

Health Legislation Amendment Bill 2025

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Submission to Health, Environment and Innovation Committee

Health Legislation Amendment Bill 2025

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Introduction

The Queensland Nurses and Midwives' Union (QNMU) thanks the Health, Environment and Innovation Committee (the Committee) for the opportunity to provide feedback on the *Health Legislation Amendment Bill 2025* (the bill).

The QNMU is Queensland's largest registered union for nurses and midwives, representing over 75,000 members. The QNMU is a state branch of the Australian Nursing and Midwifery Federation (ANMF) with the ANMF representing over 326,000 members.

Our members work in health and aged care including public and private hospitals and health services, residential and community aged care, mental health, general practice, and disability sectors across a wide variety of urban, regional, rural, and remote locations.

The QNMU is run by nurses and midwives, for nurses and midwives. We have a proud history of working with our members for over 100 years to promote and defend the professional, industrial, social, and political interests of our members. Our members direct the QNMU's priorities and policies through our democratic processes.

The QNMU expresses our continued commitment to working in partnership with Aboriginal and Torres Strait Islander peoples to achieve health equity outcomes. The QNMU remains committed to the Uluru Statement from the Heart, including a pathway to truth telling and treaty. We acknowledge the lands on which we work and meet always was, and always will be, Aboriginal and Torres Strait Islander land.

The QNMU supports in principle, the amendments to the *Hospital and Health Boards Act 2011* (the Act) and the *Tobacco and Other Smoking Products Act 1998* (TOSPA). We have provided recommendations and general comments addressing the bill's amendments to the aforementioned Acts.

Recommendations

The QNMU recommends:

- Amending the *Hospital and Health Boards Act 2011* to appoint registered practitioners to their local Hospital and Health Service.
- Amending the *Tobacco and Other Smoking Products Act 1998* to allow for seized illegal vaping goods to be immediately destroyed, and the costs for this to be recouped from the offender.

Hospital and Health Boards Act 2011

The QNMU supports the requirement to have at least one Hospital and Health Board (HHB) member be a registered health practitioner employed by the same Hospital and Health Service (HHS) for which the board is established. The amendment to the Act will provide local clinicians a greater say in the governance and delivery of public health services in their geographical area.

The QNMU continues to support that the recruitment and selection process for all HHB members must be merit-based, where the applicant meets the key attributes and key responsibilities of the role.

We contend that as there are sixteen registered health professions who are regulated under the Health Practitioner Regulation National Law, we would expect the registered practitioner HHB appointments would be from any of these professions and not confined to one or two occupations.

Furthermore, any clinician appointed to be a board member must be able to undertake all work associated with preparing and attending for board meetings in paid time away from their HHS clinical duties.

Tobacco and Other Smoking Products Act 1998

The proposed amendments to allow the seizure and quicker destruction of illegal vapes and tobacco products will address the increasing safety risks in the management, storage and disposal of these seized items.

The new provision that will order offenders pay back costs associated with enforcement and prosecution, must include an allowance for the court to consider the specific circumstances of each case in deciding the amount to be paid by the convicted person. What is deemed 'reasonable' costs to pay back will need defining and whether the offender has the resources to pay will require consideration.

The bill additionally provides minor and technical amendments to TOSPA which the QNMU broadly supports.