

HEALTH ALERT

27 JANUARY 2015

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JUDGMENTS

Australian Capital Territory

Wang v Australian Capital Territory - [2015] ACAT 5

The ACT Civil and Administrative Tribunal found that Mr Wang had been directly and indirectly racially discriminated against by Canberra Hospital's "Priorities Policy" for the selection of interns.

Wang, a migrant from China, holds degrees from a Chinese university. To fulfil his final requirement for registration as an Australian health practitioner, he applied for an internship at Canberra Hospital.

The Hospital has a policy for allocating internships which categorises applicants into Categories 1-8, depending on where they obtained their medical qualification. Category 1 is limited to ANU graduates. All internationally trained graduates are automatically Category 8. The categories in between are for graduates of other Australian universities.

In 2014, there were only enough internships for applicants in Categories 1 and 2. A Category 8 graduate had no prospect of obtaining a position. The Tribunal was satisfied that this amounted to direct and indirect discrimination.

On its face, the policy distinguishes between applicants on the basis of where they graduated from medical school and does not single out any particular nationality per se. However, because persons of foreign origin generally attend medical schools in their home countries, Category 8 placement constitutes less favourable treatment of foreign-born applicants. The Tribunal considered that the policy places a condition on internship applicants: to be considered for the internship, they need to have graduated from ANU or another Australian university. This deprived persons of foreign origin (and thus education) of the opportunity for training as interns at Canberra Hospital.

19 December 2014 - **Foot v Dixon** - [2014] ACTA 51

Appeal and new trial - General Principles - Negligence - Whether standard of care breached – No basis for disturbing finding of trial judge.

Victoria

Finding into the Death of Paul Kanis - COR 2012 / 0367

Paul Kanis, a 38 year old man with a long history of mental illness and drug dependency, died from the interaction of various drugs he had been prescribed by two different doctors.

Dr Rooney had been treating Kanis for heroin addiction by administering opioid replacement therapy (ORT). Dr Ham managed Kanis' mental health problems with an array of central nervous system suppressants (including benzodiazepines). Each doctor knew of the involvement of the other in Kanis' healthcare, but neither was fully informed of the prescriptions being ordered by the other.

In 2012, under Dr Rooney's care, Kanis switched from one form of ORT (suboxone) to another (methadone) - unbeknownst to Dr Ham. Dr Ham continued to administer benzodiazepines. Kanis died as a result of the combination of these drugs. The "real issue" in this inquest, according to Coroner Heffey, was "the fact that this combination occurred without the knowledge of either of [Kanis'] treating doctors." Her Honour noted that this is a "major known issue" with the delivery of ORT in Victoria.

Coroner Heffey's recommendations include:

- As a matter of urgency, the Victorian Department of Health (VDH) must implement a Real-Time Prescription Monitoring (RTPM) system; and
- The VDH should seek expert advice on whether guidelines should be drafted to assist doctors who are treating ORT patients.

Coroner Heffey directed that a copy of her finding be provided to the VDH, the Victorian Minister for Health and the Royal Australasian College of General Practitioners (among other health-related entities).

New South Wales

19 December 2015 - [O'Reilly v Western Sussex NHS Trust \(No.6\)](#) [2014] NSWSC 1824

Torts - negligence - fatal accidents legislation (UK) - compensation of relatives - medical negligence - essentials of cause of action - duty of care - standard of care - health care practitioners act in accordance with a responsible body of their peers practicing in the UK in 2003. Torts - negligence - ought to have ordered a colonoscopy be undertaken to ensure the whole of the left colon up to and including the splenic flexure was visualised - whether particular doctor free to proceed in a way which did not conform to the Guidelines of the Association of Colonoscopy of Great Britain and Ireland if the doctor judged that the particular circumstances warranted a different approach - breach of duties established.

18 December 2015 - [Health Care Complaints Commission v Hutchinson](#) - [2014] NSWCATOD 151

Administrative law-Civil and Administrative Tribunal (NSW)-Occupational division - Health Practitioner List - Complaint against enrolled nurse - unsatisfactory professional conduct and professional misconduct - Commission of criminal offences for Dishonesty - failure to disclose criminal convictions and making of false statements to nurse registration authorities - whether enrolled nurse unfit in the public interest to practice nursing - whether enrolled nurse not a suitable person to hold registration as an enrolled nurse - Enrolled nurse disqualified from being registered as an enrolled nurse or nurse for one year.

Queensland

12 December 2015 - [Medical Board of Australia v Alroe](#) [2014] QCAT 677

Professions and Trades - Health Care Professionals - Medical Practitioners - DISCIPLINARY PROCEEDINGS – PROFESSIONAL MISCONDUCT AND UNPROFESSIONAL CONDUCT – GENERALLY – where the respondent admitted to three allegations – where the parties agreed the conduct in relation to each allegation amounted to unprofessional conduct – where the parties agree that the conduct, when looked at in totality, amounts to professional misconduct – where the parties agree on the sanction to be imposed – whether the proposed sanction is appropriate.

LEGISLATION

Commonwealth

16 January 2015 - [Health Insurance \(General Medical Services Table\) Repeal \(Duration of Attendance\) Regulation 2015](#) - F2015L00049 • SLI 2015 No. 1 as made.

