CAYMAN ISLANDS

Health Practice Act

(2021 Revision)

HEALTH PRACTICE REGULATIONS

(2021 Revision)

Supplement No. 3 published with Legislation Gazette No. 12 of 5th February, 2021.

PUBLISHING DETAILS

Revised under the authority of the *Law Revision Act (2020 Revision)*.

The Health Practice Registration Regulations, 2004 made the 25th May, 2004 as amended by Law 56 of 2020.

Consolidated with —

Health Practice Registration (Amendment) Regulations, 2005 made the 19th April, 2005,

Health Practice (Amendment) Regulations, 2013 made the 7th May, 2013,

Health Practice (Amendment) Regulations 2017 made the 21st February, 2017,

Health Practice (Amendment) Regulations 2018 made the 23rd January, 2018, and

The Health Practice (Amendment) Regulations 2020 made the 18th February, 2020.

Originally enacted —

Law 56 of 2020-7th December, 2020.

Consolidated and revised this 31st day of December, 2020.

Note (not forming part of these Regulations): This revision replaces the 2018 Revision which should now be discarded.

CAYMAN ISLANDS

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Citation

1. These Regulations may be cited as the *Health Practice Regulations (2021 Revision).*

Definitions

2. In these Regulations —

"**Caymanian**" has the meaning assigned by the *Immigration (Transition) Act* (*2021 Revision*);

"**Form**" means a form in Schedule 1 hereto; and

"**section**" means section of the principal Act;

Forms relating to registration and licensure

3. (1) An application for registration, for a practising licence and for the renewal of a practising licence, referred to in section 28(2), shall respectively be as set out in Forms A and B in Schedule 1.

(2) The certificate for registration referred to in section 23(5) shall be as set out in Form C.

(2A) The practising licence referred to in section 27A(1) shall be as set out in Form CA.

(3) The register referred to in section 28(2)(a) shall be as set out in Form D.

Documentary and other evidence which is to accompany applications for registration

4. (1) Subject to subregulation (1A), an application to a Council for registration shall be accompanied by —

(a) a letter stating reasons for applying for registration in the Islands;

(b) certified copies of diplomas, certificates and current licence under any other jurisdiction;

(c) an original or certified letter of good standing from a current board of registration issued no earlier than three months prior to the submission of the application;

(d) two original letters of professional reference made no earlier than six months prior to application for registration;

(e) a police certificate;

(f) a reference as to good character (made no earlier than six months prior to application for registration) from a person unrelated to the applicant by birth or marriage, being a person of good standing in the community in which the applicant resides or resided and who has known the applicant for at least four years and who is acceptable to the Registrar (including an attorney-at-law, a notary public, justice of the peace or a minister of religion);

(g) subject to subregulation (2), a report as to the physical and mental health of the applicant meeting the requirements of that subregulation and made no earlier than six months prior to application for registration;

(h) one full-face passport-size photograph of the applicant certified as taken no earlier than six months prior to application for registration;

(i) the relevant application fee; and

(j) such other documents and information as the Council considers necessary in determining the application.

(1A) An applicant who is enrolled as a student in an approved nursing programme and who applies for provisional registration as a student nurse in accordance with section 25 of the principal Act and regulations 4(1) and 6, shall be exempt from payment of the application fee referred to in regulation 4(1)(i).

(2) The report given under subregulation (1)(g) shall be given by the applicant's medical practitioner, who must not be related to the applicant by birth or marriage and must have known the applicant for a period of at least two years.

(3) If the Council is satisfied that, because the conditions in subregulation (2) cannot be met, no such report can be given, the Council may satisfy itself as to the mental and physical health of the applicant (so far as the Council considers it necessary to do so having regard to any examination required under

subregulation (4)) by a report given by a registered medical practitioner who, in giving the report, relied on the medical records of the applicant made by registered medical practitioners of whom the applicant was a patient (or by partners of such practitioners) for a period in aggregate of at least two years.

