

# Health Legislation Amendment Bill 2015

## Explanatory Notes for amendments to be moved during consideration in detail by the Honourable Cameron Dick MP

### Title of the Bill

Health Legislation Amendment Bill 2015

### Objectives of the amendments

The amendments to be moved during consideration in detail will require the Minister to give notice of temporary appointments made to the public panel of assessors and the 16 professional panels of assessors under the *Health Ombudsman Act 2013* and to Hospital and Health Boards under the *Hospital and Health Boards Act 2011*. This will support corresponding amendments to enable the Minister to temporarily appoint persons to the public panel of assessors and to Hospital and Health Boards respectively.

The Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee (formerly the Health and Ambulance Services Committee) tabled its report on the Health Legislation Amendment Bill 2015 on 15 February 2016. The Committee recommended that amendments be included to require the Minister to provide notification, by way of gazette notice, of temporary appointments to the public panel of assessors and the professional panels of assessors as soon as practicable after the appointment. The amendments to be moved during consideration in detail implement this recommendation, and additionally provide for notification of temporary appointments to Hospital and Health Boards.

As permanent appointments to the public and professional panels of assessors and Hospital and Health Boards are made by gazette notice, the amendments will ensure that appointments, both permanent and temporary, appear in the gazette, providing greater transparency of temporary appointment processes.

### Achievement of the objectives

To achieve the policy objective, the Bill amends new section 118A and existing section 119 of the *Health Ombudsman Act 2013* and new section 24A of the *Hospital and Health Boards Act 2011* to provide that the Minister must publish notice of the appointment in the gazette as soon as practicable after making the appointment.

## **Alternative ways of achieving policy objectives**

There are no other viable alternatives that would achieve the policy objectives of this amendment.

## **Estimated cost for government implementation**

There are no costs associated with these amendments.

## **Consistency with fundamental legislative principles**

The amendments are consistent with fundamental legislative principles, as set out in section 4 of the *Legislative Standards Act 1992*.

## **Consultation**

The amendments have been made in response to the recommendation of the Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee and therefore no consultation has been undertaken.

## NOTES ON PROVISIONS

### **Amendment of clause 13 (Insertion of new s 118A)**

*Amendment 1* inserts subsection (4) into new section 118A of the *Health Ombudsman Act 2013* to provide that the Minister must publish notice of the temporary appointment to the public panel of assessors in the gazette as soon as practicable after making the appointment.

### **Amendment of clause 14 (Amendment of s 119 (Temporary appointment of panel of assessors))**

*Amendment 2* inserts '(1) Section' into page 14, line 3.

*Amendment 3* inserts subsection (4), which amends section 119 of the *Health Ombudsman Act 2013* to provide that the Minister must publish notice of the temporary appointment to a professional panel of assessors in the gazette as soon as practicable after making the appointment.

### **Amendment of clause 18 (Insertion of new s 24A)**

*Amendment 4* omits '(5) In this section –' from page 15, line 28 and inserts subsection (5) into new section 24A of the *Hospital and Health Boards Act 2011* to provide that the Minister must publish notice of the temporary appointment to a board in the gazette as soon as practicable after making the appointment. Amendment 4 also inserts '(6) In this section –' to renumber previous subsection (5) as subsection (6).