



AUSTRALIAN MEDICAL ASSOCIATION
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Mr Stephen Lodge
Manager
Legislation Review
Public Health
Department of Human Services
GPO Box 1670N
Melbourne VIC 3001

Dear Mr Lodge

Thank you for inviting comments about the draft Policy Paper on the Review of the *Health Act 1958*. As you are aware AMA Victoria has previously made submissions to DHS on the August 2004 Health Act discussion paper, so our comments on this occasion will be limited to new or outstanding issues.

At the outset I believe it is worth highlighting the recommendations to which AMA Victoria is opposed, the more detailed reasons are provided in the attached paper.

Medical Officer of Health (Recommendation 23)

AMA Victoria supports the retention of a legislative requirement that every municipal council must appoint a medical officer of health.

Consultative Councils (Recommendations 50-54)

AMA Victoria is greatly disappointed that DHS has failed to fulfill its previous undertakings to produce a detailed review of the key aspects of the Department's quality framework, notably confidentiality and privilege, so we are unable to support apparently ad hoc decision-making about the operation of Consultative Councils with respect to mandatory reporting of specified events and the disclosure of information to third parties. We are now also of the view that if the Consultative Councils are to continue they should be established under the *Health Services Act*, rather than a new public health Act.

Infectious Diseases Form of notification (Section 5.6)

AMA Victoria is opposed to any change to the current coding requirements and privacy precautions as relate to Group C and D notifiable diseases, as the loss of anonymity will discourage patients from attending for diagnosis and treatment, therefore increasing the risk of further transmission and the overall morbidity caused by these diseases.

HIV specific privacy provisions (Section 5.7)

As there remains considerable stigma attached to HIV infection AMA Victoria does not yet support a change to these provisions.

Once again thank you for inviting AMA Victoria comment on this important legislation. We look forward to further discussions about these contentious issues.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Paul Woodhouse', written in a cursive style.

Dr Paul Woodhouse
Director of Policy