



HEALTH ALERT

29 JUNE 2015

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JUDGMENTS

Australian Capital Territory (ACT)

Medical Board of Australia v Hocking [2015] ACAT 44

The ACT Civil and Administrative Tribunal has heard a number of allegations of unsatisfactory conduct made against an orthopaedic surgeon in relation to two procedures he performed on children.

The Tribunal found the practitioner had engaged in unsatisfactory professional performance by removing bone from a patient's hip while performing a hip arthroscopy, which contributed to the patient needing a total hip replacement. It found that the practitioner had engaged in unprofessional conduct by creating a second report of the surgery months after the operation, in order to suggest the patient's post-operative symptoms had not been caused by the procedure.

The Tribunal held that the practitioner had also engaged in unsatisfactory professional performance by not informing the patient's mother that he had given an undertaking to the Medical Board not to perform certain procedures. It held that disclosure was required for there to be informed consent to the proposed course of treatment.

The Tribunal held that the practitioner had no case to answer in relation to the injection of platelet rich plasma into a child's left hip joint. However, it did find that practitioner had engaged in unsatisfactory professional performance by failing to refer the patient to another surgeon, as the practitioner was restricted from performing surgery at that time.

The Tribunal imposed a number of conditions on the practitioner's registration, including that he discuss complex cases with qualified surgeons, practise within a group setting, and that he schedule surgeries so that a second surgeon is available if required.

Queensland

The Hospital v T [2015] QSC 185

The Queensland Supreme Court has made a declaration authorising a hospital to administer blood to a seven year old Jehovah's Witness in the course of a planned liver transplant.

The child has serious liver disease, and will likely require a liver transplant. He has been placed on a waiting list as a suitable candidate for transplant, but his case is inactive due to uncertainty about consent to the administration of blood. The surgery will likely involve a blood transfusion, which the child and his parent oppose on the basis of their religious beliefs.

The hospital sought a declaration from the Court that they are authorised to administer blood to the child as necessary according to good medical practice. In response, the child's parents sought assurance that the hospital would take all "appropriate and reasonable" blood conservation measures before resorting to a blood transfusion. They sought that the Court restrict any orders made, so that the hospital be required to make "every effort" to minimise the administration of blood.

The Court noted the child's parents were clearly concerned for their son. It held that the sanctity of the child's life was a more significant consideration in framing the orders than respect for the dignity of the beliefs of him and his parents. It considered that it was not appropriate to frame the orders in a way that might impede proper medical judgment, and made a declaration on the terms sought by the hospital.

Medical Radiation Practice Board Of Australia v Lindberg [2014] QCAT 698

Professions and trades – health care practitioners – medical practitioners – disciplinary proceedings – where respondent's application for registration was misleading – where respondent failed to disclose her recent employment in an equine hospital not human hospital – whether respondent's failure to disclose deliberate – where the failure to disclose was not intentional – where failure to disclose amounts to unsatisfactory professional conduct.

Chiappalone v Medical Board of Australia [2015] QCAT 201

Health practitioner - medical practitioner – costs – where the Board took immediate action and imposed conditions on the registrant's registration – where registrant sought review of Board's decision – where

Tribunal made an order setting aside decision of the Board to take immediate action –whether Registrant should be awarded costs.

Commonwealth. Fair Work Commission

Queensland Nurses Union of Employees v Blue Care [2015] FWC 1388

Alleged dispute concerning the classification of Assistants in Nursing in the Blue Care/ Wesley Mission Brisbane Nursing Employees Enterprise Agreement 2013.

New South Wales (NSW)

Health Care Complaints Commission v Shinwari [2015] NSWCATOD 59

Medical practitioner engaged in rapid opioid detoxification treatment - held inter alia multiple failures to safely practise in a specialised area of medicine - constituting in the aggregate professional misconduct.

Cunningham v NSW Ministry of Health [2015] NSWCATAD 124

Administrative review – access to information – remittal of decision – decision that agency does not hold information – whether agency conducted reasonable searches for the information.

Vu v Health Care Complaints Commission [2015] NSWCATOD 61

Application under s 163A of the *Health Practitioner Regulation National Law* (NSW) for review and reinstatement order - failure to discharge onus – original order remains appropriate – time limit on further review - costs.

Health Care Complaints Commission v Thomas [2015] NSWCATOD 60

Health practitioner - professional misconduct - improper practices prescribing to patients with history of drug dependence - registration cancelled pursuant to s 149C(1)(b) of the National Law.

