

# Information Statement

## Public Authority: Bermuda Health Council (BHeC)

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### Introduction

This document is the Information statement for the Bermuda Health Council. In accordance with the Public Access To Information (PATI) Act 2010, every public authority has a legal duty to maintain an Information Statement.

The purpose of the PATI Act and this document is to make information readily available to the public without the need for specific written requests, to encourage authorities to proactively publish information and to develop a culture of openness. Every person who is a Bermudian, or resident of Bermuda, has a right to access any record held by a public authority, and a right to amend their personal information held by a public authority if it is incorrect or misleading. However, several classes of information are exempt, including: Personal information (unless it relates to the requestor); Sensitive commercial, information received in confidence; Operations and deliberations of Public Authorities; Cabinet, Ministerial and Governors documents; and Legal documents. All exemptions are subject to the public interest test, except those that would be in contempt of Court, infringe Parliamentary privilege or are prohibited by other legislation [for more information see sections 21 to 40, PATI Act].

### How to make a request

Requests for information, or to amend your personal information, must be in writing using the application form, and submitted to the Ministry Information Officer (see Section G for contact details). A request must identify the record, the subject and time period, and may specify the manner in which access is preferred. Please note there is a small fee levied for reproducing materials (as per the Government Fees Regulations 1976, and as listed on the application form).

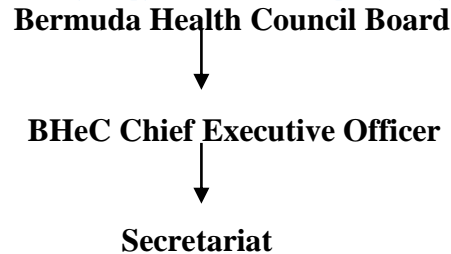
### Key, including definitions

- Council means the Bermuda Health Council
- The Act means the Bermuda Health Council Act 2004
- PATI means Public Access To Information

- [ ] Square brackets, refer to sections of the PATI Act, unless another Act is indicated

**Section A: Structure, Organization and Governing Legislation [s5(1)a]**

*Insert structure of Authority (a chart – if helpful, and some explanatory text):*



**Composition of the Council**

The Council consists of the following exofficio members –

- (a) The Chief Medical Officer;
- (b) The Chief Executive Officer;
- (c) The Permanent Secretary of the Ministry of Health
- (d) The Financial Secretary

And not less than nine nor more than eleven other “ordinary members” appointed by the Minister.

**Chief Executive Officer**

There is a Chief Executive Officer of the Council who is appointed by the Council with the approval of the Minister.

**Employment of Secretariat Staff**

The Council may engage such employees as it considers necessary to fulfill the Council’s functions within budget.

**Constitution of the Secretariat as of October 2015:**

- a) Chief Executive Officer
- b) Director, Health Regulation
- c) Programme Manager, Health Economics
- d) Corporate Office Coordinator
- e) Policy Analyst
- f) Policy Analyst, Health Regulation
- g) Executive Assistant

*Insert Governing Legislation:*

Bermuda Health Council Act 2004  
 Health Insurance Act 1970 and regulations therein  
 Bermuda Hospitals Board Act 1970 and regulations therein

**Section B1: Legislated Functions, Powers and Duties of the Authority [s5(1)b]**

*Insert power, duties and function of the authority (cite Act or Policy):*

Legislative Mandate: Bermuda Health Council Act 2004

**1a. General purpose of the Council** (*Section 4(1) of BHeC Act 2004*)

- (a) the general purpose of the Council is to regulate, coordinate and enhance the delivery of health services.
- (b) In pursuance of subsection (1) where there is any inconsistency between this Act and any Act dealing with health professionals or health service providers, this Act shall to the extent of the inconsistency prevail over that Act.

**1b. Functions of the Council** (*Section 5 of BHeC Act 2004*)

The functions of the Council are -

- (a) To ensure the provision of essential health services and to promote and maintain the good health of the residents of Bermuda;
- (b) To exercise regulatory responsibilities with respect to health services and to ensure that health services are provided to the highest standards;
- (c) To regulate health service providers by monitoring, licensing and certification, and establishing fees, standards and codes of practice;
- (d) To regulate health professionals by monitoring licensing, certification, standards and codes of practice;
- (e) To manage the health insurance plan established under the Hospital Insurance Act 1970 and to license health insurers;
- (f) To identify and publish goals for the health care system, to coordinate and integrate the provision of health services, and make recommendations to the Minister on the prioritization of initiatives with respect to health services;
- (g) To license health service providers;
- (h) To regulate the price at which drugs are sold to the public;
- (i) To establish and promote wellness programmes;
- (j) To conduct research, collect, evaluate and disseminate to the public information on the incidence of illness and other relevant information necessary to support objective decision making with respect to public health and the optimal use of resources; and
- (k) To advise the Minister on any matter related to health services that may be referred to the Council by the Minister.

