



# HEALTH ALERT

17 JUNE 2013

<b>Judgments</b> .....	<b>2</b>
Australia. Federal Court .....	2
Australia. Administrative Appeals Tribunal .....	2
New South Wales .....	2
New South Wales. Administrative Decisions Tribunal.....	3
New South Wales. Medical Tribunal.....	3
New South Wales. Psychology Tribunal.....	3
Victoria. Coroners Court .....	3
South Australia. Coroner.....	3
Western Australia. State Administrative Tribunal .....	3
United Kingdom .....	4
United States of America. Supreme Court .....	4
<b>Legislation</b> .....	<b>4</b>
Commonwealth .....	4
Queensland.....	4
<b>Reports</b> .....	<b>4</b>
Australia. Department of Health & Ageing .....	4
Australia. Parliament. Senate Finance & Public Administration References Committee	6
Australia. COAG Reform Council .....	6
Australian Health Practitioners Regulation Agency & the boards .....	6
Australian Commission on Safety and Quality in Health Care.....	7
Australian Institute of Health & Welfare .....	7
Australia. National E-Health Transition Authority .....	7
Australia. National Health & Medical Research Council .....	7
Australia. Therapeutic Goods Administration .....	7
Australia. Private Health Insurance Administration Council.....	8
Australia. National Blood Authority .....	9
Australia. Commonwealth Ombudsman.....	9
Australian Competition & Consumer Commission .....	9
Australian Capital Territory. Health Directorate .....	9
New South Wales. Ministry of Health.....	9
New South Wales. Bureau of Health Information .....	10
Northern Territory. Department of Health.....	10

Queensland. Department of Health .....	10
South Australia. Department for Health & Ageing.....	11
Tasmania. Department of Health & Human Services .....	11
Victoria. Department of Health .....	12
Western Australia. Department of Health .....	12
New Zealand. Ministry of Health.....	13
United Kingdom. Department of Health.....	13
Canada. Health Canada .....	14
United States of America. Department of Health and Human Services .....	14
Australian Medical Association.....	14
British Medical Association .....	14
Canadian Medical Association .....	15
American Medical Association .....	15
About us .....	15
More information .....	15

## JUDGMENTS

### Australia. Federal Court

7 June 2013 - [Australian Nursing Federation v Eastern Health](#) [2013] FCA 548

Industrial law – Requirement in enterprise agreement for payment of “uniform allowance” where “a uniform is not provided” – “uniform” defined as “apparel ... required by the employer” – whether allowance payable to employee whenever uniform is not provided – whether allowance payable only where employer has requirement as to apparel.

### Australia. Administrative Appeals Tribunal

7 June 2013 - [Health World Limited v Minister for Health and Ageing](#) [2013] AATA 388

Health and community services - therapeutic goods - whether advertisement breached legislative scheme – whether restricted representation – whether cystitis is a urogenital disease – whether cystitis is a serious form of urogenital disease – whether contained correct and balanced statements – whether contained verified claims – whether likely to arouse unwarranted and unrealistic expectations – whether likely to lead to self-diagnosing and inappropriately treating serious disease – whether likely to mislead – decision set aside – initial decision revoked.

31 May 2013 - [O'Carroll v Department of Health and Ageing](#) [2013] AATA 365

Health and Ageing – aged care – supported resident status – assets – date for determining value of assets – exemption of home from value of assets – carer – not occupying home of applicant for two years prior to entering aged care – decision under review affirmed.

### New South Wales (NSW)

28 May 2013 - [Macquarie International Health Clinic Pty Ltd v Sydney Local Health District](#) [2013] NSWSC 764

Practice and procedure - application to amend to add additional cause of action after Court of Appeal remits proceedings for inquiry as to damages.

31 May 2013 - [Norrie v NSW Registrar of Birth, Deaths and Marriages](#) [2013] NSWCA 145

Interpretation - *Births, Deaths and Marriages Registration Act 1995*, s 32DC - whether the Registrar's power under s 32DC to register change of a person's "sex" is limited to registering a change from male to female or female to male. Administrative law - jurisdiction, *Administrative Decisions Tribunal Act 1997*, s 119(1) - whether question of law. Interpretation - extrinsic material - whether regard could be had to second reading speeches, dictionary definitions, academic material and other Acts. Evidence - proof - judicial notice - whether regard could be had to extrinsic material in the interpretation of the statute.

### **New South Wales. Administrative Decisions Tribunal**

11 June 2013 - [AFW v WorkCover Authority of NSW](#) [2013] NSWADT 133

Health records - personal information - aggrieved person - standing - jurisdiction.

### **New South Wales. Medical Tribunal**

17 May 2013 - [Health Care Complaints Commission v Rolleston](#) [2013] NSWMT 12

Medical practitioner - serious criminal conduct and convictions - indecent assault on teenage male patients - professional misconduct - suitability to hold registration - failure to comply with chaperone conditions - deregistration.

### **New South Wales. Psychology Tribunal**

28 May 2013 - [Health Care Complaints Commission v Kreft \(No 3\)](#) [2013] NSWPT 1

Registered psychologist – unsatisfactory professional conduct – professional misconduct – two female clients – inappropriate conduct during counselling sessions – failure to maintain professional boundaries – inappropriate personal relationship – "without prejudice offers" to settle – applicability to protective jurisdiction – "disentitling conduct."

