



HEALTH ALERT

21 May 2018

Judgments	2
Key Judgments	2
Commonwealth, Administrative Appeals Tribunal	2
Commonwealth: Fair Work Commission	3
New South Wales (NSW)	3
Victoria	4
Legislation	4
Commonwealth	4
New South Wales (NSW)	4
Western Australia (WA)	4
Reports	4
Australia: Department of Health	4
Australia: Health Practitioner Regulation Agency (AHPRA) and the boards	5
Australia: National Health and Medical Research Council (NHMRC)	6
Australia: National Mental Health Commission	6
Australia: Therapeutic Goods Administration (TGA)	6
Australian Commission on Safety and Quality in Health Care	6
Australian Competition and Consumer Commission	7
Australian Digital Health Agency	7
Australian Institute of Health and Welfare (AIHW)	7
Australian Capital Territory (ACT). Health Directorate	7
New South Wales (NSW). Ministry of Health	8
Northern Territory (NT)	8
South Australia (SA). Department for Health & Ageing	9
Tasmania: Department of Health & Human Services	9
Victoria: Department of Health	10
Western Australia(WA). Department of Health	10
About us	12
More information	12

JUDGMENTS

Key Judgments

14 May 2018 - *Susan Anson v Western District Health Service [2018] FWC 2132* - Application for an unfair dismissal remedy – alleged sleeping on the job – alleged breach of directions to respond to allegations – union representation – agreement procedure – application dismissed.

The Applicant, Ms Anson was a nurse at Western District Health Service. On 20 June 2017, the applicant's Nurse Unit Manager had arrived early at 5:30 am to find both Ms Anson and a colleague asleep (the **conduct**). At the time of the conduct, the two sleeping nurses were in charge of 10 residents and seven acute care patients. Many of these patients were vulnerable.

The applicant denied being asleep and her colleague stated she had merely 'dozed off'. Both were issued with warnings. The applicant then refused to attend a meeting, or to reply to directions to provide a response to the allegations against her. Eventually, Ms Anson was dismissed, both for her conduct, and her failure to follow directions.

The applicant applied to the Commission for a remedy for unfair dismissal. The Commission held that, even alone, sleeping on the job whilst responsible for vulnerable patients was sufficient to warrant dismissal. It was further held that the applicant had had the opportunity to respond to the allegations, and a 'fair go all round'. As such, her application was denied.

16 May 2018 - *Nadia Cammarere v Aboriginal Elders and Community Care Services T/A Aboriginal Community Services [2018] FWC 2462* - Application for relief from unfair dismissal – whether protected from unfair dismissal – minimum employment period – dispute about correct commencement date – whether periods of unpaid leave to be excluded for the purposes of continuous service – whether discretion exists to take account of the fairness of the circumstances – minimum employment period not met – no jurisdiction – application dismissed.

The applicant was an Executive Assistance/Project Coordinator at a facility providing community and residential care for Aboriginal persons in South Australia. Ms Cammarere was dismissed on 1 February 2018, after a period of around six months of employment. As such, a dispute arose as to whether the applicant had met the minimum employment period (six months) to be protected from unfair dismissal.

The applicant argued that whilst she started work on 2 August 2017, she was employed from 31 July. Further, she stated that her overtime should be counted towards her continuous service, and argued that she was not informed a day of unpaid leave would detract from her period of employment.

Her former employer however contended that the applicant had commenced on 2 August, and that the unpaid leave should be detracted and the overtime discounted.

The Commission looked at the evidence and held that given that the applicant had asked to start on, and had not attended or been paid until, 2 August, that was her commencement date. Further, the Commission stated that overtime did not extend the service period. Finally, the Commission held that the Fair Work Act states that a period of employment does not include any period of unpaid leave (albeit with a number of exclusions). As such, the applicant was found not to have met the minimum requirement and was not protected from unfair dismissal.

Commonwealth. Administrative Appeals Tribunal

11 May 2018 - *BSLR and National Disability Insurance Agency [2018] AATA 1282* - PRACTICE AND PROCEDURE – jurisdiction – characterisation of decisions under review – whether decisions under review are decisions to not review the Applicants' plans – whether decisions under review are decisions confirming the approval of the statement of participant supports in the Applicants' plans – reviewable decisions were decisions to approve statements of participant supports – internal review was sought of those decisions – internal review decisions purport to be decisions refusing to review plan – substance over form – decisions under review properly construed as decision confirming the reviewable decisions approving the statements of participant supports.

