

99050106001000

Heruntergeladen am 29.06.2025

<https://fimportal.de/xzufi-services/3407/L100042>

Modul	Sachverhalt
Leistungsschlüssel	99050106001000
Leistungsbezeichnung I	
Leistungsbezeichnung II	Private hospitals; application for a license
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Bayern
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	
Fachlich freigegeben am	25.09.2024

Modul	Sachverhalt
Fachlich freigegeben durch	Bayerisches Staatsministerium für Gesundheit, Pflege und Prävention (Bavarian State Ministry of Health, Care and Prevention)
Handlungsgrundlage	http://bundesrecht.juris.de/gewo/__30.html http://bundesrecht.juris.de/gewo/__30.html
Teaser	If you want to run a private hospital, you need a license under commercial law.
Volltext	To operate private hospitals, private maternity clinics and private mental hospitals, the entrepreneur requires a permit. This is issued by the competent district administrative authority. In principle, the entrepreneur is entitled to a license for the private hospital or maternity clinic or private mental hospital. However, the license will be denied if one of the conditions specified in Section 30 (1) of the Trade, Commerce and Industry Regulation Act is met. Reasons for refusal are the lack of reliability of the entrepreneur, inadequate medical or nursing care for patients, structural or technical deficiencies with regard to health police requirements and disadvantages or dangers for fellow residents or neighbors. The entrepreneur must submit an application for approval; the district administrative authority then checks whether a prohibition requirement (see above) applies. The local police and municipal authorities are also consulted. Finally, the permit may be granted subject to conditions or other ancillary provisions.
Erforderliche Unterlagen	• Evidence that there are no grounds for refusal of a permit (self-disclosure and extracts from the register) • Documentation on designated physicians and other personnel for medical and nursing care • Plans of the buildings and equipment of the rooms
Voraussetzungen	Permission is required by the entrepreneur, i.e. the person who operates the establishment on their own account and under their own responsibility. If an establishment is operated by a partnership, each

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	personally liable partner requires authorization. The entrepreneur must demonstrate the above-mentioned reliability in relation to the management or administration of the institution. A hospital only exists if inpatient or semi-inpatient treatment is planned.
Kosten	2,500 to 10,000 EUR
Verfahrensablauf	The entrepreneur must submit an application for approval; the district administrative authority then checks whether a prohibition requirement (see above) applies. The local police and municipal authorities are also consulted. Finally, the permit may be granted subject to conditions or other ancillary provisions.
Bearbeitungsdauer	
Frist	Anyone who starts operating the establishment before the permit has been granted is acting in breach of the regulations and may be fined (Section 144 GewO). It is a criminal offense if the entrepreneur persistently repeats the infringement or if this endangers the life and health of another person or property of significant value (§ 148 GewO).
weiterführende Informationen	
Hinweise	Before submitting an application, the responsible district administrative authority should be consulted regarding the individual documents to be submitted.
Rechtsbehelf	Administrative court action
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	BayernPortal, BayernPortal