



# HEALTH ALERT

7 December 2015

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## JUDGEMENTS

### Victoria

30 November 2015 - [Inquest into the Death of Maria Dolores Coliero COR 2011/003564](#)

This inquest related to a patient who had been administered medicine incorrectly and, as a result of having executed a not for resuscitation order ("NFR"), was subsequently not resuscitated when this incorrect administration of medicine led to her becoming unresponsive. It is hospital policy that a code blue to relieve and assist the patient will always be called for an iatrogenic event such as the incorrect administering of medicine. However, the error by nursing staff was not noticed immediately and not attributed to the patient's decline. As a result, a code blue was not called due to the NFR.

The conclusion of the coroner was that, in this case, the decision by hospital staff not to call a code blue and attempt to resuscitate the patient was made in good faith and with respect for the NFR in place. The NFR was appropriately imposed due to the patient's condition and comorbidities, and the incorrect administration of medicine was simple human error. The hospital also established that measures had been put in place to improve the administration of this particular medicine and submitted that, had the hospital staff connected the iatrogenic event with the decline of the patient, then code blue resuscitation this would have taken precedence over the NFR.

The coroner also commented that several members of the patient's family apparently did not understand the implications of the NFR, but that the hospital staff had made an effort to communicate the medical reason for initiating the NFR, and documented these discussions.

1 December 2015 - [Inquest into the Death of James William Steele COR 2013/1711](#)

Findings - Inquest into the Death of James William Steele

### New South Wales

4 December 2015 - [Eastbury v Genea Limited \(formerly known as Sydney IVF Limited\) \[2015\] NSWSC 1834](#)

This case relates to the testing of a patient for the presence of genetic signifiers to determine whether she was a carrier of Fragile X Syndrome, a mental retardation condition ("Fragile X"). The purpose of the case centred on whether it is appropriate to join the doctor as a second defendant as well as the testing facility, and also examined potential problems with the referrals process.

The alleged negligent activity occurred due to there being two tests for Fragile X; a chromosome analysis to detect the presence of the syndrome in the patient themselves, and a molecular analysis to determine if the patient is a carrier. A chromosomal test does not confirm the patient's status as a carrier. The doctor referred the patient to a pathology centre, which in turn referred the sample to Genea Limited for specialist testing, but only the chromosomal test was performed. The patient was later informed by her doctor that the result was negative and she proceeded to have two children who both developed Fragile X.

At the time of the referral, the doctor had hand-written "genetic test for carrier status" as an addition to the referral form but not on the form itself, and did not specify the test. Genea were also not equipped to conduct the necessary molecular testing, and did not mention this limitation when advising that the test result was negative. The judge found that these failures by the doctor and Genea were likely to result in the patient receiving significant damages.

4 December 2015 - [Health Care Complaints Commission v Mortlock \[2015\] NSWCATOD 136](#)

ADMINISTRATIVE LAW — Civil and Administrative Tribunal (NSW) — health practitioner — whether practitioner guilty of unsatisfactory professional conduct — whether practitioner guilty of professional misconduct — appropriate disciplinary orders where finding made that practitioner is guilty of professional misconduct

1 December 2015 - [Macquarie International Health Clinic Pty Ltd v Sydney Local Health District; Sydney Local Health District v Macquarie Health Corporation Ltd \(No 8\)](#) [2015] NSWSC 1830

COSTS – Relisting – No issue of principle

1 December 2015 - [Z v Mental Health Review Tribunal](#) [2015] NSWCA 373

MENTAL HEALTH – community treatment order – application granted by Mental Health Review Tribunal – appeal to primary judge under s 163 of the Mental Health Act 2007 – whether primary judge conducted a de novo hearing to decide whether community treatment order should be made – whether primary judge made required findings under the Act

### Queensland

27 November 2015 - [Cameron v Simon Blackwood \(Workers' Compensation Regulator\)](#) [2015] QIRC 205

WORKERS' COMPENSATION - APPEAL AGAINST DECISION – where the worker sought compensation for a back injury - whether injury arose out of or in the course of employment - degenerative back disorder - whether employment is a significant contributing factor - where Appellant bears onus of proof - Appeal upheld.

### Commonwealth. Administrative Appeals Tribunal

30 November 2015 - [Scuderi and Comcare \(Compensation\)](#) [2015] AATA 921

WORKERS' COMPENSATION – 1990 and 1993 injury – liability accepted – Applicant applies for domestic and attendant care – querying reasonableness of the rehabilitation program – Applicant self-funded retraining as a School Support Officer and is working 20 hours a week - two decisions under review affirmed; one varied to permit one off laser treatment for the Applicant's legs.

### United Kingdom

3 December 2015 - [O'Connor v The Pennine Acute Hospitals NHS Trust](#) [2015] EWCA Civ 1244

LIABILITY - APPEAL AGAINST DECISION – evidential basis for decision as to liability – ability of trial judge to draw inferences as to conduct – negligent performance of surgical procedure

## LEGISLATION

### Commonwealth

27 November 2015 - [Health Legislation Amendment \(eHealth\) Act 2015](#) - C2015A00157 - Act No. 157 of 2015 as made

3 December 2015 - [National Health \(Concession or entitlement card fee\) Amendment Determination 2015 \(No. 1\) \(PB 124 of 2015\)](#) - F2015L01935 - PB 124 of 2015 as made

3 December 2015 - [Australia New Zealand Food Standards Code – Transitional Variation 2015 \(Proposal P1037 – Amendments associated with Nutrition Content & Health Claims\)](#) - F2015L01931 - as made

3 December 2015 - [Food Standards \(Proposal P1037– Amendments associated with Nutrition Content & Health Claims\) Variation](#) - F2015L01930 - as made

