

BERMUDA STATUTORY INSTRUMENT

BR 34/1996

**BERMUDA HOSPITALS BOARD (MEDICAL STAFF)
REGULATIONS 1996**

*[made under section 25 of the Bermuda Hospitals Board Act 1970 [Title 11
Item 26] and brought into operation on 7 June 1996]*

ARRANGEMENT OF REGULATIONS

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Citation

1 These Regulations may be cited as the Bermuda Hospitals Board (Medical Staff) Regulations 1996.

Interpretation

2 In these Regulations—

"the 1970 Act" means the Bermuda Hospitals Board Act 1970;

"the Board" means the Bermuda Hospitals Board; and

"Bermuda Medical Council" means the Council established under section 5 of the Medical Practitioners Act 1950.

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Categories of appointment

3 (1) References in these Regulations to the category of a person's appointment are references to his membership of the associate, active, consulting or courtesy medical staff of the hospitals.

(2) Members of the associate medical staff may admit and attend their own patients at the hospital in conformity with the terms and conditions of their appointment.

(3) Members of the active medical staff—

(a) may admit and attend their own patients at the hospital in conformity with the terms and conditions of their appointment, and

(b) are the only persons eligible to vote at meetings of the active medical staff.

(4) Members of the consulting and courtesy medical staff—

(a) may not admit patients, and

(b) may only attend patients in conjunction with a member of the active medical staff in conformity with the terms and conditions of their appointment.

Eligibility for membership of medical staff

4 (1) In order to be eligible for membership of the active or associate medical staff of the hospitals (other than the dental division), a person shall—

(a) be a full-time resident of Bermuda;

(b) be a graduate of a medical school recognised by the Bermuda Medical Council;

(c) have completed at least two years of post graduate hospital training approved by the Bermuda Medical Council;

(d) be registered under the Medical Practitioners Act 1950;

(e) have medical malpractice insurance of at least such amount as the Board may from time to time require; and

(f) attend such continuing education programmes as the Board may require.

(2) In order to be eligible for membership of the dental division of the active or associate medical staff of the hospitals, a person shall—

(a) be a full-time resident of Bermuda;

- (b) be a graduate of a dental school recognised by the Bermuda Dental Board;
- (c) be registered under the Dental Practitioners Act 1950;
- (d) have dental malpractice insurance of at least such amount as the Board may from time to time require; and
- (e) attend such continuing education programmes as the Board may require.

(3) In order to be eligible for membership of the consulting or courtesy medical staff of the hospitals, a person shall satisfy the requirements of subparagraphs (b) to (e) of paragraph (1) or subparagraphs (b) to (d) of paragraph (2) (as the case may be).

Appointments

- 5 (1) A person—
- (a) who in accordance with regulation 4 is eligible for membership, and
 - (b) who makes an application in accordance with regulation 6,

may be appointed by the Board to the medical staff.

(2) In relation to an application for membership of the active or associate medical staff, an appointment under paragraph (1) shall in the first instance be to the associate medical staff for a term not exceeding one year.

(3) A person may subsequently be appointed to the active medical staff for a term not exceeding three years and may apply to the Board for successive re-appointments.

(4) A person may apply for re-appointment to the active medical staff annually on his reaching the age of 65 years.

[Regulation 5 para (4) amended by BR54/2006 effective 16 June 2006]

Applications

- 6 (1) An application—
- (a) for membership of the medical staff, or
 - (b) for a variation of the terms and conditions of appointment,

shall be made to the Chief of Staff in such form, and with such supporting documents and references, as he may require.

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(2) The application shall be considered by a sub-committee of the Medical Staff Committee appointed for that purpose, who may require the applicant to attend for interview.

(3) The sub-committee shall make a recommendation to the Medical Staff Committee specifying—

- (a) the category of staff appointment;
- (b) the department to which the applicant should be assigned;
- (c) the terms and conditions of the appointment; and
- (d) the duration of appointment;

and, after considering the recommendation, the Medical Staff Committee shall make its own recommendation to the Board as to those matters.

(4) If the Board does not accept any recommendation of the Medical Staff Committee it shall refer the application back to the Committee for reconsideration with reasons why the recommendation was not accepted.

Terms of appointment

7 (1) Where a person is appointed to the medical staff the Chief Executive Officer shall inform the applicant and the Medical Staff Committee.

(2) Before taking up his appointment, the applicant must state in writing that he—

- (a) understands and accepts the category of staff appointment, the departmental assignment and the terms and conditions of his appointment; and
- (b) agrees to be bound by any rules and policies of the Board.

[Regulation 7 amended by 2008:2 s.8 effective 25 March 2008]

Refusal of application

8 (1) Where an application for appointment to the medical staff is refused, or terms or conditions varied or cancelled by the Board, the President of the active medical staff shall inform the aggrieved person that he may, after setting out his case in writing to the Board, appear in person before the Board to explain any matter which he considers relevant to the decision in question.

(2) On appearing before the Board the aggrieved person may instruct legal counsel, or may request the services of the President of the active medical staff in presenting his case.

Temporary staff

9 (1) On an application to the Chief Executive Officer, in such form and containing such information as he may require, a person who satisfies either subparagraphs (b) to (e) of regulation 4(1) or subparagraphs (b) to (d) of regulation 4(2) (as the case may be) may be appointed to practice medicine or dentistry at the hospital—

- (a) for such period, not exceeding three months, and
- (b) in such department, and
- (c) on such terms and conditions,

as the Chief Executive Officer may specify.

(2) Before making such an appointment, the Chief Executive Officer shall consult the Chief of Staff and the relevant head of department.

[Regulation 9 amended by 2008:2 s.8 effective 25 March 2008]

Medical Staff Committee

10 (1) The Medical Staff Committee shall comprise—

- (a) the Chief of Staff, who shall be Chairman, and the heads of the clinical and diagnostic departments of the hospitals and the President of the active medical staff; and
- (b) the Chief Executive Officer and the Director of Nursing,

but the persons mentioned in paragraph (b) shall not be entitled to vote at meetings of the Committee.

(2) The Committee shall be responsible for integrating and co-ordinating the departmental activities of the hospitals and for developing overall policies with regard to clinical care and medical staff organisation.

(3) The Committee shall hold meetings every month and shall report to the Board as regards medical staff matters and clinical activities.

(4) The Chairman, in consultation with the other members of the Committee, shall appoint sub-committees consisting of such persons as he thinks appropriate to carry out such specified functions as he thinks appropriate.

(5) Sub-committees appointed under paragraph (4) shall report to the Medical Staff Committee and to the President of the active medical staff at least twice a year.

[Regulation 10 amended by 2008:2 s.8 effective 25 March 2008]

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[Amended by:

BR 54/2006

2008 : 2]