



HEALTH ALERT

18 December 2017

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JUDGMENTS

Key decisions

13 December 2017 - [Waldron v Joondalup Hospital Pty Ltd \[2017\] NSWSC 1728](#) - LIMITATION OF ACTIONS – application for extension of time under Limitation Act 2005 (WA) – whether the plaintiff was unaware of the matters in s 39(3)(b) of the Act before the expiration of the limitation period - whether the plaintiff has satisfied s 39(4) of the Act - whether the knowledge of the plaintiff's legal representatives can be imputed as her actual knowledge.

The plaintiff alleged the three defendants, who provided medical treatment to the plaintiff in 2011, were negligent because they failed to adequately treat her and she suffered serious injuries as a result, including the amputation of her right leg below the knee.

The plaintiff gave evidence that in 2014, when the limitation period expired, she understood that evidence did not exist in relation to causation. However, her subsequent legal representatives informed by that she may have a cause of action.

The plaintiff sought an extension of time to file proceedings against the first defendant, Joondalup Hospital, pursuant to section 39(4) of the *Limitation Act* 2005 (WA). The section allows for the extension of time in which the action can be commenced up to three years from when a person to whom the cause of action accrues became aware, or ought reasonably to have become aware that the injury was attributable to the conduct of Joondalup hospital: s 39(4)(b).

The Court dismissed the application to extend the limitation period. The Court accepted it was a report from an expert which stated the injury was attributable to the conduct of Joondalup Hospital. However, there was no evidence that the plaintiff read the report, nor was there any evidence that her legal representatives advised her of the contents of the report. Therefore, she did not have the requisite knowledge. Further, the Court held the knowledge of her legal representatives cannot be imputed as the plaintiff's actual knowledge.

11 December 2017 - [Dr Poh Kooi Loh v Ms Elizabeth MacLeod Chief Executive East Metropolitan Health Service \[2017\] WAIRC 991](#) - Industrial Law (WA) - Appeal against decision to terminate appointment as Head of Department - Jurisdiction of the Public Service Appeal Board - Whether a disciplinary decision or finding was made - Whether disciplinary action was taken in relation to a breach of discipline - Lack of trust and deterioration of relationship - Construction of s 80I(1)(c) of the Industrial Relations Act 1979.

The appellant, a Consultant Physician Geriatrics, appealed the decision of East Metropolitan Health Service to terminate his appointment as Head of the Department of Geriatric Medicine at Royal Perth Hospital. The plaintiff brought his appeal before the Public Service Appeal Board (**the Board**) under section 172(2) of the *Health Services Act* 2016 (WA) (**the Act**) which allows the appeal of disciplinary decisions.

The respondent argued the removal of the appellant from his appointment was not a disciplinary decision or action, rather it was an exercise of its discretion under clause 20(13)(e) of the *WA Health System – Medical Practitioners – AuMA Industrial Agreement* 2016 (**the Agreement**). Therefore, the Board does not have the jurisdiction to hear or determine the appeal.

The Board dismissed the appeal. It was not persuaded that the respondent could have found the appellant committed a breach of discipline, because he had not commit misconduct or was negligent or careless in the performance of his functions. Therefore, his removal was not disciplinary action in relation to a breach of discipline. The Board held that under the Agreement, either the individual appointed or the Health Service could terminate the appointment by giving the other party one month notice. The respondent, in this case, was entitled to exercise its discretion under the Agreement.

Commonwealth. Fair Work Commission

14 December 2017 - [Mr Matthew Brown v Fitzgerald Memorial Aged Care Facility Ltd T/A Fitzgerald Aged Care \[2017\] FWC 6580](#) - Application for an unfair dismissal remedy.

13 December 2017 - [Bethany Christian Care \[2017\] FWCA 6678](#) - Application for approval of the Bethany Christian Care Support Staff Enterprise Agreement 2017.

13 December 2017 - [The Palms Aged Living Management Pty Ltd T/A The Palms Aged Care \[2017\] FWCA 6669](#) - Application for approval of the Palms Aged Living Management Services Pty Ltd, NSWNMA, ANMF NSW Branch and HSU New South Wales Branch Enterprise Agreement 2017.

13 December 2017 - [Genista Nursing Home Pty Ltd T/A Genista Aged Care Facility \[2017\] FWCA 6682](#) - Application for approval of the Genista Aged Care, NSWNMA, ANMF NSW Branch and HSU New South Wales Branch Enterprise Agreement 2017.

13 December 2017 - [St Vincent's Private Hospitals Ltd \[2017\] FWCA 6699](#) - Application for approval of the St Vincent's Private Hospitals Ltd Victoria Medical Scientists and Dietitians Enterprise Agreement 2017.

