

HEALTH COUNCIL
BERMUDA

CARE HOME LICENSING REFERENCE MANUAL

Standards, Procedures, and Regulatory Requirements

Under the Residential Care Homes and Nursing Homes Act 1999 and the Residential Care Homes and Nursing Homes Regulations 2001

2026 V. 1.3.

Contact us

If you would like any further information about the Bermuda Health Council, or if you would like to bring a health system matter to our attention, we look forward to hearing from you.

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LEGISLATION

1.1 Residential Care Homes and Nursing Homes Act 1999 (the Act)

1.2 Residential Care Home and Nursing Homes Regulations 2001 (the Regulations)

1.3 Care Home Code of Practice (the Code)

1.4 Bermuda Health Council (Health Service Providers) (Licensing) Regulations 2024 (HSP Regulations)

PROCEDURE: NEW CARE HOME LICENCE

Opening a care home is a big responsibility and an important service to the community. The process is designed to ensure homes meet high standards for safety, care, and professionalism. There are four key stages in getting licensed: Screening, Application review, Final review, and Licence distribution.

Stage 1 – Screening

The screening process includes the Declaration of Interest and Operator Screening, where the potential owner is assessed for character and preliminary plans for the home are reviewed.

Submit a Declaration of Interest and Operator Screening form via the online submission platform.

Documents Needed:

- Your proposed care home name and address
- The number of residents you plan to accommodate
- Contact info and resumes for the owner(s)
- ID and criminal background checks
- Signed compliance agreement
- Business plan with financial projections
- Building plans (if available)

Screening Review

1. **Receipt of application:** A Health Council officer will review your submission to ensure everything is complete. You'll be contacted by email with either:
    a. Confirmation that everything is in order, or
    b. A request for missing documents or updates

2. **Public Notice and Feedback**: A notice will be published in the Government Gazette. The public has seven days to raise any concerns after publishing. If concerns are raised, they are reviewed and may affect whether your application moves forward. Objections are based on the operator's qualifications, not the building.

3. **Environmental Health Review**: The applicant should schedule an Environmental Health assessment. This will help determine:
    a. How many people the proposed location can safely house
    b. What updates (if any) are needed before opening at that location

4. **Final Step of Screening:** The qualifications of an operator are evaluated using “fit and proper” standards. If approved, you’ll receive confirmation electronically, and the applicant can move to the next stage. Screening and Approval last for 12 months, and applicants may be denied if they do not meet the application requirements, including the background check.

Note: Business plans may need to be adjusted if the approved number of beds differs from the original plan. This should be completed prior to final screening and approval.

Stage 2: Application Review

Application Fee

A fee of $300 is due before the application is reviewed. The Council will send an invoice once the complete application is received.

Submit an online application

This step includes the submission of the formal Care Home Application. It should be completed after the applicant has found a suitable location. Applications are submitted via the online submission platform. Once the screening process is approved, applicants can submit the full care home application form online. This includes:

- Information about leadership, staff, and medical oversight
- Updated business plan and building plans
- Key documents such as a Statement of Purpose and Service Guide
- Copies of draft policies and staff procedures

The following details and documents must be submitted with the Care Home Application.

Application details

1.4.1 Applicant Name

1.4.2 Description of Services

1.4.3 Website (if available)

Staffing

1.4.4 Medical Director Information

1.4.5 Administrator/Executive Director Details

1.4.6 Criminal records check of the Administrator/Executive Director

1.4.7 Resumes of the Administrator/Executive Director

1.4.8 Lead Nurse/Director of Nursing Details

1.4.9 Criminal records check of Lead Nurse/Director of Nursing

1.4.10 Resumes of Lead Nurse/Director of Nursing

1.4.11 Bermuda Nursing Council Registration

Operations

1.4.12 Updated business plan and financial projections

1.4.13 Building Plans

1.4.14 Facility Statement of Purpose

1.4.15 Service Guide

1.4.16 Templates of the: Service Contracts, Draft Job Descriptions, Staff Orientation Plan

1.4.17 Organization chart

1.4.18 Certificate of Occupancy (if available)

1.4.19 Fire Certificate (if available)

Policies and Procedures

Draft policies and procedures (Details on each policy can be found in the Code of Practice)

