



Speech By

**Barbara O'Shea**


**MEMBER FOR SOUTH BRISBANE**

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## **HEALTH LEGISLATION AMENDMENT BILL (NO. 2)**

### **Second Reading**

 **Dr O'SHEA** (South Brisbane—ALP) (4.23 pm): I rise today to address the Health Legislation Amendment Bill (No. 2) 2025. In addressing this bill, I would like to first acknowledge the work of my colleagues on the Health, Environment and Innovation Committee, the submitters who provided contributions and the hard work of the secretariat in supporting the committee in its review of this proposed legislation.

This bill proposes to amend four acts: the Pharmacy Business Ownership Act 2024, the Public Health Act 2005, the Queensland Mental Health Commission Act 2013 and the Radiation Safety Act 1999. The objectives of the bill include: clarifying operational requirements relating to the regulation of pharmacy business ownership in Queensland; simplifying approval processes to dispose of radioactive material; supporting the transition of the Queensland Notifiable Dust Lung Disease Register to the National Occupational Respiratory Disease Registry; and enabling sampling to detect Japanese encephalitis virus in mosquitoes. The committee received five submissions and the submissions were generally supportive of the proposed amendments.

The Pharmacy Business Ownership Act 2024, or the PBO Act, was passed in March last year, establishing the Pharmacy Business Ownership Council. The act will commence fully later this year. This bill seeks to clarify some provisions in the act to ensure that it operates as intended. Amendments to the PBO Act include the introduction of an external review process by the Queensland Civil and Administrative Tribunal for whole-of-council decisions; expanding the definition of 'core pharmacy business' to include the sale of non-prescription medicines under the supervision of a pharmacist; and ensuring that, with limited exceptions, only practising pharmacists and their close adult relatives can have ownership of, or interests in, pharmacy businesses.

In their written submission, the Pharmacy Guild of Australia advised that they fully supported the amendments proposed in the bill, stating—

These amendments are all critical to ensuring that Queensland communities and patients are protected from the increasing corporatisation of health care.

The guild recommended that the provision of clinical advice by a pharmacist be included in the definition of core pharmacy services. However, the Pharmaceutical Society of Australia supported the narrower definition contained in the act. I note that the guild also raised concerns that the tying of the definition of a supermarket to physical premises failed to address pharmacy businesses operating as online businesses.

While discussing pharmacy services, I would like to thank all the pharmacists who help vaccinate our community against the flu. It is timely that this bill should be before the parliament during a surge of flu cases across Queensland. Over 70,000 cases of influenza have been recorded across the state in

2025 with 85 per cent of those people not vaccinated. The most recent figures show over 200 people with flu in hospital and, sadly, at least 163 people have died from flu related illnesses in Queensland this year.

With vaccination providing the best defence against serious illness and hospitalisation, I wish to take this opportunity to remind everyone who may be listening to find the time to get their annual flu vaccination. It is free for all Queensland residents aged six months or older until 30 September. My husband and I received our flu vaccinations earlier this year and I urge anyone in this House who has yet to get vaccinated to attend a pharmacy and remedy that as soon as possible to ensure they keep themselves, their family and their community safe.

It is so important that we in this House listen to the experts. Whether it is the Royal Australasian College of Physicians, the Royal Australian College of General Practitioners or the Australian Medical Association Queensland, when these experts speak and tell us how to save the lives of Queenslanders we should listen. Whether it is through vaccinations or drug-checking services we need to put the lives of Queenslanders first.

At this point I would like to table an article from the *Courier-Mail* titled 'State government to introduce laws making pill testing illegal'—

*Tabled paper:* Article from the *Courier-Mail*, dated 18 September 2025, titled 'State government to introduce laws making pill testing illegal' [1283](#).

**Dr ROWAN:** Mr Deputy Speaker, I rise to a point of order on relevance. It relates to the bill that is before the House at the moment and the content of that. There have been a number of rulings and the member is now straying and being irrelevant.

**Mr de BRENNI:** Mr Deputy Speaker, I rise to a point of order. In response to the point of order by the Leader of the House, the amendments in this bill go specifically to the Public Health Act, which has objects to protect and promote the health of the Queensland public. From what I could hear, that is exactly what the member for South Brisbane was referring to: matters that are in the public domain in relation to public health. Mr Deputy Speaker, I submit to you that she is being relevant in her contribution.

