

Statement by Dr. Yaron Rado, Chief Radiologist and Chairman of the Board of Doctors Hospital on Cayman Court Judicial Review challenging concessions for Institutionally registered medical professionals including Health City and Aster DM.

FOR IMMEDIATE RELEASE

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George Town, Cayman Islands - Dr. Yaron Rado, Chief Radiologist and Chairman of the Board of Doctors Hospital, issued the following statement regarding the three-day judicial review challenging Institutionally registered medical professionals practising in Cayman and the financial concessions awarded to them.

“To set the scene:

Unlike doctors on the Principal List, the Health Practice Regulations don't require institutionally registered doctors to have any postgraduate qualifications or any special training. Institutional List practitioners need only have obtained their qualifications from almost any medical school in the world (vs Principal List providers who must be registered from one of seven countries: Australia, Canada, Jamaica, New Zealand, South Africa, United Kingdom, and the United States).

They are also not required to provide proof of specialist qualifications to call themselves a specialist or consultant, let alone a proper residency program (5 years), a fellowship program (an additional two years), and then three years of post-specialisation experience as required for the Principal List.

The only safeguard for patients to date is that institutionally registered doctors must practice at a “designated facility” and that Cabinet is responsible for designating these facilities.

Of course, the problem is that until April 6 2022, the Cabinet did not require facilities to meet any particular criteria before designating them, and Cabinet has no record of why Health City, Total Health, and Aster DM were designated as such. Cabinet has also not produced any criteria for reviewing the designation of facilities. In other words, there has been nothing to stop facilities from employing inexperienced Institutional List doctors with minimal supervision.

Thankfully today, Government lawyers conceded to our challenges regarding Institutional List providers. Moving forward, all doctors practising medicine in Cayman must meet the same criteria and qualifications as Principal List doctors. This is a huge win for healthcare in Cayman - and for all duly regulated Principal List practitioners after years of dedication and investment into their education in compliance with the Health Practice Act and under the supervision of the Medical and Dental Council (MDC). I want to express my sincere appreciation for our

lawyers Sally Bowler, Chris Buttler, and Ben Tonner from McGrath Tonner, who have worked tirelessly on our behalf to help affect these changes.

In our eyes, the natural next step in supporting this advancement would be to abolish the Institutional List completely. This removal would ensure protection for the public against the risks of a two-tier system – a system that has, until now, permitted lesser qualified and experienced doctors to practice in Cayman under minimal supervision and without the benefit of adequate career development and training.

Unfortunately, all Institutional List physicians with boots on the ground in Cayman are exempted from meeting Principal List standards. Thankfully, the Cayman Islands Medical and Dental Society (CIMDS) has recently launched the “Green Tick” campaign to raise awareness about healthcare providers’ two separate registration lists. We invite the people of the Cayman Islands to educate themselves so they can make informed healthcare choices for their families. We also ask our Government to strongly reconsider their position on this matter as each existing Institutional List provider renews their registration (every two years). They should be held to the same medical standards, values, and code of ethics we Principal List providers stand behind for our patients.

At this juncture, only half the battle is won.

This unbalanced and seemingly arbitrary system of registering doctors in the Cayman Islands is further compounded by astounding financial concessions awarded to Institutional List facilities. Health City (both in the east end and at its current and forthcoming Camana Bay facilities) receives huge financial privileges in the form of stamp duty waivers, import duty exemptions and discounts on work permit fees. This is all predicated on a contract that it entered into with the Government in 2010, which anticipated that Health City would establish a 2,000-bed medical tourism facility, which has never materialised.

By comparison, Doctors Hospital paid CI\$ 1.2 million in stamp duty to acquire its current site and has spent more than CI\$ 1 million in customs duty alone over the last three years. Yet Health City’s medical tourism facility has never truly gotten off the ground. So why are these concessions continuing to be granted?

Whilst the Government has a discretion under the various laws to waive the duties payable by healthcare facilities, indeed by anyone, waivers must be applied for. Once they are, there is no transparent guideline or criteria by which these applications are assessed against: meaning that the Government can effectively choose, behind closed doors, who does and doesn’t get tax breaks. Doctors Hospital is concerned about this lack of transparency and the lack of any regulatory framework which ensures fairness. As a result, Doctors Hospitals seeks a

declaration that transparent criteria for concessions, when granted (and when they won't), must be published for all to see.

Doctors Hospital has the same interest as any other taxpayer in the lawfulness of the Government collecting taxes and believes it is unlawful for the Government to grant waivers to Health City and others on the premise that it is now contractually bound to do so. In particular, when the public is losing out on large sums of money that would be available for public services.

Doctors Hospital's motivation in bringing this judicial review is to, first and foremost, promote and preserve the integrity of healthcare in Cayman and to ensure that the Cayman Islands Government provides a fair and transparent tax system for all.

The ultimate findings from this three-day judicial review will be revealing. I sincerely hope that patient safety and the highest principles of healthcare are fully realised and that we bring an end to a long list of discriminatory concessions that Health City's arrival in the Cayman Islands has brought about."

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