

CHAPTER 100

HEALTH SERVICES

ARRANGEMENT OF SECTIONS

SECTION

PART I

ADMINISTRATION

1. SHORT TITLE
2. INTERPRETATION
3. ORGANISATION OF MINISTRY
4. DUTY OF MINISTER
5. HEALTH ADVISORY COMMITTEES
6. FUNCTIONS OF HEALTH ADVISORY COMMITTEES

PART II

HOSPITAL SERVICES

7. PROVISION OF HOSPITAL SERVICES
8. MANAGEMENT OF HOSPITALS
9. BOARDS OF VISITORS

PART III

PRIMARY HEALTH CARE SERVICES

10. PRIMARY HEALTH CARE SERVICES
11. PROVISION OF HEALTH CENTRES, CLINICS ETC
12. PROVISION OF ADDITIONAL CLINICS, ETC
13. AGREEMENTS WITH VOLUNTARY BODIES
14. SCHOOL HEALTH SERVICES

PART IV

OTHER HEALTH SERVICES

- 15. OTHER HEALTH SERVICES
- 16. POWERS OF MINISTER

PART V

MISCELLANEOUS PROVISIONS

- 17. FINANCIAL PROVISIONS
- 18. TEMPORARY POSSESSION OF PROPERTY
- 19. RULES AND REGULATIONS

CHAPTER 100

HEALTH SERVICES

AN ACT TO MAKE PROVISION FOR THE PROPER ADMINISTRATION OF HEALTH SERVICES RELATING TO HOSPITALS, PERSONAL HEALTH, AND OTHER HEALTH SERVICES AND FOR THE ESTABLISHMENT OF RULES AND REGULATIONS BY THE MINISTER OF HEALTH AND MEDICAL SERVICES FOR THE EFFECTIVE CARRYING OUT OF THOSE SERVICES

5 of 1979
12 of 1988

[1st October 1979]

PART 1

ADMINISTRATION

1. This Act may be cited as the Health Services Act.

Short title

2. In this Act, unless the context otherwise requires-

Interpretation
12 of 1988, s. 2

"aid post" means premises within the area served by a clinic which premises provide limited primary health care services, including obstetric services in emergency and may have some residential accommodation such premises being staffed by auxiliary nurses and supervised by the Registered Nurse of the clinic in its area;

"auxiliary nurse" has the meaning assigned to it in the Nursing Council Act;

Cap. 104

"clinic" means premises with some residential accommodation in which integrated primary health care services are provided such premises being staffed by one or more Registered Nurses and such other health personnel as may be required, and having referral and supervisory duties over satellite clinics and aid posts;

"health centre" means premises having some residential accommodation for the reception and treatment of persons, in which integrated primary health care services for a defined area are provided and organised, such premises being staffed by several categories of health personnel, and having supervisory and referral duties from clinics in its area;

"hospital" means an institution for the reception and treatment of persons suffering from illness, including psychiatric illness, or requiring rehabilitation, and dispensaries and out-patients departments maintained in connection with such institution;

"illness" includes psychiatric illness, or mental retardation or injury or disability requiring medical, dental or nursing services or treatment by any person appointed or recognised as being competent to give medical treatment;

"medical" includes surgical;

"primary health care services" means services required for the prevention and cure of illnesses;

"private medical practitioner" means a medical practitioner not employed by the Government;

"psychiatric illness" in relation to a person, means a person suffering or appearing to be suffering from mental disorder;

"satellite clinic" means a temporary clinic held from time to time by health personnel within the area served by a clinic, providing some of the services of a clinic but having no residential accommodation and carrying out no obstetric services.

3.-(1) There shall be a Ministry responsible for the provision of health and medical services which shall comprise a Permanent Secretary and such professional and other staff as may from time to time be appointed thereto.

Organisation of Ministry

(2) Subject to the provisions of this Act and to such instructions and directions as he may receive from time to time from the Minister, the Permanent Secretary shall have the direction and control of the Ministry and its staff and shall administer this Act.

4.-(1) It shall be the duty of the Minister to promote the establishment in Solomon Islands of a comprehensive primary health care service designed to secure the prevention, diagnosis and treatment of illness, and for that purpose to provide or secure the effective provision of services in accordance with the provisions of this Act.

Duty of Minister
12 of 1988, s. 3

(2) The services so provided shall be free of charge except in-so-far as the Minister, acting in accordance with the provisions of this Act, may make Rules authorising or prescribing charges for such services.

