



HEALTH ALERT

22 August 2017

Judgments	2
Key Decisions	2
Commonwealth. High Court	3
Commonwealth. Federal Court	3
Commonwealth. Fair Work Commission	3
Northern Territory	3
New South Wales (NSW)	4
Western Australia (WA)	4
Legislation	5
Commonwealth	5
Victoria	5
Reports	5
Australia. Department of Health	5
Australia. Health Practitioner Regulation Agency and the boards	5
Australia. National Health And Medical Research Council (NHMRC)	5
Australia. Therapeutic Goods Administration (TGA)	5
Australian Digital Health Agency	6
Australian Institute of Health & Welfare	6
Australian Commission on Safety and Quality in Health Care	6
Australian Prudential Regulation Authority (APRA)	6
Australia. National Blood authority	6
Australian Capital Territory. Health Directorate	7
New South Wales. Ministry of Health	7
Northern Territory. Department of Health	8
Queensland. Department of Health	8
South Australia. Department for Health & Ageing	9
Tasmania. Department of Health & Human Services	9
Victoria. Department of Health	10
Western Australia. Department of Health	11
Australian Medical Association (AuMA)	11
About Us	13
More information	13

JUDGMENTS

Key Decisions

11 August 2017 - *South Western Sydney Local Health District v Sorbello* [2017] NSWCA 201 - 'NEGLIGENCE – assessment of damages – non-economic loss – conflicting expert opinion evidence as to nature and extent of 'pure mental harm' injury

NEGLIGENCE – assessment of damages – future economic loss – conflicting expert opinion evidence as to causation of reduced 'earning capacity' – distinction between working capacity and earning capacity

NEGLIGENCE – assessment of damages – future economic loss – onus of establishing ability to exploit a residual working capacity'

This case involved the assessment of both economic and non-economic loss for mental harm after the negligence of a hospital caused the appellant's son to be born with significant disabilities.

In assessing quantum, the primary judge had to select between the competing opinions of three psychiatrists and one psychologist. The Court held that it was appropriate for the primary judge to consider how the expert evidence sat with the oral evidence of the appellant and other witnesses. The primary judge was obliged to exercise her judicial function and prefer the opinions of some experts over others, and no basis was established for departing from her assessment.

In assessing earning capacity, the Court distinguished between the terms 'working capacity' and 'earning capacity', the latter recognising the realities of the world of employment. It was accepted by the Court that, once a plaintiff has established a loss of earning capacity, the onus of demonstrating that the plaintiff has failed to exercise any residual earning capacity lies on the defendant. The Court held that the primary judge was correct in holding that, but for her injury, the appellant would have returned to the full-time workforce 12 months after her son's birth, that she was unable to do so, and that while she retained some capacity for work, her prospects of exploiting that capacity were essentially non-existent.

17 August 2017 - *Hunter v Nursing and Midwifery Board of Australia* [2017] NTSC 64 - 'COSTS – Indemnity costs – Principles regarding award of indemnity costs – Little prospect of successfully defending one ground of appeal – Delay by respondent in making an offer to settle – Respondent to pay indemnity costs from 10 May 2017 – Respondent to pay earlier costs on the standard basis.

PRACTICE AND PROCEDURE – appeal from decision of NTCAT – circumstances in which consent orders may be made – appeal allowed by consent.

PRACTICE AND PROCEDURE – leave to appeal – time for filing application – application to dispense with compliance – order made.'

This case involved a decision by the board to impose conditions on a nurse's registration. The brief procedural history is that in July 2016, after a performance assessment, the Board imposed conditions on the appellant's registration to practise as a nurse. The appellant appealed the Board's decision to NTCAT. NTCAT upheld the decision of the Board. On appeal to the Supreme Court the NTCAT decision was set aside. Further, the Court declared the decision of the respondent Nursing and Midwifery Board of Australia (the Board) to impose conditions on the appellant's registration to practise as a nurse to be invalid and ordered that the decision be set aside. The appellant sought indemnity costs against the Board.

The Supreme Court held that at least one of the initial grounds upon which the appellant relied had little or no prospect of being successfully defended by the Board and that the Board should have realised its poor prospects after considering the compelling submissions made by the appellant. The Board continued to defend the matter notwithstanding its poor prospects, and as such the Court was prepared to award costs on an indemnity basis in relation to the appeal.

Commonwealth. High Court

17 August 2017 - [Ramsay Health Care Australia Pty Ltd v Adrian John Compton \[2017\] HCA 28](#) - Bankruptcy – Creditor's petition – Where petitioning creditor relied upon judgment debt – Where judgment debt resulted from contested hearing – Where no suggestion of fraud or collusion in obtaining judgment – Where evidence adduced to suggest debt not truly owing – Whether Bankruptcy Court has, and should exercise, discretion to 'go behind' judgment to investigate debt.