12 December 2017 - [Resthaven Incorporated T/A Resthaven \[2017\] FWCA 6650](#) - Application for approval of the Resthaven Incorporated Allied Health Employees Enterprise Agreement 2017.

8 December 2017 - [Lobethal & District Aged Homes Inc T/A Restvale \[2017\] FWCA 6577](#) - Application for approval of the Restvale Aged Care and Administrative Employees Enterprise Agreement 2017.

8 December 2017 - [Skin and Cancer Foundation Inc \[2017\] FWCA 6592](#) - Application for approval of the Skin & Cancer Foundation Inc. and the Australian Nursing and Midwifery Federation Enterprise Agreement 2016 – 2020.

8 December 2017 - [St John of God Hawkesbury District Health Campus Limited \[2017\] FWCA 6597](#) - Application for approval of the St John of God Health Care Hawkesbury District Health Service Health Professionals, Support Services and Medical Officers Enterprise Agreement 2017.

8 December 2017 - [Nambour & District Care Inc \[2017\] FWCA 636](#) - Application for termination of the Nambour & District Care Inc Employee Collective Agreement.

8 December 2017 - [Northern NSW Helicopter Rescue Service Ltd T/A Westpac Rescue Helicopter Service \[2017\] FWC 6524](#) - Application for an order relating to instruments covering new employer and transferring employees.

Commonwealth. Federal Court

13 December 2017 - [Knight v Visionstream Australia Pty Ltd \[2017\] FCA 1513](#) - INDUSTRIAL LAW – where applicant made a general protections application to the Fair Work Commission in relation to her dismissal – where Fair Work Commission issued a certificate under s 368(3)(a) of the Fair Work Act 2009 (Cth) naming Visionstream Australia Pty Limited as the respondent, rather than the applicant's actual employer, Visionstream Pty Ltd – where applicant subsequently sought to substitute Visionstream Pty Ltd as the respondent to the claim – whether s 368 of the Fair Work Act 2009 (Cth) operates so that an application by a dismissed employee to substitute one party for another as a respondent to a general protections application, which the relevant rules of court would otherwise readily allow, must be disallowed when the name of the proposed new respondent is not identical to the name of the party appearing on the certificate issued by the Fair Work Commission under s 368(3)(a).

New South Wales (NSW)

13 December 2017 - [Health Care Complaints Commission v Hanna \(No 2\) \[2017\] NSWCATOD 178](#) - PROFESSIONS AND TRADES – Where medical practitioner found guilty of unsatisfactory professional conduct and professional misconduct – consideration of appropriate protective orders under the Health Practitioner Regulation National Law.

Queensland

8 December 2017 - [De Lacy v Medical Board of Australia \(No 2\) \[2017\] QCAT 430](#) - PROFESSIONS AND TRADES – HEALTH CARE PROFESSIONALS – MEDICAL PRACTITIONERS – DISCIPLINARY PROCEEDINGS – OTHER MATTERS – where the practitioner applied to the Board for the removal of conditions previously imposed upon his registration by the Tribunal by consent – where the Board refused to remove the conditions – where the practitioner applied for a review of that decision – where the Tribunal

removed the conditions upon the practitioner's registration and imposed a separate set of conditions – where the parties were subsequently requested to make submissions on costs – whether the interests of justice require the Tribunal to make an order as to costs.

8 December 2017 - [Grieve v Gomez \[2017\] QDC 298](#) - ASSESSMENT OF DAMAGES – GENERAL PRINCIPLES – GENERAL AND SPECIAL DAMAGES – EXEMPLARY AND AGGRAVATED DAMAGES – where plaintiff has an action for damages for negligence, breach of duty, assault and/or battery – where defendant was a doctor at the relevant time – where plaintiff was a patient of the defendant at the relevant time – where plaintiff suffered a relapse of a probable pre-existing diagnosis of Complex Post Traumatic Stress Disorder as a result of the conduct of the defendant - whether exemplary and aggravated damages should be awarded – whether costs should be assessed on the District Court or Magistrates Court scale.

South Australia (SA)

12 December 2017 - [Inquest into the death of John Francis Eugene Davis](#) - 62/2016 (0462/2015).

LEGISLATION

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

Commonwealth

12 December 2017 - [National Health \(Concession or entitlement card fee\) Amendment Determination 2017 \(No. 1\) \(PB 100 of 2017\)](#) - F2017L01609 PB 100 of 2017 as made.

8 December 2017 - [Private Health Insurance \(Benefit Requirements\) Amendment Rules 2017 \(No. 10\)](#) - F2017L01603 as made.

South Australia

12 December 2017 - [Health Practitioner Regulation National Law \(South Australia\) \(Remote Area Attendance\) Amendment Bill 2017](#) - Assented.

