

Please consider my submission to amend the Health Practitioner Regulation National Law (National Law) as agreed by the Council of Australian Government (COAG) Health Council on 12 October 2018

The current legislation regarding monitoring of “substance impaired practitioners” is not in line with best practice legislation in other sectors.

As a society we need to ask ourselves frankly, why, is it considered acceptable to allow WH&S standards that border on protectionism at the expense of those within the sector and those to whom they are meant to serve?

Drug and alcohol abuse does not discriminate between any within our society regardless of whether it's your surgeon, pilot, anesthetist, nurse, paramedic, or train driver.

It's a deceptive folly to believe that you can simply spot a substance abuser or that the substance abuser is going to freely confide in a peer.

The following news article regarding an ambulance worker has been added to further elucidate the point in question. However it needs to be kept in mind that where there's a will there's a way and this can be evident in any setting where drugs are stored i.e. hospital, operating theatre, aged care facility or private practice. Checks and audits have an obvious limit in their reach to protect the practitioner from temptation, whereas a random drug and alcohol test would be of far greater significance and provide conclusive results.

“Ambulance Victoria has been convicted and fined \$400,000 for failing to keep proper checks on its morphine and fentanyl supplies. The organization pleaded guilty to failing to provide a safe working environment and failing to ensure volunteer officers were not exposed to risks. The outcome follows an investigation into a paramedic who was found dead in 2015, with fentanyl and morphine in his system. The paramedic was a team manager with 30 years' experience, and the only employee working at the station, when he was found dead at Heywood near Portland. His death was caused by mixed drug toxicity. Ambulance Victoria was sentenced on Thursday after pleading guilty in Warrnambool Magistrates Court to two breaches of workplace health and safety laws. It followed a Work Safe investigation into its management of scheduled medication. The court was told Ambulance Victoria had exposed the paramedic and volunteer officers at the station to health and safety risks by failing to minimize the potential for illicit access to morphine and fentanyl. While systems were in place to manage the strong painkillers and the team manager audited these, checks on these audits by an area manager weren't done as often as required. Ambulance Victoria said that since the incident, it had made significant changes to strengthen its management of scheduled drugs. This included increasing drug security and auditing, a new professional conduct unit and random drug testing throughout the service. "The thoughts of the staff of Ambulance Victoria remain with the family and friends of our colleague," the organization said in a statement on Friday”.

The question that I have submitted for serious consideration to all policy makers is why not have legislated mandatory genuine random drug and alcohol testing of all AHPRA registered practitioners?

WHY NOT?

Annette Yvonne Attard (Retired EN/RN 1981-2017)

[REDACTED]

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Joy Ellis (retired Hospital Trained RN 1967 to 1999)

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Footnotes

Australian Associated Press

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