

2019

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Minister for Health)

Health Amendment Bill 2019

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(Minister for Health)

Health Amendment Bill 2019

A Bill for

An Act to amend the *Health Act 1993*, and for other purposes

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

1 **1 Name of Act**

2 This Act is the *Health Amendment Act 2019*.

3 **2 Commencement**

4 This Act commences on the day after its notification day.

5 *Note* The naming and commencement provisions automatically commence on
6 the notification day (see [Legislation Act](#), s 75 (1)).

7 **3 Legislation amended**

8 This Act amends the [Health Act 1993](#).

9 *Note* This Act also amends the [Sex Work Act 1992](#) (see s 14).

10 **4 Definitions—pt 5**
11 **Section 50, definitions of *dentist*, *doctor* and *eligible***
12 ***midwife***

13 *omit*

14 **5 Section 50, note**

15 *substitute*

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

18 **6 Section 52**

19 *substitute*

20 **52 Who is a *practitioner* for a health facility?**

21 (1) In this Act:

22 *practitioner*, for a health facility, means—

23 (a) a dentist for the health facility; or

24 (b) a doctor for the health facility; or

- 1 (c) an eligible midwife for the health facility; or
2 (d) a nurse practitioner for the health facility.
- 3 (2) In this section:
- 4 **dentist**, for a health facility, means a dentist who—
- 5 (a) provides health services at the health facility; or
6 (b) uses the equipment or other facilities of the health facility to
7 provide health services elsewhere.
- 8 **doctor**, for a health facility, means a doctor who—
- 9 (a) provides health services at the health facility; or
10 (b) uses the equipment or other facilities of the health facility to
11 provide health services elsewhere.
- 12 **eligible midwife**, for a health facility, means a midwife who—
- 13 (a) is an eligible midwife within the meaning of the *Health*
14 *Insurance Act 1973* (Cwlth), section 21 (Meaning of *eligible*
15 *midwife*); and
- 16 (b) either—
- 17 (i) provides health services at the health facility; or
18 (ii) uses the equipment or other facilities of the health facility
19 to provide health services elsewhere.
- 20 **nurse practitioner**, for a health facility, means a nurse practitioner
21 who—
- 22 (a) provides health services at the health facility; or
23 (b) uses the equipment or other facilities of the health facility to
24 provide health services elsewhere.

1 **7** **Scope of clinical practice committees—functions**
2 **Section 59 (4), definition of *credential***

3 *omit*
4 (the *practitioner*)

5 **8** **Complainants to remain anonymous**
6 **Section 78 (a)**

7 *omit*
8 doctor, dentist, eligible midwife
9 *substitute*
10 practitioner

11 **9** **Dictionary, note 2**

12 *insert*
13 • dentist
14 • doctor
15 • midwife
16 • nurse practitioner

17 **10** **Dictionary, definitions of *dentist*, *doctor* and *eligible***
18 ***midwife***

19 *omit*

20 **11** **Dictionary, new definition of *practitioner***

21 *insert*
22 *practitioner*, for a health facility—see section 52.

1 **12 Further amendments, mentions of *doctor, dentist or***
2 ***eligible midwife***

3 *omit*

4 doctor, dentist or eligible midwife

5 *substitute*

6 practitioner

7 *in*

- 8 • section 50, definition of *scope of clinical practice*
- 9 • section 54, definition of *scope of clinical practice*
- 10 • section 59
- 11 • sections 65 to 74
- 12 • sections 77 and 78
- 13 • sections 130 and 131
- 14 • section 189
- 15 • dictionary, definition of *scope of clinical practice*

16 **13 Further amendments, mentions of *doctor's, dentist's or***
17 ***eligible midwife's***

18 *omit*

19 doctor's, dentist's or eligible midwife's

20 *substitute*

21 practitioner's

22 *in*

- 23 • section 59 (1) (c)
- 24 • section 66 (2)
- 25 • section 70 (4)

- 1 • section 73 (2) and (3)
2 • section 131
3 • section 189

4 **14 Sex Work Act 1992**
5 **Section 2, note 1**

6 *substitute*

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

10 For example, the signpost definition ‘*commercial brothel*, for part 2
11 (Registration)—see section 5.’ means that the term ‘commercial brothel’
12 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](#) on 2019.

3 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.