3 December 2015 - [Australia New Zealand Food Standards Code – Transitional Variation 2015 \(P1038 – Vitamin & Mineral Claims & Sodium Claims about Food containing Alcohol\)](#) - F2015L01929 - as made

3 December 2015 - [Food Standards \(P1038 – Vitamin & Mineral Claims & Sodium Claims about Food containing Alcohol\) Variation](#) - F2015L01927 - as made

2 December 2015 - [Australia New Zealand Food Standards Code – Transitional Variation 2015 \(Application A1106 – Food derived from Herbicide-tolerant and Insect-protected Corn Line 4114\)](#) - F2015L01922 - as made

2 December 2015 - [Food Standards \(Application A1107 – Asparaginase from Bacillus subtilis as a Processing Aid \(Enzyme\)\) Variation](#) - F2015L01919 - as made

2 December 2015 - [Food Standards \(Application A1106 – Food derived from Herbicide-tolerant and Insect-protected Corn Line 4114\) Variation](#) - F2015L01918 - as made

2 December 2015 - [Human Services \(Medicare\) Amendment \(National Bowel Cancer Screening Register\) Regulation 2015](#) - F2015L01917 - SLI 2015 No. 212 as made

2 December 2015 - [Medicines Advisory Statements Specification 2016](#) - F2015L01916 - as made

2 December 2015 - [Australia New Zealand Food Standards Code – Revocation and Transitional Variation 2015 \(Proposal P1016 – Hydrocyanic Acid in Apricot Kernels & other Foods\)](#) - F2015L01913 - as made

2 December 2015 - [Food Standards \(Proposal P1016– Hydrocyanic Acid in Apricot Kernels & other Foods\) Variation](#) - F2015L01911 - as made

1 December 2015 - [Therapeutic Goods Amendment \(Registered Over the Counter Medicines\) Regulation 2015](#) - F2015L01910 - SLI 2015 No. 214 as made

1 December 2015 - [National Health \(Highly Specialised drugs program\) Special Arrangement Amendment Instrument 2015 \(No. 12\) \(PB 111 of 2015\)](#) - F2015L01908 - as made

1 December 2015 - [Therapeutic Goods Amendment \(Listed Medicines\) Regulation 2015](#) - F2015L01909 - SLI 2015 No. 213 as made

1 December 2015 - [National Health \(Growth Hormone program\) Special Arrangement Amendment Instrument 2015 \(No. 1\) \(PB 96 of 2015\)](#) - F2015L01904 - as made

1 December 2015 - [National Health \(Originator Brand\) Amendment Determination 2015 \(No. 1\) \(PB 114 of 2015\)](#) - F2015L01905 - PB 114 of 2015 as made

1 December 2015 - [National Health \(Prescriber bag supplies\) Amendment Determination 2015 \(No. 5\) \(PB 115 of 2015\)](#) - F2015L01903 - PB 115 of 2015 as made

1 December 2015 - [National Health \(Listed drugs on F1 or F2\) Amendment Determination 2015 \(No. 10\) \(PB 113 of 2015\)](#) - F2015L01902 - PB 113 of 2015 as made

1 December 2015 - [Therapeutic Goods Information \(Outcomes of Advertising Complaints Investigations\) Specification 2015](#) - F2015L01900 - as made

1 December 2015 - [National Health \(Australian Community Pharmacy Authority Rules\) Amendment Determination 2015 \(No. 2\)](#) - F2015L01901 - as made

1 December 2015 - [National Health \(Pharmaceutical Benefits - Early Supply\) Amendment Instrument 2015 \(No. 10\) - specification under subsection 84AAA\(2\) \(PB 110 of 2015\)](#) - F2015L01899 - PB 110 of 2015 as made

1 December 2015 - [National Health \(Efficient Funding of Chemotherapy\) Special Arrangement Amendment Instrument 2015 \(No. 11\) \(PB 112 of 2015\)](#) - F2015L01898 - PB 112 of 2015 as made

1 December 2015 - [Australia New Zealand Food Standards Code — Standard 1.4.2 — Maximum Residue Limits Amendment Instrument No. APVMA 10, 2015](#) - F2015L01897 - as made

1 December 2015 - [National Health Determination under paragraph 98C\(1\)\(b\) Amendment 2015 \(No. 10\) \(PB 109 of 2015\)](#) - F2015L01894 - PB 109 of 2015 as made

1 December 2015 - [National Health \(Paraplegic and Quadriplegic Program\) Special Arrangement Amendment Instrument 2015 \(No. 3\)](#) - F2015L01893 - PB 116 of 2015 as made

### **Northern Territory**

2 December 2015 - [Medical Services Amendment Bill 2015](#) - Introduced

## Queensland

1 December 2015 - [Disability Services and Other Legislation Amendment Bill 2015](#) - Introduced

1 December 2015 - [Hospital and Health Boards \(Safe Nurse-to-Patient and Midwife-to-Patient Ratios\) Amendment Bill 2015](#) - Introduced

## Western Australia

3 December 2015 - [Public Health Bill 2014](#) - Legislative Council Second Reading

## REPORTS

### Australia. Department of Health

Media releases

2 December 2015 - [Medicinal cannabis to be cultivated through single national scheme](#) - Australia will create a nationally-consistent licensing scheme regulating the controlled cultivation of cannabis for medicinal or scientific purposes that will streamline the process across the country.

1 December 2015 - [Medicare Safety Net Arrangements](#) - The Turnbull Government is currently undertaking broad-ranging reforms to build a healthier Medicare.

