



HEALTH ALERT

17 July 2017

Judgments	2
Key decisions	2
Commonwealth. Fair Work Commission	3
Queensland.....	3
Northern Territory	3
New South Wales	3
Victoria	4
Legislation	5
Commonwealth	5
Reports	5
Australia. Department of Health	5
Australia. Health Practitioner Regulation Agency and the boards (AHPRA)	6
Australia. National Health and Medical Research Council (NHMRC)	6
Australia. Pharmaceutical Benefits Scheme	7
Australia. Therapeutic Goods Administration (TGA)	7
Australian Institute of Health & Welfare	8
Australian Commission on Safety and Quality in Health Care	8
Australia. National Mental Health Commission	8
Australian Capital Territory. Health Directorate	8
New South Wales (NSW). Ministry of Health	8
Northern Territory. Department of Health	9
Queensland. Department of Health	9
South Australia. Department for Health & Ageing.....	10
Tasmania. Department of Health & Human Services	10
Victoria. Department of Health	10
Western Australia (WA). Department of Health	10
New Zealand. Ministry of Health.....	11
Australian Medical Association (AuMA).....	11
About us	12
More information	12

JUDGMENTS

Key decisions

26 June 2017 - *Dr Praneal Dutt Sharma v Dr Phillip Segal and Dr Greg Chen [2017] NSWSC 867* - CONTRACT – commercial agreement between specialist radiologists pertaining to the conduct of a radiology clinics business – construction – provision providing for three types of determination (dissolution) of arrangements – which of two applies.

The plaintiff and defendants are specialist radiologists who operated three radiology clinics. The commercial relationship between the parties was governed by an Agreement. This proceeding was commenced to determine the terms on which their relationship must be dissolved. The Agreement referred to two means of terminating the relationship, a discretionary determination which arises when there is a breakdown in the commercial relationship but one or more of the parties wish to continue operating the clinics, and an agreed determination which arises if the arrangements are no longer viable. In an agreed determination the business is sold and the proceeds distributed to the parties, and in a discretionary determination there is provision for a buyout at a fixed price.

The plaintiff argued that the commercial relationship ended following his formal resignation from the Agreement, therefore this triggered a discretionary determination. The defendants argued that subsequent to the plaintiff's decision the defendant's no longer wished to be part of the Agreement rendering it an agreed determination.

The Court held in favour of the defendants. It concluded that the Agreement is a commercial contract and should be given a business-like interpretation. The defendant's construction had the consequence that although the other parties do not wish to stay they must nevertheless buy his interest, which was considered commercially unworkable. The Court held that if there is an agreement that the commercial arrangements ought to be terminated, regardless of who gave notice first, an agreed determination occurs.

3 July 2017 - *Health Services Union o/b Bruce v Government of New South Wales in respect of NSW Ambulance [2017] NSWIRComm 1036* - VICTIMISATION – necessary to identify detriment to find victimisation – no detriment found – no victimisation – application dismissed VICTIMISATION – Subs. 213(2) of Act a comprehensive code as to relevant powers of Commission.

The applicant, a paramedic and union official, brought proceedings against his employer for relief from victimisation. The applicant attended an ambulance callout but departed without assessing the patient after being informed that the patient was deceased. It later emerged the patient was alive and the ambulance had to be recalled. An investigation was conducted pursuant to a disciplinary process as opposed to a clinical process for his failure to follow the Verification of Death procedure. Following the investigation the applicant was required to undertake refresher training in the procedure.

The applicant claimed that the employer engage in victimisation in breach of the *Industrial Relations Act 1996* (NSW), as its decision to pursue a disciplinary rather than clinical investigation was because of his membership in the union, and as a result the applicant suffered detriment.

The Commission dismissed the application. It emphasised that there can be no finding of victimisation without detriment being suffered by the applicant. The applicant alleged detriment on numerous grounds including stress and alienation caused by his transfer while the investigation was carried out, professional damage from the use of the words 'extreme negligence' and he was treated differently from other paramedics who had attended the scene. However, the Commission asserted that detriment cannot be made out on assumptions or vague inferences. The Commission could not identify any detriment suffered because the applicant failed to give evidence, such as medical or financial evidence, about the stress, damage to professional standing or alienation he asserted.

