

THE NURSING HOMES' REGISTRATION ACT.

Amongst the Bills which received the Royal Assent on December 22nd, was the Nursing Homes' Registration Bill, introduced into the House of Commons on February 11th, 1927, by Mrs. Philipson.

The Bill passed through various vicissitudes during its progress through Parliament, and at one time its promoters, the College of Nursing, Ltd., protested to the Minister of Health against amendments proposed by him, so that it seemed unlikely it would be added to the Statute Book last Session. However, almost at the twelfth hour, difficulties, as a result of compromise, were adjusted and its provisions will come into force on July 1st, 1928.

On December 16th, 1927, the Bill as amended in the Standing Committee, the Report of which was presented to the House of Commons on July 26th, was considered by that House, when the following new Clause was brought up by Captain Cazalet, and read a first time.

1. The Minister of Health may grant exemption from the operation of this Act in respect of any Nursing Home as respects which he is satisfied that it is being or will be carried on in accordance with the practice and principles of the body known as the Christian Church Scientists.

2. It shall be a condition of any exemption granted to a Nursing Home under this Section that the Nursing Home shall adopt and use the name of Christian Science Nursing Home.

3. The exemption granted under this Section in respect of the Nursing Home may, at any time, be withdrawn by the Minister if it appears to him that the Home is no longer being carried on in accordance with the said practice and principles.

The House adopted an amendment by the Minister of Health to substitute the word "House" for "Nursing Home" after "Christian Science," in Sub-Section (2) of the Clause, and the Clause, thus amended, was added to the Bill.

The Bill as sent up to the House of Lords provided that Registration and Inspection shall be carried out by Local Supervising Authorities, which, for the purposes of the Act, are the County and County Borough Councils, with power to the County Councils to delegate their powers and duties to District Councils. This power, indeed, is more than permissive, because any District Council aggrieved by the refusal of a County Council to delegate its powers may make a representation to the Minister of Health, who, after consultation with the County Council, may direct it to delegate powers and duties, and "the County Council shall comply with any direction so given."

The London County Council, and the Common Council, are the Authorities for the County and the City of London respectively, but no power of appeal by Metropolitan Borough Councils is provided for.

Provision is made that the Medical Officer of Health, or some qualified (registered) Nurse, or other officer authorised by the Local Supervising Authority may at all reasonable times enter and inspect any premises which are used or which that officer has reasonable cause to believe to be used, for the purposes of a Nursing Home.

The Debate on the Second Reading of the Bill, in the House of Lords, moved by Viscount Gage, was the most interesting and informative of those which took place upon it.

Speaking on the Motion Viscount Gage said that the Bill emanates from the Report of the Select Committee set up in the House of Commons in the summer of 1926. The Committee came to the conclusion that there was a real need for the registration and supervision of Nursing Homes throughout the country. The Government concurred with that conclusion, and the Bill was the result.

The special points which emerged in the evidence given to the Committee were firstly that the premises of many Nursing Homes were structurally defective and unsuitable

for the purposes to which they were devoted; secondly, that they needed supervision, particularly that class of Nursing Home which caters for poor and senile patients; and, thirdly, that the accommodation of the Nursing Staff was often seriously defective.

The Select Committee came to the conclusion that registration and supervision of Maternity Homes, now dealt with under the Midwives and Maternity Homes Act, should be part of one comprehensive scheme covering all Homes, and the Bill accordingly provided for the repeal of Part II of the Midwives and Maternity Homes Act, 1926, and brought the supervision of Maternity Homes within the scheme for Nursing Homes generally.

Viscount Gage explained that considerable criticism had been made as to the machinery proposed whereby inspection might be effected. The compromise as to the delegation of authority by County Councils to District Councils had been reached after prolonged negotiation, and the Minister of Health hoped that it would be agreed to in its present form.

Admirable speeches, pointing out the defects of the Bill were made by Lord Harris, Lord Dawson of Penn, and Earl Russell, who, in a reasoned speech, annihilated the sophistries as to the exemption of Christian Science Houses. If a Christian Science House is non-medical, he concluded, "say it is non-medical, and put it on that ground; but that does seem to me a clause of the most objectionable character."

The House of Lords adopted a new Sub-Section to Section 7, moved by Viscount Falmouth, the effect of which was to give the Minister of Health power to inspect, at all reasonable times, any Nursing Homes to which the Section applies, which would, of course, include Christian Science Nursing Homes. When this was considered by the House of Commons, that House, on the motion of the Minister of Health, disagreed with the Amendment, and nominated a Committee to draw up reasons for disagreeing with this Amendment.

The reason as communicated to the House of Lords was "Because it involves responsibility for the conduct of Christian Science Houses upon the Minister of Health, which is not desirable."

Viscount Gage moved, "That this House does not insist on the said Amendment." The Motion was agreed to, and the Bill received the Royal Assent the same day.

That it is an Act of compromise and expediency was frankly admitted in both Houses of Parliament, and as such cannot satisfy those who as a matter of principle disapproved of the compromises agreed to.

The laity can still cover the proprietress of a Home, provided she is a Registered Nurse, and untrained persons may still be employed to nurse patients who pay for skilled nursing, provided there is an unknown quantity of qualified Nurses in the Home.

Borough Councils, usually composed of persons who know nothing of medical and nursing science, may be responsible for the inspection of these Homes, and as to the inclusion of what are termed "Christian Science Houses" recognises these institutions on a thoroughly dangerous basis, so far as disease is concerned.

The influence used by Lady Astor and other Christian Scientists in the House of Commons, in this connection, proves how undesirable it is that qualified and unqualified medicine and nursing should be legislated for in the same Act, and also the danger to the public welfare in rushing important Bills through Parliament during the last hours of the Session, when neither House is given time for considered amendment and debate.

We do not anticipate any vital reform in the conduct of private Nursing Homes under the present defective legislation.

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