

HEALTH ALERT

18 NOVEMBER 2013

Judgments	2
New South Wales	2
Queensland	2
Western Australia	2
Legislation	2
Commonwealth	2
New South Wales	2
Tasmania	2
Reports	2
Australia. Department of Health & Ageing	2
Australia. Health Practitioner Regulation Agency and the boards	3
Australia. National Health & Medical Research Council	3
Australia. Therapeutic Goods Administration	3
Australian Institute of Health & Welfare	4
Australian Commission on Safety and Quality in Health Care	4
Australia. Private Health Insurance Administration Council	4
Australia. National Mental Health Commission	4
Australian Capital Territory. Health Directorate	4
New South Wales. Ministry of Health	4
Northern Territory. Department of Health	5
Queensland. Department of Health	5
South Australia. Department for Health & Ageing	5
Tasmania. Department of Health & Human Services	5
Victoria. Department of Health	6
Western Australia. Department of Health	6
New Zealand. Ministry of Health	6
United Kingdom. Department of Health	6
United States of America. Department of Health & Human Services	6
Australian Medical Association	7
British Medical Association	7
Canadian Medical Association	7
American Medical Association	7

JUDGMENTS

New South Wales

12 November 2013 - [Colgar v Hardwick \[2013\] NSWADT 254](#)

Anti-discrimination - whether fair and just for declined complaint of disability discrimination against doctor to proceed - whether doctor providing services to mother of ten year old patient.

12 November 2013 - [Colgar v Curtin \[2013\] NSWADT 255](#)

Anti-discrimination - whether fair and just for declined complaint of disability discrimination against doctor to proceed - whether doctor providing services to mother of 10 year old patient.

Queensland

6 November 2013 - [Lance Alder \(as litigation guardian for Trent Alder\) v Khoo & Anor \[2013\] QSC 312](#)

Procedure – supreme court procedure – queensland – procedure under uniform civil procedure rules and predecessors – stay of proceedings – dismissal – where the plaintiff was born almost 25 years ago – where the plaintiff suffers significant handicaps and disabilities – where the litigation guardian for the plaintiff alleged that the plaintiff's disabilities were caused by the negligence of the first defendant, who was the treating obstetrician – where the plaintiff was not in a position to lead evidence to prove basic factual allegations upon which the plaintiff's claim was founded – where the plaintiff's claim is barred – whether the proceeding ought be stayed or dismissed.

Western Australia

8 November 2013 - [Espinosa v Chong \[2013\] WADC 174](#)

Originating summons seeking leave to commence action after more than three years had elapsed since the cause of action accrued - Medical negligence - Turns on own facts.

LEGISLATION

Commonwealth

1 November 2013 - [Therapeutic Goods \(Listing\) Notice 2013 \(No. 6\)](#) F2013L01925 • as made.

1 November 2013 - [Therapeutic Goods \(Listing\) Notice 2013 \(No. 5\)](#) F2013L01924 • as made.

1 November 2013 - [Therapeutic Goods \(Listing\) Notice 2013 \(No. 4\)](#) F2013L01922 • as made.

1 November 2013 - [Therapeutic Goods \(Listing\) Notice 2013 \(No. 3\)](#) F2013L01921 • as made.

New South Wales

[Mental Health \(Forensic Provisions\) Amendment Bill 2013](#)

Legislative Assembly Awaiting Ministers 2R Speech Bill set down as an order of the day for a later hour of the sitting 13/11/2013 Introduced by Gallacher, Michael (Smith, Greg).

Tasmania

12 November 2013 - [Registration to Work with Vulnerable People Bill 2013](#) 80 of 2013 Assembly first reading.

REPORTS

Australia. Department of Health & Ageing

Media releases

14 November 2013 - [Government welcomes new president of Diabetes Australia](#)

Federal Health Minister, the Hon Peter Dutton, welcomed the appointment of Ms Judi Moylan as President of Diabetes Australia at a function at Parliament House in Canberra today.

Private Health Insurance (PHI) Circulars

12th November - [PHI 77/13 New private \(same day\) hospital information.](#)

12th November - [PHI 76/13 New public hospital information.](#)

12th November - [PHI 75/13 New declaration of private \(same day\) hospital information.](#)

Australia. Health Practitioner Regulation Agency and the boards

11 November 2013 - The Medical Radiation Practice Board of Australia releases a presentation for graduates. [Read More](#)

12 November 2013 - The Podiatry Board of Australia releases its latest newsletter. [Read More](#)

13 November 2013 - The National Board has published its October communiqué. [Read More](#)

14 November 2013 - The Optometry Board of Australia releases its latest communiqué. [Read More](#)

15 November 2013 - Board member vacancies - call for applications for appointment to National Boards. [Read More](#)

Australia. National Health & Medical Research Council (NHMRC)

10 November 2013 - [NHMRC Annual Report 2012-13](#)

Australia. Therapeutic Goods Administration (TGA)

14 November 2013 - [Advisory Committee on the Safety of Medical Devices \(ACSMD\)](#): Updated ACSMD Orthopaedic Subcommittee Chairman and member information.