Commonwealth. Fair Work Commission

11 July 2017 - *Health Services Union v Latrobe Regional Hospital [2017] FWC 3571* - Alleged dispute concerning classification of staff.

10 July 2017 - *Pfizer (Perth) Pty Ltd [2017] FWCA 2818* - Application for approval of the Pfizer (Perth) and National Union of Workers Pharmaceutical Operator Agreement 2016.

5 July 2017 - *Christadelphian Homes Ltd T/A Christadelphian Aged Care [2017] FWCA 3590* - Application for approval of the Christadelphian Aged Care (NSW) Enterprise Agreement 2016 – reasonable steps in explaining the Agreement – was there a substantial change to the Agreement as a result of undertakings provided by the employer – misleading statements.

5 July 2017 - *St Vincent's Private Hospitals Ltd Victoria [2017] FWCA 3563* - Application for approval of the St Vincent's Private Hospitals Ltd Victoria Health Professionals Enterprise Agreement 2017.

4 July 2017 - *Australian Pharmaceutical Industries Ltd [2017] FWCA 3526* - Application for approval of the Australian Pharmaceutical Industries Melbourne Distribution Centre Enterprise Agreement 2017.

3 July 2017 - *Victorian Hospitals' Industrial Association [2017] FWCA 3506* - Application for approval of the Lyndoch Living (Health and Allied Services, Managers and Administrative Officers) Enterprise Agreement 2016-2020.

7 July 2017 - *Dr Hari Subramanian [2017] FWC 3492* - Application for an FWC order to stop bullying – application for interim orders.

7 July 2017 - *Roberts v Nursing and Midwifery Board of Australia [2017] NSWCATOD 109* - PROFESSIONS AND TRADES – where applicant seeks to set aside decision dismissing application for an indefinite stay of appeal and dismissing appeal - where multiple failures by appellant to file evidence or submissions in substantive application – where no prospects of success on appeal.

27 June 2017 - *Fresenius Medical Care Australia Pty Ltd [2017] FWCA 3432* - Application for approval of the Fresenius Medical Care Qld Nursing Staff Enterprise Agreement 2017.

26 June 2017 - *Sonic HealthPlus Pty Ltd T/A Sonic HealthPlus [2017] FWCA 3399* - Application for approval of the Sonic HealthPlus Enterprise Agreement 2017.

26 June 2017 - *St Vincent's Private Hospital [2017] FWCA 3403* - Application for approval of the St Vincent's Private Hospital Nurses' Enterprise Agreement 2017.

Queensland

28 June 2017 - *Inquest into the death of Nixon Martin Tonkin 2014/1999* - Coroners: inquest, health care related death, obstetrics, CTG interpretation, obstructed labour, delay in diagnosis, caesarean section, impacted fetal head, head injuries due to method of delivery.

Northern Territory

27 June 2017 - *Kitoko v Sydney Local Health District [2017] NSWCATAD 209* - PRACTICE AND PROCEDURE — dismissal of complaint under s 102 of the Anti-Discrimination Act 1977 — whether complaint is lacking in substance or does not disclose a contravention of the Anti-Discrimination Act 1977.

New South Wales

7 July 2017 - *Inquest into the death of Benjamin Gilligan 2014/173338* - CORONIAL LAW – Death in a police operation; flight from psychiatric care.

11 July 2017 - *Inquest into the death of CCW 2015/166846* - CORONIAL LAW – suicide risk, observation levels.

7 July 2017 - *Monash IVF Pty Limited v Dr Lynne Burmeister (No 2)* [2017] NSWSC 903 - CIVIL PROCEDURE – cross-vesting – transfer to other supreme court – relevant factors – whether Supreme Court of Victoria more appropriate forum.

