

|  |
| --- |
| 2025-2026 fines and penalties for Health Services Act and associated Regulations |
|  |

This document is an annually updated publication of the indexation of fines and penalties for the reference of the general public.

# Health Services Act 1988

| Health Services Act 1988, section  | Description | 2024-2025 Penalty Amount | 2025-2026 Penalty Amount |
| --- | --- | --- | --- |
| 11(4) Exemptions | A person to whom an Order under this section applies must comply with the terms and conditions (if any) to which the Order is subject. | $19,759.00 | $20,351.00 |
| 18E(1) Confidentiality requirements  | A person who is, or at any time has been, a case mix auditor must not, except to the extent necessary to perform any official duties or to perform or exercise any power or function under this Act, either directly or indirectly, make a record of or divulge or communicate to any person any information that is or was acquired by the person by reason of being, or having been, a case mix auditor or make use of any such information for any purpose other than the performance of official duties or the performance or exercise of that function or power. | $19,759.00 | $20,351.00 |
| 63C(3) Powers of auditors | A person must not refuse or fail to give full and true answers to the best of that person's knowledge to any questions asked by an auditor in the performance or exercise of any power under this Division. | $11,855.40 | $12,211.00 |
| 63C(5) Powers of auditors  | A person must not obstruct or hinder an auditor in the performance or exercise of the auditor's powers under this Division | $11,855.40 | $12,211.00 |
| 63D Confidentiality requirements | A person who is, or at any time has been, an auditor under this Division must not, except to the extent necessary to perform any official duties or to perform or exercise any function or power under this Act, either directly or indirectly, make a record of or divulge or communicate to any person any information that is or was acquired by the person by reason of being, or having been, an auditor or make use of any such information for any purpose other than the performance of official duties or the performance or exercise of that function or power. | $19,759.00 | $20,351.00 |
| 69E(1) Rights of access | A contractor or sub-contractor must give the Minister, the Secretary and any authorised officer free and unfettered access at all times, together with any assistants and equipment that the Minister, the Secretary or authorised officer considers necessary - (a) to the hospital; and (b) to all public hospital patients receiving health services at the hospital; and (c) to all documents in the possession of the contractor or sub-contractor relating to the provision of health services to public hospital patients at the hospital - for the purpose of ensuring compliance with this Act or the regulations or the agreement under section 69B(1). | $9,879.50 | $10,176.00 |
| 69E(2) Rights of access | A contractor or sub-contractor must give an administrator appointed under section 69F free and unfettered access at all times, together with any assistants and equipment that the administrator considers necessary – (a) to the hospital; and (b) to all public hospital patients receiving health services at the hospital; and (c) to all documents in the possession of the contractor or sub-contractor relating to the provision of health services to public hospital patients at the hospital - for the purpose of enabling the administrator to carry out his or her functions and exercise his or her powers under that section. | $9,879.50 | $10,176.00 |
| 69F(3) Rights of access | If an administrator is appointed under subsection (2), then for the period of that appointment(a) the contractor or a sub-contractor must act in relation to the management or operation of the hospital in accordance with the directions of the administrator; or(b) the contractor or a sub-contractor must as directed by the administrator, cease to act in relation to the management or operation of the hospital completely or to the extent specified in the direction. | $9,879.50 | $10,176.00 |
| 69F(4) Rights of access | A person engaged or employed by the contractor or a sub-contractor to act in relation to the management or operation of the hospital must comply with the directions of the administrator in doing so. | $9,879.50 | $10,176.00 |
| 86(1) Change of directors etc | If a person ceases to be, or is appointed as, a director of or other officer having control of a proprietor that is a body corporate, the proprietor must within 30 days after the change occurs give the Secretary particulars of the change. | $9,879.50 | $10,176.00 |
| 105(2) Directions of Secretary | The proprietor of an establishment to whom a direction under subsection (1) applies must comply with the direction. | $9,879.50 | $10,176.00 |
| 105(4) Directions of Secretary | The proprietor of a health service establishment to whom a direction under subsection (3) has been given must not without reasonable excuse fail to comply with the direction. Natural Person  | $11,855.40 | $12,211.00 |
| 105(4) Directions of Secretary | The proprietor of a health service establishment to whom a direction under subsection (3) has been given must not without reasonable excuse fail to comply with the direction. Body corporate | $59,277.00 | $61,053.00 |