16 January 2015 - [Health Insurance \(Midwife and Nurse Practitioner\) Revocation Determination 2015](#) - F2015L00048 • as made.

15 January 2015 - [Australian Aged Care Quality Agency \(Other Functions\) Specification 2014](#) - F2015L00044 • as made.

15 January 2015 - [National Health \(Pharmaceutical Benefits – Early Supply\) Amendment Instrument 2015 \(No. 1\) – specification under subsection 84AAA\(2\) \(No. PB 8 of 2015\)](#) - F2015L00043 • PB 8 of 2015 as made.

15 January 2015 - [National Health \(Prescriber bag supplies\) Amendment Determination 2015 \(No. 1\) \(No. PB 7 of 2015\)](#) - F2015L00042 • PB 7 of 2015 as made.

14 January 2015 - [National Health \(Listing of Pharmaceutical Benefits\) Amendment Instrument 2015 \(No. 1\) \(No. PB 1 of 2015\)](#) - F2015L00040 • PB 1 of 2015 as made.

14 January 2015 - [National Health Determination under paragraph 98C\(1\)\(b\) Amendment 2015 \(No. 1\) \(No. PB 2 of 2015\)](#) - F2015L00039 • PB 2 of 2015 as made.

14 January 2015 - [Health Insurance \(Section 19AB Exemptions\) Guidelines 2015](#) - F2015L00038 • as made.

14 January 2015 - [Health Insurance \(Midwife and Nurse Practitioner\) Amendment Determination 2015](#) - F2015L00035 • as made.

12 January 2015 - [National Health Security \(National Notifiable Disease List\) Amendment \(Vectorborne Diseases\) Instrument 2014](#) - F2015L00030 • as made.

12 January 2015 - [Health Insurance \(General Medical Services Table\) Amendment \(Duration of Attendance\) Regulation 2014 \(No. 2\)](#) - F2015L00029 • SLI 2014 No. 214 as made.

Australian Capital Territory (ACT)

16 January 2015 - [Mental Health \(Treatment and Care\) \(Care Coordinator\) Revocation 2015 \(No 1\) NI2015-19](#)

26 December 2014 - [Health \(Fees\) Determination 2014 \(No 5\) DI2014-320](#).

New South Wales (NSW)

20 December 2014 - [Health Practitioner Regulation Legislation Amendment Act 2014 No 84](#) - Commenced.

Tasmania

16 December 2014 - [Ambulance Service \(Fees\) Amendment Regulations 2014 \(S.R. 2014, No. 143\)](#).

REPORTS

Australia. Department of Health

Media releases

15 January 2015 - [Government to consult on Medicare reform](#). The Government is responding to concerns that have been raised about the new Medicare measure to improve patient care and tackle the problem of "six minute medicine."

23 December 2014 - [Tackling ICE a priority of the Australian National Advisory Council on Alcohol and Drugs](#). The harm associated with the dangerous drug Ice will be a key focus of the newly shaped Australian National Advisory Council on Alcohol and Drugs.

18 December 2014 - [Appointment of Julia Gillard to beyondblue](#). The Minister for Health Peter Dutton has congratulated *beyondblue* on the appointment of former Prime Minister Julia Gillard to its board.

17 December 2014 - [Community Awareness Grants motivate Australians to DonateLife](#). The Australian Government is providing funding of \$462,064 for public awareness initiatives that encourage Australian families to discuss and know each other's organ and tissue donation wishes.

Private Health insurance (PHI) Circulars

23 December 2014 - [PHI 76/14 - Second-Tier Default Benefits Process Changes and Changes to the Private Health Insurance \(Benefit Requirements\) Rules 2011](#).

17 December 2014 - [PHI 75/14 -Public Hospital Information - Revoke](#).

Ensuring National Capacity in Genomics-Guided Public Health Laboratory Surveillance.

Australia. Department of Social Services

16 January 2015 - [Reminder that the Transitional Business Advisory Services \(TBAS\) will end on 30 June 2015](#) - The Transitional Business Advisory Service supports residential aged care providers through the transition to the new accommodation payment arrangements. The services range from over-the-phone assistance with one or more queries to more comprehensive assistance.

19 December 2014 - [Transition to new CHSP arrangements announced](#). On 1 July 2015, the new Commonwealth Home Support Programme (CHSP) will begin. The CHSP is one of the changes being made to help older people stay independent and in their homes and communities for longer.

Australia. Health Practitioner Regulation Agency and the boards

13 January 2015 - [Dr Tam Dieu and Dr Mervyn Cass: reprimanded and conditions placed on registration](#). The Victorian Civil and Administrative Tribunal has reprimanded medical practitioners Dr

Tam Dieu and Dr Mervyn Cass and placed conditions on their registrations. The Medical Board of Australia alleged Dr Dieu engaged in unprofessional conduct of a serious nature and Dr Cass engaged in unprofessional conduct.

24 December 2014 - **Statement from the Nursing and Midwifery Board of Australia**. Mr Harpeet Singh: registration cancelled and disqualified from applying for registration as a nurse for 20 months.

19 December 2014 - **Tribunal cancels dental practitioner's registration**. The Victorian Civil and Administrative Tribunal (VCAT) has cancelled Dr John Ham's registration from 12 December 2014 and disqualified him from applying for registration for six months from that date.