Commonwealth. Federal Court

16 August 2017 - [Sklavos v Australasian College of Dermatologists \[2017\] FCAFC 128](#) - HUMAN RIGHTS - disability discrimination - *Disability Discrimination Act 1992 (Cth)* ('DDA'), ss 5 and 6 - where the appellant was refused admission to the Australasian College of Dermatologists having failed to meet the College's entrance examination condition - where the appellant suffered from a disability described as a specific phobia of the College's examination - where the appellant claimed the refusal to be simultaneously direct and indirect discrimination - whether direct discrimination and indirect discrimination are mutually exclusive - direct discrimination is concerned with disparate treatment whereas indirect discrimination is concerned with adverse impact - whether the primary judge misconstrued s 5(2) of the DDA - (see below in relation to the proper construction of s 5(2) of the DDA) - the primary judge did not so err - refusal for failure to meet the examination condition involves no nexus between the conduct and the disability - s 5 not relevant to whether the College discriminated against the appellant on the ground of his disability STATUTORY INTERPRETATION - consideration of the proper construction of s 5(2) of the DDA - whether the introduction of an obligation to make reasonable adjustments changed the causation requirement in s 5(2) as compared to s 5(1) - s5(2) still requires there to be a nexus to disability from conduct (unfavourable treatment) and not from effect HUMAN RIGHTS - disability discrimination - DDA, s6(3) - whether the primary judge erred in holding that the examination condition was reasonable - where the primary judge relied upon a case not made by the College to find the condition reasonable - no error in drawing upon the evidence of an applicant to discharge a respondent's burden of proof - any denial of procedural fairness was capable of being cured on appeal - no additional evidence sought to be adduced or relied upon by the appellant - the evidence adduced in the trial supported the findings made by the primary judge HUMAN RIGHTS - disability discrimination - Disability Standards for Education 2005 (Cth) cl 5.2 and 6.2 - whether the primary judge provided sufficient reasons to dismiss a claim of a breach of the Standards - where the Standards require a process of consultation and decision-making separate from the making of any adjustment - implicit cross-reference to earlier findings and reasons of the primary judge sufficient to discharge the obligation to provide reasons DAMAGES - whether the primary judge erred in finding that appellant had not proved that he had suffered any damage by being refused fellowship - where evidence adduced of the income of a successful dermatologist and of an unsuccessful general practitioner - duty of the Court to do the best that it can in assessing damages does not extend to speculating about whether any loss had been suffered at all when it is within the power of an applicant to call such evidence.

Commonwealth. Fair Work Commission

16 August 2017 - [Calvary Health Care ACT Limited \[2017\] FWCA 4270](#) - Application for approval of the Calvary Bruce Private Hospital Health Professionals and Support Services Enterprise Agreement 2017.

16 August 2017 - [Gendon Investments Pty Ltd as trustee of the Taburn Trading Trust T/A Glen Iris Private \[2017\] FWCA 4260](#) - Application for approval of the Gendon Investments Pty Ltd as trustee of the Taburn Trading Trust (trading as - Glen Iris Private) Nurses Enterprise Agreement 2017.

Northern Territory

17 August 2017 - [Hunter v Nursing and Midwifery Board of Australia \[2017\] NTSC 64](#) - 'COSTS – Indemnity costs – Principles regarding award of indemnity costs – Little prospect of successfully defending one ground of appeal – Delay by respondent in making an offer to settle – Respondent to pay indemnity costs from 10 May 2017 – Respondent to pay earlier costs on the standard basis.

PRACTICE AND PROCEDURE – appeal from decision of NTCAT – circumstances in which consent orders may be made – appeal allowed by consent.

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New South Wales (NSW)

17 August 2017 - *Shao v Department of Aging Disability and Home Care [2017] NSWIRComm 1054* - UNFAIR DISMISSAL – two jurisdictional objections – contract of employment for a specified period of less than six months – applicant dismissed one month before specified end date – employer's right to dismiss inconsistent with a contract for a specified period – binding Full Bench authority – jurisdictional objection rejected – application filed 306 days out of time – no sufficient reason provided for delay in filing application – jurisdictional objection upheld – application dismissed.

16 August 2017 - *Attia v Health Care Complaints Commission [2017] NSWCA 1066* - ADMINISTRATIVE LAW – appeal – decision of the Civil and Administrative Tribunal that the plaintiff's registration as a pharmacist be cancelled – regulatory system for registered pharmacists – regulatory system for pharmaceutical wholesalers – interaction of regulatory schemes – protective legislation and statutory objects – whether the finding of unsatisfactory professional conduct under s 139B(1)(a) constituted an error of law because the impugned conduct was undertaken by the plaintiff as the office holder of a licenced pharmaceutical wholesaler corporation and not in the practice of a pharmacy – whether impugned conduct in practice of practitioner's profession – procedural fairness – hearing rule – whether the determination by the Tribunal to take into account matters not within the particulars of the complaints breach of procedural fairness – notice and litigation of non-particularised issues – a single stage process – relevant principles – orders – leave partially refused – appeal dismissed.

