



28 SEPTEMBER 2015

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JUDGMENTS

Australia

Federal Court

[Alphapharm Pty Ltd v H Lundbeck A/S \[2015\] FCAFC 138](#)

The Federal Court has dismissed an appeal by Alphapharm Pty Ltd (Alphapharm or the appellant) which challenged the respondent's entitlement to an extension of term of Australian Patent No 623144 (the Patent). The Patent relates to two novel enantiomers of an anti-depressant drug, citalopram.

The extended patent term ensured that the respondent's intellectual property rights in relation to the enantiomers continued until the extended expiry date, restricting Alphapharm's use of the enantiomers until that date.

Alphapharm challenged the extension, arguing that it should not have been granted because the claim of the patent did not relate to a pharmaceutical substance *per se* as required under section 70(2)(a) of the *Patent Act* 1990 (the Act). A "pharmaceutical substance *per se*" means a substance "by or in itself", as oppose to a substance forming part of a method or process. Alphapharm submitted that the 'per se' requirement had not been met because the Patent claimed invention in the separation, isolation or purification of the substance. This suggested the Patent was a method claim.

Rejecting this contention, the Court upheld the decision of the primary Judge. The Court affirmed that section 70(2)(a) applied because the claim of the patent related to the enantiomer *per se*, irrespective of the purification or isolation methods used to produce it.

The Court acknowledged the significant consequences of this decision, noting that the respondent can proceed with its claim against the appellant for infringement of the Patent.

Fair Work Commission

[Sonic HealthPlus Pty Ltd T/A Sonic HealthPlus \[2015\] FWC 6460](#)

On 2 October 2015, Sonic HealthPlus Pty Ltd (SHP or the applicant) is set to acquire the assets and undertakings of Medibank Private Limited's Workplace Health and Travel Doctor businesses (TravelDoctor).

In light of this acquisition, SHP applied to the Fair Work Commission seeking orders to use the *Sonic HealthPlus National Enterprise Agreement 2013-2016* and the *Sonic HealthPlus National Site Service and Projects Enterprise Agreement 2013-2016* (the SHP Agreements) in place of the TravelDoctor's existing *Medibank Health Solutions Enterprise Agreement 2012* (the Medibank Agreement).

The acquisition is expected to prompt changes and some redundancies in the TravelDoctor's current workforce. SHP stated to the Commission that, if permitted to use the SHP Agreements, SHP intends to make offers to 159 employees. Conversely, if the application were not to be granted, SHP would make offers to only 60 employees.

Under the *Fair Work Act* 2009, the Commission may make orders of the kind sought by SHP provided the Commission considers, among other things: the views of the new employer (SHP) and employees;

whether employees will be disadvantaged; any negative impacts to productivity; whether the agreement will incur significant economic disadvantage; and, the public interest.

Balancing the various considerations, the Commission declined to make the orders sought by SHP. The Commission identified that transferring employees would be significantly disadvantaged under the SHP Agreements compared with the Medicare Agreement. Further, the Commission was not persuaded that the Medibank Agreement would impact productivity or incur a significant economic disadvantage to the company.

Jessica Bennetts v Western NSW Medicare Local Ltd [2015] FWC 6517

Alleged dispute about any matters arising under the enterprise agreement and the NES - payment of redundancy payments - ordinary and customary turnover of labour - redundancy payments not payable.

Mrs Fiona Thomas v Australian Health & Nutrition Association Limited T/A Sanitarium Health & Wellbeing Company [2015] FWC 6378

Application for relief from unfair dismissal, applicant failed to attend hearing, lack of response from applicant in relation to absence of hearing, non-compliance with directions, application dismissed.

New South Wales

Kirbach v Health Care Complaints Commission [2015] NSWCATAD 195

INTERLOCUTORY ORDER – application for stay of decision to issue a public statement – interests of the person concerned – public interest.

Health Care Complaints Commission v Sharah [2015] NSWCATOD 99

PROFESSIONAL DISCIPLINE – Medical Profession – Retired Practitioner – Surrendered registration – refusal of application not to hold inquiry – consideration of complaints – findings of professional misconduct, impairment and incompetence – application for prohibition order relating to future paid or voluntary activities – refused.

Qasim v Health Care Complaints Commission [2015] NSWCA 282

MEDICAL PROFESSION – Health Practitioner Regulation National Law (NSW), s 144 – mental impairment, condition or disorder that detrimentally affects practitioner’s capacity to practise – order under s 149C cancelling registration – whether Tribunal’s rejection of treating psychiatrist’s evidence procedurally unfair – whether Tribunal’s finding as to impairment reasonably open – whether Tribunal’s exercise of discretion in cancelling practitioner’s registration miscarried.

