



New South Wales

# Health Administration Amendment (Root Cause Analysis Teams) Regulation 2005

under the

Health Administration Act 1982

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Health Administration Act 1982*.

MORRIS IEMMA, M.P.,  
Minister for Health

## Explanatory note

The object of this Regulation is to amend the *Health Administration Regulation 2000*, as a consequence of the commencement of the provisions of the *Health Legislation Amendment (Complaints) Act 2004* dealing with root cause analysis teams, for the following purposes:

- (a) to prescribe certain statutory health corporations and affiliated health organisations as relevant health services organisations for the purpose of Division 6C (Root cause analysis teams) of Part 2 of the *Health Administration Act 1982*,
- (b) to prescribe an incident of a type set out in Appendix B to the document entitled *NSW Department of Health Policy Directive PD2005\_604 Incident Management Policy* as a reportable incident for the purpose of Division 6C of Part 2 of the *Health Administration Act 1982*,
- (c) to authorise a person who is or was a member of a root cause analysis team to divulge or communicate information acquired by him or her as a member of a RCA team if the information is divulged or communicated to a specified committee that is authorised under section 23 (1) of that Act to conduct research or investigations into certain matters.

This Regulation is made under the *Health Administration Act 1982*, including the definitions of **relevant health services organisation** and **reportable incident** in section 20L and sections 20P and 34 (the general regulation-making power).

**2005 No 385**

Health Administration Amendment (Root Cause Analysis Teams)  
Clause 1 Regulation 2005

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**Health Administration Amendment (Root Cause Analysis Teams) Regulation 2005**

under the

Health Administration Act 1982

**1 Name of Regulation**

This Regulation is the *Health Administration Amendment (Root Cause Analysis Teams) Regulation 2005*.

**2 Commencement**

This Regulation commences on 1 August 2005.

**3 Amendment of Health Administration Regulation 2000**

The *Health Administration Regulation 2000* is amended as set out in Schedule 1.

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## Schedule 1 Amendment

(Clause 3)

### Part 2A

Insert after Part 2:

## Part 2A Root cause analysis teams

### 11A Relevant health services organisation

- (1) Each of the following statutory health corporations is prescribed as a relevant health services organisation for the purpose of Division 6C (Root cause analysis teams) of Part 2 of the Act:
  - (a) Justice Health,
  - (b) The Royal Alexandra Hospital for Children.
- (2) Each of the following affiliated health organisations is prescribed as a relevant health services organisation for the purpose of Division 6C of Part 2 of the Act:
  - (a) Calvary Health Care Sydney Limited,
  - (b) Catholic Health Care Services Limited,
  - (c) Hope HealthCare Ltd,
  - (d) Karitane,
  - (e) Mercy Care Centre, Young,
  - (f) Mercy Health Care (Newcastle) Limited,
  - (g) Mercy Health Service Albury Limited,
  - (h) Royal Rehabilitation Centre Sydney,
  - (i) Royal Society for the Welfare of Mothers and Babies,
  - (j) Sacred Heart Hospice Limited,
  - (k) St Joseph's Hospital Ltd,
  - (l) St Vincent's Hospital Sydney Ltd,
  - (m) The Trustees of the Roman Catholic Church for the diocese of Lismore,
  - (n) Uniting Church in Australia.

**Note.** Section 62 (1) of the *Health Services Act 1997* provides that an organisation or institution whose name is included in column 1 of Schedule 3 to that Act is an affiliated health organisation in respect of any of its recognised establishments and recognised services (these being included in column 2 of Schedule 3 to that Act).

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Regulation 2005

Schedule 1      Amendment

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### 11B Reportable incident

For the purpose of Division 6C of Part 2 of the Act, a reportable incident means an incident of a type set out in Appendix B to the document entitled *NSW Department of Health Policy Directive PD2005\_604 Incident Management Policy* published by the Department on 1 August 2005.

### 11C Disclosure of information

For the purposes of section 20P of the Act, a person who is or was a member of an RCA team may divulge or communicate information acquired by him or her as a member of an RCA team if the information is divulged or communicated to any of the following committees in connection with any research or investigation the committee is authorised to conduct under section 23 (1) of the *Health Administration Act 1982*:

- (a) Special Committee Investigating Deaths Under Anaesthesia (SCIDUA),
- (b) Special Committee Investigating Deaths Associated with Surgery (SCIDAWS),
- (c) The NSW Maternal and Perinatal Committee,
- (d) The NSW Mental Health Sentinel Events Review Committee.

BY AUTHORITY

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