5.-(1) The Minister may establish such Health Advisory Committees as he may consider necessary to advise him in carrying out his functions under this Act.

Health Advisory
Committees

(2) The Minister shall appoint the Chairman and members of each such Committee, which shall comprise not less than five nor more than seven members in each case.

(3) When establishing any Health Advisory Committee in accordance with subsection (1) the Minister may prescribe-

(a) the terms of reference of the committee;

(b) the procedure to be followed by the committee at its meeting;

(c) the manner in which reports of the committee shall be published;

(d) payment of allowances to members of the committee who are not public officers.

6. The functions of a Health Advisory Committee shall be-

Functions of Health
Advisory Committees

(a) to advise the Minister on such matters concerning the operation and development of the health and medical services of Solomon Islands either generally or as prescribed by the Minister in accordance with section 5(3); and

(b) to make recommendations to the Minister on such matters as may have been referred to it by the Minister.

PART II

HOSPITAL SERVICES

7. The Minister may, to such extent as he considers necessary to meet all reasonable requirements in Solomon Islands, provide hospital accommodation, together with such medical, nursing and other services as may be required to provide treatment to persons attending thereat for treatment.

Provision of hospital
services
12 of 1988, s. 4

8.-(1) The Minister may make regulations generally for the proper carrying out of the provisions and purposes of this Act, and in particular, but without prejudice to the generality of the foregoing may make regulations-

Management of hospitals
12 of 1988, s. 5

(a) relating to the management of public hospitals and for establishing such committees as he considers necessary for the proper administration of such public hospitals;

(b) with respect to the admission, discharge, control, safety and welfare of patients and other persons (including the safe keeping of properties of the patients or persons) in public hospitals;

(c) with respect to the attendance of visitors to public hospitals;

(d) for the control of, and the payment of fees for, the use of facilities of public hospitals by private medical and dental practitioners;

(e) relating to charges for the maintenance, and treatment of patients in public hospitals, and the supply of medicine and services to patients in such public hospitals;

(f) relating to charges for services performed outside public hospitals or public dispensaries by an officer attached to such hospital or dispensary;

(g) with respect to the powers and duties of the staff of public hospitals;

(h) in respect of admission, discharge and the responsibility for persons under detention who are referred to hospitals;

(i) prescribing matters relating to discipline of staff in public hospitals, clinics, aid posts and area health centres; and

(j) in respect of confidentiality of patient information.

(2) Regulations made under subsection (1) may prescribe penalties for the breach thereof not exceeding a fine of one hundred dollars or two months imprisonment or both such fine and imprisonment.

9.-(1) The Minister may appoint for every public hospital a Board of visitors in the prescribed manner and such Board shall have such powers and functions as may be prescribed.

Boards of visitors
12 of 1988, s. 6

(2) Where the Minister considers that the functions of the Board of visitors could be performed by the Health Committee of any Provincial Assembly, he may instead of appointing such Board, direct the Health Committee to carry out the functions of the Board.

PART III

PRIMARY HEALTH CARE SERVICES

10.-(1) Subject to the provisions of this Part the Ministry shall be responsible for the provision of such primary health care services including maternity and child primary health care services, family planning services, school primary health care services, dental services, mental primary health care services and vaccination and immunisation services as the Minister may direct.

Primary health care
Services
12 of 1988, s. 3

(2) The Minister may make such arrangements as appear to him to be desirable to enable any Provincial Assembly or the Honiara Town Council to undertake any of the services included in subsection (1) as agent for the Ministry.

(3) The Minister may provide such ancillary services as may be necessary to ensure the effective provision of all or any of the services included in subsection (1) and may, where the Ministry is unable to provide such ancillary services from its own resources arrange for such ancillary services to be provided on its behalf.

11.-(1) It shall be the duty of the Ministry to provide, equip and maintain health centres, clinics, satellite clinics and aid posts at convenient locations within Solomon Islands and each such health centre, clinic, satellite clinic or aid post shall provide such of the primary health care services as may be appropriate, having regard to the needs of the area and the resources available to the Ministry.

Provision of health
centres, clinics etc
12 of 1988, s. 3

(2) In carrying out its duties under this section the Ministry shall act in consultation with the Provincial Assemblies.

12.-(1) Any Provincial Assembly or the Honiara Town Council may provide, equip and maintain clinics, satellite clinics and aid posts at convenient locations within its area.

Provision of additional clinics, etc

(2) The Ministry shall give such advice and assistance as any Provincial Assembly or the Honiara Town Council may require regarding the services provided or to be provided at such clinics, satellite clinics and aid posts and the equipment and personnel to be used thereat.

