



Guidance Notes for Application for Day Procedure Centre Licence

1 What is a Day Procedure Centre (DPC)?

A DPC is any premises ([FAQ Q2](#)) that are used by registered medical practitioners or registered dentists for carrying out scheduled medical procedures ([FAQ Q8](#)) on patients without lodging. The period of continuous confinement for patients must be within the facility for not more than 12 hours. Also, the continuous confinement for any patient must be within the same calendar day.

2 Preparations before applying for a licence

You shall read the Private Healthcare Facilities Ordinance (the Ordinance), the Code of Practice for DPCs (PHF(E) 21A), Guidance Notes for Assessing Fitness and Properness of Applicants / Chief Medical Executives for Licence Application (PHF(E) 81A), and this guidance notes. These documents are available at [ORPHF website](#).

The name of licensed private healthcare facilities (PHF), among others, are displayed to the public at the Private Healthcare Facilities Register (the Register). To avoid duplicating the name of a licensed PHF, you are advised to conduct a search at the Register at <https://www.directory.orphf.gov.hk> to check whether the intended name of your DPC is the same as a licensed PHF.

3 Who can submit the application?

Any individual (sole proprietor), partnership, company, body corporate other than a company, or society that operates or intends to operate a DPC shall apply for a licence.

Applicant being a partnership is required to authorize a partner to represent the partnership. Applicant being a company, body corporate other than a company, or society is required to appoint an authorized representative **in writing** to represent the applicant. The

authorized partner or representative is responsible for handling all matters related to the application and all subsequent matters related to the licence of the DPC.

4 When should I apply?

You shall plan your application in advance. In order to ensure that your DPC will be operated with a licence as planned, you are advised to submit the application form and all the required documents, as well as to pay the application fee **at least 2 months before** the intended date of commencement of operation of your DPC. We will process your application **only** after the application fee is settled.

Please note that **starting from 30 June 2022**, any person operating a DPC without a licence will commit an offence and be liable on conviction to a fine of HK\$ 100,000 and to imprisonment for 3 years.

5 How can I apply?

You can submit the application through e-Licensing or by paper application form –

(i) e-Licensing

For sole proprietor, authorized partner or authorized representative, you shall register a user account at e-Licensing (<https://apps.orphf.gov.hk/Submission/>). You can submit the application by using [iAM Smart+](#) for digital signing and upload all required documents through e-Licensing. The email registered in e-Licensing will be used for the communications related to the application and the licence.

Where iAM Smart digital signing is not applied, documents that require signature shall be submitted, by post or in person, to the Office for Regulation of Private Healthcare Facilities (ORPHF) at the following address –

Licensing Division
Office for Regulation of Private Healthcare Facilities
Department of Health
6/F, Guardian House
32 Oi Kwan Road
Wan Chai, Hong Kong

After submission of the application form and all required documents, you will soon be notified by email to obtain a general demand note at e-Licensing for payment of application fee.

(ii) Paper application form

You can download the application form (PHF 22) and relevant documents at ORPHF website (www.orphf.gov.hk) or obtain these documents at ORPHF. The completed and signed application form, together with the required documents, shall be submitted, by post or in person, to ORPHF.

After submission of the application form and all required documents, you will soon receive by email a general demand note for payment of application fee.

Please note that if you complete the application form online, a reference number will be generated automatically on your application form. If you complete the application form other than online, a reference number will be sent to you later. Please quote your **reference number** on all documents and subsequent submissions related to the application.

6 When and how should I pay for the application fee?

The amount of application fee is based on the scale of services of the DPC ([FAQ Q16](#)). You shall settle the payment on or before the due date stated on the general demand note. Payment methods are illustrated on the general demand note.

7 Preparations after payment

You shall prepare –

(i) Documents to be submitted before site inspection

- A two-week duty roster and specialty qualification of relevant staff as listed in the checklist of documents (PHF 23) shall be submitted to ORPHF **at least 10 working days before** site inspection.

(ii) Documents to be ready for on-site inspection

- Written policies and procedures, documents related to critical and major equipment, and records for staffing shall be available for **on-site** inspection ([FAQ Q22](#)).

(iii) Your premises for site inspection

You shall inform DH officer when your premises is ready for site inspection. Our officer will then confirm the date of inspection with you **within 10 working days** after receiving all required documents.