South Australia

Inquest into the death of Betty Lorraine Hewlett

Finding - Inquest into the death of Betty Lorraine Hewlett.

Inquest into the death of Giuseppe Larizza

Finding - Inquest into the death of Giuseppe Larizza.

Inquest into the death of John Desmond McAteer

Finding - Inquest into the death of John Desmond McAteer.

United Kingdom

Barrett v Sandwell And West Birmingham Hospitals NHS Trust [2015] EWHC 2627 (QB)

NEGLIGENCE - eye surgery - resulting blindness - alleged negligent delay in administering urgent surgical management of elevated intraocular pressure.

LEGISLATION

25 September 2015 - ***Aged Care (Transitional Provisions) Act 1997*** - C2015C00508 - Act No. 223 of 1997 as amended.

- 22 September 2015 - [Aged Care Act 1997](#) - C2015C00502 - Act No. 112 of 1997 as amended.
- 22 September 2015 - [Therapeutic Goods \(Listing\) Notice 2015 \(No. 5\)](#) - F2015L01469 - as made.
- 21 September 2015 - [GST-free Supply \(Drugs and Medicinal Preparations\) Determination 2015](#) - F2015L01466 - as made.
- 18 September 2015 - [National Health \(Pharmaceutical Benefits\) Amendment \(2015 Measures No. 1\) Regulation 2015](#) - F2015L01460 - SLI 2015 No. 163 as made.
- 18 September 2015 - [Aged Care \(Transitional Provisions\) Amendment \(September 2015 Indexation\) Principles 2015](#) - F2015L01457 - as made.
- 18 September 2015 - [Aged Care \(Subsidy, Fees and Payments\) Amendment \(September 2015 Indexation\) Determination 2015](#) - F2015L01454 - as made.
- 18 September 2015 - [Aged Care \(Transitional Provisions\) \(Subsidy and Other Measures\) Amendment \(September 2015 Indexation\) Determination 2015](#) - F2015L01453 - as made.

Australian Capital Territory

- 24 September 2015 - [Mental Health Bill 2015](#) - Passed
- 24 September 2015 - [Building \(Loose-fill Asbestos Eradication\) Legislation Amendment Bill 2015](#) - Presented
- 17 September 2015 - [Health \(Patient Privacy\) Amendment Bill 2015](#) - Presented

New South Wales

- 15 September 2015 - [Health Services Amendment \(Ambulance Services\) Bill 2015](#) - Assented on 15 September 2015 - Act No 22 of 2015

Queensland

- 17 September 2015 - [Mental Health Bill 2015](#) - Introduced

South Australia

- 23 September 2015 - [Eggs \(Display for Retail Sale\) Bill 2015](#)—introduced by Hon Tammy Franks MLC - Introduced and read a first time
- 23 September 2015 - [Tobacco Products Regulation \(Artistic Performances\) Amendment Bill 2015](#) - As laid on the table and read a first time

Tasmania

- 22 September 2015 - [Liquor Licensing Amendment Bill 2015](#) 48 of 2015 - Introduced and read a first time
- 17 September 2015 - [Health Amendment \(Fees Validation\) Bill 2015](#) 35 of 2015 - Passed both houses

Western Australia

- 22 September 2015 - [Western Australian Health Promotion Foundation Bill 2015](#) - Legislative Council Second Reading

REPORTS

Australia. Department of Health

Media releases

[Facts speak for themselves on drug listings](#) Australia has a world-class Pharmaceutical Benefits Scheme.

Private Health insurance (PHI) Circulars

22 September 2015 - [PHI 65/15 New Private Hospital Information](#)

18 September 2015 - [PHI 64/15 Changes to Second-Tier Eligible Hospitals](#)

18 September 2015 - [PHI 63/15 Nursing-Home Type Patient Contribution Rates and Minimum Benefits as at 20 September 2015](#)

Open Consultation

2014-15 Stakeholder Engagement Plan

Australia. Department of Social Services

22 September 2015 - [Release of the Short-Term Restorative Care Programme Policy Consultation Paper](#). The Department is seeking feedback on the new Aged Care Short-Term Restorative Care (STRC) Programme Policy Consultation Paper. The paper puts forward the proposed key elements of the STRC Programme's policy framework.

21 September 2015 - [Indexation rates for Residential Aged Care and Home Care Packages and changes to the Maximum Permissible Interest Rate \(MPIR\)](#). The schedules for residential and home care fees and charges and supplements have been updated to take effect from 20 September 2015 in line with changes to the basic age pension and indexation rates

18 September 2015 – [Additional Short-Term Restorative Care Programme interested stakeholder workshop](#). In recognition of the interest to attend the Short-Term Restorative Care Programme workshop in Melbourne on 29 September 2015, a second workshop has been scheduled.