15 May 2018 - *FJKH and National Disability Insurance Agency [2018] AATA 1294* - NATIONAL DISABILITY INSURANCE SCHEME – Jurisdiction – Where Agency experiences delay in making an

internal review decision – Whether as 'soon as reasonably practicable' is a 'period prescribed' – Whether a decision may be deemed to have been made due to the Agency's failure to make a decision as 'soon as reasonably practicable' – Whether the Agency loses the power to make an internal review decision after a reasonably practicable period elapses and an application is made to the Tribunal – 'As soon as reasonably practicable' is an ascertainable timeframe and a 'period prescribed'.

Commonwealth. Fair Work Commission

11 May 2018 - [HEALTHSCOPE – NSW – HEALTH PROFESSIONALS & SUPPORT SERVICES AGREEMENT – 2017-2021 \[2018\] FWCA 2675](#) - Application for approval of the Healthscope - NSW - Health Professionals & Support Services Agreement - 2017-2021.

14 May 2018 - [Ms Nektaria Natoli v Anglican Community Services t/a Anglicare \[2018\] FWC 2180](#) - Application for an unfair dismissal remedy – dismissal of supervisor at aged care facility – allegations of serious misconduct – breaches of social media and bullying and harassment policies and the Agreement – offensive and threatening text messages and Facebook post sent by the applicant in response to partner's damaged car – no evidence that recipient of text messages and subject of Facebook post caused the damage to the car – admissions of applicant – assumption of guilt based on earlier incidents – applicant the employee's supervisor – investigation of allegations – meetings with applicant and Union representative – no contrition or apology – applicant claimed no training on social media policies or bullying and harassment policies – claims of excessive workload not made out – incident not 'heat of the moment' in anger – deliberate intention to scare employee – priority on harshness of dismissal – one prior warning now disputed – long period of exemplary service – awards and commendations – valid reason for dismissal – breaches of policies and Agreement – options other than dismissal such as mediation inappropriate – comparable alternative employment – no issues of procedural unfairness – mitigating factors do not outweigh seriousness of the allegations and lack of contrition – dismissal not harsh, unjust or unreasonable – application dismissed.

14 May 2018 - [Corumbene Nursing Home For The Aged Inc., Nurses Enterprise Agreement 2017 \[2018\] FWCA 2691](#) - Application for approval of the Corumbene Nursing Home for the Aged Inc., Nurses Enterprise Agreement 2017.

15 May 2018 - [Royal Flying Doctor Service Of Australia, Central Operations Aircraft Engineers Enterprise Agreement 2018 \[2018\] FWCA 2717](#) - Application for approval of the Royal Flying Doctor Service of Australia, Central Operations Aircraft Engineers Enterprise Agreement 2018.

16 May 2018 - [Glenelg Community Hospital Nursing Employees Australian Nursing And Midwifery Federation Enterprise Agreement 2017 \[2018\] FWCA 2711](#) - Application for approval of the Glenelg Community Hospital Nursing Employees Australian Nursing and Midwifery Federation Enterprise Agreement 2017.

New South Wales (NSW)

16 May 2018 - [Winter v Nemeth \[2018\] NSWSC 644](#) - CONTRACTS – Formation - written contract - oral contract - intention to create legal relations – promises made - performance of work - clerical assistance presumptions - Family Court proceedings - nature of friendship - reasonable person - damages.

17 May 2018 - [Health Care Complaints Commission v Chen \[2018\] NSWCATOD 73](#) - PROFESSIONS AND TRADES – Medical practitioner – prescribing drugs for depression where no authorisation existed for the use of such drugs for depression – practitioner failing to adequately investigate medical history of patients – practitioner prescribing only such drug without regard to alternative-treatments – practitioner claiming to act as prescribe of such drug and not acting as medical practitioner – failing to have any follow up investigation of patients – prescribing drug for home use without regard to vulnerability of patients.

17 May 2018 - [Mark Woodman v South Eastern Sydney Area Health Service \[2018\] NSWIRComm 1025](#) - Practice and procedure – repeated failure to comply with directions – duty of parties and their lawyers to assist in the just cheap and quick resolution of proceedings hearing dates twice vacated due to applicant's default – prejudice to respondent and other parties.

Victoria

11 May 2018 - [Angels Health Services Australia Pty Ltd v Whitehorse CC \[2018\] VCAT 71](#) - Issuance of Permit.

LEGISLATION

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

Commonwealth

18 May 2018 - [National Disability Insurance Scheme \(Incident Management and Reportable Incidents\) Rules 2018](#) F2018L00633 - as made.

18 May 2018 - [National Disability Insurance Scheme \(Complaints Management and Resolution\) Rules 2018](#) F2018L00634 - as made.

18 May 2018 - [National Disability Insurance Scheme \(Restrictive Practices and Behaviour Support\) Rules 2018](#) F2018L00632 - as made.

18 May 2018 - [National Disability Insurance Scheme \(Provider Registration and Practice Standards\) Rules 2018](#) F2018L00631 - as made.