8 Possible follow-up action(s) after site inspection

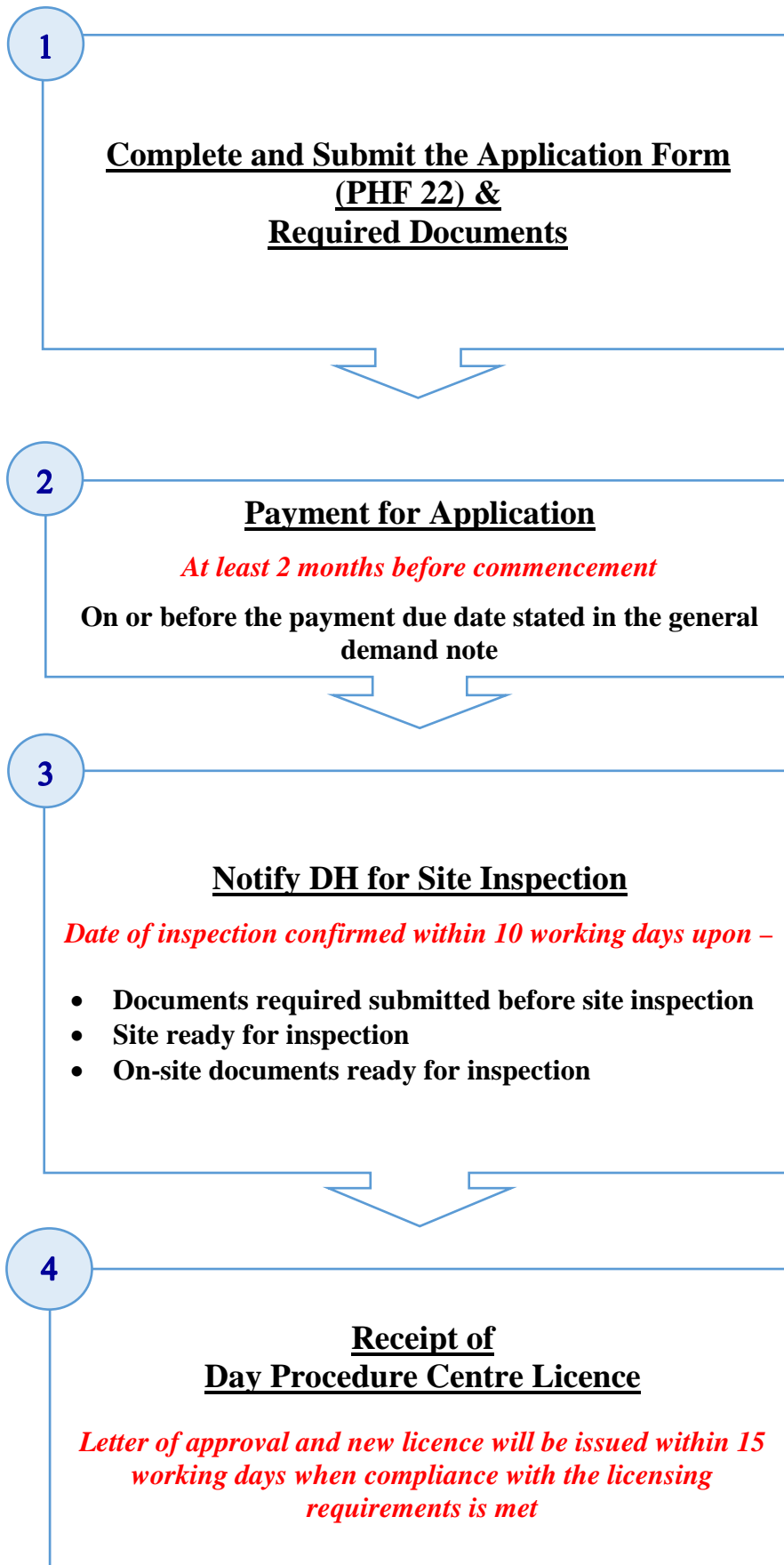
You may be required to provide additional supporting documents, to make necessary amendment(s) to the application, or to make alteration(s) or improvement(s) to the premises for fulfilling the licensing criteria. A deadline for submission will be provided to you by DH officer.

Furthermore, you may be required to prepare for additional on-site inspection(s) after completion of all required alterations and improvements to the premises.

9 When will I be notified of the application result?

Upon completion of inspection(s) and receipt of all documents required, DH will normally inform you of the application result in writing **within 15 working days**. A licence will be issued to you subject to compliance with the licensing requirements.

Flowchart for Application of Day Procedure Centre Licence



Frequently Asked Questions

Q1 Is the exemption for small practice clinic applicable to DPC?

