Bermuda Health Council
BHeC

Physician Working Group for the Health Council Amendment Act 2016
Meeting Minutes

Meeting Date:	9th August 2016	Time:	4:00pm-6:00pm
Location:	BHeC Boardroom	Note Taker:	Jessica Lightbourne
Attendees:	Dr. Kyjuan Brown, Dr. Burton Butterfield (BMDA), Dr. Henry Dowling (BMDA), Dr. JJ Soares, Dr. Lynette Thomas, Tawanna Wedderburn, Jessica Lightbourne, Laure Marshall		
Apologies:	Dr. Sophie Mathew		

Topic	Details
1. Minutes	1.1. The minutes of 4th August 2016 were reviewed, amended and approved by the group. Final Minutes will be circulated to the physician community by the working group.
2. Additional Physician Concerns	2.1. Additional concerns were provided by the members of the physicians around the spirit and intent of the legislation, licensing fees, the definition of "high risk health technology", the application fee for entering high risk technology, and it was agreed these would be reflected in further detail in an updated version of the Physicians Working Group: Summary of Concerns document.
3. HSP Licensing Regulations Review	3.1. The Bermuda Health Council (Health Service Providers) (Licensing) Regulations 2016 were reviewed section by section, up to Section 8, with detailed discussion on each section; suggested changes are as follows:

Section	Proposed revision by physicians	Actions by BHeC
Section 2 (c): Definitions	• Insert "incentive based" before the word *income* to align with previously proposed change	1. Proposed change to be forwarded for legislative consideration
Definition of financially vested referrals	• Insert "financial" before word *reward* to align with previously proposed change	2. Proposed change to be forwarded for legislative consideration
Fee schedule	• Revise fee schedule to increase the hospital license fees or reduce physician practice fees	3. Fee levels to be reviewed
Fee waivers	• Add fee waiver provision and use accreditation as a criteria for fee waiver	4. Proposed change to be forwarded for legislative consideration 5. Review fee waiving procedures
Inspections	• Ensure expert physician input in facility inspections	6. Include liaising with the BMDA in procedures to have appropriate level of expertise for inspections

Section	Proposed revision by physicians	Actions by BHeC
Section 4(2): Applying for a license	• Amend to specify what information the Health Council can request • Noted objection to prevailing law section (Section 4 (2)) of the Health Council Act 2004	7. Change in legislation not agreed; Agreement to amend and circulate updated HSP License Application Form
5(1)(a): Granting an application	• Review "fit and proper person"	8. Language standardized in professional legislation; will liaise with Chambers
Section 5(2): Application conditions	• Specify conditions or restrictions that could be attached to a license	9. Change not agreed; the intent of the legislation is to ensure a level of discretion given the categories of HSPs and services offered
Section 5(3): License expiration	• Consider the length of the license given	10. License expiration varies according to category of provider; Council to share internal procedures with working group to show re-licensing timelines for categories of HSPs
Section 6 (1) (a): Denial of an application	• Include a timeframe for denying a license after application submission	11. Include timelines in procedures and share with working group
Section 8: Varying conditions of a license	• Specify the conditions the Council can attach • Recommend that conditions only be provided at time of initial application or renewal • Include timeline in legislation	12. Change not agreed; the intent of the legislation is to ensure a level of discretion given the categories of HSPs and services offered
Section 8(5): Appealing license decisions	• Disagreement on the Council's decision having effect notwithstanding that it may be appealed	13. Change not agreed; this is a reasonable, customary provision

3.2. An update on the BMDA meeting held the previous night was provided. It was agreed that the bullet pointed list of BMDA concerns and objections would be sent to the Health Council. It was acknowledged that while the ultimate goal of the BMDA was not to have the legislation (Bermuda Health Council Amendment Act 2016, Licensing Regulations and High Risk Health Technology Regulations) in its current form, it was conceded that physicians refusing to give input would

	not be helpful. 3.3. BMDA requests representation on the Bermuda Health Council Board. The request to be taken to the Health Council Board and Minister for consideration.
4. Any other business	4.1. It was agreed that in the next meeting the review would reconvene starting at Section 9 of the Bermuda Health Council (Health Service Providers) (Licensing) Regulations 2016. 4.2. Next meeting Thursday, 11th August from 4-6pm.

Action Items	Responsible	Target Date
1. Circulate draft minutes from the 9th August meeting to the working group.	Health Council	ASAP
2. A list of BMDA concerns raised at the physician meeting held 8th August 2016 will be shared with the Health Council and will be added to the physicians' concerns document.	Dr. Dowling	11th August

Laure Marshall, Co-Chair

August 12, 2016

Date

Jessica Lightbourne, Secretary

12 August 2016

Date