

Health and Other Legislation Amendment Bill (No. 2) 2023

Submission No: 2
Submitted by: James William Jenkins
Publication: Making the submission and your name public
Attachments: See attachment
Submitter Comments:

Good afternoon

You have received this email because you have been identified as a possible stakeholder for the Health and Environment Committee's inquiry into the Health and Other Legislation Amendment Bill (No. 2) 2023.

Inquiry into the Health and Other Legislation Amendment Bill (No. 2) 2023

On 30 November 2023, Hon Shannon Fentiman, Minister for Health, Mental Health and Ambulance Services and Minister for Women, introduced the Bill into the Queensland Parliament and referred it to the Health and Environment Committee for examination and report by 8 March 2024.

About the Bill

The purpose of the Bill is to make amendments that support access to healthcare, promote quality improvement and patient safety in public health facilities, and improve the operation of health legislation in Queensland. The Bill amends:

- the *Hospital and Health Boards Act 2011* to –
 - clarify that, for the purposes of nurse- and midwife-to-patient ratios, a newborn baby should be counted as a patient when they are staying in a room on a maternity ward with their birthing parent
 - require a Quality Assurance Committee (QAC) to disclose information about a health professional to their chief executive where the QAC reasonably believes the health professional's health, conduct or performance poses a serious risk of harm to a person
 - clarify that the chief executive of Queensland Health may, after considering a report from a clinical review or health service investigation conducted in a Hospital and Health Service, take the action the chief executive considers appropriate in relation to the matters identified in the report
 - ensure key findings, recommendations and lessons learnt from root cause analyses of serious clinical incidents can be shared with relevant staff across Queensland Health
- the *Termination of Pregnancy Act 2018* and Criminal Code to –
 - allow additional health practitioners to perform early medical terminations of pregnancy through the use of termination drugs
 - make consequential amendments to the offence provision set out in the Criminal Code to align with the above change
 - provide for more inclusive language by replacing references to 'woman' with 'person' in termination of pregnancy provisions
- the *Public Health Act 2005* to exempt medical practitioners from duplicate reporting of dust lung diseases to the Queensland Notifiable Dust Lung Disease Register where there has been notification to the National Occupational Respiratory Disease Registry
- the *Mental Health Act 2016* to clarify how Mental Health Court expert reports and transcripts may be released and used.

Commented [JJ1]: Should read mother

Commented [JJ2]: Should refer specifically to the powers that exist in HED/legislation as sentence is vague.

Commented [JJ3]: To specify the definition of health professional within the definition dictionary of the legislation.

Commented [JJ4]: This was not supported by the forum held to discuss the amendment of the legislation.

The Bill, explanatory notes, and statement of compatibility with the *Human Rights Act 2019* can be accessed on the committee's [inquiry webpage](#).

Call for submissions

The committee invites submissions addressing any aspect of the Bill from all interested parties. Guidelines for making a submission to a parliamentary committee are available [here](#).

The closing date for written submissions is **10am on Monday 15 January 2024**.

Please pass this call for submissions on to anyone you believe may be interested.

How to make submission

The easiest way to make a submission to the committee's inquiry is to do it online: [Click here to make a submission](#). You can write your submission or upload a file containing your submission using this link.

To be considered by the committee, submissions **must** include:

- the author's name
- if the submission is made on behalf of an organisation, the level of approval (e.g. a local branch, executive committee or national organisation), **and**
- **at least two of the following:**
 - email address
 - mailing address, and
 - daytime telephone number.

Please note: *Your name and submission may be published on the committee's inquiry webpage, which will mean it can be viewed on the internet. You can request for your name to be withheld from your published submission, or for both your name and your submission to be kept confidential (i.e. not published). Decisions about whether and how submissions are published are at the discretion of the committee.*

Public briefing

The committee will receive a public briefing on the Bill from Queensland Health on **Thursday 14 December 2023 from 10.15 – 11.00am** at the Parliamentary Annexe, Alice Street, Brisbane. Further details will be published on the [inquiry webpage](#) soon.

The briefing will be open to the public to observe and also broadcast live on [Parliament TV](#).

Public hearing

The committee has scheduled a public hearing in Brisbane on **Thursday 1 February 2024 from 10.15am – 12.15pm** to hear from invited witnesses. If you are interested in participating in the public hearing, please indicate your availability when making a submission to the inquiry.

Further details about the public hearing will be published on the [inquiry webpage](#) as soon as possible.

Further information

Further information about the inquiry process will be provided on the committee's [inquiry webpage](#) as it becomes available.

For more information about any of the committee's activities, please visit the [committee webpage](#) or contact the committee secretariat on 07 3553 6626 or HEC@parliament.qld.gov.au.

Regards

Health and Environment Committee