



MINISTRY OF HEALTH
SINGAPORE

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MOH Circular No. 90/2023

18 December 2023

All Public and Private Healthcare Institutions' Chief Executive Officers, Chief Operating Officers, Chairman Medical Boards
All Healthcare Services Act (HCSA) licensees

IMPLEMENTATION OF REGULATIONS AND ISSUANCE OF LICENCE CONDITIONS UNDER PHASE 3 OF THE HEALTHCARE SERVICES ACT (HCSA)

This circular informs all Licensees under the Healthcare Services Act (HCSA), on the implementation of Phase 3 HCSA Regulations and the applicable licence conditions that licensees will need to comply with in the provision of the nursing home service.

2 The HCSA was enacted in January 2020 to replace the Private Hospitals and Medical Clinics Act (PHMCA) to better safeguard patient safety and well-being, as well as strengthen the governance of healthcare service providers in the evolving healthcare environment, while enabling the rollout of new and innovative healthcare services. The regulations under the Act were implemented in three phases, with Phases 1 and 2 having commenced on 3 January 2022 and 26 June 2023 respectively:

- a. **Phase 1** of the HCSA involved clinical support services, such as clinical laboratory, radiological, emergency ambulance and medical transport services.
- b. **Phase 2** of the HCSA involved acute and community hospital services, outpatient medical and dental services (including tele-consultation and home medical or dental care by doctors and dentists), assisted reproduction service, ambulatory surgical centre service, human tissue banking service, nuclear medicine service and outpatient renal dialysis service.

3 **Phase 3** of the HCSA will involve the last group of licensees previously regulated under the PHMCA, which are the **nursing homes**. With the transition of



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nursing homes to HCSA's licensing regime, the **PHMCA is now repealed with effect from 18 December 2023.**

Implementation of HCSA amendments and Phase 3 Regulations

4 Nursing Homes previously licensed under the repealed PHMCA has been issued a nursing home service licence under the HCSA on 18 Dec 2023 (see **Annex A**).

5 Please ensure that you and your personnel are familiar and comply with the Healthcare Services (Nursing Home Service) Regulations, in addition to the Act, the General Regulations, Fees Regulations, Advertisement Regulations and the other Service-specific Regulations applicable to any other licensable healthcare services you are providing. This also includes complying with the Code of Practice for Key Office Holders.

Licence conditions ("LCs")

6 Nursing Home Service Licensees are also required to comply with LCs issued together with their Nursing Home Service licences in accordance to Section 13(1) of the Healthcare Services Act 2020¹. Please refer to **Annex B** for the LCs applicable to nursing home service licensees and ensure that you and your personnel are familiar and comply with these LCs when providing the Nursing Home Service. Any 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);
- (b) shortening the term of the Licensee's licence(s);
- (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.

For avoidance of doubt, these LCs do not override a healthcare professional's duty to make clinical decisions that are in the best interests of each patient.

7 A copy of the Act, its Regulations, the Code of Practice for Key Office Holders, and the various LCs applicable to each licensee, can be found at www.moh.gov.sg/hcsa.

8 Please visit our website at www.moh.gov.sg/hcsa for more information on the HCSA and other latest updates and resources. A set of Frequently Asked Questions

¹ Section 13(1) of the Healthcare Services Act 2020:13 (1) In granting a licence to any person or renewing any licence, the Director-General may impose any conditions that the Director-General considers requisite or expedient having regard to the purposes of this Act.

will also be uploaded in due course. Should you require any further information or clarification, please email us at HCSA_Enquiries@moh.gov.sg.

A handwritten signature in black ink, appearing to be 'K. Mak', with a small dot at the end of the signature.

PROFESSOR KENNETH MAK
DIRECTOR-GENERAL OF HEALTH
MINISTRY OF HEALTH

ANNEX A: HEALTHCARE SERVICES ACT AND LIST OF APPLICABLE REGULATIONS

a) Applicable to all HCSA Licensees

- I. [Healthcare Services Act 2020 \(https://go.gov.sg/hcs-act\)](https://go.gov.sg/hcs-act)
- II. [Healthcare Services \(Advertisement\) Regulations 2021 \(https://go.gov.sg/hcsa-adv-regs\)](https://go.gov.sg/hcsa-adv-regs)
- III. [Healthcare Services \(Fees\) Regulations 2021 \(https://go.gov.sg/hcsa-fees-regs\)](https://go.gov.sg/hcsa-fees-regs)
- IV. [Healthcare Services \(General\) Regulations 2021 \(https://go.gov.sg/hcsa-gen-regs\)](https://go.gov.sg/hcsa-gen-regs)

b) Applicable to Nursing Home Service Licensees

- I. [Healthcare Services \(Nursing Home Service\) Regulations 2023 \(https://go.gov.sg/hcsa-nhs-regs\)](https://go.gov.sg/hcsa-nhs-regs)

ANNEX B: LIST OF LICENCE CONDITIONS APPLICABLE FOR NURSING HOME SERVICE LICENSEES

S/N	Title of Licence Conditions	Appendix
1	Licence Conditions for Nursing Home Service Licensees	B1
2	Licence Conditions for Serious Reportable Event QAC For Nursing Home Service Licensees	B.2
3	Licence Conditions for Nursing Home Service Licensees on the Provision of Restricted or Prohibited Services	B.3
4	Licence Conditions for All Licensees Relating to Immunity Against Measles and Diphtheria for Workers in Healthcare Institutions	B.4
5	Licence Conditions on Retention Period of Patient Health Records	B.5
6	Licence Conditions for Providing or Intending to Provide Emergency Life Saving Measures	B.6
7	Licence Conditions for Licensees Providing or Intending to Provide Blood Transfusion Service	B.7
8	Licence Conditions for Licensees Providing or Intending to Provide Luxturna	B.8
9	Licence Conditions on Licensees Providing or Intending to Provide Simple in vitro Diagnostic Tests	B.9
10	Licence Conditions on Case Reviews by Clinical Ethics Committees	B.10
11	Licence Conditions on Vaccine Cold Chain for Licensees Involved in the Handling, Storage and/or Transport of Vaccines	B.11
12	Licence Conditions for Outpatient Medical Service, Outpatient Dental Service, Outpatient Renal Dialysis Service, Acute Hospital Service, Community Hospital Service, Contingency Care Service, Nursing Home Service Licensees Providing or Intending to Provide COVID-19 Vaccination	B.12