18 May 2018 - [National Disability Insurance Scheme \(Quality and Safeguards Commission and Other Measures\) Transitional Rules 2018](#) F2018L00630 - as made.

18 May 2018 - [National Disability Insurance Scheme \(Code of Conduct\) Rules 2018](#) F2018L00629 - as made.

16 May 2018 - [National Health \(Pharmaceutical Benefits\) Amendment \(Safety Net\) Regulations 2018](#) F2018L00621 - as made.

18 May 2018 - [National Disability Insurance Scheme \(NDIS Provider Definition\) Rule 2018](#) F2018L00628 - as made.

18 May 2018 - [National Disability Insurance Scheme \(Specialist Disability Accommodation Conditions\) Rule 2018](#) F2018L00627 - as made.

18 May 2018 - [National Disability Insurance Scheme Amendment \(Specialist Disability Accommodation - Participating Jurisdictions\) Rule 2018](#) F2018L00626 - as made.

New South Wales (NSW)

16 May 2018 - [Health Legislation Amendment Bill \(No 2\) Bill 2018](#) - Second Reading Speech - Council.

17 May 2018 - [Public Health Amendment \(Safe Access to Reproductive Health Clinics\) Bill 2018](#) - Second reading speech.

Western Australia (WA)

18 May 2018 - [Health Practitioner Regulation National Law \(WA\) Amendment Act 2018](#) - Section 38 commences.

REPORTS

Australia. Department of Health

Consultations

2 May 2018 - [National Strategic Approach to Maternity Services](#) - An initial consultation paper has been prepared to seek stakeholder views on the design of NSAMS. Closes 18 June 2018.

Media releases

17 May 2018 - [Artificial heart technology gets federal funding](#) - The Australian Government is helping to fund a revolutionary artificial heart technology that has the potential to save the lives of millions of people worldwide who cannot access heart transplants.

17 May 2018 - [Genomics Health Futures Mission expert advisory committee appointed](#).

17 May 2018 - [Professor Anne Kelso reappointed NHMRC CEO](#).

17 May 2018 - [Protecting older Australians in aged care facilities](#) - The Australian Government is taking further action to protect older Australians, with an investment of nearly \$2 million going into research to tackle the threat of antimicrobial resistance in aged care facilities.

16 May 2018 - [\\$6 million for Monash Partners Academic Health Science Centre](#) - The Australian Government is providing \$6.1 million to the Monash Partners Academic Health Science Centre to support important health and medical research.

16 May 2018 - [AFL superstar joins push to get more Aussies into clinical trials](#) - The Australian Government is launching a national awareness campaign to get to get more Australians into ground-breaking clinical trials, opening up access to life-saving new medicines and treatments.

15 May 2018 - [Australian Government Gives Older Australians More Choices for a Longer Life](#) - The Australian Government is making a strong investment in Australia's future through the More Choices for a Longer Life package to help people remain independent, healthy and connected through their later years.

15 May 2018 - [Consultations on Location of New Aged Care Places](#) - Ensuring thousands of new residential aged care places are located where they are most needed is the aim of a national consultation process underway from 15 May 2018.

15 May 2018 - [Stronger Rural Health Strategy to support more doctors in Flynn](#) - Attracting more doctors to the Calliope and Gladstone region was front and centre in discussions led by the Member for Flynn Ken O'Dowd following the Minister for Rural Health, Senator Bridget McKenzie's visit to the region on Tuesday 15 May 2018.

15 May 2018 - [Wanted: The Next Generation of Young Aged Care Leaders](#) - Aged Care Minister Ken Wyatt AM is calling on young Australians to consider diverse and exciting new careers in the rapidly growing aged care sector.

14 May 2018 - [\\$6 million for Melbourne Academic Centre for Health Research](#) - The Australian Government is providing \$6.1 million to the Melbourne Academic Centre for Health to support vital ongoing health and medical research being undertaken by the centre.

14 May 2018 - [Connected Beginnings to help families, children in Mt Druitt and Doonside](#) - Families in Mt Druitt and Doonside will now have access to the Australian Government's community based Connected Beginnings program, which connects health care, early childhood education and family support services to give local children the best possible start in life.

14 May 2018 - [Draft National Action Plan for Endometriosis released for consultation](#) - The Australian Government has released the initial draft National Action Plan for Endometriosis and called for further public input.

14 May 2018 - [Government Budget initiative to train and retain country doctors](#) - An Australian Government investment of more than \$95 million to set up the Murray-Darling Medical Schools Network will transform rural medical school training.

14 May 2018 - [More support for suicide prevention programs](#) - The Australian Government is extending a ground-breaking suicide prevention trial by a further year with a \$13 million investment to ensure local communities have more time to trial services and report on what works.

11 May 2018 - [Better health outcomes through My Health Record](#) - The My Health Record system is delivering better health outcomes for patients and their treating doctors and specialists.

