




Speech By
Ros Bates

MEMBER FOR MUDGEERABA

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HEALTH LEGISLATION AMENDMENT BILL

 **Ms BATES** (Mudgeeraba—LNP) (5.13 pm): I rise to speak to the Health Legislation Amendment Bill 2014. This bill is yet another example of the way this government and our outstanding Minister for Health are working hard to ensure that Queensland leads the nation in the regulation of health services. As a registered general nurse of over 30 years and member of the Health and Community Services Committee, I support this bill which appropriately amends past acts of this parliament to ensure their efficient operation and co-existence with other relevant legislation. This bill takes common-sense steps to amend particular acts to ensure that, as new health products emerge or regulatory frameworks are adjusted, so, too, are our laws improved to reflect and address wider trends.

This bill amends the Tobacco and Other Smoking Products Act 1998 to modernise Queensland's tobacco laws, particularly when it comes to personal vaporising devices such as e-cigarettes and smoking at schools, hospitals and prisons. Following decades of antismoking campaigns on a global scale, there can be no doubt that smoking is far less socially acceptable today than it was in the past. In recent years, e-cigarettes have emerged as a commonly used alternative to regular cigarettes as they simulate smoking but do not contain tobacco, despite the fact that their safety, quality and effectiveness as aids to quit smoking remain unproven.

As it stands, our current laws for smoke-free places do not apply to e-cigarette use. This means they can be used freely in public places and even in front of young children who could be exposed to second-hand, simulated smoke from e-cigarettes. This bill will regulate these devices and the same rules will now apply to e-cigarettes as they do to regular cigarettes, strengthening our ability to provide smoke-free environments for our nonsmokers and young people.

This bill also provides for total smoking bans at schools and hospitals including a five-metre buffer zone from their perimeter, further protecting the health of Queenslanders. Whilst I understand the premise of this, I did raise a number of issues during the committee hearings which I am sure will come as no surprise to the minister because I have raised the issues with him personally. In particular, my concern always is for staff, particularly nurses who may still smoke who need to leave the premises of a hospital to have a cigarette. I know that at Logan Hospital nurses generally congregate at the bus stop down the road. At the Gold Coast University Hospital at the moment they are currently still on the grounds but with this legislation they will be out on the road in Southport. Again, my concern is that something may happen to them while they are outside on a cigarette break and I would hate to see that happen. I raised this matter with the Private Hospitals Association too, given that it was not clear exactly who would be legally liable if a staff member were, for instance, assaulted when leaving the premises to smoke if they were not allowed to smoke on the grounds. They are just a number of issues that I have raised with the minister before, but it is a general issue that has been raised with me by nurses as well. In addition, smoking will also be banned at correctional facilities, with this bill removing an exemption that previously enabled smoking.

This bill will also work to transfer civil liability for the management of asbestos related public health risks in non-workplace settings to the state from local governments, responding to important recommendations made as part of the Queensland Ombudsman's 2013 report. This will improve the management of asbestos matters across agencies in Queensland and address the local government's lack of protection from civil liability in asbestos related matters. I also raised this as an issue with the Local Government Association. As the former shadow minister for public works, one of the issues we encountered in opposition was the fact that a lot of former QBuild staff were removing asbestos from public buildings in an unsafe manner. There are particular levels of complexity in removing asbestos, and most of the QBuild staff were at a B-grade level not an A-grade level. We had instances even here in the parliamentary precinct where high-pressure gurnis were used to hose down the building. We had some asbestos that fell down from the seventh floor onto the Speaker's Green. They were a few of the issues that we raised as well.

This bill will amend the Transplantation and Anatomy Act 1979 to facilitate national blood supply arrangements and help simplify legitimate trade of tissue based therapeutic products. This will be the first comprehensive review of the Transplantation and Anatomy Act in 35 years, and will address a number of operational issues. With technological advances and evolutions in human tissue based health technologies, it is important that this government keep up with the changing nature of this sector, and that is exactly what we are doing with this bill.

This bill makes recommended amendments to the legislative framework for root-cause analysis arising out of the 2013 report *Review of root cause analysis legislation*. It provides clarity in relation to radiation safety under the Radiation Safety Act 1999 by providing certainty surrounding the renewal of licenses and approvals and the operation of banned radiation sources and practices as well as removing redundant definitions from the act as the sector changes. As we recognise the importance of non-government service providers to providing health services to Queenslanders, this bill appropriately amends the Hospital and Health Boards Act 2011 to allow the sharing of necessary patient information with non-government service providers who provide public health services for Queensland Health. Finally, this bill corrects an anomaly in the Health Ombudsman Act surrounding the appointment of the Privacy Commissioner.

I am proud to be part of a government that recognises that, as society moves forward and advancements are made in the health sector, it is really important to make sure that our legislation is up to date, it is relevant and it provides certainty. I am also proud to have worked with the Minister for Health to ensure that Queensland's health system is no longer plagued by waste and inefficiency, as it was just three short years ago. Health care is vitally important not just to me as a registered nurse but to all Queenslanders. That is why we have worked to ensure that at hospitals like Robina Hospital in my electorate waiting times have been drastically reduced, patients are treated when they need to be and hospitals are run efficiently, effectively and locally. I congratulate the minister on the tremendous progress he continues to make, and I commend this bill to the House.