




Speech By  
**Rob Molhoek**

**MEMBER FOR SOUTHPORT**

---

Record of Proceedings, 18 April 2023

### **HEALTH AND OTHER LEGISLATION AMENDMENT BILL**

 **Mr MOLHOEK** (Southport—LNP) (6.26 pm): Madam Deputy Speaker Lui, I wish to add my congratulations to you on your elevation today to the role of Acting Deputy Speaker. I rise to speak on the Health and Other Legislation Amendment Bill 2022, which proposes largely commonsense and practical modifications to eight acts within the health portfolio. While these modifications aim to enhance our healthcare system—I note that the LNP will not oppose the bill; in fact, we made no dissenting report or statement of reservation—we must acknowledge that these amendments will not resolve the core issues affecting our health system and its workforce. I add my thanks to my fellow committee members for the work undertaken on this particular review of the legislation. I would now like to outline the main amendments in this bill and examine their potential impact on our healthcare system.

Changes to the Hospital and Health Boards Act 2011 aim to reinforce protections for the physical and mental wellbeing of public health workers. We recognise and support the outstanding efforts of our frontline health staff, particularly during the recent pandemic; however, these amendments will not tackle the underlying cause of burnout and exhaustion amongst healthcare professionals. Instead, we must address the systematic problems in our health system and empower frontline staff to create local solutions for local patients. Time permitting, I would like to speak more on that subject.

Amendments to the Public Health Act 2005 authorise the disclosure of student information from schools to Queensland Health's vision screening health service to screen children for preventable vision loss. These amendments also modernise the Queensland Cancer Register to better represent cancer incidence by extending notification requirements. The LNP obviously supports this change.

Changes to the Recording of Evidence Act 1962 seek to establish a legal framework for recording prescribed tribunal proceedings and providing access to recordings and transcripts. Modifications to the Medicines and Poisons Act 2019 focus on enhancing information disclosure concerning the approval of individuals working with medicines and poisons and administrative actions taken against those who have mishandled them. Additionally, these amendments clarify the definitions related to fumigation, pest control and primary producers.

The changes to the Mental Health Act 2016 clarify access to records or transcripts of Mental Health Review Tribunal proceedings and change the requirements for adults waiving the right to representation in such proceedings. Changes to the Radiation Safety Act 1999 introduce a new offence for failing to ensure a person does not receive an excessive dose of ionising radiation and allow exemptions for low-risk radioactive materials from current requirements. The modifications to the Transplantation and Anatomy Act 1979 alter requirements for doctors to purchase human tissue products approved by the Therapeutic Goods Administration's Special Access Scheme and ensure consistent consent processes for human tissue and organ donations across public and private hospitals. Amendments to the Water Fluoridation Act 2008 eliminate the need for water fluoridation decisions and implementation notices to be published in print newspapers.

The Health and Environment Committee has made five recommendations, including support for the bill's passage. The LNP also acknowledges the recommendation that Queensland Health consider making all basal cell carcinomas and squamous cell carcinomas notifiable cancers in future Public Health Regulation amendments given the high incidence of skin cancers in Queensland. Skin cancer, as all of us know, is one of the most prevalent cancers in our state and it is vital that we can address this. While the LNP supports the Health and Other Legislation Amendment Bill 2022, we must recognise that these amendments will not resolve the larger issues affecting our healthcare system. As an opposition we commit to working with the government to enhance our healthcare system, investing in infrastructure and the resources to support our healthcare workers and to meet the growing demands of our population.

Unfortunately, the current government has failed to work for Queenslanders in improving and fixing the burnout that is within our current healthcare system. I refer very briefly to the submission made by the Queensland nurses union. I note that in its submission it supports the amendment regarding the health and wellbeing obligations of hospital boards. To read from its submission—

This Amendment addresses a previous concern raised by the QNMU regarding the wellbeing of health staff, concern associated with significant and ongoing member feedback.

I can only wonder how often it has raised those concerns over the last 30 years with this current Labor government and its predecessors, as they have largely held control of the health system over the last 30 years. Its submission continues—

QNMU regularly runs a membership survey identifying key areas of concern by members. Over recent years workplace violence has featured with rates around and above 50% ...

More concerningly, it continues—

In the most recent 2022 survey, 78% (n=5,050) of respondents cited Dangerous Workloads, and 76% (n=4903) Moral Distress and Fatigue as key issues. This level of distress clearly will not only impact on staff, on prospective staff but also the patients in our health system and highlights why the QNMU sees the move for a formal, enforceable approach to the introduction of wellbeing plans for staff as of the highest priority.

During the course of the public briefing we were encouraged or permitted to ask questions of Queensland Health. One of the questions I raised in respect of the amendments that place an increased obligation on our health and hospital boards was this: isn't this just rules about rules? I note that the submission from the Australian Workers' Union essentially said that. It said—

... the wellbeing of Queensland's public health workforce is already dealt with in Queensland legislation. Specifically, it is the Work Health and Safety Act 2011 ...

I understand that there would be no-one in the chamber today who would be opposed to taking greater steps towards looking after the health and wellbeing of Queensland workers. I will now quote from the *Hansard* transcript from the public briefing. My comments were simply this—

I fully appreciate the need to have sound practices in place in terms of the health, safety and wellbeing of our staff.

I went on to say that, however, any general manager, CEO or board has an almost automatic obligation to look out for the best interests of their staff. That point was also raised, as I said earlier, by the Australian Workers' Union. As I said—

Isn't this just another set of rules about rules? Shouldn't we just be getting on with looking after our staff?

That is particularly interesting in light of the recent Queensland Audit Office report, *Health 2022*. It made the observation—this is a public document, so I am not quoting from anything that was discussed more recently in committee in private or in closed sessions—in its report on a page—

During 2021—22, there were large increases across all HHSs and the department in staff sick leave and overtime, and most HHSs also recorded an increase in frontline contractor expenses due to system capacity issues. The total amount of unused staff recreation leave is increasing. This indicates that the HHSs' workforce is under significant pressure.

We do need to take greater action in looking after our staff. We are dealing with significant global trends and we did hear from the Department of Health in a public briefing that the demand for labour across the world is increasing and that in America alone there are some 300,000 vacancies across health services, so we need to do better in addressing the labour force challenges that the Queensland Audit Office has raised and that this report and this legislation seek to raise, because without a clear strategy to improve staff health and wellbeing across the system we will not attract the staff we need to meet the demand.