




Speech By
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MEMBER FOR TOWNSVILLE

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HEALTH LEGISLATION AMENDMENT BILL

 **Mr STEWART** (Townsville—ALP) (3.00 pm): I rise today to support the Health Legislation Amendment Bill 2015 as it supports government initiatives and the effective operation of the following acts: the Food Act 2006 to require fast-food chains and the like to display the nutritional information of their products; the Health Ombudsman Act 2013 and the Hospital and Health Boards Act 2011 to allow the minister to temporarily appoint persons to hospital and health boards; the Pest Management Act 2001 to enable the CE to delegate powers to appropriately qualified employees of the HHS; the Public Health Act 2005 to streamline the process for enabling registered midwives to access the Queensland Pap Smear Register; and the Transplantation and Anatomy Act 1979 to make clear understanding of the definition of ‘blood products’.

We have heard from many different speakers today and in the past regarding the impact that the Food Act amendments will have on the positive outlook for people who consume the various foods under this category. For that reason, I do not propose to continue to feast on that part of the bill—pardon the pun. Instead, I much prefer to shape my debate around the amendment to the Transplantation and Anatomy Act 1979 aspect of the bill before the House today.

The purpose of this amendment is to make clear that the definition of ‘blood products’ under section 42AB does not include cord blood—that is, blood obtained from the placenta via the umbilical cord for the collection of stem cells. Part 7 of the act clearly articulates the issue of trading tissue. Trading tissue is defined in the act as ‘an organ, blood or part of a human body or a human foetus’ or ‘a substance extracted from an organ, blood or part of a human body or a human foetus’. The definition expressly excludes immunoglobulins—

Ms Bates interjected.

Mr STEWART: I take the interjection from the most learned member—or laboratory reagents, or reference and control materials, derived wholly or in part from pooled human plasma. The issue of tissue trading is defined as ‘buying, agreeing to buy, offering to buy, holding out as being willing to buy, or inquiring whether a person is willing to sell the tissue’ and ‘selling, agreeing to sell, offering to sell, holding out as being willing to sell, or inquiring whether a person is willing to buy the tissue’.

The explanatory notes state that the cord blood is captured by the definition of ‘tissue’ and is therefore subject to trading conditions. Why is this aspect of the bill, the issue of tissue and, more specifically, stem cells, in need of change? If I may, please let me explain why stem cells are so important. Stem cells are collected from cord blood and are used to treat a range of conditions including leukaemia, lymphoma and anaemia, as well as immune and metabolic disorders.

If we look specifically at leukaemia and specifically acute leukaemia as a case in point, we see the importance of stem cells and their role in vital treatment. Acute leukaemia usually requires immediate and intensive treatment. Depending on the particular type of leukaemia and many other things about the individual patient, treatment options might include chemotherapy, steroids or a more intensive procedure such as a stem cell transplant combined with high-dose chemotherapy.

High-dose chemotherapy is the most effective currently established method to kill leukaemic cells and can cure some patients. However, it also severely damages the remaining normal blood-forming cells in the bone marrow. To replace these cells, patients are given a stem cell transplant. The cells for the transplant can be collected from the blood or bone marrow of a healthy donor. In fact, the transplant includes not only stem cells but also important immune cells that help to kill leukaemic cells. A patient's own cells can sometimes be used for the transplant, if it is possible to collect enough healthy cells before the treatment is performed. If a different donor is needed, they must match the patient's tissue type otherwise the transplanted donor cells will be attacked by the patient's immune system and therefore rejected.

Stem cells are particularly effective for treating certain types of acute leukaemia. However, the procedure is intensive and risky with the potential for substantial after-effects. Therefore, this type of stem cell transplant is only considered when standard dose chemotherapy fails to eradicate the disease.

The National Stem Cell Foundation in the USA explains the role of stem cells from cord blood in treating metabolic disorders as follows. There are thousands of metabolic disorders with symptoms that range from mild to devastating. They are difficult to diagnose because many of the symptoms mimic other diseases and often occur in combination. In general, metabolic disorders are inherited genetic defects that interfere with the body's metabolism or the process by which the body gets energy from food.

Symptoms vary from syndrome to syndrome but often include developmental delays, vision and hearing problems, loss of intellectual function, muscle weakness, seizures, abnormal movements, stunted growth, pain and shortened life span. It is not unusual for an affected child to have been misdiagnosed with cerebral palsy, autism or other conditions whose symptoms can be similar to metabolic disorders. One in every 4,000 children are affected by one of these disorders. In some cases, dietary changes and vitamin supplements may help alleviate symptoms, but there is currently no cure for metabolic disorders. A successful bone marrow or stem cell transplant may help slow or halt the progression of certain syndromes, but early diagnosis is critical to prevent irreversible disease progression.

Section 42AB of the Transplantation and Anatomy Act provides that certain entities are exempt from trading restrictions. For tissue other than blood products, an exempt entity is an entity that is party to an agreement with the Commonwealth or the state for the buying or selling of tissue and that is prescribed by regulation.

The Australian Bone Marrow Donor Registry, ABMDR, is a non-profit organisation that conducts searches for matching cord blood units. We have just heard about the importance of stem cells that are harvested from that product. The explanatory notes state that it was intended that the ABMDR be exempt under this provision for the purposes of trading in cord blood. However, it is arguable that cord blood is a blood product. Therefore, this amendment will correct that anomaly. I commend the bill to the House.