28 June 2017 - *Health Care Complaints Commission v DAC* [2017] NSWCATOD 98 - Professional misconduct – Unsatisfactory professional Conduct - Medical practitioner failing to report drug consumption by fellow practitioner - medical practitioner consuming illicit drugs and misleading statutory inquiry - medical practitioner prescribing drugs for colleague - practitioner guilty of both professional misconduct and unsatisfactory professional conduct.

23 June 2017 - *Health Care Complaints Commission v Chester* [2017] NSWCATOD 97 - Nursing – Mental Health Nurse – Complaint initiated by HCCC pursuant to investigation of another practitioner – Whether complaint valid – Application to refer a matter of law to the Supreme Court of NSW – Application to terminate inquiry – Public interest in proceeding with inquiry.

23 June 2017 - *Health Care Complaints Commission v Wong* [2017] NSWCATOD 99 - PROFESSIONS AND TRADES – Professional disciplinary proceedings – where practitioner concedes complaint of professional misconduct and that she suffers an impairment as defined in the Health Practitioner Regulation National Law - where practitioner asserts she is competent to practise.

23 June 2017 - *Murphy v Trustees Catholic Aged Care Sydney* [2017] NSWCATAP 139 - Retirement Villages Act 1999 and Retirement Villages Regulations 2009 – amending village rules – returning officer – making good deficits.

6 July 2017 - *Australian Youth & Health Foundation v Perpetual Trustee Company Ltd (No 2)* NSWCA 165 - PROCEDURE – judgments and orders – consequential orders following successful appeal from judicial advice to trustee – whether matter should be remitted to trial judge – no question of principle.

5 July 2017 - *Health Care Complaints Commission v Tan (No.2)* NSWCATOD 107 - Medical Practitioner – Psychiatrist – Discipline – Sexual Assault of patients – Cancellation of Registration – Prohibition from providing any health services during a period of 5 years.

Victoria

27 June 2017 - *Finding Without Inquest into the Death of Thanh Nguyen* COR 2015 3426

27 June 2017 - *Medical Board of Australia v Duncan (Review and Regulation)* [2017] VCAT 912 - Health Practitioner Regulation National Law (Victoria) Act 2009; ss 196(2)(a); 196(2)(b) reprimand; imposition of conditions; leave patient without direct medical supervision; failure to adequately record medical treatment.

27 June 2017 - *Medical Board of Australia v Schulberg (Review and Regulation)* [2017] VCAT 841 - Health Practitioner Regulation (National) Law Act 2009 ss 5; 196 (2); unprofessional conduct - reprimand; conditions placed on practice. Failure to adequately clinically care for and treat patient; performance of late stage pregnancy termination where patient was unconscious; in renal and liver failure; no anaesthesia was administered & the procedure was performed at a Day Surgery; failure to adequately consider urgent pathology results; failure to ensure an ambulance called within a timely manner; performance of further operations whilst patient unconscious.

26 June 2017 - *Perrett-Abrahams v Psychology Board of Australia (Review and Regulation)* [2017] VCAT 877 - Health Practitioner Regulation National Law (Victoria) Act 2009 - whether conduct of registered psychologist related to report writing and record-keeping constituted unsatisfactory professional performance.

LEGISLATION

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

Commonwealth

12 July 2017 - [Private Health Insurance Supervisory Levy Imposition Determination 2017 F2017L00917](#) - as made.

7 July 2017 - [Private Health Insurance \(Benefit Requirements\) Amendment Rules 2017 \(No. 6\) F2017L00894](#) - as made.

REPORTS

Australia. Department of Health

Media releases

13 July 2017 - [AFL goes for lifesaving goal as organ donors sign up in record time](#) - The Australian Government has unveiled a new online organ donor registration process which will save lives.

13 July 2017 - [Public consultation to help inform care at home reforms](#) - The Australian Government has released a public discussion paper to help inform future care at home reforms.

12 July 2017 - [Coalition Government grants to boost training in general practice](#) - More doctors, nurses and other health professionals will complete their training in regional Australia as a result of more than \$13 million in Government funding for grants towards general practices in regional Australia.