**Section B2: Obligations under PATI Act [s5(1)b]**

*(same for all public authorities)*

**Obligations of the Authority under the PATI Act**

1. To provide an **information statement** for the public and promulgate it [s5],
2. To provide **other information** to the public so that the public needs only to have minimum resort to the use of the Act to obtain information [s6]. This includes:
  - a. General information, e.g. activities of the Authority
  - b. Log of all information requests and their outcome
  - c. Quarterly expenditure (upon request) [s6(5)]
  - d. Contracts valued at \$50,000 or more.
3. To **respond to information requests** in a timely manner [s12-16]
4. To **track information requests**, and provide this data to the Info Commissioner [s5(8)3]
5. To respond to requests from the Information Commissioner [s9]
6. To **amend personal information** held by the Authority that it is wrong or misleading following a written request by the person to whom the information relates [s19]
7. To conduct an **internal review** if formally requested [part 5]
8. To give evidence for **review by the Information Commissioner** [part 6, 47(4)], or for **judicial review** [s49], if required
9. To provide an **annual written report** to the Information Commissioner of the status of

information requests [s58(3)].

10. **To do anything else as prescribed** under the PATI Act and Regulations [s59, 60], including:

- a. **Managing Fees** for Requests for information
- b. Management and maintenance of **records**
- c. **Following procedures** for administering the Act

11. To **train staff and make arrangements** so as to facilitate compliance with the Act [s61]

12. To **designate an officer** to be the person to whom requests are directed [s62]

### **Section C: Services and Programmes provided [s5(1)c]**

*Insert a summary of services and programmes provided by the authority:*

#### **Regulation**

- Regulate health professionals by monitoring, licensing and certification to assure quality healthcare.
- Monitor and enforce employers' compliance with the Health Insurance Act 1970.
- Monitor and enforce compliance with the Health Insurance (Health Service Providers and Insurers) (Claims) Regulations 2012
- License approved diagnostic imaging facilities and home medical services to assure quality and patient safety.
- Manage and monitor complaints and queries to the Health Council.

#### **Quality**

- Assure provision of essential health services to promote the health of residents.
- Establish codes of practice to assure quality healthcare.
- Identify ways to shift the health system towards providing integrated, patient centred, cost-effective, quality care.
- Introducing quality controls and publication of outcomes data.

#### **Financing**

- Recommend the Standard Premium Rate to the Minister of Health.
- Publish National Health Accounts to monitor finance & expenditure across the health system.
- Establish fees for new Standard Hospital Benefits and SHBs at approved Diagnostic Imaging Facilities and Home Medical Services.

#### **Audit & Governance**

- Communicate regularly with stakeholders and the public to ensure they have information on health sector developments.
- Manage operations in line with our Governance Policy, Financial Instructions and Employee Handbook.
- Publish annual reports on operations of the Council inclusive of financial statements audited by the Office of the Auditor General.

### **Section D: Records held [s5(1)d]**

*List and describe the classes of records held by the authority:*

- Health System Data
  - Health Insurance Companies, Plans, and Approved Schemes raw data for relicensing (various dates) (exempt)
  - Diagnostic Imaging Fee Schedule. (annual) (published on our website: [www.bhec.bm](http://www.bhec.bm))
  - Diagnostic Imaging Fee Schedule raw data (annual) (exempt)

- Home Medical Services Fee Schedule (annual) (published annually on our website: [www.bhec.bm](http://www.bhec.bm))
- Home Medical Services Fee Schedule raw data (annual) (exempt)
- Raw Data for the various research project done annually such as the Adult Health Survey 2011 (annual) (exempt) The complete listing of these projects can be found on [www.bhec.bm](http://www.bhec.bm)
- Actuarial Report. Official report (annual) (published annual on our website: [www.bhec.bm](http://www.bhec.bm))
- Actuarial Report raw data (annual) (exempt)
- National Health Accounts Report. (annual) (published annually on our website: [www.bhec.bm](http://www.bhec.bm))
- National Health Accounts Report raw data (annual) (exempt)
- Regulation Records
- Employer’s Compliance Records
  - Employer’s Compliance Month Report. (monthly) (public access with redactions for employers) Available from the Health Council Information Officer.
  - Employers’ Compliance Data submissions from insurers (monthly) (exempt)
- Standards of Practice Development documents. Available through the relevant Statutory Bodies.
- Other specific projects and working committees (exemption varies by inclusion of proprietary data)
- Complaint and Queries’ Collection
  - Individual complaint or query submission (various dates) (exempt)
  - Monthly Complaint and Query Report to the Regulation Committee. (monthly) (available from the Health Council Information Officer)
- Activities of the Board (public access)
- Meeting minutes of the Board since November 2007 to current (various dates) (public documents)