Victoria

Yu Chun Zhong v Melbourne Health [2015] VSCA 165

Practice and Procedure – plaintiff subjected to involuntary treatment and community treatment orders pursuant to provisions of the *Mental Health Act 1986* –claim of negligent diagnosis of mental illness – plaintiff self-represented – failure by plaintiff to call expert medical evidence – failure by plaintiff to adduce evidence of economic loss – whether failure to permit plaintiff to make an opening statement – apprehended bias – whether failure of judge to grant an adjournment – whether failure of judge to compel defendants to bring forward witnesses – whether failure of judge to compel expert witnesses – whether failure to give plaintiff procedural fairness – duty of the Court to assist an unrepresented party – Intervention of judge – appeal dismissed.

LEGISLATION

25 June 2015 - ***Lodgment of Private Health Insurance Information in Accordance with the Private Health Insurance Act 2007 Revocation 2015*** F2015L00941 as made

25 June 2015 - ***Health Insurance (RET Gene Testing) Revocation Determination 2015*** F2015L00932 as made

25 June 2015 - ***Health Insurance (HbA1c Test for Diagnosis of Diabetes) Revocation Determination 2015*** F2015L00931 as made

25 June 2015 - ***Private Health Insurance (Benefit Requirements) Amendment Rules 2015 (No. 2)*** F2015L00926 as made

24 June 2015 - ***Statement of Principles concerning malignant neoplasm of the gallbladder No. 89 of 2015*** F2015L00921 No. 89 of 2015 as made

24 June 2015 - ***Statement of Principles concerning chickenpox No. 88 of 2015*** F2015L00920 No. 88 of 2015 as made

24 June 2015 - [Statement of Principles concerning chickenpox No. 87 of 2015](#)
F2015L00919 No. 87 of 2015 as made

24 June 2015 - [Statement of Principles concerning cardiomyopathy No. 86 of 2015](#)
F2015L00918 No. 86 of 2015 as made

24 June 2015 - [Statement of Principles concerning cardiomyopathy No. 85 of 2015](#)
F2015L00917 No. 85 of 2015 as made

24 June 2015 - [Statement of Principles concerning depressive disorder No. 84 of 2015](#)
F2015L00916 No. 84 of 2015 as made

24 June 2015 - [Statement of Principles concerning depressive disorder No. 83 of 2015](#)
F2015L00915 No. 83 of 2015 as made

24 June 2015 - [Superannuation \(PSSAP\) Approved Authority Inclusion Amendment Declaration 2015 \(No. 1\)](#) F2015L00923 as made

24 June 2015 - [Statement of Principles concerning tuberculosis No. 82 of 2015](#)
F2015L00914 No. 82 of 2015 as made

24 June 2015 - [Statement of Principles concerning tuberculosis No. 81 of 2015](#)
F2015L00913 No. 81 of 2015 as made

24 June 2015 - [Statement of Principles concerning trigeminal neuropathy No. 80 of 2015](#)
F2015L00912 No. 80 of 2015 as made

24 June 2015 - [Statement of Principles concerning trigeminal neuropathy No. 79 of 2015](#)
F2015L00911 No. 79 of 2015 as made

24 June 2015 - [Statement of Principles concerning trigeminal neuralgia No. 78 of 2015](#)
F2015L00910 No. 78 of 2015 as made

24 June 2015 - [Statement of Principles concerning trigeminal neuralgia No. 77 of 2015](#)
F2015L00909 No. 77 of 2015 as made

24 June 2015 - [Statement of Principles concerning myasthenia gravis No. 76 of 2015](#)
F2015L00908 No. 76 of 2015 as made

24 June 2015 - [Statement of Principles concerning myasthenia gravis No. 75 of 2015](#)
F2015L00907 No. 75 of 2015 as made

24 June 2015 - [Statement of Principles concerning myelodysplastic syndrome No. 74 of 2015](#)
F2015L00906 No. 74 of 2015 as made

24 June 2015 - [Statement of Principles concerning myelodysplastic syndrome No. 73 of 2015](#)
F2015L00905 No. 73 of 2015 as made

24 June 2015 - [Statement of Principles concerning acute myeloid leukaemia No. 72 of 2015](#)
F2015L00904 No. 72 of 2015 as made

24 June 2015 - [Statement of Principles concerning acute myeloid leukaemia No. 71 of 2015](#)
F2015L00903 No. 71 of 2015 as made

23 June 2015 - [Health Insurance \(Diagnostic Imaging Accreditation\) Amendment Instrument \(No. 2\) 2015](#) F2015L00894 as made

23 June 2015 - [National Health Security \(National Notifiable Disease List\) Amendment Instrument 2015 \(No. 1\)](#) F2015L00888 as made

New South Wales

24 June 2015 - [Public Health \(Tobacco\) Amendment \(E-cigarettes\) Bill 2015](#) Council: Passed with amendments. 25 June 2015 Assembly: Agreed with amendments

Queensland

Health Legislation (Fees) Amendment Regulation (No. 1) 2015 (No. 49 of 2015)

REPORTS

Australia. Department of Health

Media releases

25 June 2015 - **Australians forced to wait 15 months for new drugs vs US & Europe: Report** - Australian patients are being forced to wait up to 15 months longer to access the latest breakthrough medicines than in the US or Europe because drug companies are delaying bringing them down under, a new landmark report has revealed.

