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**HEALTH PRACTICE LAW**

**(2005 Revision)**

**HEALTH PRACTICE REGISTRATION REGULATIONS**

**(2005 Revision)**

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

The Health Practice Registration Regulations, 2004 made the 25th May, 2004 consolidated with the -

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

Consolidated and revised this 12th day of July, 2005.



**HEALTH PRACTICE REGISTRATION REGULATIONS**

**(2005 REVISION)**

**ARRANGEMENT OF REGULATIONS**

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## HEALTH PRACTICE REGISTRATION REGULATIONS

### (2005 Revision)

1. These regulations may be cited as the Health Practice Registration Regulations (2005 Revision). Citation
  
2. In these regulations- Definition
  - “Caymanian” has the meaning assigned by the Immigration Law, 2003. Law 34 of 2003
  - “Form” means a form in the First Schedule hereto;
  - “section” means section of the principal Law;
  
3. (1) An application for registration and for retention of registration referred to in section 28(2)(b) shall respectively be as set out in Forms A and B. Forms relating to registration
  - (2) The certificate for registration referred to in section 23(5) shall be as set out in Form C.
  - (3) The register referred to in section 28(2)(a) shall be as set out in Form D.
  
3. (1) An application to a Council for registration shall be accompanied by- Documentary and other evidence which is to accompany applications for registration
  - (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;
  - (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.

(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 Registrar is satisfied that, because the conditions in subregulation (2) cannot be met, no such report can be given, the Registrar may satisfy himself as to the mental and physical health of the applicant (so far as he 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 himself under subregulation (1), (2) or (3), the Registrar may, if he 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 Registrar.

(5) In order to satisfy himself about the good character of the applicant, the Registrar 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 his 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 an applicant is a non-Caymanian health practitioner (full-time resident or visiting) he shall provide written evidence at the date of application that he is or will be affiliated with a registered Caymanian health practitioner in the Islands or with one of the registered health care facilities in the Islands.

(11) Where an application is for temporary registration for the purpose of emergency in accordance with section 24(4), the Chairman 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 Chairman of the Council may accept this in place of the medical report required under this regulation.

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

- (a) he 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) he 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 Caribbean Regional Nursing Body;
- (c) he has obtained qualifications from-
  - (i) the University of the West Indies; or
  - (ii) any institution accredited by the Caribbean Health Education Accreditation Board; and

Educational  
qualifications for full  
registration and retention  
of registration

- has completed any internship required by the University or the institution where he has obtained such qualifications; or
- (d) he provides evidence that he is eligible for full registration in any of the countries listed in paragraph (a).

(2) Where a registered practitioner applies for retention of his registration the Council with which he 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 he 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 he 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 he 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 Governor in Cabinet may, on the recommendation of the Medical and Dental Council and in circumstances in which the Governor in Cabinet considers it practicable to do so, exempt any specialist medical practitioner from the requirements of this regulation.

Educational  
qualifications for  
provisional registration  
and retention of  
registration

6. An applicant shall be eligible for provisional registration where -

- (a) he 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) he 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 Caribbean Regional Nursing Body;
- (c) he has obtained qualifications from the University of the West Indies or any institution accredited by the Caribbean Health Education Accreditation Board; or
- (d) he has qualifications approved by a relevant Council.

7. (1) Not later than the 10th October in each year the Registrar shall send to every registered health practitioner- Retention of registration

- (a) a form of application in Form B for the retention of the health practitioner's name in the register;
- (b) a notification of the relevant fee specified in the Second Schedule; and
- (c) a warning that unless a duly completed application in the relevant form is made, accompanied by payment of the registration fee on or before the 1st November in that year, his name will be liable to be erased from the register.

(2) Where no application and payment as is referred to in subregulation (1)(c) is received by the Registrar by the date there mentioned, he shall send a notice of final warning to the registered health practitioner that, if no duly completed application for retention in Form B with payment of the registration fee and a penalty of fifty dollars is made before the end of the period of fourteen days beginning with the day on which the notice was issued, his name will be erased; and if no such application and payment is so made, the Registrar may remove the name of the health practitioner from the register by the 1st January of the following year.

(3) A practitioner may apply, within a period of two months after his name was erased, for the restoration of his name to the register and the name of the practitioner shall be restored on the payment of the registration fee and a penalty of twenty-five per cent of such fee, and the practitioner shall be considered to have been registered from the 1st January of the relevant year.

(4) A practitioner shall be required to re-apply for registration where he has failed to make an application for restoration in accordance with subregulation (3), but the Chairman 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 his name was erased, may decide that the practitioner need not provide all of the documents required under regulation 4(1), and if he so decides he shall specify which of the documents the practitioner shall provide upon re-application.

(5) An application shall not be required under subregulation (2) for the retention of an entry in the register in respect of a person whose registration is suspended.

(6) Upon the ending of a suspension, unless there remains less than three months in the year, the Registrar shall send to the health practitioner the documents mentioned in subregulation (2), treating the reference to the 1st November in a year as a reference to the day twenty days after those matters are sent to the health practitioner, and subregulation (2) shall have effect accordingly.

(7) An application shall not be required under subregulation (2) for the retention of an entry in the register in respect of a person who is first registered on or after the 10th October in the year in question, and any first registration which is given on or after the 10th October in any year shall extend up to the 31st December of the following year and the fee payable in such a case shall be equivalent to one year's registration fee and the monthly rate set for visiting practitioners.

Removal from the register

8. (1) Without prejudice to the power of the Registrar under the principal Law 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 his name from the register.