Australia. Health Practitioner Regulation Agency(AHPRA) and the boards

25 September 2015 - The Optometry Board of Australia is undertaking public consultation on two guidelines. [Read More](#)

25 September 2015 - The Psychology Board releases Issue 14 of Connections newsletter. [Read full article](#)

25 September 2015 - [AHPRA ACT and WA offices closed on Monday 28 September 2015](#)

25 September 2015 - [Nursing and Midwifery Board of Australia to fund a national service to support nurses and midwives with a health impairment](#). The Nursing and Midwifery Board of Australia (NMBA) will fund a nationally consistent health support service for all registered nurses and midwives, and students enrolled in approved nursing and midwifery courses.

24 September 2015 - [Newsletter from the Board](#). The Dental Board of Australia releases its latest newsletter.

23 September 2015 - [Using radiation in Australia](#). The Board has published a new web page that provides information to the public and registered practitioners about using ionising radiation in healthcare in Australia.

22 September 2015 - The Optometry Board of Australia releases its latest newsletter. [Read More](#)

18 September 2015 - The Osteopathy Board of Australia (the Board) invites applications from experienced osteopathy practitioners interested in being included on a list of approved persons for appointment to panels to assist the Board in its primary role of protecting the public. [Read full article](#)

Australia. National Health & Medical Research Council

22 September 2015 - [Highest-ranked stars of medical research recognised](#) The Australians behind new research to combat diseases and conditions like cancer, depression and birth defects will be recognised tonight at a prestigious awards ceremony.

[NHMRC Research Tracker - 18 September 2015](#)

[NHMRC Health Tracker - September 2015](#)

Australia. Therapeutic Goods Administration (TGA)

24 September 2015 - [Silimed medical devices \(all - including breast implants\)](#) Safety advisory - products suspended from sale in Europe

24 September 2015 - [TGA participation in the IMDRF Table of Contents \(ToC\) pilot](#) The TGA will participate in the IMDRF pilot to trial the internationally harmonised medical device electronic submission format

22 September 2015 - [Australian Public Assessment Reports for prescription medicines \(AusPARs\)](#) Added Triptorelin Acetate (Decapeptyl), Botulinum toxin type A (Xeomin), Rituximab (MabThera) and Propranolol hydrochloride (Hemangirol)

21 September 2015 - [Launch of the Medical Device Single Audit Program \(MDSAP\) Pilot](#) Medical Device Single Audit Program (MDSAP) Mid-Pilot report has been released.

21 September 2015 - [Compositional guidelines](#) Added calcium pyruvate, choline dihydrogen citrate, dimethylglycine hydrochloride, lepidium meyenii, magnesium pyruvate and ribose

17 September 2015 - [Devices Sponsor Information Day](#) Sponsors, agents and manufacturers of medical devices and in-vitro diagnostic medical devices are invited to attend a Devices Sponsor ...

17 September 2015 - [ACPM meeting statement, Meeting 305, Friday 7 August 2015](#) Advisory Committee on Prescription Medicines, Meeting 305 statement

16 September 2015 - [New Queen Slimming soft gel capsules](#) Safety advisory

Australian Institute of Health & Welfare

[Media release: Continued slow growth in health spending \(24 Sep 2015\)](#) A new report from the Australian Institute of Health and Welfare (AIHW) shows that spending on health rose in 2013–14, after record low growth in the previous year. The report, Health expenditure Australia 2013–14, shows that \$154.6 billion was spent on health goods and services in 2013–14. This was up by 3.1% in real terms from the previous year.

[Media release: Australians' use of palliative care services double over the last decade \(23 Sep 2015\)](#) A new web report from the Australian Institute of Health and Welfare (AIHW) shows that palliative care-related hospitalisations have risen by over 50% in the last decade.

Australian Commission on Safety and Quality in Health Care

21 September 2015 – On the Radar – Issue 241 ([PDF 92KB](#)) ([Word 130KB](#))

Australia. Pharmaceutical Benefits Scheme

21 September 2015 - Response to Consultation Comments - Price Disclosure Originator Brand Removal [Read More](#)

18 September 2015 - Confirmed 1 October 2015 prices resulting from the 2015 October Cycle of Price Disclosure [Read More](#)

Australia. National Mental Health Commission

24 September 2015 – [Commissioner Brogden announced as one of The Australian Financial Review and Westpac Women of Influence for 2015](#). Commissioner Lucy Brogden has been announced as a winner in The Australian Financial Review and Westpac 100 Women of Influence Awards for 2015. Ms Brogden has been recognised in the public policy category for her continued contribution to the work of the National Mental Health Commission.