| 105(5) Directions of Secretary | The proprietor of a health service establishment must not, without reasonable excuse and in purported compliance with a direction under subsection (3), give information that is false or misleading in a material particular.. Natural Person  | $11,855.40 | $12,211.00 |
| 105(5) Directions of Secretary | The proprietor of a health service establishment must not, without reasonable excuse and in purported compliance with a direction under subsection (3), give information that is false or misleading in a material particular.. Body corporate | $59,277.00 | $61,053.00 |
| 107A Proprietor to comply with approved accreditation scheme | The proprietor of a health service establishment must not, without reasonable excuse, fail to comply with the requirements of an applicable approved accreditation scheme. Natural Person  | $11,855.40 | $12,211.00 |
| 107A Proprietor to comply with approved accreditation scheme | The proprietor of a health service establishment must not, without reasonable excuse, fail to comply with the requirements of an applicable approved accreditation scheme. Body corporate | $59,277.00 | $61,053.00 |
| 107B(1) Proprietor to notify Secretary of failure to obtain accreditation or of revocation of accreditation | The proprietor of a health service establishment who is notified that the proprietor's application for accreditation under an approved accreditation scheme is refused must not, without reasonable excuse, fail to give notice of the refusal to the Secretary within 24 hours after receiving the notification. Natural Person  | $11,855.40 | $12,211.00 |
| 107B(1) Proprietor to notify Secretary of failure to obtain accreditation or of revocation of accreditation | The proprietor of a health service establishment who is notified that the proprietor's application for accreditation under an approved accreditation scheme is refused must not, without reasonable excuse, fail to give notice of the refusal to the Secretary within 24 hours after receiving the notification. Body corporate | $59,277.00 | $61,053.00 |
| 107B(2) Proprietor to notify Secretary of failure to obtain accreditation or of revocation of accreditation | The proprietor of a health service establishment who is notified that the health service establishment's accreditation under an approved accreditation scheme is revoked must not, without reasonable excuse, fail to give notice of the revocation to the Secretary within 24 hours after receiving the notification.. Natural Person  | $11,855.40 | $12,211.00 |
| 107B(2) Proprietor to notify Secretary of failure to obtain accreditation or of revocation of accreditation | The proprietor of a health service establishment who is notified that the health service establishment's accreditation under an approved accreditation scheme is revoked must not, without reasonable excuse, fail to give notice of the revocation to the Secretary within 24 hours after receiving the notification.. Body corporate | $59,277.00 | $61,053.00 |
| 108(1) Application for approval of alterations to clinical area  | The proprietor of a health service establishment whose premises include a clinical area substantially altered, renovated or extended after registration of the premises was granted must not, without reasonable excuse, fail to apply to the Secretary for permission to use that altered, renovated or extended clinical area. Natural Person  | $11,855.40 | $12,211.00 |
| 108(1) Application for approval of alterations to clinical area  | The proprietor of a health service establishment whose premises include a clinical area substantially altered, renovated or extended after registration of the premises was granted must not, without reasonable excuse, fail to apply to the Secretary for permission to use that altered, renovated or extended clinical area. Body corporate | $59,277.00 | $61,053.00 |
| 108B Offence to use altered, renovated or extended | The proprietor of a health service establishment whose premises include a clinical area that is substantially altered, renovated or extended must not, without reasonable excuse, use that clinical area if the Secretary has not granted approval of that use under section 108A.Natural Person  | $11,855.40 | $12,211.00 |
| 108B Offence to use altered, renovated or extended | The proprietor of a health service establishment whose premises include a clinical area that is substantially altered, renovated or extended must not, without reasonable excuse, use that clinical area if the Secretary has not granted approval of that use under section 108A. Body corporate | $59,277.00 | $61,053.00 |
| 109(2) Records  | A person must not during the prescribed period destroy or damage any document or record kept for the purposes of subsection (1) or (1A). | $23,710.80 | $24,421.00 |
| 110B(1) Provision of safe health services | The proprietor of a health service establishment must not, without reasonable excuse, fail to ensure that safe, patient-centred and appropriate health services are provided at, or from, the health service establishment. Natural Person  | $11,855.40 | $12,211.00 |
| 110B(1) Provision of safe health services | The proprietor of a health service establishment must not, without reasonable excuse, fail to ensure that safe, patient-centred and appropriate health services are provided at, or from, the health service establishment. Body corporate | $59,277.00 | $61,053.00 |
