

## **PUBLIC HEALTH ACT 2016 (WA)**

### **Sections 157(1)(k) and 190(1)(p)**

## **VISITORS TO HOSPITALS AND DISABILITY SUPPORT ACCOMMODATION FACILITIES DIRECTIONS**

The World Health Organization declared COVID-19 a pandemic on 11 March 2020.

On 23 March 2020, the Minister for Health declared a public health state of emergency with effect from 1.30 p.m. on 23 March 2020 in respect of COVID-19 pursuant to section 167 of the *Public Health Act 2016* (WA) (**Act**). On 22 September 2021, the Minister for Health declared a further public health state of emergency with effect from 4.25 pm on 22 September 2021 in respect of COVID-19 pursuant to section 167 of the Act. The public health state of emergency applies to the State of Western Australia.

I, Dr Paul Armstrong, Acting Chief Health Officer, authorised as an emergency officer under section 4 of the Act to exercise any of the emergency powers while the public health state of emergency declaration in respect of COVID-19 is in force, consider it reasonably necessary to give the following directions to all persons in Western Australia to prevent, control or abate the serious public health risk presented by COVID-19 pursuant to sections 157(1)(k) and 190(1)(p) of the Act.

### **PREAMBLE**

1. The purpose of these directions is to prevent the introduction and limit the spread of COVID-19 in **hospitals and disability support accommodation facilities**.

### **CITATION**

2. These directions may be referred to as the **Visitors to Hospitals and Disability Support Accommodation Facilities Directions**.

### **COMMENCEMENT**

3. These directions come into effect at 12.01 am on 29 April 2022.

### **DIRECTIONS**

#### **Visitors to Hospitals**

4. Subject to paragraph 5, the owner, operator or person otherwise apparently in charge of a hospital must take all reasonable steps to ensure that no more than two visitors who are not **approved visitors** enter the facility on any single day for the purpose of

visiting any single resident unless a greater number of visitors has been approved in respect of that resident by the Chief Health Officer or a person approved by the Chief Health Officer for the purposes of this paragraph.

*Note: Up to 2 visitors can visit each patient each day in addition to any approved visitors. Approved visitors are set out in the definitions section of these directions.*

5. Where it is necessary for the purposes of providing urgent or end of life care or support to a patient, and it is not reasonably practicable to obtain the prior approval of the Chief Health Officer or a person authorised by the Chief Health Officer for the purposes of paragraph 4, the owner, operator or person otherwise apparently in charge of a hospital may allow more than 2 visitors (in addition to any approved visitors) to enter the facility to visit that patient on a particular day but must keep a record of those visitors and notify the Chief Health Officer as soon as reasonably practicable.

#### **Maximum number of visitors at disability support accommodation facility**

6. Subject to paragraph 7, the owner, operator or person otherwise apparently in charge of a disability support accommodation facility must take all reasonable steps to ensure that no more than two visitors per day enter the facility for the purpose of visiting any single resident unless a greater number of visitors has been approved in respect of that resident by the Chief Health Officer or a person approved by the Chief Health Officer for the purposes of this paragraph.

*Note: Up to 2 visitors can visit each resident per day. This paragraph does not impose a cap on the total number of visitors who may enter a disability support accommodation facility per day, the cap applies to an individual resident.*

7. Where it is necessary for the purposes of providing urgent or end of life care or support to a resident, and it is not reasonably practicable to obtain the prior approval of the Chief Health Officer or a person authorised by the Chief Health Officer for the purposes of paragraph 6, the owner, operator or person otherwise apparently in charge may allow more than 2 visitors to enter the facility to visit that resident on a particular day but must keep a record of those visitors and notify the Chief Health Officer as soon as reasonably practicable.

## INTERPRETATION

8. Unless specified otherwise, any reference in these directions to any other direction made by the Chief Health Officer is deemed to be a reference to that direction as amended or replaced from time to time.

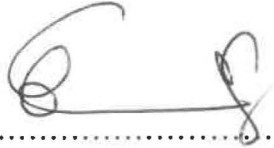
## DEFINITIONS

For the purposes of these directions:

9. **Approved visitor** means:
- (a) a parent or guardian of a child who is a patient;
  - (b) a parent or guardian of an adult patient with complex needs;
  - (c) the **carer** of a patient;
  - (d) the birthing partner of a patient attending the hospital for a purpose connected with the birth of a child;
  - (e) a person who is otherwise present for compassionate or other reasons approved by the owner, operator or person apparently in charge of the hospital.
10. **Carer** has the same meaning as in the *Carers Recognition Act 2004* (WA).
11. **Disability support accommodation facility** means a staffed residential service at which treatment or care is provided specifically for people with a disability, whether by carers or others.
12. **Hospital** has the same meaning as in the Health Services Act 2016.
13. **Supervisor** means the staff member at the hospital or disability support accommodation facility responsible for supervising the hospital or facility at that time.

## **PENALTIES**

It is an offence for a person to fail, without reasonable excuse, to comply with any of these directions, punishable by a fine of up to \$20,000 for individuals and \$100,000 for bodies corporate.



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**Dr Paul Armstrong**  
Emergency Officer

28<sup>th</sup> April 2022 / 25<sup>th</sup> hours