(4) In satisfying itself under subregulation (1), (2) or (3), the Council may, if the Council thinks it necessary, require from the applicant any information which is in addition to that required by subregulation (1) and in relation to subregulation (2) or (3) may require the applicant to be examined by a registered medical practitioner nominated by the Council.

(5) In order to satisfy itself about the good character of the applicant, the Council shall take account of —

(a) the reference provided under subregulation (1)(f);

(b) any criminal offence of which the applicant has been convicted;

(c) the fact that the applicant had been previously struck off a relevant register in any place or had been subject to any other type of professional discipline; and

(d) any other matter which appears to the Registrar to be relevant to the issue.

(6) An applicant shall pay a registration fee within sixty days of the date of the approval of the applicant's registration, and the registrar shall only enter the applicant's name in the register on payment of such fee.

(7) An applicant who defaults in paying a registration fee within the period referred to in subregulation (6) shall incur a penalty of two hundred and fifty dollars.

(8) The documents referred to in subregulation (1) shall be in English and translated versions of documents shall be certified that they are certified documents.

(9) Where certified documents are required or accepted they may be certified by —

(a) a local or overseas justice of the peace;

(b) a local or overseas notary public;

(c) a local or overseas attorney-at-law; or

(d) any other person approved, from time to time, by the Registrar.

(10) Where the applicant is a non-Caymanian health practitioner, the applicant shall provide written evidence at the date of application —

(a) that the applicant is or will be affiliated with one of the registered health care facilities in the Islands; or

(b) that the applicant is or will be employed by an educational institution, a medical school, a nursing school, a home health care company, or a home health care agency, in the Islands.

(11) Where an application is for temporary registration for the purpose of emergency in accordance with section 24(4), the Chairperson of the Council may accept the

references of the applicant's current employer in place of the references required under subregulation (1)(c), (d) and (f).

(12) A reference under subregulation (11) may refer to the physical and mental health of the applicant, and the Chairperson of the Council may accept this in place of the medical report required under this regulation.

Educational qualifications for full registration

5. (1) An applicant shall be eligible for full registration where —

(a) the applicant is fully registered as a health practitioner in —

(i) Australia;

(ii) Canada;

(iii) Jamaica;

(iv) New Zealand;

(v) South Africa;

(vi) the United Kingdom; or

(vii) the United States of America;

(b) the applicant has met the Caribbean regional registration requirements, to practise as a health practitioner, as set out by any relevant organisation including, but not limited to, the Caribbean Association of Medical Councils or the Regional Nursing Body;

(c) the applicant has obtained qualifications from —

(i) the University of the West Indies; or

(ii) any institution accredited by the Caribbean Health Education Accreditation Board; and

has completed any internship required by the University or the institution where the applicant has obtained such qualifications; or

(d) the applicant provides evidence that such applicant is eligible for full registration in any of the countries listed in paragraph (a).

(2) Where a registered practitioner applies for renewal of the registered practitioner's practising licence the Council with which that person is registered shall, in considering such application, first be satisfied that the applicant has obtained any or all of the continuing educational requirements specified by the Council for the practitioner's type of profession during the period in which the practitioner was registered with the Council.

(3) A person who applies for registration as a specialist medical doctor shall provide written evidence that that person has obtained the necessary post graduate qualifications and completed at least three years' specialist training in posts recognised for such training by the Medical and Dental Council.

(4) A person who applies to be registered as a general practitioner shall provide written evidence that that person has worked as a medical doctor under supervision for a period of two years or more in a variety of medical disciplines and at least a minimum period of three months in —

(a) internal medicine;

(b) paediatrics;

(c) obstetrics and gynaecology; and

(d) accident and emergency,

and that that person has also worked in the general practice of medicine for a period of one year or more under the supervision of a general practitioner approved by the Council.

