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Applying for a license for a private hospital, a private maternity clinic or a private mental hospital

Heruntergeladen am 18.07.2025

<https://fimportal.de/xzufi-services/103741765/L100010>

Modul	Sachverhalt
Leistungsschlüssel	99050106001000, 99050106001000
Leistungsbezeichnung I	Applying for a license for a private hospital, a private maternity clinic or a private mental hospital
Leistungsbezeichnung II	Applying for a license for a private hospital, a private maternity clinic or a private mental hospital
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Saarland
Freigabestatus Katalog	fachlich freigegeben (gold)
Freigabestatus Bibliothek	fachlich freigegeben (gold)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Gewerbe (050)
Verrichtungskennung	Erteilung (001)

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SDG-Informationsbereich	Erlangung von Lizenzen, Genehmigungen oder Zulassungen im Hinblick auf die Gründung und Führung eines Unternehmens
Lagen Portalverbund	Anmeldepflichten (2010100)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	09.01.2023
Fachlich freigegeben durch	Ministry of Labor, Social Affairs, Women and Health
Handlungsgrundlage	https://www.gesetze-im-internet.de/gewo/_30.html https://www.gesetze-im-internet.de/gewo/_30.html
Teaser	If you want to open a private hospital, a private maternity clinic or a private mental hospital, you must apply for a license.
Volltext	<p>If you want to run a private hospital, private maternity clinic or private mental hospital you will need a license under commercial law, a so-called license.</p> <p>A hospital is a facility that is used for the treatment and care of patients and in which patients are treated as inpatients, i.e. where they are accommodated and fed. are provided.</p> <p>Therefore, dialysis stations, gynecological day clinics, facilities for outpatient operations, oxygen chambers, etc., as well as convalescent homes and cosmetic centers are not considered private hospitals (unless treatment or cosmetic surgery is carried out there), fitness centers carried out there), fitness centers, etc., as well as homes for the elderly and people people in need of care or disabled adults on more than a temporary basis, unless they are hospitals. Homes in which mentally ill or mentally disabled mentally ill or mentally disabled people are accommodated and where only occasional medical care is provided are not private hospitals.</p> <p>Only private, commercially operated hospitals require a license. Public institutions and those operated for charitable, benevolent or scientific purposes or</p>

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scientific purposes do not require a license.

In contrast In contrast to these, the entrepreneur who operates the private hospital has intends to make a profit from the operation. The entrepreneur and therefore the addressee of the permit/licensing requirement is the person in whose name and for whose account the establishment is operated and who makes the necessary provisions with regard to the management and administration of the establishment (in technical and administrative aspects).

The entrepreneur may be a doctor, but need not necessarily be a doctor. to be. The self-employed doctor becomes a trader if and to the extent that to the extent that he operates a private hospital as an independent means of making a profit, his medical activity requires the maintenance of a private clinic (e.g. a surgeon's clinic). surgeon's clinic).

The license is of a personal and material nature, i.e. it is tied to a specific person and to specific premises. person and to certain rooms. It is also granted for a specific type of operation, i.e. the license specifies whether it is for the operation of a private private hospital, a private maternity hospital or a private mental hospital (or a combination of these facilities). a combination of these facilities). The license is issued to the operator, i.e. a specific natural or legal person. or legal entity.

If the company is a partnership that does not have its own legal personality, each of the managing partners requires a license. partners require a license.

The license is granted for an unlimited period of time as long as no changes are made to the clinic premises or similar are made. The competent authority must be informed immediately of any changes to the license granted. immediately. The license does not replace other legally required permits and approvals. authorizations.

The authority granting the license must be notified of the commencement of operations.

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Erforderliche Unterlagen

For the initial license:

On the person of the operator, the shareholders (e.g. in the case of GbR, KG) or the managing directors (e.g. in the case of a GmbH):

- Personal details (name, date and place of birth, occupation, etc.)
- Certificate of good conduct for submission to an authority (document type O)
- Extract from the central trade register for submission to an authority
- Certificate from the insolvency court
- Information from the electronic enforcement portal (debtor register/ list of assets)
- Clearance certificate from the tax office

About the company:

- Commercial register entry
- Articles of association
- Extract from the central trade register for submission to an authority
- Certificate in tax matters from the tax office
- Certificate from the insolvency court
- Extract from the enforcement portal
- Certificate from the insolvency court

For the facility applied for (private hospital):

- Proof of medical management of the facility (contract)
- Proof of further training relevant to the specialty of the clinic (specialist doctor);
- In the case of several specialties, evidence must be provided for each specialty. must be submitted for each specialty,
- Curriculum vitae of the medical director
- Proof that the medical director has been replaced by a doctor with the same qualifications qualification (contract, proof of completed further training)
- Proof of the staff working in the clinic (employment contracts, qualifications, licensing and specialist certificates)
- Proof of cooperation for external anesthesia services

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if a laboratory is connected if other facilities for therapeutic measures and medical-technical services if connected to an obstetrics department of a hospital if connected to an emergency laboratory diagnostics department for connection to a laundry, catering etc.