25 June 2015 - **Release of independent review of medicine & medical device approvals** - The first report from the independent review of Medicines and Medical Devices Regulation has been released and highlights the importance of cutting red tape and improving timely access to medicines and medical devices.

23 June 2015 - **Government stands firm on F1 medicine changes** - The Australian Government remains committed to ensuring Australians continue to have affordable access to the latest medicines.

23 June 2015 - **Senate supports cheaper medicines for Australians** Consumers are the big winners from the Senate passing the Australian Government's Pharmaceutical Benefits Scheme (PBS) reform package.

22 June 2015 - **More Australians are screening earlier for bowel cancer** New figures released as part of National Bowel Cancer Awareness month show a three per cent increase during the previous year in the number of Australians returning completed bowel cancer screening kits.

21 June 2015 - **2000+ medicine prices to fall by up to 50%** Over 2000 brands of common medicines could be slashed in price for millions of Australians - some by as much as 50 per cent – from next year in a “win-win” for consumers and taxpayers.

19 June 2015 - **PBAC world-first biosimilar drug decision** The Australian Government remains committed to accepting the expert advice of Australia's independent Pharmaceutical Benefits Advisory Committee (PBAC) without “fear or favour”.

18 June 2015 - **Abbott Government working with mental health sector to action reform** The Australian Government is working hand-in-hand with the mental health sector to take the National Mental Health Commission's landmark review from paper to policy.

Private Health insurance (PHI) Circulars

23 June 2015 - **PHI 38/15 Private Health Insurance (Registration) Amendment Rules 2015 (No. 1)**

22 June 2015 - **PHI 37/15 Private Hospital Information Declaration**

Publications

Indigenous Chronic Disease Package (ICDP) Sentinel Sites Project The Sentinel Sites Evaluation measured changes in practice and other early outcomes linked to the ICDP.

The Baseline Report and the First Monitoring Report These reports cover the first two years of Indigenous Chronic Disease Package (ICDP) implementation.

Medical Training Review Panel: 18th Report Every year the Medical Training Review Panel (MTRP) is required to produce a report on medical education and training in Australia.

Changes to Medical Benefit Schedule **The 1 July 2015 MBS XML, DOC, PDF and ZIP files are now available**

Australia. Department of Social Services

17 June 2015 - [Certainty for Commonwealth Home Support Programme](#)

17 June 2015 - [Readiness for Stage 2 of My Aged Care](#)

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

AHPRA is calling for people who have been treated by unregistered individuals in Melbourne's northern suburbs to come forward, amid concerns about sub-standard dental care and poor infection control. [Read full article](#)

AHPRA has published an update on its work to improve customer service, in response to Health Issues Centre Victoria recommendations. [Read full article](#)

From 1 July 2015, arrangements that allowed some practitioners to become registered as their professions joined the National Scheme will expire. [Read full article](#)

From 1 July 2015, arrangements that allowed some Chinese medicine practitioners to become registered as the profession joined the National Scheme will expire. [Read full article](#)

Preparing for audit webinar now available A recording of the webinar presentation, including the question and answer segment session is now available for you to watch. [Read full article](#)

From 1 July 2015, arrangements that allowed some medical radiation practitioners to become registered as the profession joined the National Scheme will expire. [Read full article](#)

From 1 July 2015, arrangements that allowed some occupational therapists to become registered as the profession joined the National Scheme will expire. [Read full article](#)

The Optometry Board of Australia releases its latest communiqué. [Read full article](#)

Is your advertising compliant? AHPRA and the Board are concerned about the number of advertising complaints about osteopaths. [Read full article](#)

The Osteopathy Board of Australia releases its latest communiqué. [Read full article](#)

The Nursing and Midwifery Board of Australia releases its latest newsletter. [Read full article](#)

PII exemption extended to 31 December 2016 for midwives in private practice The Australian Health Workforce Ministerial Council (Ministerial Council) has extended a transitional provision under section 284 of the National Law to 31 December 2016 for midwives in private practice providing intrapartum care for women who choose to homebirth. [Read full article](#)

The Chiropractic Board of Australia releases its May communiqué. [Read full article](#)

Australia. National Blood Authority

16 June 2015 - public consultation on proposed changes to the Criteria for the clinical use of intravenous immunoglobulin in Australia. More information [here](#).

