
WELSH STATUTORY INSTRUMENTS

2011 No. 734

The Independent Health Care (Wales) Regulations 2011

PART IV

Additional Requirements applying to Independent Hospitals

Chapter 1

Pathology Services, Resuscitation and Treatment of Children in Independent Hospitals

Application of regulations 37 to 39

- 36.**—(1) Regulations 37 to 39 apply to independent hospitals of the following kinds—
- (a) those defined in section 2(3)(a)(i) of the Act except establishments excepted by regulation 3(3); and
 - (b) those in which medical treatment, including cosmetic surgery, is provided under anaesthesia or sedation.
- (2) Regulation 37 also applies to any establishment which provides pathology services.

Pathology services

- 37.** The registered person must ensure that—
- (a) an adequate range of pathology services is available to meet the needs of the hospital;
 - (b) those services are provided to an appropriate standard;
 - (c) appropriate arrangements are made for the collection, and (where pathology services are provided outside the hospital) transportation of pathology specimens; and
 - (d) the patient from whom a specimen was taken, and such specimen, is identifiable at all times.

Resuscitation

38.—(1) The registered person must prepare and implement a written statement of the policies to be applied and the procedures to be followed in the hospital in relation to resuscitation of patients and must review such statement annually.

(2) The registered person must ensure that the policies and procedures implemented in accordance with paragraph (1)—

- (a) take proper account of the right of all patients who have capacity to do so to give or withhold consent to treatment;
- (b) take proper account of valid and applicable advance decisions made by patients under the 2005 Act;
- (c) are available on request to every patient and any person acting on behalf of a patient; and

- (d) are communicated to and understood by all employees and all medical practitioners with practising privileges who may be involved in decisions about resuscitation of a patient.

Treatment of children

- 39.** The registered person must ensure that, where a child is treated in the hospital—
- (a) the child is treated in accommodation which is separate from accommodation in which adult patients are treated;
 - (b) particular medical, physical, psychological, social, educational and supervision needs arising from the child's age are met;
 - (c) the child's treatment is provided by persons who have appropriate qualifications, skills and experience in the treatment of children;
 - (d) the child's parents are kept fully informed of the child's condition and so far as is practicable consulted about all aspects of the child's treatment, except where the child is competent to consent to treatment and does not wish his or her parents to be so informed and consulted.