



# HEALTH ALERT

23 October 2017

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## KEY DECISIONS

21 September 2017 - **Non-inquest finding into the death of ALJW** - Coroner Spanos made a number of recommendations for the Royal Children's Hospital and Royal Melbourne Hospital in relation to psychological and emotional support for patients.

ALJW was 21 years old at the time of his death. He was born with a complex congenital heart disease. He had Fontan surgery as a baby and required lifelong anticoagulation medication, regular cardiac surveillance and review, and restrictions on physical activities. The effects of his condition and the weight of his own mortality caused ALJW to suffer from depression. In 2014 ALJW reported to his doctor that he felt his depression was worsening, and disclosed suicide attempts and thoughts. In August 2014, ALJW had his first cardiac review as an adult, which he attended alone. He was noted to be stable, however was told that his long-term prospects were unclear. ALJW told his parents that the review had been confronting and that he'd likely become very sick and die in his 40s. ALJW subsequently took his own life in September 2014. Coroner Spanos recommended that:

1. when transferring patients to the Royal Melbourne Hospital (RMH), clinicians at the Royal Children's Hospital (RCH) formally refer a young person to a social worker for support throughout the transition;
2. RCH and RMH introduce a screening tool that measures a young person's capacity and resilience for events such as the transition between health services and the possible future outcomes from Fontan surgery;
3. RMH require Congenital Liaison Nurses to complete mental health training; and
4. RCH and RMH review/change their pathways/systems to ensure there is a focus on the emotional and psychological impacts of the Fontan surgery and its implications for patients.

18 October 2017 - **In the matter of ED (Mental Health) [2017] ACAT 84** - MENTAL HEALTH – authorisation of short-term involuntary detention for immediate treatment, care or support – statutory preconditions for initial detention by a doctor for 3 days – Tribunal order extending the period of involuntary detention for a period not longer than an additional 11 days – Tribunal review of involuntary detention under section 85 of the Mental Health Act – relevant conditions and when they must apply for exercise of discretionary power

A doctor at the Canberra Hospital Adult Mental Health Unit (AMHU) authorised the involuntary detention and treatment of a person (ED) for a period not exceeding three days pursuant to the *Mental Health Act 2015* (ACT) (the Act). At the expiration of three days, ED's treating psychiatrist applied to the ACT Civil and Administrative Tribunal (the Tribunal) for an extension of 11 days. The Tribunal authorised the extended detention (First Order). ED sought a review of this decision, and the Tribunal's order was affirmed. Under the Act, in order to involuntarily detain the patient, the doctor had to have reasonable grounds to believe that the patient had a mental illness, required immediate treatment, care or support, was refusing treatment, care or support and that detention was necessary. It was noted that on review, the Tribunal does not decide in the exercise of its discretion whether involuntary detention should continue. That is always for the doctor to decide. The Tribunal's role is only to review whether the doctor has reasonable grounds for his or her belief that the criteria for involuntary detention in the Act continue to be met. If so, involuntary detention may continue. In this case, Presidential Member McCarthy was satisfied that the doctor had reasonable grounds to believe that criteria for involuntary detention had been met, and as such the First Order was confirmed.

## JUDGMENTS

### Australian Capital Territory

19 October 2017 - **Medical Board of Australia v Helmy (Occupational Discipline) [2017] ACAT 85** - OCCUPATIONAL DISCIPLINE – medical practitioner – unprofessional conduct – whether allegations made are proved – the character of the doctor's conduct – whether there was inappropriate and/or intimate conduct – whether there was a boundary violation – whether there was a breach of an undertaking – pattern of conduct – whether Evidence Act 2011 applies – weight to be given to representations made by

complainants when they are not called to give evidence or cross-examined – whether complainants were ‘unavailable’ as defined in the Evidence Act 2011.