13. The Minister may in providing primary health care services in accordance with section 10, make such agreement as he considers desirable with any church organisation or voluntary body whereby such organisation or body may be empowered to provide such personal health services as it is by virtue of its particular expertise qualified to undertake.

Agreements with voluntary bodies
12 of 1988, s. 3

14. The Minister may, in consultation with the Minister responsible for education, make arrangements for the regular medical inspection of children undergoing full-time education in any school within Solomon Islands, and for the provision of medical treatment to any children whom such medical inspection reveals to be suffering from any disease or infirmity.

School health services

PART IV OTHER HEALTH SERVICES

15. The Minister in discharging the functions conferred upon him by the Environmental Health Act and the Mental Treatment Act or any Act replacing either of them may exercise any of the powers conferred upon him by this Act, and without derogation from the generality of the foregoing, may in particular seek the advice of a Health Advisory Committee on any matter connected with the operation of the said Acts.

Other health services
Cap. 99
Cap. 103

16. The Minister in carrying out the duties imposed on him under this Act or either of the Acts mentioned in section 15 with regard to the provision of primary health care services may-

Powers of Minister
12 of 1988, s. 3 and s. 8

(a) employ such officers and provide such buildings and equipment as may be necessary to establish and maintain pathological, bacteriological, virological, radiological, analytical and pharmaceutical services designed to assist in the

diagnosis, treatment and control of the spread of disease;

(b) employ such staff, and provide such buildings and equipment as may be necessary to provide a blood transfusion service;

(c) provide through the agency of the Ministry or any other organ of Government or through any private body, such publicity as may appear to him to be desirable relating to the prevention, treatment or control of disease and promote by similar means educational campaigns relating to the prevention, treatment or control of disease;

(d) provide information, co-operate with and pay such grants, levies or subscriptions to such national or international organisations operating in the fields of medicine or public health as may appear to him to be desirable;

(e) make grants and otherwise provide assistance to any person or body undertaking research into any field of medicine; and

(f) provide such assistance as he thinks necessary to any person employed in a public hospital who wishes to undertake or is undertaking postgraduate studies necessary for the proper and efficient performance of his duties as an employee in that hospital.

PART V

MISCELLANEOUS PROVISIONS

17.-(1) Any expenses incurred by the Minister in the exercise of his functions under this Act shall be defrayed out of moneys provided by Parliament.

Financial provisions

(2) All fees levied or charges collected by the Ministry under the provisions of this Act or regular visits made hereunder shall be paid into the Consolidated Fund.

(3) Where fees are charged in accordance with Rules made under this Act, the conditions under which any remission of such fees may be granted by the person or authority responsible for the collection thereof shall be prescribed by the Minister.

(4) Any fee or charge payable under or by virtue of this Act and remaining unpaid after the due date for payment, may in addition to any other lawful method of recovery, be recovered as a debt due to the Crown.

Temporary possession of
property
12 of 1988, s. 3

18.-(1) The Minister may, in any case where an epidemic or natural disaster has caused the breakdown of existing primary health care services or has necessitated the provision of emergency primary health care services, in writing authorise such person as he may specify therein (in this section called the "person authorised") to take possession of any property described in such authorisation and the person authorised may take such steps as appear to him to be necessary to take and continue in possession of such property and for the removal therefrom of any person who is or remains thereon without the consent of the person authorised.

(2) The person authorised shall take possession of the property within seven days of the issue of the authorisation by the Minister and shall not remain in possession of the property for a period exceeding 90 days.

(3) The person having the right to occupy any property possession of which has been taken by a person authorised may apply to the Minister at any time before the expiry of 60 days after possession of the property has been relinquished by the person authorised for the payment of reasonable compensation for the use of his property and in the event that agreement cannot be reached between him and the Minister as to the amount of such compensation or the period within which it shall be paid or as to any other matter related to the occupation of property by the person claiming compensation or the legality of the taking possession by the person authorised, the matter shall be referred to the High Court.

Rules and regulations
12 of 1988, s. 3

19. The Minister may make such rules or regulations as he may consider necessary for the management and regulation of any primary health care services in accordance with the provisions of Parts III or IV.