A1 No. If any scheduled medical procedure is provided in the premises, the operator should apply for a DPC licence. There is no exemption from licensing for DPC.

Q2 What is a premises in relation to DPC?

A2 A premises comprises places –

- (i) that are physically connected by internal access among themselves; or physically attached or in close proximity to, or adjoining, one another; **and**
- (ii) that form a distinct whole for the DPC to function as a single entity

The following are some scenarios which DPC may be considered as one premises and covered by one licence –

- (i) a DPC occupying 2 or more units connected with internal access
- (ii) a DPC occupying 2 or more adjoining units
- (iii) a DPC occupying 2 or more units within the same building

Q3 Can I operate a DPC sharing the same premises with other business?

A3 The operator must ensure that –

- (i) the DPC is a distinct and exclusive unit
- (ii) the DPC has a direct and separate entrance not shared with, or involving passing through any other premises
- (iii) the DPC is physically separated from any premises that serves a purpose not reasonably incidental to the DPC. Healthcare services such as physiotherapy or dietetics can be considered as purposes reasonably incidental to a DPC. Non-healthcare services such as beauty parlour are generally considered as purposes NOT reasonably incidental to a DPC

Q4 Is there any restriction on confinement of a patient treated in a DPC?

A4 DPCs must not provide to any person a medical procedure that may require the person's continuous confinement within the facility for more than 12 hours. Also, the period of continuous confinement for any patient must be within the same calendar day.

Q5 What are the requirements and qualifications for the Chief Medical Executive (CME) of a DPC?

A5 The CME is responsible for taking charge of the day to day administration of the DPC, adopting and implementing the rules, policies and procedures concerning healthcare services provided in the DPC.

For a DPC with **medical practice**, the CME must be a registered medical practitioner. If the **DPC also provides dental practice**, the licensee must also appoint a registered dentist to assist the CME in carrying out the day to day administration of the dental practice. For DPC with **only dental practice**, the CME must be a registered dentist. The CME of a DPC must be a medical practitioner or a dentist who has been registered for **not less than 6 years** in Hong Kong; and must not serve at the same time as the CME of a hospital, nor at the same time serve for more than 2 DPCs or more than 1 DPC and 1 clinic.

Please also read Guidance Notes for Assessing Fitness and Properness of Applicants / Chief Medical Executives for Licence Application (PHF(E) 81A).

Q6 For applicant which is a company, a body corporate other than a company or a society, a supporting document in respect of authorizing a representative to represent the applicant to handle all matters related to the application and all subsequent matters related to the DPC licence is required. What document should be provided?

A6 The supporting document can be (i) a resolution or a minutes of the Board of Directors to appoint the authorized representative; or (ii) an authorization letter signed by **all** directors of the company.

The supporting document shall include the following information –

- name of the applicant (company / body corporate other than a company, or society)

- name and the Hong Kong Identity Card / Passport Number of the authorized representative
- name of the day procedure centre
- the authorized representative appointed represents the company to handle all matters related to the application and all subsequent matters related to the DPC licence

A sample of authorization letter is at **Annex** for reference.

Q7 What are hospital-only medical procedures?

A7 The Code of Practice for Day Procedure Centres (PHF(E) 21A) provides the principle of medical procedures to be carried out in a DPC. The Director of Health specifies the following medical procedures that may only be carried out in a hospital –

- Administration of chemotherapy (cytotoxic) into body cavity or deep-seated organ
- Image-guided core biopsy of deep-seated organ
- Transarterial catheterisation or deep venous catheterisation
- Continuous veno-venous haemofiltration or continuous veno-venous haemodiafiltration
- Organ transplant [except corneal transplant] or complicated transplant procedures
- Bronchoscopy or pleuroscopy
- Therapeutic gastrointestinal endoscopy for children aged under 12 years old
- Injection of sclerosing/embolisation agents into vascular/lymphatic compartment of deep-seated head and neck region
- Blood transfusion
- Radiotherapy for children aged under 18 years old
- Frame-based stereotactic radiosurgery
- Intra-operative radiotherapy
- Total body irradiation
- Half body irradiation
- Total skin electron beam treatment
- Brachytherapy
- Radionuclide therapy, except (i) iodine-131 therapy for thyrotoxicosis up to 400MBq; (ii) radium-223 therapy for advanced prostate cancer; and (iii) radiosynoviorthesis therapy

Q8 What are “scheduled medical procedures”?