Australia. National Health & Medical Research Council

19 January 2015 - **New draft guidelines on organ transplantation open for public consultation**. A new guideline to inform tough decisions around the allocation of organs for transplantation has today been released for public consultation. The draft document, *Ethical guidelines for organ transplantation from deceased donors*, was developed with advice from an expert working group and released by the National Health and Medical Research Council. Australia has one of the highest organ transplantation success rates in the world, but around 1,500 Australians are awaiting a transplant at any one time, a number of whom die before an organ becomes available.

8 January 2015 - **Young researchers to take on dementia challenge**. Australia's best up and coming researchers are being encouraged to turn their minds to tackling one of the world's biggest health issues. Minister for Education and Training, the Hon Christopher Pyne MP today announced the opening of a new fellowship scheme to support research into dementia.

Australia. Therapeutic Goods Administration (TGA)

22 January 2015 - **TGA Groups and Offices now called Divisions and Branches**. The Therapeutic Goods Administration has updated the names of different parts of the organisation so we are better aligned with the names

22 January 2015 - **TGA structure**. The TGA is part of the Australian Government Department of Health. The TGA's Branches are arranged into three major Divisions - Market Authorisation Division, Monitoring and Compliance Division and Regulatory Support Division.

21 January 2015 - **Evaluation of biosimilars**. Following recent international developments in the area of biosimilar naming the TGA will not be continuing with the previously proposed naming convention for biosimilars while a review of the policy is undertaken.

20 January 2015 - **Submissions received: International harmonisation of ingredient names**. The TGA is working on the complex and important task of updating Australian ingredient names to align with international naming systems, such as the World Health Organization's International Non-proprietary ingredient names used in Australia.

20 January 2015 - **Submissions received: Medicine labelling**. Submissions received in relation to the consultation on medicine labelling. The TGA sought comments from interested parties on Consultation: Medicine labelling regarding proposed options on the general labelling requirements for medicines, in a consultation that closed on 5 November 2014.

19 January 2015 - **Update 2: EU DCP: International collaboration for the evaluation of generic drugs**. Previous public notice 8 September 2014 Update: EU DCP: International collaboration for the evaluation of generic drugs 12 August 2014 EU centralised procedure.

19 January 2015 - **Medical Devices Safety Update, Volume 3, Number 1, January 2015** - Safety though adverse event reporting; Recommendations for avoiding or dealing with surgical implant tool breakages; IRIS inSite pilot off to promising start; Clinical alarm issues still pose top hazard; Recent safety alerts

16 January 2015 - **APRESOLINE hydralazine hydrochloride 20mg powder for injection - medicine shortage** - Medicine shortage.

6 January 2015 - **Consultation: Regulation of autologous stem cell therapies: Discussion paper for consultation**. The TGA is seeking comments from interested parties on Regulation of autologous stem cell therapies. Closing date: 3 March 2015

6 January 2015 - [Advisory Committee on the Safety of Medicines \(ACSOM\)](#). ACSOM 26 is now scheduled for 20 February 2015.

6 January 2015 - [Advisory Committee on the Safety of Vaccines \(ACSOV\)](#). ACSOV 10 is now scheduled for 23 October 2015.

24 December 2014 - [St Jude implantable devices when used with the Merlin@home transmitter](#). Hazard alert - potential for unintended implanted device software reset.

24 December 2014 - [Affinis Fracture ceramic head \(used in shoulder replacements\)](#). Hazard alert - update to instructions to reduce risk of inadequate fixation.

24 December 2014 - [Enforceable undertaking: Nutrition Warehouse Pty Limited](#). Undertaking to the Secretary of the Australian Government Department of Health given for the purposes of section 42YL of the Act.

24 December 2014 - [Scheduling news](#). Latest scheduling updates.

24 December 2014 - [Reasons for scheduling delegates' final decisions, July 2014 \(Chemicals\) - Part 2](#). Final decisions on matters referred to the July 2014 meeting of the Advisory Committee on Chemicals Scheduling - Part 2 (ACCS#11).

24 December 2014 - [Fluoron EasyGas tamponades](#). Safety advisory - mislabelled gas may require extended caution regarding air pressure variations.

22 December 2014 - [EndoBarrier gastrointestinal liner with delivery system](#). Hazard alert - changes to mitigate risks of multiple adverse events.

22 December 2014 - [Lentis HydroSmart intraocular lenses \(supplied in glass vials\)](#). Hazard alert and recall - potential for lens to lose transparency.

19 December 2014 - [Australian eCTD submissions](#). Updated style sheet for Australian regional backbone

19 December 2014 - [IVD term development handover to GMDN Agency](#). During the transition period for implementation of the IVD regulatory framework in Australia, which commenced on 1 July 2010, the TGA assisted industry by ensuring that relevant preferred terms (PTs) and collective terms (CTs) were available in the GMDN database for their IVDs.

19 December 2014 - [Explanatory notice: Restricted and prohibited representations](#). Category permission for registered hospital grade and household grade disinfectants with specific claims.

19 December 2014 - [Australian Therapeutic Goods Advisory Council \(ATGAC\)](#). ATGAC meeting dates for 2015 now available

19 December 2014 - [Australian Influenza Vaccine Committee \(AIVC\)](#). AIVC meeting dates for 2015 now available

18 December 2014 - [Declaration that certain IVDs are medical devices](#). The TGA has finalised a legislative instrument to ensure that certain pathology tests and related instrumentation are regulated as medical devices.