Private Health insurance Circulars

1 December 2015 - [PHI 79/15 Payment of the 2015 Private Health Insurance Complaints Levy](#) - Consultations

[Medical Services Advisory Committee \(MSAC\) Reforms](#) - call for public comment

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

4 December 2015 - [New information for osteopathy students and graduates](#) - From today, osteopathy students and graduates have a new way of finding out about becoming a registered osteopath.

4 December 2015 - [Supreme Court dismisses doctor's application for judicial review](#) - The Supreme Court of Western Australia has dismissed a doctor's application for judicial review of a decision of the Medical Board of Australia Performance and Professional Standards Panel.

4 December 2015 - [Communiqué from the Board](#) - The Chinese Medicine Board of Australia releases its latest communiqué.

3 December 2015 - [Are you a graduate applying for registration?](#) - Read this important information that explains what you need to know.

3 December 2015 - [Quarterly registration data released](#) - The National Board has released its quarterly registration data.

2 December 2015 - [Call for applications](#) - Call for applications for appointment to the Northern Territory Board of the Medical Board of Australia.

2 December 2015 - [Communiqué from the Board](#) - The Physiotherapy Board of Australia releases its latest communiqué.

1 December 2015 - [The National Board has released its quarterly registration data](#) - The Chinese Medicine National Board has released its quarterly registration data.

1 December 2015 - [Revised registration standards take effect today](#) - Revised registration standards for nine registered health professions take effect from today.

1 December 2015 - [The National Board has released its quarterly registration data](#) - The National Osteopathy Board has released its quarterly registration data.

30 November 2015 - [Communiqué](#) - The Dental Board of Australia releases its latest communiqué.

27 November 2015 - [Call for applications](#) - Australian Capital Territory, South Australian and Victorian Boards of the Medical Board of Australia.

27 November 2015 - [Call for applications](#) - Queensland Board and Victorian Board of the Nursing and Midwifery Board of Australia.

27 November 2015 - [Communiqué from the Board](#) - The Chiropractic Board of Australia releases its November communiqué.

27 November 2015 - [Communiqué from the Board](#) - The National Nursing and Midwifery Board has published its October communiqué.

### **Australia. National Health & Medical Research Council (NHMRC)**

27 November 2015 - [NHMRC Research Tracker](#)

### **Australia. Pharmaceutical Benefits Scheme (PBS)**

3 December 2015 - [Errata to the PBS Schedule for 1 December 2015](#) - The Errata to the PBS Schedule for 1 December 2015 has been updated. This Erratum corrects the PDF version of the 1 December 2015 Schedule.

1 December 2015 - [Biosimilar infliximab on the PBS - information for health professionals and patients](#) - As part of the Biosimilars Awareness Initiative, information on the listing of biosimilar infliximab is now available.

1 December 2015 - [PBS Website Update](#) - The Schedule of Pharmaceutical Benefits was updated on 1 December 2015 and the Summary of Changes can be found on the New, Amended and Deleted Items page.

25 November 2015 - [Review of Pharmacy Remuneration and Regulation](#) - The Minister for Health, the Hon Sussan Ley MP, last night announced the membership of the Expert Panel for the Review of Pharmacy Remuneration and Regulation (the Review), together with its Terms of Reference.

24 November 2015 - [Reference Group for Eculizumab](#) - An Expert Reference Group has been established to assist with the administration of requests for PBS-subsidised eculizumab for the treatment of aHUS.

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

4 December 2015 - [V-MAX Herbal Tablets](#) - V-MAX Herbal Tablets pose a serious risk to your health and should not be taken.

3 December 2015 - [Anatomic Locked Plating System 4 mm cancellous locking screws - used to treat broken bones](#) - Hazard alert - risk of soft tissue irritation and potential need for revision.

3 December 2015 - [Updates to the list of designated orphan drugs](#) - Added Lonococog Alfa and Tremelimumab.

2 December 2015 - [Varenicline \(Champix\)](#) - Safety advisory – risks of psychiatric symptoms and potential interaction with alcohol

1 December 2015 [Australian Public Assessment Reports for prescription medicines \(AusPARs\)](#) Added Certolizumab pegol (rbe) (Cimzia), Regorafenib (Stivarga), Apremilast (Otezla), Apixaban (Eliquis), Anakinra (Kineret) and Rifaximin (Xifaxan).

1 December 2015 - [Medicines Safety Update Volume 6, Number 6, December 2015](#) - In this issue: TGA investigates proton pump inhibitors and increased cardiovascular risk.

1 December 2015 - [Silimed medical devices \(all - including breast implants\)](#) - Update 2 - Products suspended from ARTG until quality standards met.

30 November 2015 - [Australian regulatory guidelines for OTC medicines \(ARGOM\) \(Nov 2015\)](#) - We have published updated guidance for OTC medicines to better assist applicants to register or make a change to a registered OTC medicine.

30 November 2015 - [Reduction of assessment fees for medical devices](#) - Updated guidance on eligibility requirements and procedures.

30 November 2015 - [ACSOM meeting statement, Meeting 29, 11 September 2015](#) - Advisory Committee on the Safety of Medicines, Meeting 29 statement.

### **Australian Institute of Health & Welfare (AIHW)**

[Hospitalisations for arthritis, osteoporosis and other musculoskeletal conditions](#) (web update)

3 December 2015 - [More hospitalisations for musculoskeletal conditions](#) (media release)

### **Australian Commission on Safety and Quality in Health Care**

On the Radar – 30 November 2015 – Issue 251 ([PDF 141KB](#)) ([Word 1277KB](#))

### **Australian Capital Territory (ACT). Health Directorate**

02 December 2015 - [Temporary Closure of National Capital Private Hospital Car Park](#) - Due to construction works, the Canberra Hospital car park behind NCPH will be partially closed between 7:00 am and 12:00 pm on Saturday, 05 December.