**Mr DEPUTY SPEAKER** (Mr Furner): Thank you. Member for South Brisbane, you were going fine until you referred to a media article. I bring you back to relevance to the bill before the House.

**Dr O'SHEA:** Thank you. As we were talking about pharmacy services, obviously drug-checking services could easily be offered by pharmacists.

**Mr NICHOLLS:** Mr Deputy Speaker, I rise to a point of order, which goes again to relevance. The bill and the long title of the bill make no mention whatsoever of pharmacy services; they go to the Pharmacy Business Ownership Council and the structure of the Pharmacy Business Ownership Council. It is not permissible and it is not within the bill, in my submission, for the member to try to draw some line between those two issues when they are not covered by the bill itself, which goes to the structure of the ownership council and only amends that aspect of it.

**Mr de BRENNI:** Mr Deputy Speaker, I rise to a point of order. On the point of order raised by the Minister for Health, it is absurd to suggest that the point of owning and operating a pharmacy would not be to provide those sorts of services. I hear the point of order also about the restrictive nature of this bill, and of course it is clear why the Minister for Health and the LNP government chose to restrict the scope of this bill. They did not want to talk about their failures on ramping and their intervention in the appointment of the Chief Health Officer. They did not want to talk about cutting the hospital building program. This is part of a complete—

**Mr DEPUTY SPEAKER:** I have your point of order. Thank you. Is there another point of order?

**Dr ROWAN:** Mr Deputy Speaker, I rise to a point of order. In relation to the point of order from the Manager of Opposition Business, the content that he is now straying into is irrelevant to the point of order that he was trying to raise and he is straying far from—

**Mr DEPUTY SPEAKER:** I have heard you and I am going to rule now. Member for South Brisbane, I note that clause 3 of the bill before the House is to amend what is a pharmacy business. If that is the line in terms of your contribution and the delivery of your speech, I ask you to keep to that line or anything else that has relevance to the bill.

**Dr O'SHEA:** The bill also proposes amendments to the Radiation Safety Act 1999 to ensure that any person may apply for an approval to dispose of radioactive material. This amendment is necessary to rectify an inconsistency in the act, which assumes that a person seeking to apply for an approval to

dispose of radioactive material would already hold a possession licence for radioactive material. The amendment ensures that if a person needs to dispose of radioactive material and does not hold a possession licence—for example, if radioactive material is found on a property that a person has just purchased—they are able to apply for and be granted a disposal approval.

The bill also amends the Public Health Act 2005 by requiring doctors to notify occupational lung diseases to the national registry rather than the Queensland register. The Queensland Notifiable Dust Lung Disease Register was established in 2019 and mandated that specialist physicians notify any lung disease caused or made worse by work exposure to inorganic dust. This included lung cancer, asbestosis and silicosis. The register has been of paramount importance in tracking the incidence of these diseases and facilitating early detection and prevention of occupational lung disease in Queensland. The National Occupational Respiratory Disease Registry commenced last year and only requires mandatory notification of silicosis. The amendment to Queensland's Public Health Act provides for mandatory notification to the national registry by Queensland specialists of other lung diseases caused or exacerbated by occupational exposure to inorganic dust to ensure that diagnoses of the diseases currently recorded on the Queensland register will now be recorded in the national registry.

This bill also amends the Public Health Act by allowing authorised persons to leave equipment at a location to obtain samples of mosquitoes for testing for the presence of the virus that causes Japanese encephalitis. Japanese encephalitis is usually a mild disease, but it can result in severe illness. Symptoms can range from high fevers and headaches to seizures, paralysis, coma and even death. The virus is spread to humans through bites from infected mosquitoes passing on the virus from infected birds and pigs. There is a Japanese encephalitis virus vaccine which is available to people at increased risk of exposure to the virus—for example, piggery workers and vets. Japanese encephalitis virus is an increasing and significant risk in Queensland, with an outbreak in 2022 leading to five cases and one death and infection with the virus causing at least two deaths this year already. The amendment to the Public Health Act will support an effective public health response to this risk. Leaving mosquito traps in place for extended periods will ensure that sufficient sample sizes of mosquitoes are able to be collected to assist with Japanese encephalitis virus detection across the state. I support the amendments contained in this bill and support the passage of the bill.