18 December 2014 - [Advisory Committee on Non-prescription Medicines \(ACNM\)](#). ACNM meeting dates for 2015 now available.

18 December 2014 - [Advisory Committee on the Safety of Medical Devices \(ACSMD\)](#). ACSMD and Orthopaedic Subcommittee meeting dates for 2015 now available.

18 December 2014 - [Business gateway to eBusiness Services - launching in early 2015](#). In early 2015, the TGA will be launching the first of a series of upgrades to its existing eBusiness Services.

Australian Institute of Health & Welfare

23 December 2014 - [Rates of golden staph bloodstream infections \(SAB\) continuing to drop in public hospitals](#). The national rate of *Staphylococcus aureus* bacteraemia (SAB) cases in public hospitals continues to drop, according to a report released today by the Australian Institute of Health and Welfare (AIHW). SAB is a serious bloodstream infection caused by *Staphylococcus aureus* bacteria, that are also

known as "golden staph." The condition is associated with hospital care-especially with surgical and other invasive procedures.

19 December 2014 - [Share of health spending dedicated to primary health care increasing](#). In the past 5 years, from 2008-09 to 2012-13, the share of recurrent expenditure on *Primary health care* has increased from 37.1% to 38.1%, according to a report released today by the Australian Institute of Health and Welfare (AIHW). This share is just 2 percentage points lower than spending on *Hospitals* (40.3%), suggesting health spending is evenly divided between *Primary health care* and *Hospitals*, with the remaining proportion (21.5%) being spent on *Other recurrent areas* (such as specialists services, health research, administration, patient transport services and medical aids and appliances).

18 December 2014 - [Cardiovascular disease, diabetes, chronic kidney disease responsible for 20% of hospitalisations](#). Around 20% of all hospitalisations in Australia in 2012-13 were associated with cardiovascular disease, diabetes and chronic kidney disease, according to a new report released today by the Australian Institute of Health and Welfare (AIHW). The report, *Cardiovascular disease, diabetes and chronic kidney disease—Australian facts: Morbidity looks at hospitalisations resulting from these three chronic diseases, acting alone or together*.

18 December 2014 - [Cancer cases double since 1982, but survival improving](#). The number of new cancer cases diagnosed in Australia more than doubled between 1982 and 2014; however survival from cancer has improved over time, according to a report released today by the Australian Institute of Health and Welfare (AIHW). The report, *Cancer in Australia 2014*, shows that the number of new cancer cases rose from 47,417 to 123,920 between 1982 and 2014, with significant increases for prostate cancer, bowel cancer, breast cancer and lung cancer.

Australian Commission on Safety and Quality in Health Care

Newsletters

17 December 2014 - [Commission update e-newsletter](#).

On the Radar

19 January 2015 - On the Radar – Issue 206 ([PDF 105KB](#)) ([Word 128KB](#)).

12 January 2015 - On the Radar – Issue 205 ([PDF 141KB](#)) ([Word 136KB](#)).

Australia. Private Health Insurance Administration Council

13 January 2015 - [Private Health Insurance \(Prudential Supervision\) Bill 2015](#) - Public consultations - Private Health Insurance (Prudential Supervision) Bill 2015.

New South Wales. (NSW) Ministry of Health

Media Releases

22 January 2015 - [New smoke-free outdoor dining bans come into effect in six months](#). From 6 July 2015, all commercial outdoor dining areas in NSW, including hotels, clubs, restaurants and cafes will be smoke free, under the Smoke-free Environment Act 2000, NSW advised today. Since the beginning of 2013, smoking has been banned in a number of outdoor public places including all NSW public transport stops and stations, within 10m of children's playgrounds, at spectator areas of sporting grounds, at public swimming pools and within 4m of a pedestrian entrance to or exit from a public building, under the Smoke-free Environment Act 2000.

20 January 2015 - [NSW Government Announces \\$1.8 Million Expansion of Pioneering Mental Health Program](#). Minister for Mental Health Jai Rowell today announced \$1.8 million in NSW Government funding for the expansion of a pioneering mental health training and treatment program aimed at helping those living with complex personality disorders. During a visit to one of the trial sites of the innovative 'Project Air' Strategy for Personality Disorders, Sutherland Hospital Mental Health Rehabilitation Unit, Mr Rowell announced \$600,000 in funding to be delivered this financial year as part of the NSW Government's commitment to expand the successful program.

16 January 2015 - [NSW Health warns to check your doctor's credentials before going under the knife](#). NSW Health is urging people who are considering having minor cosmetic procedures to check the practitioner's credentials before undergoing treatment. Dr Jeremy McNulty, NSW Acting Chief Health

Officer, said NSW Health has received reports that some unregistered people were offering surgical and other cosmetic procedures from their homes in Sydney suburbs.

Policy Directives & Guidelines

19 January 2015 - [NSW Framework and Standard Operating Procedure for HIV Point of Care Testing](#) - GL2015_003.

19 January 2015 - [Work Health and Safety - Controlling Exposure to Surgical Plume](#) - GL2015_002.

13 January 2015 - [NSW Health Smoke-free Health Care Policy](#) - PD2015_003.

9 January 2015 - [Public Health Services Supporting Plan to HEALTHPLAN](#) - PD2015_002.

8 January 2015 - [Preventing and Managing Violence in the NSW Health Workplace - A Zero Tolerance Approach](#) - PD2015_001.