1.4.20 Admission, discharge, and care coordination of the resident's policy

1.4.21 Medication administration, management, storage and disposal

1.4.22 Protection, detection and reporting of abuse policy

1.4.23 Managing challenging behaviours policy

1.4.24 Use of restraints and restrictive practices policy

1.4.25 Complaints and suggestions policy

1.4.26 Mandatory reporting and handling of incidents policy

1.4.27 Contingency Plans Policy

1.4.28 Food Services and Nutrition Policy (including menus)

1.4.29 Infection Control Policy

1.4.30 Best Practice Clinical Guidelines Policy

1.4.31 Confidentiality Policy

1.4.32 Death of a Care Recipient Policy

If any requirements are missing, the Council officer will notify the applicant and pause the review until all required documents are submitted.

Application Review and Assessment

Submitted applications are not reviewed until all required details have been received. The Health Council has 60 days to review the documents. Application details are shared with a collaborative team called the Elder Care Team (ECT) - including health, fire, therapy, and nutrition experts - for feedback prior to notice of decision. Conditions may be set as additional requirements and will be documented in the decision letter.

Decision Letter

A decision is electronically sent to inform the applicant of approval or denial of the application. If denied, the applicant has 30 days to appeal.

Stage 3: Final Review

Final review is the period of final inspection when the building is nearly ready to open after all conditions, renovations, and requirements are met. These conditions are verified by direct communication or receipt of documentation from the following teams.

- **Fire safety approval** (via Fire Certificate)
- **Occupancy approval** (via Certificate from Planning)
- **Environmental Health clearance**
- **Elder Care Team approval** (Nutrition, Therapy, Nursing, etc.)

All final inspections must be complete before a licence can be issued. If all approvals are in place, you'll receive an email confirming your facility is ready for licensing.

Stage 4: Licence Distribution

Licenses are distributed after all process requirements are met and approval from all ECT and Health Council is complete. The licence will be emailed and the licence will reflect:

- Facility name and address
- Grade level (new homes don't receive a grade initially)
- Number of residents and daycare users
- Owner's name
- Any special conditions on the license

The facility is not permitted to operate prior to receipt of the licence, and it should be displayed and visible at all times. Licenses are not transferable and are specific to the owner and the specific address of the licensed facility. To open another location, the owner will need to complete the full application process. To move a home, the owner should review the care home relocation guidance.

If you have any questions during the process, contact us at **carehomes@healthcouncil.bm**. We're here to help every step of the way.

PROCEDURES: SURRENDERING/CLOSING A CARE HOME LICENSE

Surrendering a care home licence is a significant decision that affects residents, families, staff, and the wider health system. The closure process is designed to protect residents and ensure a safe, well-planned transition of care.

This guidance outlines the requirements for:

- Voluntary closure or licence surrender
- Licence cancellation
- Emergency closure

If you are relocating your care home to a new address, please note that a care home licence is issued for a specific location. You must surrender the existing licence and submit a new application for the new premises in accordance with the New Care Home Licence process.

There are three ways a care home licence may come to an end at its current address:

- **Voluntary closure/surrender –** the owner/operator elects to cease operating the care home and surrender the licence. Reasons may include cessation of operations, loss or termination of a lease, sale of the facility where operations will not continue under the existing licence, or financial or operational inability to continue providing services.
- **Licence cancellation –** the Minister may cancel a licence if an operator fails to meet statutory requirements, licensing conditions, or the Code. The operator is given the opportunity to make representations before a final decision, and if the licence is cancelled, the home generally has three months to wind down and relocate residents.
- **Emergency/involuntary closure –** where there is a serious risk to the life, health, or well-being of residents, the Minister may seek a court order for immediate cancellation, and the standard three-month period may be waived.