Private Health Insurance Circulars

11 May 2018 - [PHI 30/18 Hospital Declaration](#).

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

18 May 2018 - [Communiqué from the Board](#) - The Physiotherapy Board of Australia releases its latest communiqué.

17 May 2018 - [Nurse becomes 700,000th registered health practitioner](#) - AHPRA and the National Boards have welcomed the 700,000th health practitioner registered in Australia since the start of national regulation in 2010.

17 May 2018 - [Results of intern survey released](#) - The Australian Medical Council (AMC) and Medical Board of Australia (MBA) undertook a survey of interns in September 2017, designed to assess how well medical school prepares students for their internship.

17 May 2018 - [Nurses and midwives reminded to renew by 31 May](#) - Nurses and midwives have two weeks to renew registration and avoid paying a late fee.

17 May 2018 - [The standards all paramedics will need to meet for registration have been released](#) - New national registration standards for paramedics take effect today in readiness for the national registration of all paramedics.

16 May 2018 - [New tool about testimonials to help advertisers 'get it right'](#) - A new tool to help practitioners and advertisers understand their obligations about using testimonials and reviews to advertise regulated health services is now available.

14 May 2018 - [Communiqué from the Board](#) - The Chinese Medicine Board of Australia releases its May 2018 communiqué.

11 May 2018 - [Newsletter from the National Board](#) - The Optometry Board of Australia releases its latest newsletter.

Australia. National Health and Medical Research Council (NHMRC)

16 May 2018 - [AFL superstar joins push to get more Aussies into clinical trials](#) - The Turnbull Government is launching a national awareness campaign to get to get more Australians into ground-breaking clinical trials, opening up access to life-saving new medicines and treatments. The Helping Our Health awareness campaign will be led by four-time AFL premiership player and Hawthorn Football Club Captain, Jarryd Roughead

Australia. National Mental Health Commission

15 May 2018 - [Tips to access the NDIS for mental health support](#) - Easy to understand information is now available for people with a psychosocial disability, their supporters and service providers on how to access supports through the National Disability Insurance Scheme (NDIS).

Australia. Therapeutic Goods Administration (TGA)

16 May 2018 - [AFL superstar joins push to get more Aussies into clinical trials](#) - The Turnbull Government is launching a national awareness campaign to get to get more Australians into ground-breaking clinical trials, opening up access to life-saving new medicines and treatments. *The Helping Our Health* awareness campaign will be led by four-time AFL premiership player and Hawthorn Football Club Captain, Jarryd Roughead. Roughead will be the official ambassador for the campaign and signed up after gaining an understanding of the importance and benefits of clinical trials following his own health scare. In 2016 Roughead received news that a melanoma on his lip – detected and removed in 2015 – had spread. A biopsy confirmed four small spots on Roughead's lungs were cancerous. Jarryd's treating doctor Professor Grant McArthur from Peter MacCallum Centre, suggested that Jarryd consider a new immunotherapy treatment that was at the time being tested in clinical trials.

Australian Commission on Safety and Quality in Health Care

14 May 2018 - On the Radar – Issue 369 ([PDF 282KB](#)) ([Word 674KB](#)).

Publication

16 May 2018 - [User-applied Labelling Standard issues register](#) - The Labelling Standard issues register records implementation issues that cannot be answered by the Labelling Standard or related support materials: User-applied Labelling Standard Issues Register ([PDF 523KB](#)) ([WORD 1MB](#)).

Australian Competition and Consumer Commission

11 May 2018 - **HCF authorised to set capped prices for dental services** - The ACCC has authorised health insurer HCF and participating dentists to agree on a maximum price for some dental services provided to HCF members.

HCF intends to open its own dental clinics in locations where it already runs its 'More For Teeth' program.

Under the More For Teeth program, participating dentists cap fees for HCF members for a limited number of basic preventative and diagnostic dental services, enabling HCF to offer 'no gap' arrangements at participating dentists.

The authorisation allows HCF to set the same fees at its new clinics as members are charged by dentists in the More For Teeth program.

On 5 March 2018 the ACCC issued a **draft determination** proposing to grant authorisation for ten years, but it has ultimately decided to authorise for five years instead.

Australian Digital Health Agency

14 May 2018 - **My Health Record opt out date announced** - More than five million Australians already have a My Health Record, which provides a summary of their key health information, delivering better health outcomes for patients and their treating doctors and specialists.

Every Australian will be offered a My Health Record unless they choose not to have one during the three month opt out period that will run from 16 July to 15 October 2018.

The My Health Record system and opt out process has the full support of all state and territory governments, who unanimously agreed to this plan in August 2017 at COAG Health Council.

