

CAYMAN ISLANDS



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**THE HEALTH SERVICES (FEES) LAW, 1999**

**(Law 18 of 1999)**

*The Health Services (Fees) Law, 1999*

**THE HEALTH SERVICES (FEES) LAW, 1999**

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CAYMAN ISLANDS

Law 18 of 1999.

I Assent

P.J. SMITH

Governor.

12 October, 1999

**A LAW TO REPEAL THE HEALTH SERVICES (FEES) LAW (1998 REVISION), TO PROVIDE FOR THE FEES TO BE PAID BY THE PATIENTS OF GOVERNMENT HOSPITALS ON THE ISLANDS, AND FOR INCIDENTAL AND CONNECTED PURPOSES**

1. This Law may be cited as the Health Services (Fees) Law, 1999.

Short title

2. In this Law-

Definitions

“Caymanian” means a person possessing Caymanian status for the purpose of the Immigration Law (1997 Revision);

1997 Revision

“Director of Health Services” includes any person authorised by him to act on his behalf; and

“health care facilities” means the George Town Hospital in Grand Cayman, the Faith Hospital in Cayman Brac and any other public health facility or public hospital established or operated in the Islands by the Government.

3. Except as otherwise provided by this Law, the fees specified in regulations made by the Governor in Council shall be payable by patients of the health care facilities.

Fees payable by patients of the health care facilities

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- Residents of Cayman  
Brac and Little Cayman
4. (1) Subject to subsection (2), a Caymanian ordinarily resident in Cayman Brac or Little Cayman who is a patient at the Faith Hospital in Cayman Brac is liable to pay fees at fifty per cent of the rate specified in regulations made under this Law.
- (2) Subsection (1) does not apply in respect of a person who is covered by health care insurance which would otherwise cover the whole cost of any service provided at the Faith Hospital.
- School children
- 1999 Revision
5. Subject to section 10, fees are not payable in respect of a patient at a health care facility if the patient has not attained the upper limit of school age as defined in the Education Law (1999 Revision).
- Ante-natal services
6. Subject to section 10, fees are not payable for ante-natal services provided at a health care facility to a Caymanian or his spouse.
- Contraceptive services
7. Subject to section 10, fees are not payable for contraceptive services including clinics, devices and drugs provided at a health care facility to a Caymanian or his spouse.
- Waiver of fees
8. Fees payable by a patient at a health care facility may be waived, in whole or in part by the Director of Health Services after such assessment as shall be prescribed in Regulations has been carried out and if he is satisfied that the patient is unable to pay all or any part of the fees.
- Free treatment
9. (1) Subject to subsection (2) and to section 10, fees are not payable by a patient at a health care facility if the patient presents a card issued or recognised by the Director of Health Services identifying the patient to be-
- (a) a public officer or the spouse or a dependent of a public officer (but only to the extent provided in the terms of employment of the public officer);
  - (b) a member of the Cayman Islands Veterans Association or the spouse of such a member;
  - (c) a member of the Veterans' and Seamen's Society of Cayman Brac and Little Cayman, or the spouse of such a member, who satisfies the conditions specified in subsection (2);
  - (d) a member of the Cayman Islands Seafarers' Association, or the spouse of such a member, who satisfies the conditions specified in subsection (2);
  - (e) a person receiving a pension from the Government or the spouse of such a person;

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- (f) a patient who is being investigated or treated for AIDS, tuberculosis or malaria if so certified by the Medical Officer of Health; or
- (g) a prisoner as defined in the Prisons Law.

(2) The conditions referred to in subsection (1)(c) and (d) are-

- (a) the member of the Veterans' and Seamen's Society of Cayman Brac and Little Cayman or the member of the Cayman Islands Seafarers' Association must be aged 55 years or older at the date of requesting treatment; and
- (b) the patient, or if the patient is the spouse of a member, the member shall have produced written evidence of having been a merchant seaman for a continuous period of at least 3 years beginning before 31 December, 1984.

10. The exemptions from and waiver of fees provided for by sections 5, 6, 7, 8 and 9(1)(a), (b), (c), (d) and (e) do not apply in respect of a person who is covered by health care insurance which would otherwise cover those fees, to the extent that such insurance cover is in force.

Exemption not to apply in certain circumstances

11. Fees are not payable-

- (a) by patients for medical examinations carried out at the request of government ministries or portfolios as a condition of engagement as a public officer; or
- (b) for medical examinations or tests certified by the Medical Officer of Health as being conducted in the interests of the public health of the Islands.

Fees not payable for medical examinations carried out for government

12. Whoever supplies false or misleading information when applying for an exemption, discount or waiver of fees otherwise payable under this Law is guilty of an offence and liable on summary conviction to a fine of \$5,000 or to imprisonment for a period not exceeding six months, or both.

Offence

13. (1) The Governor in Council may make regulations-

Regulations

- (a) specifying the fees payable under section 3;
- (b) prescribing matters required or permitted by this Law to be prescribed; and
- (c) for carrying the purpose and provisions of this Law into effect.

(2) Regulations made under this Law may provide that the contravention of any provision constitutes an offence and may prescribe penalties for any such

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offence not exceeding the maximum fine or term of imprisonment prescribed in this Law for any offence under this Law.

(3) Regulations made under subsection (1)(a) shall be subject to affirmative resolution.

Repeal

14. The Health Services (Fees) Law (1998 Revision) is repealed, save for the fees contained in the Schedule pending the making of Regulations regarding fees under this Law.

Passed by the Legislative Assembly the 24th day of September, 1999.

MABRY S. KIRKCONNELL

Speaker.

GEORGETTE MYRIE

Clerk of the Legislative Assembly.



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