

From: [CHQ_HHS](#)
To: [Health_Communities_Disability_Services_and_Domestic_and_Family_Violence_Prevention_Committee](#)
Cc: [CHQ_HHS](#)
Subject: Submission - Health Legislation Amendment Bill 2019 - Children's Health Queensland Hospital and Health Service (CHQ)
Date: Thursday, 12 December 2019 3:46:03 PM

Dear Mr Harper,

In response to your email dated 4 December 2019, please find below CHQ's submission in relation to the *Health Legislation Amendment Bill 2019* for your attention as required.

Concerns around the language used in the drafting of sections 7(5), 19 and 22, relevant to needing to have regard to "the best interests of patients and other users of public sector health services throughout Queensland". Who are "other users of public sector health services" if they don't include patients? We will be required to take into account their best interests in making decisions but it is not clear who this is intended to include and why "users of public sector health services" are now separate to "patients".

Currently, we are required to take into account "the best interests of users of public sector health services" which would be focused on patients or consumers. Separating out to "patients" and "other users" of public sector health services and not changing all references in the HHB Act, means that there is inconsistency (see clauses 13(1)(a), (d) and (g)) and leaves some room for interpretation.

Author:

Kristina Masterman
A/Director Legal Services

[REDACTED]
[REDACTED]

Approved by:

Frank Tracey
Health Service Chief Executive
Children's Health Queensland Hospital and Health Service

[REDACTED]
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Kind regards,

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