Note: The guidance below describes the standard voluntary closure process. Where a licence is cancelled or closed on an emergency basis, the same transition planning and notification requirements apply, but within timeframes established by the Minister or the Bermuda Health Council. Care Homes may not admit new residents within 6 months of closure.

Stage 1: Notify the Health Council

Formal notice of intent to close or surrender the licence should be submitted by the owner(s) or their delegate via the online Care Home form at least six (6) months before the proposed date, where possible. Notification should be submitted through the online Care Home form and include:

- Facility name and current address
- Facility type/category
- Owner(s)/operator(s) details
- Reason for the closure or surrender
- Proposed closure date
- Number of current residents
- Number of residents to be relocated
- Resident health status assessments
- Communication plan for informing residents, families, and staff
- Resident transition plan
- Contingency plan if all residents are not relocated within 60 days of the proposed closure date

The earlier this notice is given, the more time the Council has to support a safe and smooth transition. If any documents or information are missing, the Health Council will follow up by email to request what's outstanding. Updates can be sent to carehomes@healthcouncil.bm.

Closure Plan

A detailed closure plan must accompany the notification and include:

- A timeline of key activities leading to closure
- Resident relocation plans, including family involvement
- Staffing transition arrangements
- Coordination with external providers (e.g., physicians, pharmacies, transportation services)
- Communication strategy for residents, families, staff, and the public

The Health Council will review the plan to ensure resident safety and continuity of care remain the primary focus.

Stage 2: Resident Transition and Closure Requirements

Throughout the closure process, the owner or operator remains responsible for ensuring residents receive safe, uninterrupted care.

The transition plan should address:

- Individual resident assessments and care needs
- Appropriate alternative placement arrangements
- Secure transfer of resident health records
- Emotional and practical support for residents during the transition
- Contingency arrangements if relocation timelines change
- Post-transition follow-up, where appropriate

The Health Council may request updates throughout the transition, including information on resident placements and relocation progress.

Final Verification Visit

Before the facility officially closes, the Health Council may conduct a final visit to:

- Confirm that all residents have been relocated
- Verify resident records have been appropriately transferred or securely stored
- Confirm medications and medical supplies have been properly managed
- Ensure the premises are no longer operating as a licensed care home

The owner or operator may also be required to return the original care home licence.

Stage 3: Licence Cancelation and Closure

Once the Health Council has confirmed that:

- all residents have been safely relocated;
- all closure requirements have been satisfied; and
- the final closure status has been received,
- the care home licence will be officially cancelled.

The Health Council will:

- Issue a formal closure confirmation letter
- Notify relevant government departments, including:
    - Financial Assistance
    - Health Insurance Department
    - Ageing and Disability Services
- Notify additional agencies where appropriate
- Remove the facility from the register of licensed care homes
- Archive the facility's licensing records in accordance with record retention requirements

If you are planning to close or surrender your care home licence, please contact the Bermuda Health Council at **carehomes@healthcouncil.bm** as early as possible. Early engagement allows the Council to work with you to support a safe, coordinated, and resident-centred closure process.

PROCEDURES – SELLING/CHANGE OF OWNERSHIP

When selling a care home or changing ownership to another individual or organization, it's important to follow the proper process to ensure continuity of care and compliance with Bermuda's licensing requirements. This guide explains the steps involved and what both current and prospective owners need to know.

Stage 1: Notify the Health Council

Formal notice is submitted by the owner(s) of the facility via the online Sale/ Change of Ownership of a Care Home form. The current licence holder must notify the Bermuda Health Council in writing of the intent to sell the care home or change ownership. The required details include:

- Name and address of the care home
- Name and contact information of the proposed new owner(s)
- Reason for the ownership change
- Expected date of transition

This helps the Council begin reviewing the new owner and ensure all regulatory standards will continue to be met.