8 January 2015 - [Safe Use of Sensory Equipment and Sensory Rooms in NSW Mental Health Services](#) - GL2015_001.

19 December 2014 - [Infants and Children: Management of Acute Gastroenteritis, Fourth Edition](#) - GL2014_024.

18 December 2014 - [Motor Vehicles - Use of Within NSW Health](#) - PD2014_051.

17 December 2014 - [Infants and Children, Otitis Media: Acute Management of Sore Ear, Second Edition](#) - GL2014_023.

17 December 2014 - [Guidelines for the Management of Substance Use During Pregnancy Birth and the Postnatal Period](#) - GL2014_022.

Information Bulletins

22 January 2015 - [Chaplain's Subsidy](#) - IB2015_005.

21 January 2015 - [Rates of Pay and Allowances for Teachers in NSW Health Early Childhood Service Centres](#) - IB2015_004.

14 January 2015 - [Notification of Obsolete Guideline \(GL2005_030\)](#) - IB2015_003.

13 January 2015 - [Notification of Obsolete Guideline \(GL2005_031\) Tuberculosis \(TB\) Coordinator \(AREA\) Role](#) - IB2015_002.

7 January 2015 - [Kessler 10 \(K10\) Translations](#) - IB2015_001.

19 December 2014 - [Pharmaceutical Charges for Hospital Outpatients and Safety Net Thresholds](#) - IB2014_079.

Northern Territory. Department of Health

12 January 2015 - [Murray Valley Encephalitis warning for Central Australia](#). Residents in the Barkly and Alice Springs regions are being urged to take precautions to protect themselves against mosquitoes, with numbers expected to increase following extensive rain last week.

2 January 2015 - [Meloidosis still a high risk](#). The number of melioidosis cases this wet season is now up to 11 with a further five people being notified with the disease.

30 December 2014 - [Ross River virus season warning](#). Top End residents are being urged to remain vigilant and keep protecting themselves against mosquitoes.

Queensland. Department of Health

21 January 2015 - [Dengue fever case reported in Mooroolbool](#). Dengue is a mosquito-borne disease. Tropical Public Health Services (Cairns) has confirmed a locally acquired case of dengue in the inner-Cairns suburb of Mooroolbool. The confirmation brings the number of locally acquired cases this season to

nine. There have now been confirmed cases of locally acquired dengue in Edmonton, Trinity Beach and Mooroolbool.

19 January 2015 - **New allied health recruits begin in Townsville.** The Townsville Hospital and Health Service has recruited its newest batch of allied health graduates for 2015. Seventeen graduates have been welcomed into the hospital's ranks, working across a variety of disciplines such as pharmacy, radiation therapy, medical imaging, physiotherapy, and social work.

15 January 2015 - **Townsville Hospital boasts highest compliance in acute rheumatic heart disease treatment.** The Townsville Hospital is winning the war against rheumatic heart disease in children with almost 100 per cent of local children with the illness receiving their injection treatments on time. Townsville Hospital director of paediatrics Dr Andrew White said a major weapon in the fight against paediatric rheumatic heart disease was ensuring children who have had rheumatic fever receive an injection every 21-28 days until they are 21.

7 January 2015 - **Queensland Health's response to anti-vaccination discussions.** Queensland Health is not involved in any capacity with the "Healthy Lifestyles Naturally" seminars soon to be conducted in Queensland and does not in any way support anti-vaccination sentiments.

2 January 2015 - **Far North residents urged to be vigilant, as first dengue outbreak confirmed.** People in the Far North are being urged to protect themselves against dengue fever, with the first outbreak confirmed for the year. Director of Tropical Public Health Services (Cairns) Dr Richard Gair said two cases of dengue had been confirmed, while there was a third suspected case. "Our Dengue Action Response Team (DART) has targeted the outbreak zone in the Edmonton area," Dr Gair said.

22 December 2014 - **Sun sets on tanning beds.** The sun has set on Queensland's commercial UV tanning studios, with a statewide ban in force from 1 January 2015. Acting Minister for Health Mark McArdle said the ban was implemented following concerns about the link between solarium use and skin cancer. "Queensland already has the highest rate of skin cancer in the world and there is no question there's a direct link between regular sunbed use and the incidence of malignant melanoma," he said.

South Australia. (SA) Department for Health & Ageing

21 January 2015 - **Mumps on the rise in South Australia.** South Australians are being asked to make sure their measles, mumps, rubella vaccinations are up to date after a significant rise in the number of mumps cases across the state. So far in 2015 there have been nine cases reported to SA Health, compared to 14 total in 2014 and five in 2013. Professor Paddy Phillips, Chief Medical Officer, SA Health, said many of these cases had occurred in people who were not fully vaccinated.

18 December 2014 - **SA Pathology review.** An independent review of SA Pathology has found services to be safe and of a high quality but overall productivity is significantly less than interstate and relevant international peers. SA Health Chief Executive, David Swan, said Ernst & Young was commissioned to evaluate and assess whether pathology services were being delivered efficiently and consistently across South Australia.