11 July 2017 - [Consumer Level Recall of insulin cartridge](#) - Pharmaceutical company Novo Nordisk A/S, in consultation with the TGA, has initiated a consumer level recall of some batches of their NovoPen Echo insulin cartridge holder after detecting there is a possibility they may crack or break if exposed to chemicals in certain cleaning agents.

11 July 2017 - [Innovation Grants Support Dementia and Aged Care Choices](#) - The Australian Government has released \$34 million in funding grants to support innovation in dementia care and other aged care services.

11 July 2017 - [New \\$25.7 Million National Aged Care Advocacy Program](#) - Support and guidance for seniors will be fundamental to the new National Aged Care Advocacy Program to be delivered by the Older Persons Advocacy Network.

11 July 2017 - [Reclink national program a winner for Australia's disadvantaged](#) - The Australian Government is supporting Reclink's national program which breaks down the barriers of isolation and inactivity among disadvantaged Australians to promote fitness, fun and social skills.

11 July 2017 - [Streamlined My Aged Care improves consumer support and access](#) - New policies and processes have been implemented to make life easier for all consumers, particularly older people with diverse needs, and health professionals who use My Aged Care.

10 July 2017 - [\\$3.7m in additional support to improve indigenous aged care services](#) - Aboriginal and Torres Strait Islander people living in aged care in regional, rural and remote communities will benefit from more than \$3.7 million in one-off grants.

10 July 2017 - [Additional support for treatment of polio survivors](#) - The Australian Government is providing funding of \$450,000 to Polio Australia to run clinical practice workshops for health professionals to improve their awareness of post-polio syndrome.

10 July 2017 - [TGA to improve the handling of advertising complaints](#) - Australia's therapeutic goods regulator is implementing new arrangements to simplify and improve the handling of complaints about the advertising of medicines and medical devices to the public.

Private Health Insurance Circulars

PHI 34/17 Nursing Home Type Patient (NHTP) contribution rates and minimum benefit for South Australia

PHI 33/17 Private Health Insurance (Benefit Requirements) Amendment Rules 2017 (No. 5) and Private Health Insurance (Complying Product) Amendment Rules 2017 (No. 2)

PHI 32/17 Changes to Second-Tier Eligible Facilities

Consultations

12 July 2017 - **Review of Pharmacy Remuneration and Regulation** - The issues contained in the Interim Report are complex, with the potential to impact significantly on community pharmacy. For this reason, the Panel invites you to provide any feedback on the proposed options and new information that may warrant consideration as the Panel deliberates on its Final Report. It is necessary that evidence is provided to support all considerations and claims made to the Review. Additional information of this nature should add to the significant body of evidence already utilised by the Panel and not repeat previous submissions. Closes 23 July 2017

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

14 July 2017 - **Guidelines for the 4+2 internship program updated** - Guidelines for the 4+2 internship program published on 1 June 2017 have been updated with an amendment to one of the documents available for download.

13 July 2017 - **Counsellor fined for posing as a psychologist to a vulnerable family** - Court fines a Victorian man holding himself out as a registered psychologist.

13 July 2017 - Communiqué from the Chinese Medicine Board of Australia

12 July 2017 - **Melbourne forum for registered Chinese medicine practitioners** - The Chinese Medicine Board of Australia invites practitioners, students and stakeholders of Chinese medicine to attend an information forum being held at Citadines on Bourke Melbourne on Monday 24 July 2016.

12 July 2017 - Communiqué from the Osteopathy Board of Australia

11 July 2017 - Communiqué from the Chiropractic Board of Australia

11 July 2017 - Communiqué from the Optometry Board of Australia

7 July 2017 - **Chiropractic Board to hold practitioner forums for Chiropractors** - Come and engage with the board about advertising, continuing professional development and the National Law.

7 July 2017 - **Call for applications** - Call for applications for appointment as a content writer for the National Examination Committee of the Medical Radiation Practice Board of Australia.