14 November 2013 - [Australian Government funding for biologicals](#): The original transition period to provide support to the Australian eye and tissue sector has been extended from 31 May 2014 to 30 June 2015.

14 November 2013 - [Carbimazole aristo 5mg available from 20 November 2013](#): Link Healthcare has informed the TGA that it will be supplying carbimazole aristo 5mg to pharmacies from 20 November 2013.

13 November 2013 - [Transitioning to ANZTPA](#): As part of transitioning to ANZTPA, the TGA and Medsafe have commenced a further program of harmonisation work.

13 November 2013 - [Impacts on medical devices due to changes to the European Restriction of Hazardous Substances \(RoHS\) Directive](#): Guidance provided to Industry regarding the changes to the European Restriction of Hazardous Substances (RoHS) Directive.

12 November 2013 - [TGA offers sponsors a streamlined way to submit adverse event reports](#). The TGA has introduced a streamlined way for sponsors to submit adverse event reports regarding medicines and vaccines which will make it easier to meet mandatory reporting requirements.

12 November 2013 - [OTC Industry forums](#): TGA will be holding forums in December 2013 to inform Industry of the upgrade to the OPAL system.

12 November 2013 - [Australian pharmacovigilance requirements and recommendations for medicine sponsors](#): Added E2B report contact details.

11 November 2013 - [Advisory committees on medicines & chemicals scheduling \(ACMS & ACCS\)](#): Updated committee members.

11 November 2013 - [Imigran \(sumatriptan\) cartridge injections](#): A manufacturing fault led to needles protruding through the rubber needle shield in a small percentage of the cartridge injections.

8 November 2013 - [Public submissions on scheduling matters referred to ACCS #8, ACMS #9 and the joint ACCS-ACMS #6 \(July 2013\)](#): Further public submission made in response to the invitation for public submission on the proposed amendments to the Poisons Standard.

8 November 2013 - [Wise feet foot patches - Wisdom for living \(Intl\) - complaint no. 2012-07-018](#): Decision under regulation 9 of the Therapeutic Goods Regulations 1990 in relation to an advertisement about wise feet foot patches.

8 November 2013 - [Prosolution tablets](#): Updated safety advisory information.

8 November 2013 - [Scheduling news](#): News about scheduling medicines and poisons.

8 November 2013 - [TGA eBusiness search function enhancements](#): Three areas of the publicly available TGA eBusiness portal have been upgraded so you can search more effectively.

Australian Institute of Health & Welfare

14 November 2013 - [Prostate cancer in Australia](#) | [media release](#).

15 November 2013 - [Palliative care services in Australia 2013](#) | [media release](#).

Australian Commission on Safety and Quality in Health Care

On the Radar – 11 November 2013 – Issue 152 (93KB)

10 November 2013 - [High risk medication alert – Intravenous potassium chloride](#).

10 November 2013 - [Specification for a standard patient identification band](#).

10 November 2013 - [National recommendations for user-applied labelling of injectable medicines, fluids and lines](#).

Australia. Private Health Insurance Administration Council

13 November 2013 - [Industry consultation – Second round risk management for private health insurers](#). This circular initiates a second round of consultation between the Private Health Insurance Administration Council (PHIAC) and key stakeholders.

15 November 2013 - [Statistical release – September 2013 — Nov 15, 2013](#).

Australia. National Mental Health Commission

8 November 2013 - [Call for national mental health leaders](#).

Australian Capital Territory. (ACT) Health Directorate

15 November 2013 - [Travellers alerted of measles risk in Bali](#).

11 November 2013 - [Health status of children in the ACT](#).

11 November 2013 - [Substance use and other health-related behaviours among ACT secondary students](#).

New South Wales. (NSW) Ministry of Health

Media Releases

12 November 2013 - [Measles warning issued for schoolies travelling to Bali](#).

14 November 2013 - [Starting a conversation that could save a life](#).

Policy Directives & Guidelines

12 November 2013 - [Sexual safety - Responsibilities and minimum requirements for mental health services](#) PD2013_038.

12 November 2013 - [Sexual safety of mental health consumers guidelines](#) GL2013_012.

14 November 2013 - [Public health emergency response preparedness minimum standards](#) PD2013_039.

Information Bulletins

11 November 2013 - [Hairdressers employed in the NSW health system](#) IB2013_050

13 November 2013 - [Notification of obsolete guideline GL2005_067](#) IB2013_051

13 November 2013 - [Notification of obsolete guideline GL2005_066](#) IB2013_052

Northern Territory. Department of Health

Palmerston Regional Hospital - Give us your feedback!