Victoria. Department of Health

8 January 2015 - **Liberals Said Yes To Longer Hospital Waiting Lists.** The previous Liberal Government signed Victorians up for longer hospital waiting lists, secret agreements have revealed. The Department of Health has today published the 2014-15 Statements of Priorities – annual agreements between the Minister and 80 health services which establish operating result targets and expected admission figures and waiting list numbers.

6 January 2015 - **Plight of Homeless Diggers Highlights Federal Cuts.** The Andrews Labor Government is deeply concerned about the homelessness rates of veterans in Victoria and we welcome the discussion about their welfare. A recent report by the Australian Institute of Health and Welfare revealed Victoria was the state with the nation's highest rates of people seeking help from homelessness services. The Labor Government is helping veterans and other homeless people through our support of organisations such as HomeGround, which runs the Street to Home program. However, Victoria cannot solve the problem alone.

6 January 2015 - **Health alert as measles case detected**. Victoria's Chief Health Officer Dr Rosemary Lester has warned of the signs and symptoms of measles, following two recent cases who attended a university graduation ceremony.

29 December 2014 - **New Controls on Raw Milk Will Protect Consumers**. The Andrews Labor Government has moved to protect Victorians from the risks of unpasteurised "raw" milk. Minister for Consumer Affairs, Jane Garrett, has announced the Andrews Labor Government will introduce tougher conditions on the licences of all dairy farmers and manufacturers to help protect consumers.

23 December 2014 - **Premier Announces Royal Commission Into Family Violence**. The Andrews Labor Government will establish Australia's first Royal Commission into the most urgent law and order emergency occurring in our state and the most unspeakable crime unfolding across our nation.

Western Australia. Department of Health

Media Releases

22 January 2015 - **Retinal detachment study prompts rethink on seasonal link**. A WA Health researcher has comprehensively debunked a long and widely held assumption about retinal detachment by finding that seasons play no role in influencing the occurrence of the serious ophthalmological condition.

21 January 2015 - **Princess Margaret Hospital world first in diabetes treatment**. Princess Margaret Hospital for Children (PMH) has achieved a world first in its treatment of a four year boy with type one diabetes.

21 January 2015 - **Measles warning for Scoot air travellers from Singapore**. Western Australians are being asked to be alert to an increased risk of measles, following a confirmed diagnosis in a passenger who was infected during holidays in India and Singapore, and may have been infectious on the flight home to Perth.

20 January 2015 - **Fremantle Hospital's Emergency Department will close**. Fremantle Hospital's Emergency Department will close at 7am on Tuesday, 3 February.

19 January 2015 - **Change Day 2015** - Acting Ministerial Officer Gayle Andre is making a pledge for Change Day 2015.

19 January 2015 - **Lifesaving bowel cancer test now available to more Western Australians**. Western Australians aged 70 and 74 are now eligible to receive free bowel cancer testing kits as part of the National Bowel Cancer Screening Program (NBCSP).

16 January 2015 - **Record boost for WA's health system** - A record 317 medical graduates have been welcomed into WA's health system this year, representing the biggest intake of junior doctors in WA's history.

14 January 2015 - **Minister for Health: WA artists commissioned for Midland hospital**. 13 WA artists commissioned for series of artworks at Midland Public Hospital. \$1m in artworks for Midland Public Hospital and grounds as part of State Government's Per Cent for Art initiative.

13 January 2015 - **Minister for Health: Extra funds for local care and independence**. Older people and people with a disability in Western Australia will benefit from a \$21.6 million increase in funding, helping support more people to maintain their independence and connection with the community while still accessing the services they need.

4 January 2015 - **Western Australians advised to prepare for hot days ahead**.

23 December 2014 - **Two confirmed cases of meningococcal infection**.

23 December 2014 - **Measles warning for Air Asia travellers from Bali**.

21 December 2014 - **Minister for Health: Winter flu jab more convenient**.

Operational Directives and Information Circulars

21 January 2015 - [IC 0213/15](#) - WA Government Health Services Engineering and Building Services Award 2004 – Variation of Allowance – Leading Hand Allowance - Variation to Leading Hand Allowance for employees covered by the Health Engineering and Building Trades Award 2004.

16 January 2015 - [IC 0212/15](#) - Application of WA Health Leave Management Strategy and WA Health Leave Management Policy to Senior Medical Practitioners - Allowances payable to senior medical practitioners when cashing out of excess Annual Leave or excess Long Service Leave under an approved Employee Leave Management Plan.

14 January 2015 - [OD 0585/15](#) - WA Health Staff Air Travel Policy - This Policy and Guidelines procedure sets out minimum mandatory requirements that must be followed when WA Health Staff travel by air so as to ensure that the integrity and responsibilities of WA Health employees are not compromised or perceived to be compromised.

14 January 2015 - [IC 0211/15](#) - Clarification of Travel Allowance for Doctors in Training - Clarification regarding payment of travel allowance to Doctors in Training completing their clinical rotations.

7 January 2015 - [OD 0584/15](#) - The Patient Information Retention and Disposal Schedule Version 4, 2014 (Schedule) provides a management tool for identifying and determining the retention and disposal requirements for patient records created or received by health care facilities within WA Health.