3 July 2017 - **Working together to ensure Aboriginal and Torres Strait Islander patient safety** - AHPRA and National Boards mark NAIDOC week by reaffirming their commitment to an Australia-wide National Scheme Aboriginal and Torres Strait Islander health strategy.

Australia. National Health and Medical Research Council (NHMRC)

13 July 2017 - **Outstanding Australian researchers recognised** - Exceptional researchers in the fields of infectious disease, autoimmunity, chronic pain and Parkinson's disease are among the Australian researchers honoured with **NHMRC Research Excellence Awards**.

4 July 2017 - **Public Statement on water fluoridation open for public consultation** - NHMRC today released for public consultation a draft Public Statement on community water fluoridation. NHMRC continues to support fluoridating water given fluoride's role in reducing tooth decay.

NHMRC invites the public to make a submission through its online public consultation portal at <https://consultations.nhmrc.gov.au>. Consultation closes on 3 August 2017.

Australia. Pharmaceutical Benefits Scheme

13 July 2017 - **Indicative 1 October 2017 Prices - 2017 October Cycle** - Indicative 1 October 2017 prices resulting from the 2017 October Cycle of Price Disclosure have now been published on the Price Disclosure web page.

13 July 2017 - **New Appointment to the Pharmaceutical Benefits Advisory Committee (PBAC)** - The Minister for Health has made another new appointment to the PBAC. The new appointment is Michelle Burke, an industry nominee.

12 July 2017 - **Drug Utilisation Sub Committee (DUSC) Outcome Statement** - The Outcome Statement from the June 2017 DUSC meeting is now available.

12 July 2017 - **Pharmacy Review - An Update from the Chair** - The Chair of the Review Panel, Professor Stephen King, is pleased to release four additional reports of finalised research work commissioned by the Panel.

Australia. Therapeutic Goods Administration (TGA)

13 July 2017 - **Australian Public Assessment Reports for prescription medicines (AusPARs)** - Added Golimumab (rmc) (Simponi) and Ephedrine Hydrochloride (Ephedrine Hydrochloride MYX).

13 July 2017 - **Codeine information hub** - Additional codeine resources (including videos and information for pharmacists) are now available.

11 July 2017 - **Submissions received and TGA response: Reforms to the regulatory framework for complementary medicines** - TGA response on public consultation 'Reforms to the regulatory framework for complementary medicines: Assessment Pathways'.

11 July 2017 - **Changing an OTC medicine: using the Changes Tables** - Updates to the OTC medicines change codes table have been published.

11 July 2017 - **NovoPen Echo insulin cartridge holder** - Recall – risk of cracking or breaking that could affect dosing.

11 July 2017 - **Consumer Level Recall of insulin cartridge** - Recall – risk of cracking or breaking that could affect dosing.

11 July 2017 - **Medicinal cannabis: importation and the traveller's exemption** - Medicinal cannabis products can be imported into Australia for the treatment of patients through a number of mechanisms.

10 July 2017 - **Medical Devices Safety Update Volume 5, Number 4, July 2017** - Warning on IV solution bags; Zoll upgrade counters clock drift; Hysteroscope cleaning advice updated; Mitroflow valves; Recent safety alerts.

10 July 2017 - **TGA to improve the handling of advertising complaints** - The TGA is implementing new arrangements to simplify and improve the handling of complaints about the advertising of medicines and medical devices to the public.

7 July 2017 - **Simplified and improved arrangements for handling therapeutic goods advertising complaints** - From 1 July 2018, the TGA will assume responsibility for receiving and considering all complaints about therapeutic goods advertisements directed to the public under a simplified complaints system.

7 July 2017 - **Advertising reforms: Questions and answers** - Questions and answers on the advertising reforms.

7 July 2017 - **Submissions received in response to: Consultation: The regulatory framework for advertising therapeutic goods - November 2016** - We thank those individuals and organisations for their valuable feedback.