11 August 2017 - *CRV v Anglicare NSW [2017] NSWCATAD 247* - Administrative review - authorised carers - allegations of physical restraint of a child - the safety, welfare and well-being of the child - decision to offer further training or de-authorise - the correct and preferable decision.

11 August 2017 - *South Western Sydney Local Health District v Sorbello [2017] NSWCA 201* - NEGLIGENCE – assessment of damages – non-economic loss – conflicting expert opinion evidence as to nature and extent of 'pure mental harm' injury.

NEGLIGENCE – assessment of damages – future economic loss – conflicting expert opinion evidence as to causation of reduced 'earning capacity' – distinction between working capacity and earning capacity.

NEGLIGENCE – assessment of damages – future economic loss – onus of establishing ability to exploit a residual working capacity.'

14 August 2017 - *Seru v the Commonwealth of Australia by the Department of Immigration and Citizenship [2017] NSWSC 1062* - 'PRACTICE AND PROCEDURE – approval of infant settlement of claims for damages for nervous shock and under *Compensation to Relatives Act 1897 (NSW)* arising from death of infant's father at Villawood Detention Centre – appropriate for Court to grant approval.

PRACTICE AND PROCEDURE – extent of confidentiality required – limited order.'

14 August 2017 - *Finding within inquest into the death of Magdalena Dorter* - The deceased died at Austin Health from haemorrhagic shock complicating pulmonary thromboembolism (treated) and deep vein thrombosis following a foot fracture sustained in a fall.

Western Australia (WA)

16 August 2017 - *Bright Image Dental Pty Ltd v City of Gosnells [2017] WASC 229* - 'Leave to appeal - Applicable principles - Turns on own facts.

Planning and Development Act 2005 (WA) - Interpretation - Section 4(1) - Meaning of 'development' - Section 164 - Whether subsequent approval operates retrospectively to render development lawful from commencement.

Town Planning Scheme - Interpretation - Meaning of 'storage' - Whether 'storage' use ancillary to 'transport depot' use.'

LEGISLATION

As a general rule, this bulletin tracks subsidiary legislation at Commonwealth, but not at state level

Commonwealth

17 August 2017 - [Australian Immunisation Register and Other Legislation Amendment Act 2017](#) C2017A00081 Act No. 81 of 2017 • as made

14 August 2017 - [Therapeutic Goods Order No. 92A – Therapeutic Goods Order No. 92 \(Standard for labels of non-prescription medicines\) Amendment Order 2017](#) F2017L01023 • as made

14 August 2017 - [Therapeutic Goods Order No. 91A - Therapeutic Goods Order No. 91 \(Standard for labels of prescription and related medicines\) Amendment Order 2017](#) F2017L01019 • as made

11 August 2017 - [Human Services \(Medicare\) Regulations 2017](#) F2017L01008 • as made

Victoria

16 August 2017 - [Disability Amendment Act 2017](#) Commenced

REPORTS

Australia. Department of Health

Media releases

17 August 2017 - [Appointment of new ASADA CEO](#) - Mr David Sharpe has been appointed as the new Chief Executive Officer of the Australian Sports Anti-Doping Authority (ASADA).

16 August 2017 - [Framework flagged as report shows hearing challenge](#) - The Australian Government has released a new report detailing the impact of hearing loss on Australia's society and the economy.

15 August 2017 - [GEN-erational change as aged care data access is made easier for all](#) - A user-friendly new website providing unprecedented detail and ease of access to Australia's aged care information and data breakdowns has been activated.

15 August 2017 - [New Study Provides Insight into Residential Care Costs](#) - The Australian Government has announced the start of a landmark investigation of the comparative costs of providing residential aged care to older Australians with varying needs.

14 August 2017 - [Aged Care Review Timing Extended](#) - The Australian Government is extending the timeframe for the Review of National Aged Care Quality Regulatory Processes.

13 August 2017 - [New campaign to encourage parents to 'Get the facts about Immunisation'](#) - The Australian Government is today launching the new 'Get the Facts about Immunisation' campaign to encourage Australian parents and carers to get their kids vaccinated.

11 August 2017 - [Australian Government delivers for the Heart Bus](#) - The Federal Assistant Minister for Health, Dr David Gillespie, joined the Member for Maranoa, David Littleproud, MP, and the founder of the Heart of Australia, Dr Rolf Gomes in Dalby to announce \$1 million towards supporting the delivery of the lifesaving service.

Australia. Health Practitioner Regulation Agency and the boards

15 August 2017 - [VOTE Trust grant applications now open](#) - Applications for funding are now open under the Victorian Optometrists Training and Education (VOTE) Trust.