Australian Institute of Health and Welfare (AIHW)

16 May 2018 - **Falls most common cause of hospitalised injury—with numbers rising** - More Australians are being hospitalised for injuries, with falls and transport crashes remaining the leading cause of injuries, according to a new report by the AIHW.

The report, *Trends in hospitalised injury, Australia 1999–00 to 2014–15*, shows falls account for almost half (41%) of all hospitalised injuries, followed by transport crashes (12%).

'The number of hospitalised injury cases rose from 327,000 in 1999–00 to 480,000 in 2014–15,' said AIHW spokesperson Professor James Harrison.

11 May 2018 - **datasets for the My Health Record secondary use of data** - The AIHW is proud have been selected to manage and release datasets for My Health Record secondary use of data.

Australian Capital Territory (ACT). Health Directorate

12 May 2018 - **A new facility for Winnunga as they celebrate 30 years** - The Winnunga Aboriginal Health Service, which is celebrating 30 years of excellence this weekend, will soon be able to continue to do its important work in a brand new facility with support from the ACT Government.

Minister for Health and Wellbeing Meegan Fitzharris and Minister for Aboriginal and Torres Strait Islander Affairs Rachel Stephen-Smith will join Winnunga Nimmityjah Health and Community Services and the ACT Aboriginal and Torres Strait Islander Elected Body on Saturday to reaffirm the ACT Government's commitment to the service, which delivers on an election promise for a new Winnunga Nimmityjah facility.

'Winnunga Nimmityjah plays such an important role in our community and delivers quality health services to Aboriginal and Torres Strait Islander people in our region every day,' Minister Fitzharris said.

'The ACT Government's support of Winnunga Nimmityjah is long standing and I hope our partnership will grow so we can continue to focus our efforts on closing the gap in health outcomes for Aboriginal and Torres Strait Islander people.'

'I'm very pleased to announce that the \$12 million funded in last year's Budget will be provided to Winnunga Nimmityjah as grants to build a modern new facility that Winnunga Nimmityjah will own. The ACT Government will support Winnunga Nimmityjah throughout the delivery of the project.'

11 May 2018 - [Labor health funding would help hospitals in Canberra](#) - Federal Labor's pledge to restore funding for hospitals would give a big boost to the health of the Canberra community and help take pressure of our emergency departments and wait lists. Minister for Health and Wellbeing Meegan Fitzharris said the funding would mean more beds, doctors and nurses and help the ACT in its strategy to improve wait times and keep our community healthy. 'It's clear there is a lot of pressure on health systems in all jurisdictions at the moment. Demand on our health system is growing each year, and over the last three years we have seen a 23 per cent increase in the number of people presenting to the Emergency Department at Canberra Hospital.'

10 May 2018 - [Winners of the ACT Nursing and Midwifery Awards announced](#) - A clinical nurse consultant with the medical emergency team, a midwife from Calvary Public Hospital and a quality improvement clinical nursing team at the Canberra Hospital were the winners at this year's ACT Nursing and Midwifery Awards.

New South Wales (NSW). Ministry of Health

Media Releases

12 May 2018 - [Warm up with exercise, not comfort food as temps drop](#) - Health experts are urging the community to stay active by exercising for at least 30 minutes on most days to keep the extra kilos at bay in the cooler months. On the back of worldwide studies showing people putting on weight when seasons change, Professor of Medicine in the Department of Endocrinology at St Vincent's Hospital Katherine Samaras has urged people in NSW not to fall for the same trap.

11 May 2018 - [Plan to improve quality of mental health care](#) - Around-the-clock supervision of mental health units and targets to reduce the use of seclusion and restraint will be introduced under a plan to significantly improve mental health care in NSW. Minister for Mental Health Tanya Davies and Health Minister Brad Hazzard said the plan will also include mandatory public reporting of seclusion and restraint rates and more training of frontline staff.

Publications

11 May 2018 - [Influenza Surveillance Report](#).

11 May 2018 - [Communicable Diseases Weekly Report \(CDWR\)](#).

11 May 2018 - [Surveillance and monitoring weekly reports season 2017-18](#).

Policy Documents

15 May 2018 - [RN Supply and Administration of STI Therapies in Publicly Funded Sexual Health Services](#) - Document number: PD2018_014.

13 May 2018 - [Work Health and Safety: Better Practice Procedures](#) - Document number: PD2018_013.

Northern Territory (NT)

16 May 2018 - [New machine brings sole to the Alice Springs Hospital](#) - The Central Australia Health Service's Podiatry, Prosthetics and Orthotics department at the Alice Springs Hospital recently acquired an Orthema CAD/CAM Orthotic fabrication system. The technology will help to cut down the time it takes to prescribe and manufacture custom made foot orthoses for people suffering from foot problems requiring Prosthetic or Podiatry care. Thorsten Meinelt from OrthoSwiss Australia arrived in Alice Springs on 1 May to train the Podiatry, Prosthetics and Orthotics department in how to use the Orthema. They received a day of training on how to mill an insole and use the machine. Acting Manager of Podiatry, Prosthetics and Orthotics, Steven Hancox said that the machine is extremely efficient and makes it possible for the team to fit a custom made orthotic for a patient in less than an hour.

