




Speech By
Ros Bates

MEMBER FOR MUDGEERABA

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HEALTH LEGISLATION AMENDMENT BILL

 **Ms BATES** (Mudgeeraba—LNP) (5.28 pm): I rise to make a contribution to the debate on the Health Legislation Amendment Bill. This bill amends a number of acts within the Health portfolio to make a series of changes. In a 19-page bill, the Food Act 2006, the Health Ombudsman Act 2013, the Pest Management Act 2001, the Public Health Act 2005 and the Transplantation and Anatomy Act 1979 are amended for reasons ranging from nutritional information labelling to hospital executive delegation and the Queensland Pap Smear Register.

In our three-month consideration of this bill, the former Health and Ambulance Services Committee compiled a report three times the size of the bill itself. As a result of serious concerns and reservations expressed by non-government members of the committee, there was no recommendation made that certain sections of the bill be passed.

What became apparent during our consideration of this seemingly uncontroversial bill and the consequences of its amendments to a number of acts was that the Minister for Health has attempted to implement a sneaky power grab for himself at the expense of openness, accountability and transparency. Buried in pages 13 to 15 of the bill are amendments to the Health Ombudsman Act 2013 which give the minister the apparently unfettered and unscrutinised ability to appoint members of the public panel.

Of equal concern are further amendments to the Hospital and Health Boards Act 2011 which will give the minister the ability to hire and fire members of hospital and health boards when he does not consider the members of the board to have the skills, knowledge or experience to perform the board's functions effectively or efficiently. This bill also allows the minister to hand-pick whomever he may like to replace them for a period up to six months. This should be a real concern for all Queenslanders, particularly those who rely on our public health system.

The Minister for Health, without any degree of oversight, without any degree of transparency and without any degree of accountability, will now have the ability to pick and choose, as he sees fit, who serves on the independent boards of our hospitals. There can be no doubt that this is a throwback to the bad old days of Labor maladministration in Health. It is a throwback to the days of centralised power in George and Charlotte streets, with no say for the experts in our local hospitals and no regard for their local experience.

These were the days that gave us the \$1.2 billion Health payroll debacle, fake Tahitian princes and a health system that, in the words of former Labor premier Anna Bligh, was a 'basket case'. Now, in a 19 page bill, another Labor government is attempting to give the Minister for Health unmitigated powers to sack and appoint members of our local hospital and health boards. In fact, the minister can feasibly sack every hospital and health board and appoint any new members based on politics or personal leanings, whenever he chooses.

Mr Costigan: Stack the team with reds.

Ms BATES: Absolutely. This betrays accepted practice for any appointments of this nature to any board, whether they are hospital and health boards or otherwise, which would ordinarily require an expression of interest process, a thorough review process and an eventual submission to and approval by cabinet. Under these changes, the minister does not require cabinet approval or any expressions of interest process for any of his appointments, paving the way for potential political misuse of these powers and a captain's call with no transparency in the appointment process.

With the Labor government having already introduced a union encouragement policy across the Queensland public sector, we have also received no reassurance that new appointments will not be union mates. My concern is that this could ultimately be an underlying attempt to take administrative power from our hospital and health boards and restore central control of our hospitals back to Charlotte Street and with the Minister for Health and Labor's union mates, and the QNU—do not forget the QNU.

The opposition, accordingly, has deep reservations about this bill. The committee could not reach an agreement on the proposed amendments to either the Health Ombudsman Act 2013 or the Hospital and Health Boards Act 2011. The non-government members remain unconvinced that the process for appointing members of the public panel and sacking and temporarily appointing members of hospital and health boards will not be open to abuse. I table the *Hansard* from our hearing where I actually raise these concerns.

Tabled paper: Extract, dated 2 December 2015, from Health Legislation Amendment Bill 2015 public briefing, pp. 7-8 [252].

As a result of our concerns, the committee recommended that amendments be included to require the relevant minister to provide notification, by way of *Gazette* notice, of temporary appointments to the public panel of assessors and the professional panel of assessors as soon as practicable after appointment in an effort to provide some transparency around the appointment process.

Throughout the committee process, non-government members were not the only ones to express serious concern over such wideranging powers for the Minister for Health. The Australian Medical Association of Queensland said they had concerns about these provisions, as currently drafted, and suggested that they would allow the minister to appoint a specific individual to the public panel to assess a specific matter. In their own words, the AMAQ said they—

... strongly believe the independence of the medical regulatory system is one of its most important features.

They went on to say—

Allowing the Health Minister to select a specific assessor would contravene this principle and undermine the independence required by the community and the profession.

Such drafting could open the provision to abuse in highly political matters and should be avoided.

In turn, this is a bill which, despite its length, has large scale and far-reaching implications for our hospital and health system. It has real consequences for principles of accountability and transparency in this state, and signals a return to the bad old days of centralised control of our hospitals from George and Charlotte streets.

It is for these reasons that we will be supporting certain aspects of the bill but cannot support the proposed amendments to the Health Ombudsman Act 2013 and the Hospital and Health Boards Act 2011. I note the minister in his speech in the second reading debate took the opportunity to table a media statement from the Gold Coast Hospital. I table that statement again.

Tabled paper: Media release, dated 25 February 2016, from Gold Coast Health, regarding mental health patients with a history of sexual offending [253].

What the statement does not confirm is whether this is the same patient who was AWOL three weeks ago and found in the grounds of the Robina State High School. The statement does not confirm that the patient was AWOL on Saturday and Sunday evenings of last weekend and was returned by the QPS on Monday. The statement does not confirm that the patient was again AWOL as late as yesterday morning at 11 am. The minister needs to go down to Robina Hospital and talk to his own staff and let them tell him what is really happening.