Australia. National Health And Medical Research Council (NHMRC)

[NHMRC Research Tracker—11 August 2017](#)

[NHMRC Health Tracker—August 2017](#)

Australia. Therapeutic Goods Administration (TGA)

17 August 2017 - [Responding to Lateline - accessing medicinal cannabis products](#) - Response to Lateline story of 16 August 2017.

16 August 2017 - [Australian Public Assessment Reports for prescription medicines \(AusPARs\)](#) - Added Ezetimibe & ezetimibe / simvastatin (Ezetrol / Vytorin) & Inactivated quadrivalent influenza vaccine (split virion) (Afluria Quad).

16 August 2017 - [Updates to the list of designated orphan drugs](#) - Added Brigatinib (Alunbrig).

15 August 2017 - [Planned process improvements for GMP Clearance](#) - TGA is planning process improvements for GMP Clearance in September 2017.

15 August 2017 - [Medical devices and IVDs: Cancellations of certain devices within an entry](#) - Cancellation of medical device - Endotherapeutic Pty Ltd - Prosthesis, internal, incontinence - ARTG no: 118082.

15 August 2017 - [Medical devices and IVDs: Cancellations from the ARTG](#) - Cancellation of incontinence device.

11 August 2017 - [Heparin and Lignocaine ampoules \(Pfizer\)](#) - Recalls for product correction - potential for incorrect products in packages.

11 August 2017 - [Permissible Ingredients Determination: Forecast of updates](#) - Deadline for changes to the December Permissible Ingredients Determination has been bought forward. Forecast updates for 2018 now available.

9 August 2017 - [ACCM meeting statement, Meeting 17, 23 May 2017](#) - Advisory Committee on Complementary Medicines Meeting 17 meeting statement.

Australian Digital Health Agency

11 August 2017 - [Tim Kelsey - HIC17 Presentation 'Digital Health: A Human Imperative'](#) - Tim Kelsey, CEO of the Australian Digital Health Agency, presented at the Health Informatics Conference (HIC) on 9 August 2017 about our work program, My Health Record and COAG's (Council of Australia's Governments) approval of Australia's National Digital Health strategy. [Download: Tim Kelsey - HIC17 Presentation 'Digital Health: A Human Imperative' \(2.3MB\)](#)

Australian Institute of Health & Welfare

17 August 2017 - [Use of emergency department and GP services in 2015–16](#)

Australian Commission on Safety and Quality in Health Care

On the Radar – 14 August 2017 – Issue 334 ([PDF 477KB](#)) ([Word 414KB](#))

11 August 2017 - [Seventh \(7.3 Downtime\) Clinical Safety Review of the My Health Record System \(PDF 526KB\) \(Word 178KB\)](#)

11 August 2017 - [Seventh \(7.2 Medicines view\) Clinical Safety Review of the My Health Record System \(PDF 573KB\) \(Word 172KB\)](#)

11 August 2017 - [Seventh \(7.1 ED workflows\) Clinical Safety Review of the My Health Record System \(PDF 526KB\) \(Word 181KB\)](#)

10 August 2017 - [National consensus statement: Essential elements for recognising and responding to deterioration in a person's mental state \(PDF 948KB\) \(Word 11MB\)](#)

Australian Prudential Regulation Authority (APRA)

15 August 2017 - [APRA has released private health insurance statistics for June 2017](#) - The Australian Prudential Regulation Authority (APRA) today released its quarterly private health insurance publications for the June 2017 quarter. The publications provide industry aggregate summaries of key financial and membership statistics of the private health insurance industry.

Australia. National Blood authority

11 August 2017 - [BloodNet Milestone at the Fiona Stanley Hospital, WA](#) - On 24 July 2017 the National Blood Authority (NBA) and the Western Australian Department of Health visited the Fiona Stanley Hospital

in Perth to celebrate the one millionth order placed by PathWest Fiona Stanley Hospital Laboratory through BloodNet.

Australian Capital Territory. Health Directorate

16 August 2017 - **Building cladding assessment and partial replacement – Centenary Hospital** - ACT Health has recently undertaken an assessment of our buildings to check to see if any have external panels installed which are made from Polyethylene Aluminium Composite (ACP) materials.

New South Wales. Ministry of Health

Media Releases

15 August 2017 - **NSW Health encourages mothers to take iodine for baby brain development** - NSW Health is encouraging pregnant and breastfeeding women to take iodine supplements, following the release of a **report** yesterday by the COAG Health Council that found the majority of pregnant women in Australia do not consume enough iodine.

Senior Clinical Advisor in Obstetrics at NSW Health, Professor Michael Nicholl, said while most pregnant women have heard about the importance of folic acid, few know the essential role of iodine in protecting their baby's brain development.

14 August 2017 - **Sydney Air Pollution Health Alert** - NSW Health is urging people with respiratory conditions to take caution with high air pollution levels in Sydney today as a result of hazard reduction burns occurring near Sydney over the weekend and today.