| 110C Provision of prescribed information to the Secretary  | The proprietor of a health service establishment must not, without reasonable excuse, fail to provide to the Secretary any prescribed information in relation to the health service establishment within the prescribed time. Natural Person  | $3,951.80 | $4,070.00 |
| 110C Provision of prescribed information to the Secretary  | The proprietor of a health service establishment must not, without reasonable excuse, fail to provide to the Secretary any prescribed information in relation to the health service establishment within the prescribed time. Body corporate | $19,759.00 | $20,351.00 |
| 110D Proprietor to inform Secretary of serious risk to patient health or safety  | The proprietor of a health service establishment must not, without reasonable excuse, fail to inform the Secretary that there is a serious risk to patient health or safety in relation to health services provided at, or from, the health service establishment as soon as practicable after the proprietor— (a) receives notice of a serious risk from an agency administrating an approved accreditation scheme in relation to the health service establishment; or (b) has any other reason to believe that there is a serious risk to patient health or safety. Natural Person  | $3,951.80 | $4,070.00 |
| 110D Proprietor to inform Secretary of serious risk to patient health or safety  | The proprietor of a health service establishment must not, without reasonable excuse, fail to inform the Secretary that there is a serious risk to patient health or safety in relation to health services provided at, or from, the health service establishment as soon as practicable after the proprietor— (a) receives notice of a serious risk from an agency administrating an approved accreditation scheme in relation to the health service establishment; or (b) has any other reason to believe that there is a serious risk to patient health or safety. Body corporate | $19,759.00 | $20,351.00 |
| 111(1) Offence to carry on business if establishment or proprietor not registered as a health service establishment  | A person must not carry on a health service establishment at or from premises that are not registered as a health service establishment. Individual | $47,421.60 | $48,842.00 |
| 111(1) Offence to carry on business if establishment or proprietor not registered as a health service establishment | A person must not carry on a health service establishment at or from premises that are not registered as a health service establishment. Body corporate | $237,108.00 | $244,212 |
| 111(2) Offence to carry on business if establishment or proprietor not registered as a health service establishment | A person must not carry on a health service establishment unless the person has a current certificate of registration or a current certificate of renewal for that health service establishment. Individual  | $47,421.60 | $48,842.00 |
| 111(2) Offence to carry on business if establishment or proprietor not registered as a health service establishment | A person must not carry on a health service establishment unless the person has a current certificate of registration or a current certificate of renewal for that health service establishment. Body corporate  | $237,108.00 | $244,212 |
| 112 Offence to provide excess beds or accommodation  | The proprietor of a health service establishment must not provide in the establishment more beds, or accommodation for more persons, than the number of beds for which the establishment is registered - Base penalty | $47,421.60 | $48,842.00 |
| 112 Offence to provide excess beds or accommodation  | The proprietor of a health service establishment must not provide in the establishment more beds, or accommodation for more persons, than the number of beds for which the establishment is registered - Additional per day | $2,963.85 | $3,053.00 |
| 113 Offences relating to day procedure centres and private hospitals  | The proprietor of a day procedure centre or private hospital must not provide in the centre or hospital— (a) any kind of prescribed health services for the provision of which the centre or hospital is not registered; or(b) more beds for any kind of prescribed health services than the number for which the centre or hospital is registered in respect of that kind of care. - Base penalty | $9,879.50 | $10,176.00 |
| 113 Offences relating to day procedure centres and private hospitals  | The proprietor of a day procedure centre or private hospital must not provide in the centre or hospital— (a) any kind of prescribed health services for the provision of which the centre or hospital is not registered; or(b) more beds for any kind of prescribed health services than the number for which the centre or hospital is registered in respect of that kind of care. - Additional per day | $2,963.85 | $3,053.00 |
| 114 Offence to contravene condition of registration  | The proprietor of a health service establishment must not contravene a condition to which registration of the establishment is subject. | $47,421.60 | $48,842.00 |
| 115(1) Offence to build etc. without approval in principle | A person must not enter into an agreement or arrangement for the construction, alteration or extension of a health service establishment unless an approval in principle under this Part is in force in respect of that construction, alteration or extension. | $23,710.80 | $24,421.00 |