Australia. Pharmaceutical Benefits Scheme (PBS)

25 June 2015 - **Move to Six PBS Price Change Points** As part of a package of 2015 Pharmaceutical Benefits Scheme (PBS) changes, the number of dates on which the price of PBS listed medicines can change will increase from three times per year to six times per year; 1 February, 1 April, 1 June, 1 August, 1 October and 1 December.

Australia. Therapeutic Goods Administration (TGA)

15 June 2015 - **Therapeutic Goods Committee (TGC)** Membership details of the TGC are now available.

25 June 2015 - **Cancel unnecessary ARTG entries before 30 June 2015** Cancel unnecessary ARTG entries before 5pm 30 June 2015 to avoid incurring an annual charge for 2015-16.

25 June 2015 - **Australian Public Assessment Reports for prescription medicines (AusPARs)** Added Umeclidinium bromide and Vilanterol trifenate (Anoro Ellipta).

25 June 2015 - [Changes to clone and Extension of Indications \(no data\) application](#) From 1 July 2015, new guidance and forms for Additional trade names and Extensions of Indications applications will be available.

24 June 2015 - [Expert review of medicines and medical devices regulation - first report released](#) The Australian Government has released the Stage One report for the review of the regulation of medicines and medical devices.

23 June 2015 - [Medtronic MiniMed Sure-T infusion sets](#) Recall for product correction - potential for interruption of insulin delivery and/or infection due to needle breaking during use.

19 June 2015 - [TGA presentation on Annual Charge Exemption scheme, 15 June 2015](#) Outlines the changes from the Low Value Turnover (LVT) scheme to the new Annual Charge Exemption (ACE) scheme.

19 June 2015 - [Updates to the Prescribing Medicines in Pregnancy database.](#)

18 June 2015 - [Birmingham Hip Resurfacing system](#) Update - recall and new hazard alert.

17 June 2015 - [Philips devices that use auto servo ventilation therapy](#) Recall for product correction - increased risk of death for patients with symptomatic chronic heart failure.

[Australian Commission on Safety and Quality in Health Care](#)

22 June 2015 – On the Radar – Issue 228 ([PDF 98KB](#)) ([Word 130KB](#)).

[Australian Institute of Health & Welfare](#)

22 June 2015 - [National Bowel Cancer Screening Program: monitoring report 2013–14 | media release: Bowel cancer screening program participation rates rising.](#)

19 June 2015 - [Children's headline indicators dynamic data display.](#)

18 June 2015 - [Alcohol and other drug treatment services in Australia 2013–14.](#)

17 June 2015 - [Perinatal data portal: antenatal data release.](#)

[Australia. House of Representatives Committee - Parliament of Australia Standing Committee on health](#)

[Inquiry into Chronic Disease Prevention and Management in Primary Health Care](#)

[Australia. National Mental Health Commission](#)

[The International Health Terminology Standards Development Organisation \(IHTSDO\) is forming seven new Advisory Groups](#)

[Australian Capital Territory. Health Directorate](#)

24 June 2015 - [Urology Training posts at Canberra Hospital.](#)

23 June 2015 - [ACT exceeds national growth rate of available beds in hospitals.](#)

19 June 2015 - [Measles case notified in Canberra.](#)

19 June 2015 - [Construction begins on purpose-designed blood cancer accommodation facility-](#)

19 June 2015 - [Cancer support group thanked for \\$20,000 donation.](#)

[Australian. National E-health Transition Authority](#)

[Australian Medicines Terminology \(AMT\) providing benefits to healthcare providers and users.](#)

[IHTSDO forming new Advisory Groups.](#)

New South Wales. Ministry of Health

Media Releases

25 June 2015 - [NSW Government strengthens e-cigarette protections for young people.](#)

23 June 2015 - [NSW Government acts to Make Healthy Normal.](#)

23 June 2015 - [\\$1.4 Billion Building Boom for NSW Hospitals.](#)

23 June 2015 - [Record \\$21 Billion Health Budget Boosts Frontline Care.](#)

Policy Directives & Guidelines

[Allied Health Professionals' Right of Private Practice in NSW Health Facilities](#)

Queensland. Department of Health

Media releases

25 June 2015 - [Queensland Mothers targeted in Abbott Government cuts to mental health](#) - Minister for Health and Minister for Ambulance Services | The Honourable Cameron Dick | The Abbott Government's funding cuts for the National Perinatal Depression Initiative will hurt Queensland mothers.

23 June 2015 - [Hands off Queensland Hospitals](#) - Premier and Minister for the Arts | The Honourable Anastacia Palaszczuk | The Federal Government's proposal to back out of its responsibilities to fund public hospitals would rip over a third of public hospital funding out of the Queensland system.