14 May 2018 - [Congratulations to the recipients of the 2018 Nursing and Midwifery Excellence Awards](#) - The 2018 Nursing and Midwifery Excellence Awards Gala Dinner was held this evening to announce the recipients of the 2018 Nursing and Midwifery Excellence Awards. This important annual event recognises and rewards the great work and achievements of nurses and midwives in the Northern Territory. Congratulations to all recipients of this year's awards of the 11 award categories across a range of nursing and midwifery specialist areas. The Northern Territory Administrator's Medal for Lifetime

Achievement in Nursing/Midwifery was presented to Ms Jan Gibbett, Clinical Nurse Manager, Outpatients Department, Top End Health Service. Ms Jan Gibbett commenced her training as a Nurse in the original Darwin Hospital in Mitchell Street on 3 January 1973, and throughout her career has shown excellence in the work she undertakes.

14 May 2018 - [A piece of history recovered](#) - The Central Australia Health Service has recovered the Tennant Creek Hospital dedication plaque, which went missing during hospital renovations some years ago. Chief Operating Officer of the Central Australia Health Service, Sue Korner said that getting the plaque back to the Tennant Creek Hospital for this year's 40th anniversary is a fantastic outcome for the Barkly community. The plaque was considered lost forever; that was until an article appeared in the media about Alice Springs resident Stuart Williams, who was selling his home full of salvaged materials.

12 May 2018 - [The Territory's Nurses and Midwives recognised with Excellence Awards](#) - The 2018 Nursing and Midwifery Excellence Awards Gala Dinner was held this evening to announce the recipients of the 2018 Nursing and Midwifery Excellence Awards.

South Australia (SA). Department for Health & Ageing

17 May 2018 - [SMS4dadsSA Launches In SA](#) - Expectant fathers will soon be able to get text messages from their unborn child, as part of an innovative new service hosted by the Women's and Children's Health Network. SMS4dadsSA is a free support service for expectant fathers being piloted by the SA Mental Health Commission, in partnership with the University of Newcastle and the Women's and Children's Health Network (WCHN). Lindsey Gough, the WCHN Chief Executive Officer, said the service would help fathers transition to parenthood by encouraging them to form a strong attachment to their child, support their partner and look after themselves.

16 May 2018 - [Taskforce To Review Pathology Test Delays](#) - A new taskforce has been established to improve SA Pathology testing times following delays to some test results since the introduction of a new pathology IT system. The taskforce will review all incidents relating to test delays that have been logged in SA Health's Safety Learning System. SA Health Deputy Chief Executive, Don Frater, said the increase in test turnaround times is largely due to complex initial data-entry requirements associated with the roll out of the new state-wide pathology recording system, EPLIS.

15 May 2018 - [Wild Mushrooms Warning](#) - As several poisonous mushroom varieties begin to pop up following recent rain, South Australians are reminded not to pick and eat wild mushrooms. SA Health's Acting Chief Medical Officer, Dr Nicola Spurrier, said more than 30 people had been admitted to South Australian hospitals for mushroom poisoning since 2015, including at least 12 children.

14 May 2018 - [South Australia's best nurses and midwives](#) - A number of packaged Al Mina Mediterranean Patisserie products are being recalled because they contain allergens, including tree nuts, sesame seeds, soybean and wheat, that aren't included on the labelling. SA Health's Director Food and Controlled Drugs, Dr Fay Jenkins, said anyone who has an allergy to almonds, soy, wheat or sesame seeds shouldn't eat the products.

11 May 2018 - [Al Mina Mediterranean Patisserie Product Recall](#) - A number of packaged Al Mina Mediterranean Patisserie products are being recalled because they contain allergens, including tree nuts, sesame seeds, soybean and wheat, that aren't included on the labelling.

SA Health's Director Food and Controlled Drugs, Dr Fay Jenkins, said anyone who has an allergy to almonds, soy, wheat or sesame seeds shouldn't eat the products.

Tasmania. Department of Health & Human Services

17 May 2018 - [Report shows there's still time to beat flu season](#) - The state's first flu report (FluTAS) shows there have been fewer cases of the flu to April 30 this year than the same time last year. This indicates that Tasmanians still have time to get vaccinated before this year's flu season hits.

Many thousands of Tasmanians have already received their 2018 flu vaccine through their GP, pharmacist or other providers.

I encourage all Tasmanians to get vaccinated to protect themselves and their loved ones, with this year's flu season expected from about July to October.