| 115(2) Offence to build etc. without approval in principle | The proprietor of a health service establishment must not authorise or permit the construction, alteration or extension of any part of the establishment unless an approval in principle under this Part is in force in respect of that construction, alteration or extension. | $23,710.80 | $24,421.00 |
| 115(3) Offence to build etc. without approval in principle | A person must not enter into an agreement or arrangement for the alteration or extension of premises proposed to be used as a health service establishment unless an approval in principle under this Part is in force in respect of that alteration or extension. | $23,710.80 | $24,421.00 |
| 128I(2) Confidentiality obligations applying in respect of information from protected quality and safety review | Subject to subsection (3), a person to whom this section applies must not, other than in the performance of the functions under this Act relating to a protected quality and safety review— (a) directly or indirectly make a record of, or divulge or communicate to any person, any information gained by or conveyed to the person by reason of the conducting of a protected quality and safety review that may identify a health service entity or any other person; or (b) make use of the information for any purpose.  | $1,975.90 | $2,035.00 |
| 128X(2) Confidentiality obligations applying to member of SAPSE review panel | A person to whom this section applies must not disclose any information acquired by the person in the performance of functions under this Act relating to a SAPSE review, except in the circumstances set out in subsection (3). | $1,975.90 | $2,035.00 |
| 128Y Identity of SAPSE review panel members not to be disclosed | A health service entity that has appointed a SAPSE review panel, or a member of staff of that entity, must not disclose the identity of any member of that panel other than in a proceeding for an offence under this Part. Individual. | $1,975.90 | $2,035.00 |
| 128Y Identity of SAPSE review panel members not to be disclosed | A health service entity that has appointed a SAPSE review panel, or a member of staff of that entity, must not disclose the identity of any member of that panel other than in a proceeding for an offence under this Part. Body corporate. | $9,879.50 | $10,176.00 |
| 134I(1) Members' pecuniary interests  | A member of HPV who has a direct or indirect pecuniary interest in a matter being considered or about to be considered by HPV must, as soon as practicable after the relevant facts have come to his or her knowledge, declare the nature of the interest at a meeting of HPV. | $987.95 | $1,018.03 |
| 134J Improper use of information | A person who is, or has been, a member of HPV must not make improper use of any information acquired in the course of his or her duties to obtain directly or indirectly any pecuniary or other advantage for himself or herself or for any other person. | $987.95 | $1,018.03 |
| 139(3) Quality assurance  | A person who is or has been a member, officer or employee of a committee, council or other body in respect of which a declaration under subsection (1) has been made must not either directly or indirectly:(a) make a record of or divulge or communicate to any person any information gained by or conveyed to that person by reason only of being such a member, officer or employee while the declaration was in force; or(b) make use of any such information - except to the extent necessary for the performance of the functions of that committee, council or body or of the person as such a member, officer or employee | $9,879.50 | $10,176.00 |
| 140(4) Proclaimed services  | A person must not carry on a proclaimed service in contravention of any conditions or requirements specified in the proclamation. | $19,759.00 | $20,351.00 |
| 141(2) Confidentiality | A relevant person must not, except to the extent necessary:(a) to carry out functions under this or any other Act; or(b) to exercise powers under this or any other Act in relation to a relevant health service; or(c) to give any information he or she is expressly authorised, permitted or required to give under this or any other Act-give to any other person, whether directly or indirectly, any information acquired by reason of being a relevant person if a person who is or has been a patient in, or has received health services from, a relevant health service could be identified from that information. | $9,879.50 | $10,176.00 |
| 141(3A) Confidentiality | A person must not use or collect, or attempt to use or collect, information about a person from an electronic records system referred to in subsection (3)(e)(ii) if that second-mentioned person could be identified from that information unless: (a) the use or collection is by a person engaged or employed by or on behalf of a public hospital or a denominational hospital; and (b) the use or collection is -  (i) to enable the treatment of that second-mentioned person at or by that hospital; or (ii) to charge or bill that second-mentioned person for treatment at or by that hospital; and (c) the use or collection is in accordance with the regulations (if any). | $9,879.50 | $10,176.00 |
