

CAYMAN ISLANDS



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**THE HEALTH PRACTICE (AMENDMENT) (NO. 2) LAW, 2004**

**(LAW 22 OF 2004)**

ARRANGEMENT OF SECTIONS

1. Short title.
2. Amendment of section 2 of the Health Practice Law, 2002.
3. Amendment of section 15- offences.
4. Savings and validation.

CAYMAN ISLANDS

Law 22 of 2004.

I Assent

B.H. Dinwiddy

Governor.

Date: 16<sup>th</sup> November, 2004

**A LAW TO AMEND THE HEALTH PRACTICE LAW, 2002; AND FOR INCIDENTAL AND CONNECTED PURPOSES.**

ENACTED by the Legislature of the Cayman Islands.

1. This Law may be cited as the Health Practice (Amendment) (No.2) Law, 2004. Short title

2. The Health Practice Law, 2002, in this Law referred to as “the principal Law”, is amended in section 2 by repealing the definition of “authorised insurer” and substituting the following- Amendment of section 2- interpretation

“authorised insurer” means-

- (a) an insurer licensed under the Insurance Law (2001 Revision) to carry on insurance business within the meaning of that Law; or
- (b) any other person or organisation approved by the Commission to provide medical or any other type of indemnity cover in the Islands;”.

3. The principal Law is amended in section 15 by repealing subsection (2) and substituting the following- Amendment of section 15- offences

“(2) A person who operates a health care facility shall -

- (a) provide malpractice insurance or indemnity cover approved by the Commission for the registered practitioners employed by the health care facility;
- (b) ensure that the health care facility is covered with adequate liability insurance; and

- (c) ensure that persons who work at the facility under a contract of services with the health care facility have adequate malpractice and other relevant insurance,

and such malpractice insurance, liability insurance, indemnity cover and any other relevant insurance shall be obtained from an authorised insurer.”.

Savings and validation

4. (1) Where, as an alternative to providing the malpractice insurance required by section 15 of the principal Law, an operator of a health care facility before the commencement of this new Law, provided instead indemnity cover of any type approved by the Commission, such provision is declared to have been lawfully done and is validated.

- (2) “This new Law” means the principal Law as amended by this Law.

Passed by the Legislative Assembly the 29<sup>th</sup> day of October, 2004

LINFORD A. PIERSON

Speaker.

WENDY LAUER EBANKS

Clerk of the Legislative Assembly.