations.

**Documents required for the application for
first registration of nursing homes under Cap. 165**

The person intending to be registered of a nursing home or his/her authorised representative shall submit the following documents together with the completed and signed “Application Form for First Registration / Re-Registration of Private Hospitals, Nursing Homes and Maternity Homes” to the Director of Health for the application for registration of the proposed new nursing home at least 2 months before the intended date of commencement of operation:

1. A photocopy of the Hong Kong Identity Card of the applicant (applications by individual only)
2. A photocopy of the Business Registration Certificate of the applicant issued by the Commissioner of Inland Revenue
3. A photocopy of Certificate of Incorporation issued by the Registrar of Companies (applications by incorporated company only)
4. Authorization letter for the authorized representative of the applicant in making application for First Registration of the Nursing Home
5. A crossed cheque payable to “Government of HKSAR” for payment of the prescribed fee HK\$6815 for the first application for registration
6. Duly completed **Report for Registration of Nursing Homes**
7. The following documents to prove fitness for carrying out the service in respect of accommodation :
 - (a) Certificate(s) of fire services installation and equipment (FS251, FS314A or FS172, whichever applicable) and associated as-fitted fire services schematic diagram(s) and layout plan(s)
 - (b) [*For proposed services involving specialised ventilation area[#]*]
 - (i) As-fitted air-side schematic diagram(s) and layout plan(s)
 - (ii) Proposed maintenance schedule (and maintenance record, if applicable) of the ventilation and air-conditioning installations
 - (c) Proposed maintenance schedule (and maintenance record, if applicable) of the ventilation and air-conditioning installations
 - (d) Work Completion Certificate (Form WR1) for fixed electrical installations including associated as-fitted electrical wiring schematic

diagram and lighting & power layout plan

8. The following documents to prove fitness for carrying out the service in respect of medical and other essential equipments :
 - (a) Proof of fitness for safe operation of medical & other essential equipments listed in the Report for Registration of nursing home (e.g. valid licences/certificates, satisfactory acceptance test reports)
 - (b) Maintenance schedule of the medical & other essential equipment(s) as advised by respective manufacturer and the record of last maintenance
 - (c) *[for haemodialysis service only]* Analytical reports for representative water samples for the water distribution system, showing quality fit for the purpose
 - (d) Certificate/gas analysis report showing fitness for use of medical gas cylinders/pipeline system
9. The following documents regarding staffing :
 - (a) Person(s)-in-charge of proposed service(s) with their qualification and experience
 - (b) Proposed duty roster of nursing staff for the first two weeks from the service commencement date
 - (c) Relevant training records
 - (d) Relevant drill records or proposed date
10. Updated information in respect of previous submissions, if any
11. Expected date of commencement of Services
12. Expected date when the premises is ready for inspection

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Examples of reference healthcare facility standards / codes for the following systems are:-

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*by the Centre of Health Protection (CHP) for airborne infection, isolation rooms and protective environment
(if applicable)*

If the applicant proposes to adopt alternative standard(s) / code(s) other than the standard(s) as stated for the corresponding areas, justifications such as best practices and technical capability for healthcare operational needs shall be submitted with substantial project reference and technical drawings together with engineering calculations.