Australian Institute of Health & Welfare

12 July 2017 - [The burden of chronic respiratory conditions in Australia](#)

12 July 2017 - [The burden of musculoskeletal conditions in Australia](#)

14 July 2017 - [MyHealthyCommunities web update: Potentially preventable hospitalisations in 2015–16](#)

13 July 2017 - [Housing assistance in Australia 2017 \(web report\)](#)

6 July 2017 - [Hospital resources 2015–16: Australian hospital statistics](#)

Australian Commission on Safety and Quality in Health Care

Commission update e-newsletter, July 2017 ([PDF 987KB](#)) ([HTML](#))

10 July 2017 On the Radar – Issue 329 ([PDF 439KB](#)) ([Word 463KB](#))

28 June 2017 - [Antimicrobial use in Australian hospitals: Results of the 2015 National Antimicrobial Utilisation Surveillance Program \(PDF 5MB\)](#)

Australia. National Mental Health Commission

7 July 2017 - [Australian Mental Health Prize](#) - If you know of an individual who deserves recognition for their outstanding contributions to either the promotion of mental health or the prevention and treatment of mental illness in areas such as advocacy research or service, don't miss your chance to nominate them! More information and nomination forms can be obtained from australianmentalhealthprize.org.au. Entries close on August 31.

7 July 2017 - [National NDIS Mental Health Conference: SCHOLARSHIPS NOW OPEN](#) - Community Mental Health Australia has announced that scholarship applications are now open for people with lived experience of a mental health condition or family or carers of someone with lived experience of a mental health condition to attend this major national conference.

Submissions close on 20 July 2017 and applicants will be advised of the outcome by 2 August 2017. A second round of scholarships may be offered depending on availability.

Australian Capital Territory. Health Directorate

13 July 2017 - [ACT Health Aboriginal and Torres Strait Islander Award Winners](#) - ACT Health celebrates the outstanding impact that Aboriginal and Torres Strait Islander staff make towards health care delivery and reconciliation in our community this week, through the 2017 *ACT Health Aboriginal and Torres Strait Islander Awards*.

New South Wales (NSW). Ministry of Health

Media Releases

13 July 2017 - [Roundtables reveal palliative care needs](#) - The NSW Government will use feedback from a series of community roundtables to improve palliative care services across the state. Minister for Health Brad Hazzard said the NSW Government today published reports revealing communities' priorities for palliative care services which were raised at 10 roundtables across the state, including at NSW Parliament House in Sydney. "The NSW Government committed a record \$100 million over the next four years in the 2017-18 Budget to provide more tailored community-based palliative care services," Mr Hazzard said.

12 July 2017 - **New Maitland Hospital to deliver free public health care and jobs** - The NSW Government will ensure the Maitland community gets a new, 21st Century hospital with a wide range of health services for public patients, including life-saving cancer therapy close to home. Minister for Health Brad Hazzard said after extensive consultation with the local community and staff and the Australian Medical Association, the NSW Government has decided a not-for-profit provider will be approached to build and run the state-of-the-art hospital, delivering first-class public health services.

7 July 2017 - **\$50 million Bowral Hospital upgrade to start** - A \$50 million upgrade to the Bowral & District Hospital will begin this year, delivering world-class health facilities to Southern Highlands residents. Minister for Health and Medical Research Brad Hazzard said the significant upgrade will ensure excellent health care for the Southern Highlands well into the future.

Policy directives

12 July 2017 - **Priority Oral Health Program (POHP) and Waiting List Management** - Document number: PD2017_023.

12 July 2017 - **Mandatory Reporting Protocol For SGRACF And Residential TACP Services** - Document number: PD2017_024.

Northern Territory. Department of Health

7 July 2017 - **Improving Health Services – Service Administrators Appointed to Territory Health Services** - Service Administrators have been appointed to Top End Health Service and Central Australia Health Service. The Minister for Health Natasha Fyles said this was an important step in delivering the Territory Labor Government's sweeping reforms to Territory Health Service governance.

Queensland. Department of Health

13 July 2017 - **New research centre targets early detection of biggest cancer killer** - Brisbane will be the centre of a major new research effort focussing on earlier detection of lung cancer, Australia's deadliest cancer.