| 141(4) Confidentiality | A person who receives information by reason of the giving of information under subsection (3)(g) must not give to any other person, whether directly or indirectly, any information so received unless the giving of the information:(a) has been approved by the ethics committee referred to in subsection (3); and(b) does not conflict with any prescribed requirements; and(c) the giving of information in accordance with HPP 2.2(g) of the Health Privacy Principles in the Health Records Act  | $9,879.50 | $10,176.00 |
| 146(3) Identity cards  | An authorised officer must produce his or her identity card for inspection- (a) before exercising a power under this Act; and (b) at any time during the exercise of a power under this Act if asked to do so. | $1,975.90 | $2,035.00 |
| 149(1) Offence to obstruct or hinder | A person must not obstruct or hinder an authorised officer in the exercise of the authorised officer's powers under this Act. | $47,421.60 | $48,842.00 |
| 150 Impersonating etc. an authorised officer | A person must not— (a) impersonate an authorised officer in the exercise of powers under this Act; or (b) falsely hold himself or herself out to be an authorised officer. | $23,710.80 | $24,421.00 |
| 151(1) False and misleading statements | A person must not, in purported compliance with this Act, give information or make a statement that is false or misleading in a material particular. | $23,710.80 | $24,421.00 |
| 151(2) False and misleading statements | A person must not make a false or misleading entry in a document required by this Act to be kept by a registered funded agency or health service establishment. | $23,710.80 | $24,421.00 |
| 152 Defacing documents etc | A person must not, without lawful authority, destroy or damage any notice or document given or prepared or kept in accordance with this Act. | $23,710.80 | $24,421.00 |
| 158 Regulations | The Governor in Council may make regulations for or with respect to prescribing - penalties not exceeding 100 penalty units for breaches of the regulations | $19,759.00 | $20,351.00 |

# Health Service (Health Service Establishments) Regulations 2013

| Health Service (Health Service Establishments) Regulations 2013, Regulation  | Description | 2024-2025 Penalty Amount | 2025-2026 Penalty Amount |
| --- | --- | --- | --- |
| 14(1) Director of Nursing must be appointed | The proprietor of a health service establishment (other than a health service establishment which provides health services solely at premises other than the premises for which it is registered) must appoint a suitably qualified person as the Director of Nursing. | $9,879.50 | $10,176.00 |
| 15 Acting Director of Nursing | If the Director of Nursing is absent or incapacitated, or the position is vacant, the proprietor of a health service establishment must appoint a person to act as the Director of Nursing during the period of the absence, incapacity or vacancy | $9,879.50 | $10,176.00 |
| 16 Secretary must be notified of appointment | Secretary must be notified of appointment Within 28 days after making the appointment, the proprietor of a health service establishment must notify the Secretary in writing of the name, qualifications and experience of any person appointed by the proprietor— (a) as the Director of Nursing; or (b) to act as the Director of Nursing for a period of more than 28 days. | $3,951.80 | $4,067.00 |
| 17 Chief Executive Officer and Medical Director | If the proprietor of a health service establishment appoints a Chief Executive Officer or Medical Director (however titled), the proprietor must notify the Secretary in writing of the name, qualifications and experience of the person appointed within 28 days of the appointment. | $3,951.80 | $4,067.00 |
| 18 Secretary to be notified of termination or vacancy | If the proprietor of a health service establishment terminates the appointment of a Chief Executive Officer or Medical Director (however titled), or the position otherwise becomes vacant, the proprietor must notify the Secretary in writing within 28 days of the termination or vacancy. | $3,951.80 | $4,067.00 |
| 19 Unit record number must be allocated | The proprietor of a health service establishment (other than a health service establishment which provides health services solely at premises other than the premises for which it is registered) must ensure that a unit record number is allocated to a patient on or as soon as practicable after the admission of the patient to the hospital or centre. | $5,927.70 | $6,105.00 |
| 20(1) Information about fees and services | The proprietor of a health service establishment must ensure that on or before admission each patient of the hospital or centre is given— (a) a statement containing information in relation to the health care services provided at the health service establishment that complies with subregulation (2); and (b) information about fees to be charged by the health service establishment and any likely out of pocket expenses which may be incurred by the patient; and (c) a clear explanation of the treatment and services to be provided to the patient at the health service establishment. | $9,879.50 | $10,176.00 |
| 21 Clinical record must be created | The proprietor of a health service establishment must ensure that a separate clinical record for each patient is—(a) created on or as soon as practicable after the admission of the patient to the health service establishment; and (b) maintained whenever patients are receiving health services from the health service establishment. | $5,927.70 | $6,105.00 |