### **Victoria. Coroners Court**

29 May 2013 - [Inquest into the death of Trudi Newman](#) 3045/2012

Death of a person in the care or custody of the Department of Human Services.

29 May 2013 - [Inquest into the death of Jamie Peoples](#) 3025/2012

Death of a child who was in the custody of guardianship of the Secretary of the Department of Human Services.

### **South Australia. Coroner**

13 June 2013 - [Inquest into the death of Judith Ann Lambert](#) 4/2012 (0244-2010)

Haemorrhage; general practitioner (GP).

13 June 2013 - [Inquest into the death of Neville Ronald Baker](#) 9/2012 (0247/2010)

Death in custody; natural causes.

### **Western Australia. (WA) State Administrative Tribunal**

7 June 2013 - [The applicant \(RD\) and Mental Health Review Board](#) [2013] WASAT 80

A psychiatrist made an order under the *Mental Health Act* (the Act) making RD an involuntary patient. A GP, who was a registered psychiatrist under the Medical Board of WA, made a second order continuing RD's involuntary detention. Another psychiatrist made a third order. The Mental Health Review Board upheld the orders.

The definition of "psychiatrist" under the Act was amended prior to the second order, and the general practitioner no longer fell within its meaning. RD therefore sought review by the Tribunal of the Board's decision, claiming the second and third orders were invalid. As it was common ground that the general practitioner was not a "psychiatrist", the issue before the Tribunal was the validity of the orders.

Judge Perry applied the principles of *Project Blue Sky Inc v Australian Broadcasting Authority* (1998) 183 CLR 355 and found that the Act discloses a legislative purpose to invalidate an order to continue an involuntary admission for a further period that fails to comply with the requirement that it be made by a psychiatrist as defined under the Act. It was a fundamental requirement that the decision to deprive a person of their liberty due to their mental health be made by a suitably qualified person, being a psychiatrist. The second order was therefore invalid. This invalidated the third order, which required RD to be an involuntary patient. The Tribunal therefore set aside the Board's decision on the grounds that it was unable to perform its statutory review.

31 May 2013 - [Palatty and Nursing and Midwifery Board of Australia](#) [2013] WASAT 78

Health Practitioner National Law - Nursing and Midwifery Board of Australia - registration under Health Practitioner National Law - registered nurse - graduated or trained overseas approved qualifications similar qualifications.

#### United Kingdom

21 May 2013 - [Re SB \(A patient; capacity to consent to termination\)](#) [2013] EWHC 1417 (COP)

Consent to termination by a bipolar patient.

#### United States of America. Supreme Court

13 June 2013 - [Association for Molecular Pathology v Myriad Genetics Inc](#) US Supreme Court.

Myriad Genetics discovered the location and sequence of BRCA1 and BRCA2 genes, mutations of which can substantially increase the risk of breast and ovarian cancer. Myriad had also created a synthetic DNA, cDNA. This knowledge allowed Myriad to determine the genes' typical nucleotide sequence, which enabled them to create medical tests that detected mutations and assess whether patients had an increased risk of cancer. Myriad had a number of patents in place. A claim was brought by a medical researcher, patients, advocacy groups and doctors, seeking a declaration that the patents were invalid. The Court was required to resolve whether a naturally occurring segment of DNA is patentable by virtue of its isolation from the rest of the human genome.

Justice Thomas stated that the "laws of nature, natural phenomena and abstract ideas" are exceptions to patents, as "they are the basic tools of scientific and technological work." However this exception is not without limits. The Court held that although Myriad found an important and useful gene, it did not create anything, and separating the gene from its surrounding genetic material was not an act of invention. Therefore, Myriad's discovery of the location of BRCA1 and BRCA2 was not patentable. However, the Court held that while cDNA retains the naturally occurring exons of DNA, it is distinct that the DNA from which it was derived. Therefore, cDNA is not a "product of nature" and it is patent eligible.

## LEGISLATION

### Commonwealth

[National Health \(Immunisation Program - Designated Vaccines\) Variation Determination 2013 \(No. 1\)](#).

[National Disability Insurance Scheme Commencement Proclamation 2013](#).

[Homelessness Bill 2013](#).

[Homelessness \(Consequential Amendments\) Bill 2013](#).

[National Health \(Price and Special Patient Contribution\) Determination 2010 \(No. PB 109 of 2010\)](#).

[National Health Act 1953 - Determination under paragraph 98C\(1\)\(b\) - conditions \(No. PB 119 of 2008\)](#).

[National health \(Efficient funding of chemotherapy\) special arrangement 2011 \(No. PB 79 of 2011\)](#).

### Queensland

[Health Ombudsman Bill 2013](#).

## REPORTS

### Australia. Department of Health & Ageing

Media releases

13 June 2013 - [Affordable housing in St Kilda](#). Minister for Housing and Homelessness Mark Butler joined Federal Member for Melbourne Ports Michael Danby to visit a new affordable housing complex recently opened as part of the Australian Government's \$4.5 billion National Rental Affordability Scheme.

