



New South Wales

Public Health (General) Amendment (Health Practitioners) Regulation 2009

under the

Public Health Act 1991

His Excellency the Lieutenant-Governor, with the advice of the Executive Council,
has made the following Regulation under the *Public Health Act 1991*.

JOHN DELLA BOSCA MLC
Minister for Health

Explanatory note

The object of this Regulation is to require a practitioner who is de-registered or subject to a prohibition order to notify the practitioner's patients and employer of certain matters relating to the de-registration or prohibition order.

This Regulation is made under the *Public Health Act 1991*, including sections 10AK and 82 (the general regulation-making power).

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Clause 1 Public Health (General) Amendment (Health Practitioners) Regulation 2009

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1 Name of Regulation

This Regulation is the *Public Health (General) Amendment (Health Practitioners) Regulation 2009*.

2 Amendment of Public Health (General) Regulation 2002

The *Public Health (General) Regulation 2002* is amended as set out in Schedule 1.

Schedule 1 Amendment

(Clause 2)

Clause 25B

Insert after clause 25A:

25B Notice to be given by health practitioners who are de-registered or subject to prohibition orders

- (1) For the purposes of section 10AK (2) of the Act, the notification to be given by a de-registered health practitioner to a person to whom the health practitioner intends to provide a health service or, if that person is under 16 years of age or under guardianship, to a parent or guardian of that person, is a notice in writing that sets out the following:
 - (a) the type of registration the health practitioner held prior to becoming a de-registered health practitioner,
 - (b) the date the health practitioner became a de-registered health practitioner,
 - (c) the reason the health practitioner became a de-registered health practitioner,
 - (d) the period for which the health practitioner will be a de-registered health practitioner.
- (2) For the purposes of section 10AK (2) of the Act, the notification to be given by a de-registered health practitioner to the health practitioner's employer is a copy of the relevant decision and orders relating to the de-registration of the health practitioner.
- (3) For the purposes of section 10AK (3) of the Act, the notification to be given by a health practitioner who is subject to a prohibition order to a person to whom the health practitioner intends to provide a health service or, if that person is under 16 years of age or under guardianship, to a parent or guardian of that person, is a notice in writing that sets out the following:
 - (a) the type of health service or services the practitioner was providing prior to becoming subject to the prohibition order,
 - (b) the date of the prohibition order,
 - (c) any health service the health practitioner has been prohibited from practising under the prohibition order,
 - (d) the reason the health practitioner is subject to the prohibition order,

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Schedule 1 Amendment

- (e) the period for which the health practitioner is subject to the prohibition order.
- (4) For the purposes of section 10AK (3) of the Act, the notification to be given by a health practitioner who is subject to a prohibition order to the health practitioner's employer is a copy of the relevant decision and orders relating to the prohibition order.