13 July 2017 - **\$160m endoscopy blitz to deliver 50,000 additional procedures** - The Palaszczuk Government will deliver 50,000 additional endoscopy procedures over the next four years to ensure Queensland public hospitals keep pace with growing demand for the procedure.

11 July 2017 - **New Smithfield ambulance ready to respond to any emergency** - Health and Ambulance Services Minister Cameron Dick today handed over the keys of a new \$235,000 ambulance to Smithfield Ambulance Station to maintain quick responses to help locals in need.

11 July 2017 - **New Eventide kitchen set to serve up 219,000 meals each year** - The ovens have fired up in Eventide's new \$1.6 million State Government funded commercial kitchen which began full operation last week.

10 July 2017 - **\$5.6M overhaul for Cairns Ambulance Station and Operations Centre** - Cairns Ambulance Station and Operations Centre will undergo a \$5.6M redevelopment to better meet the growing demand for ambulance services in the region.

7 July 2017 - **Social media campaign kicks off countdown to Mental Health Week** - Queensland's Mental Health Commission has launched a new social media campaign with a 100-day countdown that delivers 100 ways to better mental health and wellbeing.

11 July 2017 - **Digestion difficulties** - Digestion problems are common – the **Gut Foundation** estimates that in any given year half the population may experience some kind of gut health problem. These can range from something quite harmless (but annoying!) like a bit of extra wind or indigestion, through to more serious gut health problems like cancer or inflammatory bowel conditions. The good news is that diet and lifestyle can help to prevent and manage many of these conditions. Below we've listed just a couple of the common digestion problems Australians might encounter, what symptoms to watch for and how they can be treated.

13 July 2017 - **You won't believe what triggered my sleepwalking...** - Sleepwalking, also known as somnambulism, is a disorder of moving around whilst asleep. The exact cause of sleepwalking is unknown, and while it's more common in children, around four in 1000 adults still sleepwalk.

12 July 2017 - **Avoiding hidden sugars** - We all know that consuming too much sugar isn't good for us, but it's not always easy to know how much sugar we're eating and drinking.

7 July 2017 - **Restless nights don't have to be the norm** - For people with a sleep disorder or poor sleep habits, a good night's rest can seem all but a distant dream. 60-year old Bundaberg resident Wayne Mothe knows this all too well, after spending most of his adult life battling restless nights.

South Australia. Department for Health & Ageing

14 July 2017 - **Media release: Meningococcal case - July** - A case of invasive meningococcal disease has been notified in a four-year-old boy from metropolitan Adelaide. The patient has been admitted to hospital and is in a serious condition.

Tasmania. Department of Health & Human Services

7 July 2017 - **Supporting better North West health services** - The Hodgman Liberal Government is absolutely committed to better health care for all Tasmanians, including on the North West Coast. The people of the North West Coast have been subjected to 20 years of uncertainty in health policy, but the Liberal Government has ended that with the One Health System improvements, securing the Mersey Community Hospital permanently and providing additional funding for more services and investing in hospital facilities.

By making the Mersey a dedicated elective surgery centre, along with the \$730.4 million deal we secured from the Commonwealth, we have permanently secured its role in our state-wide health system and have just provided \$35 million for its redevelopment.

Victoria. Department of Health

10 July 2017 - **The flu is here – but it is not too late to vaccinate** - As the winter chills descend, it is timely to remember to protect yourself from an unwanted visitor and be vaccinated against influenza. Victoria's deputy Chief Health Officer, Dr Brett Sutton, said there was no shortage of vaccine supplies across Victoria and everyone, especially people at most risk of contracting the flu, should be immunised. "We know our seasonal influenza rates are up, with the overall number of confirmed influenza cases in Victoria up 81 per cent, compared to the same time in 2016," Dr Sutton said.

Western Australia (WA). Department of Health

11 July 2017 - **WA study puts patient blood management system on world stage** - A Western Australia study into a patient blood management (PBM) system has attracted worldwide interest following its publication in a leading medical journal.