(5) The Cabinet may, on the recommendation of the Medical and Dental Council and in circumstances in which the Cabinet considers it practicable to do so, exempt any specialist medical practitioner from the requirements of this regulation.

Educational qualifications for institutional registration and licensure

5A. An applicant shall be eligible for institutional registration and licensure where —

(a) the applicant is fully registered as a health practitioner in a country other than —

(i) Australia;

(ii) Canada;

(iii) Jamaica;

(iv) New Zealand;

(v) South Africa;

(vi) the United Kingdom; or

(vii) the United States of America; and

(b) the applicant has —

(i) obtained qualifications from an institution approved by a relevant Council in accordance with guidelines approved by the Cabinet and published by the Council in the Gazette; or

(ii) passed an equivalency examination approved by a relevant Council.

Educational qualifications for provisional registration and licensure

6. An applicant shall be eligible for provisional registration and licensure where —

(a) the applicant has obtained qualifications to be a health practitioner in —

(i) Australia;

(ii) Canada;

(iii) Jamaica;

(iv) New Zealand;

(v) South Africa;

(vi) the United Kingdom; or

(vii) the United States of America;

(b) the applicant has passed the Caribbean regional registration examination set out by any relevant organisation including, but not limited to, the Caribbean Association of Medical Councils or the Regional Nursing Body;

(c) the applicant has obtained qualifications from the University of the West Indies or any institution accredited by the Caribbean Health Education Accreditation Board; or

(d) the applicant has qualifications approved by a relevant Council.

Practising licence of registered practitioners on the principal list

7. (1) A practising licence issued to a registered practitioner on the principal list shall, unless renewed, revoked or surrendered, expire on the second anniversary of the birth of the licensee following the date of the first issue or re-issue thereof.

(2) An application for the issue of a practising licence under paragraph (1) shall be accompanied by the fee set out in Schedule 2, apportioned to the number of unexpired months in the relevant period, part of a month being calculated as one month.

(3) A practising licence under paragraph (1) may be renewed for consecutive periods of two years at a time.

(4) An application for the renewal of a practising licence under paragraph (1) shall be made at least twenty-eight days before the date of expiry of the practising licence and shall be accompanied by the fees set out in Schedule 2.

(5) In the event of a Council refusing to issue a practising licence to a registered practitioner on the principal list, the Council shall refund the fees tendered.

Practising licence of registered practitioners on the institutional registration list or the provisional list

7A. (1) A practising licence issued to a registered practitioner on the institutional registration list or the provisional list shall, unless renewed, revoked or surrendered, expire on the date stated in the practising licence.

(2) An application for the issue of a practising licence under paragraph (1) shall be accompanied by the fee set out in Schedule 2, apportioned to the number of unexpired months in the relevant period, part of a month being calculated as one month.

(3) A practising licence issued to a registered practitioner on the institutional registration list may be renewed for consecutive periods, not exceeding a period of two years in any period.

(4) A practising licence issued to a registered practitioner on the provisional list may be renewed for no more than two consecutive periods, not exceeding a period of two years in either period.

(5) An application for the renewal of a practising licence under paragraph (1) shall be made at least sixty days before the date of expiry of the practising licence and shall be accompanied by the fees set out in Schedule 2.

(6) In the event of a Council refusing to issue a practising licence to a registered practitioner on the institutional registration list or the provisional list, the Council shall refund the fees tendered.

Removal from the register

8. (1) Without prejudice to the power of the Registrar under the principal Act to remove the name of a person from the register , the Registrar may remove the name of a health practitioner from the register upon written application made by or on behalf of the health practitioner stating the grounds of the application, accompanied by a statutory declaration that the applicant is not aware of any matter which could give rise to an allegation under section 30(2), 36(1) or 38 which might lead to the removal of the applicant's name from the register.

(2) Whenever the Registrar removes the name of a health practitioner from the register under the principal Act or these regulations, the Registrar shall notify the health practitioner in writing of the removal and of the reasons for it.