REPORTS

Australia. Department of Health

Media releases

15 December 2017 - [More Indigenous Health Leaders for Remote Australia](#) - The Australian Government will support a further 14 Northern Territory Aboriginal health services staff members to undertake specialised leadership and management training, as it continues moves to bolster the indigenous health workforce.

14 December 2017 - [Doorstop Seaford, Victoria](#) - Transcript of Minister for Health, Greg Hunt's Doorstop - Seaford.

14 December 2017 - [Expansion of junior doctor training in the Hastings](#) - More junior doctors will be trained throughout general practice, aged care, large and small hospital environments in Wauchope and Port Macquarie as part of an Australian Government initiative designed to encourage more doctors to practice in regional centres.

14 December 2017 - [Interview with Steve Martin ABC Melbourne](#) - Transcript of Minister for Health, Greg Hunt's Interview with Steve Martin ABC Melbourne.

14 December 2017 - [National Coastal Safety Report is an important reminder for everyone to be alert and cautious in the water this summer](#) - The Australian Government has launched Surf Life Saving Australia's 2017 National Coastal Safety Report – which found that 116 people died from drowning around the Australian coastline in 2016-17.

13 December 2017 - [\\$10 million funding boost for Tokyo 2020 athletes](#) - The Australian Government will boost high performance sport funding with an additional \$10 million as part of a targeted drive towards the 2020 Tokyo Olympic and Paralympic Games.

13 December 2017 - [Working together to solve GP shortages in Western Victoria](#) - A new health workforce working group has taken the first important steps toward improving access to GPs in western Victorian communities.

11 December 2017 - [New national plasma agreement ensures supply for Australian patients](#) - The Australian Government has guaranteed the provision of a safe, secure and affordable supply of plasma products and services with the signing of an important new agreement.

10 December 2017 - [Care Alert: Reach Out To Reduce Loneliness This Christmas](#) - The Minister for Aged Care, Ken Wyatt AM has launched a national campaign to reduce loneliness this festive season, revealing he recently visited an aged care home where, year-round, none of the residents receive visitors.

9 December 2017 - [A Brave Young Dad's Lifesaving Message for all Australians](#) - A heartbreaking video message has been released, realising Jason Bartlett's dying wish to raise awareness of the importance of men taking personal responsibility for their health.

8 December 2017 - [Healthy Food Partnership Executive Committee Communiqué](#) - The Australian Government, food industry bodies and public health groups met on 8 December 2017, to progress the work of the Healthy Food Partnership.

Medical Benefits Schedule

[The 1 January 2018 MBS XML file is now available to download](#)

Publications

[Australia. Health Practitioner Regulation Agency and the boards](#)

15 December 2017 - [Newsletter from the Board](#) - The Aboriginal and Torres Strait Islander Health Practice Board of Australia releases its latest newsletter.

14 December 2017 - [Newsletter from the Osteopathy Board](#) - The Osteopathy Board of Australia releases its latest newsletter.

14 December 2017 - [Newsletter from the Board](#) - The Medical Radiation Practice Board of Australia releases its December newsletter.

12 December 2017 - [Communiqué from the Board](#) - The Aboriginal and Torres Strait Islander Health Practice Board of Australia releases its latest communiqué.

11 December 2017 - [Newsletter from the National Board](#) - The Nursing and Midwifery Board of Australia releases its latest newsletter.

[Australia. National Health and Medical Research Council \(NHMRC\)](#)

8 December 2017 - [Updates to the Australian Immunisation Handbook 10th Edition](#) - The CEO of NHMRC has approved updates to the *Australian Immunisation Handbook 10th Edition* under section 14A of the *National Health and Medical Research Act 1992*.

The *Australian Immunisation Handbook* provides clinical information for Australian immunisation providers on the safest and most effective use of vaccines, new vaccines and vaccine-preventable diseases in Australia. The updates relate to the infant pneumococcal vaccination schedule and are available on the [Immunise Australia \(link is external\)](#) website.

The revised *Australian Immunisation Handbook 10th Edition* is planned for release by the Department of health during December 2017.

7 December 2017 - [Amendment to the Clinical guidelines for stroke management 2017](#) - The Chief Executive Officer of NHMRC has approved an amendment to the [Clinical guidelines for stroke management 2017 \(link is external\)](#) as undertaken by the Stroke Foundation under section 14A of the *National Health and Medical Research Council Act 1992* (the NHMRC Act).

[NHMRC Research Tracker—15 December 2017](#)

Australia. Pharmaceutical Benefits Schedule (PBAC)

14 December 2017 - [Report on the Collection of Under Co-payment Data 2016-17](#) - The Report on the Collection of Under Co-payment Data 2016-17 is now available.

