

Impact Analysis Statement

A Summary Impact Analysis Statement (IAS) must be completed for all regulatory proposals. A Full IAS (see Box 1) must also be completed and attached for proposals that have significant impacts. Once completed, the IAS must be published.

Summary IAS

Details

Lead department	Queensland Health
Name of the proposal	Health Legislation Amendment Regulation (No. 2) 2023
Submission type (Summary IAS / Consultation IAS / Decision IAS)	Summary IAS
Title of related legislative or regulatory instrument	Health Legislation Amendment Regulation (No. 2) 2023
Date of issue	September 2023

Background

The purpose of the Health Legislation Amendment Regulation (No. 2) 2023 (Amendment Regulation) is to amend a range of Queensland Health subordinate legislation. This will implement contemporary public health advice and clinical practice in relation to notifiable conditions, clarify the application of a fee exemption and update references to agreements, published documents and interstate legislation.

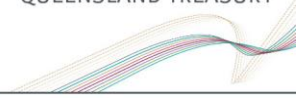
The Amendment Regulation will amend the *Public Health Regulation 2018* to:

- make Acute Post Streptococcal Glomerulonephritis (APSGN) a clinical diagnosis condition;
- remove haemolytic uraemic syndrome (HUS) as a pathological diagnosis notifiable condition;
- remove COVID-19 as a provisional diagnosis notifiable condition or a pathology request notifiable condition; and
- remove flavivirus infections and COVID-19 as conditions which are notified immediately.

The Amendment Regulation will amend the *Radiation Safety Regulation 2021* to:

- clarify that the fee exemption for applying for an additional use licence does not apply to a prescribed licensee whose only other use licence is a deemed licence; and
- remove reference to a superseded International Commission on Radiological Protection (ICRP) document and insert a reference to the replacement ICRP document.

The Amendment Regulation will amend the *Mental Health Regulation 2017*, to update the prescribed corresponding laws by replacing the reference to the *Mental Health Act 2014* (Vic) with a reference to the *Mental Health and Wellbeing Act 2022* (Vic).



The Amendment Regulation will amend the *Hospital and Health Boards Regulation 2023* to continue allowing disclosure of confidential information to Queensland Corrective Services. The amendment will update the prescribed agreement, by replacing the reference to a previous memorandum of understanding with a reference to a new information-sharing agreement.

The Amendment Regulation will amend the *Health Ombudsman Regulation 2014* to prescribe an interim prohibition order and a prohibition order issued under the *Health and Disability Services (Complaints) Act 1995* (WA) as a corresponding interstate interim order and a corresponding interstate order, respectively, under the *Health Ombudsman Act 2013*.

Proposal type	Details
<p>Minor and machinery in nature</p>	<p>Amendment to the Public Health Regulation to update the prescribed notifiable conditions. The notification requirements for several notifiable conditions will be updated to reflect clinical practice. Also, Acute Post Streptococcal Glomerulonephritis (APSGN) will be included as a notifiable condition.</p> <p>The proposal is minor and has negligible regulatory costs.</p> <p>Amendment to the Radiation Safety Regulation to clarify that the fee exemption for applying for an additional use licence does not apply to a prescribed licensee whose only other use licence is a deemed licence.</p> <p>This proposal is machinery in nature, to correct a drafting anomaly which enables a person who is a ‘prescribed licensee’ under the <i>Radiation Safety Act 1999</i> to apply for a use licence for another radiation source without having to pay an application fee.</p> <p>It was never the intention that prescribed licensees could avoid the application process, including payment of the fee, for additional use licences. The application fee covers the costs incurred by Queensland Health in assessing the suitability of a licensee to hold another use licence. The amendment will ensure all new applicants for use licences, including prescribed licensees, are required to pay the application fee for the licence.</p> <p>Amendment to the Radiation Safety Regulation, to remove the reference to a superseded document and insert a reference to the replacement document.</p> <p>The proposal is administrative and has no regulatory cost.</p> <p>Amendment to the Hospital and Health Boards Regulation, to remove the reference to a superseded prescribed agreement and insert a reference to the replacement agreement.</p> <p>The proposal is administrative and has no regulatory cost.</p>



	<p>Amendment to the Mental Health Regulation, to remove a reference to a repealed corresponding law and insert a reference to the replacement legislation.</p> <p>The proposal is administrative and has no regulatory cost.</p> <p>Amendment to the Health Ombudsman Regulation, to recognise an interim prohibition order and a prohibition order made under the <i>Health and Disability Services (Complaints) Act 1995 (WA)</i> as corresponding orders in Queensland.</p> <p>The proposal is minor and machinery in nature, and is administrative and has negligible regulatory costs.</p>
<p>Regulatory proposals where no RIA is required</p>	<p>N/A</p>
<p>Cabinet exemptions</p>	<p>N/A</p>

Signed

Michael Walsh

A/Director-General, Queensland Health

Date: 29/09/2023

Shannon Fentiman MP

Minister for Health, Mental Health and Ambulance Services and Minister for Women

Date: 6/10/2023