7 January 2015 - [OD 0583/15](#) - The purpose of the policy is to provide comprehensive guidance on the digitisation and disposal of paper-based patient records.

7 January 2015 - [IC 0210/15](#) - Advice of Statutory Public Holidays in WA for 2015.

New Zealand. Ministry of Health

22 January 2015 - [Ministry of Health official joins international Ebola response](#) - The Ministry of Health's director of emergency management is heading to West Africa to assist with the international fight against Ebola.

United Kingdom. Department of Health

22 January 2015 - [Improving care for people with dementia](#) - Policy.

22 January 2015 - [No Secrets: guidance on protecting vulnerable adults in care](#) - Guidance.

21 January 2015 - [Government backs standardised packaging of tobacco](#) - News story.

20 January 2015 - [IESD: voluntary sector funding for health and care projects](#) - Guidance.

16 January 2015 - [Changing how the GMC decides on doctors' fitness to practise](#) - Consultation outcome.

16 January 2015 - [Making sure health and social care services work together](#) - Policy.

16 January 2015 - [Helping carers to stay healthy](#) - Policy.

16 January 2015 - [Helping people make informed choices about health and social care](#) - Policy.

16 January 2015 - [Changes to Mental Health Act \(1983\) Code of Practice](#) - Consultation outcome.

15 January 2015 - [Code of practice: Mental Health Act 1983](#) - Statutory guidance.

15 January 2015 - [Dental reform: next step](#) - Guidance.

15 January 2015 - [Improving dentistry](#) - Consultation outcome.

12 January 2015 - [Nicotine inhaling products: introducing a minimum age of sale](#) - Open consultation.

12 January 2015 - [Nursing care licence exemption](#) - Consultation outcome.

7 January 2014 - [Dalton review: options for providers of NHS care](#) - Independent report.

6 January 2015 - [Measuring child development at age 2 to 2.5 years](#) - Policy paper.

5 January 2015 - [Public health commissioning in the NHS 2015 to 2016](#) - Guidance.

30 December 2014 - [Mental Health Treatment - Supporting Integrated Delivery guidance](#) - Guidance.

29 December 2014 - [Care and support: what's changing?](#) - Guidance.

22 December 2014 - [Agreement extended on predictive genetic tests and insurance](#) - Policy paper.

19 December 2014 - [Units of alcohol sold](#) - Statistics.

18 December 2014 - [Decontamination and infection control](#) - Collection.

18 December 2014 - [Department of Health mid-year report 2014 to 2015](#) - Corporate report.

United States of America. Department of Health & Human Services

23 December 2014 - [HHS supports efforts to speed Ebola vaccine delivery.](#)

19 December 2014 - [HHS partners with nation's largest pharmacies to promote Health Insurance Marketplace.](#)

17 December 2014 - [Department of Health and Human Services collaborates with top technology platforms to reach consumers about the Health Insurance Marketplace.](#)

Australian Medical Association

15 January 2015 - [AMA Media Release - AMA Welcomes a victory for patients.](#) AMA President, A/Prof Brian Owler, has welcomed the Federal Government's decision to ditch the \$20 Medicare rebate cut for GP consultations lasting less than 10 minutes as a victory for patients. A/Prof Owler said today's announcement by Health Minister Sussan Ley would be a huge relief for doctors and patients around the country who had been facing a \$20 cut to the Medicare rebate Level B GP consultations from next Monday.

13 January 2015 - [AMA Media Release - Britain's hospital crisis could happen here.](#) AMA Vice President, Dr Stephen Parnis, has warned the crisis currently gripping the British health system, where thousands of patients are being forced to wait up to 12 hours for emergency care and hospitals are urging people with non-life threatening illnesses to stay away, could strike here unless the Federal Government reverses course and ends its attack on general practice.

5 January 2015 - [Too many continue to die on Australian roads.](#) AMA President, A/Prof Brian Owler, said today that the 2014-15 holiday period road toll is unchanged from last year, with too many lives still being lost on our roads. "Despite everybody's best efforts to increase safety on our roads this holiday season, 28* people have died on the nation's roads this holiday season, the same number as last year," A/Prof Owler said. "My thoughts go out to the friends and family of the 28 Australians who lost their lives this holiday season. "Although the Christmas holiday reporting season might be over, there are still many people winding up their holidays.

23 December 2014 - [Organ Donation - The gift that keeps on giving.](#) The AMA is today urging Australians to use holiday time with family to talk about their wishes for organ and tissue donation. AMA President, A/Prof Brian Owler, said as people come together with family to celebrate the festive season, it's worth setting aside a few minutes to discuss wishes for organ and tissue donation.

British Medical Association

21 January 2015 - [Foundation programme oversubscriptions hit record level.](#) Hundreds of final-year medical students faced worrying news yesterday as oversubscriptions to the foundation programme hit record levels. The UKFPO (UK Foundation Programme Office) confirmed there are 399 more eligible applicants than places available for the 2015 intake. This is the fifth year that the foundation programme has been oversubscribed, but it is the first time the reserve list for places has been so high.

20 January 2015 - [Assisted-dying bill threatens doctor-patient relationship.](#) Legalising assisted dying could have a 'profound and detrimental' effect on the doctor-patient relationship, the BMA told peers ahead of a debate. The association reiterated its opposition to proposals to legalise assisted dying in a briefing to Lords prior to their discussion on the Assisted Dying Bill last week.