**Section E: Administration manuals [s5(1)e]**

*Insert list and description of all administrative manuals/ guidelines used by employees for administering or carrying-out activities:*

- Bermuda Health Council Policy and Procedure Manual (Updated regularly since 2011)
- Employee Handbook (June 2012)
- Financial Instructions (June 2012)
- Governance Policy (2010, updated July 2012)

**Section F: Decision-making documents [s5(1)f]**

*Insert list and description of all policies and guidelines for decision making in respect to any person. Note “person” includes any company or association or body of persons, whether corporate or unincorporate; [Interpretation Act, 1951]*

- Bermuda Health Council Act 2004 (2004)
- Health Insurance Act 1970 and regulations therein (1970)
- Bermuda Hospitals Board Act 1970 and regulations therein
- Bermuda Health Council Annual Corporate Plan (Health Council, 2014)
- Governance Policy (Health Council, 2012)
- Financial Instructions (Health Council, 2012)

## Section G: The Information officer [s5(1)g]

*Insert name and contact information:*

Requests for information shall be in writing and submitted to the Ministry Information Officer; from where they will be directed to the Council.

Contact	Attn: Jessica Lightbourne Policy Analyst, Health Regulation Sterling House, 3 <sup>rd</sup> Floor 16 Wesley Street Hamilton HM 11
Mail to	P.O. Box HM 3381, Hamilton HMPX
Visit	Sterling House, 3 <sup>rd</sup> Floor, 16 Wesley Street, Hamilton
Email	healthcouncil@bhec.bm
Tel	292-6420

## Section H: Any Other Information [s5(1)h]

*Insert any other information that you think might be useful for the public to know, so as to decrease requests for information [s6]:*

1. **About us** is available on the Bermuda Health Council website at: <http://www.bhec.bm>.
2. **Fees and Remuneration:** The fees for services and the remuneration of board members for service is governed by the following legislation, respectively:
  - Government Fees Act, 1965; and the Government Fees Regulations, 1976. The Act governs the charging of fees to applicants for services. The Regulations lists the fees for the services.
  - Government Authorities (Fees) Act, 1971. The Act governs the remuneration of body members for services. In brief: the Chair receives \$100, and other members receive \$50, per meeting. Public Officers receive no monies.
3. **Annual Budget:** For the annual expenditure for the past fiscal period (31<sup>st</sup> Mar to 1<sup>st</sup> Apr), see our Annual Report online at: [www.bhec.bm](http://www.bhec.bm); then select Resources; then select Publications; and Annual Reports).
4. The **legislation** listed in this document may be found at Bermuda Laws Online [www.bermudalaws.bm](http://www.bermudalaws.bm) or the Bermuda Health Council website: [www.bhec.bm](http://www.bhec.bm)

## Section I: Any Other Information As Prescribed [s5(1)i)?

*At Dec 2014 there are no Regulations to specify additional requirements for the Information Statement. But note, that the following shall be provided in accordance with s6 of the PATI Act:*

1. **Log of PATI** information access requests: To be provided upon request and with personal identifiers deleted.
2. **Contracts:** Any contracts entered into, with a value greater than or equal to \$50,000 [s6(6)].
3. **Expenditure:** Quarterly expenditure will be provided upon request. Note the expenditure for the previous fiscal year is provided on the Bermuda Health Council's website (as per Section H)

4. **Salaries:** The Minister responsible for PATI shall publish a list of title and salary range of every post of public officers [s6(6)].

**Section J: Information Statement: Copies and Updates [s5(2,3,4,5)]**

Every public authority shall update its information statement at least once a year, and make it available for inspection by the public at reasonable times at [s5(2-5), PATI Act]:

**Locations of Information Statement** (*Confirm copies of Information Statement are available at*):

- Office: Sterling House, 3<sup>rd</sup> Floor, Wesley Street, Hamilton Y
- The Bermuda National Library Y
- The Bermuda Archives Y
- Available electronically at:
  - PATI website <http://www.gov.bm> Select Cabinet Office from the Government tab Y
  - Bermuda Health Council website: [www.bhec.bm/aboutus](http://www.bhec.bm/aboutus) Y
- With the Information Commissioner. N

Have you published a notice in the Gazette indicating the places where the information statement is available for the public? N

**Date Information Statement was updated:**

13<sup>th</sup> October 2015

*Ends*