



Impact Analysis Statement

Summary IAS

Details

Lead department	Queensland Health
Name of the proposal	Health and Other Legislation Amendment Bill (No. 2) 2023
Submission type	Summary IAS
Title of related legislative or regulatory instrument	<i>Termination of Pregnancy Act 2018</i> Criminal Code <i>Hospital and Health Boards Act 2011</i> <i>Mental Health Act 2016</i> <i>Public Health Act 2005</i>
Date of issue	September 2023

For proposals noted in table below

Proposal type	Details
Regulatory proposals where no RIA is required	<p>The <i>Termination of Pregnancy Act 2018</i> will be amended to:</p> <ul style="list-style-type: none"> allow additional health practitioners to perform early medical terminations of pregnancy to improve access to safe and high-quality termination-of-pregnancy services across Queensland; and provide for more inclusive language by replacing references to ‘woman’ with ‘person’ in termination of pregnancy provisions. <p>These proposals reduce the burden of regulation and risks are addressed by ensuring only health practitioners with appropriate qualifications and training can prescribe termination drugs. No regulatory impact analysis is required under The Queensland Government Better Regulation Policy.</p> <p>The Criminal Code will be amended to:</p> <ul style="list-style-type: none"> ensure the additional health practitioners who may lawfully perform an early medical termination of pregnancy do not commit an offence; and provide for more inclusive, gender-neutral language in sections 313 and 319A which refer to the Termination of Pregnancy Act. <p>This proposal relates to general criminal laws and does not require regulatory impact analysis under The Queensland Government Better Regulation Policy.</p>



	<p>The <i>Hospital and Health Boards Act 2011</i> will be amended to:</p> <ul style="list-style-type: none"> • promote patient safety improvements and shared learnings by allowing disclosure of information from root cause analyses and Quality Assurance Committees in certain additional circumstances, with appropriate safeguards; and • clarify the circumstances where the chief executive may take appropriate action in relation to matters identified in a clinical review report or health service investigation report; and • clarify nurse and midwifery-to-patient ratio provisions to ensure postnatal inpatient care ratios could be implemented for maternity wards in the future through amendments to the <i>Hospital and Health Boards Regulation 2023</i> <p>These proposals relate to the internal management of the public sector and do not require regulatory impact analysis under The Queensland Government Better Regulation Policy.</p>
	<p>The <i>Mental Health Act 2016</i> will be amended to improve operational effectiveness of mental health legislation by authorising the release and use of Mental Health Court exhibits and transcripts for criminal proceedings in certain limited circumstances.</p> <p>This proposal relates to the administration of courts and tribunals and general criminal laws and does not require regulatory impact analysis under The Queensland Government Better Regulation Policy.</p>
	<p>The <i>Public Health Act 2005</i> will be amended to exempt medical practitioners from reporting requirements for the Queensland notifiable dust lung disease register where there has been notification to the National Occupational Respiratory Disease Registry, to avoid duplication.</p> <p>This proposal is deregulatory and does not increase costs or regulatory burden on business or the community. No regulatory impact analysis is required under The Queensland Government Better Regulation Policy.</p>

*Refer to [The Queensland Government Better Regulation Policy](#) for regulatory proposals not requiring regulatory impact analysis (for example, public sector management, changes to existing criminal laws, taxation).



Signed

[Signed by Melissa Carter]

Melissa Carter
Acting Director-General
Queensland Health

Date: 13 October 2023

[Signed by Honourable Shannon Fentiman MP]

The Honourable Shannon Fentiman MP
Minister for Health, Mental Health and
Ambulance Services and Minister for Women

Date: 13 October 2023