The NSW Office of Environment and Heritage has advised that Sydney is experiencing poor air quality. NSW Health Director of Environmental Health Branch, Dr Ben Scalley, said children, older adults and people with heart and lung conditions are most susceptible to the effects of air pollution and excessive smoke.

11 August 2017 - **Fourth M chimaera case confirmed in NSW** - A fourth heart surgery patient in NSW – a man in his 60s – has been confirmed with Mycobacterium chimaera infection following exposure to the rare bacteria from open heart surgery equipment used worldwide. Like the previous three M chimaera cases in NSW, the patient underwent open heart surgery, which included a valve replacement, at Prince of Wales Hospital in 2015.

11 August 2017 - **\$9 Million Ryde Hospital upgrade completed** - Ryde residents are the big winners following the completion of a two-year upgrade, which includes two new wards and state-of-the-art facilities at Ryde Hospital. Member for Ryde Victor Dominello and Health Minister Brad Hazzard toured the new Critical Care Unit – for intensive care and cardiac patients – as well as the general medical Ward 2 today. Mr Dominello welcomed the upgrade, which provides more floor space, better room configuration and increased levels of comfort for local patients and their visitors.

15 August 2017 - **Spotlight on care for personality disorders** - A new program for people presenting to hospital with mental health concerns is proving 'gold' for communities in South Western Sydney. Minister for Mental Health Tanya Davies, today, launched the Gold Card Clinics, a targeted program to better identify and treat people with personality disorders.

'About 25 per cent of mental health admissions to inpatient units and emergency departments are people with personality disorders,' Mrs Davies said. 'This innovative program provides practical, evidence-based, therapeutic techniques for people coming to hospital in psychological distress. It also ensures the right acute or longer term care is received quicker.'

Publications

15 August 2017 - **Physical Activity for Everyone**

Guidelines, Policy Directives and Information Bulletins

16 August 2017 - **Guidelines for Performance Art Programs in NSW Health Services and Facilities**
Document number: GL2017_015

16 August 2017 - [Guidelines for Visual Art Programs in NSW Health Services Facilities](#) Document number: GL2017_016

16 August 2017 - [Salary Increases Staff Specialists NSW Public Health System - Staff Specialists \(State\) Award](#) Document number: IB2017_024

15 August 2017 - [Non-admitted Patient Classification Principles](#) Document number: GL2017_014

14 August 2017 - [Increased Rates of Pay and Allowances for Operational Ambulance Officers and Managers](#) Document number: IB2017_023

14 August 2017 - [Eligibility of Persons for Public Oral Health Care in NSW](#) Document number: PD2017_027

13 August 2017 - [Clinical and Related Waste Management for Health Services](#) Document number: PD2017_026

Northern Territory. Department of Health

18 August 2017 - [BDR Testing – Scanning Starts Tomorrow in Six Communities](#) - The Territory Labor Government will start scanning ID's at takeaway liquor outlets in 6 communities tomorrow to ensure equipment is ready for the Banned Drinker Register's (BDR) return on 1 September 2017. From tomorrow residents and visiting tourists wanting to buy takeaway alcohol in Alice Springs, Tennant Creek, Katherine, Nhulunbuy, Groote Eylandt and Milikapiti will have to show ID before being allowed to purchase.

17 August 2017 - [Making Our Community Safer - BDR Passed by Parliament](#) - The Territory Labor Government has delivered on a key election promise today, with legislation for the Banned Drinker Register (BDR) passed by Parliament. The Minister for Health Natasha Fyles said this is a significant milestone in government's plan to make the Territory safer.

16 August 2017 - [No Time for False Health Messaging](#) - The Territory Labor Government has slammed the Opposition for misleading Territorians on treatment for the Banned Drinker Register (BDR). The Minister for Health Natasha Fyles said Departments have worked solidly to reintroduce the BDR in line with best practice.

14 August 2017 - [Making Our Community Safer - BDR Set to Pass Parliament](#) - The Territory Labor Government is marking a significant milestone this sittings with legislation for the Banned Drinker Register expected to pass parliament this week. The Minister for Health Natasha Fyles said the Alcohol Harm Reduction Bill that establishes the BDR will be debated for the final time this week ahead of a September 1 roll out.

13 August 2017 - [Making Our Community Safer – Free ID for BDR](#) - The Territory Labor Government will waive the fee for two key forms of ID in preparation for the return of the Banned Drinker Register (BDR) next month.

12 August 2017 - [BDR – Equipment testing set to start](#) - The Territory Labor Government will begin testing ID scanners next week to ensure equipment is ready for the Banned Drinker Register's (BDR) return on 1 September 2017.

14 August 2017 - [Renovation works start at Flynn Drive Health Centre](#) - The Central Australia Health Service is advising clients and staff members that construction for a major renovation has started at the Flynn Drive Health Centre and a temporary change of access to some of the buildings may result.