Victoria. Department of Health

Media Releases

13 May 2018 - **Designs Unveiled For Australia's First Heart Hospital** - Victorians are one step closer to getting Australia's first specialist, stand-alone heart hospital with a builder appointed and the first designs of the landmark hospital unveiled, thanks to the Andrews Labor Government.

Premier Daniel Andrews and Minister for Health Jill Hennessy today visited Monash Medical Centre to reveal new artist impressions of the world-class \$543 million Victorian Heart Hospital project.

11 May 2018 - **New Mental Health Hubs To Treat Geelong Patients Sooner** - People in Geelong needing urgent mental health treatment will now get the immediate, specialist care they need, thanks to a major investment by the Andrews Labor Government.

Premier Daniel Andrews today joined Member for Geelong Christine Couzens and specialist staff at University Hospital Geelong – one of six sites across the state set to be part of a rollout of new emergency department crisis hubs made possible by a \$100.5 million investment in the *Victorian Budget 2018/19*.

The new hub at Geelong Hospital will include separate 24-hour, short-stay units in its emergency department to treat people during times of crisis.

Health Alerts

16 May 2018 - **Concerns about lead in drinking water** - In March, the City of Greater Geelong tested a random sample of its public drinking fountains following an alert from Barwon Water regarding the level of lead in water from two fountains in the municipality. These test results found levels of lead and some other metals in some fountains above the Australian Drinking Water Guidelines (ADWG).

16 May 2018 - **New imported measles case in Melbourne** - There has been one confirmed case of measles who may have been infectious whilst at a number of places across Melbourne between 8 and 13 May 2018: The case was acquired in South-East Asia (Thailand or Vietnam).

Be alert for measles in patients presenting with a fever at rash onset, particularly if they attended the above places.

15 May 2018 - **Poisonous mushrooms growing in Melbourne** - Extreme caution is advised when picking and consuming wild mushrooms - if in doubt, don't consume. Poisonous mushrooms including Death Cap mushrooms and Yellow-staining mushrooms are currently growing around Victoria as a result of recent heavy rains. Cooking, peeling or drying these mushrooms does not remove or inactivate the poison. There is no home test available to distinguish safe and edible mushrooms from poisonous mushrooms.

Mushrooms purchased from a supermarket, greengrocer or other reputable source are safe to eat.

Western Australia(WA). Department of Health

17 May 2018 - **Nurses and midwives honoured for 50 years of service** - Marie Louise MacDonald, Chair of the WA Nursing and Midwifery Board of Australia, Maha Rajagopal, Executive Director of Nursing and Midwifery East Metropolitan Health Service and Marie Slater, Executive Director of Nursing Services North Metropolitan Health Service.

17 May 2018 - **Minister for Health: Happy 90th birthday to our Royal Flying Doctor Service** - Today, the WA Government joins partners and the people of Western Australia to offer congratulations to the Royal Flying Doctor Service (RFDS), an enduring Australian icon who are celebrating their 90th anniversary.

17 May 2018 - **Minister for Health: McGowan Government expands ear health services in the Kimberley** - Kimberley MLA Josie Farrer represented Health Minister Roger Cook at the official launch of the Earbus program in Kununurra.

15 May 2018 - **Minister for Health: WA Chief Health Officer to stand down** - Western Australia's Chief Health Officer Professor Tarun Weeramanthri will resign from his role, following a period of leave, on October 20, 2018.

14 May 2018 - **Congratulations to our outstanding nurses and midwives** - The WA health system's exceptional nurses and midwives featured prominently at the recent WA Nursing and Midwifery Excellence Awards.

14 May 2018 - **Perth Children's Hospital welcomes first patients** - Perth Children's Hospital welcomed its first patients today, marking a major milestone for paediatric healthcare in Western Australia.

13 May 2018 - **Premier, Minister for Health and Minister for Women's Interests: Family birthing centre for Fiona Stanley Hospital** - In a first for families in the south metropolitan catchment, expectant mothers will have access to midwifery led care through their antenatal, labour, birth and postnatal periods at a specialised family birthing centre. The \$1.8 million in funding provided, as part of the 2018-19 State Budget, is fulfilling the McGowan Labor Government's election promise for a family birth centre at Fiona Stanley Hospital (FSH). During what is one of the longest baby booms in the State's history, the centre will complement the hospital's service through the large number of births it will help to deliver, by providing care to women with low-risk pregnancies to have a more home-like birthing experience.

13 May 2018 - **Minister for Health: Wheatbelt palliative care nurse wins 2018 Nurse of the Year** - A specialist palliative care nurse who introduced mobile video conferencing, to enable patients to remain at home during the final stages of their care, has been named Western Australia's 2018 Nurse/Midwife of the Year. Brett Hayes, a Clinical Nurse Manager of Palliative Care in the Wheatbelt, also took top honour in the Excellence in Rural and Remote Health category at last night's WA Nursing and Midwifery Excellence Awards.