18 October 2017 - *In the matter of ED (Mental Health) [2017] ACAT 84* - MENTAL HEALTH – authorisation of short-term involuntary detention for immediate treatment, care or support – statutory preconditions for initial detention by a doctor for 3 days – Tribunal order extending the period of involuntary detention for a period not longer than an additional 11 days – Tribunal review of involuntary detention under section 85 of the Mental Health Act – relevant conditions and when they must apply for exercise of discretionary power.

### Commonwealth. Fair Work Commission

19 October 2017 - *Alliance Care Management as trustee for the Heritage Manor Aged Care Unit Trust T/A Trustee for the Heritage Manor Aged Care Unit Trust [2017] FWCA 5427* - Application for approval of the Alliance Care Management as Trustee for Heritage Manor Aged Care Unit Trust Health and Allied Enterprise Agreement 2017.

18 October 2017 - *Logan v Knoxfield Medical Centre Pty Ltd T/A Colchester Medical Centre [2017] FWC 5378* - Application for an unfair dismissal remedy.

18 October 2017 - *St John of God Hawkesbury District Health Campus Ltd [2017] FWCA 5391* - Application for approval of the St John of God Health Care Hawkesbury District Health Service and New South Wales Nurses and Midwives’ Association / ANMF New South Wales (NSW) Branch Nursing and Midwifery Enterprise Agreement 2017.

18 October 2017 - *Friendly Society Medical Association Limited T/A National Pharmacies [2017] FWCA 5352* - Application for approval of the National Pharmacies Distribution Centre Store Replenishment Employees Enterprise Agreement 2017.

### Norfolk Island

17 October 2017 - *Perino v Hall [2017] NFSC 5* - PRACTICE AND PROCEDURE – Consideration of an application for an order under r 40 of the Court Procedure Rules 2006 (ACT) or the Court’s inherent power that the plaintiff’s Statement of Claim be set aside – in the alternative, an order under r 425(1) of the Rules that the Statement of Claim be struck out – in the alternative, an order under r 425(3) that the proceeding be dismissed – whether the plaintiff’s claim is barred or prohibited by the common law principle of res judicata – whether the plaintiff’s action is barred by s 43 of the Employment Act 1988 (NI) – whether there is an estoppel based on the fact of previous proceedings before the Employment Tribunal and delay – whether the proceeding is an abuse of process – where it is not unarguable in the relevant sense that s 43 of the Employment Act does not bar the plaintiff’s claims against the defendants – where the plaintiff has commenced her action within time.

### New South Wales (NSW)

20 October 2017 - *Marquez v Health Care Complaints Commission [2017] NSWCATOD 148* - Application for reinstatement to Register - principles to be applied.

19 October 2017 - *Health Care Complaints Commission v Robinson [2017] NSWCATOD 147* - Medical practitioner – disagreement between surgeon and anaesthetist with respect to further conduct of operation – failure to attend to patient in a timely fashion – self prescription of medication – prescription of medication to close family member – finding of professional misconduct – doubt concerning finding of impairment despite concession by medical practitioner that impaired.

19 October 2017 - *Bahramy v Medical Council of New South Wales [2017] NSWCATOD 146* - ADMINISTRATIVE LAW - Application for reregistration of medical practitioner following deregistration in 2008 for professional misconduct -Whether practitioner has demonstrated he is a fit and proper person to be reinstated to the register -Applicant lacking insight -Application dismissed.

19 October 2017 - *Health Care Complaints Commission v Noore [2017] NSWCATOD 145* - Professional misconduct-unsatisfactory professional conduct-medical practitioner consuming illicit drugs-practitioner prescribing drugs to person with whom practitioner had close personal relationship contrary to cl 3.14 of Code of Conduct for Doctors in Australia- prescribing drugs to person when practitioner had no

specialist experience for treatment in the subject matter-Practitioner suffering from substance and depressive disorder. Substance use disorder.