Australian Capital Territory. Health Directorate

25 September 2015 - [New Mental Health Act improves rights and entitlements](#). The rights and entitlements of people with a mental illness and their carers have been more clearly defined by legislation passed in the ACT Legislative Assembly today.

Minister for Health Simon Corbell said the Mental Health Bill 2015, combines with the Mental Health Treatment and Care Amendment Act 2014 to create the Mental Health Act 2015. This new Act creates a fresh approach to service delivery and brings the ACT's mental health legislation into line with the United Nations Convention on the Rights of People with a Disability and the ACT Human Rights Act.

"The new Act empowers people with mental illnesses and mental disorders to make critical decisions about their treatment, care and support to help them optimise their self-management and recovery," Mr Corbell said.

New South Wales. Ministry of Health

Publications

24 September 2015 – [HealthStats NSW: Privacy Issues and the Reporting of Small Numbers](#)

22 September 2015 – [Starting Family Foods - Introducing Your Baby to Solid Foods](#)

Policy Directives & Guidelines

22 September 2015 - [Death - Verification of Death and Medical Certificate of Cause of Death](#)
PD2015_040

21 September 2015 - [Pension Based Scale of Fees - Charging Arrangements and Scale of Fees](#)
PD2015_039

17 September 2015 - [Lobbyist - Code of Conduct, Lobbying Government Officials](#) PD2015_038

Information Bulletins

17 September 2015 - [Living Away from Home Allowance](#) IB2015_056

New South Wales. Health Care Complaints Commission

25 September 2015 - [Dr Alexander Sharah - professional misconduct, impairment and lack of competence – disqualified for two years.](#) The Health Care Complaints Commission prosecuted Dr Alexander Sharah, an 80 year old psychiatrist, before the NSW Civil & Administrative Tribunal (NCAT) at an inquiry held between 16 - 17 February 2015. [Read the full media release...](#)

21 September 2015 - [Dr Ferdinand Saldevar - professional misconduct proved.](#) The Health Care Complaints Commission prosecuted Dr Ferdinand Saldevar, a general practitioner practising at Wagga Wagga, before the NSW Civil and Administrative Tribunal (NCAT). [Read the full media release...](#)

21 September 2015 - [Dr Paramalingam Lingathas – unsatisfactory professional conduct - reprimand and conditions.](#) The Health Care Complaints Commission prosecuted Dr Paramalingam Lingathas, a general surgeon, before a Medical Professional Standards Committee at an inquiry held on 24, 27 and 28 April 2015. The matter was referred to the Commission following a section 150 hearing which occurred due to an investigation by the Sydney South West Area Health Service into Dr Lingathas's professional management of several cases at Campbelltown Hospital involving biliary surgery. In January 2011 Dr Lingathas was suspended from Campbelltown Hospital and as a result of the investigation he was not reinstated as a visiting surgeon. Two separate complaints regarding Dr Lingathas's clinical conduct were also received by the Commission from individual patients. [Read the full media release...](#)

Northern Territory. Department of Health

25 September 2015 - [Turning point reached for renal patient housing in Central Australia](#) - Housing Minister Bess Price announced today a key milestone in delivering increased accommodation and support to Indigenous renal patients in Central Australia.

25 September 2015 - [NT Mental Health Service Strategic Plan 2015 to 2021](#)

Queensland. Department of Health

24 September 2015 - **Queensland Government collaborates with Johnson & Johnson Innovation on Quick Fire Challenge global health competition** - The Queensland Government today announced a collaboration with Johnson & Johnson Innovation on a worldwide competition to encourage game-changing health innovations to be developed and commercialised in Queensland.

24 September 2015 - **Extra support in Redlands for victims of domestic and family violence** - Families affected by domestic and family violence in the Redlands area now have greater access to help with the official opening of a new local service today.

23 September 2015 - **Minister opens Maryborough's first dedicated palliative care facility** - Minister for Health and Ambulance Services Cameron Dick joined Member for Maryborough Bruce Saunders to officially open a newly refurbished ward at Maryborough Hospital today.

23 September 2015 - **Premier opens hi-tech Youngcare Share House at Wooloowin** - Four young Queenslanders with high care needs can now experience the same lifestyle as others their age, Premier Anastacia Palaszczuk said today when officially opening the Youngcare Share House at Wooloowin.

22 September 2015 - **\$25 million for UQ genomics research** - A \$25 million boost to genomics research at Queensland research institutions will help experts in their efforts to improve healthcare.