13 June 2013 - [New training facility to benefit Northern Territory \(NT\) medicos](#). The Northern Territory's first independent clinical simulation training facility has opened increasing access to training opportunities for range of health professionals across the Territory.

13 June 2013 - [Raising awareness of organ and tissue donation at Nepean hospital](#). The Australian Government is encouraging families to talk about organ and tissue donation.

12 June 2013 - [Australia still leads in gene technology risk assessment](#). Australia is maintaining its leadership in assessing risks to human health and the environment from gene technology.

11 June 2013 - [51 more men's sheds to benefit from grants](#). Minister for Indigenous Health Warren Snowdon has announced that 51 more men's sheds in communities across Australia will receive funding to upgrade their facilities or buy new equipment and tools.

11 June 2013 - [Better care at the Alice Springs emergency department](#). The \$24.9 million expansion to the Alice Springs hospital's emergency department has opened, more than doubling the number of beds available to sick and injured local people.

11 June 2013 - [New dementia research funding to unlock secrets of the brain](#). Medical research into the impact of low Vitamin B12 levels is among six new dementia research grants announced.

11 June 2013 - [Organ and tissue authority community awareness grants now available](#). Parliamentary Secretary for Health and Ageing Shayne Neumann has announced the availability of \$463,000 in community awareness grants to support community based activities promoting organ and tissue donation.

07 June 2013 - [Improved safety to suicide prevention at hotspots](#). Minister for Mental Health Mark Butler has announced the Australian Government's commitment of \$7.6 million in capital works to improve safety at locations known to have a high suicide risk – called "suicide hotspots."

06 June 2013 - [Supporting organisations delivering stronger communities for children](#). The Australian Government has announced \$1.32 million funding over the next two years for Ninti One to support local Aboriginal organisations to deliver services as part of the Stronger Communities for Children program in 15 communities across the Northern Territory.

05 June 2013 - [Get some man therapy](#). The Australian Government and beyondblue have teamed up in an unconventional new mental health campaign called "man therapy" designed to battle depression and anxiety in Aussie men.

05 June 2013 - [Regular cervical screening still vital](#). The Minister for Health, Tanya Plibersek, today said that there was still the opportunity to build on the historic gains in the prevention of cervical cancer and further improve the health of Australian women.

02 June 2013 - [Child's health information at a parent's fingertips](#). The Minister for Health, Tanya Plibersek, has launched a new mobile app that allows parents to keep their children's important health, growth and development information at their fingertips.

June 2013 - National cervical screening program renewal. Partner reference group - Update newsletter ([HTML](#)) | [PDF \(PDF 512 KB\)](#)

[More than just a card](#) - the Medicare for all campaign aims to increase awareness that health care is now more accessible through the after-hours GP helpline, eHealth record and Medicare locals.

[Delivering better dental care](#) - The Australian Government is providing \$4.6 billion over six years to make it easier for many children, teenagers and low income Australians to get the dental care they need.

### [Private Health Insurance \(PHI\) Circular](#)

### [PHI 33/13 Key dates for the August 2013 prostheses list](#)

[Aged Care Funding Instrument \(ACFI\) user guide](#) - The ACFI user guide is a detailed work book on the ACFI and how to complete an ACFI assessment.

**Mental Health and Drug Treatment Division (MHDTD) committee support functions** - Following on from the discussion at the divisional leadership Team meeting on 17 May 2013, the MHDTD is investigating options to streamline and standardise its processes for supporting committees.

**Medicare support for psychological treatment under access to allied psychological services.**

**PHI 32/13 Guidelines for recognition of private hospital based rehabilitation services.**

**The 1 July 2013 Medicare Benefits Schedule (MBS) software (ASCII and XML) files - now available for download.**

**Medicare benefits indexation realigned to the financial year** - As a result of a decision in the 2013-14 Budget, the indexation of the MBS is being realigned with the financial year.

**Changes to the Extended Medicare Safety Net (EMSN) threshold from 1 January 2015** - The Government announced as part of the 2013-14 Budget that the general (upper) EMSN threshold will be increased to \$2,000 on 1 January 2015.

**Report - Trends in and drivers of pharmaceutical benefits scheme expenditure.**

**Further information on rosuvastatin.**

**Rosuvastatin errata (PDF 105 KB).**

**Australia. Parliament. Senate Finance and Public Administration References Committee**

**Progress in the implementation of the recommendations of the 1999 joint expert technical advisory committee on antibiotic resistance.**

**Australia. Council of Australian Governments (COAG) Reform Council**

Improving public hospital services - performance report for 2012 - our report on the performance of governments against elective surgery and emergency department targets has found varied results. This is first of five reports to COAG under the \$3.3 billion National Partnership Agreement on Improving Public Hospitals. [Media release](#) - [Report](#).