13 December 2017 - [Amendment to Recommendations made by the PBAC - August 2017](#) - An amendment to the recommendations from the August 2017 Pharmaceutical Benefits Advisory Committee (PBAC) meeting is now available.

Australia. Therapeutic Goods Administration (TGA)

15 December 2017 - [Prescription medicines minor variations e-form: Frequently asked questions \(FAQs\)](#) - Updates to FAQs re the prescription medicines minor variations e-form.

13 December 2017 - [Biovigilance responsibilities of sponsors of biologicals](#) - This guidance is for all sponsors of products regulated as biologicals.

12 December 2017 - [TGA presentations: Complementary medicine reforms information sessions, November-December 2017](#) - The presentations given at the complementary medicine reforms information sessions are now available.

12 December 2017 - [Prescription medicines: registration of new chemical entities in Australia](#) - Newly-registered new chemical entities added.

12 December 2017 - [Prescription medicines: new or extended uses, or new combinations of registered medicines](#) - We have just published newly-registered extended uses of already-registered medicines.

12 December 2017 - [Risk management plans for medicines and biologicals](#) - New risk management plan guidance released - updated with biologicals content.

12 December 2017 - [Australian Public Assessment Reports for prescription medicines \(AusPARs\)](#) - Added Desmopressin [Nocdurna] and Dapsone [Aczone].

11 December 2017 - [Semenax capsules \(counterfeit version\)](#) - Safety Alert - Semenax capsules (counterfeit version).

8 December 2017 - [Codeine information hub](#) - New education resources on the Codeine Information Hub for emergency department health professionals.

Australian Commission on Safety and Quality in Health Care

11 December 2017 - On the Radar – Issue 351 ([PDF 480KB](#)) ([Word 521KB](#)).

Australian Institute of Health and Welfare (AIHW)

13 December 2017 - [Adoption numbers up, with more foster parents adopting the kids in their care](#) - After a long-term downward trend, adoption numbers are rising, particularly for children who are already known to their adoptive parents, according to a new report released by the Australian Institute of Health and Welfare (AIHW). The report, *Adoptions Australia 2016–17*, shows that 315 children were adopted in Australia in 2016–17, up from 278 a year earlier—which was the lowest number on record. ‘This year’s rise in numbers was driven by an increase in ‘known child’ adoptions—that is, adoptions of children already known to the adoptive parents,’ said AIHW spokesperson Louise York.

Australian Capital Territory (ACT). Health Directorate

14 December 2017 - [ACT joins the fight against rare cancers - offering hope to local patients](#) - Patients in the ACT suffering from rare cancers will benefit from a trial of cutting-edge personalised treatment thanks to a new partnership between the Canberra Region Cancer Centre and world-class research institute the Garvan Institute of Medical Research in Sydney.

Minister for Health and Wellbeing Meegan Fitzharris today announced ACT Health would join the Molecular Screening and Therapeutics (MoST) clinical trials which will match novel therapies to rare and less common cancer patients based on their individual molecular and genetic makeup.

'About 30 per cent of cancers diagnosed are rare and less common cancers, and many are currently incurable which means they result in 50 per cent of all cancer deaths.

11 December 2017 - **Territory-wide Health Services Advisory Group announced** - The membership of a new Advisory Group tasked with helping to plan for a healthy Canberra through the Territory-wide Health Services Framework (TwHSF) was announced today.

The Advisory Group is made up of 11 health experts and community sector members and draws on the experience of a broad range of organisations from the Canberra community. The group will meet regularly over the next 12 to 18 months to provide high-level advice and feedback to the Minister for Health and Wellbeing and ACT Health on the policies and programs that will be part of the TwHSF.

New South Wales. Ministry of Health

Media Releases

15 December 2017 - **Nine in 10 NSW homes now smoke-free** - Nine out of 10 adults now live in smoke-free homes thanks to better support in helping people quit, according to the NSW Tobacco Snapshot 2017. NSW Health's Executive Director of Population Health Dr Jo Mitchell said the NSW Government's efforts to curb smoking, the leading cause of disease and premature death across the state, are working.

14 December 2017 - **First summer heatwave: stay cool and hydrated** - Stay cool and hydrated is the message from NSW Health today, as the first heatwave for summer is set to sweep through much of the state. Dr Ben Scalley, Director of Environmental Health, said temperatures are forecast to hit the high thirties and low forties throughout NSW, so it was important people took precautions to prevent heat-related illnesses.

13 December 2017 - **Mental health services boost for older people** - Hundreds of older people across NSW will benefit from an additional 17,000 care hours, as part of a \$2.4 million boost for Older Persons Mental Health (OPMH) services.