25 June 2015 - [Rockhampton Hospital's new Cancer Centre up and running](#)

25 June 2015 - [Chief Health Officer warns against consuming raw milk](#)

24 June 2015 - [Small hospitals score highly with patients](#)

South Australia. Department for Health & Ageing

Media release

18 June 2015 - [Media release: Rural grants available for Mental Health Week](#)

25 June 2015 - Statewide eating disorder service celebrates first anniversary - South Australia's Statewide Eating Disorder Service (SEDS) celebrated its first anniversary today having assessed and planned care for 330 clients in the last 12 months. [Read more...](#)

24 June 2015 - Excellence in mental health recognised - Outstanding contributors to mental health services in South Australia have been recognised at the Mental Health Awards today. [Read more...](#)

23 June 2015 - Rural students win Country Health SA scholarships - The State Government has awarded 13 undergraduate and 12 postgraduate scholarships to students from regional SA in the 2015 round of its annual scholarship program. [Read more...](#)

23 June 2015 - SA patients stay longer in hospital than patients do interstate - South Australian patients spend longer in hospital beds and the state has more available beds for its size than anywhere else, according to the latest report from the Australian Institute of Health and Welfare. [Read more...](#)

22 June 2015 - SA bowel screen rates top the nation - South Australia continues to have the highest bowel screening participation rates in the country, according to the latest data from the Australian Institute of Health and Welfare. [Read more...](#)

[Police Drug Diversion - Client Episode Form \(CEF\) - 2015](#) - For Police Drug Diversion Initiative clinicians to complete and fax to the Drug Diversion Line at the end of an Assessment.

Tasmania. Department of Health & Human Services

20 June 2015 - [New film promotes the A-B-Cs of Mental Health](#) - [Michael Ferguson](#), Minister for Health - Looking after our mental health is just as important as looking after our physical health. That's the message being shared in a short film launched today. The film – The Flourish A-B-C's of Mental Health – promotes three simple pillars we can all use to help maintain or improve our mental health. The film was

commissioned by Flourish Mental Health Action in Our Hands Inc. as part of Mental Health Week 2014. Over 112 people were interviewed at Mental Health Week events around the state as part of the project. Engaging in regular activity, belonging to supportive communities, and committing to regularly doing something we enjoy, are three simple steps we can all take. Having open conversations, and raising awareness of the importance of looking after our mental wellbeing, is one of the best ways we can reduce stigma and break down the isolation that can sometimes be experienced by people living with mental ill health. I would like to acknowledge everyone involved in the film for sharing their experiences, and congratulate Flourish Mental Health Action In Our Hands Inc. for their work in developing a resource that can be used throughout the community. As well as encouraging broader community conversations about mental health and wellbeing, we want to provide the right support for people who are living with mental ill health. Through the Rethink Mental Health Project, the Hodgman Liberal Government is committed to developing an integrated mental health system, that provides support in the right place, at the right time and with clear signposts about where and how to get help. More information about the Rethink Mental Health Project is available online at www.dhhs.tas.gov.au/rethink.

Victoria. Department of Health

Media releases

22 June 2015 - [Update: Risk of blood-borne virus transmission linked to an unregistered dental procedures in Melbourne's North](#)

22 June 2015 - [Grants announced to help multicultural seniors stay active](#) - The Victorian Government announced the recipients of 46 grants to help culturally diverse seniors Participate In The Community. [Read More...](#)

25 June 2015 - [Working Together To Make Our Hospitals Safer Published](#)

25 June 2015 - [Health Service Board Chairs Announced Published](#)

24 June 2015 - [\\$1 Million Boost For Healesville Hospital Redevelopment Published](#)

23 June 2015 - [Report Confirms Liberals' Broken Beds Promise Published](#)

22 June 2015 - [Fast Food, Mindless Eating & Inactivity But Smarter Snacking Published](#)

19 June 2015 - [Labor Budget Fruitful For Goulburn Valley Health Published](#)

19 June 2015 - [New Numurkah Hospital & Ambulance Branch Now Open Published](#)

19 June 2015 - [Abbott Government Cuts To Mental Health Will Hurt Victorian Mothers](#)

Western Australia. Department of Health

Media releases

25 June 2015 - [Minister for Health: Telehealth roll-out means south network tuned in](#) - Most of southern inland Western Australia now has access to metropolitan emergency medicine specialists, thanks to the completion of the final stage of the State Government's Emergency Telehealth Service (ETS) initiative in the State's south.

23 June 2015 - [Minister for Health: Design for life – new research hub for QEII](#) - Designed to accommodate five of the State's premier neurological research organisations, the Sarich Neuroscience Research Institute at the Queen Elizabeth II (QEII) Medical Centre is another step closer to realisation with Cockram Construction Ltd preparing the building's foundations.