**Australian Health Practitioners Regulation Agency (AHPRA) & the boards**

11 June 2013 - AHPRA has published new guides on complaints in the National Scheme for health practitioners and the public. | [Read article](#)

13 June 2013 - The Aboriginal Torres Strait Islander (ATSI) Health Practice Board of Australia releases its latest communiqué. | [Read article](#)

11 June 2013 - The Chinese Medicine Board of Australia releases its latest communiqué. | [Read article](#)

11 June 2013 - The Dental Board of Australia releases its latest communiqué. | [Read article](#)

11 June 2013 - The Medial Radiation Practice Board has released for public consultation proposed supervised practice guidelines and draft professional capabilities. | [Read article](#)

12 June 2013 - The Nursing and Midwifery Board of Australia has published supporting documents on the English language skills registration standard. | [Read article](#)

7 June 2013 - The Nursing and Midwifery Board of Australia has published its May communiqué. | [Read article](#)

11 June 2013 - The Optometry Board of Australia releases its latest communiqué. | [Read article](#)

5 June 2013 - The Chiropractic Board of Australia has published a downloadable logbook to help chiropractors keep a continuing professional development (CPD) portfolio that meets their legal obligations. | [Read article](#)

4 June 2013 - AHPRA's new statutory offences unit has been pursuing organisations and individuals who may have infringed the advertising provisions of the national law. | [Read article](#)

31 May 2013 - The Chiropractic Board of Australia releases its latest communiqué. | [Read article](#)

31 May 2013 - The Medical Board of Australia and Australian Medical Council have released a joint newsletter on the national internship framework. | [Read article](#)

6 June 2013 - The Nursing and Midwifery Board of Australia has published updated frequently asked questions on registration as a nurse or midwife. | [Read article](#)

5 June 2013 - The Nursing and Midwifery Board of Australia has published a new fact sheet on advanced practice nursing. | [Read article](#)

4 June 2013 - The Osteopathy Board releases its latest communiqué. | [Read article](#)

31 May 2013 - The Osteopathy Board of Australia releases its latest newsletter. | [Read article](#)

3 June 2013 - The Pharmacy Board of Australia releases its latest communiqué. | [Read article](#)

5 June 2013 - The Podiatry Board of Australia releases its latest communiqué. | [Read article](#)

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

June 2013 - [Commission update newsletter #18](#).

11 June 2013 – [On the radar – Issue 130 \(127KB\)](#).

3 June 2013 – [On the radar – Issue 129 \(90KB\)](#).

### **Australian Institute of Health & Welfare**

14 June 2013 - [Report on the use of linked data relating to Aboriginal and Torres Strait Islander people - Thematic list of projects using linked data relating to Aboriginal and Torres Strait Islander people](#).

5 June 2013 - [Cervical screening in Australia 2010-2011 media release](#).

### **Australia. National E-Health Transition Authority**

[Australia launches child's eHealth record app](#).

[South Australian practice leads the way in eHealth records](#).

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

12 June 2013 - [New dementia research funding to unlock secrets of the brain](#).

7 June 2013 - [NHMRC congratulates Commonwealth Health Minister's award 2013 awardee](#).

7 June 2013 - [Distinguished infectious diseases researcher awarded Health Minister's medal](#).

[Allegations concerning Dr Sarah Laurie](#).

31 May 2013 - [NHMRC research tracker](#).

[Public consultation on the revision of the national statement chapter 2.3](#).

[Clinical practice guidelines for the management of overweight and obesity in adults, adolescents and children in Australia \(2013\)](#).

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

7 June 2013 - [Glenosphere orientation guide - Instrument used to implant Delta XTEND reverse shoulder system](#). Health professionals and consumers are advised that Johnson & Johnson Medical is issuing a hazard alert to implanting surgeons regarding one lot of its glenosphere orientation guide (lot number 5120443).

5 June 2013 - [Summary of fees and charges at 1 July 2013](#). Summary of TGA fees and charges for the 2013-14 financial year.

