

**SECOND SUPPLEMENT TO THE GIBRALTAR
GAZETTE
No. 2,209 of 31st JANUARY, 1985.**

LEGAL NOTICE NO. 11 OF 1985.

**MEDICAL AND HEALTH ACT, 1973.
(No. 5 of 1973).**

HOSPITALS (FEES AND CHARGES) (AMENDMENT) RULES, 1985.

In exercise of the powers conferred on him by section 39 of the Medical and Health Act, 1973, and of all other enabling powers, the Governor has made the following rules:

Title and commencement

1. (1) These rules may be cited as the Hospitals (Fees Charges) (Amendment) Rules, 1985.

(2) These rules shall come into operation on the 1st day of March, 1985.

Amendment of rule 2 of L.N. No. 143 of 1974

2. Rule 2 of the Hospitals (Fees and Charges) Rules, 1974 (hereinafter called the principal rules) is amended by revoking the definition of the term "entitled person", and substituting therefore the following new definition:

" "entitled person" means –

- (a) a person ordinarily resident in Gibraltar;
- (b) an alien working and residing in Gibraltar in respect of whom a permit of residence granted under the provisions of the Immigration Control Act is in force, and the wife and children under the age of 18 years of any such person, provided that such wife and children are also residing in Gibraltar under permits of residence;
- (c) a national of the United Kingdom of Great Britain and Northern Ireland covered by the Reciprocal Health Services Agreement Between Her Majesty's Government in the United Kingdom and the Government of Gibraltar (hereinafter referred to as 'the Reciprocal Agreement'); or

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- (d) a national of a Member State of the European Economic Community who is in possession of Form E111 issued by the competent authority of the Member State of the Community of which he is a national (hereinafter referred to as "an EEC national.")"

Replacement of rule 4.

3. The principal rules are further amended by revoking rule 4, and substituting therefor the following new rule:

"Fees payable by in-patients.

4. (1) In respect of an entitled person admitted to a public ward, there shall be payable the fees set out in the First Schedule.

(2) In respect of an entitled or a non-entitled person admitted to a private ward, there shall be payable the fees set out in the Second Schedule: provided that an entitled person coming within sub-paragraphs (c) and (d) of the definition of 'entitled person' contained in Rule 2 shall pay fees as a non-entitled person when in a private ward.

(3) Any patient admitted in the first instance to a public ward, who, within three weeks of such admission, is at his own request transferred to a private ward shall pay the fees set out in the Second Schedule for services (other than accommodation) payable in respect of a private ward as from the date of admission to the public ward.

(4) Where any operation included in any one category of the Fourth Schedule is performed on any patient, the Director may in his discretion upon being satisfied that in the circumstances of the case it is equitable so to do, direct that the fee to be charged in respect of that operation shall be such as would be chargeable if the operation had been included in the next lower category of operations of a like kind in the said Fourth Schedule."

Replacement substituting of rule 5

4. The principal rules are further amended by revoking rule 5, and therefor the following new rule:

"Fees payable by out-patients.

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5. (1) For every attendance or treatment of an out-patients entitled person or a non-entitled person as an outpatient at any dispensary or clinic conducted at
or in connection with a hospital there shall be payable the fees set out in the First and Second Schedules, as the case may be:

provided that-

- (a) the Director may, because of the financial circumstances of the out-patient or of any person liable for the payment of the fees, remit the fee in whole or in part;
- (b) no fee shall be payable by any entitled person, who is not a private patient, in respect of any attendance at an ante-natal clinic.

(2) Where an out-patient occupies a private room for any period not exceeding 24 hours for any purpose there shall be payable the fees set out in the Second Schedule."

Replacement of rule 6.

5. The principal rules are further amended by revoking rule 6, and substituting therefor the following new rule:

"Pathology. 6. In respect of any patient for pathological examinations there shall be payable the fees set out in the First and Second Schedules"

Revocation of rule 11 of rule 12.

6. The principal rules are further amended by revoking rule 11.

Replacement of rule 12

7. The principal rules are further amended by revoking rule 12, and substituting therefor the following new rule:

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“Removal of persons from hospital in certain cases

12. Any person who enters a hospital for any reason whatsoever may be removed there from by direction of the Director if he fails to Comply with any directions given to him by a medical officer or if his conduct is such that, in the opinion of the Director his continued presence in the hospital is prejudicial to the comfort or well-being of patients or to the general administration of the hospital."

Replacement of the First and Second Schedules.

8. The principal rules are further amended by revoking the First and Second Schedules and substituting therefore the following schedules:-

"FIRST SCHEDULE.

GENERAL IN-PATIENTS AND OUT-PATIENTS.