CHAPTER 100

HEALTH SERVICES

Subsidiary Legislation

THE HEALTH SERVICES (HOSPITALS) REGULATIONS

LN 23/1980
LN 43/1981

(Sections 8(1) & 19)

[1st May 1980]

1. These Regulations may be cited as the Health Services (Hospitals) Regulations. Citation

2. In these Regulations unless the context otherwise requires- Interpretation

"hospital secretary" means the officer charged with the administration of the day to day running of a public hospital;

"medical officer in charge" means the medical officer appointed by the Permanent Secretary of the Ministry of Health and Medical Services to supervise the medical treatment given at the public hospital to which he has been posted;

"patient under detention" includes patients admitted from any prison or other place provided for the detention of convicted persons but shall not include persons suffering from mental illness or mental retardation.

3. The day to day administration of public hospitals shall be in accordance with these Regulations and Rules from time to time issued by the Minister. Administration

4.-(1) Regulations and Rules issued by the Minister shall be displayed in each hospital in a prominent position where they may easily be read by staff, patients and visitors to the hospital. Displays of Rules, etc

(2) No person other than the hospital secretary or if there is no hospital secretary, the medical officer in charge, may post up notices for the information of the public.

5.-(1) In public hospitals where a hospital secretary has been appointed he shall be responsible for the day to day administration of these Regulations and such other Regulations or Rules as the Minister may issue. Responsibility for administering Regulations

(2) Where no hospital secretary has been appointed in the case of a public hospital in any province, the principal or senior medical officer of that province shall be responsible for the day to day administration of these Regulations and such other Regulations or Rules as the Minister may issue.

(3) In the case of the Central Hospital in Honiara, the hospital secretary shall consult with the Chairman of the Hospital Services Committee in any case where he considers it advisable so to do on any question arising from the administration of these Regulations and such other Regulations or Rules as the Minister may issue.

6. A person charged with the administration of these Regulations shall in the case of any hospital be responsible for convening meetings of the Hospital Committee of that hospital and, where necessary, for reporting the decisions of that Committee to the Health Committee of the Province in which the hospital is situated.

Hospital Secretary to
convene Hospital
Committee

7. Each person charged with the administration of these Regulations shall be responsible for the admission and discharge of patients under detention to and from the hospital under his control and for taking all necessary steps to prevent their escape from the hospital.

Patients under detention

8. Each person charged with the administration of these Regulations may declare any part or parts of the hospital under his control to be out of bounds to patients, visitors or other members of the public and any person who enters any part of the hospital which has been declared out of bounds without first obtaining permission from the hospital secretary or medical officer in charge shall be guilty of an offence punishable by a fine not exceeding twenty-five dollars.

Restrictions on
movement within
hospitals

9.-(1) Fees to be charged in public hospitals shall be in accordance with the Schedule hereto.

Fees
LN 43/1981

(2) The Permanent Secretary may by Notice published in the Gazette exempt certain persons or classes of persons from paying any of the fees prescribed under the Schedule.

LN 43/1981

SCHEDULE

SCALE OF PUBLIC HOSPITAL FEES

PART 1. PRIVATE WARD IN-PATIENT

1. Accommodation (exclusive of treatment and medication)

- (a) Fee payable in respect of a patient of or over ten years of age at the date of admission, per night resident

- | | | |
|---|---|---------|
| (i) | in Central Hospital | \$15.00 |
| (ii) | in Provincial Hospitals | \$5.00 |
| (b) | Fee payable in respect of a patient under ten years of age at the date of admission, per night resident | |
| (i) | in Central Hospital | \$10.00 |
| (ii) | in Provincial Hospitals | \$3.50 |
| (c) | Fee payable in respect of a patient of or over ten years of age at the date of admission for a period not exceeding 13 hours and not over-night | |
| (i) | in Central Hospital | \$10.00 |
| (ii) | in Provincial Hospitals | \$3.50 |
| (d) | Fee payable in respect of a patient under ten years of age at the date of admission, for a period not exceeding 13 hours and not over-night | |
| (i) | in Central Hospital | \$7.00 |
| (ii) | in Provincial Hospitals | \$2.00 |
| 2. Treatment and Medication | | |
| (a) | Fee payable in respect of a patient of over ten years of age, per diem | \$7.00 |
| (b) | Fee payable in respect of a patient under ten years of age, per diem | \$2.00 |
| 3. Surgical Operations and Deliveries (exclusive of dental treatment) | | |
| (a) | Fee payable in respect of a patient with normal obstetric delivery | |
| (i) | in Central Hospital | \$15.00 |
| (ii) | in Provincial Hospitals | \$7.50 |
| (b) | Fee payable for each surgical operation or | |

operative delivery, at the discretion of the attending surgeon, in the range	\$10.00-700.00
--	----------------

PART II. PRIVATE OUT-PATIENT

1. Fee payable for consultation with a Medical Officer

- | | | |
|-------|-----------------------------------|---------|
| (a) | at any private out-patient clinic | \$7.00 |
| (b) | at home | |
| (i) | in normal working hours | \$12.00 |
| (ii) | outside normal working hours | \$16.00 |
| (iii) | mileage charge per mile.50 | |

2. Fee payable for consultation with a Medical Officer for purpose of medical examination for employment, overseas travel, etc.