5 June 2013 - [TGA presentations given at the Over the Counter \(OTC\) BPR industry forums, 30 April - 1 May 2013](#).

5 June 2013 - [Black ant king tablets](#) pose a serious risk to your health and should not be taken.

- 5 June 2013 - **Yong gang tablets** pose a serious risk to your health and should not be taken.
- 5 June 2013 - **Consultation: Options for reform of the regulatory framework for pharmacy compounding**. The TGA is seeking comments from interested parties on the proposed options for reform of the regulatory framework for pharmacy compounding.
- 4 June 2013 - **Adoption of the EU/ICH guidelines in Australia**. European Union/ICH guidelines adopted by the TGA effective 1 June 2013.
- 4 June 2013 - **DOJS Holdings Pty Ltd - BergaMet (Complaint No. 2011-04-006)**. Decision under Regulation 9 of the Therapeutic Goods Regulations 1990 in relation to an advertisement about the product "BergaMet."
- 4 June 2013 - **Early warning system**. The TGA and Medsafe have developed an early warning system to communicate potential safety concerns with therapeutic products.
- 4 June 2013 - **Biological standards**. Added information about the standards for infectious disease minimisation.
- 4 June 2013 - **Donor screening tests: information requirements**. Updated information about the requirements of manufacturers and sponsors of biological.
- 4 June 2013 - **Revised code of Goods Manufacturing Practice (GMP) for human blood and tissues**. Added links to related information and to the ComLaw website for the therapeutic goods (manufacturing principles) determination No. 1 of 2013 and therapeutic goods order No. 88.
- 4 June 2013 - **Questions & answers on the code of good manufacturing practice for medicinal products**. Added the therapeutic goods (manufacturing principles) determination No. 1 of 2013 ComLaw link.
- 3 June 2013 - **MMC Maxman V capsules** pose a serious risk to your health and should not be taken.
- 3 June 2013 - **Therapeutic goods information specifications**. Added link to the therapeutic goods information (early warning system) specification 2013.
- 3 June 2013 - **Updates to the former Australian regulatory guidelines for prescription medicines**. The former Australian regulatory guidelines for prescription medicines (ARGPM) have been updated and now consist of a series of web pages.
- 3 June 2013 - **TGA guidelines email list**. Email alert service notifying subscribers when new or updated TGA guidelines have been published on the TGA Internet site.
- 3 June 2013 - **Orphan drugs**. Added Ibuprofen (PEDEA) and Ponatinib (tradename TBA).
- 3 June 2013 - **Consultation: TGA guidance on release for supply for medicines manufacturers**. The TGA is seeking comments on proposed draft TGA guidance on release for supply for medicines manufacturers - Part 1.
- 3 June 2013 - **Medicines safety update, volume 4, number 3, June 2013**.
- Australia. Private Health Insurance Administration Council (PHIAC)**
- Practice notes for registration as a private health insurer - PHIAC has released refreshed **practice notes** for parties interested in submitting an application for registration as a private health insurer.
- 3 June 2013 - Review of the solvency and capital adequacy standards – Further consultation and invitation for submissions - **Circular 13/14**.
- 3 June 2013 - the premiums and competition unit research paper – **Competition in the Australian private health insurance market** was released.
- 3 June 2013 - Reappointment of Chief Executive Officer for the Private Health Insurance Administration Council - **Circular 13/12**.

### Australia. National Blood Authority (NBA)

6 June 2013 - Suppliers update - 20 June 2013 - NBA invites current or potential suppliers of blood and blood products to a webinar update. The webinar will comprise updates from NBA's management and provide information about procurement of plasma and recombinant products and iBlood initiatives. | [Read article](#)

4 June 2013 - Access to subcutaneous immunoglobulin - subcutaneous immunoglobulin is approved for four conditions where there is support for use cited in *the Criteria for the clinical use of intravenous immunoglobulin in Australia through hospital based programs from 1 September 2013*. | [Read article](#)

### Australia. Commonwealth Ombudsman

21 May 2013 - [Suicide and self-harm in the immigration detention network](#).

### Australian Competition & Consumer Commission (ACCC)

13 June 2013 - [ACCC grants interim authorisation to rural Doctors](#).

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

Media releases

13 June 2013 - [ACT tops the nation on meeting elective surgery wait time targets](#) - Katy Gallagher, MLA.

13 June 2013 - [Commercial solariums to be banned in ACT from 2015](#) - Katy Gallagher, MLA.

11 June 2013 - [Canberra hospital trials free public wi-fi](#) - Katy Gallagher, MLA.

4 June 2013 - [Investing more in health](#) - Katy Gallagher, MLA.

The ACT Chronic Conditions Strategy 2013 - sets a direction for the care and support of those living with chronic conditions in the ACT over the next five years. Although the ACT enjoys good health compared to the rest of Australia, the prevalence of chronic conditions is increasing significantly and currently accounts for nearly 80% of the total burden of disease and injury in the ACT. [Chronic Conditions Strategy 2013 - 2018](#) (PDF File 878k).

### New South Wales. Ministry of Health

Media releases

13 June 2013 - [Labor misleads on COAG report](#).

12 June 2013 - [Blacktown leads way in Government's \\$4.7 billion hospital building boom](#).

11 June 2013 - [\\$11.6m New rehab unit officially opened at Woy Woy hospital](#).

7 June 2013 - [Take healthdirect on your long weekend break](#).

7 June 2013 - [Tenders called for Dubbo hospital main works](#).

13 June 2013 - [Mumps cases on the rise](#).

6 June 2013 - [Hospital staff to be congratulated for improved NSW hospital performance](#).

5 June 2013 - [What's your state of mind](#).

3 June 2013 - [NSW health & medical research strategic review](#).

3 June 2013 - [Search for the best nurses and midwives starts today](#).

31 May 2013 - [NSW Health urges parents to be aware but not alarmed about enterovirus](#).

[Epidemiology of out-of-hospital cardiac arrests, NSW, 2012: Time, place and person](#).

12 June 2013 - Guideline - [management of NSW police force officers' firearms in public health facilities and vehicles](#) - GL2013\_002.

Policy directives

5 June 2013 - [Drug & Alcohol Treatment Act 2007 Involuntary Code for Legal Status Codeset](#) - PD2013\_011.

4 June 2013 - [Non-admitted patient activity reporting requirements](#) - PD2013\_010.

Information bulletins

11 June 2013 - [Public health service employees skilled trades \(state\) award - New rates of pay and new allowances](#) - IB2013\_022.