Rule 4(1)

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Description of Service	Entitled Persons	
	PART A	PART B
	Members of the Group Practice Medical scheme Persons coming under the Reciprocal Agreement and EEC Nationals	(other than those to whom Part A applies)
1. Accommodation	Free	£30
1A. Accommodation (Day Cases)	Free	£15
2 First Consultation (Specialist clinic)	Free	£ 5
3. Subsequent consultation (Specialist clinic)	Free	£ 5
4. Domiciliary Consultation	Free	£15
5. Major Operation	Free	*
6. Major Orosurgical Operation	Free	*
7. Anaesthesia (Major operation)	Free	*
8. Intermediate Operation	Free	*
9. Intermediate Orosurgical operation	Free	*
10. Anaesthesia (Intermediate operation)	Free	*
11. Minor Operation Free	Free	*

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12. Minor Ornsurgical Operation	Free	£ 6
13. Anaesthesia (Minor Operation)	Free	£ 7
14. Minor Surgical Procedure	Free	£7
15. Anaesthesia (Minor Surgical Procedure)	Free	£4
16. Accouchement	Free	*
17. Audiometry	Free	£4
18. Electro-congulsion Therapy (per treatment)	Free	£15
19. Use of electro-cardiogram or phonocardiogram	Free	£ 8
20. Use of encephalogram	Free	£25
21. Pathology: for each request for pathological investigation in respect of one patient and executed in one department of the laboratory irrespective of the number of tests involved.	Free	£5
22. Histopathology	Free	£ 5
23. Analytical Work (per patient)	Free	£ 5
24. Physiotherapy (per treatment) (Single treatment)	Free	£3.50
(Multiple treatment) In any one day	Free	£ 7
25. Use of Operating Theatre (Major Operation (GA))	Free	£30
(intermediate Operation (GA))		£20
Minor Operation (GA))		£15
(Minor Surgical Procedure (LA))	Free	£10
26. Radiodiagnosis Unit Charge	Free	60p
(Minimum charge)		£ 8
27 Endoscopy	Free	£ 8
* See Note 3.		

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NOTES.

When an operation is performed by a Specialist who is not in the full-time employment of the Government, or a Medical Officer on abated salary, by private arrangement between the Specialist and the patient, the fee shown above for the use of operating theatre shall be payable in addition to any fee, other than an operation fee payable by the patient under these Rules.

2. Members of the Group Practice Medical Scheme shall only be entitled persons under Part A if they have been referred for consultation by a doctor under the Scheme.

3. The charge for services numbered 5 to 11 and 16 under Parts B are included in the composite fee for accommodation.

4. Services numbered 12 to 15 and 17 to 24 are payable by outpatients only.

5. No accommodation fee shall be payable by an entitled person who is a contributor to the Group Practice Medical Scheme. In any other entitled case the Director may, because of the financial circumstances of the patient or of any person liable for the payment of the fees remit the fee in whole or in part.

5. X-Ray Plates remain the property of the Medical and Health Department save that such plates taken at the request of a private practitioner may be retained by the patient.

SECOND SCHEDULE PRIVATE IN-PATIENTS AND OUT-PATIENTS.

Rule 4(2) Description of Service	Entitled Persons	Non-Entitled Persons

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1. Accommodation	£30	£60
IA. Accommodation (Day Cases)	£20	£30
2. Audiometry	£ 4	£ 5
3. Electro-convulsion therapy (per treatment)	£15	£15 £20
4. Use of electro-cardiogram or phonocardiogram	£ 8	£10
5. Use of encephalogram	£20	£25
6. Pathology: for each request for pathological investigation in respect of one patient and executed in one department of the laboratory irrespective of the number of tests involved.	£ 5	£ 5
7. Histopathology	£15	£20
8. Analytical work (per unit)	£ 5	£ 5
9. Physiotherapy (per treatment) Single treatment	£ 5	£ 5
Multiple treatment in any one day	£ 8	£ 8
10. Use of Operating Theatre: Major Operation (GA)	£30	£50
Intermediate Operation (GA)	£20	£30
Minor Operation (GA)	£15	£20
Minor Surgical Procedure (LA)	£10	£15
11. Radiodiagnosis: Unit Charges	60p	£ 8
Minimum charge	£ 8	£ 8

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12. Endoscopy	£10	£10."
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NOTES.

1. In the case of out-patients a consultation fee of £5 is payable in addition to the fee payable in respect of any of the services numbered 2 to 5 and of the Third Schedule.
2. There shall be no entitlement to free medicines for out-patients covered by this Schedule:
3. X-Ray Plates remain the property of the Medical and Health Department save that such plates taken at the request of a private medical practitioner may be retained by the patient:

Revocation of Third Schedule.

9. The Third Schedule to the principal rules is revoked.

Replacement of Fifth Schedule.

10. The principal rules are further amended by revoking the Fifth Schedule and substituting therefor the following schedule:

"FIFTH SCHEDULE.

Rule 9.

**HOSPITALS (FEES AND CHARGES) RULES, 1974. APPLICATION
FOR A PRIVATE ROOM FOR CONFINEMENT.**

To the Director of Medical and Health Services.

Sir

I hereby signify my intention to be accommodated in a private room if one is available at the time of my confinement and I understand that I shall be required to pay the fees shown in the Second Schedule to the above Rules.

I further understand that whether I am accommodated in a private room or in a general ward I shall be liable for the fees laid down in the above Rules.

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Date: Signature of Patient."

Revocation of Sixth Schedule.

11. The Sixth Schedule to the principal rules is revoked.

Dated this 31st day of January, 1985.

By Command,
K. E. BROADLEY,
Deputy Governor.