13 December 2017 - **NSW Health warns of swimming pool cryptosporidiosis risk** - NSW Health is urging people not to swim for two weeks after having diarrhoea to avoid contaminating pools with the nasty infection cryptosporidiosis, with cases expected to rise over summer.

Dr Jeremy McAnulty, Director Health Protection NSW Health, said people of all ages, particularly parents and carers of young children, should take steps to prevent the spread of the parasitic intestinal infection as more people take the plunge to escape the heat.

'Cryptosporidiosis is easily spread from person to person in swimming pools, splash parks, interactive fountains, spas or jacuzzis,' Dr McAnulty said.

'We usually see cases increase over summer, and there have been plenty of outbreaks caused by contaminated swimming pools. If an infected person gets into a pool, and another swimmer swallows even a small amount of pool water, they can get infected and will start experiencing diarrhoea a few days later.

11 December 2017 - **Watch out for Salmonella poisoning as temperatures rise** - NSW Health is warning people to be wary of Salmonella poisoning as summer temperatures rise, with 201 cases already reported across the state last month. Dr Vicky Sheppard, Director Communicable Diseases NSW Health, said careful preparation and storage of food is the best defence against salmonellosis – a type of gastroenteritis caused by Salmonella bacteria found in animals.

8 December 2017 - **NSW Health tightens regulation to lower Legionnaires risk** - NSW Health is reminding building owners that a new regulation requiring monthly tests to be conducted on cooling towers will come into effect next month. From 1 January 2018, building owners will be required to test for Legionnaires' bacteria on a monthly basis and report high results of the bug to local councils.

Publications

12 December 2017 - **Fit To Be Left At Home**

15 December 2017 - **Immunisation Enrolment Toolkit**

15 December 2017 - **Childcare and pre-school entry and immunisation (brochure)**

15 December 2017 - [Communicable Diseases Weekly Report \(CDWR\)](#)

Guidelines and information bulletins

13 December 2017 - [Overtime Meal Allowances](#) - Document number: IB2017_050.

12 December 2017 - [NSW Older People's Mental Health Services SERVICE PLAN 2017-2027](#) - Document number: GL2017_022.

Northern Territory (NT). Ministry for Health

14 December 2017 - [Caps Off to 25 New NT Medical Graduates](#) - The Territory Labor Government is delivering high quality health care with 25 Students graduating from the NT Medical program.

13 December 2017 - [Delivering High Quality Health Services](#) - The Territory Labor Government is improving health services, reaching a major milestone in the \$72 million Royal Darwin Hospital Redevelopment Project. The Minister for Health Natasha Fyles said the official opening of the new RDH foyer marks the completion of works on public spaces at the busy hospital.

Queensland. Department of Health

13 December 2017 - [Game over: hospitals a NO DRONE zone](#) - With plenty of kids, both big and small, set to receive drones this Christmas Day, Queensland Health has launched a new digital campaign reminding families that all hospitals are drone free zones.

12 December 2017 - [What actually is HPV and how does it give you cancer?](#) - Human papillomavirus, or HPV, is a common virus that can affect males and females of all ages. Most of us are aware of HPV because of its link to cervical cancer in women, but there's a lot more to know about HPV.

12 December 2017 - [Health tips for overseas travellers](#) - Many Queenslanders take advantage of the summer holiday season to head overseas. Whether you're planning a White Christmas, escaping it all on a tropical beach or visiting family and friends, follow these tips for staying healthy while you enjoy your holiday.

South Australia. Department for Health & Ageing

14 December 2017 - [Media release: Food for thought - Keep it safe from purchase to plate this Christmas](#) - People preparing their Christmas feasts are urged to have an action plan when shopping and storing food to ensure they don't end up with a Boxing Day belly ache. SA Health's Director of Public Health Service, Dr Kevin Bucket, said people should be aware of food safety practices for cooking and preparation, but it is equally important to ensure food is stored correctly and at the right temperature.

12 December 2017 - [Technology improving medical support for country patients](#) - Patients in country areas have access to extra medical support with the South Australian Virtual Emergency Service (SAVES) program fully operational in 16 regional hospitals.

11 December 2017 - [Australia's first clinical guidelines for children with stroke](#) - Doctors from each of Australia's tertiary paediatric hospitals and the Murdoch Children's Research Institute have led the development of Australia's first ever clinical guidelines that will improve the diagnosis and acute management of children that suffer a stroke. Dr Clair Pridmore, Paediatric Neurology Consultant at the Women's and Children's Hospital, is one of 16 specialists who volunteered their time and expertise as part of the Australian Childhood Stroke Advisory Committee (ACSAC) to ensure the important guidelines are of the highest international quality and can be implemented across the country.