15 November 2013 - [Robyn Lambley - New mental health facility for Alice Springs](#). A new mental health facility providing short-term residential treatment for up to about 100 patients a year was officially opened in Alice Springs today.

11 November 2013 - [Robyn Lambley - Community consultation begins on Palmerston hospital](#). Members of the community have the opportunity to provide valuable input at a community forum on Wednesday as the territory Government finalises the scope of stage one of the Palmerston regional hospital.

11 November 2013 - [Robyn Lambley - Surgical glue wins Royal Darwin Hospital \(RDH\) medal](#). The person described as holding the surgical team together at RDH has been awarded the second annual RDH medal.

Queensland. Department of Health

8 November 2013 - [Dental service confusion](#). Queensland Health has moved to explain how public dental services work in Queensland after media reports left many people confused.

13 November 2013 - [Clinical Senate asks Queenslanders to plan for the future](#). Queenslanders are being encouraged to have "courageous conversations" when it comes to end-of-life planning.

13 November 2013 - [Measles outbreak continues in Queensland](#). An outbreak of measles at a prison north of Brisbane is continuing. As of November 12, there were 13 cases of measles linked to the outbreak at Woodford including 11 prisoners and two correctional officers.

14 November 2013 - [Melbourne Cup functions linked to widespread salmonella illness](#). A Brisbane catering company is thought to be responsible for a widespread outbreak of salmonella poisoning that has been linked to the death of a 77 year old woman.

South Australia. (SA) Department for Health & Ageing

12 November 2013 - [Stay safe around bats this summer](#).

13 November 2013 - [Major boosts to cancer research in South Australia](#).

15 November 2013 - Largest ever investment in a country hospital officially opened Hon Jack Snelling MP The largest single investment in regional health in South Australia – the \$69 million redevelopment of the Whyalla Hospital – has been officially opened. [Read more.](#)

13 November 2013 - New laws to strengthen protections for people with disability Hon Tony Piccolo MP South Australians living with disability will now have greater protection available to them, through legislation that passed State Parliament today. [Read more.](#)

13 November 2013 - Occupational Health and Safety (OHS) codes to be suspended and reviewed Hon John Rau MP The State Government will suspend three work health and safety Codes of Practice for the building industry and begin work on a review of the Codes. [Read more.](#)

11 November 2013 - SA bans commercial sun beds Hon Ian Hunter MLC The State Government has drafted special regulations to ban the commercial use of cosmetic tanning units in South Australia from December 31, 2014. [Read more.](#)

10 November 2013 - Ensuring our children are healthy and strong Hon Jay Weatherill MP Hon Ian Hunter MLC South Australia's children will be encouraged to spend more time playing outdoors and less time in front of computer screens, under a new State Government policy. [Read more.](#)

Tasmania. Department of Health & Human Services

13 November 2013 - [Postnatal depression forum](#).

14 November 2013 - [Less adversarial child protection system](#).

Victoria. Department of Health

12 November 2013 - [Measles in returned travellers from Bali](#).

9 November 2013 - [Improving access to emergency care](#). Minister for Health David Davis today released the report of the ambulance transfer taskforce, which was formed to develop improved ways to transfer patients from the care of ambulance Victoria to hospital emergency departments.

14 November 2013 - [New diabetes data shows worrying trend](#). Minister for Health David Davis has used world diabetes day and new data from the International Diabetes Federation to highlight the growing issue of diabetes in Australia and across the world.

14 November 2013 - [Myanmar political leader Aung San Suu Kyi to visit Melbourne for World AIDS day event](#). UNAIDS Goodwill Ambassador and Chairperson of the National League for Democracy, Aung San Suu Kyi will be the keynote speaker at Victoria's celebration of World AIDS Day and the launch of the Melbourne 20th International AIDS Conference (AIDS 2014) at Government House, Melbourne, on Sunday 1 December 2013.

Western Australia. Department of Health

Media Releases

Healthview Magazine Spring 2013 [Read Healthview Spring 2013 \(PDF 4.17MB\)](#).

14 November 2013 - [16th meningococcal disease case reported](#).

Operational Directives (OD)

7 November 2013 - [OD 0473/13](#) Return of inventory items process to allow return of unwanted goods to the HCN Warehouse

New Zealand. Ministry of Health

11 November 2013 - [Annual report on mental health treatment released](#) The eighth annual report by the Office of the Director of Mental Health has been released today by the Ministry of Health. [Read more](#).