Restoration of name to register

9. (1) Where a practitioner's name was erased from the register in circumstances other than those set out in section 36 the practitioner may apply within a period of two months after the practitioner's name was erased for the restoration of the practitioner's name to the register and a fee of one hundred dollars shall accompany the application for restoration.

(2) Where a practitioner's name is erased from the register and the practitioner thereafter wishes to have that practitioner's name restored, the Registrar shall require such person to re-apply for registration.

(3) Where a person re-applies under subregulation (2), the Chairperson of the relevant Council, upon the request of the practitioner and where the practitioner re-applies within a period of twelve months or less after the practitioner's name was erased, may decide that the practitioner need not provide all of the documents required under regulation 4(1) and, if the Chairperson so decides, the Chairperson shall specify which of the documents the practitioner shall provide upon re-application.

Forms relating to clinical trials

10. (1) An application to carry out clinical trials shall be as set out in Form E.

(2) An authorisation to carry out clinical trials shall be as set out in Form F.

Fees

11. (1) Fees payable under these regulations are set out in Schedule 2.

(2) Where a fee is paid by cheque, draft or money order, such cheque, draft or money order shall be drawn in favour of the "Cayman Islands Government".

SCHEDULE 1

(regulations 3 and 7)

Forms

HPL – Form A
[*Council's Name, address and contact details*]

HEALTH PRACTICE ACT

(2021 Revision)

Health Practitioners Registration and Licensure Application

In accordance with the Health Practice Act (2021 Revision), the following information shall be provided by the applicant to the Registrar of the Health Practice Councils for registration and for a licence to practise in the Islands.

1. Mr.

   Mrs.

   Miss_____

   Last name First Middle Maiden

2. Nationality_____

3. Date of birth_____

4. Place of birth_____

5. Permanent address_____

_____

6. E-mail address _____

7. Profession _____

_____

8. Professional education:

Name and location Dates Qualifications (*degrees, etc*.)

_____

_____

_____

_____

9. Professional experience:

Name and location Dates Additional details

_____

_____

_____

_____

10. Two professional referees:

Name Title Address

_____

_____

_____

_____

_____

_____

_____

_____

11. One Personal referee:

Name Title Address

_____

_____

_____

_____

12. Details for registration:

Principal list □ Institutional Registration List □ Provisional List □

Specify dates for Provisional List:

_____

13. Have you ever been arrested or convicted of a crime? If yes, state nature of charge, date and disposition:

_____

_____
_____

14. Have you ever been the subject of professional disciplinary action? If yes, state nature of inquiry, date and disposition:

_____
_____
_____

14A. I understand that once I am approved by the relevant Council, I shall be entered on the register; and I further understand that I am not permitted to practise until I obtain a practising licence or a practising licence is issued to me by the relevant Council.

15. I understand that giving false or misleading information will result in cancellation of registration and forfeiture of the fee tendered. I hereby authorise the Council to investigate my background and contact my referees.

Date _____

Applicant's
signature_____

16. Fee tendered _____on the day of _____ 20 _____.

(*Note: If further space is required, please use additional pages*.)

17. Official use only:

a. Date application and fee received _____ by
_____

b. Date fee paid into Treasury _____ by

_____

c. Investigator's report (if any) _____

_____
_____
_____
_____
_____
_____
_____

d. Date application presented to the Council: _____

e. Date of Council's decision on application_____

f. Disposition of application _____

g. Additional notes _____

_____

_____

_____

_____

Signature of Chairperson of the Council_____

This application is the property of the Government of the Cayman Islands, and will be kept in the confidential custody of the Registrar, Health Practice Councils.

HPL – Form B
[*Council's Name, address and contact details*]

HEALTH PRACTICE ACT

(2021 Revision)

Health Practitioners Renewal of Practising Licence

Application

I, _____

am

licensed as _____ under

the Health Practice Act (2021 Revision) and my licensure as such expires on _____and I am hereby applying for a renewal of my practising licence.