5 June 2013 - [Notification of obsolete policy directive PD2006\\_032](#) - IB2013\_021.

[Save the date to vaccinate.](#)

[Innovation showcase.](#)

### [New South Wales. Bureau of Health Information](#)

Hospital quarterly: Performance of NSW public hospitals - January to March 2013 - [Wait times for surgery and emergency department treatment improve](#) (91.8 KB PDF) - [Media backgrounder](#) (115.6 KB PDF).

### [Northern Territory. Department of Health](#)

[Robyn Lambley - Territory health top priority at Ministers meeting.](#) Health Minister Robyn Lambley will travel to Sydney today to attend Friday's Standing Council on Health (SCoH) meeting.

[Robyn Lambley - Amendments will strengthen alcohol mandatory treatment.](#) Health Minister Robyn Lambley has announced a series of amendments to the Territory's Alcohol Mandatory Treatment legislation that will strengthen and re-enforce the Government's ground-breaking measures to help problem drinkers fight addiction.

[Robyn Lambley - Centre to get new emergency co-ordinator.](#) Central Australia's capacity to deal with an emergency or disaster will be substantially increased through the appointment of an Alice Springs based co-ordinator position with the National Critical Care and Trauma Response Centre.

[Robyn Lambley - Key alcohol mandatory treatment appointments.](#) A number of key managerial and operational positions have been filled in the lead up to the 1 July implementation of alcohol mandatory treatment across the NT.

[Robyn Lambley - New emergency department a community asset.](#) The new Alice Springs Hospital emergency department will deliver more treatment spaces, faster patient flow and reduced waiting times to the thousands of people who present there every year.

[Robyn Lambley - A decade delivery quality service](#) - Health Minister Robyn Lambley has congratulated child safety organisation Kidsafe NT for the range and quality of its services and for promoting safer environments for young Territorians.

[Tobacco control advisory committee annual report 2013.](#)

### [Queensland. Department of Health](#)

Media releases

14 June 2013 - [Healthy data: Six more hospitals report performance online](#), Minister for Health | The Honourable Lawrence Springborg.

13 June 2013 - [Mums to be winners with Springborg's rural week](#), Minister for Health | The Honourable Lawrence Springborg.

13 June 2013 - [New agreement with Royal Flying Doctor Service boosts aeromedical retrieval](#), Minister for Health | The Honourable Lawrence Springborg.

11 June 2013 - [Queensland health business and IT transformation program gets under way](#), Minister for Health | The Honourable Lawrence Springborg.

11 June 2013 - [Regional patients win with returning services](#), Minister for Health | The Honourable Lawrence Springborg.

10 June 2013 - [Commissioner to drive mental health system overhaul](#), Minister for Health | The Honourable Lawrence Springborg.

7 June 2013 - [Labor votes against extra cochlear implants for Queenslanders](#), Minister for Health | The Honourable Lawrence Springborg.

7 June 2013 - [Public hospital water testing requirements](#).

7 June 2013 - [Formal investigation into Legionella infection at the Wesley hospital](#).

13 June 2013 - [Legionella infections at the Wesley hospital](#).

11 June 2013 - [Queensland Health finalises latest round of grants and service agreements](#), Minister for Health | The Honourable Lawrence Springborg. The re-design of the billion dollar Queensland Health "grants" allocation system, as directed by former Auditor General Glenn Poole, has passed another milestone, with a further 244 projects assessed prior to the start of the 2013-14 financial year.

11 June 2013 - [Record health budget boosts frontline services](#), Treasurer and Minister for Trade | The Honourable Tim Nicholls. Hospitals across the state are set to share in a record \$12 billion health operating budget.

11 June 2013 - [Health Ombudsman given charter to restore complaints confidence](#), Minister for Health | The Honourable Lawrence Springborg. Health Minister Lawrence Springborg today introduced legislation into Parliament aimed at restoring public confidence in the way complaints about health services and providers are managed in Queensland.

10 June 2013 - [Better healthcare bonus provides Cairns Positron Emission Tomography \(PET\) scanner](#), Minister for Health | The Honourable Lawrence Springborg. The Newman Government's \$100 million better healthcare bonus, achieved through better management by local hospital and Health Boards, will fund the establishment of a PET scanner for Cairns base hospital.

9 June 2013 - [Better healthcare bonus delivers \\$100 million boost to frontline services](#), Minister for Health | The Honourable Lawrence Springborg. Liberal National Party policies of devolved decision making have delivered better healthcare and now a bonus - a forecast boost to frontline health services worth up to \$100 million.

31 May 2013 - [Union misleads about health contracts](#), Minister for Health | The Honourable Lawrence Springborg. Health Minister Lawrence Springborg says the use of contract labour in the Queensland health system has significantly reduced and union bosses who say otherwise are being deliberately misleading.

[Queensland rural and remote health services draft documents for feedback](#).

[Ministerial taskforce on health practitioner expanded scope of practice - consultation period now open](#).

[South Australia. Department for Health & Ageing](#)

[Health alert: Childhood vaccine schedule changes from July 1 2013](#).

Media releases

[Mental health lived experience register](#).

4 June 2013 - [Health alert: Updated clinical information on middle eastern respiratory syndrome coronavirus \(MERS-CoV\)](#).

