



# Victoria Government Gazette

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## Subordinate Legislation Act 1994

### NOTICE OF DECISION

#### Proposed Health Services (Health Service Establishments) Regulations 2024

As Minister responsible for the **Health Services Act 1988**, I give notice under section 12 of the **Subordinate Legislation Act 1994** that I have decided to recommend the making of the proposed Health Services (Health Service Establishments) Regulations 2024 (the proposed Regulations). The proposed Regulations will replace the Health Services (Health Service Establishments) Regulations 2013 which sunset on 1 September 2024.

A regulatory impact statement and an exposure draft of the proposed Regulations were made available for public consultation from 29 April to 29 May 2024. The Department of Health received 23 submissions from peak bodies, private hospitals, day procedure centres and a consumer.

After consideration of the submissions in accordance with section 11 of the **Subordinate Legislation Act 1994**, I have decided to proceed with the making of the proposed Regulations with the following amendments:

- added to the Objectives ‘Requirements for health service establishment protocols for quality and safety’ (regulation 1(a));
- added an option for the Secretary to determine how a health service establishment should make their protocols available to the public as an alternative to the current requirement for health service establishments to publish their protocols on their website (regulation 8(2));
- changed the commencement date for the new quality and safety protocols requirements from six months to 12 months (regulation 8(3));
- changed the commencement date for the new power for the Secretary to review health service establishments’ quality and safety protocols and issue directions to update the protocols from 12 months to 18 months (regulation 10);
- clarified the requirement that health service establishments must provide information about likely third party fees and out-of-pocket expenses (regulation 24);
- clarified the requirement that health service establishments must include in a patient’s discharge summary an itemised list of any new medication prescribed for the patient in relation to the health services provided to them at the health service establishment, as well as any cessations of or variations to any regular prescribed medication. In the case of a patient of a private hospital admitted overnight, the patient’s discharge summary must also include a list, summary or statement about other unchanged medications, with the level of detail to be determined by the health service establishments with regard to the clinical profile of the patient (regulation 44).

After the proposed Regulations are made, they will become available for download from [www.legislation.vic.gov.au](http://www.legislation.vic.gov.au)

Dated 14 August 2024

HON. MARY-ANNE THOMAS MP  
Minister for Health  
Minister for Health Infrastructure  
Minister for Medical Research

**SPECIAL**

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