## Victoria

12 October 2017 - [Medical Board of Australia v Abi Haila \(Review and Regulation\) \[2017\] VCAT 1627](#) - Review and Regulation List — medical practitioner working in ‘anti-ageing’ clinic run by a dietician and personal trainer who referred patients seeking hormone therapy – prescription of testosterone and human growth hormone to patients with test results in the normal range – whether prescribed Schedule 4 poisons without proper clinical justification – whether took all reasonable steps to ensure a therapeutic need existed for the poison – where failed to obtain opinion of specialist endocrinologist or andrologist –whether failed to appropriately clinical manage certain of his patients Health Practitioner National Law ss 5, 196, Drugs Poisons and Controlled Substances Regulations 2006, r8(2)(b).

21 September 2017 - [Non-inquest finding into the death of ALJW](#) - Coroner Spanos made a number of recommendations for the Royal Children’s Hospital and Royal Melbourne Hospital in relation to psychological and emotional support for patients.

## New Zealand

16 October 2017 - [Aldlam v Accident Compensation Corporation \[2017\] NZCA 457](#) - The Court of Appeal answered in the affirmative to the question: Was the High Court correct to find that a failure to treat cannot occur in circumstances where there are no indications for a different treatment course? The appeal was dismissed.

## LEGISLATION

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

### Commonwealth

20 October 2017 - [Health Insurance \(Subsection 3\(5\) General Practitioner Post-Operative Treatment\) Direction 2017](#) F2017L01377 - as made.

18 October 2017 - [Health Insurance \(Bone Densitometry\) Revocation Determination 2017](#) F2017L01365 - as made.

13 October 2017 - [Private Health Insurance \(Prostheses\) Amendment Rules 2017 \(No. 5\)](#) F2017L01346 - as made.

12 October 2017 - [Health Insurance Legislation Amendment \(2017 Measures No. 2\) Regulations 2017](#) F2017L01343 - as made.

12 October 2017 - [Dental Benefits \(Relevant Professional Bodies under subsection 32B\(4\)\) Declaration 2017](#) F2017L01342 - as made.

11 October 2017 - [Health Insurance \(Allied Health Services\) Amendment \(Psychological Telehealth Services\) Determination 2017](#) F2017L01340 - as made.

### New South Wales

18 October 2017 - [Health Practitioner Regulation Amendment Bill 2017](#) - Passed.

### South Australia

18 October 2017 - [Health Practitioner Regulation National Law \(South Australia\) \(Remote Area Attendance\) Amendment Bill 2017](#) - Introduced, second reading speech and passed Assembly.

### Victoria

19 October 2017 - [Drugs, Poisons and Controlled Substances Amendment \(Real-time Prescription Monitoring\) Bill 2017](#) - Passed Council.

17 October 2017 - [Health Legislation Amendment \(Quality and Safety\) Bill 2017](#) - Passed Council.

## REPORTS

### Australia. Department of Health

#### Media releases

20 October 2017 - [Evaluation of Indigenous Australians' Health Program](#) - Independent consultants have been engaged to conduct evaluations of the Australian Government's Indigenous Australians' Health Program (IAHP).

19 October 2017 - [Australia loses young hero of organ donation](#) - It is with great sadness that I share the news a true hero and advocate for organ donation, Coen Ashton, has passed away following complications due to kidney failure.

19 October 2017 - [Australians Urged to 'Love Your Bones' on World Osteoporosis Day](#) - Aged Care Minister Ken Wyatt is urging Australians of all ages to complete a simple, online bone health check, to prevent potentially crippling conditions as they grow older.

19 October 2017 - [Better safety and security for remote health workers](#) - The Australian Government is boosting its investment in training and professional support for health professionals working in the bush, with more than \$250,000 being provided to develop training to improve personal safety and security.

19 October 2017 - [New report outlines residential aged care funding reform options](#) - The release of a new report into aged care funding highlights a range of options to modify Australia's residential care funding instrument.

18 October 2017 - [Building a Stronger Health Workforce in Wannon](#) - The Assistant Minister for Health, Dr. David Gillespie and Member for Wannon, Dan Tehan are acting on concerns raised at recent forums in August 2017 about the recruitment and retention of medical professionals in Portland and Warrnambool.