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

#### Media Releases

3 December 2015 - [Minister Goward welcomes the largest philanthropic donation to suicide prevention](#) - Minister for Mental Health and Minister for Medical Research Pru Goward today joined the Black Dog Institute, the Paul Ramsay Foundation and the NSW Mental Health Commission to announce a contribution of \$14.76 million from the Paul Ramsay Foundation, which will provide a new, evidence-based approach to suicide prevention in NSW.

2 December 2015 - [Car park building boom at NSW hospitals](#) - The NSW Government has invested more than \$250 million to construct over 10,000 car park spaces at the state's public hospitals since 2011, Health Minister Jillian Skinner announced today.

2 December 2015 - [NSW Health urges sick people to avoid pools after increase in cryptosporidiosis cases](#) - NSW Health is urging people who have been unwell with diarrhoea to avoid swimming pools until at least two weeks after they have recovered, following a sharp increase in cryptosporidiosis cases in NSW.

2 December 2015 - [Healthy Town Challenge selects five towns for 2016](#) - Five towns from across the state have been selected to participate in the NSW Healthy Town Challenge 2016. The joint initiative of the NSW Office of Preventive Health and the Heart Foundation aims to turn the tide on the rising levels of obesity.

1 December 2015 - [Bureau of Health Information \(BHI\) Hospital Quarterly Report](#) - NSW hospitals faced unprecedented demand in the winter quarter, the latest Bureau of Health Information (BHI) Hospital Quarterly report has found.

1 December 2015 - [NSW leading the way in fight against HIV](#) - Health Minister Jillian Skinner has hailed the success of the state's HIV strategies as new figures show a strong increase in testing and treatment and a steady decline in new HIV diagnoses.

1 December 2015 - [NSW Medicinal Cannabis Advisory Council Appointed](#) - Doctors, academics and patient welfare advocates have been appointed to a special advisory council to guide the NSW Government's world-leading medicinal cannabis research program.

30 November 2015 - [New Principal Official Visitor to continue advocacy for patient care](#) - Minister for Mental Health Pru Goward today announced the appointment of a new Principal Official Visitor of the Mental Health Official Visitor Program, which safeguards the rights, dignity and standards of care for mental health and involuntary drug and alcohol patients.

#### Policy Directives & Guidelines

3 December 2015 - [Cord Blood - Public and Private Cord Blood Banking](#) PD2015\_048

## Information Bulletins

3 December 2015 - [Oral Health Fee for Service Schedule of Fees 2016](#) IB2015\_063

2 December 2015 - [NSW HIV Strategy 2016-2020](#) IB2015\_062

### New South Wales (NSW). Health Care Complaints Commission

3 December 2015 - [Updated Media Release - Mr Sow Kuan Ng - registration cancelled](#) - The Health Care Complaints Commission prosecuted Mr Sow Ng, a registered osteopath before the NSW Civil & Administrative Tribunal on 7, 8 and 9 October 2014, 26 November 2014 and 3 February 2015.

3 December 2015 - [Dr Biing-Lin Yin - reprimand and conditions](#) - The Health Care Complaints Commission prosecuted Dr Biing-Lin Yin, an anaesthetist, before a Medical Professional Standards Committee concerning his anaesthetic management of a patient undergoing a tonsillectomy on 7 February 2013.

30 November 2015 - [Ms Heather Conyard – caution and 12 month mentoring condition imposed](#) - The Health Care Complaints Commission prosecuted Ms Heather Conyard, a registered nurse, before a Nursing and Midwifery Professional Standards Committee (“Committee”) at an inquiry on 18 September 2015. The matter related to Ms Conyard’s conduct in caring for an elderly patient as the registered nurse in charge at Glen Innes District Hospital (“Hospital”) on 11 January 2013.

24 November 2015 - [Dr Nasim Romina - unsatisfactory professional conduct - caution and conditions](#) - The Health Care Complaints Commission prosecuted Dr Nasim Romina, a general practitioner, before a Professional Standards Committee on 18 -19 August and 22 October 2015. The complaint alleged that Dr Romina’s conduct in relation to her clinical assessment, management of seven patients and her poor record keeping amounted to unsatisfactory professional conduct. Dr Romina made some admissions but aside from her record-keeping, she did not admit that her conduct amounted to unsatisfactory professional conduct.

23 November 2015 - [Mr Terry Dart prohibited from providing acupuncture](#) - The NSW Health Care Complaints Commission completed an investigation into the professional conduct of Mr Terry Dart, an unregistered health practitioner providing acupuncture and Qigong massage services on the NSW South Coast. Read the full [media release](#).

23 November 2015 - [Annual Report 2014-15 tabled in Parliament](#) - The Commission’s annual report for 2014-15 was tabled in Parliament on 19 November 2015. Electronic copies of the report are now publicly available on this website.

17 November 2015 - [Mr Neville Contractor - Pharmacist - Registration cancelled for 2 years](#) - On 12 and 15 October 2015, the Commission’s complaint against pharmacist Mr Neville Contractor was heard by the NSW Civil and Administrative Tribunal.

13 November 2015 - [Mr Andreas Kirbach - prohibited from providing any health services for five years](#) - The NSW Health Care Complaints Commission concluded its investigation into the professional conduct of Mr Andreas Kirbach, a social worker.

