

AGRICULTURE AND ENVIRONMENT COMMITTEE

REPORT NO. 24, 55TH PARLIAMENT

HENDRA VIRUS EQUIVAC® VACCINE AND ITS USE BY VETERINARY SURGEONS IN QUEENSLAND

QUEENSLAND GOVERNMENT RESPONSE

INTRODUCTION

On 25 February 2016, the Legislative Assembly agreed to a motion that the Agriculture and Environment Committee inquire into and report on the Hendra virus (HeV) EquiVac® vaccine and its use by veterinary surgeons in Queensland. The Committee was asked to consider:

- the development, trials and approval processes; the incidence and impact of adverse reactions by horses following vaccination and the reporting of adverse reactions and economic impacts of the HeV EquiVac® vaccine;
- who bears the risks of HeV infection and who incurs the costs and receives the benefits from each risk mitigation option;
- whether the guidelines/procedures required for veterinarians attending horses that are not vaccinated against HeV are proportionate to the consequences;
- impacts on the equine industry and the economy arising from veterinarians applying a policy not to treat unvaccinated horses; and
- the impact of Workplace Health and Safety actions on the decision by veterinarians not to attend unvaccinated horses and results of previous Workplace Health and Safety HeV investigations where there have been human infections.

The Committee was to have reported by 22 August 2016 but on 16 August 2016 the Legislative Assembly approved an extension to the reporting deadline to 22 October 2016.

On 21 October 2016, the Committee tabled Report No. 24, Hendra virus EquiVac® vaccine and its use by veterinary surgeons in Queensland in the Legislative Assembly.

The Queensland Government response to the Report's recommendations is provided below.

RESPONSE TO RECOMMENDATIONS

Recommendation 1

Improving timeframes for exclusion testing

That the Department of Agriculture and Fisheries investigate the feasibility of a Hendra virus exclusion test capability in Townsville or Cairns to process samples from North Queensland more quickly than sending samples to Brisbane for analysis.

Queensland Government Response

The Queensland Government supports the recommendation in principle.

The Queensland Government has previously and will continue to assess the feasibility of safe and cost effective Hendra virus exclusion testing capability in North Queensland.

Due to the human health risks associated with dealing with samples that may contain Hendra virus, diagnostic testing is undertaken in laboratories with Physical Containment 3 (PC3) capability.

There are no Queensland Government PC3 laboratories in North Queensland, including those operated by Queensland Health. The Biosecurity Sciences Laboratory (BSL) located at Coopers Plains is currently Queensland's only PC3 certified veterinary diagnostic laboratory capable of conducting Hendra virus exclusion testing.

In addition to investigating safe and cost effective Hendra virus exclusion testing capability in North Queensland, the Department of Agriculture and Fisheries will continue to explore improved sample transport options to support improved timeframes for exclusion testing.

Recommendation 2

Development and evaluation of a stall side test

That the Department of Agriculture and Fisheries support the development of a rapid stall-side test for Hendra virus as a further aid to check the Hendra virus status of horses in the field, and determine whether a rapid stall side test could negate the need for HeV exclusion testing.

Queensland Government Response

The Queensland Government does not support the recommendation in full.

The Queensland Government supports technological advances in the testing for and diagnosis of Hendra virus, including the development of point of care testing. It is anticipated that it will take a number of years for suitable alternative testing methods for Hendra virus to be developed that provide assurance of appropriate safety and sensitivity and specificity (i.e. accuracy).

It is recognised that suitable rapid stall side testing, or point of care testing, may provide an acceptable screening test at a point in the future and inform risk based decision making.

The development of a new diagnostic tool will not negate the need for Hendra virus validation testing using laboratory based tests. In addition, the test platform will not replace vaccination as the single most effective way of reducing the risk of Hendra virus infection in horses.

The Queensland Government remains in favour of laboratory based Hendra virus exclusion testing in all suspected cases of Hendra virus infection.

Recommendation 3

Temperature indicators for vaccine packs

That the Department of Agriculture and Fisheries request the Australian Pesticides and Veterinary Management Authority to consider whether temperature indicators should be required to be included with Hendra virus vaccine packs given the importance of maintaining cold storage of the vaccine, including while in the field.

Queensland Government Response

The Queensland Government supports the recommendation.

The Department of Agriculture and Fisheries wrote to the Australian Pesticides and Veterinary Management Authority (APVMA) seeking advice regarding whether or not the APVMA considers temperature indicator packs necessary to manage the risks associated with decomposition of the vaccine.

