




Speech By
Jennifer Howard

MEMBER FOR IPSWICH

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HEALTH LEGISLATION AMENDMENT BILL (NO. 3)

Second Reading

 **Ms HOWARD** (Ipswich—ALP) (4.31 pm): I rise to speak on the Health Legislation Amendment Bill (No. 3). I begin by stating that the Labor opposition supports the majority of the amendments introduced in this bill to the Assisted Reproductive Technology Act, the Private Health Facilities Act, the Transplantation and Anatomy Act and the consequential amendment to the Public Health Act. We support these changes because Labor will always back safe, equitable access to health care for all Queenslanders. On this side of the House we believe that health care must be evidence-based; it must be backed by clinicians, not politicians; and it must empower people to make informed decisions about their health care, their bodies and their families.

The amendments before us today touch on several important areas of healthcare regulation. They address teething problems in the newly introduced regulatory framework for assisted reproductive technology; they strengthen safety and compliance for cosmetic surgery; and, importantly, they create more opportunity for organ donation in Queensland—opportunities that can save lives. They are sensible reforms and we support them, but we do have serious concerns about the amendments that allow the removal of members of health boards for any reason or for no reason at all. I will come to these shortly.

Firstly, I want to talk about assisted reproductive technology, ART. Across Australia there have been several high-profile investigations and deeply distressing incidents involving ART providers. We all remember the recent case reported in the *Courier-Mail* where the wrong embryo was transferred to a patient, resulting in the birth of a stranger's baby. These are unthinkable mistakes. They cause immense trauma to families, and they are simply unacceptable with the systems and safeguards available through modern medicine.

That is why the former Labor government was proud to introduce a state-based licensing and regulatory framework for ART providers here in Queensland to ensure families can access ART safely and with confidence and that providers are held to consistent and appropriate standards. We recognise that modern families come in all shapes and sizes and we believe that all Queenslanders deserve fair and equitable access to assisted reproductive technology. I am proud of so many things in my life, but definitely my children are what I am most proud of and I want to see all Queenslanders able to do so in a safe way.

Since the commencement of the ART Act some issues have emerged in its operation. The strict application of limits on donor families and the inflexibility around donor contact information have created circumstances where families have been prevented from accessing ART simply to create a genetically related sibling. This is not fair and it is certainly not what the act intended. The bill expands the director-general's ability to grant case-by-case approvals, restoring fairness and equity. It also adjusts overly prescriptive contact information requirements, ensuring that the law continues to uphold safety

without inadvertently excluding people from treatment. The bill also clarifies transitional arrangements for individuals and families who commenced treatment before the act began. This is particularly important for same-sex couples and families with diverse structures, ensuring they are not unfairly disadvantaged. We also welcome the strengthening of inspector powers, because if concerns arise the department must have tools to properly investigate and enforce compliance.

In addition, the bill makes a number of technical but important amendments to definitions, consent requirements, storage timeframes for eggs and embryos, and the transfer of genetic material between providers. All of these refinements ensure the act operates as intended and in alignment with national accreditation standards. For these reasons we support the ART amendments.

Cosmetic surgery continues to grow in popularity, and with that comes a significant responsibility to ensure safety, competence and transparency. The amendments to the Private Health Facilities Act bring Queensland into line with national cosmetic surgery standards across the nation. These reforms ensure that procedures are provided in a safe, regulated environment, that clinicians meet appropriate professional standards and that information can be shared with other government entities where required in the public interest. People are entitled to make choices about their own health care. It is our role to ensure the system around them is safe, evidence-based and expert-led, so we support those amendments.

To donate an organ is to donate life. In 2024 more than 1,300 people across Australia were given a second chance at life through organ donation, yet here in Queensland more than 1,800 people remain on transplant waiting lists. I know someone very well who went through this and it is heartbreaking. Last year, of those 1,800 people only 96 people met the criteria to donate. That gap is heartbreaking and it is urgent. The amendments in this bill provide legal clarity for interventions following circulatory death where next of kin have already consented. This ensures clinicians can undertake blood tests and other procedures necessary to assess viability and make a match, so they will maximise opportunities for organ donation and ultimately save more Queensland lives. The Labor opposition supports them.

The opposition hold serious concerns about one section of this bill, and that is amendments giving the government power to remove board members from hospital and health boards, Health and Wellbeing Queensland, the Pharmacy Business Ownership Council and hospital foundation boards for any or no reason. We are deeply concerned that this is simply a mechanism for the Crisafulli LNP government to sack hardworking, qualified board members so they can continue their jobs for mates hiring spree. In just one year the LNP has clocked up more than 60 jobs for mates, handing out cushy positions to friends, donors, associates and even former LNP MPs, and now they want unchecked power to extend that practice into Queensland's health governance structures. Stakeholders have already raised serious alarms about this. The Queensland Law Society stated in its submission—

These amendments do not properly provide the affected individuals with natural justice or procedural fairness. They are also inherently unfair as they apply to existing office holders ...

They went on to say—

... public trust must also be predicated on appointment and termination processes that are transparent and fair. The Bill creates opaque processes ...

This is not integrity, this is not accountability and this is certainly not what Queenslanders were promised. The government claims these changes simply bring health legislation into alignment with other acts, but that argument falls apart immediately. Right now another bill before this House, the Major Sports Facilities and Other Legislation Amendment Bill, removes no-cause removal and sets clear, transparent criteria for dismissal. On one hand the LNP is saying that no-cause removal is appropriate in health; on the other they are removing it entirely in sport.

Even the government's own backbenchers through the committee process—and I want to give a shout-out to the committee that did so much work on this—flagged this inconsistency. The committee noted the government's approach was contradictory and called for consistency aligned with transparency and accountability. What we see instead is chaos, confusion and an LNP government still wearing its L-plates. This is a government making political appointments while cutting the pay of frontline cancer care workers by 25 per cent just before Christmas. Queenslanders deserve so much better.

In closing, health care must always be evidence-based, it must be expert-led and it must empower people to make informed decisions about their own health care. That is why the opposition supports the majority of the positive, sensible reforms in this bill, particularly those improving safety in ART, cosmetic surgery and organ donation. We support the bill in its current form and we hope that if the government circulates amendments in consideration in detail it does so with sufficient time for proper scrutiny. That is how democracy works; that is how a parliament should function. We hope any future

amendments strengthen healthcare access and do not deny Queenslanders their right to make informed decisions about their bodies. As the Premier and Deputy Premier recently said, health care should be between patients and their doctors. We agree wholeheartedly. Health care should be safe and equitable, and it should be evidence-based and clinician-led. It should never be ideological. Queenslanders deserve nothing less.