21 September 2015 - **Hutchinson Builders to build Queensland's first co-located emergency hub at Alpha** - Hutchinson Builders has been named as the successful tender to build Queensland's first co-located hospital, ambulance, police, fire and emergency services facility at Alpha in the Central West.

20 September 2015 - **First frontline initiatives to tackle Ice menace** - The Palaszczuk Government will immediately begin the rollout of new frontline initiatives to tackle the scourge of the drug Ice in Queensland.

18 September 2015 - **CareFlight launches new Brisbane chapter** - Queensland's lifesaving RACQ CareFlight Rescue has marked the start of a new chapter in the state's south, with Minister for Health and Ambulance Services Cameron Dick today launching a new base and aircraft for the lifesaving service at Brisbane Airport.

18 September 2015 - **LGBTI police, firies and corrective services officers to make Queensland history** - Police, firies and corrective services officers will make Queensland history tomorrow when - for the first time - they take part in the Brisbane Pride Festival march together decked out in their service uniforms.

17 September 2015 - **Major mental health reforms for Queensland** - Today marks an historic day in the history of mental health with the introduction of Queensland's Mental Health Bill 2015.

South Australia. Department for Health & Ageing

23 September 2015 - **SA scores 100 per cent for national immunisation benchmarks** - South Australia has achieved all four national immunisation benchmarks, including significant improvements in Aboriginal vaccination rates, according to a new report released this week. The National Partnership Agreement on Essential Vaccines Performance Report shows South Australia is among the best performing states for immunisation coverage. Minister for Health Jack Snelling said the latest results are evidence of SA Health's focus on improving vaccination rates, particularly in Aboriginal children.

17 September 2015 - **New Royal Adelaide Hospital to be completed in July 2016** - The State Government and the SA Health Partnership consortium have today confirmed a revised timeframe for the completion of the new Royal Adelaide Hospital. Minister for Health Jack Snelling said completion of the new hospital would now occur in July 2016, with the move from the current hospital rescheduled to occur by November 2016. "The revised timetable follows extensive discussions with the SA Health Partnership consortium, our staff and unions," Mr Snelling said.

Tasmania. Department of Health & Human Services (HHS)

24 September 2015 - **Sleeping out for the Salvos** - The Hodgman Liberal Government is committed to delivering more affordable housing for vulnerable Tasmanians.

23 September 2015 - **Next step in the implementation of the Better Outcomes health reforms** - Today I released the next step in the implementation of the One State, One Health System, Better Outcomes reforms, the Implementation Plan.

22 September 2015 - **Advisory panel helping to improve support for Tasmanians living with autism spectrum disorder** - Tasmanian living with autism spectrum disorder (ASD) should have every opportunity to reach their goals and to achieve their full potential

19 September 2015 - **LGH Support Plan** - The Hodgman Liberal Government is fixing Tasmania's broken health system. Today, I am very pleased to announce we are taking steps to ease pressure in the Launceston General Hospital's Emergency Department. While patient numbers presenting to the LGH have remained consistent with previous years, the number of patients requiring admission have increased. As a result this has put pressure on the ED.

18 September 2015 - **Public Consultation on Podiatry Prescribing in Tasmania** - Public comment is being sought on proposed changes to the *Poisons Act 1971* which would enable podiatrists and podiatric surgeons to prescribe a limited range of Schedule 2, 3, 4 and 8 medicines in Tasmania. The Podiatry Board of Australia (PodBA) has established a governance structure to support podiatry prescribing which underpins the podiatry prescribing frameworks currently in place in all jurisdictions, except Tasmania. Podiatry prescribing has been successfully and safely implemented in these other jurisdictions and there is growing evidence demonstrating the benefits of podiatry prescribing. One of the potential benefits for Tasmania is the opportunity to foster 'shared care' models of care between endorsed podiatrists and medical professionals, which will foster inter-professional collaboration providing more timely access to scheduled medicines and improved treatment outcomes.

17 September 2015 - **Mental Health Week** - Each of us has a role to play to ensure our own mental health is supported, strengthened and protected.

Victoria. Department of Health

Media Releases

24 September 2015 - **Exporting our medical expertise and research to China** - Victoria will export its health and medical research and experience to China and will reap the benefits of China's expertise, following historic agreements struck today between the State and key Chinese provinces. The agreements between Victoria and the Jiangsu and Sichuan Provinces, will enable new healthcare training programs for Victorian GPs and allied health professionals, joint ventures in bio-medical research and assistance to Jiangsu Province to help develop its aged care, primary and community health sectors.