13 November 2013 - [Health literacy and the prevention and management of skin infections](#).

13 November 2013 - [Targeting waiting times](#).

11 November 2013 - [Office of the Director of mental health: Annual Report 2012](#).

8 November 2013 - [Hapū Ora: Wellbeing in the early stages of life](#).

4 November 2013 - [Targeting prevention](#).

United Kingdom. Department of Health

8 November 2013 - [National Audit Office \(NAO\) report on maternity services](#).

8 November 2013 - [The Lancet: Polio in Syria and threat of outbreak in Europe](#).

8 November 2013 - [New National Health Scheme \(NHS\) efficiency schemes set to save £13.7 million per year on hospital energy bills](#).

11 November 2013 - [Interactive map comparing adult social care services launched](#).

11 November 2013 - [Statement on Monitor's review into walk-in centres](#).

12 November 2013 - [Boost in specialist mental health midwives to combat post-natal depression: Government statement](#).

12 November 2013 - [Statement on A&E waiting times](#).

12 November 2013 - [NHS must treat mental and physical health equally](#).

United States of America. Department of Health & Human Services

13 November 2013 - [106,185 Americans selected health plans in first reporting period of open enrollment](#)

14 November 2013 - [2013 World diabetes day and national diabetes month.](#)

Australian Medical Association

15 November 2013 - [Play it safe in schoolies week.](#) AMA President, Dr Steve Hambleton, today urged young people to make schoolies week a celebration of good times and special friends, not a regrettable experience due to poor judgment or irresponsible. [Read more.](#)

14 November 2013 - [Queensland doctor contracts spark international concerns.](#) Federal AMA President, Dr Steve Hambleton, today called on the Queensland Government to rethink its hardline contracts for Senior Medical Officers in the public hospital system, as negative reaction. [Read more.](#)

12 November 2013 - [Health Ministers give the green light to fragmented care with autonomous non-medical prescribing approval.](#) AMA President, Dr Steve Hambleton, said today that Australia's Health Ministers have signed off on dangerous new prescribing pathways that could harm patients by allowing non-medical health profession. [Read more.](#)

British Medical Association (BMA)

15 November 2013 - [General Practitioner \(GP\) contract changes put care before targets.](#) GPs will have more time to spend on direct clinical care following major contractual changes.

14 November 2013 - [BMA maintains opposition to assisted dying.](#) The BMA has reiterated its opposition to assisted dying following a new attempt to change the law.

13 November 2013 - [Emergency rethink a good place to start, says BMA](#) Proposals for an overhaul of urgent and emergency care provide a strong starting point for rethinking delivery of these services, the BMA said.

12 November 2013 - [Dual formats for revalidation evidence](#) Civilian doctors can use electronic and paper forms to provide evidence for revalidation, the BMA civilian doctors conference heard last week.

Canadian Medical Association (CMA)

11 November 2013 - [World Medical Association \(WMA\) strengthens ethics rules for human research subjects.](#)

14 November 2013 - [CMA revises specialty profiles to reflect tighter job market.](#)

American Medical Association (AMA)

14 November 2013 - [Medicare Advantage changes lack transparency, AMA tells CMS.](#) A letter sent last week by the AMA and more than 80 other medical associations to the centers for Medicare & Medicaid Services (CMS) calls on the agency to address the failures of some Medicare Advantage plans to provide physicians with adequate due process and patients with sufficient, reliable information regarding network changes.

14 November 2013 - [Physicians unite at AMA interim meeting to consider future of medicine.](#) The nation's doctors and physicians in training are gathering this week just outside the U.S. capital to weigh new AMA policy that will help shape a better health care system for all Americans. All the nation's physicians will be represented during this 67th interim meeting of the AMA house of delegates.

13 November 2013 - [Journal of the American Medical Association \(JAMA\) special theme issue examines critical issues in U.S. health care.](#) As the U.S. health care system reaches what one author calls a "tipping point," a special theme issue of the JAMA released Wednesday explores critical issues in U.S. health care. Included in the issue are studies and editorials that look at such topics as improvement in health care outcomes, state-level innovations in care delivery and reining in costs.

12 November 2013 - [Stopping diabetes in its tracks: AMA initiative looks to clinic-community ties.](#) As the country observes National Diabetes Month, an AMA initiative aims to halt the march of this burdensome disease that by 2025 could take hold of one-third of Americans.

11 November 2013 - [Manage HIPAA security, privacy in the digital world.](#) Are you equipped to protect your patient's information in today's increasingly digital environment? Free resources can help you get up to speed.

ABOUT US

Michael Regos



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

He practises in the areas of health law, insurance law, medical negligence and coronial enquiries. He represents Victorian public hospitals and their insurers, the Victorian Managed Insurance Authority and is the solicitor of choice for Australia's second-largest private health operator.

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