

**State Development and Regional Industries Committee
Health and Other Legislation Amendment Bill 2021**

**Public Briefing 14 December 2021 – Responses to Questions
on Notice**

State Development and Regional Industries Committee

Questions on Notice

1. Is Queensland the first jurisdiction in Australia to implement a health information system like The Viewer?

In 2016, Queensland was the first State or Territory in Australia to allow general practitioners (GPs) to access information held about care provided in Queensland public hospitals and clinics, such as pathology and radiology test reports, via a public sector health database. This has improved collaboration between different parts of the health system and promoted consistent, timely and more coordinated patient care.

In 2020, access to The Viewer was extended to enable nurses, midwives, paramedics and allied health professionals registered under the Health Practitioner Regulation National Law in Queensland (for example, optometrists and pharmacists) to access this important health information.

As public hospitals are a State-based responsibility, when patients transfer between hospital and community care settings, the sharing of health information for those patients and ensuring quality and continuity of care, is a State-based responsibility. Each State and Territory has its own arrangements for health practitioner access to patient healthcare information for the person's public health treatment. Historically, sharing of health information with community care settings has been a manual, paper-based process, with each State and Territory having its own procedures and confidentiality arrangements.

Most States and Territories have some form of electronic sharing of public hospital information, with results able to be emailed or shared through secure electronic transmission. The extent of access varies in each jurisdiction. Some States upload certain health information into a patient's My Health Record, while others rely on individual practitioners to request information for individual patients. Victoria advised at officer level that it is considering legislative amendments and testing the market to assess products comparable to The Viewer.

Based on the information provided by other jurisdictions, Queensland's The Viewer appears to be the most advanced and comprehensive system offered by any State or Territory in enabling sharing of health information to improve patient care.

2. To what extent would a student be involved when assisting in the performance of a termination of pregnancy?

The Bill amends the *Termination of Pregnancy Act 2018* and the *Criminal Code Act 1899* to allow students registered under the Health Practitioner National Law who are undertaking a clinical placement with a health service to assist in a termination of pregnancy.

Students will not be physically involved in a termination procedure. At no point would a student be asked to hold or use an instrument or assist in the performance of a termination. A student would observe the process.

Typically, there is a 'provider' (the medical physician) and an 'assistant' (scrub nurse/nurse) involved in a surgical termination. A student would be in the theatre observing.

In the case of a medical termination, this would again be the clinician (provider) involved and the student would be observing the process.

3. Why are the proof of identity amendments to the *Radiation Safety Act 1999* different to what is in transport legislation?

To allow for greater efficiency in the verification of a person's identity during the application process for an Act instrument under the *Radiation Safety Act 1999*, the Bill removes the requirement to prescribe types of identity documents by regulation. Instead, under the Bill, an applicant for an Act instrument will be required to prove their, or their nominated person's, identity to the satisfaction of the chief executive.

This amendment aligns with requirements under other licensing schemes in Queensland, such as weapons licensing under the *Weapons Act 1990* and driver licences under the *Transport Operations (Road Use Management – Driver Licensing) Regulation 2021* (Driver Licensing Regulation).

Queensland Health understands the Driver Licensing Regulation does not prescribe the documents relating to proof of identity an applicant may provide. Under the Driver Licensing Regulation, the chief executive of the Department of Transport and Main Roads may, by publishing a notice on the department's website, approve a way in which an application for a licence may be made, or require stated information to be included in or accompany an application (section 381).

A notice on the website may include requirements for making an application in the approved way. Under section 382 of the Driver Licensing Regulation, an application must be made in the approved form for the application, in the way approved by the chief executive under section 381(1)(a), or, if there is no approved form and no other approved way, the application is to be made in writing. The notice on the department's website may require proof of identity documents accompany the application, however, this is not stated in the Driver Licensing Regulation.

The process under the Weapons Act is similar. Under the Weapons Act and the *Weapons Regulation 2016*, an application for a licence must be made in the approved form, made personally (either at a police station or a police establishment, or in a way decided by the Queensland Police Commissioner and published on the Queensland Police Service website, including by submitting an application online), and be accompanied by the fee prescribed under a regulation, and proof of identity to the satisfaction of an authorised officer. The Weapons Regulation does not prescribe the documents relating to proof of identity an applicant may provide.