The practising licence fee of _____ is enclosed herewith.

Practising Licence Number_____

Signature of applicant_____

HPL – Form C

HEALTH PRACTICE ACT

(2021 Revision)

HEALTH PRACTITIONERS REGISTRATION CERTIFICATE

in accordance with the power vested in the

COUNCIL

as prescribed by the HEALTH PRACTICE ACT (2021 Revision)

PRACTITIONER

is hereby registered under the above Act as a

PROFESSION SPECIALITY

With effect from this: REG_DATE

Registration Number : REGISTRATION_CODE

_____

Registrar,
Health Practice Councils of the Cayman Islands

Issued this _____ day of _____ 20___.

This certificate is the property of the Government of the Cayman Islands and shall be displayed for the benefit of the public in the principal place of practice of the holder.

HPL – Form CA

HEALTH PRACTICE ACT

(2021 Revision)

HEALTH PRACTITIONERS LICENCE TO PRACTISE

in accordance with the power vested in the

COUNCIL

as prescribed by the Health Practice Act (2021 Revision)

PRACTITIONER

is hereby licensed under the above Act and authorised to practise in the Cayman Islands as a

PROFESSION SPECIALITY

With effect from this: REG_DATE
Until the: END_DATE

Practicing licence Number : REGISTRATION_CODE

_____

Registrar,
Health Practice Councils of the Cayman Islands

Issued this _____ day of _____ 20___.

This certificate is the property of the Government of the Cayman Islands and shall be displayed for the benefit of the public in the principal place of practice of the holder.

HPL – Form D
[*Council's Name*]

HEALTH PRACTICE ACT

(2021 Revision)

Register

1. Entry No_____2. Date of Entry_____

3. Full name_____

4. Nationality_____

5. Address_____

a. Mailing Address_____

_____

b. Employment (*Street Address*)_____

_____

c. E-mail address _____

6. Profession_____
7. Professional qualifications_____

_____

_____

8. Council's decisions, including any restrictions on practice:
_____

_____

_____

9. Details of Registration
a. Principal list □ Visiting Practitioners List□
Provisional List□
b. Speciality
_____
c. Additional Notes_____
_____
_____

10. Registration date _____ Expiration date_____

Registrar's remarks _____

_____

_____

Registrar's signature _____Date_____

HPL – Form E
[*Council's Name, address and contact details*]

HEALTH PRACTICE ACT

(2021 Revision)

Application to the Health Commission for Authorisation for Clinical Trials

I, _____ with

registration as a _____

expiring on the _____day of _____, 20

_____ apply to carry out clinical trials.

The application fee of $ ___ is enclosed herewith.

Details of any clinical trials proposed to be carried out by or under the direction of the applicant

_____

_____

_____

_____

_____

_____

Registration Number_____
Signed_____

NB: *Please attach project details which shall include the following -*

(a) the aims and objectives of the trial;
(b) a description of the medicinal product to be used;
(c) conditions to be treated;
(d) protocol for the management of the clients;
(e) source of the clients;
(f) fees to be charged and their purpose;
(g) names of investigators; and
(h) affiliations of the applicant with named academic institutions.

Where the Commission considers it necessary it may require further project details in addition to those listed above.

HPL – Form F

HEALTH PRACTICE ACT

(2021 Revision)

Certificate of Authorisation by the Health Commission for Clinical Trials

In accordance with the powers vested in the Health Commission under the Health Practice Act (2021 Revision) -

_____ registered under the above Act as a

_____

_____

is authorised to carry out in the Cayman Islands the following clinical trials –

_____

_____

_____

_____

_____

with effect from _____ 20_____ until _____, 20___

Registration number of certificate of authorisation _____

Registration number of Health Practitioners registration certificate_____

_____

Chairperson, Health Commission of the Cayman Islands.

