

~~Mr FRASER: It is obviously not a revenue because it is a capital return, but that would be reflected in a future budget. Obviously, our view is that we have a legally binding agreement and we are seeking to have that performed through the Supreme Court proceedings. We will be subject to what the court decides.~~

~~Clause 115, as read, agreed to.~~

~~Clauses 116 to 156, as read, agreed to.~~

~~Schedules 1 and 2, as read, agreed to.~~

~~Schedule 3 (Dictionary)~~

~~Mr FRASER (5.31 pm): I move the following amendment~~

~~1 Schedule 3 (Dictionary)~~

~~At page 98, line 30, 'Limited'~~

~~omit, insert~~

~~'Pty Ltd'.~~

~~Amendment agreed to.~~

~~Schedule 3, as amended, agreed to.~~

Third Reading

~~Hon. AP FRASER (Mount Coot tha ALP) (Treasurer) (5.32 pm): I move~~

~~That the bill, as amended, be now read a third time.~~

~~Question put—That the bill, as amended, be now read a third time.~~

~~Motion agreed to.~~

~~Bill read a third time.~~

Long Title

~~Hon. AP FRASER (Mount Coot tha ALP) (Treasurer) (5.32 pm): I move~~

~~That the long title of the bill be agreed to.~~

~~Question put—That the long title of the bill be agreed to.~~

~~Motion agreed to.~~

MATER PUBLIC HEALTH SERVICES BILL

First Reading

Hon. S ROBERTSON (Stretton—ALP) (Minister for Health) (5.33 pm): I present a bill for an act to provide for the department and the Mater to enter into arrangements about the funding and delivery of public patient health services by Mater hospitals. I present the explanatory notes, and I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

Second Reading

Hon. S ROBERTSON (Stretton—ALP) (Minister for Health) (5.33 pm): I move—

That the bill be now read a second time.

The Mater public hospitals at South Brisbane have played an integral role in the delivery of hospital care to public patients in Queensland for many years, with the Mater Adult Hospital having been established by the Sisters of Mercy in 1911. The Sisters of Mercy operated the Mater public hospitals and the Mater private hospitals until 2001, when Mater Health Services became an incorporated body and took over the hospitals' operation.

Queensland Health has traditionally provided funding to the Mater, by way of an annual grant, for the delivery of health services to public patients at the Mater public hospitals. Since 2002, the funding arrangements have been governed by a 20-year written agreement between Queensland Health and the Mater. Also, an annual health services agreement specifies the funding levels for the year and the key measures applying to the delivery of services during the year.

The Mater Public Health Services Bill has been developed to acknowledge the special relationship between Queensland Health and the Mater and the parties' commitment to maintain and enhance the relationship. The bill aims to achieve this by establishing a statutory framework for the arrangements between the parties about the delivery of public patient services at the Mater hospitals and the funding of those services. I seek leave to have the remainder of my second reading speech incorporated in *Hansard*.

Leave granted.

The Bill, in its object clause, acknowledges the major contribution made by the Mater and the Sisters of Mercy to the delivery of public patient services. It also highlights the importance of maintaining funding and clinical viability of the services, while ensuring the most efficient and effective use of the funding.

A number of principles are set out in the Bill to guide the achievement of its main object. These include, for example, the need for Queensland Health and the Mater to use their best endeavours to ensure that the funding and delivery of public patient services serve the patients' best interests. The need to acknowledge the philosophy underpinning the delivery of health services by the Mater hospitals is also a key principle.

The Bill authorises Queensland Health's Chief Executive, acting on behalf of the State, to enter into an agreement with the Mater about the delivery of public patient services at the Mater Hospitals, and the funding of the services.

The Bill outlines the broad subject matter that the agreement may provide for and allows other matters to be included as agreed to by the parties. The matters mentioned in the Bill are modelled on those in the current 20 year agreement between the parties. They include, for example, Queensland Health's general funding obligation, the Mater's service delivery obligations and assessment of the Mater's performance.

The Bill also allows a regulation to be made about matters that must be included in the agreement relating to the funding Queensland Health must provide the Mater for staff entitlements. Queensland Health will consult closely with the Mater and other key stakeholders in the development of any such regulation that needs to be made.

Transitional provisions in the Bill ensure the existing 20 year agreement and the annual health services agreement will remain in force until they expire or are otherwise terminated. The existing agreements are taken to have been made under the Bill.

Another important element of the Bill concerns the disclosure of information. Health professionals engaged by Queensland Health and the Mater need to have access to each other's patient information systems when treating patients at their respective facilities. Disclosure of this information by Queensland Health is currently limited by confidentiality provisions in the Health Services Act. Similarly, Commonwealth privacy legislation limits disclosure by the Mater.

The Bill overcomes these barriers by allowing the disclosure of patient information to health professionals engaged by Queensland Health or the Mater, as the case may be, if the disclosure is for the care or treatment of the patient to whom the information relates.

Queensland Health and the Mater have developed a formal protocol that governs how access to this information may be given to the parties. The protocol includes arrangements to ensure that only appropriately authorised staff access the information and that they preserve the confidentiality of the information.

Mr Speaker, the Mater public hospitals are in a unique position in that they provide services exclusively to public patients but are not operated by the State, as are all public sector hospitals. This has at times led to uncertainty about their status under the Private Health Facilities Act. The Mater public hospitals are not currently licensed under that Act.

To remove any doubt about the Mater public hospitals' status, the Bill amends the Act to clarify that the Mater public hospitals are private hospitals for the Act. Amendments also make provision for the Mater public hospitals to be licensed by way of a new single licence issued by the Chief Health Officer. The new licence will cover the Mater public and private hospitals at South Brisbane and replace the existing licences for the Mater private hospitals. This will ensure that licensing standards apply to all the Mater hospitals at South Brisbane.

The Bill also includes amendments to the Child Protection Act that recognise that the Mater, through its Children's Hospitals, is a major provider of health services to children in this State and plays an active role in child protection.

The Act allows entities referred to as 'prescribed entities' to exchange, with other service providers, relevant information concerning children at risk of harm. Prescribed entities currently listed in the Act include, for example, heads of government agencies that provide services to children, and school principals. The Act gives service providers protection from liability, for example, for breach of confidentiality, if they give relevant information to a prescribed entity.

As the Mater is not a prescribed entity, some health service providers such as other private hospitals have been reluctant to give the Mater child safety-related information because of concerns about their potential liability for giving the information. To overcome this problem, the Bill includes the chief executive officer of the Mater as a prescribed entity under the relevant provisions of the Act. This will enhance the Mater's ability to provide an effective service to children in need of protection.

Mr Speaker, I look forward to Queensland Health continuing to work closely with the Mater in the delivery of health services. I commend the Bill to the House.

Debate, on motion of Mr Copeland, adjourned.

~~CRIMINAL CODE AND JURY AND ANOTHER ACT AMENDMENT BILL~~

~~Second Reading~~

~~Resumed from 26 August (see p. 2245), on motion of Mr Shine~~

~~That the bill be now read a second time.~~

~~Mr COPELAND (Cunningham—NPA) (5.35 pm): In rising to speak on the Criminal Code and Jury and Another Act Amendment Bill 2008 I want to put on record from the very beginning how disturbed I am at the lack of consultation and input this government took on before making the decision to introduce these amendments. Quite simply, there was no consultation prior to the announcement. Key stakeholders, including the Law Society, the Bar Association and the Council for Civil Liberties,~~