



Maximum number of patients that can be treated at any one time Policy

1. Purpose

To provide a transparent and consistent methodology for determining the maximum number of patients that may be treated at any one time within a licensed private healthcare facility.

This policy supports the application of section 26D(3)(a) of the *Private Hospitals and Health Services Act 1927 (WA)* (the Act) by establishing the patient care positions that are included when determining licensed patient capacity.

For the purposes of this policy a private health service includes:

- private hospitals
- private day hospitals (Class A, B, C and D)
- private nursing homes; and
- private psychiatric hostels.

2. Applicability

This policy is applicable to:

- all private hospitals licensed under the Act
- all private day hospital facilities (Class A, B, C and D)
- private nursing homes
- private psychiatric hostels
- applicants seeking approval, amendment or renewal of a licence under the Act; and
- Licensing and Accreditation Regulatory Unit (LARU) officers responsible for assessing licence applications, licence amendments, licence conditions and annual licence fees

3. Policy Requirements

The Department adopts a patient capacity-based approach to licensing under section 26D(3)(a) of the Act. Consistent with Australian Institute of Health and Welfare (AIHW) health *METEOR identifier 373634*, patient care may be delivered in beds, chairs, trolleys or cots. Accordingly, the maximum number of patients that may be treated at any one time is determined by the number of approved available beds (patient care positions) within a licensed facility rather than by the number of overnight accommodation beds alone.

The maximum number of patients that may be treated at any one time assists in assessing:

- suitability of premises

- emergency management and evacuation capability
- staffing requirements
- equipment and infrastructure requirements
- patient safety; and
- licensing fees and licence conditions.

The maximum number of patients that may be treated at any one time means those patients situated in a suitably located and equipped bed, chair, trolley or cot where the necessary financial and human resources are provided for admitted patient care.

The Licence Holder (LH) is responsible for declaring the maximum number of patients that may be treated at any one time, or in the case of a Private Psychiatric Hostel (PPH), the maximum number of residents who may reside in the hostel.

Inclusions

For the purposes of this policy, in determining the maximum number of patients that may be treated at any one time, available beds include inpatient overnight beds and cots for admitted babies, same day procedural beds, trolleys or chairs, holding positions, recovery bays and discharge chairs (a comprehensive list can be found in the [Maximum Number of Patients that can be Treated at Any One Time Form](#) on the LARU website).

Exclusions

Locations that are not counted towards the maximum number of patients that may be treated at any one time include procedural tables (including delivery tables or beds), cots for non-admitted babies, waiting room seating, temporary surge spaces and non-admitted patient treatment spaces.

LHs for private hospitals, day hospitals and nursing homes are required to complete the *Maximum Number of Patients Treated at Any One Time* form. The approved maximum number of patients that may be treated at any one time is used to determine the applicable licensing fee category and renewal fee category in accordance with the *Private Hospitals (Licensing and Conduct of Private Hospitals) Regulations 1987*. Current fees are published each July and are available on the LARU website.

LHs for PPHs are not required to complete the *Maximum Number of Patients Treated at Any One Time* Form. The LH must provide the LARU with the total number of licensed beds within the hostel. The approved maximum number of residents who may reside in the hostel will be recorded as a licence condition and used to determine the applicable licensing fee category. Information must be provided in writing as part of a licence application, licence renewal, or application to amend licensed bed capacity.

4. Compliance Monitoring

The Licensing and Accreditation Regulatory Unit (LARU), will monitor compliance with this policy through:

- assessment of licence applications, renewals and amendments
- review of floor plans and approved clinical areas
- review of available beds declared by the LH
- compliance inspections and licensing audits
- review of changes to services, patient flow, infrastructure or clinical areas
- investigation of complaints, incidents or concerns relating to patient capacity and

- any other regulatory activity undertaken under the *Private Hospitals and Health Services Act 1927 Act*.

LH must ensure that:

- the number of approved available beds does not exceed the maximum number of patients that can be treated at any one time/ maximum number of residents who may reside in the hostel authorised under the licence
- available beds are appropriately staffed and equipped for their intended purpose
- alterations to approved available beds are not implemented without any required approval under the Act
- floor plans accurately reflect approved available bed positions and
- information provided to the LARU regarding available beds remains accurate and current.

Where the LARU determines that the number or configuration of available beds has changed, the LARU shall require amendment of the licensed maximum number of patients that may be treated at any one time.

For the purposes of compliance monitoring, the LARU may assess the design, function and intended use of a clinical area when determining whether a space constitutes an approved available bed, regardless of the terminology used by the facility.

5. Related Documents

The following documents are mandatory pursuant to this policy:

- *Private Hospitals and Health Services Act 1927 (WA)*
- *Health Services Act 2016 (WA)*
- *Health Services (Day Hospital Facility) Determination 2016 (WA)*
- *Private Hospitals (Licensing and Conduct of Private Hospitals) Regulations 1987*
- *Private Hospitals (Licensing and Conduct of Private Psychiatric Hostels) Regulations 1997.*

6. Supporting Information

The following information is not mandatory but informs and/or supports the implementation of this policy:

- Australian Institute of Health and Welfare (AIHW) *METEOR identifier 373634*

7. Definitions

The following definition(s) are relevant to this policy.

Term	Definition
Available Beds (Patient care position)	An available bed is “A suitably located and equipped bed, chair, trolley or cot where the necessary financial and human resources are provided for admitted patient care”. <i>Australian Institute of Health and Welfare (AIHW)</i> <i>METEOR identifier 373634</i>

Maximum number of patients	The maximum number of patients that may be treated at any one time equals the total number of approved available beds for patient treatment, care, accommodation, assessment, observation or recovery at any one time.
Licence Holder	The person or entity holding a licence under the Act.

8. Policy Contact

Enquiries relating to this policy may be directed to:
 Title: Director, Regulation and Compliance
 Directorate: Patient Safety and Clinical Quality
 Email: LARUReception@health.wa.gov.au

9. Document Control

Version	Published date	Review date	Amendment(s)
RP/002/26	Oct 2026	Oct 2029	Original version - This policy supersedes the <i>Definitions of a private hospital bed and maximum number of patients</i> .

Note: Policies that exceed the scheduled review date will continue to remain in effect.

10. Approval

Approval by	Director, Regulation and Compliance
Approval date	15 Oct 2026

This document can be made available in alternative formats on request for a person with a disability.

© Department of Health

Copyright to this material is vested in the State of Western Australia unless otherwise indicated. Apart from any fair dealing for the purposes of private study, research, criticism or review, as permitted under the provisions of the *Copyright Act 1968*, no part may be reproduced or re-used for any purposes whatsoever without written permission of the State of Western Australia.