Date_____20_____

This certificate is the property of the Government of the Cayman Islands.

SCHEDULE 2

(regulation 11)

Fees

1.	Application fee -	$500 (non-refundable fee)
	(1) for registration as a health practitioner (payable by all applicants, other than an applicant who applies for provisional registration as a student nurse in accordance with section 25 of the principal Act and regulations 4(1), 4(1A) and 6).	$500 (non refundable fee)
	(2) for clinical trial	
2.	Application for an amendment to registration	$100
3.	Fee for letter of good standing	$25
4.	Licensure fees -	
	(1) Principal list:	$800 per annum
	(a) to practise as a medical doctor, dentist, chiropodist, chiropractor, optometrist, osteopath or podiatrist	
	(b) to practise as any other health practitioner	$500 per annum
	(c) in addition to any fee payable under (a) or (b), the fee to carry out clinical trials	$1,600 per annum
	(2) Institutional Registration list:	
	(a) to practise as a medical doctor, dentist, chiropodist, chiropractor, optometrist, osteopath or podiatrist	$1,000 per annum
	(b) to practise as any other health practitioner	$600 per annum
	(3) *Repealed*	
	(4) Provisional list:	

	(a) for Caymanians, permanent residents and their spouses: to practise as any health practitioner	No fee
	(b) all others:	
	(i) to practise as a medical doctor, dentist, chiropodist, chiropractor, optometrist, osteopath or podiatrist	$800 per annum
	(ii) to practise as any other health practitioner	$500 per annum
	(5) Late fee Payable where an application for the renewal of a practising licence is not made — (a) in the case of a registered practitioner on the principal list, at least twenty-eight days before the date of expiry of the practising licence; and (b) in the case of a registered practitioner on the institutional registration list or the provisional list, at least sixty days before the date of expiry of the practising licence	$100
5.	Fee to inspect a register, for each register inspected	$5
6.	Fee for an official search	$50 per hour or part thereof
7.	Fee for a copy of any part of a register, for every sheet copied -	$10
	(a) if certified	
	(b) if uncertified	$7
8.	Fee for express processing of application (to be processed within 7 business days after the application is reviewed and accepted by the Registrar)	$650

9.	Fee for urgent processing of application (to be processed within 3 business days after the application is reviewed and accepted by the Registrar)	$800
10.	Fee for emergency processing of application (to be processed within 24 hours after the application is reviewed and accepted by the Registrar)	$1,000
11.	Fee to replace Practising Licence or Registration Certificate.	$100

Publication in consolidated and revised form authorised by the Cabinet this 5th day of January, 2021.

Kim Bullings
Clerk of Cabinet

ENDNOTES

Table of Legislation history:

SL #	Law #	Legislation	Commencement	Gazette
	56/2020	Citation of Acts of Parliament Act, 2020	3-Dec-2020	LG89/2020/s1
15/2020		Health Practice (Amendment) Regulations, 2020	18-Feb-2020	LG11/2020/s4
		Health Practice Regulations (2018 Revision)	21-Mar-2018	GE23/2020/s3
5/2018		Health Practice (Amendment) Regulations 2018	26-Jan-2018	GE2/2018/s2
		Health Practice Regulations (2017 Revision)	31-May-2017	GE45/2017/s15
8/2017		Health Practice (Amendment) Regulations 2017	1-Mar-2017	GE20/2017/s1
		Health Practice Regulations (2013 Revision)	21-Oct-2013	G21/2013/s5
25/2013		Health Practice Registration (Amendment) Regulations, 2013	2-Jul-2013	GE39/2013/s4
		Health Practice Regulations (2005 Revision)	8-Aug-2005	G16/2018/s8
		Health Practice Registration (Amendment) Regulations, 2005	2-May-2005	G9/2005/s2
4/2004		Health Practice Registration Regulations, 2004	25-Jun-2004	G13/2004/s4

(Price: $5.60)