17 October 2017 [More than \\$60 million for end-of-life care projects](#) - The Australian Government is providing more than \$60 million for new projects that will help improve quality and access to palliative care.

14 October 2017 - [Fifth National Mental Health and Suicide Prevention Plan released](#) - Around four million Australians who experience a mental health condition will benefit from a strengthened mental health system under the Fifth National Mental Health and Suicide Prevention Plan.

13 October 2017 - [A Head Start to Help Children Reach Their Full Potential](#) - An \$842,000 funding boost from the Australian Government will help the Bubup Wilam Early Learning Aboriginal Child and Family Centre give scores of children a stronger start in life.

13 October 2017 - [Major reforms to make private health insurance simpler and more affordable](#) - The Australian Government has announced a wide ranging package of reforms to make private health insurance simpler and more affordable for Australians.

12 October 2017 - [New Members Broaden Expertise of Organ Donation Board](#) - Minister for Aged Care and Minister for Indigenous Health, Ken Wyatt AM, has appointed four more members to the inaugural Australian Organ and Tissue Donation and Transplantation Board.

#### Private Health insurance Circulars

[PHI 49/17 Payment of the Private Health Insurance Complaints Levy for 2017-18](#)  
[PHI 48/17 Private Health Insurance \(Prostheses\) Amendment Rules 2017 No.5](#)

#### Consultations

16 October 2017 - [Review of the National Screening and Assessment Form \(NSAF\)](#) - This survey seeks feedback from aged care assessors, service providers, clients, carers, health professionals, and peak body representatives on the current NSAF.

### Australia. Health Practitioner Regulation Agency and the boards

17 October 2017 - [National Board recognises the important role of podiatrists in the community](#) - The Podiatry Board of Australia is recognising the important contribution of podiatrists to the health and wellbeing of the Australian community in Foot Health Month this October.

17 October 2017 - [Supreme Court dismisses application for judicial review of Board decision](#) - The Supreme Court of Western Australia (the Court) has dismissed an application for judicial review of a decision by the Podiatry Board of Australia (the Board) to caution Mr Mario da Horta, a podiatrist and podiatric surgeon, over his practise of the profession.

19 October 2017 - [Medical practitioner admits to professional misconduct including false overtime and recall claims](#) - Medical practitioner reprimanded, disqualified for two and a half years and ordered to pay \$11,500 in costs.

17 October 2017 - [Tribunal reprimands nurse for professional misconduct](#) - A tribunal has reprimanded an enrolled nurse and imposed conditions on her registration for engaging in professional misconduct.

16 October 2017 - [Communiqué](#) - The Dental Board of Australia releases its latest communiqué.

16 October 2017 - [New Fact sheet: The use of teeth whitening products by dental practitioners](#) - The Dental Board of Australia has published a fact sheet on the use of teeth whitening products by dental practitioners.

13 October 2017 - [Call for applications](#) - Call for applications for appointment to state and territory committees of the Dental Board of Australia.

12 October 2017 - [Psychologist reprimanded for unprofessional conduct of a serious nature](#) - A tribunal has reprimanded a psychologist for engaging in an inappropriate personal relationship with a client.

### **Australia. Therapeutic Goods Administration (TGA)**

19 October 2017 - [TGA presentation: TGA Pharmacovigilance Inspection Program information sessions](#) - Preparing for inspections, inspection process, and close out of inspections.

18 October 2017 - [Jimpness Beauty Fat Loss capsules](#) - Safety Alert - Jimpness Beauty Fat Loss capsules.

18 October 2017 - [AIVC recommendations for the composition of influenza vaccine for Australia in 2018](#) - AIVC recommendations for the composition of influenza vaccine for Australia in 2018.

18 October 2017 - [Electronic submissions](#) - Release of updated AU Module 1 specifications for eCTD and NeeS.

18 October 2017 - [Australian Public Assessment Reports for prescription medicines \(AusPARs\)](#) - Added Irinotecan (as sucrofosate), Saxagliptin/Dapagliflozin.