24 September 2015 - **Local concerns lead to review of Bellarine Peninsular Community Health Services** - The Andrews Labor Government will undertake a comprehensive review of community health services on the Bellarine Peninsula, including the health needs of the community and who should provide these services, to ensure locals are able to access the care and treatment they need. This is in response to the findings of an independent report into Bellarine Community Health, which found there has been a significant lack of community engagement by the organisation. Bellarine Community Health is a public company registered with the Department of Health and Human Services as a community health centre. It provides community based primary health and aged community care services.

23 September 2015 - **New paramedics to hit the roads across Victoria** - Minister for Ambulance Services Jill Hennessy tonight congratulated Ambulance Victoria's newest paramedics at a graduation ceremony at the Arts Centre. More than 250 new paramedics have completed Ambulance Victoria's Graduate Ambulance Paramedics program this year, which supports paramedics to transition from university to the workforce. This year's graduates include 235 Advanced Life Support Paramedics, 21 Mobile Intensive Care Ambulance (MICA) paramedics, two MICA flight paramedics, and one paramedic from the Rural Sponsored Degree program. About 53 per cent of this year's graduates are women.

23 September 2015 - **Health Service Violence Prevention Fund** - Eligible health services are now able to apply for funding to reduce and prevent violence, through the Victorian Government's \$20 million Health Service Violence Prevention Fund. The Health Service Violence Prevention Fund will be rolled out over the next four years, and includes \$10 million in grants for hospitals and health services, and \$10 million for mental health services. Under the first round of funding, \$3 million is available in 2015-16 for eligible services to improve their facilities, making them safer for staff, patients and visitors.

23 September 2015 - **\$500,000 upgrade to social and Community Health's Yarra Junction facility** - EACH Social and Community Health's Yarra Junction facility will undergo a major revamp through a \$500,000 capital injection from the Andrews Labor Government. The funding will allow for an upgrade and remodel of existing services at 2468 Warburton Highway. This will create two additional counselling rooms, increased consumer service space including a dedicated reception and waiting area, a large meeting/training room, open-plan staff workstations, and three offices for co-location of complementary services.

23 September 2015 - **New joint clinical and police response to help people with mental illness in Melbourne's north-east** - The Andrews Labor Government will provide \$226,250 this financial year to introduce a new Mental Health and Police Response (MHaP Response) partnership between Austin Health and Victoria Police in the north-eastern suburbs. The MHaP Response will deliver a more targeted and timely response to people needing urgent mental health support in the community, while also reducing pressure on police, ambulance and emergency departments. Under the program, Austin Health's mental health clinicians will travel with police to call-outs. Many police and ambulance call-outs involve people in a critical state due to mental illness. MHaP Response will ensure that people with a mental illness receive the most appropriate and the least-restrictive care in a timely way, minimising harm to the person and their family.

23 September 2015 - **More Victorians winning the fight against cancer** - New data shows that while more Victorians were diagnosed with cancer in 2014, survival rates are improving. The annual *Cancer in Victoria Statistics and Trends* report compiles data from the Victorian Cancer Registry, including incidence and mortality data for a range of cancers, survival rates, and projections for the future.

22 September 2015 - **Applications open for Disability Self-Help Grants** - Applications are now open for the Andrews Labor Government's Self-Help Grants program, which supports people with a disability, their carers and families. Parliamentary Secretary for Carers and Volunteers, Gabrielle Williams, today encouraged all Victorian disability self-help groups to apply for the grants.

21 September 2015 - **Update: Middle East Respiratory Syndrome Coronavirus (MERS-CoV)** - Update to Alert issued 17 June 2014

21 September 2015 - **Changing Places will make the zoo accessible to all** - A day out at the Melbourne Zoo is now more accessible and convenient for all Victorians and visitors to the State with the opening of a \$110,000 *Changing Places* facility, funded by the Andrews Labor Government. Minister for Housing, Disability & Ageing, Martin Foley today opened the newest *Changing Places* facility, completed in time for the third term school holidays. *Changing Places* facilities are larger-than-standard accessible toilets and have extra features and more space to meet the needs of people with a disability and their carers. Each facility has a height-adjustable, adult-sized changing bench, a tracking hoist system, space for two people and a safer and cleaner environment.

17 September 2015 - **Hospital bypass system to end next month in Victoria** - Hospital bypass will no longer be used in Victoria from Wednesday 7 October 2015. Currently, metropolitan hospitals can request for ambulances to bypass them and take non-urgent patients to another hospital emergency department during times of peak demand. The system was first introduced 20 years ago, however it has long been recognised that it is not the best way to manage the flow of patients in emergency departments. This change will bring Victoria in to line with all other Australian States and Territories who have all removed hospital bypass systems.