(2) Whenever the Registrar removes the name of a health practitioner from the register under the principal Law or these regulations, he 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 regulation 7 or section 36 the practitioner may apply within a period of two months after his name was erased for the restoration of his 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 his name restored, the Registrar may require such person to re-apply for registration where the person's name has been erased for a period exceeding two months and, for the purposes of this subregulation, regulation 4(1) shall apply.

(3) Where a person re-applies under subregulation (2), the Chairman 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 his name was erased, may decide that the practitioner need not provide all of the documents required under regulation 4(1) and, if he so decides, he shall specify which of the documents the practitioner shall provide upon re-application.

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

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

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

(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".

**FIRST SCHEDULE**

regulations 3 and 7

**HPL – Form A**

[*Council's Name, address and contact details*]

**HEALTH PRACTICE LAW**

**(2005 Revision)**

**Health Practitioners Registration Application**

In accordance with the Health Practice Law (2005 Revision), the following information shall be provided by the applicant to the Registrar of the Health Practice Councils for registration to practise in the Islands.

1. Mr.  
Mrs.  
Miss \_\_\_\_\_  

Last name	First	Middle	Maiden
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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 ( <i>degrees, etc.</i> )
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9. Professional experience:

Name and location	Dates	Additional details
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10. Two professional referees:

Name	Title	Address
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11. One Personal referee:

Name	Title	Address
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_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

12. Details for registration:

Principal list  Visiting Practitioners List  Overseas List  Provisional List

Specify dates for Visiting Practitioners List or 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:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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 \_\_\_\_\_

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Signature of Chairman 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 LAW  
(2005 Revision)**

**Health Practitioners Registration Retention  
Application**

I, \_\_\_\_\_ am  
registered as \_\_\_\_\_ under  
the Health Practice Law (2005 Revision) and my registration as such expires on  
the \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_ and I am hereby applying for a  
retention of my registration for a further period of one year.

The retention fee of \$ \_\_\_\_ is enclosed herewith.

Registration Number \_\_\_\_\_

Signature of applicant \_\_\_\_\_

Date \_\_\_\_\_

**HPL – Form C**

**[Council's Name, address and contact details]**

**HEALTH PRACTICE LAW  
(2005 Revision)**

**Health Practitioners Registration Certificate**

In accordance with the power vested in the [Council's name] as prescribed by the Health Practice Law (2005 Revision)-

\_\_\_\_\_ is hereby registered under the above Law and authorised to practise in the Cayman Islands as a

\_\_\_\_\_

with effect from this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_

\_\_\_\_\_ until the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_.

Registration Number \_\_\_\_\_

Registrar, Health Practice Councils of the Cayman Islands.

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 LAW  
(2005 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:

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9. Details of Registration

a. Principal list  Visiting Practitioners List

Overseas List  Provisional List

b. Speciality

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c. Additional Notes

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10. Registration date \_\_\_\_\_ Expiration date \_\_\_\_\_

Registrar's remarks \_\_\_\_\_

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Registrar's signature \_\_\_\_\_ Date \_\_\_\_\_

**HPL – Form E**

[Council's Name, address and contact details]

**HEALTH PRACTICE LAW  
(2005 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

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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 LAW  
(2005 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 Law (2005 Revision)-

\_\_\_\_\_ registered under the above Law 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 \_\_\_\_\_

\_\_\_\_\_

Chairman, Health Commission of the Cayman Islands.

Date \_\_\_\_\_ 20\_\_\_\_\_

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

**SECOND SCHEDULE**

regulation 11

**Fees**

- |   |                                 |
|---|---------------------------------|
| 1. Application for first registration as a health practitioner, for an application for clinical trial ( <i>to be paid by all applicants and which is non-refundable</i> ) | \$250                           |
| 2. Application for an amendment to registration   | \$100                           |
| 3. Fee for letter of good standing  | \$25                            |
| 4. Registration fees-   |                                 |
| (1) Principal list:   |                                 |
| (a) to practise as a medical doctor, dentist, pharmacist, chiropodist, chiropractor, optometrist, osteopath or podiatrist   | \$800 per annum                 |
| (b) to practise as any other health practitioner  | \$400 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) Visiting Practitioners list:  |                                 |
| (a) to practise as a medical doctor, dentist, pharmacist, chiropodist, chiropractor, optometrist, osteopath or podiatrist   | \$200 per month or part thereof |
| (b) to practise as any other health practitioner  | \$100 per month or part thereof |
| (c) to retain name in register  | One month's fee per annum *     |
| (d) in addition to any fee payable under (a), (b) or (c) above, to carry out clinical trials  | \$1,600                         |

- (3) Overseas List-
- (a) for Caymanians, permanent residents and their spouses:
    - (i) to practise as a medical doctor, dentist, pharmacist, chiropodist, chiropractor, optometrist, osteopath or podiatrist \$200 per annum
    - (ii) to practise as any other health practitioner \$100 per annum
  - (b) all others:
    - (i) to practise as a medical doctor, dentist, pharmacist, chiropodist, chiropractor, optometrist, osteopath or podiatrist \$800 per annum
    - (ii) to practise as any other health practitioner \$400 per annum
- (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, pharmacist, chiropodist, chiropractor, optometrist, osteopath or podiatrist \$800 per annum
    - (ii) to practise as any other health practitioner \$400 per annum
- 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 -
- (a) if certified \$10
  - (b) if uncertified \$7

*\*In any year a visiting practitioner shall not be required to pay a fee for his first visit in that year where he has paid the fee for the retention of his name in the register for that year.*

Consolidated and revised this 12th day of July, 2005.

Carmena Watler  
Clerk of Cabinet



(Price \$5.60)