23 June 2015 - [Minister for Health: Baby steps – initial findings promising for clinic](#) - In an effort to reduce the rate of preterm births in Western Australia by one-third, the State Government has been involved in the Women and Infants Research Foundation's WA Preterm Birth Prevention Initiative, funding a trial through the specialist clinic at King Edward Memorial Hospital.

23 June 2015 - [Meningococcal infection in a young adult](#) - The Department of Health today reported that a young adult is recovering in hospital after having been diagnosed with meningococcal disease.

19 June 2015 - **New bid to tackle rheumatic heart disease rates** - Rheumatic heart disease (RHD) has joined acute rheumatic fever (ARF) in becoming a notifiable condition in Western Australia.

18 June 2015 - **Minister for Health: Career training for junior doctors secured** - A program at the forefront of efforts in Western Australia to improve training pathways to general practice and importantly, to rural general practice, has secured State Government funding for another year.

25 June 2015 - **Preterm birth prevention project to continue** - The WA Preterm Birth Prevention Initiative, run by WA Health's Women and Infants Research Foundation, will continue for another year after funding was secured for the project.

Operational directives (OD)

24 June 2015 - **OD 0610/15** - Microbiological Air Sampling of Operating Rooms in Western Australian Healthcare Facilities - Surgical site infection (SSI) is a major complication following surgery and is associated with increased morbidity and mortality, as well as increased costs. The function of operating room (OR) ventilation is to prevent airborne microbial contaminants from entering surgical wounds. Under normal circumstances, the main source of airborne microbial contamination is microscopic skin fragments, contaminated with bacteria, shed by healthcare workers (HCWs) in the OR. Another potential source of airborne microorganisms are air supplies that are not properly filtered. The need for routine microbiological sampling of ORs is controversial. There is no national or international consensus on the methods, frequency, types of sampling or acceptable levels of microbial contamination in a functioning OR. However, there is evidence to support microbiological air sampling of ORs as part of the commissioning process of a new facility or following major refurbishment, as an adjunct to other heating, ventilation and air conditioning (HVAC) quality assurance controls. The purpose of microbiological air sampling is to gauge the efficacy of the HVAC systems, including high-efficiency particulate air (HEPA) filters following installation or after major structural refurbishment.

24 June 2015 - **OD 0609/15** - Hospital Fees and Charges 2015-16 - This directive informs all WA public hospitals of the amended schedule of hospital fees and charges 2015-16, gazetted 2 June 2015 and operationally effective from 1 July 2015.

Canada. Health Canada

25 June 2015 - **Minister Ambrose launches next phase of the Regulatory Transparency and Openness Framework** - The Honourable Rona Ambrose, Minister of Health, today announced the next phase of Health Canada's Regulatory Transparency and Openness Framework, a three-year plan with new commitments to further increase Health Canada's transparency and openness. The plan builds on what has already been accomplished in the first year of the Framework and charts the path forward for making more information available and easier to understand in 2015-2018. Key commitments planned for the next three years include expanding the information available in the Drug and Health Product Register to include a wider variety of products and information, and enhancing the Drug and Health Product Inspection Database to include more information on Health Canada inspection activities. The Regulatory Transparency and Openness Framework, announced by the Minister in April 2014, is Health Canada's plan for improving access to timely, useful and relevant health and safety information for Canadians. Under the 2014-15 Framework, Health Canada committed to a set of 15 concrete initiatives to be achieved by 31 March 2015 to improve transparency in key areas such as drug safety and inspections, food and nutrition, consumer products and stakeholder engagement. Health Canada has delivered on all 15 commitments and more, and is embarking on the Framework's next phase with a new three-year plan. The Framework sets out how Health Canada will do more to inform and engage Canadians on important health and safety issues, and provide more information so that Canadians can see how the department enables industry compliance and enforces regulatory rules.

24 June 2015 - **Minister Ambrose Announces Plain Language Labelling Regulations Coming Into Force** - As of this month, Health Canada's Plain Language Labelling Regulations begin to come into force – starting with new requirements for manufacturers of prescription drugs to provide mock-ups of labels and packages for Health Canada review; and to provide evidence that proposed brand names will not be confused with previously approved brand names. The provisions also apply to drugs that are administered or obtained through a health professional. Similar requirements for non-prescription drugs will come into

effect in 2017. Drug labels that are easy to read and understand help Canadians to use the right medications correctly and avoid potentially dangerous medication errors. The goal of the Plain Language Labelling initiative is to make drug labels and packaging information easier to read and understand. The Regulations Amending the Food and Drug Regulations (Labelling, Packaging and Brand Names of Drugs for Human Use) were published in July 2014 and are part of the *Plain Language Labelling Initiative*.