| 22 Information to be included in clinical record | The proprietor of a health service establishment must take reasonable steps to ensure that each clinical record contains the following information— (a) the patient's unit record number; (b) the patient's name, address, date of birth and sex; (c) the name and contact details of a relative or friend nominated by the patient; (d) relevant clinical details of the patient including— (i) clinical history on admission; (ii) progress notes whenever patients are receiving health services from the health service establishment; (iii) any medication ordered or given; (iv) known allergies and drug sensitivities; (v) current medication; (vi) pre-procedure assessment; (vii) results of any relevant diagnostic tests; (e) if a procedure is carried out on a patient— (i) the consent form for the procedure and anaesthesia; (ii) the date of the procedure; (iii) the names and signatures of the registered health practitioners carrying out the procedure; (iv) the type of procedure carried out; (v) the pre-procedure check list by the attending practitioner or by the assisting nurse; (vi) administered drugs and dosages; (vii) a record of any monitoring undertaken; (viii) a record of any intravenous fluids administered; (ix) a procedure room report including any procedure findings; (x) the final diagnosis of the patient on discharge. | $5,927.70 | $6,105.00 |
| 23 Means of identifying patients | The proprietor of a health service establishment must ensure that a patient can be readily identified at all times when the patient is receiving health care or other services at the health service establishment by (a) an identity band or other suitable device attached to the patient; or (b) a photograph, a copy of which must be attached to the clinical record of the patient | $7,903.60 | $8,140.00 |
| 24(1) Identification of infants | The proprietor of a health service establishment must ensure that if an infant is born at the hospital or centre, at least 2 identity bands or other suitable devices which contain the birth information are attached to that infant— (a) as soon as practicable after the birth and before leaving the delivery room; and (b) while the infant remains in the health service establishment. | $5,927.70 | $6,105.00 |
| 24(2) Identification of infants  | - If, immediately after giving birth to an infant, a mother is admitted as a patient of a health service establishment for— (a) the receipt of medical services in connection with the birth; or (b) the provision of nursing services by a suitably qualified nurse that are directly related to the birth— the proprietor of the health service establishment must ensure that at least 2 identity bands or other suitable devices which contain the birth information are attached to the infant for as long as the infant remains in the health service establishment | $5,927.70 | $6,105.00 |
| 26 Nurses must be registered and competent | The proprietor of a health service establishment must ensure that each nurse at the health service establishment— (a) is an enrolled nurse or a registered nurse; and (b) is professionally competent through education or experience to provide nursing care at the health service establishment having regard to the kind or kinds of health services being provided. | $9,879.50 | $10,176.00 |
| 27(1) Sufficient nursing staff must be on duty  | The proprietor of a health service establishment must ensure that whenever patients are receiving health services from the health service establishment, a sufficient number of nursing staff are on duty to provide care for those patients | $9,879.50 | $10,176.00 |
| 28 Needs of patients must be met | The proprietor of a health service establishment must take reasonable steps to ensure that the needs of patients are met promptly and effectively by nursing staff and other professionally competent registered health practitioners. | $9,879.50 | $10,176.00 |
| 29(1) Nomination of complaints officer | The proprietor of a health service establishment must nominate a person to receive and deal with any complaints that may be made by, or on behalf of, a patient of the health service establishment. | $9,879.50 | $10,176.00 |
| 29(2) Nomination of complaints officer | The proprietor of a health service establishment must take reasonable steps to ensure that every patient and member of the staff of the health service establishment is informed of the name of the person nominated by the proprietor to receive and deal with complaints  | $9,879.50 | $10,176.00 |
| 30(1) Dealing with a complaint | The proprietor of a health service establishment must ensure that a complaint is responded to as soon as practicable after the complaint has been made. | $7,903.60 | $8,140.00 |
| 30(2) Dealing with a complaint | The proprietor of a health service establishment must ensure that a complaint is dealt with as discreetly as possible in the particular circumstances. | $7,903.60 | $8,140.00 |
| 30(3) Dealing with a complaint | The proprietor of a health service establishment must ensure that the person who made the complaint is informed of the action taken in respect of the complaint | $7,903.60 | $8,140.00 |
| 31(1) Record of complaint | The proprietor of a health service establishment must ensure that a written record is kept of every complaint made by, or on behalf of, a patient of the health service establishment. | $5,927.70 | $6,105.00 |