17 October 2017 - [Permobil powered wheelchairs - Corpus II seating system](#) - Recall for product correction - potential for injury due to breakage of the seating system.

17 October 2017 - [Therapeutic Goods Evaluation Panel: Information sessions](#) - The TGA is hosting a series of information sessions to support the Request for Tender for the Therapeutic Goods Evaluation Panel.

17 October 2017 - [TGA tenders](#) - Therapeutic Goods Evaluation Panel tender is now open.

13 October 2017 - [Complementary medicine reforms information sessions](#) - Information sessions will be held in November in Sydney, Melbourne and Canberra.

12 October 2017 - [Prescription medicines minor variations e-form: Frequently asked questions \(FAQs\)](#) - Answers to frequently asked questions re the prescription medicines minor variations e-form.

12 October 2017 - [Black Triangle Scheme](#) - Encouraging adverse event reporting helps us build the full picture regarding new medicines.

12 October 2017 - [Product Information](#) - New format makes important clinical information easier to find.

## Australian Institute of Health & Welfare

19 October 2017 - [Welfare report card: Australia's Welfare 2017 puts our wellbeing under the microscope](#)

19 October 2017 - [Four Australians die from brain cancer every day, with no improvement in survival rates in 3 decades](#)

13 October 2017 - [Access to mental health services through Medicare on the rise](#)

## Australian Commission on Safety and Quality in Health Care

16 October 2017 - On the Radar – Issue 343 ([PDF 209KB](#)) ([Word 156KB](#))

18 October 2017 - [Heavy Menstrual Bleeding Clinical Care Standard](#)

17 October 2017 - [Vital Signs 2017: The state of safety and quality in Australian health care \(PDF 11MB\)](#)

## New South Wales (NSW). Ministry of Health

### Media Releases

16 October 2017 - [NSW Health urges 20 - 50s to vaccinate against measles](#) - NSW Health is urging people aged between 20 and 50 years to have the free, safe measles vaccine after the 29th person in the state was diagnosed with the highly infectious disease.

16 October 2017 - [NSW Health thanks staff as flu season declines](#) - NSW Health today thanked health workers across the system for their monumental work in battling influenza this season as latest figures show almost 100,000 influenza notifications to date.

This winter was one of the busiest flu seasons in NSW since the 2009 pandemic, due to coincident outbreaks of influenza A and influenza B with notifications peaking at almost 50,000 during August.

13 October 2017 - [Hep A warning issued to patrons at Sydney restaurant](#) - NSW Health is warning recent visitors to Sokyo restaurant at The Star in Sydney that a staff member has been diagnosed with hepatitis A. Dr Vicky Sheppard, Director of Communicable Diseases at NSW Health, said the risk of anyone developing the infection is considered low and there is no ongoing risk to other diners.

12 October 2017 - [Narrabri wins NSW Healthy Town Challenge](#) - Narrabri has won the NSW Healthy Town Challenge for 2017 earning a combined \$20,000 in grants for its efforts to get locals to eat well, move more and sit less. Member for Barwon Kevin Humphries joined Minister for Health Brad Hazzard in congratulating the town's participants, who lost a combined weight of 260 kilos.

### Publications

20 October 2017 - [Influenza Surveillance Report](#)

19 October 2017 - [Communicable Diseases Weekly Report \(CDWR\)](#)

19 October 2017 - [Snapshot of Tobacco Strategy 2012-2017](#)

### Policy Directives and Information Bulletins

18 October 2017 - [Registration of NSW Health Establishments](#) - Document number: PD2017\_038.

18 October 2017 [Staff Specialists' Training, Education and Study Leave \(TESL\) - New Funding Entitlement 2017/2018](#) - Document number: IB2017\_036.

12 October 2017 - [Health Records and Medical/Clinical Reports - Rates](#) - Document number: IB2017\_035.

## Northern Territory (NT). Department of Health

19 October 2017 - [Building Safe & Vibrant Communities – NT Alcohol Review Released](#) - The Territory Labor Government has welcomed the Alcohol Policy and Legislation Review handed to government by the Chair of the Expert Alcohol Panel and former Chief Justice of the NT, Trevor Riley. The

Attorney-General and Minister for Health Natasha Fyles said Territorians want and deserve to live in safe and vibrant communities and this review provides recommendations on how government can deliver that.