23 June 2015 - **Harper Government Moves to Implement Mandatory Drug Shortage Reporting** - The Honourable Minister of Health, Rona Ambrose, announced today that the Government is taking the next step towards implementing mandatory reporting of drug shortages by companies. The amendments being proposed to the Food and Drugs Regulations would require manufacturers to:

- provide six-months advance notice of anticipated shortages or discontinuations on a public website, and if the situation is unanticipated, within two days of knowing of a shortage or deciding to discontinue a drug; and
- provide information about the implicated drug.

Earlier, more comprehensive and reliable information on drug supply disruptions will give healthcare providers more time and confidence to make alternate treatment plans. Proposed new regulations were posted for consultation in the Canada Gazette on 20 June for a 75-day comment period. Health Canada will also soon issue a request for proposals for a third party to create and administer the new independent reporting website.

22 June 2015 - **Respect for Communities Act Receives Royal Assent** - The Honourable Rona Ambrose, Minister of Health, marked a major milestone today in the Government of Canada's commitment to protecting Canadians, with the Royal Assent of Bill C-2, the Respect for *Communities Act*. The Act establishes rigorous criteria that must be addressed before the Minister of Health could consider an exemption application under the *Controlled Drugs and Substances Act* for activities at a supervised drug injection site where illicit drugs would be used. The new legislation brings greater clarity and transparency to the assessment of proposed supervised drug injection sites in Canada, and provides the Minister of Health with information required to balance public health and public safety considerations in accordance with the Charter of Rights and Freedoms. Under the Act, applicants for supervised drug injection sites will be required to seek the views of local law enforcement, municipal leaders, public health officials, and provincial and territorial ministers responsible for health. Families and local residents will also be consulted and have a say whenever there is a proposal to open a supervised drug injection site in their community.

21 June 2015 - **National Aboriginal Day - June 21, 2015** - June 21st is National Aboriginal Day - a special day for all Canadians to celebrate the heritage, diverse cultures and outstanding achievements of First Nations, Inuit and Métis Peoples in Canada. National Aboriginal Day is part of the wider recognition of Aboriginal Peoples' important place within the fabric of Canada and their ongoing contribution as First Peoples. Founded in 1996, National Aboriginal Day celebrates the mosaic of Canada's Aboriginal men and women, including First Nations, Inuit and Metis - each with their own distinct heritage, language, cultural practices and spiritual beliefs. National Aboriginal Day is celebrated along with the summer solstice, the longest day of the year, which is a day of spiritual significance for many. The Health Portfolio is pleased to work hand-in hand with First Nations and Inuit communities to provide quality healthcare in the communities in which they live. This offers Health Canada employees a unique opportunity to learn more about the cultures and the rich heritage of our country's First Peoples. This year, I also offer congratulations to the Aboriginal Head Start in Urban and Northern Communities program which is celebrating its 20th anniversary. All across Canada there will be activities Canadians can participate in and see all the wonders that this heritage has to offer. I encourage all Canadians to embrace National Aboriginal Day - come celebrate with us!

18 June 2015 - **Harper Government Implements Further Restrictions on Flavoured Cigars That Appeal to Youth** - Amendments will close the loophole that allowed the marketing of certain flavoured cigars. The changes follow the 2009 Cracking Down on *Tobacco Marketing Aimed at Youth Act*, which banned the use of certain additives, including flavours like chocolate and bubble gum, in cigarettes, little cigars and blunt wraps, thereby making them less attractive to youth. Since that time, however, resized cigars in the same flavours as those that were prohibited by the 2009 legislation have emerged on the Canadian market. The regulations introduced today have targeted these products by closing the loophole

that allowed manufacturers to simply change the weight of little cigars or remove their filter to continue producing them. The amendments, published 17 June 2015, in Canada Gazette, Part II, will come into force on 14 December 2015. Delivering on a commitment made by the Prime Minister, these regulations are an example of the Government of Canada's commitment to take action to protect youth from the dangers of tobacco use.

United Kingdom. Department of Health

24 June 2015 - [Scheme to improve patient safety is on track to save 6,000 lives](#)

21 June 2015 - [New programmes to protect against meningitis and septicaemia](#)

19 June 2015 - [New deal for general practice](#)

USA. Department of Health & Human Services (HHS)

24 June 2015 - [HHS announces and celebrates innovation award winners across the department](#)

23 June 2015 - [HHS launches GIS-based tool for health disaster readiness](#)

Australian Medical Association

23 June 2015 - [Lancet Commission report highlights need to act on climate change and health](#)

British Medical Association (BMA)

25 June 2015 - [Mark Porter re-elected as BMA council chair](#) - BMA council chair Mark Porter was today re-elected unopposed for a further year. Dr Porter, who is a consultant anaesthetist in Coventry, has held the position for the past three years. Commenting on his re-election, Dr Porter said: "I feel privileged to have been given the opportunity to continue to serve as BMA council chair for another year. Doctors across the UK are facing a number of pressures. A £30bn black hole in the NHS budget, year-round A&E pressures, a recruitment and retention crisis in general practice and the £200m cut to the public health budget. All of this is coming at a time when politicians continue to play games with the NHS. It is vital that the BMA continues to champion the work of our members, their patients and plays a leading role in meeting the challenges the NHS faces."

