

# DRAFT

## LICENCE CONDITIONS ON LICENSEES PROVIDING OR INTENDING TO PROVIDE RESTRICTED SERVICES

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

#### 1 Application

1.1 Subject to paragraph 1.2, these licence conditions (“**LCs**”) apply to all persons that have been licensed under the Healthcare Services Act 2020 (the “**HCSA**”) that provide or intend to provide, as part of their respective licensable healthcare services, any of the following services:

- (1) 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 (“**Chiropractic and Osteopathic Services**”);
- (2) a system of therapeutics according to a Chinese, Malay, or Indian method (“**Traditional Medicine**”);
- (3) NEBMT (as defined in paragraph 2.1(2) below); or
- (4) complementary and alternative medicine services that do not fall within any of the categories described in paragraphs 1.1(1) to (3) (“**Alternative Medicine**”)

(such persons referred to as “**Licensees**”).

1.2 Notwithstanding paragraph 1.1, these LCs do not apply:

- (1) to persons that have been licensed under the HCSA to provide a nursing home service only; and
- (2) in respect of persons that have been licensed under the HCSA to provide multiple licensable healthcare services including a nursing home service, to their provision of such nursing home service only.

1.3 These LCs shall supersede and replace the LCs entitled ‘Licence Conditions on Licensees Providing or Intending to Provide Restricted Services’ issued on 26 June 2023 and 19 July 2023.

1.4 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.
- 1.5 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) **"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.
- (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) **"Restricted Service"** means any of the following services:
  - (a) Chiropractic and Osteopathic Services;
  - (b) Traditional Medicine;
  - (c) NEBMT; or
  - (d) Alternative Medicine.

## **3 Conditions relating to Restricted Services**

- 3.1 Subject to paragraphs 3.2, 3.3 and 3.5, the Licensee **shall not** provide any Restricted Service to any patient.
- 3.2 Notwithstanding paragraph 3.1, the Licensee may provide a Restricted Service to a patient if the Restricted Service is provided as part of:
- (1) human biomedical research conducted in accordance with the Human Biomedical Research Act 2015 and its regulations; **or**
  - (2) a clinical trial of a health product conducted in accordance with the Health Products Act 2007 and its regulations.
- 3.3 Notwithstanding paragraph 3.1, the Licensee may provide a NEBMT to a patient only if the NEBMT is provided as part of an innovative salvage therapy.
- 3.4 Where any NEBMT is provided to a patient pursuant to paragraphs 3.2 and 3.3 above, the Licensee shall ensure that such NEBMT is only provided by a registered medical practitioner.
- 3.5 Notwithstanding paragraph 3.1, the Licensee may provide Traditional Medicine to a patient in the form of acupuncture on the basis of traditional Chinese medicine if such acupuncture:
- (1) is not requested for by that patient on his own without prior assessment and recommendation by a registered medical practitioner or dentist;
  - (2) is assessed by a registered medical practitioner or dentist to be appropriate for that patient's condition;
  - (3) is recommended to the patient by the registered medical practitioner or dentist that conducted the assessment described in (2), with an explanation given to that patient as to the reasons for such recommendation;
  - (4) is consented to by that patient after the recommendation described in (3) and before the acupuncture is provided;
  - (5) is provided by a TCMP; **and**
  - (6) is provided in accordance with the prevailing clinical evidence.
- 3.6 If:
- (1) the Licensee is licensed under the HCSA to provide (a) an acute hospital service, (b) an ambulatory surgical centre service; or (c) a community hospital service; and
  - (2) the TCMP that is providing or intending to provide the acupuncture in accordance with paragraph 3.5 is a registered medical practitioner or dentist that is employed or engaged by the Licensee,

the Licensee shall ensure that the credentialing framework implemented by the Licensee for the licensable healthcare service described in paragraph 3.6(1) also takes into account that registered medical practitioner's or dentist's qualifications as a TCMP.

- 3.7 The Licensee shall ensure that the assessment, recommendation, explanation and consent described in paragraph 3.5(2), (3) and (4) is properly documented.

## Annex A

1. The intravenous infusion of Vitamin B or C into a patient for any of the following purposes:
  - (a) treatment for Herpes Zoster;
  - (b) boosting of the immune system for patients on chemotherapy; or
  - (c) 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:
  - (a) cognitive decline;
  - (b) weight gain;
  - (c) osteoporosis;
  - (d) skin aging;
  - (e) fibromyalgia; or
  - (f) 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:
  - (a) by a registered medical practitioner for:
    - (i) non-surgical treatment of acute muscle and ligament injuries;
    - (ii) biological augmentation of acute Achilles Tendon repairs;or
  - (b) by a registered dentist for:
    - (i) enhancement of healing of sinus lift bone grafts;
    - (ii) enhancement of healing of bone grafts to the maxillofacial region;
    - (iii) improvement of bony healing in Periodontal attachment loss surgery; or
    - (iv) regeneration of Periodontal soft tissue with free gingival grafts.

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