11 July 2017 - **Stroke of luck for Manjimup teen** - Manjimup teenager Sam Wellington is living proof of the value of WA Health's new streamlined process for dealing with stroke cases.

11 July 2017 - **Catherine honoured with Nightingale medal** - Child and Adolescent Clinical Nurse and Red Cross aid worker, Catherine Fry, is one of five Australian recipients of this year's prestigious Florence Nightingale medal.

7 July 2017 - **Grant coup for cancer researcher** - Congratulations to WA Health researcher Christobel Saunders, who has been awarded \$9 million to conduct research into improving care pathways for cancer patients.

13 July 2017 - **Reminder of increased risk of meningococcal disease in winter** - The Department of Health today reported that a middle-aged West Australian is currently recovering in hospital after being diagnosed with serogroup W meningococcal disease.

7 July 2017 - **New meningococcal disease case** - The Department of Health today reported that a middle-aged West Australian is currently recovering in hospital after being diagnosed with serogroup Y meningococcal disease.

Publications

7 July 2017 - **Elective Surgery Wait List reports**

New Zealand. Ministry of Health

11 July 2017 - **Living with Low Vision** - This publication has information about managing daily tasks, help and rehabilitation, and where to go for help for people who have low vision.

Australian Medical Association (AuMA)

13 July 2017 - **Sonic cuts ties with Amcal Pharmacy pathology tests** - Strong advocacy from the AuMA has contributed to Sonic Healthcare cutting its links with pharmacy chain Amcal's pathology screening program.

13 July 2017 - **Medicare Review** - The Federal Government has announced a review of the accessibility by health providers of Medicare card numbers, in the wake of security concerns following an alleged breach. The AuMA will be involved in the Review team which will examine the existing balance between convenience and security of the Health Professional Online Services system which enables doctors or their delegates to confirm a patient's Medicare number for claiming purposes.

13 July 2017 - **Reducing antibiotic resistance** - The Australian Chief Medical Officer Professor Brendan Murphy will be writing to GPs urging them to limit their antibiotic prescribing in order to reduce increasing antibiotic resistance. This follows research from the *Medical Journal of Australia* which found that up to five million patients may have been inappropriately prescribed antibiotics.

13 July 2017 - **Rural General Practice Grants Program** - Having advocated for a second round of Rural General Practice Grants the AuMA welcomes the news this week Federal Assistant Minister for Health, Dr David Gillespie has announced that grants of up to \$300,000 have been offered to successful applicants across Australia. The grants will assist recipients to upgrade their facilities for patient education and teaching medical students and graduates.

13 July 2017 - **Recommendation to use culture based testing for Neisseria gonorrhoeae** - The General Practice Roundtable, of which the AuMA is a member, has issued a recommendation to use culture based testing for *Neisseria gonorrhoeae*. Between January and March 2017, 10% of cultured *N. gonorrhoeae* strains had reduced susceptibility to azithromycin, up from 5% in 2016.

13 July 2017 - **Department of Veterans' Affairs Updates** - GPs who treat veterans or their families will be interested in the latest 'DVA Provider News' regarding Gold Card eligibility and enhanced access to mental health care. Two new initiatives were announced by the DVA following the 2017/2018 Budget announcement. They are: 1. Provision of a Gold Card for Australian participants in both British Nuclear Tests and the British Commonwealth Occupation Force in Japan at the end of World War Two. 2. The expansion of Non-Liability Health Care treatment arrangements to cover any mental health condition.

13 July 2017 - [Family Doctor Week Videos & Poster](#) - The AuMA Family Doctor Week this year is almost upon us. There have been some great photos coming through.

11 July 2017 - [No evidence that e-cigs stop people smoking](#) - Tobacco companies are trying to use e-cigarettes to rebrand themselves as part of the quit smoking movement, but there is no evidence that vaping is any safer than tobacco, nor that it helps people quit.

ABOUT US

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

He practises in the areas of health law, insurance law, medical negligence, coronial enquiries and clinical trials. He advises a wide range of health organisations in a range of regulatory issues.

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