12 May 2018 - **Premier and Minister for Health: Perth Children's Hospital declared officially open for WA kids** - The McGowan Government has today officially opened Perth Children's Hospital, signalling in a new era in paediatric health care in Western Australia. The \$1.2 billion Perth Children's Hospital project is one of the largest health projects ever undertaken in WA. It will be the State's only specialist paediatric hospital and major trauma centre, providing first-class medical care to the children of WA.

11 May 2018 - **Premier and Minister for Health: Osborne Park Hospital's \$24.9 million expansion** - Osborne Park Hospital will undergo a major transformation with record funding of \$24.9 million allocated in the 2018-19 State Budget. The funding boost delivers on the McGowan Labor Government's commitment to improve the hospital's neonatal unit and expand rehabilitation services. The expansion includes a new level 2A neonatal nursery for local mothers with low to moderate risk pregnancies. The enhanced obstetric services will enable more mothers to give birth closer to where they live.

10 May 2018 - **Minister for Health and Minister for Seniors and Ageing: Collie aged care facility given new lease of life** - Aged care facilities in the South-West will receive a significant upgrade with the State Budget announcement of \$500,000 to fund an overhaul of a 64-bed aged care facility in Collie. The announcement delivers on the McGowan Government's election commitment to refurbish the accommodation at Valley View Residence, and improve the quality of aged care facilities available for the communities in Collie and surrounding areas.

10 May 2018 - **Minister for Mental Health: Additional alcohol and drug rehab services in the South-West in 2019** - More alcohol and other drug rehabilitation beds will be opened in the State's South-West from early 2019, with \$9.3 million allocated in the State Budget over the next four years to operate 33 additional treatment beds across the region.

Improvements to the service delivery approach has enabled the additional treatment beds to be made available two years earlier than previously expected. The shift from a capital build approach to a purchase of services model, also aims to allow greater flexibility in delivering treatments in areas of greatest need.

10 May 2018 - **Minister for Health: Peel Health Campus to benefit from funding boost** - The Peel Health Campus will receive an initial \$4.4 million funding boost as part of the McGowan Government's State Budget. The multimillion dollar investment in the facility will build on the Government's commitment to support services at Peel Health Campus. The funding injection will provide immediate upgrades to the car parking facilities for visitors and staff, and increase overall security and safety through an upgrade of the CCTV system and the lock-down capability.

ABOUT US

Nicholas Tyacke



Nicholas is the Head of DLA Piper's Life Sciences practice across the Asia-Pacific and leads DLA Piper's Life Sciences Intellectual Property and Regulatory practices in Australia.

Nicholas offers a level of experience unique to the Australian market, being both a US attorney and an Australian solicitor, and having spent his career advising and acting for many of the world's leading life sciences companies in those jurisdictions. Nicholas' experience includes acting in Hatch-Waxman patent disputes in the United States and in the Australian component of equivalent complex multi-jurisdictional patent disputes, including in patent disputes before trial courts, intermediate appeal courts (the United States Court of Appeals for the Federal Circuit and the Full Federal Court of Australia) and final appeal courts (the Supreme Court of the United States and the High Court of Australia) in both jurisdictions. Nicholas' experience also includes advising life sciences companies in relation to regulatory issues in Australia, including in relation to clinical trials, and managing and coordinating work for DLA Piper's life sciences clients across the Asia-Pacific.

Contact Details

T +61 2 9286 8502

nicholas.tyacke@dlapiper.com

MORE INFORMATION

Contact your nearest DLA Piper office:

BRISBANE

Level 9, 480 Queen Street
Brisbane QLD 4000
T +61 7 3246 4000
F +61 7 3229 4077
brisbane@dlapiper.com

MELBOURNE

Level 21, 140 William Street
Melbourne VIC 3000
T +61 3 9274 5000
F +61 3 9274 5111
melbourne@dlapiper.com

PERTH

Level 31, Central Park
152-158 St Georges Terrace
Perth WA 6000
T +61 8 6467 6000
F +61 8 6467 6001
perth@dlapiper.com

SYDNEY

Level 22, No.1 Martin Place
Sydney NSW 2000
T +61 2 9286 8000
F +61 2 9286 8007
sydney@dlapiper.com

www.dlapiper.com

DLA Piper is a global law firm operating through various separate and distinct legal entities.

For further information, please refer to www.dlapiper.com

Copyright © 2017 DLA Piper. All rights reserved.

If you would like to reproduce any of this publication, please contact Michael Regos on +61 3 9274 5437 or michael.regos@dlapiper.com.

[1217443106]