### Queensland. Department of Health

20 October 2017 - **Changes to further regulate cosmetic surgery procedures approved** - The Palaszczuk Government has acted to provide greater protection for people undergoing surgical procedures for cosmetic purposes.

20 October 2017 - **More Queenslanders set to benefit from HIV drug trial** - Queensland Health will add an extra 1000 places to a potentially life-saving HIV medication trial, Health and Ambulance Services Minister Cameron Dick announced today.

18 October 2017 - **Queensland kids under five to receive free flu vaccine** - After the worst flu season in recent years, the Queensland Government has announced a new vaccination program for children aged six months to five years old.

18 October 2017 - **Faster detection key to improving flu response** - The State Government will invest \$1.3 million in technology to diagnose influenza and other infections faster and make future flu seasons easier for Queensland hospitals to manage.

17 October 2017 - **Queensland Health Export and Investment Advisory Council places health exports and investment centre stage on Gold Coast** - The Palaszczuk Government will partner with the City of Gold Coast to facilitate an exciting program of trade and investment events – Trade 2018 – in the lead up to and during next year’s Commonwealth Games.

17 October 2017 - **Reconciliation Plan recognises wrongdoing and seeks to improve lives** - The Queensland Government has approved a Reconciliation Plan for women who were wrongly placed in the Wolston Park adult mental health facility when they were children and did not have a mental illness.

14 October 2017 - **New leader for Metro South health board** - Human resources expert, well-known broadcaster and respected leader, Adjunct Professor Janine Walker, has been appointed chair of the Metro South Hospital and Health Board.

13 October 2017 - **Gold Coast conference hosts some of world’s brightest medical minds** - Some of the brightest minds from around the globe have gathered on the Gold Coast to showcase the latest technology and techniques in the treatment of organ failure in a bid to save more lives.

12 October 2017 - **Mobile youth mental health outreach teams expand across Queensland** - Mobile community-based outreach teams are expanding across Queensland to ensure young people experiencing severe, complex and persistent mental health problems get the help they need faster and as close to home as possible.

12 October 2017 - **Government to hold summit following severe flu season** - After one of the worst flu seasons in years, Queensland Health is bringing together key experts for a summit to explore how the State’s health system can better respond next year.

### South Australia (SA). Department for Health & Ageing

18 October 2017 - **Be asthma alert this hay fever season** - South Australians are being reminded of the serious dangers of asthma, which can be exacerbated during peak hay fever season.

SA Health’s Deputy Chief Medical Officer Dr Nicola Spurrier said high pollen counts in spring leads to exacerbated asthma symptoms and subsequent high rates of asthma-related hospitalisations in South Australia.

16 October 2017 - **Media release: Meningococcal cases - October** - Two unrelated cases of meningococcal disease have been notified in a 19-year-old female and 16-year-old female, both from metropolitan Adelaide. Both have been admitted to hospital and are in a stable condition.

### Tasmania. Department of Health & Human Services

16 October 2017 - **Restart a Heart Day – You Can Save Someone’s Life** - Ambulance Tasmania has joined forces with St John’s Ambulance, Red Cross, the Heart Foundation and the Australian Resuscitation



Council today to encourage more people to learn Cardio Pulmonary Resuscitation (CPR) and help save lives. Staff and volunteers of all three organisations today conducted CPR demonstrations for students at both Ogilvie High School and Riverside High School as part of Restart a Heart Day.

16 October 2017 - **Extra hospital beds having an impact** - The Hodgman Liberal Government's strategy of opening extra hospital beds to deal with Emergency Department demand pressures is starting to have an impact.