- | | | |
|------|-------------------------|---------|
| (i) | in Central Hospital | \$10.00 |
| (ii) | in Provincial Hospitals | \$5.00 |

PART III. PRIVATE ANTENATAL CLINIC

- | | | |
|----|---|---------|
| 1. | Fee payable for consultation with a Medical Officer at any private antenatal clinic for a single consultation | \$8.00 |
| 2. | Fee payable for a series of four or more related private antenatal consultations | \$30.00 |

PART IV. PRIVATE PATIENTS - SPECIALIST CONSULTATION

- | | | |
|----|--|---------|
| 1. | Fee payable for a single specialist consultation | \$15.00 |
| 2. | Fee payable for a series of three or more related specialist consultations | \$35.00 |

PART V. PRIVATE PATIENTS - PHYSIOTHERAPY TREATMENT

- | | | |
|----|---|---------|
| 1. | Fee payable for a single physiotherapy consultation and treatment | \$2.00 |
| 2. | Fee payable for eight or more related physiotherapy consultations and treatment | \$15.00 |

PART VI. PRIVATE PATIENTS - X-RAY EXAMINATION

- | | | |
|----|---|---------|
| 1. | Fee payable for a special x-ray examination involving the use of radio opaque media or requiring the participation of a medical officer per examination | \$20.00 |
| 2. | Fee payable for other x-ray examinations, per examination | \$10.00 |

PART VII. PRIVATE PATIENTS - LABORATORY INVESTIGATION

Fee payable for each laboratory test as laid down in the laboratory, in the range as set out below-

\$2.00 per test

1. Bilirubin
2. Thymol Turbidity
3. Alkaline Phosphatase
4. Acid Phosphatase
5. Urea
6. Electrolytes
7. Uric Acid
8. Blood Sugar (Random)
9. Proteins

10. Cholesterol
11. Amylase
12. G.P.T.
13. G.O.T.
14. Serum Iron
15. Serum Calcium
16. Serum Phosphorus
17. Hb.and/or P.C.V.
18. Hb. WCC Differential
19. Platelet Count
20. Reticulocyte Count
21. N.S.R.
22. Stools for Helminths
23. Blood for Microfilarias
24. VDRL
25. Bacteriology - Film and Comment
26. Bacteriology - Cultures
27. Bacteriology - Sensitivity tests
28. Urine - Micro and Chemical
29. Urine - Cultures
30. Occult Blood
31. Thrombotest
32. Venepuncture performed by Laboratory staff.

\$3.00 per test

- 33. Widal
- 34. Pregnancy test
- 35. Overseas investigation
- 36. Semen investigation
- 37. Blood Grouping
- 38. G6PD
- 39.
- 40.
- 41.
- 42.

\$7.50 per test

- 43. Glucose Tolerance test
- 44. Bone Marrow to cover Laboratory investigations only)
- 45. Ameobic purge
- 46. Pregnancy test in dilutions
- 47. CSF analysis
- 48. Out of hours' surcharge
- 49. Cross match, per unit ordered
- 50.
- 51.
- 52.

No charge will be made for Malaria or tubercle examinations.

PART VIII. AUTHENTICATION AND CERTIFICATION

- 1. Fee payable for authentication of each International

Certificate of Vaccination required for international travel	\$4.00
--	--------

2. Fee payable for rendering a Medical Certificate on request of employer	\$2.00
---	--------

3. Fee payable for rendering a medical report on request of employer in respect of an employee	\$15.00
--	---------

4. Fee payable for rendering a medical report to Solicitor in respect of a civil action	\$8.00
---	--------

5. Fee payable for rendering a medical report in respect of patient for insurance report	\$25.00
--	---------

PART IX. PRIVATE PATIENT'S DENTAL FEES

1. Fee payable for examination or treatment by a Dental Officer per 15 minute session or part thereof	\$3.00
---	--------

2. Fee payable for the provision of dentures, at the discretion of the attending dental officer, in the range	\$7.00-\$25.00
---	----------------