Potential new owners

New owners must follow the initial screening process as outlined in the New Care Home Licence procedure. The Health Council will screen the proposed new owner based on background checks, financial viability, and operational readiness. This process ensures that the care home will continue to meet the required care, safety, and staffing standards under new leadership.

During this time, the current licence remains in effect, but the ownership change is not finalized until Council approval is granted. Until a new owner is approved, the current owner remains responsible for all facility matters.

Information from the New Owner

The prospective owner must provide the same documentation as a new applicant, including:

- Completed Declaration of Interest form
- Owner's resume and photo ID
- Criminal background check
- Signed Agreement of Compliance
- Updated business plan and financial projections
- Any updates to policies, procedures, or facility operations

This allows the Council to determine if the incoming operator meets the "fit and proper" criteria for licensure.

Stage 2: Decision and Transition

If the new owner is approved, a letter of approval will be issued, and a new licence will be prepared under the new owner's name with the details of the facility.

If the application is denied, the seller and proposed buyer will be notified, along with an explanation and any next steps, including the opportunity to appeal.

Stage 3: Licence Distribution

Once the move is complete and all approvals are in place, the Health Council will update the care homes' licence to reflect the new details. The licence will be provided to the owner electronically, and the original licence for the old location will no longer be valid. If there are any conditions tied to the new location, they will be included in the conditions section on the licence. The new owner assumes full responsibility for the care home from the date of licence is issued.

Stage 4: Licence Cancelation

Licence cancellation occurs for the original owner once the closure is confirmed and all requirements have been met by the newly approved owner. Once complete:

- The care home licence will be officially cancelled
- A letter will be issued confirming the closure
- Government departments such as the Financial Assistance, the Health Insurance Department, and the Aging and Disability Services will be notified. Additional collaborative organizations may be notified if deemed necessary by the Council.

The facility will be removed from the list of active licensed homes and all documentation collected by the council for the facility will be archived.

If you're planning to sell your care home or transfer ownership, please contact the Bermuda Health Council at **carehomes@healthcouncil.bm** before finalizing any sale or agreement. This ensures a smooth, compliant transition that prioritizes the safety and care of residents.

PROCEDURE - EXPANDING AN EXISTING FACILITY

Expanding a care home, whether by adding beds, rooms, or services, is a meaningful way to meet growing care needs. However, all expansions must be reviewed and approved by the Bermuda Health Council to ensure they meet safety, health, and licensing standards. This guide explains the steps you need to take if you're planning to expand your existing licensed facility.

Stage 1: Notify the Health Council

Start with a Formal Request

Before beginning construction or admitting additional residents, care home operators must notify the Bermuda Health Council via the online Intent to Expand Form. The required details include:

- Name and address of the care home
- Type of expansion (e.g., additional rooms, increased bed count, new services)
- Reason for expansion
- Expected start and completion dates
- Any changes to staffing or operations

This helps the Council provide early guidance and identify what documentation and approvals are needed.

Documents and Details

Operators must submit detailed documentation that reflects the proposed changes. This may include:

- Updated building plans
- Projected capacity increase (number of new residents)
- Revised staffing plan
- Updated business plan and financial projections

- Any changes to existing policies and procedures
- Certificate of Occupancy (if updated or new areas are involved)

All documents should reflect how the facility will continue to meet care standards following the expansion.

Stage 2: Requirements

All potential expansion plans must be assessed by the Environmental Health team, planning, and fire to ensure compliance with the Legislation and Code. The facility is responsible for following all building legislation with special care to care home legislation. Submit formal plans to planning and provide updated plans to the Health Council via email.

Planning Department – to verify proper zoning and structural readiness

- **Phone:** (441) 297-7756
- **Email:** planningfrontdesk@gov.bm

Ensure Safety and Compliance

The expanded areas of the care home must be reviewed and approved by:

- **Environmental Health** – to assess sanitation, safety, and environmental standards
- **Fire Services** – to confirm fire code compliance
- **Department of Planning** – to verify zoning and occupancy
- **Elder Care Team** – to review any care-related impacts of the expansion

The care home owner or their delegate is responsible for coordinating these inspections and submitting any updated certificates or reports.

