

Section 12A Private Health Facilities Act 2007

Special Conditions during the COVID-19 Pandemic

I, Leanne O'Shannessy, A/Deputy Secretary, People Culture and Governance, NSW Ministry of Health acting as delegate of the Health Secretary in accordance with section 22 of the Health Administration Act 1982, having regard to the COVID-19 pandemic and the increasing number of cases of individuals with COVID-19 currently being confirmed in New South Wales and in order to:

- (i) increase the capacity of the health system available to meet the demands of the pandemic;
- (ii) increase the availability of trained health staff, to assist in supporting the co-ordinated statewide response of the NSW Government to the COVID-19 pandemic;
- (iii) protect the health and safety of the public through reducing risk of community transmission by restricting the range of medical and/or hospital services being offered at certain licenced private health facilities;
- (iv) maintain a balance of services offered by licenced facilities throughout the State,

HEREBY impose special conditions in accordance with section 12A of the Private Health Facilities Act ("the Act") on those licensed private health facilities providing surgical class services, in accordance with the Act as follows:

Section 12A Special Condition:

(a) from 10 January 2022, cease all non-urgent elective surgery, subject to clauses (b) and (c);

(b) clause (a) does not prevent surgery proceeding for a patient identified as a Category 2 in Appendix 2 in the Information Bulletin Advice for Referring and Treating Doctors - Waiting Time and Elective Surgery Policy- IB2012_004, who require surgery within 90 days if the patient's clinical condition indicates that an emergency admission may eventuate if the condition is not treated within 30 days;

(c) clause (a) does not apply in relation to patients who are admitted and discharged on the same day.

In this condition:

“non-urgent elective surgery” means Category 2 and 3 procedures, as defined in the Table in paragraph 2.1 of the NSW Health Policy Directive PD2012_011 Waiting Time and Elective Surgery, as set out in the Annexure to this Instrument (and does not mean Category 1 procedures, which are procedures where the patient’s clinical condition has the potential to deteriorate to the point that an emergency admission may eventuate if the condition is not treated within 30 days).



Leanne O'Shannessy PSM

A/Deputy Secretary, People Culture and Governance

NSW Ministry of Health

Dated: 7 January 2022

Annexure

Clinical Priority Category <i>A clinical assessment of the priority with which a patient requires elective admission</i>		
Category 1	Admission within 30 days desirable for a condition that has the potential to deteriorate quickly to the point that it may become an emergency.	Ready for Care
Category 2	Admission within 90 days desirable for a condition which is not likely to deteriorate quickly or become an emergency.	
Category 3	Admission within 365 days acceptable for a condition which is unlikely to deteriorate quickly and which has little potential to become an emergency.	