Hospital Circulars

18 September 2015 - **Publication Number 03/2015** - Changes to Hospital Bypass

15 September 2015 - **Publication Number 06/2015** - Public Hospital Charges - Changes to Nursing Home Type Patient (NHTP) Fees - Effective from 20 September 2015

Western Australia. Department of Health

Media Releases

23 September 2015 - **Minister for Health and Minister for Regional Development: Connecting via video saves lives across WA** - Using high-definition videoconferencing equipment to connect emergency

medicine specialists in Perth to doctors and nurses in regional hospitals, Western Australia's Emergency Telehealth Service (ETS) is now available in 72 emergency departments (EDs) across the State.

23 September 2015 - **National award for Charlies based team** - A team based at Sir Charles Gairdner Hospital in Perth has won a prestigious National Health Medical Research Council award in recognition of its work to improve treatments for heart and kidney disease.

23 September 2015 - **Telehealth goes statewide** - Using high-definition videoconferencing equipment to connect emergency medicine specialists in Perth to doctors and nurses in regional hospitals, Western Australia's Emergency Telehealth Service is now available in 72 emergency departments across the State.

22 September 2015 - **Spring edition of Healthview published** - The spring edition of WA Health's Healthview magazine is now available in print and online.

21 September 2015 - **Minister for Health: New funding initiative supports WA researchers** - Health Minister Kim Hames today announced a new \$1.2 million State Government funding initiative aimed at helping Western Australia's medical and health research institutes meet necessary infrastructure costs associated with their research programs.

21 September 2015 - **Northam Hospital upgrade well underway** - Plans for the Northam Hospital redevelopment are well underway with architects recently visiting the hospital to discuss the latest designs with key hospital staff.

18 September 2015 - **Minister for Mental Health: Good Outcomes Award finalists announced** - A boxing and art program for secondary school girls and a street-based outreach service for homeless youth are among the finalists in this year's Mental Health Good Outcomes Awards.

18 September 2015 - **Shellfish health warning for parts of the Swan and Canning Rivers** - The Department of Health is asking people not to eat shellfish collected from the lower part of the Swan and Canning Rivers. The lower parts include any area from the Kent Street Weir in the Canning River to the Narrows Bridge on the Swan River and up to Point Walter. WA Health Environmental Health Director Jim Dodds said recent tests in the area had found high levels of a potentially harmful microscopic algae species that could produce shellfish poisoning.

17 September 2015 - **Minister for Health: Donations from WA give health hope to Zambia** - Thanks to the State Government's efforts to build government, health and business links between Western Australia and Africa, valuable medical equipment from Perth is helping improve health care resources and treatment in Zambia.

Reports & Publications

24 September 2015 - **Elective Surgery Wait List (ESWL) reports**

Operational Directives

23 September 2015 - **OD 0627/15** - Healthy Options WA: Food and Nutrition Policy for WA Health Services and Facilities - The Healthy Options WA: Food and Nutrition Policy for WA Health Services and Facilities aims to improve and maintain the health of staff and the broader community by providing health care establishments that support and model good nutrition and healthy eating options. It applies to all settings and occasions where food and drinks are available to staff, visitors and outpatients within WA Health. The Policy is based on a 'traffic light' system of food classification based on nutrient content and alignment with the Australian Dietary Guidelines. All food and drinks are classified as Green, Amber or Red (defined below). These categories define the permitted sale, display and promotion of food and drinks.

New Zealand. Ministry of Health

22 September 2015 - **Relationships and emotional support: Findings from LiLACS NZ** - This short report presents findings from the Life and Living in Advanced Age Cohort Study (LiLACS NZ) about the relationships people in advanced age have with family and friends and whether they feel they have emotional support.

21 September 2015 - [A Guide to the Commissioning Framework for Mental Health and Addiction 2015: Consultation document](#) - The Commissioning Framework for Mental Health and Addiction provides a national commissioning frame for implementing an outcomes-focused approach for mental health and addiction. This draft document has been co-designed with the sector through a broad initial workshop and representation throughout the co-design process.

17 September 2015 - [The Investigation and Surveillance of Poisoning and Hazardous-substance Injuries](#) - These guidelines provide guidance on notifications of poisoning and hazardous substances injuries that are legally required under the Health Act 1956 and Hazardous Substances and New Organisms Act 1996.