The APVMA advised that the vaccine's registration was approved with a requirement that the vaccine be stored in an environment with a temperature range of 2-8°C and that these are standard storage requirements that apply to a number of vaccines and are not particular to the Hendra virus vaccine. The APVMA advised that while it is necessary to maintain the specified temperature range, the manner in which this is achieved (including the use of temperature indicators) is not specified by the APVMA.

The Department will communicate this advice with the veterinary profession through the Queensland branch of the Australian Veterinary Association, the special interest group Equine Veterinarians Australia and the Queensland Veterinary Surgeons Board.

Recommendation 4

Advising owners of vaccine information and 'off label' risks

That the Department of Agriculture and Fisheries, in conjunction with the Australian Veterinary Association, remind veterinarians of their obligations to provide Hendra vaccine information to horse owners and to advise owners of the risks to horses before administering the vaccine 'off label'. This includes administering the vaccine with other medicines.

Queensland Government Response

The Queensland Government supports the recommendation.

The Department of Agriculture and Fisheries will continue to provide advice consistent with the use of the vaccine as approved by the Australian Pesticides and Veterinary Medicine Authority (APVMA) and work with the Australian Veterinary Association and Queensland Veterinary Surgeons Board to remind veterinarians about their obligation to provide horse owners with advice about any risks associated with off label use of the vaccine.

To enable more detailed information to be provided to veterinarians about the risks associated with off label use, the department has written to the APVMA and sought advice on "off label" use of the vaccine (i.e. any use of the vaccine not in accordance with the labelled instructions).

The APVMA advised that in the case of the Hendra virus vaccine, the applicant did not provide any data that examined the efficacy and/or safety of the vaccine when used with other vaccines or chemical products, for use in sick or immunocompromised animals or for use in pregnant mares during critical stages of pregnancy.

In the absence of such data, the APVMA has indicated that they require product labels to include a precautionary statement that the efficacy and safety of the vaccine when used in these scenarios has not been studied and is not known.

The Department will communicate this advice with the veterinary profession through the Queensland branch of the Australian Veterinary Association, the special interest group Equine Veterinarians Australia and the Queensland Veterinary Surgeons Board.

Recommendation 5

Raising awareness of processes for self-reporting adverse reactions to the Hendra vaccine

That the Department of Agriculture and Fisheries explore options to raise awareness among horse owners and equestrian groups of processes for horse owners and others to self-report adverse reactions to vaccines and chemicals.

Queensland Government Response

The Queensland Government supports the recommendation.

The Department of Agriculture and Fisheries will communicate information on reporting of adverse reactions to vaccines and chemicals to the veterinary profession and horse owners through the Queensland branch of the Australian Veterinary Association, the special interest group Equine Veterinarians Australia, the Queensland Veterinary Surgeons Board and equine industry bodies.

Recommendation 6

Revision of Biosecurity Queensland guidelines

That the Biosecurity Queensland guidelines for the treatment of horses be revised to: include information on high risk areas for Hendra virus; reflect the latest research into risks for Hendra virus, and how best to manage those risks; clarify the requirements for veterinarians to wear personal protective equipment while giving Hendra vaccine to horses in accordance with workplace health and safety requirements; and clarify specific guidelines for horse care professionals other than veterinarians in accordance with standard precautions, as developed by the AVA, for all contact with horses.

Queensland Government Response

The Queensland Government supports the recommendation.

The Department of Agriculture and Fisheries is working with stakeholders to revise the guidance provided for veterinarians and other horse care professionals and provide more user-friendly information provided in fit for purpose documents.

Recommendation 7

Workplace health and safety guidelines for both low risk and high risk treatments

That as part of the revision, WH&S Queensland provide information for veterinarians and other horse care professions about Hendra virus risks and how to fulfil WH&S responsibilities while providing low risk as well as high risk treatments to horses.

Queensland Government Response

The Queensland Government supports the recommendation.

Workplace Health and Safety Queensland within the Office of Industrial Relations will review its guidance material for veterinarians and other persons potentially exposed to Hendra virus at the workplace. This will be done in a coordinated way to ensure consistency with the Hendra virus guidance being revised by the Department of Agriculture and Fisheries.

Recommendation 8

Equine industry representatives on the Hendra Working Group

That the Minister invites equine industry representatives to participate in future Hendra Virus Interagency Technical Working Group meetings to ensure guidelines regarding the treatment of horses suspected of having Hendra virus meet the needs of the equine industry.