Stage 3: Transition and safety planning

All homes must complete and provide a formal transition plan that is shared with the Council. Any updates to the plan should be provided via email to carehomes@healthcouncil.bm.

The care homeowners or their delegates are responsible for developing and transitioning to a safety plan for resident and staff safety during renovations. This plan is required to be submitted to the council via email at carehomes@healthcouncil.bm.

Stage 4: Licence Distribution

Once expansion is complete and all documents and inspection reports are received from stakeholders, the Bermuda Health Council will issue an updated licence to reflect the increased capacity or new layout. Stakeholders, including Aging and Disability Services (ADS), Health Insurance Department (HID), and Financial Assistance, will be notified of the updated licence. The facility should not admit new residents into the expanded space until a new licence has been issued.

Once the move is complete and all approvals are in place, the Health Council will update the care homes' licence to reflect the new details. The licence will be provided to the owner electronically, and the original licence for the old location will no longer be valid. If there are any conditions tied to the new location, they will be included in the conditions section on the updated license

If you're planning to expand your care home, contact the Bermuda Health Council early in the planning stages at **carehomes@healthcouncil.bm**. We're here to help make the process smooth and ensure your facility continues to meet the highest standards of care.

PROCEDURE: TRANSITION PLANNING AND PROCESS

Transitions in care—whether it's a resident moving into, within, or out of a care home—require careful planning to ensure continuity, safety, and emotional support. This guide explains how care home operators in Bermuda can manage transitions effectively and in line with best practices. The table below outlines what should be included in the transition plan based on the specific change.

Transition Plan Table

Category	Explanation	Closing	Relocating	Expanding
Resident Information	Include each resident's name and current location	✓	✓	✓
Reason for Change	State the reason for the transition	✓	✓	
Resident Placement (if applicable)	List the new placement for each resident	✓	✓	

Timeline	Create a timeline and identify key dates	✓	✓	✓
Communication with Residents & Families	Develop a communication plan for families and providers	✓	✓	✓
Family Engagement	Offer early, clear communication to residents/families	✓	✓	✓
External Coordination	Coordinate with hospitals, home care, transport, etc.	✓	✓	
Transfer of Records & Items	Ensure secure transfer of records and items	✓	✓	
Record Retention	Securely store and protect resident records	✓	✓	

PROCEDURE: REDUCED STAFFING REQUEST

Reduced staffing arrangements may be approved for some small rest homes where resident needs and risk levels are low. To protect resident safety and care quality, reduced staffing requests are carefully reviewed and approved for a limited period only. This guide explains when a reduced staffing request may be submitted, what documentation is required, and how decisions are made.

Stage 1: Eligibility Criteria and Requirements

Before submitting a reduced staffing request, care home administrators must ensure that all eligibility criteria are met. Requests submitted without meeting these requirements will not be considered.

Category	Requirement	Yes	No
Resident Capacity & Home Type	The facility is categorized as a rest home	☐	☐
	The home has 10 residents or fewer	☐	☐
	All residents are independent	☐	☐
Resident Clinical Health Status	The home has no more than one (1) intermediate-level resident	☐	☐
	The home residents must be ambulatory and oriented	☐	☐
	The home has no residents diagnosed with dementia	☐	☐

Reduced staffing will **not** be approved if any of the following apply:

- The facility is a nursing home
- The home has more than one intermediate-level resident
- The home has or is approved for more than 10 residents
- The home has 10 residents who are not fully independent
- Any resident has a diagnosis of dementia

The Health Council has the ability to decline for other reasons not listed above.

Resident Nursing Assessment

All residents must be assessed by a nurse. All assessments must follow the Level of Care Assessment Framework outlined in the Code of Practice (page 63), using the recognized care categories:

- Complex Care
- Intermediate Care
- Personal Care

These assessments form the basis for determining eligibility and risk.