A8 “Scheduled medical procedures” are procedures which specified in Schedule 3 to the Ordinance. These procedures are carried out in ambulatory settings including the following 8 classes of specialized services –

- Surgical procedure
- Endoscopic procedure
- Dental procedure
- Chemotherapy
- Haemodialysis
- Interventional radiology and lithotripsy
- Anaesthetic procedure
- Radiotherapy

Please refer to Section 2 of the Ordinance on the interpretation of “Scheduled medical procedure” and Column 2 of Schedule 3 on the particular medical procedures under the abovementioned classes of specialized services.

Q9 In my DPC, I perform surgical procedures including deep sedation or above. Which class of specialized services should I indicate in my application?

A9 If you perform any sedation involving deep sedation or above in your DPC, you shall select “anaesthetic procedure” in the application form. The definition of “deep sedation” should refer to the Guidelines on Procedural Sedation (2019) promulgated by the Hong Kong Academy of Medicine. In your case, you shall select both “surgical procedure” and “anaesthetic procedure” in the application form as the classes of specialised services provided by your DPC.

When you prepare the Report for Application for Day Procedure Centre Licence (PHF 25), please complete “Part A General”, “Part B1 Surgical Procedure” and “Part B7 Anaesthetic Procedure”.

Q10 I noted that core biopsy / image-guided core biopsy is one of the particular medical procedures under the class of “surgical procedure” or “interventional radiology and lithotripsy” in Schedule 3 of the Ordinance. Is there any type of core biopsies fall outside the scope of “scheduled medical procedures”?

A10 Any core biopsy falls into the scope of “scheduled medical procedures”, **except** core biopsies of –

- (i) superficial tissue, such as skin, prostate, breast and uterus (but excluding thyroid or salivary glands)
- (ii) superficial muscle
- (iii) peripheral muscle

Q11 Is external sinus lift / lateral window sinus lift a scheduled medical procedure?

A11 External sinus lift / lateral window sinus lift would **not** fall into the scope of scheduled medical procedures under Column 2 of Schedule 3 to the Ordinance, on condition that –

- (i) the procedure reconstructs / restores a resorbing, or severely resorbed, dental-alveolar process to its original form and such reconstruction / restoration is performed within the dento-alveolar process; **and**
- (ii) the procedure, including the surgical access, involves areas which belonged to or originally belonged to the dento-alveolar process and does not involve area beyond the original dento-alveolar process.

Q12 Is facelift a scheduled medical procedure?

A12 Yes, transplant of any cell, tissue or organ, including autograft, allograft, xenograft, processed tissue or blood products (including platelet-rich plasma) and skin flap (including face lift) are scheduled medical procedures under the category of surgical procedure. Facelift conducted through endoscopy may require a DPC licence covering the category of endoscopic procedure.

Q13 If I provide medical treatment through platelet-rich plasma (PRP), do I need a DPC licence?

A13 Yes, transplant of any cell, tissue or organ, including autograft, allograft, xenograft, processed tissue or blood products (including platelet-rich plasma) and skin flap (including face lift) are scheduled medical procedures under the category of surgical procedure.

Q14 If I conduct hair transplant on my patients, do I need a DPC licence?

A14 The following are scheduled medical procedures under the category of surgical procedure, namely transplant of any cell, tissue or organ, including autograft, allograft, xenograft, processed tissue or blood products (including platelet-rich plasma) and skin flap (including face lift). Exception includes skin graft less than 1% of total body surface area. You need to check the technique used in your hair transplant and apply for a DPC licence if it is a scheduled medical procedure.

Q15 I am an ENT surgeon, I conduct endoscopic surgery like nasal polypectomy for my patients. Do I need a DPC licence?

A15 The following are scheduled medical procedures under the category of endoscopic procedure, namely (i) endoscopic procedure requiring image guidance, (ii) endoscopic procedure involving invasion of sterile cavity or gastrointestinal tract, and (iii) therapeutic endoscopic procedure. You need to apply for a DPC licence for performing therapeutic endoscopic nasal polypectomy.

Q16 What is the application fee?

A16 The application fee is based on the scale of services of the DPC and is listed as follows–

Type of DPC	Application Fee*
DPC with a total number of doctor or dentist consultation rooms, designated rooms for medical procedures and operating rooms:	
- up to 5 rooms	\$17,650
- 6 to 10 rooms	\$22,850
- more than 10 rooms	\$28,400

*Under Section 110 of the Ordinance, any application fee paid is not refundable.

Q17 How rooms of DPC are counted for DPC licence application?