12 November 2015 - [Updated media release - Dr Swapan Chowdhury - Stage 2 – Registration cancelled](#) - The Health Care Complaints Commission prosecuted Dr Swapan Chowdhury, a general practitioner, before the New South Wales Civil and Administrative Tribunal. The complaint alleged unsatisfactory professional conduct and professional misconduct concerning Dr Chowdhury not complying with conditions imposed on his practice by the Medical Tribunal (as it was then known) in 2010. The complaint alleged that Dr Chowdhury did not undertake 10 observer sessions with an experienced general practitioner, and subsequently made false statements to the Medical Council about his alleged compliance with the conditions.

### Northern Territory (NT). Department of Health

30 November 2015 - [Advanced medical imaging benefitting patients at Royal Darwin Hospital](#) - Territory patients are benefitting from shorter operating times and faster recovery thanks to a new integrated hybrid operating theatre at Royal Darwin Hospital. The hybrid theatre, which is a surgical theatre



equipped with advanced medical imaging devices, is the first in the Territory. The Country Liberals Government provided \$2.6 million in funding which supported the cost of the new theatre, imaging equipment, building works and other equipment including audio/visual.

### Queensland. Department of Health

3 December 2015 - **Queensland celebrates people with disability** - Queenslanders are encouraged to join together today to promote the inclusion of people with disability for International Day of People with Disability. Disability Services Minister Coralee O'Rourke marked the celebration by participating in the All Ability Rowing Relay today in Queen Street Mall, organised by West End organisation Urban Rowing. Minister O'Rourke said the event aimed to showcase ability rather than disability and empowered people to lead more healthy active lifestyles.

2 December 2015 - **New shelters opening for domestic violence victims** - Two new 72-hour crisis shelters for women and children fleeing domestic violence will be opened in December.

2 December 2015 - **Research support available for young doctors** - The Queensland Government is encouraging doctors at the starts of their careers to invest in research by setting up a \$4.4 million fund to allow junior doctors to undertake detailed research projects. Health and Ambulance Services Minister Cameron Dick said that the Palaszczuk Government wanted to encourage the brightest young doctors in the state to see research as a highly respected career pathway, thereby increasing Queensland's research capacity. He said that under the first round, four young doctors would be awarded fellowships of up to \$500,000 each to undertake specific research under the guidance of a highly experienced Senior Clinical Research Fellow.

1 December 2015 - **New safeguards to protect Queenslanders with disability** - Legislative changes have been introduced in Parliament today to ensure Queenslanders with disability are protected by the State Government's quality and safeguard system under the National Disability Insurance Scheme (NDIS). Disability Services Minister Coralee O'Rourke said the *Disability Services and Other Legislation Amendment Bill 2015* would improve the functioning of the current quality and safeguard systems, by closing gaps identified during a review. "Under the current legislation, the quality and safeguard framework only applies to Queensland Government funded service providers, which means NDIS participants who purchase supports directly from non-government organisations will not be covered.

1 December 2015 - **Nurse to patient ratio legislation introduced** - The Palaszczuk Government has fulfilled another election promise with the introduction into Parliament today of historic laws to ensure safe nurse-to-patient ratios in Queensland's public hospitals. The amendments to the *Hospital and Health Boards Act 2011* will require minimum ratios in public sector health service facilities. Under the legislation and regulation, prescribed medical, surgical and mental health wards will be required to maintain a minimum of one nurse to four patients for morning and afternoon shifts, and one nurse to seven patients for night shifts. These ratios will be introduced in stages across Queensland from 1 July 2016. It is expected that around 250 additional nurses will need to be recruited to meet the ratios at a cost of \$25.9 million. Hospital and Health Services will be responsible for meeting the ratios set out in the legislation, and will meet the cost from existing resources.

27 November 2015 - **Queensland's \$134 million children's health research centre launched** - Queensland is poised to take its place at the forefront of children's health research thanks to a pioneering research centre, officially opened by the Palaszczuk Government today. Minister for Health and Minister for Ambulance Services Cameron Dick said the \$134 million state-of-the-art facility, co-located with the Lady Cilento Children's Hospital, will allow faster translation of research findings into better care for Queensland children, young people and their families. "This has created an integrated hub of specialist knowledge dedicated to improving the health of children, and facilitating better opportunities for collaborative research projects. In this facility, Lady Cilento Children's Hospital's doctors, nurses, surgeons and allied health professionals will work side by side with researchers from the centre's university and academic partners – Queensland University of Technology, The University of Queensland and the Translational Research Institute – to ensure medical and scientific breakthroughs transfer quickly to improved health for children."

27 November 2015 - **New name for Sunshine Coast hospital** - The Sunshine Coast's newest hospital will open its doors under a new name when it launches next year. Minister for Health and Ambulance Services Cameron Dick has revealed the hospital, due to open in late 2016, will be known as the Sunshine Coast University Hospital. The Minister also announced that the partners within the new hospital's Skills, Academic and Research Centre had chosen the operating name for this key element of the facility. "This integral research and education partnership in the new hospital will be known as the Sunshine Coast Health Institute," he said. He said SCHI would operate as an unincorporated joint venture involving the Sunshine Coast Hospital and Health Service, the University of the Sunshine Coast, TAFE Queensland East Coast and a medical school university.

#### **Queensland. Office of the Health Ombudsman**

2 December 2015 - **The Office of the Health Ombudsman announces below-budget spending** - The Office of the Health Ombudsman (OHO) has reported below-budget expenditure for the 2031 registrant-related health complaints received in the 2014–15 financial year.

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

2 December 2015 - **Coping with bushfire disaster** - In the wake of the devastating Pinery bushfire, SA Health is encouraging South Australians to be aware of their emotional wellbeing and be on the lookout for signs loved ones may need help. SA Health Chief Psychiatrist, Dr Aaron Groves, said feelings of distress and grief are normal reactions to disaster.