United Kingdom. Department of Health

24 September 2015 - [Dental Prototype Agreements: directions and patient information](#) - Guidance

23 September 2015 - [Public health commissioning in the NHS 2015 to 2016](#) - Guidance

23 September 2015 - [Equality analysis: extension of childhood flu immunisation](#) - Research and analysis

23 September 2015 - [Delegation of pandemic flu telephony services to NHS England](#) - Guidance

22 September 2015 - ['Group Work' psychological wellbeing and work feasibility pilot evaluation](#) - Research and analysis

22 September 2015 - ['Telephone Support' psychological wellbeing and work feasibility pilot evaluation](#) - Research and analysis

21 September 2015 - [DH FOI releases: 2015](#) - FOI release

18 September 2015 - [Fire safety in the design of healthcare premises \(HTM 05-02\)](#) - Guidance

18 September 2015 - [Tim Kelsey stepping down as National Information Board Chair](#) - News story

17 September 2015 - [The role of the National Data Guardian for health and social care](#) - Open consultation

17 September 2015 - [FGM enhanced dataset: guidance on NHS staff responsibilities](#) - Guidance

United States of America. Department of Health & Human Services

21 September 2015 - [HHS advances development of new monoclonal antibody drug for Ebola](#)

21 September 2015 - [Final Federal Health IT Strategic Plan 2015-2020 Released](#)

17 September 2015 - [HHS hosts 50-state convening focused on preventing opioid overdose and opioid use disorder, takes important step to increase access to treatment](#)

Australian Medical Association

24 September 2015 - [Families pick up the tab as Commonwealth health spending slows](#) - Government spending on health has slowed dramatically while the health bill for households has increased sharply as the Commonwealth pushes more of the burden of care on to individuals and families. In a result that undermines Federal Government claims that health funding is 'out of control', an Australian Institute of Health and Welfare report shows that Commonwealth spending grew by just 2.4 per cent in 2013-14 – below the rate of inflation – and its share of total health spending has plunged from almost 44 per cent to 41.2 per cent in just five years.

24 September 2015 - [Patients face potentially lethal delays as hospitals struggle](#) - Emergency physicians have warned the public hospital system is at "breaking point", with thousands of patients being forced to wait hours for a hospital bed, clogging emergency departments and preventing ambulances from unloading.

A survey by the Australasian College of Emergency Medicine of all the nation's 121 accredited emergency departments has found that 70 per cent of emergency department patients are being delayed more than

eight hours as they wait for beds in other parts of the hospital to become available, adding to evidence of enormous strain in the system.

21 September 2015 - [Canadian doctors unwilling to aid in assisted dying](#) - Earlier this year, the Supreme Court of Canada struck down laws banning physician-assisted suicide for patients with “grievous and irremediable” medical conditions. Despite the change, a new survey indicated only 29 per cent of Canadian physicians would be willing to assist a gravely ill patient who wants to end their life. The poll conducted by the Canadian Medical Association (CMA) found that 63 per cent of doctors wanted no part in assisted dying, while a further eight per cent remained unsure.

British Medical Association

25 September 2015 - [A vision of general practice](#) - A vision for a modernised general practice in England was launched by the BMA GPs committee this we...

23 September 2015 - [Skilled migrants play vital role in patient care](#) - Restricting highly skilled migrants could have an ‘extremely serious’ impact on patient

21 September 2015 - [GP funding key to improving patient choice](#) - Increasing funding to general practice is the key to improving patient choice

21 September 2015 - [Juniors' contract unchanged in Wales](#) - Junior doctors in Wales will not have a new contract imposed on them

21 September 2015 - [Northern Ireland to resume consultant contract negotiations](#) - The BMA Northern Ireland consultants committee has joined its counterparts in England by voting

18 September 2015 - [Parents back healthy eating plan for schools](#) - Calls to introduce laws promoting healthy eating in schools put forward by the BMA

Canadian Medical Association

24 September 2015 - [Media Advisory - BC Forum on Health Care will focus on the need for a national seniors strategy](#)

22 September 2015 - [Gallant right to nudge Ottawa about health, CMA says](#)

21 September 2015 - [Feds can afford \\$3.3 billion for health, including seniors, CMA says](#)

21 September 2015 - [Federal Policy Action to Support the Health Care Needs of Canada's Aging Population](#)

ABOUT US

Caroline Atkins



Caroline Atkins is the Office Managing Partner for the Canberra office of DLA Piper and has worked extensively in the health sector for Australian Government agencies. Her experience includes the conduct of major technology projects for the health sector, such as in the e-health and aged care sectors, and in advising the Commonwealth on the implementation of policy programs in contractual arrangements (including for medical indemnity insurance and for CSO arrangements for PBS funding). She has also advised the National Blood Authority on major Commonwealth contracts for the supply of blood products including with the Red Cross and CSL. Caroline's commercial experience extends over 30 years and also includes significant experience in ICT outsourcing, whole-of-government technology procurements, intellectual property rights licensing, contract management, procurement strategy and dispute resolution.

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