

Health insights

Sweeping reforms in Victoria proposed to lift hospital safety

The Victorian government has introduced a suite of legislative amendments in the form of the Health Legislation Amendment (Quality Safety) Act 2017, to help improve healthcare quality and safety across the state in both the public and private sectors.

The amendments were triggered by recommendations made by Dr Stephen Duckett in his report titled "Targeting Zero: supporting the Victorian hospital system to eliminate avoidable harm and strengthen quality of care," which followed a state-wide review into the Victorian healthcare system.

In response to the finding that the Department of Health and Human Services was not "adequately governing or overseeing the quality and safety of care being provided by Victorian hospitals,"¹ the government has introduced legislative reforms to improve governance of quality and safety in the public sector, and strengthen regulatory oversight of the private sector. The reforms also provide the government with expanded intervention powers.

Included in the changes is the introduction of a nine-year tenure limit for directors who sit on a public health sector board, together with the mechanisms to provide for appointment requirements (including composition requirements). Interestingly, some provision is made for public hospitals in rural and regional areas, where it may be more difficult to recruit replacements for long serving directors, however this is by Ministerial discretion and in 'exceptional circumstances'² only.

The private sector will also face reform, to ensure that all facilities where surgery is undertaken fall within the regulatory framework, including cosmetic surgery facilities (which will need to be registered). There will also be new mandated reporting requirements, accreditation, and mandated construction and fit out requirements to bring private hospitals in line with the mandated public hospital standards.³



By Kellie Dell'Oro, Principal
T 03 9810 6775
E kdelloro@meridianlawyers.com.au



By Anna Martin, Associate
E amartin@meridianlawyers.com.au

Both the public and private sector will face new requirements to provide information to the Secretary to the Department when directed to do so, in an effort to respond to Dr Duckett's finding that the government does not currently have the information it needs "to be satisfied hospitals are providing safe and quality care".⁴

Some of the detail of these changes will be set out in regulations to follow, but with the introduction of so many reforms including those which will bring previously unregulated facilities into the regulatory fold, it is important to watch this space over the coming months.

MERIDIAN LAWYERS REGULARLY ASSISTS PRACTITIONERS REGARDING ADVERTISING COMPLIANCE ISSUES. THIS ARTICLE WAS WRITTEN BY PRINCIPAL KELLIE DELL'ORO AND ASSOCIATE ANNA MARTIN. PLEASE CONTACT US IF YOU HAVE ANY QUESTIONS OR WOULD LIKE MORE INFORMATION.

¹ <https://www2.health.vic.gov.au/hospitals-and-health-services/quality-safety-service/better-safer-care/health-legislation-amendment-bill>

² Health Legislation Amendment (Quality and Safety) Act 2017 section 11.

³ <https://www2.health.vic.gov.au/hospitals-and-health-services/quality-safety-service/better-safer-care/health-legislation-amendment-bill>

⁴ Ibid.