1 December 2015 - **Adelaide landmarks turn red for World AIDS Day** - Adelaide's Rundle Lantern is one of a number of local landmarks that will shine red in support of today's World AIDS Day (1 December). Heather Karmel, Board Chair, SHine SA, the lead agency for SA Mobilisation Empowerment for Sexual Health (SAMESH), said the red illumination across the city is part of a range of activities and events occurring throughout the week to promote the ending HIV message. "This year's World AIDS Day theme is centred around achieving zero new HIV infections, zero discrimination and zero AIDS related deaths," Ms Karmel said.

1 December 2015 - **SA ambos have the power** - New powered stretchers will be purchased for every South Australian ambulance in a bid to improve paramedic safety after new data revealed compensation expenses by South Australian Ambulance Association employees had increased by more than 70 percent in the last financial year. Health Minister Jack Snelling said the new stretchers will help reduce workplace injury. "An increasing number of staff are being injured as a result of malfunctions with the current stretcher, or by lifting heavier patients, which is reflected in the growing compensation claims. Mr Snelling said the nature of the injuries received by staff had caused the compensation costs to rise.

27 November 2015 - **Review findings released** - The findings from an independent review into the incorrect dosing of Cytarabine to 10 patients with acute myeloid leukaemia were released today. The incorrect dosing took place between end July 2014 and end January 2015, with five patients from the Royal Adelaide Hospital (RAH) and five patients from Flinders Medical Centre (FMC) receiving one dose of Cytarabine a day instead of two during their treatment. Health Minister Jack Snelling said an independent panel of experts, led by Professor Willis Marshall, Chair of the Australian Commission on Safety and Quality in Healthcare, were commissioned to review the events and decisions that led to the under-dosing. "Following an extensive review, the panel has found that the under-dosing was caused by a series of significant clinical governance failures at the Royal Adelaide Hospital Haematology unit," Mr Snelling said.

#### **Tasmania. Department of Health & Human Services**

3 December 2015 - **Next step in fixing Tasmania's broken health system** - The Hodgman Liberal Government is fixing the broken health system so that Tasmanians can have access to the best quality health care. Today I am pleased to announce the next steps in the establishment of One State, One Health System, Better Outcomes. To give Tasmania the sustainable health system it deserves, we need to do things differently. We cannot continue repeating the same decisions from the past which have created an inefficient health system that fails to provide the same level of health care in Tasmania compared with other jurisdictions. The Liberal Government has provided record funding for health and we want it to be used to get the best possible health outcomes.

3 December 2015 - **Historic agreement reached on full roll-out of NDIS in Tasmania** - More than 10,000 Tasmanians living with disability, and their families, stand to benefit when the National Disability Insurance Scheme (NDIS) is fully rolled out in 2019. The Commonwealth and Tasmanian governments have reached agreement on the full roll out of the scheme. "Tasmania's experience with the trial for young people aged 15-24 years offers a successful base to launch the full roll-out." Tasmanian Human Services Minister Jacque Petrusma said the staged roll-out would begin, as planned, from 1 July 2016, with all eligible people with disability in Tasmania aged between 12 and 28 years entering the scheme in the first year.

2 December 2015 - **Incident at Launceston General Hospital** - An incident took place today at Launceston General Hospital where two correctional officers escorting a male prisoner were assaulted. The two correctional officers did not sustain any serious injuries and were able to remain on duty. The Tasmania Prison Service takes these incidents very seriously, and while the full circumstances are yet to be investigated, initial reports are that the prisoner may have had an adverse reaction to medication before assaulting the guards.

2 December 2015 - **Medicinal cannabis decision** - I welcome the Commonwealth's announcement today that it would legislate for a nationally-consistent licensing scheme for the controlled cultivation of medicinal cannabis. The Tasmanian Government has been working closely with NSW on this issue, and advocating for a consistent, national approach through COAG. While we have yet to see the detail of the proposed new legislation, it appears to be a very significant step towards bringing long-awaited relief for Tasmanian families who treat their loved ones with medicinal cannabis. Tasmania has already proven to be a world leader in the cultivation of alkaloid poppies, supplying half of the world's demand.

29 November 2015 - **School nurses program a winner for Tasmania's school children** - The Tasmanian Government's decision to reintroduce nurses into schools has been a great win for students and broader school communities. We now have 10 full-time equivalent registered nurses working at schools across Tasmania who are supporting the health needs and education of students in a variety of ways. School nurses help children in a number of areas such as mental health and well-being, body image and healthy relationships as well as the delivery of local, state and national health promotion initiatives.

28 November 2015 - **Huon Health** - The Tasmanian Government is committed to reforming our health system and an important part of that work is helping communities get better health outcomes through supporting their own health and wellbeing. Today, I am pleased to announce that the Government has reached a new arrangement with Huon Eldercare and the Huon Valley Council to support health and wellbeing in the Huon community. \$100,000 will be allocated each year for a fixed period of three years to support rural health and health and wellbeing priorities in tune with the needs of the community, as agreed to by the parties.

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

4 December 2015 - **World Class Bendigo Hospital Works Power Ahead** - The interior of the \$630 million world-class new Bendigo Hospital is quickly taking shape with Victoria's largest ever regional hospital project on track to open to patients in 2017. Premier Daniel Andrews today joined local members Jacinta Allan and Maree Edwards to tour the busy construction site for the first time inspecting the state-of-the-art fit out of the hospital's new maternity ward. The massive project signed off by Labor in 2010 is on budget and on time to be completed by the end next year.