Queensland. Department of Health

18 August 2017 - [Paediatric emergency beds open at Ipswich Hospital](#) - Ipswich Hospital has opened a four-bed paediatric emergency room to provide a dedicated treatment and waiting area for sick or injured children and their families.

15 August 2017 - [Queensland-first genomics centre to transform cancer treatment](#) - Each year more than 2000 Queenslanders will have access to DNA sequencing technology to identify cancer-causing genetic mutations, with the opening of a new genomics centre at the Princess Alexandra Hospital.

14 August 2017 - **Is it true I can 'eat for two' while pregnant?** As we examined in **'How much weight should I gain during pregnancy?'**¹, gaining too much or too little weight while pregnant can be unhealthy for mum and bub. This can be directly impacted by your diet: while the old adage about 'eating for two' is cute, healthy pregnant women should not aim to double their food intake while carrying their baby. But while there is no need to 'eat for two' during pregnancy, you do need to eat twice as well.

17 August 2017 - **Healthy Futures Commission Queensland Bill 2017** - Good health is a precious resource for every Queensland family. The proposed Healthy Futures Commission will be a new way of working that will contribute to reducing health inequity for Queensland children and families.

14 August 2017 - **What supplements should I take during pregnancy?** - Once you get pregnant, you're likely to be bombarded with advice from everyone you know (and possibly strangers on the street!). From **drink**, to what to expect from pregnancy and birth, or what products to buy and what to run from – chances are there is a lot of well-meaning but overwhelming advice coming your way. One thing that expecting mothers might hear about is supplements. Below, we've listed the supplements pregnant women should be taking during pregnancy and why.

14 August 2017 - **How much weight should I gain during pregnancy?** - Gaining a healthy amount of weight is an important part of keeping you and your baby healthy during pregnancy and after birth. A **recent worldwide study shows**¹ that about three out of four women aren't gaining healthy amounts of weight while pregnant, with nearly a quarter of women not gaining enough weight, and almost half gaining more than a healthy amount of weight.

11 August 2017 - **Introduce children to a dentist early** - Did you know that almost 40 per cent of children aged 4-6 had decay in at least one tooth at their first dental appointment? Or that half of Queensland children aged 5-10 had decay in their 'baby' teeth, leading to an average of four teeth needing dental treatment because of decay? This Dental Health Week, Queensland Health is encouraging parents to organise a dental check-up for their children.

South Australia. Department for Health & Ageing

16 August 2017 - **CHSALHN - Media release: Artist in residence artworks unveiled** - Artists working in mental health inpatient units across South Australia will unveil their artworks this week as part of the South Australian Living Artists (SALA) Festival. This year's Artist in Residence Program provided visual artists the opportunity to be based in SA Health's mental health inpatient units at Glenside, Whyalla and Berri for between three and six months.

14 August 2017 - **Media release: Meningococcal case August** - A case of invasive meningococcal disease has been notified in a 20-year-old woman from metropolitan Adelaide. The woman has been admitted to hospital and is in a stable condition. The strain has been identified as serogroup B.

14 August 2017 - **History made as NRAH welcomes first outpatient** - South Australian history has been made today as the new Royal Adelaide Hospital (RAH) welcomed its first patients with the commencement of some renal outpatient and radiation oncology services.

Tasmania. Department of Health & Human Services

16 August 2017 - **THS working with the RANZCP** - The Hodgman Liberal Government takes the issue of training accreditation seriously and is committed to seeing the Tasmanian Health Service work closely with the Royal Australian and New Zealand College of Psychiatry (RANZCP) for the restoration of training for psychiatric registrars at the Royal Hobart Hospital.

It's important to highlight this impacts only training, and patients will continue to receive care. The registrars impacted will also continue their training in the community.

15 August 2017 - **RHH helipad** - The Hodgman Liberal Government has worked closely with the Hobart City Council to ensure there will be ongoing aeromedical access to the Royal Hobart Hospital. Following a meeting last night, the council's planning committee will recommend to the full council that the process to make amendments to the city's planning schemes be progressed to the next stage – public exhibition for a 28-day period. This will ensure that future developers are aware of flight path requirements.

11 August 2017 - **LGH commitment to training accreditation** - Earlier this week, the Royal Australasian College of Physicians (RACP) visited the Launceston General Hospital (LGH) and agreed to work with the LGH to develop a plan to restore its level three accreditation from its current level two status. As part of the plan, the LGH will recruit two endocrinologists and two neurologists to provide support to other specialists and trainees.

8 August 2017 - **Government Response to Coronial Recommendations on the Death of Baby BJay Johnstone** - The death of BJay Adam Johnstone on 28 November 2012 and the circumstances which led to his death are tragic and we have learned and changed as a result of this tragedy. The Tasmanian State Government has accepted all of the Coroner's recommendations and provides this report by way of response.