15 October 2017 - **Remembering the littlest lives** - Today marks the Pregnancy and Infant Loss Remembrance Day (October 15) in Tasmania. In officially recognising this day, the Tasmanian Government hopes to create awareness in the wider community as well as demonstrate to families that they are not alone.

6 October 2017 - **Tasmania enters into important Autism research partnership** - The State Government and the Autism Advisory Panel (AAP) have entered into a research partnership with the Australian Autism Co-operative Research Centre (CRC) to establish an autism research base in Tasmania.

### **Victoria. Department of Health**

20 October 2017 - **Voluntary Assisted Dying Law One Step Closer** - Victorians who are terminally ill are one step closer to having access to voluntary assisted dying after the Legislative Assembly voted to pass the historic Voluntary Assisted Dying Bill 2017, without any amendments.

19 October 2017 - **Life-Saving Real-Time Prescription Monitoring Laws Pass Parliament** - The Andrews Labor Government's state-of-the-art real-time prescription monitoring system will roll-out across Victoria in 2018, as new laws passed the Victorian Parliament today. The Drugs, Poisons and Controlled Substances Amendment (Real-time Prescription Monitoring) Bill 2017 establishes the real-time prescription monitoring system, to be known as SafeScript.

18 October 2017 - **Tough New Laws Passed To Strengthen Hospital Safety** - New Andrews Labor Government laws will ensure patients in public and private hospitals and cosmetic surgery facilities receive the same level of high quality and safe patient care. The Health Legislation Amendment (Quality and Safety) Bill was passed in Parliament last night.

17 October 2017 - **Debate Of Historic Voluntary Assisted Dying Bill Starts** - The historic debate of Victoria's Voluntary Assisted Dying Bill starts in Parliament today. This week the Victorian Parliament is expected to hold one of its most emotional debates, with all Labor Members given a conscience vote on the legislation.

17 October 2017 - **Removing Red Tape For Injured Victorians** - Victorians injured in transport accidents will no longer be out of pocket for health and medical treatment under proposed new legislation introduced into the Victorian Parliament today.

The new Bill proposes that people injured in transport accidents will no longer have to pay for the first \$651 of their medical expenses before the Transport Accident Commission (TAC) covers their costs.

15 October 2017 - **Monash Children's Hospital School Opens** - Sick children in Melbourne's south-east now have access to a world class education while continuing life-saving medical treatment, with the official opening of the state-of-the-art Monash Children's Hospital School. Tags: **Education, Health**

15 October 2017 - **Record Immunisation Coverage For Victorian Kids** - Victoria has achieved its best ever immunisation coverage with nearly 95 per cent of 5-year old kids now protected against preventable and serious life-threatening diseases. Latest figures from the Australian Childhood Immunisation.

### **Western Australia. Department of Health**

20 October 2017 - **Remote Western Australian communities to receive free meningococcal vaccinations** - The Department of Health today announced it will provide vaccinations against meningococcal disease to Aboriginal people living in certain remote communities, in response to an outbreak of serogroup W (MenW) meningococcal disease in central Australia.

19 October 2017 - **Minister for Health: Community input key to the future of the health system** - Extensive engagement and consultation as part of the McGowan Government's Sustainable Health Review is attracting input from people and organisations across the State.

19 October 2017 - **Minister for Health: Ross independent inquiry into PathWest complete** - An independent inquiry that examined 19 forensic cases from PathWest's Forensic Biology Department (FBD) has found the standard of DNA science at the laboratory to be consistently high.

18 October 2017 - **Minister for Health: Improved access to vital health information to benefit patients** - Western Australians will benefit from improvements to the accessibility and transparency of key health information made as a result of a McGowan Government election commitment.

The changes will ensure information including emergency department wait times, outpatient specialist waiting lists and elective surgery waitlist times are prominent, and easy to navigate.

18 October 2017 - **Minister for Health and Planning; lands: Work begins on WA's first Medihotel** - Work has begun on the first stage of the Murdoch Health and Knowledge Precinct (MHKP) which will include aged care beds, affordable housing and Western Australia's first Medihotel.