Queensland Government Response

The Queensland Government does not support the recommendation.

The Hendra Virus Interagency Technical Working Group is comprised of technical experts from Biosecurity Queensland, Workplace Health and Safety Queensland, Queensland Health and the Australian Veterinary Association. The work done by the group is highly technical and complex and the documents produced are comprehensive and scientifically based.

The Queensland Government recognises there is a continuing need for industry representation to ensure that the technical content of the Hendra virus guidelines regarding the treatment of horses suspected of having Hendra virus meet the needs of equine industry.

The Horse Biosecurity and Market Access Liaison Group is a longstanding liaison and information sharing forum between the Department of Agriculture and Fisheries and the horse industry of Queensland and is the suitable forum to undertake this function.

Recommendation 9

Hendra virus vaccination not to be mandatory

That Hendra virus vaccination not be made mandatory but left to the discretion of equestrian event organisers to require as a condition of entry and for horse owners to decide based on risk.

Queensland Government Response

The Queensland Government supports the recommendation.

The Department of Agriculture and Fisheries has consistently recommended the use of the Hendra virus vaccine as the single most effective way of reducing the risk of Hendra virus infection in horses including recommending that owners discuss vaccination with their consulting veterinarian.

Some event organisers require Hendra virus vaccination as a condition for participating horses as part of the biosecurity plan for their event. The Government supports the right and discretion of equestrian event organisers to require vaccination as a condition of entry for equestrian events on the basis of their own informed risk assessment.

The Government also supports that owners have the discretion to decide whether or not to vaccinate their horse, taking into account the cost, biosecurity and health and safety considerations of themselves, their animals and property and the implications vaccination status may have for the use of their horse.

Recommendation 10

Promoting Hendra vaccinations of horses

That the Department of Agriculture and Fisheries promote to horse owners and equestrian groups the vaccination of horses against Hendra virus to encourage vaccination.

Queensland Government Response

The Queensland Government supports the recommendation.

The Department of Agriculture and Fisheries has repeatedly emphasised that vaccination of horses against Hendra virus is the single most effective means of preventing Hendra virus infection. The Department will continue to communicate this message to Queensland horse owners, equine event organisations and veterinarians.

The Department of Agriculture and Fisheries is working with Queensland Health in relation to learnings and communication strategies which have been successful in other vaccination campaigns.

Recommendation 11

Changes to veterinarians' workplace health and safety responsibilities

That workplace health and safety legislation be amended so that veterinarians are not responsible for creating a safe workplace for any person other than their staff and themselves when treating a horse suspected of being, or known to be, infected with Hendra virus.

Queensland Government Response

The Queensland Government does not support the recommendation.

The Queensland Government acknowledges the challenges that Hendra virus has created for the veterinary profession and the cultural changes needed for infection control and risk management since the emergence of the Hendra virus. Based on submissions made to the inquiry, there may be a level of misunderstanding about the scope of the duty of care under work health and safety laws in relation to 'other persons', such as client horse owners, affected by a veterinarian's work in providing treatment or care for a horse.

Some veterinarians are under the impression that they are responsible for the health and safety of all persons at or near a premises when there is a horse with a possible or suspected Hendra virus infection until such time as it is determined the horse is not infected. This overlooks a number of elements provided in the *Work Health and Safety Act 2011* (WHS Act), including:

- the primary duty of care of a person conducting a business or undertaking is qualified by 'so far as is reasonably practicable';
- there are concurrent duties held by other persons under the WHS Act and consideration is given to whether their actions or omissions may be relevant to any potential exposure to risk; and
- there are some matters that are beyond the capacity of a veterinarian to influence or control.

The Government does not support this recommendation on the basis that it does not have sufficient regard for the accepted precedents regarding the statutory duty of care owed to persons against harm to their health, safety and welfare arising from work being carried out by a business or undertaking. This is one of the objects of the *Work Health and Safety Act 2011* (section 3), which also provides that regard must be had to the principle that workers and other persons should be given the highest level of protection against harm to their health, safety and welfare from hazards and risks arising from work or from particular types of substances or plant as is reasonably practicable.

In consultation with veterinarians Workplace Health and Safety Queensland within the Office of Industrial Relations will review and revise guidance for veterinarians to clarify the scope of the duty of care under work health and safety legislation and the precautions considered reasonably practicable for managing Hendra virus risks.