4 June 2013 - [Media release: Emergency departments are for emergencies](#).

[Tasmania. Department of Health & Human Services](#)

[Social determinants of health – Book of Australian case studies - Tasmania](#). In 2013, a national working group developed a case studies book to raise awareness of current activities to address the social determinants of health in Australia. This Tasmanian case study provides an overview of the Tasmanian

Government's response to positively tackling the social determinants of health, through the policy direction of a healthy Tasmania - a combined and active strategy for health and wellbeing.

[Training package review - Open for consultation](#). The Community Services and Health Industry Skills Council is undertaking a review of the health and community services training packages.

[State of Public Health Report](#) - 2013.

### Victoria. Department of Health

Victorian admitted episodes data set - [23rd edition 2013-14 \(Final\) Version 1.0](#).

[Clinical placement fee schedule, May 2013](#).

[Surveillance of notifiable conditions in Victoria - Victorian summary report - 1 January to 5 June 2013](#).

[Risk watch volume 10, issue 1](#).

Nursing - [Maternity workforce development resource](#).

Media releases

6 June 2013 - [Protection for the final resting place of loved ones](#). The Victorian Coalition Government has rejected a push for expiry dates on grave sites at cemeteries, Minister for Health David Davis said today.

5 June 2013 - [Hands off our local hospitals](#). Local hospitals could be forced against their will to amalgamate under secret Gillard Labor Government plans, Health Minister David Davis said today.

4 June 2013 - [Praise for Monash Cancer Centre's inspiring artwork](#). Minister for Health David Davis has paid tribute to the *Joy of Life* – a unique art project involving more than 100 breast cancer patients at the Monash Cancer Centre.

4 June 2013 - [Bentleigh volunteers play key community health role](#). Minister for Health David Davis and Member for Bentleigh Elizabeth Miller have used a visit to Bentleigh Bayside Community Health (BBCH) to praise the role of volunteers.

3 June 2013 - [New Charlton Hospital is set to go](#). Work on building the new Charlton hospital is set to start next month, Health Minister David Davis announced today.

31 May 2013 - [Construction to begin on \\$630m Bendigo hospital](#). The new \$630 million Bendigo hospital has been given the green light for construction after an event today marking the contract signing between the Victorian Government and the Exemplar Health Consortium.

[Commission for Hospital Improvement](#). - The Commission for Hospital Improvement (CHI) is directed at improving healthcare for all Victorians.

[Healthy together achievement program: primary schools](#).

[Exhumation licence application](#).

[Mental health carer support fund: guidelines \(pdf\)](#).

### Western Australia. Department of Health

Media release

11 June 2013 - [Mixed findings in Health and Wellbeing survey](#).

10 June 2013 - [Fiona Stanley hospital opening schedule confirmed](#), Hames Health.

6 June 2013 - [Another milestone reached at Joondalup Health Campus redevelopment](#), Hames Health.

[Health and wellbeing of adults in Western Australia 2012, overview and trends \(PDF 994KB\)](#)

12 June 2013 - [OD 0434/13](#) Hospital fees & charges: nursing home type patient (20 March 2013 pension increase). This operational directive advises health services of increases in nursing home type patient

(NHTP) fees, which were gazetted on Tuesday 7 May 2013. However, in accordance with the commencement instructions in the gazettal notice, the revised NHTP fees are legally effective from the day after gazettal, which is Wednesday 8 May 2013.

#### **Clinical Research Centre (CRC) research forum 5: Midwives' perinatal mental health education needs project.**

6 June 2013 - **IC 0146/13** - No longer applicable - recovery. The aim of this instruction is to provide guidelines regarding the role of Department of Health personnel in the recovery phase of a disaster.

5 June 2013 - **OD 0433/13** - WA health risk management policy. WA health is committed to developing and maintaining contemporary and effective risk management principles and practices to assist in safeguarding the organisation, its resources and people from situations or events that could disrupt the delivery of safe, high quality health care to the Western Australian community. The practice of risk management and its reporting is mandatory across WA health and is designed to provide standardised, integrated and sustainable processes to meet WA health business needs and comply with all relevant statutory requirements, codes of practice and Australian standards. The purpose of this policy is to ensure the consistent application of risk management principles across WA health. This policy and the supporting framework are applicable to all risk management activities and reporting across WA health.

5 June 2013 - **OD 0432/13** - Authorities, delegations and directions schedule – Department of Health. The authorities, delegations and directions schedule has been updated and re-issued. The schedule forms part of the Department of Health's corporate governance framework and is an important reference document for all staff, setting out the approved delegations and authorisations for all areas of the department, and specifying the positions or tier-level officers to whom delegated powers or authorisations have been granted.

#### **New Zealand. Ministry of Health**

13 June 2013 - **Primary care ethnicity data audit toolkit.**

13 June 2013 - **Quality dimensions of the elective waiting time goals: High level review.**

13 June 2013 - **Evaluation of the bowel screening pilot: Eligible population perspectives.**

7 June 2013 - **Infectious diseases attributable to household crowding in New Zealand: A systematic review and burden of disease estimate.**

7 June 2013 - **The distribution of household crowding in New Zealand: An analysis based on 1991 to 2006 census data.**

#### **United Kingdom. Department of Health**

**New accident prevention guidance for local authorities.**

**Local variation in avoidable death rates revealed.**

**New dental pilot practices announced.**

**Report on breastfeeding statistics: Quarter 4, 2012 to 2013.**

**Hospital accident and emergency departments: planning and design.**

**Department of Health corporate plan 2013-14** - The annual Department of Health (DH) corporate plan sets out departmental priorities for the year ahead.

