

# Application guidelines

## for a new private hospital or day hospital under the *Private Health Facilities Act 1999 (Qld)*

To establish a new licenced private health facility (either a private hospital or day hospital) in Queensland, you will be required to complete two applications at different times in the process. This information sheet provides guidance on these applications:

- Application for an approval to be an authority holder
  - Extend an approval form
  - Change an approval form
  - Replace an approval form
- Application for a licence to operate a health facility.

NOTE: Not all facilities providing health services require licencing under the *Private Health Facilities Act 1999 (Qld)*. If you are unsure about whether your proposed facility requires licencing, please contact the Private Health Regulation Unit on 07 3708 5325 or email [Private\\_Health@health.qld.gov.au](mailto:Private_Health@health.qld.gov.au).



If you want to establish a new private health facility — or construct or renovate a building which may be used as a day or private hospital in future — you need to apply for an approval to be an *authority holder* (proposed licensee) for the new facility before any building works commence. Your application tells us about the entity - individual/company - proposing to hold the licence for the facility, the design and location of the building and details of the health services that are intended to be offered.

If the approval to be an authority holder is granted, you can proceed with the development of the facility.

Once the building works are nearly complete (at least 2 months prior to the commencement of services), you will then need to apply for the *licence to operate* the facility. You cannot commence providing services until the licence has been granted.

# Before you apply

We encourage you to contact the Private Health Regulation Unit to discuss your proposal, including your building design, so that any modifications to the building plans can be made before submission of the application and before construction commences.

## Application for an approval to be an authority holder

This application establishes the suitability of the applicant and the proposed premises.

### Completing the application

You must complete and submit the [Application for approval to be an authority holder](#), including all supporting information listed on the form, and pay the prescribed application fee.

There are seven sections to the form.

**Section 1:** Gathers information about the entity that intends to be the authority holder (eventual licensee) for the private health facility.

**Section 2:** Collects the details of the representative authorised to act on behalf of the authority holder entity.

**Section 3:** Records information about the proposed private hospital or day hospital, including proposed patient groups and outline of building works timing.

**Section 4:** Requires information about the reprocessing of reusable medical devices.

**Section 5:** Collects details of the level of anaesthetic intended to be used at the facility.

**Section 6:** Lists the supporting information that needs to accompany the completed application form.

**Section 7:** A declaration by the authorised representative.

### When should I submit my application?

You should apply when the building plans are finalised, all the required supporting information is available, and before you start building works. Building works undertaken without an approval in place may not be able to be licenced.

### How is my application assessed?

To assess your application for an approval, we will evaluate the:

- financial capacity of the entity – individual or organisation—proposing to hold the licence for the proposed private health facility

- suitability of the individuals associated with the governance of the entity — reviewing their skills, knowledge and experience
- design of the building — considering the type of facility and services that will be provided.

Your building certifier will need to consult with the Chief Health Officer on the building plans before you submit them with your application for approval to be an authority holder. The Chief Health Officer is the concurrent agent for the Queensland Development Code: Mandatory Part 5 – Private Health Facilities (MP5.5). See our information sheet [Building certifier referral - referral to the Chief Health Officer \(CHO\) as the concurrency agency](#).

**NOTE:** When we assess the facility as part of licence to operate, we will undertake a site visit to ensure the building has been built as per the approval. Further information is given about this in the [Licence to operate section](#).

If the Chief Health Officer decides to grant your application, you will be issued with an *Approval for a Private Health Facility*. This may be issued with conditions.

## How long does my approval last?

Approval to be an authority holder is valid for no more than two years from the date of issue<sup>1</sup>. This allows time for the building works to be completed, the necessary policy and procedures to be developed and staff recruitment and training to take place.

If there is a delay, you can apply to extend an approval<sup>2</sup> beyond the initial 2-year period by completing an [Application to extend an approval](#).

## What if plans change during the term of my approval?

Changes can be made to an approval after it has been issued, including to the building plans and nature of services proposed to be provided once the facility is operational.<sup>3</sup> Approval holders must apply for approval for any deviations from the original approval, including changes to the building plans, by completing an [Application to change an approval](#).

## What if I have lost my approval or no longer require my approval?

You can:

- replace an approval if it has been lost, stolen or destroyed by completing the [Application to replace an approval](#)

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<sup>1</sup> S24 of the Act

<sup>2</sup> S25 of the Act

<sup>3</sup> S29-35 of the Act

- surrender an approval—by completing the [Notice of surrender a licence or approval form](#).

## Application for a licence to operate a private health facility

To provide healthcare services (i.e., admit patients) in a private health facility, you must hold a licence to operate the private health facility.

To apply for a licence to operate a private health facility you need to:

- hold a current approval for a proposed new private health facility (a day hospital or a private hospital).

