2019

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Minister for Health)

Health Amendment Bill 2019

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(As presented)

(Minister for Health)

Health Amendment Bill 2019

A Bill for

An Act to amend the [Health Act 1993](http://www.legislation.act.gov.au/a/1993-13%22%20%5Co%20%22A1993-13), and for other purposes

The Legislative Assembly for the Australian Capital Territory enacts as follows:

1 Name of Act

This Act is the *Health Amendment Act 2019*.

2 Commencement

This Act commences on the day after its notification day.

Note The naming and commencement provisions automatically commence on the notification day (see [Legislation Act](http://www.legislation.act.gov.au/a/2001-14), s 75 (1)).

3 Legislation amended

This Act amends the [Health Act 1993](http://www.legislation.act.gov.au/a/1993-13).

Note This Act also amends the [Sex Work Act 1992](http://www.legislation.act.gov.au/a/1992-64) (see s 14).

4 Definitions—pt 5
Section 50, definitions of dentist, doctor and eligible midwife

omit

5 Section 50, note

substitute

Note Scope of clinical practice committee is defined for the Act in s 51.
Practitioner is defined for the Act in s 52.

6 Section 52

substitute

52 Who is a practitioner for a health facility?

 (1) In this Act:

practitioner, for a health facility, means—

 (a) a dentist for the health facility; or

 (b) a doctor for the health facility; or

 (c) an eligible midwife for the health facility; or

 (d) a nurse practitioner for the health facility.

 (2) In this section:

dentist, for a health facility, means a dentist who—

 (a) provides health services at the health facility; or

 (b) uses the equipment or other facilities of the health facility to provide health services elsewhere.

doctor, for a health facility, means a doctor who—

 (a) provides health services at the health facility; or

 (b) uses the equipment or other facilities of the health facility to provide health services elsewhere.

eligible midwife, for a health facility, means a midwife who—

 (a) is an eligible midwife within the meaning of the [Health Insurance Act 1973](https://www.legislation.gov.au/Series/C2004A00101) (Cwlth), section 21 (Meaning of eligible midwife); and

 (b) either—

 (i) provides health services at the health facility; or

 (ii) uses the equipment or other facilities of the health facility to provide health services elsewhere.

nurse practitioner, for a health facility, means a nurse practitioner who—

 (a) provides health services at the health facility; or

 (b) uses the equipment or other facilities of the health facility to provide health services elsewhere.

7 Scope of clinical practice committees—functions
Section 59 (4), definition of credential

omit

(the practitioner)

8 Complainants to remain anonymous
Section 78 (a)

omit

doctor, dentist, eligible midwife

substitute

practitioner

9 Dictionary, note 2

insert

 dentist

 doctor

 midwife

 nurse practitioner

10 Dictionary, definitions of dentist, doctor and eligible midwife

omit

11 Dictionary, new definition of practitioner

insert

practitioner, for a health facility—see section 52.

12 Further amendments, mentions of doctor, dentist or eligible midwife

omit

doctor, dentist or eligible midwife

substitute

practitioner

in

 section 50, definition of scope of clinical practice

 section 54, definition of scope of clinical practice

 section 59

 sections 65 to 74

 sections 77 and 78

 sections 130 and 131

 section 189

 dictionary, definition of scope of clinical practice

13 Further amendments, mentions of doctor’s, dentist’s or eligible midwife’s

omit

doctor’s, dentist’s or eligible midwife’s

substitute

practitioner’s

in

 section 59 (1) (c)

 section 66 (2)

 section 70 (4)

 section 73 (2) and (3)

 section 131

 section 189

14 Sex Work Act 1992
Section 2, note 1

substitute

Note 1 The dictionary at the end of this Act defines certain terms used in this Act, and includes references (signpost definitions) to other terms defined elsewhere in this Act.

 For example, the signpost definition ‘commercial brothel, for part 2 (Registration)—see section 5.’ means that the term ‘commercial brothel’ is defined in that section for part 2.

Endnotes

1 Presentation speech

 Presentation speech made in the Legislative Assembly on 15 August 2019.

2 Notification

 Notified under the [Legislation Act](http://www.legislation.act.gov.au/a/2001-14) on 2019.

3 Republications of amended laws

 For the latest republication of amended laws, see [www.legislation.act.gov.au](http://www.legislation.act.gov.au).

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