A17 Regulation under the Ordinance is premises-based. One licence is issued for one premises. The Ordinance mainly regulates premises where registered medical practitioners and/or registered dentists practise. The premises may include areas / services which are reasonably incidental to a private healthcare facility.

Room means one of the separate sections or parts of the inside of a building having its own walls, ceilings, floors, and doors. In general, **ALL** rooms inside a DPC, **except** those listed in (ii), would be counted into the room types listed in (i).

- (i) Rooms to be counted
- operating room
 - designated room for medical procedures
 - consultation room for doctor
 - consultation room for dentist

Operating room is a room that meets the requirements of a restricted area and is designated and equipped with specialized ventilation, among others, for performing surgical or other invasive procedures that require aseptic surgical field, as stipulated in Annex II of the Code of Practice for Day Procedure Centres.

Consultation rooms and designated rooms for medical procedures are a spectrum of different rooms where registered medical practitioners, registered dentists and their assisting healthcare professionals and workers involved in different stages of patient care.

- (ii) Rooms **NOT** to be counted
- changing room
 - dental technology room
 - dirty utility room
 - library
 - office
 - pantry
 - plant room for healthcare systems e.g. reverse osmosis system in haemodialysis centre
 - seminar / conference room

- staff resting room
- store room (e.g. equipment, medical record, drug, sterile items, medical gases)
- toilet
- waiting area
- room where solely allied health professionals, social workers or pastors practice. Examples of allied health professionals:
 - audiologist
 - Chinese medicine practitioner
 - chiropractor
 - clinical psychologist
 - dietitian
 - nurse specialist (e.g. lactation consultant, DM nurse)
 - occupational therapist
 - optometrist
 - physiotherapist
 - podiatrist
 - radiographer
 - speech therapist

Q18 I operate a DPC with 4 consultation rooms, 2 rooms for medical procedures, and 1 room for physiotherapy service. How much do I need to pay for the application?

A18 The application fee is calculated based on the total number of doctor or dentist consultation rooms, designated rooms for medical procedures and operating rooms. Your DPC has a total of 6 rooms (= Consultation rooms x 4 + Rooms for medical procedures x 2). Therefore, the application fee is \$22,850.

Q19 What information should be indicated on the layout plan of the premises?

A19 The layout plan of the DPC shall be drawn to a scale **not less than** 1:100 and expressed in metric units. Non-movable walls shall be indicated by double lines and the boundaries of the premises by coloured lines.

The following items shall be labelled on the layout plan (where applicable) –

- Entrance and exit
- Area for equipment reprocessing
- Hand-washing and sanitation facility

- Dirty utility room
- Consultation room for doctor, consultation room for dentist, operating room, designated room for medical procedures, recovery room, room for clinical and clinical supporting services e.g. Room for Physiotherapy
- Reconstitution facility where cytotoxic drugs are handled
- Location of resuscitation equipment
- Location of major equipment required for the facility service, e.g. anaesthetic machine, biosafety cabinet or isolator, haemodialysis machine, water treatment system, imaging machine, radiotherapy equipment

Q20 What does it mean by critical care area?

A20 A “critical care area” in a DPC is an area where failure of electrical power supply is likely to jeopardize the immediate safety or even cause major injury or death of patients or caregivers. Examples are operating theatres/rooms and recovery areas.

Q21 What does it mean by medical gas pipeline system (MGPS) installed in a DPC setting?

A21 A MGPS is a system comprising sources of supply, a pipeline distribution system, terminal units (to which the user connects and disconnects medical equipment) and a warning / alarm system. It applies to various types of medical gases, such as medical oxygen supply, nitrous oxide gas supply, compressed medical air supply, and medical vacuum systems.

Q22 What documents have to be ready for on-site inspection?

A22 The following documents regarding relevant equipment, staffing, policies and procedures have to be ready for on-site inspection –

- (i) Policies and procedures on relevant services as stipulated in relevant chapters in the Code of Practice for Day Procedure Centres
- (ii) Critical and Major Equipment
 - Proof of fitness of the critical and major medical equipment supporting the services provided (e.g. satisfactory acceptance test report, test results of the water quality for dialysis for haemodialysis service, temperature monitoring

records for drug fridge)

- Valid relevant certificate(s) to prove fitness for safe operation of the equipment (e.g. irradiating apparatus licence under the Radiation Ordinance Cap. 303)
- Maintenance schedule as advised by the manufacturer and the record of last maintenance
- Information on whether the equipment has means of alternative power supply other than normal power source (e.g. built-in battery)

(iii) Staffing

- Training records and/or training plans of relevant staff for each service
- Records of relevant drills for the service, e.g. cardio-pulmonary resuscitation, fire, electricity or water suspension drills, blood spillage drill etc.
- Training records, supported by relevant testing reports as applicable, for relevant staff responsible for the reconstitution of cytotoxic drugs

Q23 How long would it take for processing the application?

