

## Explanatory note

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

### Overview of Bill

The object of this Bill is to amend the Health Services Act 1997 (the Principal Act) to require the chief executive of a public health organisation to carry out a background check of a medical practitioner with the New South Wales Medical Board before the medical practitioner is appointed by the public health organisation as a visiting practitioner under Chapter 8 or is employed under Chapter 9 to enable the public health organisation to exercise its functions. The Bill provides that the medical practitioner must not be appointed or employed to carry out any medical service for or on behalf of the public health organisation if the background check shows that any order made in respect of the medical practitioner, or any condition placed on the registration of the medical practitioner, under the Medical Practice Act 1992 as a result of a misconduct finding would prevent or restrict the medical practitioner from carrying out the medical service concerned.

### 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 on the date that is one month after the date of assent to the proposed Act.

Clause 3 is a formal provision that gives effect to the amendments to the Health Services Act 1997 set out in Schedule 1.

Clause 4 provides for the repeal of the proposed Act after all the amendments made by the proposed Act have commenced. Once the amendments have commenced the proposed Act will be spent and section 30 of the Interpretation Act 1987 provides that the repeal of an amending Act does not affect the amendments made by that Act.

### Schedule 1 Amendments

Schedule 1 inserts proposed Chapter 10A (sections 132A–132C) into the Principal Act to achieve the object described in the Overview and amends Schedule 7 of the Principal Act to insert savings and transitional provisions.