Victoria. Department of Health

17 August 2017 - **Doors Open On New Pakenham Ambulance Station** - Local paramedics now have the facilities they need to quickly respond to local medical emergencies with the opening of a state-of-the-art ambulance station in Pakenham. Minister for Ambulance Services Jill Hennessy today officially opened the new \$1.1 million Pakenham Ambulance Branch on Main Street, funded by the Andrews Labor Government.

17 August 2017 - **Works Complete On First Ever Cath Lab In Gippsland** - Gippsland's first ever catheterisation laboratory for cardiac surgery at Latrobe Regional Hospital is now complete, and will soon give patients quicker access to life saving surgery, closer to home.

17 August 2017 - **Healthy Hearts For Loddon Campaspe Region** - Hearts and minds are set to get a welcome boost across the Loddon Campaspe region with the Andrews Labor Government today announcing funding to get locals more active, more often. Minister for Regional Development Jaala Pulford announced \$150,000 for the Healthy Heart for Victoria initiative in Bendigo ahead of tonight's Loddon Campaspe Regional Assembly.

17 August 2017 - **New Powered Stretchers Lower Paramedic Injuries** - The Andrews Labor Government's roll out of state-of-the-art powered stretchers in every ambulance is complete, making work safer and easier for all paramedics. Minister for Health Jill Hennessy visited Moe Ambulance Branch today to announce 632 of the new stretchers have been fitted as part of Labor's \$20 million upgrade of ambulance vehicles and equipment.

16 August 2017 - **Search Begins For Latrobe Health Advocate** - The Andrews Labor Government is getting on with implementing a key recommendation of the re-opened Hazelwood Mine Fire Inquiry by appointing a Latrobe Health Advocate. The Advocate will provide community-wide leadership to improve the health and wellbeing of people in the Latrobe Valley community.

16 August 2017 - **Expanding Help For Latrobe Valley Families** - More parents and their babies in the Latrobe Valley are getting the extra support they need through the Andrews Labor Government's expansion of the Maternal Child Health Service. Around 600 additional families will be supported through the expanded Enhanced Maternal Child Health Service until their child turns three.

15 August 2017 - **New Senior Jobs For Victoria's Allied Health Workforce** - The Andrews Labor Government has created 20 new senior jobs for allied health professionals to further develop their skills through ground breaking clinical research and education that will improve quality of care for patients.

15 August 2017 - **Good Oral Health For All Victorians** - The Andrews Labor Government is developing a new action plan to improve the oral health of Victorians and reduce the gap in oral health outcomes for people that are at higher risk of oral disease.

14 August 2017 - **Mental Health A Key Priority At Victoria Police** - Minister for Police Lisa Neville today welcomed the launch of the Victoria Police Mental Health and Wellbeing Strategy and Action Plan 2017–2020. The strategy maps out a comprehensive three-year approach to protecting, promoting and preserving the mental health and wellbeing of officers and staff at Victoria Police.

14 August 2017 - **Improving Health And Wellbeing Support For Principals** - Better mental health support will be the first priority in a plan to improve the health and wellbeing of Victoria's more than 1,500

government school principals. Minister for Education James Merlino today released a discussion paper to engage Victorian principals on a strategy to boost their health and wellbeing, which will support them to be greater school leaders.

14 August 2017 - [Supporting Communities To Tackle Ice](#) - Minister for Mental Health Martin Foley was joined by Member for Bendigo West Maree Edwards to announce the third round of Community Ice Action Grants, with the team at Sports Focus who are receiving funding to support local cricket clubs towards early detection of illicit drug use related issues and support players and families. Bendigo Community Health Service, Sports Focus and the Victorian AIDS Council will also receive funding for programs in the Bendigo area – aimed at local cricket clubs, LGBTI communities and health and community services professionals, as well as the wider community.

Western Australia. Department of Health

Media Releases

11 August 2017 - [Minister for Health: Chief Health Officer reports on water at Perth Children's Hospital](#) - The State Government today accepted the findings in the report from Western Australia's Chief Health Officer on Perth's Children's Hospital Potable Water.

Policy Frameworks

16 August 2017 - MP 0064/17 [Appointment of Interns and Progression to Resident Medical Officer Policy](#) - The purpose of this Policy is to provide for the engagement of Interns and their subsequent successful transition to Resident Medical Officer (RMO) Yr 1 and Yr 2 for a fixed term period of three years. This Policy also supports the continued practice of Interns and RMOs having the ability to elect to undertake specially rotations at different Health Service Providers in order to meet clinical training requirements. The transfer of Interns and RMOs between different Health Service Providers during their three year fixed term employment is enabled by section 141 of the Health Services Act 2016.