5 June 2013 - **Partners issue joint statement two years after Winterbourne view.**

**DH's arm's length bodies: business priorities 2013-14.**

**Flu immunisation programme 2013 to 2014.**

**Health workforce information review.**

## Canada. Health Canada

11 June 2013 - [Minister Aglukkaq and representatives of the BC first nations health authority meet to commemorate the signing of the Canada funding agreement.](#)

10 June 2013 - [Harper Government announces new medical marijuana regulations.](#)

6 June 2013 - [Harper Government respects community concerns with new legislation for supervised drug consumption sites.](#)

4 June 2013 - [Harper Government announces new fines to strengthen the \*Canada Consumer Product Safety Act\*.](#)

## United States of America. Department of Health and Human Services

[Inter-agency letter regarding hepatitis B discrimination issued](#) - The Department of Justice, the Department of Education, and the Department of Health and Human Services sent a joint letter today to the nation's medical schools, dental schools, nursing schools, and other health related schools regarding hepatitis B discrimination.

## Australian Medical Association (AuMA)

[Ministers get "gold star" for food labelling decision.](#)

[Advice to members regarding contracts with Medicare Locals \(MLs\).](#)

[Getting ready for the practice incentives program eHealth incentive and Personally Controlled Electronic Health Record.](#)

[Have pharmaceutical benefits scheme authority phone line waiting times improved?](#)

[AuMA urges Ministers to adopt "health star" rating system for food packaging.](#)

[AuMA calls for urgent action on intern places.](#)

[Discussion paper exposes new "tax on learning"](#)

[Confusion threatens patient access to after-hours care.](#)

[Department sees common sense over after hours contracts.](#)

[COAG report shows that Government cooperation can help close the gap.](#)

[Education expenses discussion paper leaves little room for discussion.](#)

[Optometry board turns a blind eye to quality patient health care.](#)

[Medical student and junior doctor groups join forces in push for intern places.](#)

[Urgent advice to members - Australasian health professionals directory.](#)

## British Medical Association (BMA)

12 June 2013 - [E-cigarette regulation is "good news", says BMA.](#) Doctors leaders have described the move to regulate all nicotine-containing products as medicines as "good news."

12 June 2013 - [Premature mortality measure reveals extent of health inequalities.](#) A website showing indicators of premature mortality has highlighted health inequalities across local authorities in England.

12 June 2013 - [Juniors continue to be overworked.](#) Changes to the junior doctor contract could help address areas of concern raised by the GMC's national training survey, the BMA has said.

6 June 2013 - [Burden of training women GPs comment condemned by BMA.](#) The BMA has strongly criticised a health minister's suggestions that training women GPs has "unintended consequences" for the National Health Scheme (NHS).

6 June 2013 - [MPs increase pressure on government to tackle emergency care crisis.](#) MPs have urged the government to take urgent action to tackle the crisis in emergency medicine.

6 June 2013 - [Impact of SJT test was unclear, says report](#). Medical students should have been warned that a multiple-choice test could determine whether they gained their first jobs as Doctors, an independent report maintains.

6 June 2013 - [Rapid diagnostic services vital to new GP scheme](#). GPs using a scheme aimed at keeping older and frail patients out of hospital must have access to rapid diagnostic services, it has been claimed.

6 June 2013 - [Involve doctors in integration of care, says BMA](#). Doctors must be engaged in local service planning if health and social care integration is to work, B&A Scotland has advised ministers.

5 June 2013 - [Public health doctor reignites tobacco and alcohol debate](#). A senior public health official has stressed the benefits of plain tobacco packaging and minimum alcohol pricing, after their exclusion from last month's Queen's speech.

4 June 2013 - [Call for managers who failed mid staffs to be held to account](#). SAS doctors called for NHS managers to be held to account for the failings at Mid Staffordshire NHS Foundation Trust.

### Canadian Medical Association (CMA)

11 June 2013 - [Wait time alliance decries stagnation as wait-time improvements stall](#)

10 June 2013 - [CMA asks members: "What's on your mind?"](#)

### American Medical Association (AMA)

13 June 2013 - [AMA congratulates surgeon general Regina Benjamin, MD, on her success in improving public health](#). The AMA is very pleased to congratulate Regina Benjamin, MD, on her successful tenure as U.S. Surgeon General.

13 June 2013 - [AMA welcomes an end to human gene patents](#). The U.S. Supreme Court's unanimous rejection of patenting human genes is a clear victory for patients that will expand medical discovery and preserve access to innovative diagnosis and treatment options.

12 June 2013 - [AMA to hold webinars on chronic pain and opioid use](#). Free webinars will provide an overview of urine drug testing and a multidimensional approach to chronic pain treatment.

## 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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[Doc ID: 1204165475]