20 January 2015 - [BMA restates case for patient safety.](#) The BMA is calling for more evidence to guarantee patient safety in relation to seven-day services. After a pause in formal talks between NHSE (NHS Employers) and the BMA last year, the DDRB (Doctors and Dentists Review Body) is examining evidence on negotiations for consultant and doctor-in-training contracts in England.

19 January 2015 - **Complaints process harms doctors' health, says study**. GMC investigations and complaints procedures have a serious impact on doctors' health and affect clinical care, research suggests. The BMA said proper support must be given to doctors undergoing investigations after the study found those affected experience mental health problems. Doctors subject to investigation experience high rates of depression, anxiety and suicidal thoughts, says the study in the online journal BMJ Open.

19 January 2015 - **Emergency care crisis demands NHS-wide action**. Pressures across the entire NHS must be tackled if the crisis in emergency medicine departments is to abate, the BMA urges. BMA council chair Mark Porter (pictured) called on UK Governments to address the immense strain on hospitals and GP practices after another week of over-burdened emergency units. Dr Porter said: 'Another week, another set of damning figures from emergency departments — but we must remember that behind the figures is a lack of the necessary investment to give every patient the treatment they deserve, in the emergency department or elsewhere in the system.'

13 January 2015 - **Switch to private providers was "misguided"**. Handing over control of hospitals to private providers was 'misguided'. That was the BMA's response to the announcement today that the first private company to manage an NHS hospital will withdraw from its contract. Circle Holdings, which took over Hinchingbrooke Healthcare NHS Trust in Cambridgeshire in early 2012 under a ten year contract, issued a statement saying the hospital 'does not have a sustainable future in its existing form'.

8 January 2015 - **Plea for public to consider use of NHS services**. Patients must make better use of overstretched health service resources, doctors leaders have said. BMA Northern Ireland GPs committee chair Tom Black (pictured right) urged patients to consider which service they really needed as emergency departments and primary care in Northern Ireland faced a sharp rise in demand.

8 January 2015 - **Pause medical training overhaul, say 15 doctor organisations**. Medical training and patient care are at risk from untested reforms, which must be put on hold, junior doctors leaders have warned ministers. The BMA junior doctors committee and other trainee representatives are calling on health minister Dan Poulter to 'pause' a planned overhaul of postgraduate medical training.

7 January 2015 - **Private medical school opens amid workforce planning fears**. The UK's first private medical school has formally opened its doors. A total of 70 students have started the first phase of the four-and-a-half-year MB ChB at Buckingham University. The cohort will spend the next two years receiving a mix of clinical and biomedical science teaching, after which they will enter more clinical training at Milton Keynes Hospital NHS Foundation Trust.

6 January 2015 - **Pressure on emergency departments hits record levels**. The NHS is facing unprecedented pressure, says the BMA, after figures revealed emergency department waiting times target were at their worst for a decade. NHS England figures released today show the health service fell short of its target of treating, admitting or discharging 95 per cent of emergency department patients within four hours during the last quarter; it achieved 92 per cent between October and December last year.

30 December 2014 - **Smoke-free laws undermined by e-cigarettes, warns BMA**. The BMA in Scotland has called for e-cigarettes to be banned in enclosed public places where smoking is prohibited. The move would protect others from exposure to vapours, and ensure their use does not undermine existing smoke-free restrictions by leading people to believe it is acceptable to smoke, doctors leaders say.

Canadian Medical Association

20 January 2015 - **CMA alarmed by government measures**. The Canadian Medical Association (CMA) is concerned about recent actions by provincial governments in Quebec and Ontario to unilaterally impose measures restricting physicians' ability to deliver optimal care. "The new legislation proposed in Quebec and recent actions taken by the Ontario government represent an alarming trend of governments refusing to work together with medical associations to better manage the health care system," said CMA President Chris Simpson.

9 January 2015 - **CMA updates assisted dying policy**. The Canadian Medical Association (CMA) has revised its policy on euthanasia and assisted death. The **updated version** supports the right of CMA members – within the bounds of legislation – to follow their own conscience to decide whether or not to provide medical aid in dying. The association is preparing a draft regulatory framework on the topic that

would be available to assist policy-makers if the Supreme Court of Canada finds that current criminal sanctions against medical aid in dying are unconstitutional.

American Medical Association

31 December 2014 - [AMA Applauds Minnesota Supreme Court Ruling in Support of Medical Staff Autonomy](#). "Patients were the big winners today as the Minnesota Supreme Court reestablished an appropriate balance of responsibilities between physicians and administrators at Avera Marshall Regional Medical Center."

17 December 2014 - [AMA Responds to CMS Regarding Meaningful Use Penalties for Eligible Professionals](#). "The AMA is appalled by news from the Centers for Medicare and Medicaid Services (CMS) today that more than 50 percent of eligible professionals will face penalties under the Meaningful Use program in 2015, a number that is even worse than we anticipated."

ABOUT US

Michael Regos



Michael is the head of the DLA Piper health litigation group.

He practises in the areas of health law, insurance law, medical negligence and coronial enquiries. He represents Victorian public hospitals and their insurers, the Victorian Managed Insurance Authority and is the solicitor of choice for Australia's second-largest private health operator.

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