



BERMUDA

BERMUDA HOSPITALS BOARD AMENDMENT ACT 2024

2024 : 19

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WHEREAS it is expedient to amend the Bermuda Hospitals Board Act 1970 to provide for online publication of the fees to be provided under the Act and related matters to the fees being charged;

Be it enacted by The King's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Assembly of Bermuda, and by the authority of the same, as follows:

Citation

1 This Act may be cited as the Bermuda Hospitals Board Amendment Act 2024.

Amends section 1

2 Section 1 of the Bermuda Hospitals Board Act 1970 is amended by inserting in the appropriate alphabetical order the following—

“ “dental practitioner” means a dental practitioner registered under the Dental Practitioners Act 1950;

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“medical practitioner” means a medical practitioner registered under the Medical Practitioners Act 1950;

“standard health benefit” has the meaning provided in section 1 of the Health Insurance Act 1970;”.

Amends section 13

3 Section 13 of the Bermuda Hospitals Board Act 1970 is amended by inserting after subsection (3)—

“(4) The Schedules to the Regulations made by the Board under this section shall be published on the website of the Bermuda Hospitals Board: www.bermudahospitals.bm and the website of the Bermuda Health Council: www.healthcouncil.bm and shall be available for inspection at the offices of the Bermuda Hospitals Board and the Bermuda Health Council.”.

Amends section 13A

4 Section 13A of the Bermuda Hospitals Board Act 1970 is amended as follows—

- (a) in subsection (3) after the first occurrence of the words “scale of fees” by inserting the word “chargeable”;
- (b) in subsection (3)(a) by deleting the words “in accordance with subsection (4), provide for the calculation, by” and substituting “provide the set fees to be charged, which are based on a”;
- (c) by inserting after subsection (3)—

“(3A) The Schedules to the Order made by the Minister under this section shall be published on the website of the Bermuda Hospitals Board: www.bermudahospitals.bm and the website of the Bermuda Health Council: www.healthcouncil.bm and shall be available for inspection at the offices of the Bermuda Hospitals Board and the Bermuda Health Council.”;

- (d) by repealing subsection (4);
- (e) in subsection (6) by—
 - (i) deleting the words “Medical and dental practitioners” and substituting “Medical practitioners, dental practitioners, authorized visiting practitioners under the Medical Practitioners Act 1950, authorized visiting dental practitioners under the Dental Practitioners Act 1950, who provide a service or procedure at the hospital”;
 - (ii) deleting the words “shall adhere to the scale of fees determined by the Minister under subsection (1).” and substituting “shall—”;

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(iii) inserting the following paragraphs—

- “(a) adhere to the scale of fees determined by the Minister under subsection (1);
- (b) not claim more than the fee provided in the scale of fees;
- (c) in the case of health insurers, not reimburse less than the fee provided in the scale of fees, if the benefit is included in the insured’s policy.”.

Inserts section 13B

5 The Bermuda Hospitals Board Act 1970 is amended by inserting after section 13A the following—

“Application of other laws

13B For the avoidance of doubt, wherever the provisions of this Act, with respect to fees and charges under sections 13, 13AA or 13A, are in conflict with any provision of any other Act or statutory instrument, the provisions of this Act shall prevail.”.

Consequential amendments

6 (1) The Bermuda Hospitals Board (Hospital Fees) Regulations 2018 are amended as follows—

(a) by deleting the table in Schedule 1 and substituting it with the following—

“Schedule 1 (In-patient Treatment Charge by Diagnosis Related Group (DRG)) is published on the website of the Bermuda Hospitals Board: www.bermudahospitals.bm and on the website of the Bermuda Health Council: www.healthcouncil.bm in accordance with section 13(4) of the Bermuda Hospitals Board Act 1970.”;

(b) by deleting the table in Schedule 2 and substituting it with the following—

“Schedule 2 (In-patient Treatment Per Diem Rates) is published on the website of the Bermuda Hospitals Board: www.bermudahospitals.bm and on the website of the Bermuda Health Council: www.healthcouncil.bm in accordance with section 13(4) of the Bermuda Hospitals Board Act 1970.”;

(c) by deleting the table in Schedule 3 and substituting it with the following—

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"Schedule 3 (Bermuda Hospitals Board Physician Services) is published on the website of the Bermuda Hospitals Board: www.bermudahospitals.bm and on the website of the Bermuda Health Council: www.healthcouncil.bm in accordance with section 13(4) of the Bermuda Hospitals Board Act 1970.";

(d) by deleting the table in Schedule 4 (Part A) and substituting it with the following—

"Schedule 4 (Part A) (Out-patient Treatment Included in Standard Health Benefit) is published on the website of the Bermuda Hospitals Board: www.bermudahospitals.bm and on the website of the Bermuda Health Council: www.healthcouncil.bm in accordance with section 13(4) of the Bermuda Hospitals Board Act 1970.";

(e) by deleting the table in Schedule 4 (Part B) and substituting it with the following—

"Schedule 4 (Part B) (Out-patient Treatment Excluded from Standard Health Benefit) is published on the website of the Bermuda Hospitals Board: www.bermudahospitals.bm and on the website of the Bermuda Health Council: www.healthcouncil.bm in accordance with section 13(4) of the Bermuda Hospitals Board Act 1970."

(2) The Bermuda Hospitals Board (Medical and Dental Charges) Order 2018 is amended as follows—

(a) in paragraph 3(c) by deleting "2018" in both places it appears;

(b) by deleting the table in Schedule 1 and substituting it with the following—

"Schedule 1 (Dollar Value of Units in Relation to Type of Practitioner) is published on the website of the Bermuda Hospitals Board: www.bermudahospitals.bm and on the website of the Bermuda Health Council: www.healthcouncil.bm in accordance with section 13(3A) of the Bermuda Hospitals Board Act 1970.";

(c) by deleting the table in Schedule 2 and substituting it with the following—

"Schedule 2 (Set Fees) is published on the website of the Bermuda Hospitals Board: www.bermudahospitals.bm and on the website of the Bermuda Health Council: www.healthcouncil.bm in accordance with section 13(3A) of the Bermuda Hospitals Board Act 1970."

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(3) The Government Employees (Health Insurance) (Benefits) Order 1997 is amended by deleting “Bermuda Hospitals Board (Medical and Dental Charges) Order 1997” wherever it appears and substituting “Bermuda Hospitals Board (Medical and Dental Charges) Order 2018”.

Commencement

7 This Act shall come into operation on such day as the Minister may appoint by Notice published in the Gazette.

[Assent Date: 30 July 2024]