



New South Wales

# Health Legislation Amendment (Miscellaneous) Bill 2025

## Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

## Overview of Bill

The object of this Bill is to make miscellaneous amendments to the following legislation—

- (a) the *Drug and Alcohol Treatment Act 2007*,
- (b) the *Health Practitioner Regulation (Adoption of National Law) Act 2009*,
- (c) the *Health Practitioner Regulation (New South Wales) Regulation 2016*,
- (d) the *Health Services Act 1997*,
- (e) the *Human Tissue Act 1983*,
- (f) the *Mental Health Act 2007*,
- (g) the *Private Health Facilities Act 2007*.

## Outline of provisions

**Clause 1** sets out the name, also called the short title, of the proposed Act.

**Clause 2** provides for the commencement of the proposed Act.

## Schedule 1      Amendment of Drug and Alcohol Treatment Act 2007 No 7

**Schedule 1[1]** aligns the qualifications for a person to be appointed as an official visitor with the qualifications for appointment as an official visitor under the *Mental Health Act 2007*.

**Schedule 1[2]** aligns the provisions concerning the qualifications of official visitors inspecting a drug and alcohol treatment facility with the equivalent provisions for the official visitors inspecting a mental health facility.

## **Schedule 2      Amendment of Health Practitioner Regulation (Adoption of National Law) Act 2009 No 86**

**Schedule 2[1]** replaces the definitions of *professional services room* and *associated professional services room* with the definitions of *associated medication storage and preparation room* and *medication storage and preparation room*.

**Schedule 2[2] and [3]** make consequential amendments.

## **Schedule 3      Amendment of Health Practitioner Regulation (New South Wales) Regulation 2016**

**Schedule 3[1]–[5]** make amendments consequential on Schedule 2.

## **Schedule 4      Amendment of Health Services Act 1997 No 154**

**Schedule 4[1]** provides that local health district boards must include at least 1 person who identifies as an Aboriginal person.

**Schedule 4[2]** inserts proposed section 67KA to provide that the Health Secretary may charge a fee to private health facility operators that book patient transport services provided by the Ambulance Service.

## **Schedule 5      Amendment of Human Tissue Act 1983 No 164**

**Schedule 5** inserts proposed section 27DA to clarify that a person who is a senior available next of kin may delegate the person's functions under the *Human Tissue Act 1983*.

## **Schedule 6      Amendment of Mental Health Act 2007 No 8**

**Schedule 6[1] and [2]** make amendments to clarify that the Secretary may impose conditions on the appointment of a person as an accredited person under the *Mental Health Act 2007*.

## **Schedule 7      Amendment of Private Health Facilities Act 2007 No 9**

**Schedule 7[2]** makes an amendment to the staffing requirements for private health facilities to allow prescribed facilities to operate with registered midwives on duty rather than registered nurses.

**Schedule 7[3]** makes an amendment to allow regulations to be made to require the medical advisory committee of a private health facility to be expanded to include additional members and to allow the facility operator to include additional appropriate persons on the committee.

**Schedule 7[1] and [4]** make consequential amendments.