Module	**NSW HEALTHCARE**
Jurisdictions	**NSW**
Legal Expert	**MELISSA MCGRATH**

Module Scope

Does your organisation provide health services in a private or public hospital?

Is your organisation responsible for the administration, storage, use or possession of scheduled substances (eg prescription medicines and pharmacy-only medicines)?

Does your organisation claim benefits under the Medicare Benefits Scheme (MBS) or Pharmaceutical Benefits Scheme (PBS)?

Is your organisation responsible for handling patient's personal or health information, particularly under the My Health Record scheme?

Module Application

The NSW HEALTHCARE module informs any public health entity or private hospital providing healthcare in New South Wales of what their legal obligations are and what procedures and processes they should have in place to ensure compliance.

The NSW HEALTHCARE module comprehensively covers a wide range of topics including:

- ▹ Licensing and accreditation
- ▹ Infection prevention and control
- ▹ Medication management
- ▹ Health research
- ▹ Patient care and safety
- ▹ Specific health conditions
- ▹ Privacy and information management
- ▹ Mandatory reporting obligations
- ▹ Complaints and investigations

The specific questions and answers covered by the module are:

⊳   What are the legal obligations and legal regulations?
⊳   How do the obligations and regulations apply to different health service providers?
⊳   What processes or procedures should be in place to ensure compliance?
⊳   What are the consequences if the legal obligations and regulations are breached?

The administrative obligations and regulations covered by the module include:

⊳   Licensing and accreditation to the National Safety and Quality Health Service Standards;
⊳   Requirements applying specifically to public and/or private hospitals;
⊳   Ensuring that board members comply with their duties;
⊳   Funding requirements of the NSW Department of Health;
⊳   Workforce management;
⊳   Claiming benefits and obtaining financial consent when required;
⊳   Ensuring the hospital is a safe work environment;
⊳   Maintaining clinical records and management systems;
⊳   Maintaining confidentiality of personal and health information;
⊳   Mandatory notifications;
⊳   Ensuring that health research is conducted and disseminated in accordance with the legal requirements; and
⊳   Meeting minimum standards of care when providing specialist outpatient services

The obligations and regulations relating to the treatment of patients that are covered by the module include:

⊳   Complaints, investigations and notifications;
⊳   Prevention and management of medical negligence;
⊳   Medication management;
⊳   Managing diseases and infection;
⊳   Assessing patients' capacity to provide consent;
⊳   Children's medical services and child protection;
⊳   Perioperative services;
⊳   Rehabilitation services; and
⊳   Geriatric medicine and assessment

The obligations and regulations relating to general health services that are covered by the module include:

- Ambulatory services;
- Medical imaging;
- Nuclear medicine;
- Pathology services and blood management;
- Treating alcohol and drug dependency;
- Sexual health;
- Anaesthetics;
- Emergency services;
- Intensive care; and
- Mental health

The obligations and regulations relating to specific health conditions or situations that are covered by the module include;

- Cancer;
- Perinatal care;
- Reproductive technology;
- Perioperative services;
- Surgery;
- Specialist medical services; and
- Transplant and human tissue management

The NSW HEALTHCARE module covers the roles and responsibilities of the health service provider. The module does not cover the role or actions to be taken by patients or health care recipients in the event of a breach of regulations or obligations by a health care provider.

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