8 December 2017 - [Junior doctor wins national award](#) - Dr Samantha Iannella has been nationally recognised as junior doctor of the year in a prestigious award ceremony. The CALHN surgical resident has been presented with the 2017 Confederation of Postgraduate Medical Education Councils (CPMEC) Junior Doctor of the Year award for her clinical performance within the local health network. CPMEC recognises junior doctors that have made significant contributions to medical education and training around Australia, with state and territory winners recognised.

9 December 2017 - **112 more paramedics and ambulance staff for South Australia** - An additional 112 paramedics and ambulance staff will hit South Australian streets as part of a State Government boost to ambulance services.

8 December 2017 - **Spike in hepatitis A cases prompts health warning** - Health authorities are urging those at high risk of hepatitis A to ensure they are vaccinated following a spike in cases, with seven people diagnosed in the past three weeks. SA Health's Acting Director Communicable Disease Control Branch Dr Louise Flood said South Australia has seen more than double the number of cases of hepatitis A this year.

8 December 2017 - **Automated lab goes live at the RAH** - The largest fully automated microbiology laboratory in the Southern Hemisphere, located at the Royal Adelaide Hospital (RAH), has been labelled a game changer in the detection and treatment of bacteria and infectious disease.

7 December 2017 - **New campaign emphasises health benefits of contact with nature** - A new campaign is promoting the real benefits associated with simple pleasures like going for a walk in the fresh air or appreciating the beauty of nature.

6 December 2017 - **3D printing joins fight against diabetes at the RAH** - In an Australian first, the Royal Adelaide Hospital will be home to a new 3D organ printer which promises to revolutionise treatment for people with Type 1 Diabetes.

Tasmania. Department of Health & Human Services

11 December 2017 - **North West training decision welcomed** - The decision by the Australian and New Zealand College of Anaesthetists (ANZCA) to continue training at the North West Regional Hospital in 2018 is welcomed.

11 December 2017 - **Healthy community grants announced** - More than \$500,000 in preventive health grants will flow to 26 community projects around the State to improve the health and wellbeing of Tasmanians.

The Hodgman Liberal Government's Healthy Tasmania Community Innovations Grants of up to \$25,000 each, are encouraging innovation and grassroots community action to improve the health of Tasmanians. The projects will focus on quitting smoking, healthy eating, physical activity and community connection. More than \$500,000 in preventive health grants will flow to 26 community projects around the State to improve the health and wellbeing.

9 December 2017 - **Government listens on Mental Health Observation Unit** - After further consultations with staff at the RHH and major stakeholders, the Government has decided to use the newly refurbished multi-purpose unit for extra beds for general medical and surgical patients rather than the proposed Mental Health Observation Unit. The new area is now completed and will be opened up for general patients as soon as staffing is in place, in order to increase bed capacity and ease pressure on the emergency department during periods of high demand.

5 December 2017 - **Health response to cruise ship gastro** - Director of Public Health Dr Mark Veitch today said Tasmanian health authorities had worked cooperatively with a cruise ship that arrived in Hobart with a number of cases of gastro on board. Dr Veitch said the illness among cruise ship passengers posed no public health risk to Tasmanians.

Victoria. Department of Health

15 December 2017 - **Victorian Mums And Bubs Healthier And Safer** - Victorian mothers, babies and children are now healthier and safer, with a new report showing a significant improvement in their health. The Victoria's Mothers, Babies and Children report by the Consultative Council on Obstetric and Paediatric Mortality and Morbidity, shows that Victoria is closing the gap on the rate of stillbirths and early infant deaths.

14 December 2017 - **Supporting Victorians Living With Autism** - The Andrews Labor Government will invest more than \$22 million as an immediate response to the Inquiry into Services for People with Autism Spectrum Disorder. Minister for Housing, Disability and Ageing Martin Foley today announced the funding would cover eight priority areas of action to be addressed as part of a comprehensive Autism Plan.

11 December 2017 - [Getting Life Back On Track For Injured Victorians](#) - Innovation and projects that support severely injured Victorians could be boosted by grants of up to \$50,000 through the Transport Accident Commission's (TAC) Small Grants Program. The Andrews Labor Government is encouraging applications for the program, which aims to improve the lives of people with an acquired brain injury (ABI) or spinal cord injury (SCI) by offering grants to innovative and user-led projects in the community.

Western Australia (WA). Department of Health

12 December 2017 - [Meningococcal disease in a young child](#) - The Department of Health today reported that an infant is currently recovering in hospital after being diagnosed with serogroup W meningococcal disease.

11 December 2017 - [Minister for Health: Governance change for State's leading pathology service](#) - Western Australia's State-wide pathology service, PathWest Laboratory Medicine WA, will become a separate health service provider under changes announced today.