4 December 2015 - **Early Support For Vulnerable Families And Children** - The Andrews Labor Government is getting on with delivering early intervention and support services to help more vulnerable Victorian families and children, with the allocation of \$36.7 million over four years. Visiting Anglicare in Frankston today, Minister for Families and Children Jenny Mikakos announced funding for Child FIRST and Family Services to address demand and service gaps across the State.

3 December 2015 - **Community Heroes Honoured For Saving Lives** - Courageous Victorians who stepped in to help fellow Victorians during life threatening emergencies were honoured today at a special ceremony at Parliament House. Minister for Ambulance Services, Jill Hennessy, presented awards to the 14 recipients of the 16<sup>th</sup> annual Ambulance Victoria Community Hero Awards. The Community Hero

Awards are an important opportunity to recognise and celebrate everyday Victorians who have helped someone at the scene of a medical emergency.

2 December 2015 - **Extra Learning Support For Children With Special Needs** - The Andrews Labor Government is introducing new learning resources to help young Victorian children with additional needs reach their full learning potential. The Early Abilities Based Learning and Education Support (Early ABLES) assessment tool helps early childhood educators working with children with a disability or developmental delay.

1 December 2015 - **\$10 Million To Support Victoria's Shift To NDIS** - The Andrews Labor Government today announced the next steps in its commitment to roll out the National Disability Insurance Scheme across the state. The Government will provide \$10 million to support Victorians with disabilities, their families, service providers and staff in the transition to the NDIS. This will provide practical and targeted information and resources and will help them to adapt to the new way the NDIS will work. Minister for Disability Martin Foley said the Government will also begin a process to identify which organisations are best placed to provide services that are currently provided by the State Government.

1 December 2015 - **Labor Government Takes Action To Reduce HIV Rates** - The Andrews Labor Government will develop new guidelines to provide better and safer access to the latest prevention treatment to reduce rates of HIV. Launching World AIDS Day 2015 at the Doherty Institute today, Minister for Health, Jill Hennessy, announced new guidelines on access to Pre-exposure prophylaxis (PrEP) for HIV.

28 November 2015 - **Labor Government Listening To Victoria's Volunteers** - The Andrews Labor Government has appointed Victoria's first Ministerial Council for Volunteers, acknowledging the voice of volunteers and their vital contribution to the health and happiness of Victoria. Minister for Families and Children Jenny Mikakos today announced the membership of the council, who were appointed on the basis of their personal experience or expertise in volunteering.

27 November 2015 - **Frankston After-Hours GP Clinic To Continue Thanks To Labor Government Rescue Plan** - The Andrews Labor Government has taken action to ensure Frankston families will still be able to access after-hours GP care, after a decision by the Federal Liberal Government to withdraw funding has left the local Medicentre with no option but to close this Sunday.

27 November 2015 - **Safe Access Zones To Protect Women's Right To Medical Privacy And Dignity** - Victorian women will now be able to access lawful medical services free from harassment and intimidation following the passage of legislation to establish safe access zones around abortion providers. The Public Health and Wellbeing Amendment (Safe Access Zone) Bill 2015 today formally passed the Victorian Legislative Council without amendment. The Bill supports women's reproductive health choices by ensuring that all women can access health services that provide abortions without fear, intimidation, harassment or obstruction.

27 November 2015 - **Victoria's 10-Year Mental Health Plan Launched** - The Andrews Labor Government today delivered on its election commitment to launch a 10 Year Mental Health Plan in its first year of office. Minister for Mental Health Martin Foley released the plan, which outlines the government's goals.

## **Western Australia (WA). Department of Health**

### Media Releases

3 December 2015 - **Minister for Health: All eyes on Esperance laser equipment** - People with diabetes and glaucoma are among those who will benefit from improved health services with new, advanced laser eye equipment now available at the Esperance Health Campus.

2 December 2015 - **Minister for Health and Minister for Regional Development: New emergency department for Esperance** - Residents now have access to a new and expanded emergency department at Esperance Health Campus.

2 December 2015 - [Minister for Health and Minister for Regional Development: New Pilbara clinic open for business](#) - A new community clinic at Yandeyarra in the Pilbara, that will provide primary health care for remote Aboriginal communities, has been completed and is now in operation.

2 December 2015 - [Perth Children's Hospital lights up](#) - Premier Colin Barnett has flicked a switch to light up the eastern facade of the new Perth Children's Hospital, just in time for the Christmas countdown.

1 December 2015 - [National Thank You Day for organ donors](#) - On Sunday 22 November, hundreds of organ donors across Australia were honoured on the first national DonateLife Thank You Day.

1 December 2015 - [New Mental Health Act for WA](#) - Western Australia's new Mental Health Act started on Monday 30 November and Chief Psychiatrist Dr Nathan Gibson talks about the impact it will have on patients, their families and carers.

1 December 2015 - [Premier and Minister for Health: Perth Children's Hospital lights up for Christmas](#) - Premier Colin Barnett has flicked a switch to light up the eastern facade of the new Perth Children's Hospital, just in time for the Christmas countdown.

30 November 2015 - [Minister for Mental Health: New Mental Health Act benefits regional WA](#) - Mental Health Minister Helen Morton today announced landmark developments in mental health treatment and care for people living in regional and remote Western Australia.

Operational Directives (OD)

3 December 2015 - [OD 0639/15 - WA Health Employee Record of Attendance](#) - WA Health recognises the importance of implementing effective employee record of attendance processes to ensure accurate employee records are maintained. The Department of Health (Department)/Health Services are required to implement the minimum requirements of this Operational Directive in order to comply with Treasurer's Instruction 502. All WA Health employees are required to maintain a record of attendance in accordance with this Operational Directive.