Stage 2: Application Submission

Care homes that are eligible and meet the requirements for reduced staffing may submit a Reduced Staffing Request Application.

Stage 3: Decision and Ongoing Responsibilities

Council Review and Decision-Making

When reviewing a reduced staffing request, the Health Council will:

- Verify eligibility based on submitted documentation
- Review resident clinical assessments and nursing reports (Completed by a clinical staff member)
- Confirm compliance with Code of Practice requirements
- Issue a written approval or denial
- Specify the effective start date and expiry date of approval

The home must continue to assess resident levels of care throughout the approval period to ensure resident safety.

Reduced staffing approval is valid for a maximum of three (3) months and must be reapplied for prior to the expiration of the current approval.

Care home administrators are expected to maintain their own records and ensure continued compliance throughout the approval period.

Renewals

Care homes that do not submit a complete renewal application and receive approval before the expiry date must be prepared to return to **two (2) staff members** upon expiration of the approval.

Homes that fail to increase staffing at the end of the approval period, or that do not receive renewal approval, will be required to **increase staffing to two (2) staff members immediately**.

PROCEDURE: NON-COMPLIANCE AND ENFORCEMENT FOR CARE HOMES

Overview

The Health Council monitors care homes' compliance with the Code of Practice, the Residential Care Homes and Nursing Homes Act 1999, and the Residential Care Homes and Nursing Homes Regulations 2001. This section explains, in general terms, how the Health Council identifies and addresses non-compliance in care homes, what a care home is expected to do when a concern is raised, and the measures that may apply if a matter is not resolved.

Identifying and Addressing Non-Compliance

A potential compliance issue may come to the Health Council's attention through a routine inspection, a licence renewal review, ongoing monitoring, or a complaint from a resident, family member, staff member, or other member of the public. Where a concern is confirmed against the requirements of the Code of Practice or the legislation, the Health Council issues a Non-Compliance Notice to the care home's licensee or administrator. The Notice sets out:

- the regulation, standard, or Code of Practice provision involved;
- a description of the issue identified;
- the corrective action required; and
- the date by which the corrective action must be completed.

What a Care Home is Expected to Do

Once a Non-Compliance Notice is issued, the care home is expected to:

- Acknowledge receipt of the Notice within 5 business days;
- Investigate the cause of the issue and submit a corrective action plan within 14 calendar days of the Notice; and
- Complete the corrective action by the date set out in the Notice, providing supporting evidence where requested, such as updated policies, test results, training records, or repair invoices.

Verifying and Closing a Compliance Matter

The Health Council reviews the evidence submitted by the care home and/or conducts a follow-up inspection to confirm whether the issue has been resolved, generally within 10 business days of receiving the evidence. Where the corrective action is confirmed as complete, the Health Council issues a Non-Compliance Closure Notice. Where the corrective action is

incomplete, inadequate, or the deadline has passed without resolution, the Health Council may grant an extension, issue a further Non-Compliance Notice, or take the additional enforcement measures described below.

An Investigation Closure Notice is issued once an investigation is complete with the confirmation of the completed tasks outlined in the original non-compliance notice.

Water Quality and Fire Safety Measures

In addition to the general non-compliance process above, the following measures apply specifically to water quality and fire safety, to help protect resident safety and accountability:

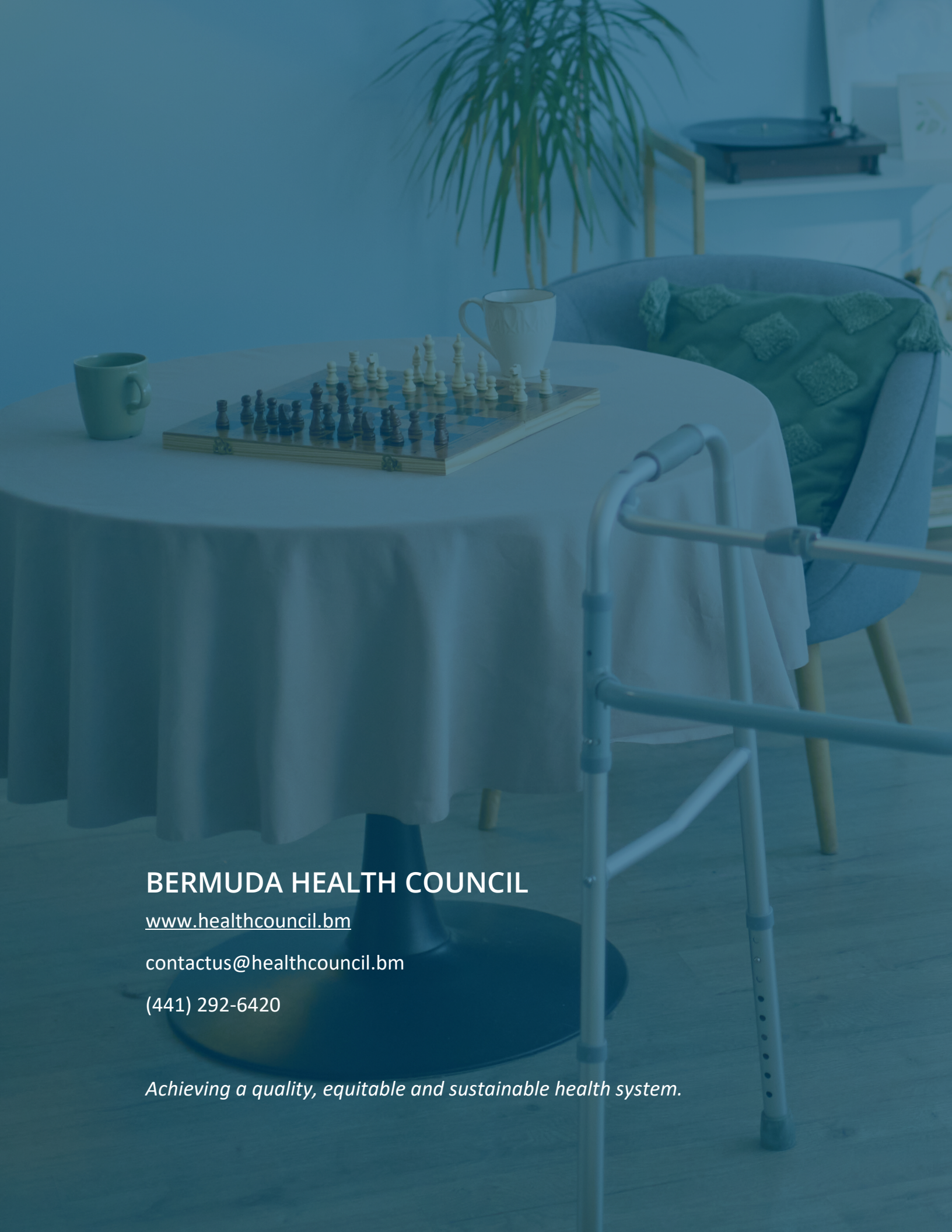
Area	**What Happens**
Water Quality	A care home that fails three consecutive water quality tests within a licensing period must install an approved water filtration system and will automatically receive a Grade “C” on its compliance report card and licence.
Fire Safety	A care home that fails to complete its annual fire inspection for two consecutive years will automatically receive a Grade “C” on its compliance report card and licence.

Escalation of Enforcement Actions

A care home that receives two consecutive Grade “C” ratings due to compliance deficiencies may be subject to further regulatory action, which can include increased monitoring, required administrative training, and/or a review of its licence to operate.

Ongoing Responsibility

Care home management is expected to take all reasonable steps to maintain compliance with regulatory standards at all times, including maintaining safe water quality, adhering to fire safety requirements, and proactively addressing risks to resident health and safety.



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Achieving a quality, equitable and sustainable health system.