The application for a licence is focused on:

- establishing the suitability of the arrangements for the management, staffing and equipment of the hospital, including the suitability of the executive team
- assessment of the arrangements for the provision of the nominated health services to be provided at the hospital, including review of selected policies and procedures
- review of evidence supplied to demonstrate compliance with the requirements of relevant standards
- confirming that the hospital has been built in accordance with the approved plans.

**NOTE:** If you wish to change any of the details for the facility as listed on your approval, for example, the number of beds, cots, bays and/or rooms or the clinical services and/or level of services the hospital will provide, you must lodge an [Application for change an approval](#) before you apply for your licence. This includes any unapproved changes to building plans.

## Completing the application

You must complete and submit the [Application for a licence to operate a private health facility](#) including all supporting information listed on the form, and pay the prescribed application fee.

There are five sections on the application for a licence to operate a private health facility form:

**Section 1:** gathers information about the entity that will be the licensee for the private health facility. This must be the same entity that appears on the approval

**Section 2:** confirms the contact details for the private and health facility

**Section 3:** collects information about staff who will be members of the executive team responsible for the governance of the facility. These people will also be authorised to engage with the Private Health Regulation Unit on behalf of the licensee

**Section 4:** lists the supporting information that needs to accompany the completed application form, and

**Section 5:** is a declaration by the authorised representative submitting the application.

## When should I submit my application?

This process should begin at least 60 days before you intend admitting patients to the facility. As part of our assessment, we may do an onsite visit. A minimum of 21 days is required to allow for a physical site inspection to be conducted to ensure that the facility complies with the conditions of all relevant legislation.

**NOTE:** If your facility has recently been inspected as part of the application to be an authority holder you may not need to undergo another inspection.

## How is my application assessed?

To assess your application for a licence, we will evaluate:

- the suitability of management, staffing and equipment of the hospital, including the knowledge and experience of the executive team
- arrangements for the clinical services to be provided at the hospital, including policies and procedures
- evidence of compliance with relevant standards
- the physical premises, during a site visit prior to final handover of the building.

**NOTE:** You will need to contact the Private Health Regulation Unit **at least 21 days prior** to the building handover to arrange for us to inspect the premises prior to handover and ensure compliance with the approved plans and other relevant standards.

In preparation for this visit, you must provide us with copies of all relevant certification of compliance with necessary statutory authority and standards requirements, for example, building occupancy certificate, HEPA filters certification, electrical compliance and testing certifications. We will provide a list of information we require.

If any significant non-compliances or deviations are identified during the site visit, you will be required to address these prior to licensing of the facility and commencement of providing services.

If the Chief Health Officer decides to grant your application, you will be issued with a *licence to operate*. This may be issued with conditions. The licence must be displayed in a public place within the facility.

## How long does my licence last?

Your initial licence will be issued for a period of no more than 12 months<sup>4</sup>, after which time you will be able to apply to renew the licence for a further one or three years.

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<sup>4</sup> S50 of the Act

# Transferring a licence

If you are taking over the operation of an existing licenced facility, you will need to apply to transfer the licence.

More information is available on our [application requirements for existing licensees'](#) information sheet.

## How to apply

Please submit your completed applications via email to [Private\\_Health@health.qld.gov.au](mailto:Private_Health@health.qld.gov.au).

We recommend you use encryption or a secure file transfer to share information securely with us.

If you cannot submit your application electronically, please contact the Private Health Regulation Unit to make alternative arrangements.

## Where to find forms and more information

Application forms, details of requirements for supporting documentation, and templates are available at <https://www.health.qld.gov.au/system-governance/licences/private-health/licence-application>.

## Costs associated with your application

A fee applies to all applications, with the amount varying depending on the type of application submitted. Fees increase on 1 October each year. The current fee list is available at <https://www.health.qld.gov.au/system-governance/licences/private-health/licence-application/fee-list>.

You can pay the fee online by [BPoint](#). You must provide a copy of the receipt as part of the application submission.

Applications will not be assessed until confirmation of fee payment is received.

## After your application is submitted

The Chief Health Officer has 60 days after receiving your application (including supporting documentation and the fee) to assess and inform you of the outcome of your application.

This period may be extended if all supporting information is not provided, additional information is required to support the application or due to the complexity of the issues that need to be considered.

You should keep these timeframes in mind when applying.

**NOTE:** All efforts are made to progress applications as promptly as practicable.

## Review of the outcome of your application

If you are not satisfied with the decision made about your application, you can request an internal review. Your request for a review must be made in writing **within 28 days** of the date of the decision.

## Legislation

The licensing process involves compliance with the *Private Health Facilities Act 1999* (Qld), the Private Health Facilities Regulation 2016 and Private Health Facilities (Standards) Notice 2016.

## For further information

If you are unsure about your obligations at any time, contact the Private Health Regulation Unit on 07 3708 5325 or email [Private\\_Health@health.qld.gov.au](mailto:Private_Health@health.qld.gov.au).