

CAYMAN ISLANDS



HEALTH SERVICES (FEES) LAW

(2002 Revision)

Supplement No.3 published with Gazette No. 13 of 2nd July, 2002.

PUBLISHING DETAILS

Consolidated with the Health Services (Fees) Law (9 of 1993) (part)-revised as the Health Services (Fees) Law (1998 Revision) and with the Health Services (Fees and Charges) Regulations, 2002 (part).

Revised under the authority of the Law Revision Law (1999 Revision).

Originally enacted-

Law 9 of 1993-21st June, 1993

Law 18 of 1999-24th September, 1999.

Originally made-

Regulations 2002-4th December 2001 (sic).

Consolidated and revised this 4th day of June, 2002.

Note (not forming part of the Law): This revision replaces the 2001 Revision which should now be discarded.



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ENACTED by the Legislature of the Cayman Islands.

Short title

1. This Law may be cited as the *Health Services (Fees) Law (2002 Revision)*.

Definitions

2. In this Law —

“**Caymanian**” means a person possessing Caymanian status for the purpose of the *Immigration Law (2001 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.

Fees payable by patients of the health care facilities

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.

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

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 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;
 - (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 [Law 14 of 1975]*.
- (2) The conditions referred to in paragraphs (c) and (d) of subsection (1) 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 shall be aged fifty-five 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 three years beginning before the 31st December, 1984.

Exemption not to apply in certain circumstances

- 10.** The exemptions from and waiver of fees provided for by sections 5, 6, 7 and 8 and by paragraphs (a) to (e) of section 9(1) 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.

Fees not payable for medical examinations carried out for Government

- 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.

Offence

- 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 five thousand dollars and to imprisonment for six months.

Regulations

- 13.** (1) The Governor in Council may make 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 offence not exceeding the maximum fine or term of imprisonment prescribed in this Law for any offence under this Law.
- (3) Regulations made under paragraph (a) of subsection (1) shall be subject to affirmative resolution.

**Publication in consolidated and revised form authorised by the Governor in Council
this 4th day of June, 2002.**

Carmena Watler
Clerk of Executive Council

Notes (not forming part of the Law):

1. *On 11th January, 2002 Gazette Extraordinary No 4/2002 published the Health Services (Fees and Charges) Regulations, 2002 made on the 4th December, 2001 under section 13 of the Law.*
2. *By notice dated 29th October, 1992 and published in Gazette No. 23 of 16th November, 1992, H.E. the Governor confirmed that, under section 5 of the Interpretation Law (1995 Revision), the person for the time being carrying out the duties of the office of Medical Officer of Health is the Government Chief Medical Officer.*