A23 The application process normally takes **2 months**, excluding the time taken by the applicant for submission of clarification and supplementary information, preparation of the premises and documents for site inspection, or alteration or improvement to the premises to meet the licensing requirements. If any of the above events occurs, the processing time would extend accordingly and may take **more than 2 months**.

Q24 What would be the consequences if the application is incomplete?

A24 If documents required to be submitted are incomplete, the application will be considered as deemed withdrawn after the submission deadline and reminders. Unclaimed documents will be disposed of in accordance with DH procedures. Applicants may submit the application again when the application form is completed and all required documents are prepared.

Q25 What are the roles and responsibilities of the licensee of a DPC?

A25 The licensee is wholly responsible for the operation of the DPC and to ensure that the DPC operation complies with the requirements set out in the Ordinance, the licence and the Code of Practice. He / She is responsible for appointing a Chief Medical Executive for the DPC; setting up and enforcing rules, policies and procedures relating to the quality of care for, and the safety of, patients in the DPC; making available to the public information about the prices of chargeable items and services provided in the DPC; and putting in place complaint handling procedures. Also, he / she shall display the current certificate of licence of DPC, or its copy issued by DH, in a conspicuous place in the DPC.

Licensee is also responsible to apply for renewal of licence **not less than 6 months** before the expiry of the licence unless the Director of Health (DoH) has specified in writing such other period. Besides, he / she is responsible for applying to DoH any variation on the scale or scope of services, or class of specialized services specified in the licence.

Q26 How long is the validity of a DPC licence?

A26 A DPC licence is valid for a period of **not more than 3 years**.

Q27 Can I make any variation on the scale and scope of services after the DPC licence is issued?

A27 Yes, you shall apply for a variation of service **at least 2 months** before the intended date of service commencement for the proposed variation(s). Please refer to the Guidance Notes for Application for Variation of Service / Particulars of Day Procedure Centres (PHF(E) 26A) for details.

Q28 Under what circumstances will my application for DPC licence be refused?

A28 Applications for licence can be refused by the Director of Health (DoH) under any of the following grounds –

- the applicant is not a fit and proper person to operate or exercise control over the DPC
- the chief medical executive (CME) of the DPC is a not a fit and proper person to administer the DPC
- the applicant does not have the ability to operate or exercise control over the DPC in compliance with the Ordinance and the Code of Practice
- the premises (including the fittings and equipment in the premises) forming the facility are not suitable to be used as a DPC
- the applicant does not have suitable arrangements in place regarding the management and staffing of the DPC
- the applicant does not have suitable arrangements in place to monitor and maintain the safety and quality of healthcare services to be provided in the DPC
- the operation of the DPC by the applicant would be contrary to the public interest
- another ground the DoH considers appropriate

Q29 What are offences requiring no disclosure for the application of a DPC licence?

A29 Offences requiring no disclosure are offences punishable by a fixed penalty under the Fixed Penalty (Traffic Contraventions) Ordinance (Cap. 237), the Fixed Penalty (Criminal Proceedings) Ordinance (Cap. 240), the Fixed Penalty (Public Cleanliness and Obstruction) Ordinance (Cap. 570), the Fixed Penalty (Smoking Offences) Ordinance (Cap. 600), or the Motor Vehicle Idling (Fixed Penalty) Ordinance (Cap. 611), or offences of similar nature committed in a place outside Hong Kong.

Reference number

Authorization Letter

To: Office for Regulation of Private Healthcare Facilities
Department of Health

Dear Sir / Madam,

(name of the company / organisation)

hereby authorizes _____ (Hong Kong
(name of authorized representative)

Identity Card / Passport number*: _____) to represent the
abovementioned company / organisation* to handle all matters related to the licence
application of _____
(name of the day procedure centre)

and subsequent matters related to its licence.

Yours faithfully,

List of all directors/officers/members/office-bearers of the company/organisation

Signature

Name: _____

Signature

Name: _____

Signature

Name: _____

Signature

Name: _____

Signature

Name: _____

Signature

Name: _____

Signature

Name: _____

Signature

Name: _____

Date: _____

**Delete as appropriate*