| 31(3) Record of complaint | The proprietor of a health service establishment must ensure that the written record is kept in a secure place for a period of 7 years after the complaint has been made.  | $5,927.70 | $6,105.00 |
| 32 Person making complaint must not be adversely affected  | The proprietor of a health service establishment must take reasonable steps to ensure that a patient of the health service establishment or a person making a complaint on behalf of the patient is not adversely affected because the complaint has been made | $11,855.40 | $12,211.00 |
| 33 Transfer of patients | If a patient is transferred from a health service establishment to another health service establishment or health care agency, the proprietor of the health service establishment from which the patient is transferred must ensure that all information and copies of any documents relating to the patient's medical condition and treatment necessary for the establishment or agency to provide appropriate ongoing treatment or care are sent with the patient. | $7,903.60 | $8,140.00 |
| 37(1) Operation Theatre Register  | The proprietor of a health service establishment at which surgical health services or speciality health services for the provision of endoscopy may be carried on must ensure that an Operation Theatre Register is kept at the health service establishment | $5,927.70 | $6,105.00 |
| 38(1) Birth Register | The proprietor of a health service establishment in which speciality health services for the provision of obstetrics may be carried on must ensure that a Birth Register is kept at the health service establishment. | $5,927.70 | $6,105.00 |
| 38(3) Birth Register | The proprietor of a health service establishment must retain a Birth Register for at least 25 years after the date of the last entry | $5,927.70 | $6,105.00 |
| 39 Identification of rooms | The proprietor of a health service establishment must ensure that each room in which beds or recovery chairs are provided for the accommodation of patients is clearly identified at the entrance to that room by a sign stating— (a) the letter or number of that room; and (b) the number of beds and recovery chairs ordinarily in that room. | $1,975.90 | $2,035.00 |
| 40(1) Communications | The proprietor of a health service establishment (other than a health service establishment which provides health services solely at premises other than the premises for which it is registered) must ensure that an effective electronic communication system is provided and kept operational at the health service establishment | $11,855.40 | $12,211.00 |
| 41 Prevention of scalding | The proprietor of a health service establishment must ensure that every bath, shower and hand basin used by patients is installed with a system or mechanism to avoid the risk of scalding by controlling the outlet temperature of hot water | $9,879.50 | $10,176.00 |
| 42 Repair and cleanliness of premises | The proprietor of a health service establishment must ensure that the premises are kept— (a) in a clean and hygienic condition; and (b) in a proper state of repair; and (c) free of hazards or the accumulation of materials which may become offensive, injurious to health or likely to facilitate the outbreak of fire | $15,807.20 | $16,281.00 |
| 43(2) Suitability and cleanliness of facilities, equipment, furnishings and fittings | The proprietor of a health service establishment must ensure that facilities, equipment, furnishings and fittings at the health service establishment are— (a) kept in a proper state of repair and maintained in good working order; and (b) kept in a clean and hygienic condition. | $15,807.20 | $16,281.00 |
| 44(1) Infection Control Management Plan | The proprietor of a health service establishment must implement and maintain an Infection Control Management Plan. | $15,807.20 | $16,281.00 |
| 45 Information to be prominently displayed | The proprietor of a health service establishment must display in a prominent position at the entrance foyer or reception area of the health service establishment the following information— (a) the certificate of registration of the premises as a health service establishment or a full size copy of the certificate; (b) the name of the Director of Nursing (if required to be appointed) and, if a Chief Executive Officer or Medical Director (however titled) has been appointed, the name of the Chief Executive Officer or Medical Director; (c) the name and contact telephone number of the person nominated under regulation 29 to receive and deal with complaints. | $3,951.80 | $4,070.00 |
| 46A Reporting of sentinel events | The proprietor of a health service establishment must report in writing a sentinel event that occurred at the health service establishment to the Secretary within the time determined by the Secretary. | $7,903.60 | $8,140.00 |

|  |
| --- |
| To receive this document in another format, phone 1300 650 172, using the National Relay Service 13 36 77 if required, or email Fees and Penalties <feesandpenalties@dhhs.vic.gov.au>Authorised and published by the Victorian Government, 1 Treasury Place, Melbourne.© State of Victoria, Australia, Department of Health, April 2023.Available at [Fees, charges and penalties webpage](https://www.health.vic.gov.au/payments/fees-charges-and-penalties-subject-to-automatic-indexation) <https://www.health.vic.gov.au/payments/fees-charges-and-penalties-subject-to-automatic-indexation> |