3 December 2015 - [OD 0638/15 - WA Health Leave Management Policy](#) - Western Australian Government Policy mandates that all public sector agencies have a continuing responsibility to contain the growth of leave liabilities. The WA Health Leave Management Policy supports this mandate.

1 December 2015 - [OD 0637/15 - Further Opinions Under the Mental Health Act 2014](#) - This operational directive is to outline the principles and processes regarding the request and provision of further opinions under the Mental Health Act 2014.

### **New Zealand (NZ). Ministry of Health**

3 December 2015 - [The Office of the Director of Mental Health Annual Report 2014](#) - This annual report presents information and statistics that serve as barometers of quality for our mental health services.

2 December 2015 - [Evaluation of the Cancer Nurse Coordinator Initiative Second Annual Report](#) - This evaluation report provides information on year two of implementing the Cancer Nurse Coordinator Initiative across all district health boards.

30 November 2015 - [Report on the Performance of General Practices in Whānau Ora Collectives as at June 2015](#) - This report focuses on the performance of general practices in Whānau Ora collectives – using results from the software package HealthStat, which collects an anonymous summary of patient health information from general practices in Whānau Ora collectives.

30 November 2015 - [Reducing harm caused by commercial sunbeds](#) - Consultation document on proposals to introduce new regulations under the Health Act 1956 to protect the public from harm from commercial sunbeds.

### **United Kingdom (UK). Department of Health**

3 December 2015 - [Revealing the quiet revolution of 21st century healthcare](#) - Speech

2 December 2015 - [Supporting victims of modern slavery through healthcare services](#) - News story

30 November 2015 - [Statement on junior doctors' contract](#) - Statement to Parliament

27 November 2015 - [Independent safety investigation function for healthcare: update](#) - Speech  
27 November 2015 - [Morecambe Bay Investigation: publication of the official record](#) - News story  
27 November 2015 - [Ministry of Defence to fund trial of life-changing surgery for amputees](#) - News story  
27 November 2015 - [Modern slavery: identifying and supporting victims](#) - Guidance  
27 November 2015 - [Drugs and pharmaceutical electronic market information \(eMit\)](#) - Guidance  
27 November 2015 - [The Department of Health's agencies and partner organisations](#) - Corporate report

### **United States of America (US). Department of Health & Human Services (HHS)**

1 December 2015 - [National patient safety efforts save 87,000 lives and nearly \\$20 billion in costs](#) - A report released by the HHS today shows that thanks in part to provisions of the Affordable Care Act, an estimated 87,000 fewer patients died in hospitals and nearly \$20 billion in health care costs were saved as a result of a reduction in hospital-acquired conditions from 2010 to 2014.

30 November 2015 - [Triple-S Management Corporation Settles HHS Charges by Agreeing to \\$3.5 Million HIPAA Settlement](#) - Triple-S Management Corporation ("TRIPLE-S"), on behalf of its wholly owned subsidiaries, Triple-S Salud Inc., Triple-C Inc. and Triple-S Advantage Inc. , formerly known as American Health Medicare Inc., has agreed to settle potential violations of the Health Insurance Portability and Accountability Act of 1996 (HIPAA) Privacy and Security Rules with the U.S. Department of Health and Human Services, Office for Civil Rights (OCR).

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

4 December 2015 - [AuMA advocates zero tolerance of sexual harassment in the medical workplace](#)

4 December 2015 - [Bullying and harassment must be banished from medical workplaces](#)

3 December 2015 - [Rural Australia missing out on doctors – AuMA calls on Government to lift training targets](#) - The AuMA has written to Health Minister Sussan Ley outlining serious concerns that rural Australia is not attracting and retaining sufficient doctors to meet current and future need, and offering solutions. AuMA President, Professor Brian Owler, said today that the Government must set more ambitious targets to get Commonwealth-supported students with a rural background into medical schools, and increase the proportion of medical students required to undertake extended rural clinical rotations.

1 December 2015 - [Medicare safety net changes should be scrapped, not paused](#)

28 November 2015 - [AuMA urges focus on health effects of climate change at Paris conference](#)

27 November 2015 - [AuMA warns school leavers to protect their health and reputation during schoolies week](#) - AuMA Vice President, Dr Stephen Parnis, urged school leavers celebrating Schoolies Week around the country to ensure their celebrations are memorable for all the right reasons.

### **British Medical Association (BMA)**

3 December 2015 - [SAS doctors urged to bid for training funds](#) - Hundreds of staff, associate specialist and specialty doctors in Scotland have benefited from development and education opportunities under a dedicated fund.

3 December 2015 - [Concern at number of consultant vacancies](#) - The BMA has expressed concern at the number of consultant vacancies in Scotland, particularly those remaining unfilled for more than six months.

3 December 2015 - [First results from ambulance response trial](#) - The first set of ambulance response figures under a new clinical prioritisation system for Wales have been published.

2 December 2015 - [Research reveals GP funding inequalities](#) - Funding arrangements for general practice in Scotland disadvantages patients in the most deprived areas, research shows.

1 December 2015 - [Industrial action over junior contracts suspended](#) - Industrial action by junior doctors has been suspended after the BMA reached an agreement with the Government to re-enter genuine negotiations.

27 November 2015 - [Call for more responsible use of antibiotics](#) - The BMA has backed calls for broad cooperation between health professionals in promoting responsible use of antibiotics.

## ABOUT US

### Mark Williams



Mark is a partner in the Litigation and Regulatory team at DLA Piper.

Mark's focus is on public liability and professional indemnity insurance and associated litigation. He has particular experience with medical negligence claims and the complex insurance and indemnity arrangements prevalent in the resources, mining, building and construction industries.

Mark also acts for the regulators of the medical and other health professions.

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