8 December 2017 - [Researcher in quest for gut insights](#) - A WA Health researcher is on a quest to discover whether aspects of childhood, such as diet, birthweight, family characteristics and even temperament as a toddler, might influence the development of irritable bowel syndrome (IBS) in later life.

8 December 2017 - [Minister for Health: Federal Government commitment needed on GP training](#) - The McGowan Government today called on the Federal Government to ensure more Australian General Practice Training (AGPT) positions were allocated for Western Australian applicants within WA. Without a commitment for additional, permanent State-based positions, local applicants will be forced to travel interstate to access rural AGPT places. This issue has the potential to undermine the development of WA's future GP workforce.

Policy Frameworks

13 December 2017 - MP 0075/17 - [Health Executive Policy](#) - The Health Services Act 2016 establishes the Health Executive Service (HES). The HES comprises persons holding offices that are the subject of a written determination by the Director General (health executives) and the Chief Executives of health service providers (CEs).

The purposes of the HES are to provide for a group of executive officers who are able to work in HES offices across the WA health system and are capable of:

- furnishing high level strategic and operational advice and undertaking managerial responsibilities in hospitals and health services; and
- promoting efficiency and effectiveness of hospital and health services.

This Health Executive Policy (Policy) sets out the minimum mandatory requirements to provide a consistent, flexible, transparent and robust governance approach for the selection, appointment and management of health executives. This Policy details mandatory requirements in relation to classification, appointment and remuneration, performance assessment, termination, and monitoring and reporting.

Policy framework: [Employment Policy Framework](#).

13 December 2017 - MP 0074/17 - [Clinical Care of People Who May Be Suicidal](#) - This policy relates to consumers of all ages who are under the care of public mental health services. It is applicable in some non-mental health settings such as Emergency Departments and general hospitals when a person has been accepted for care by a mental health service and there consequently exists a duty of care.

The purpose of the policy is to provide guidance to Health Service Providers about:

- how to respond to, assess and manage people who may be suicidal.
- risk and safety issues and promote the importance of viewing assessment as a continuous process to address changing circumstances.
- important principles in the development of local protocols, processes and guidelines to align with the values and objectives of the policy.

- the importance of developing and promoting a learning culture and ensuring that clinicians receive both training and practice based support in the multi-disciplinary, clinical environment to enhance recognition, assessment and management of suicide risk.

The policy also promotes:

- the development and use of Safety Plans and solutions that are primarily safety, rather than risk, focused, that are consumer/carer inclusive and recovery focused.
- the importance of clinicians discussing and seeking advice and opinion from consumers, carers and other professionals when assessing risk for suicide.

Policy framework: [Mental Health Policy Framework](#).

New Zealand. Ministry of Health

14 December 2017 - [New cancer registrations 2015](#) - These annually published interactive tables and graphs provide high-level data on cancer registrations in 2015. They include information about the most common cancers registered and breakdowns by common demographic variables.

14 December 2017 - [Annual Update of Key Results 2016/17: New Zealand Health Survey](#) - This Annual Data Explorer presents the 2016/17 results from the New Zealand Health Survey, for both adults and children. The Annual Data Explorer includes information on health behaviours and risk factors, health conditions and access to health services.

14 December 2017 - [Content Guide 2016/17: New Zealand Health Survey](#) - The questionnaires and content guide give information about the content of the adult and child surveys.

14 December 2017 - [Methodology Report 2016/17: New Zealand Health Survey](#) - This methodology report details the procedures and protocols followed to ensure the New Zealand Health Survey produces the high quality and robust data expected of official statistics.

12 December 2017 - [Office of the Director of Mental Health Annual Report 2016](#) - This annual report presents information and statistics that serve as indicators of quality for our mental health services.

Australian Medical Association (AuMA)

14 December 2017 - [AuMA Pre-Budget Submission - strong GP emphasis](#) - The AuMA recently released its Pre-Budget Submission Review for 2018-19. AuMA President, Dr Michael Gannon, said the key for the Government is to consider all health policies as investments in a healthier and more productive population.

'The conditions are ripe for a new round of significant and meaningful health reform, underpinned by secure, stable, and sufficient long-term funding to ensure the best possible health outcomes for the Australian population,' Dr Gannon said.

A significant focus of the Pre-Budget Submission includes general practice and primary care. The AuMA recognises the important role GPs play in delivering care to an ageing population and that they are spending more time with patients – yet Government funding for general practice does not match up with the hours GPs are spending on delivering this care.

In particular, the Pre-Budget Submission calls for additional funding for the proposed Practice Incentive Program Quality Incentive, an investment in wound care, reforms to after-hours GP services and for more time and extra funding for the Health Care Homes Trial.