- Building permit
- Land registry site plan of the building with compass direction
- Construction drawings (floor plans, sections with dimensions of the rooms, windows and doors as well as the purpose of the rooms and number of beds per room) rooms)
- Description of the construction and operation (i.e. the location of the property, the building fabric, the furnishings of the patient and treatment rooms, description of the operating procedure, the indications, as well as the type and scope of treatment measures for each indication, the equipment and organizational measures serving to prevent complications or emergencies, as well as information on patient care. organizational measures as well as information on patient catering, call and hazard alarm systems, safety power supply, ventilation and air conditioning systems systems, (bed) elevators, hygiene reports and plan
- Occupancy overview with sequential numbering of the rooms according to the plans
- Staffing plan (target status), which reflects the intended staffing in the medical and medical and nursing staffing, including the respective training qualifications training qualifications
- List of indications
- Duty instructions for doctors and nursing staff, in particular regulation of on-call duty
- Appointment of a doctor with responsibility for hygiene and submission of proof of further training
- Implementation and submission of the calculation of requirements for the employment of a hygiene specialist
- Information on other hygiene officers (hygiene officers in nursing in nursing, medical assistants with a corresponding function)
- Submission of the contract for consultation with a hospital hygienist a hospital hygienist

The competent authority may request further

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	<p>necessary documents.</p> <p>The submission of documents for the amendment of an existing license depends on the type of amendment.</p>
Voraussetzungen	<p>Requirements according to § 30 GewO:</p> <ul style="list-style-type: none"> • The entrepreneur must be reliable. • The medical and nursing care of patients must be sufficiently guaranteed. • The structural and technical facilities of the institution or clinic must meet the health police requirements. • If the institution or clinic is only located in part of a building that is also occupied by other persons, its operation must not cause any significant disadvantages or dangers for the building's other residents. <p>If the institution or clinic is intended to accommodate persons with infectious diseases or mental disorders, its location must not cause any significant disadvantages or dangers for the owners or residents of neighboring properties.</p>
Kosten	<p>The costs amount to at least € 260.00 for new concessions and at least € 200.00 for change concessions.</p>
Verfahrensablauf	<p>Saarland cooperates with North Rhine-Westphalia in submitting applications in accordance with Section 30 GewO. The formal application is therefore submitted via the Wirtschafts-Service-Portal Nordrhein-Westfalen (NRW WSP).</p> <p>Once your application has been received, the documents will be checked for completeness. Once the documents are complete, the content of your application will be checked and any authorities involved, such as the local police and municipal authorities, will be consulted.</p> <p>Once the examination has been completed, you will receive a decision. https://service.wirtschaft.nrw/</p>

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	https://service.wirtschaft.nrw/
Bearbeitungsdauer	The processing time depends on the individual procedure. The review process and the involvement of other authorities begins when the documents to be submitted are complete.
Frist	There is no deadline for submitting an application. The examination procedure begins when the documents to be submitted are complete. In accordance with Section 49 GewO, the license expires if the holder has not started operating the business within one year of it being granted or has not operated it for a period of one year.
weiterführende Informationen	
Hinweise	
Rechtsbehelf	
Kurztext	<ul style="list-style-type: none"> • Concession for private hospitals, private maternity clinics and private mental hospitals Private hospitals, private maternity clinics and mental hospitals may only be operated with a license • This requires a special permit, the so-called concession in accordance with Section 30 of the Trade, Commerce and Industry Regulation Act (GewO), in addition to the business registration. • In addition to the application, various documents must be submitted that are required for the license to be granted. • Changes must also be reported to the competent authority and, if necessary, a change to the license must be applied for. • The license will not be granted if there are facts that suggest that the company is unreliable for the management or administration of an institution or clinic there are facts that the company cannot guarantee the medical or nursing care of patients the descriptions and plans submitted for structural and other technical facilities do not meet the requirements of the health authorities the institution or clinic is only to be housed in part of a building that is also occupied by other people and its operation could cause

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considerable disadvantages or dangers for the people living in the building the institution or clinic is intended for the admission of persons with infectious diseases or persons with mental disorders and the local situation may cause considerable disadvantages or dangers for persons in the neighborhood

- In Saarland, the Ministry of Labor, Social Affairs, Women and Health is responsible.

Ansprechpunkt

Zuständige Stelle

Formulare

Ursprungsportal

Konzession für ein privates Krankenhaus, eine Privatentbindungsanstalt oder eine Privatnervenklinik beantragen, Applying for a license for a private hospital, a private maternity clinic or a private mental hospital