

THE HEALTH SERVICES LAW

(Law 20 of 1974)

Date of non-disallowance published in Gazette No. of 197



1. Enacted

2. Enacted

2nd December 1974

MEMORANDUM OF OBJECTS AND REASONS

The Jamaican Medical Laws are obsolete in their application to the Islands and are sought to be replaced by this Law and the Health Practitioners Law.

This Law recognizes the changes in the delegation of governmental responsibility by the Constitution by stating the role of the Executive Council Member responsible for health.

The Law provides for the establishment of a Government Health Service and matters concomitant therewith.

REMARKS OF THE PRESIDENT

The President has just received the report of the committee on the subject of the proposed amendment to the Constitution. He has read it with interest and has been deeply impressed by the wisdom and foresight of the committee.

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CAYMAN ISLANDS

Law 19 of 1974

(L.S.)

I assent

T. Russell,

Governor

23rd December 1974

A LAW TO ESTABLISH A GOVERNMENT HEALTH SERVICE

ENACTED by the Legislature of the Cayman Islands

Short title
and
commence-
ment.

1. This Law may be cited as the Health Services Law and shall come into operation on a day to be appointed by the Governor by Government Notice published in the Cayman Islands.

Interpre-
tation.

2. In this Law, unless the context otherwise requires:

"Chief Medical Officer" (C.M.O.) means the Head of the Health Services Department;

"Department" means the Health Services Department established under subsection (1) of section 4;

"Governor" means the Governor in Council;

"health services" include public health and other medical and health promotion services controlled by the Government;

"Member" means the Member of Executive Council for the time being charged with responsibility for health, in accordance with the provisions of Section 9 of the Constitution of the Cayman Islands;

"officer" means an officer of the Department and "scheduled officer" means an officer prescribed in the schedule.

The
Member.

3. The Member is responsible for the formulation and implementation of the Government's health policies.

The
Department.

4. (1) There is hereby established a department of Government called the Health Services Department, which is charged with the sole control of all Government Health Services.

(2) The Department shall be staffed by the officers listed in the schedule and having the duties listed therein who together with other officers shall be appointed by the Governor.

(3) The Department shall be maintained by funds provided by the Legislative Assembly.

(4) It is lawful for the Department to receive and apply such philanthropic donations upon such conditions as may be authorized by the Governor.

Scope of the
Department's
services.

5. (1) The Department shall operate:

- (a) The Cayman Islands Hospital and all other Government hospitals and Government controlled health facilities not specifically provided for by any other law;
- (b) the Cayman Brac Faith Hospital in accordance with any agreement between Government and the Cayman Brac Faith Hospital Association and its successors subsisting from time to time; and
- (c) the public health services of the Government.

(2) The Department shall control the Government's health education and research programmes and perform such other duties as may be assigned to it from time to time by the Member.

Member's
Health
Advisory
Council.

6. (1) There is hereby established a Council called the Member's Health Advisory Council, which is charged with the duty of advising the Member in the discharge of his function.

(2) The Council shall consist of the Member, who shall preside at all its meetings, and the scheduled officers, together with any other persons co-opted from time to time by the Member.

(3) The Member shall regulate the Council's proceedings.

Regulations.

7. The Governor may make Regulations —

- (a) prescribing anything required or permitted to be prescribed under this Law;
- (b) establishing a schedule of fees to be charged and collected by the Department for health services rendered and for accounting thereof to the Treasury;
- (c) making alterations to the schedule; and
- (d) for the better carrying out of the provisions of this Law.

Rules.

8. The C.M.O. may, with the approval of the Member, make Rules for the management of health facilities and the relationship of the Department with the public.

SCHEDULE

- (a) The Chief Medical Officer who shall be responsible to the Member for the performance of his medical administration duties and shall have the responsibility for the supervision of the medical services personnel. He shall develop and submit to the Member and implement approved policies regulating medical and surgical practices.
- (b) The Administrator of Health (Administrator) who shall be accountable to the Member through the C.M.O. for the administrative performance of the Department and shall have responsibility for the management of the Department's personnel, financial, material and special resources. He shall establish operational, and fiscal policies and procedures to govern departmental activities and services, co-ordinate planning and after the respective policies have been approved, shall co-ordinate all health delivery systems, operational activities and the development, implementation and reporting of all departmental activities.

- (c) The Chief Dental Officer who shall be accountable through the C.M.O. to the Member for the performance of his dental administration duties and shall have responsibility in conjunction with the Administrator for the supervision of the dental service programmes and personnel. He shall develop, submit to the Member and implement approved policies and procedures in conjunction with the Administrator regulating dental practices.
- (d) The Medical Officer for Health who shall be accountable through the C.M.O. to the Member for the performance of his public health administration duties and shall be responsible for the supervision of the community health service and environmental health service programmes and personnel. He shall be responsible for such duties and activities as may be prescribed under the public health legislation and shall develop and submit through the C.M.O. to the Member and implement approved policies and programmes in conjunction with the Administrator regulating public health practices.
- (e) The Matron who shall be accountable through the C.M.O. to the Member for the performance of nursing administration duties and shall have responsibility for the supervision of the nursing service programmes and personnel. She in conjunction with the Administrator shall develop and submit through the C.M.O. to the Member and implement approved policies and procedures regulating nursing practice.

Passed the Legislative Assembly this 16th day of October, 1974.

T. Russell

President

This printed impression has been carefully compared by me with the Bill which has passed the Assembly, and has been found by me to be a true and correct printed copy of the said Bill .

Sybil McLaughlin,

Clerk of the Legislative Assembly.

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