14 December 2017 - [AuMA greets new Rural Health Commissioner](#) - This week the AuMA President, Dr Michael Gannon, met with the new Rural Health Commissioner, Professor Paul Worley, to discuss his new role and the development of the Rural Generalist Training Pathway. Also attending were Dr Tony Bartone (AuMA Vice President) and Dr Sandra Hirowatari (Chair, AuMA Council of Rural Doctors).

This initial meeting was productive and provided the AuMA with the opportunity to discuss Professor Worley's approach to the role as well as relevant AuMA rural health policy. Professor Worley emphasised

the need for ongoing dialogue with the AuMA and has already agreed to meet with the President again early next year as well as attend the next face to face meeting of the AuMA Council of Rural Doctors.

14 December 2017 - [Advice to GPs ahead of a possible thunderstorm asthma](#) - The Chair of AuMA Council of General Practice, Dr Richard Kidd, has advised in a recent Australian Medicine column of the important role GPs play in managing patients susceptible to thunderstorm asthma.

Research indicates that thunderstorm asthma events likely occur because grass pollens are swept up into the clouds during the formation of a storm, which are distributed widely, bursting open to fill the air with small allergen particles. These are small enough to enter the lungs and cause difficulty in breathing. People allergic to grass pollens are particularly at risk.

Dr Kidd advises GPs to prepare for another possible thunderstorm asthma event by being up to date with the recommendations in the [Australian Asthma Handbook](#). They can also undertake the free NPS Medicinewise Clinical E-Audit [Asthma Management – supporting patients to achieve good control](#).

For more advice, see Dr Kidd's article in [Australian Medicine](#).

14 December 2017 - [Pregnancy guidelines on vitamin D remain relevant](#) - AuMA President, Dr Michael Gannon, has recently stated that there is no need to change the Australian guidelines for vitamin D supplementation during pregnancy. He has said that if a pregnant woman's vitamin D levels are normal there is no need to take supplements and only those women with a diagnosed vitamin D deficiency should be offered supplements.

'There is no case at all for routine vitamin D supplementation of pregnant women,' he told *The New Daily*.

'Profound vitamin D deficiency can cause rickets. So pregnant women at increased risk of vitamin D deficiency should be screened as part of their antenatal care,' Dr Gannon said.

A large review of the existing research in The British Medical Journal (BMJ) found insufficient evidence to determine if vitamin D supplementation is beneficial.

14 December 2017 - [Call for applications: AuMA Indigenous Medical Scholarship 2018](#) - The AuMA Indigenous Medical Scholarship is a recognition of the critical importance that Aboriginal and Torres Strait Islander doctors play in the delivery of healthcare in Australia. Applications are now open for the Scholarship from eligible Aboriginal and/or Torres Strait Islander students who are studying medicine at an Australian university.

The Scholarship started in 1994 and since then has assisted over 20 Indigenous men and women in becoming doctors, providing financial assistance to allow for the completion of their degrees. Past Scholarship recipients have gone on to work in Indigenous and mainstream health services, while others provide healthcare in their own communities.

The Scholarship provides the successful applicant with \$10,000 each year for the duration of their course. Preference will be given to applicants who do not already hold any other scholarship or bursary. Applications must be received 31 January 2018.

14 December 2017 - [What do you want from your CPD?](#) - Although continuing professional development (CPD) is a requirement of your medical registration, it's not always easy to fit it into a busy practice life. At [doctorportal Learning](#), we want to get a clearer idea of how we can best tailor our comprehensive CPD offering to your needs. To do that, we've put together a medical education survey that you should have already received in your inbox.

13 December 2017 - [Stage set for new era of health reform](#) - The AuMA has released its pre-Budget submission, which sets out a range of practical, achievable, and affordable policies and recommendations for meaningful health reform.

UK Health

14 December 2017 - [NHS becomes first healthcare system in the world to publish numbers of avoidable deaths](#) - The National Health Service (NHS) will become the first healthcare organisation in the world to publish estimates of how many patients may have died because of problems in their care.

The publication follows a promise by the health secretary after a 2016 Care Quality Commission report found that the NHS was missing opportunities to learn from patient deaths, and that too many families were not being included or listened to when an investigation happened.

ABOUT US

Dr Gerry Bean



Gerry is a Corporate Partner and provides corporate and commercial advice to the health sector and the not for profit sector. He has over 20 years' experience as a partner. He acts for hospitals, primary healthcare networks, aged care and retirement villages, charities and health insurers. Gerry has acted on several mergers in the health and non-for profit sectors including the merger which created cohealth. Gerry is an active contributor to our pro-bono practice. Gerry is also a director of the Law Institute of Victoria and a director of DLA Piper's International Board.

Contact Details

T +61 3 9274 5661

gerry.bean@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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