25 June 2015 - [Research and teaching under threat](#) - Medical schools need a long-term and sustainable funding programme to protect teaching and research, a conference agreed. The BMA annual representative meeting expressed serious concerns about the threat of redundancies at some schools and the negative consequences for research and teaching. Medical academics at Cardiff University have received "at risk" letters as part of a restructuring process and academics at two schools in Scotland are also under threat. Dundee foundation doctor 1 Yan Ning Neo said many doctors had received inspiring teaching as a student but now many academics were busy making funding applications to protect their research and teaching from the threat of cuts. The BMA medical academic staff committee has been lobbying to protect academics and the research community from these threats.

25 June 2015 - [Sessional GPs need to be "nurtured"](#) - Sessional GPs must be given opportunities to develop their careers if the retention crisis in practice is to be tackled, doctors heard. Favourable contract terms and adequate access to career progression must be given to salaried GPs, the BMA annual representative meeting agreed. Tayside GP Mary O'Brien said diminished resources and increased service demand meant that many practices were becoming federations or networks in order to survive. She said the rise in the number of salaried GPs in recent years meant these staff were ever-more vital to the future of general practice and needed to be "nurtured" and "protected" by the profession.

25 June 2015 - [Stop pushing seven-day services without sufficient resources, conference hears](#) - Doctors have called on the Government and NHS Employers to stop pushing seven-day, non-emergency and elective care without appropriate resources. South Humberside consultant ophthalmologist Sakkaf Aftab said that his team did not work to its full potential and was not able to see as many patients as it could because the medical imaging department could not support the number of scans needed during clinics during week days. "If this is the ground reality how does the Government think we can even consider seven-day elective non-urgent secondary care?" he said. Mr Aftab argued at the BMA annual representative meeting heard that stretching existing services over five days would further scale back

normal weekly services. He pointed out that increasing numbers of doctors were leaving the NHS and the Government and NHS Employers needed to realise they needed to be incentivised to stop the "brain drain".

25 June 2015 - **Honest general practice debate with public needed** - An honest debate is needed with the public about what general practice can provide. Doctors and medical students said the Government must stop misleading the public with unrealistic expectations such as seven-day opening or 48-hour access and prioritise self-care. London GP Meenakshi Thakur told the BMA annual representative meeting that demand in general practice and emergency medicine had far outstripped capacity and action was needed. She said there were two options to resolve this – increasing GP numbers or reducing demand. "Yet successive Governments have done the exact opposite and stoked demand in fuelling unrealistic expectations," she said. But London GP Jackie Applebee warned that if NHS services were restricted more affluent patients would simply pay for them. "It's we GPs who should be having a dialogue among ourselves about what we can safely do without having a direct impact on patient care. We could refuse to cooperate with Care Quality Commission inspections," she said.

24 June 2015 - **Call to improve transgender healthcare** - Medical students should receive training to tackle health inequalities among transgender patients. The BMA will lobby medical schools and colleges to include education on transgender issues at an undergraduate and postgraduate level, the BMA annual representative meeting decided. Leeds medical student Ellen Adams said that she had encountered a wide level of transphobia among fellow medical professionals. She said that training incorporated into medical students' education could address the misunderstandings surrounding transgender, and ensure that clinicians be able to treat these patients "effectively and sensitively".

24 June 2015 - **"Extraordinary growth" ahead for medical tech, says TV presenter** - Exoskeletons, 3D-printed skin grafts and telepresence robots are just some of the technologic advances which have changed the face of medicine. Exponential growth, which sees the number of innovations double every 18 months, means that the next 10 years will be nothing like the last 10, TV presenter Jason Bradbury told the BMA annual representative meeting. "The growth we're going to see [will] be extraordinary," he explained as he introduced four speakers at the event "Medicine? There's an App for that". Often the simplest digital solutions can make the most difference to patient care by improving efficiency and freeing up doctors' time. Yorkshire consultant in diabetes and endocrinology Richard Pope emphasised that products should be of service to users rather than simply pieces of technology.

ABOUT US

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

He practises in the areas of health law, insurance law, medical negligence 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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