Policy framework: [Employment Policy Framework](#)

Publications

11 August 2017 - [Chief Health Officer review into lead at Perth Children's Hospital](#)

Australian Medical Association (AuMA)

17 August 2017 - [GPs helping guide patients to the best specialists](#) - Amidst the current media focus on out-of-pocket specialist fees, Australians have been reminded by AuMA President, Dr Michael Gannon, that GPs play an important gatekeeper role for the health system by providing invaluable advice in helping choose a specialist.

17 August 2017 - [eHealth Incentive compliance update - shared databases](#) - The AuMA recently sought advice from the Department of Health on the treatment of practices with multiple sites sharing one data base for the eHealth Incentive. Some of the practices received an ePIP compliance letter advising that they did not upload any shared health summaries during the period 1 May 2016 to 31 January 2017 and were withdrawn from the ePIP incentive.

These practices subsequently wrote to the Department of Health disputing the shared health summary (SHS) upload figures. On investigating these disputes, it became apparent that practices operating under a network and seed arrangement with software that allowed for only one HPI-O were having all shared health summary uploads recorded against only one practice.

17 August 2017 - [Early spike for flu season](#) - Across Australia reports are emerging of the worst flu season on record with 19,216 influenza notifications in Queensland and 21,412 confirmed cases in New South Wales already. The cases in NSW are more than double for the same period last year. AuMA Vice-President, Dr Tony Bartone, speaking to [ABC Online](#), said that influenza activity has spiked earlier than in previous years – peaks are usually seen in August and September.

17 August 2017 - [Medicine misuse can happen to anyone](#) - Be Medicinewise Week runs from the 21-27 August 2017, entering its 7th year. The week serves as an annual reminder to Australians that medicine misuse can happen to anyone and urges the safe and wise use of medicines.

17 August 2017 - **URGENT RECALL ACTION: Heparin and Lignocaine ampoules** - The Therapeutic Goods Administration (TGA) has issued an urgent recall for Heparin and Lignocaine ampoules due to the potential for incorrect products in packages. The recall was triggered from a case of a box of Herapin 5000 IU/5ml that was dispensed in a NSW Community Pharmacy which was later found to contain Lignocaine Injection 50mg/5mL ampoules.

17 August 2017 - **MJA Insight Update** - GPs may be interested in several articles in the latest MJA Insight, with topics ranging from the 'resilience myth' to an education campaign on symptoms of vaginal mesh implant complications to reducing the risk of chronic kidney disease.

17 August 2017 - **Australian Immunisation Handbook: Update to the 10th Edition** - Updates to the 10th edition of the Australian Immunisation Handbook are now available. The Handbook was first published in 2013.

The most up-to-date version of the Handbook is online, however updates to affected sections can be printed for easy reference to accompany existing hard copy versions.

17 August 2017 - **Reminder: National Press Club Address by the AuMA President** - The AuMA President, Dr Michael Gannon, will deliver his National Press Club address next week on Wednesday the 23 August.

ABOUT US

Nicholas Tyacke



Nicholas is the Head of DLA Piper's Life Sciences practice across the Asia-Pacific and leads DLA Piper's Life Sciences Intellectual Property and Regulatory practices in Australia.

Nicholas offers a level of experience unique to the Australian market, being both a US attorney and an Australian solicitor, and having spent his career advising and acting for many of the world's leading life sciences companies in those jurisdictions. Nicholas' experience includes acting in Hatch-Waxman patent disputes in the United States and in the Australian component of equivalent complex multi-jurisdictional patent disputes, including in patent disputes before trial courts, intermediate appeal courts (the United States Court of Appeals for the Federal Circuit and the Full Federal Court of Australia) and final appeal courts (the Supreme Court of the United States and the High Court of Australia) in both jurisdictions. Nicholas' experience also includes advising life sciences companies in relation to regulatory issues in Australia, including in relation to clinical trials, and managing and coordinating work for DLA Piper's life sciences clients across the Asia-Pacific.

Contact Details

T +61 2 9286 8502

nicholas.tyacke@dlapiper.com

MORE INFORMATION

Contact your nearest DLA Piper office:

BRISBANE

Level 9, 480 Queen Street
Brisbane QLD 4000
T +61 7 3246 4000
F +61 7 3229 4077
brisbane@dlapiper.com

MELBOURNE

Level 21, 140 William Street
Melbourne VIC 3000
T +61 3 9274 5000
F +61 3 9274 5111
melbourne@dlapiper.com

PERTH

Level 31, Central Park
152-158 St Georges Terrace
Perth WA 6000
T +61 8 6467 6000
F +61 8 6467 6001
perth@dlapiper.com

SYDNEY

Level 22, No.1 Martin Place
Sydney NSW 2000
T +61 2 9286 8000
F +61 2 9286 8007
sydney@dlapiper.com

www.dlapiper.com

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If you would like to reproduce any of this publication, please contact Michael Regos on +61 3 9274 5437 or michael.regos@dlapiper.com.

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