The 9.6-hectare site adjacent to Fiona Stanley Hospital will be developed in two stages over 10 to 15 years to become a major hub delivering jobs, new homes, and leading health and research facilities.

13 October 2017 - **Minister for Health and Minister for Science: Data linkage review report released** - Science Minister Dave Kelly and Health Minister Roger Cook have today released the Data Linkage Expert Advisory Group's report into Western Australia's data linkage capabilities.

The report includes recommendations to improve the State's current data linkage service in the short term, and develop a whole-of-government model in the future which builds on the State's existing strengths in population health data linkage and research.

13 October 2017 - **Minister for Health and Treasurer: The State Government rejects John Holland's latest claims and excuses regarding delays to the Perth Children's Hospital** - At today's Public Accounts Committee hearing the Perth Children's Hospital builder, John Holland, gave evidence towards the inquiry into the management and oversight of the Perth Children's Hospital project.

13 October 2017 - **Minister for Health: Better engagement makes for healthier, happier employees** - Health Minister Roger Cook will write to 44,000 health staff to launch a new dedicated employee engagement process.

In his pledge, the Minister will outline his new engagement plan and invite health employees to take part in two surveys about the Sustainable Health Review Interim Report and Recommendations, and on staff engagement and morale.

13 October 2017 - **Further meningococcal disease cases** - The Department of Health today reported that three Western Australians, including two young children and an elderly adult, have been diagnosed with meningococcal disease in the past week. Two have recovered and been discharged while one remains seriously ill in hospital.

Publications

19 October 2017 - **Independent PathWest inquiry completed**

17 October 2017 - **Annual reports**

### **Australian Medical Association (AuMA)**

20 October 2017 - **Euthanasia debate reflects diverse opinions - Michael Gannon** - The Victorian parliament is in the final stages of debating its Voluntary Assisted Dying Bill. So is the Victorian community, and the Australian community. Events in Spring Street are being watched very closely nationally and internationally, and with good reason.

There is a VAD bill before the NSW parliament, and a parliamentary committee on euthanasia and physician-assisted suicide has been established in Western Australia. A bill was defeated in Tasmania this

year, and another on the Speaker's vote in South Australia last year. There is a citizens-initiated referendum before the Finnish parliament.

The bill has implications well beyond the state of Victoria.

I do not envy the task before MPs in Victoria. These are difficult, deeply vexed and potentially very divisive issues.

19 October 2017 - **Review of urgent after hours GP services is bigger than cheap attacks on so-called 'dodgy doctors'** - The AuMA today criticised media reports that trivialise and misrepresent the findings of the final report of the Medicare Benefits Schedule (MBS) *Review of Urgent After-Hours Primary Care Services funded through the MBS*.

AuMA President, Dr Michael Gannon, said it was wrong to smear all after-hours services because of inappropriate practices, including alleged use of 'unqualified' doctors, in a small number of cases.

19 October 2017 - **Medical indemnity arrangements must stay** - It's in no-one's interest to cut support for medical indemnity schemes that give doctors and patients alike certainty and stability, the AuMA says.

17 October 2017 - **Improving Communication Between Health Services And Doctors** - The AuMA has released a new Guide, which sets out 10 minimum standards that should apply for communication between health services and general practitioners and other treating doctors to ensure the best possible health outcomes for patients.

16 October 2017 - **AuMA Rejects Proposals To Water Down Accreditation Standards For Health Profession Training** - The AuMA has rejected the draft report of the *Review of Accreditation Systems within the National Registration and Accreditation Scheme*, as it would allow more bureaucratic and political interference in health workforce training. Alternatively the AuMA believes that a more cautious approach is warranted, focusing on measured changes that build on and improve current systems and processes.

13 October 2017 - **AuMA Welcomes Government Reforms As Good Start To Bringing Much-Needed Transparency, Clarity, And Affordability To Private Health Insurance** - AuMA Welcomes Government reforms as good start to bringing much-needed transparency, clarity, and affordability to private health insurance.

## 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.

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