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20 April 2017

The Research Director

Via email: hcdfsdfvpc@parliament.qld.gov.au

To whom it may concern,

Thank you for providing AMA Queensland with the opportunity to provide a submission to the *Public Health (Infection Control) Amendment Bill 2017*.

AMA Queensland is the state's peak medical advocacy group, representing over 6000 medical practitioners across Queensland and throughout all levels of the health system. We value and believe in the work doctors do, and welcome the opportunity to advocate on their behalf on this important issue.

Generally speaking, we are supportive of elements of this bill, with a few areas of concern. Clearly, AMA Queensland and its members support the overall objective of this bill, which is to help minimise the risk of infection to patients.

Improvement/Directions Notices

The bill aims to strengthen the power of Queensland Health to enforce compliance with the infection control network through the issuing of improvement notices and, in more serious cases, a directions notice, which can force a facility to cease providing health services until remedial action has been undertaken.

While AMA Queensland accepts that these kinds of notices will need to be used in serious circumstances, we question what the threshold will be before such action will be taken. It is our view that these notices should be used to help strengthen and improve adherence to the infection control network and be used as a means to help address serious systematic breaches. However, the bill as written only states that these notices can be issued if an authorised person appointed by the chief executive "reasonably believes" that a contravention of the Infection Control Management Plan (ICMP) has occurred. This gives cause for concern that one off breaches of the ICMP and even vexatious or relatively minor complaints could lead to the issuing of notices. We believe that this part of the bill needs strengthening to ensure that these notices are only issued in circumstances where there is clear evidence of serious or multiple breaches of the ICMP.

It must also be recognised that the majority of useful effort will always focus on guidance, provision of standards and correction of minor infringements without closing practices/institutions. Serious breaches will necessarily only represent a small number of instances, whereas the legislation is silent on how positive guidance and support will be provided, the nature and threshold of minor versus serious breaches and what actions for minor infringements might be taken.

Power to Enter Without Prior Notice

The bill proposes to empower authorised persons to enter health care facilities without prior notice to control an imminent infection risk if necessary, removing the 24 hour period of notification that currently exists. AMA Queensland does not support this measure as there are a number of potential consequences that could arise from such an action.

Depending on the kind of health care facility being entered, there could be a number of vulnerable patients on site at the time the inspection takes place, which could result in physical and/or mental distress for these patients. Such actions could also have a potentially disastrous impact on the corporate identity and culture of a practice, especially if the complaint or concern is found to be unsubstantiated or vexatious. This in turn would have a flow on effect on the livelihood of the practitioner and their staff. It is therefore vital that some notice be provided to a facility to allow for any appropriate provisions to be made.

Thank you again for providing us with the opportunity to provide the committee with a submission on this issue. If you require further information or assistance in this matter, please contact Mr Leif Bremermann, Senior Policy Advisor, [REDACTED].

Yours sincerely

[REDACTED]

Dr Chris Zappala
President
Australian Medical Association Queensland