



## Private Health Facilities Regulation 2017

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## About you

Name: Georgie Haysom, Head of Advocacy	
Organisation: Avant Mutual Group	
Email: Georgie.haysom@avant.org.au	
Which of the following industry/settings best describes your licence/approval and how you use medicines or poisons? (Tick <input checked="" type="checkbox"/> one or more options that describes your business/activities)	
<input type="checkbox"/> Medical Practitioner	<input type="checkbox"/> Private Healthcare Facility
<input type="checkbox"/> Allied Health Professional	<input type="checkbox"/> Private Health Insurance company
<input type="checkbox"/> Professional Association	<input type="checkbox"/> Government
<input type="checkbox"/> Community Association	<input checked="" type="checkbox"/> Other (specify) <u>Medical defence organisation</u>
<input type="checkbox"/> Union	

## About the proposed regulation

Please indicate <input checked="" type="checkbox"/> the extent to which you agree with the following statements about the proposed fee structure.				
1. The current regulation of facilities carrying out cosmetic surgery is appropriate.				
Strongly agree <input type="checkbox"/>	Agree <input type="checkbox"/>	Neutral <input type="checkbox"/>	Disagree <input checked="" type="checkbox"/>	Strongly disagree <input type="checkbox"/>
2. The scope of the Private Health Facilities legislation should be broadened to include a requirement that certain cosmetic surgery procedures be conducted on licensed premises.				
Strongly agree <input type="checkbox"/>	Agree <input checked="" type="checkbox"/>	Neutral <input type="checkbox"/>	Disagree <input type="checkbox"/>	Strongly disagree <input type="checkbox"/>
2a If you answered 'strongly agree' or 'agree' to question 2: Please comment on whether the Act should regulate based on the types of procedures and/or the anaesthesia level used and, if so, what would be the preferred method of doing so.				
<p>A key issue is ensuring that the legislation appropriately captures high risk procedures, but is sufficiently flexible to ensure that future procedures with the same or similar risk profile can be included without further amendment of the primary legislation. South Australia has recently adopted a regulatory model based on the level of anaesthesia used rather than the model adopted in NSW and proposed in Queensland that is list-based and focuses on the risk of the procedure. The South Australian legislation is due to take effect from 1 July 2017, and is causing concern among our members because of the potential implications for the provision of low risk or minimally invasive procedures (consistent with the concerns noted on page 9 of the Discussion Paper in this regard).</p> <p>On balance, we prefer the NSW and proposed Queensland list-based model, but suggest that consideration be given to including in the legislation or regulations the ability for the Minister to declare new procedures to be added to the list (with appropriate consultation with clinicians).</p> <p>Are there any additional factors to be considered and why?</p>				



2b.	<p>If you answered 'strongly disagree' or 'disagree' to question 2: Please comment on whether some other form of regulation is required</p> <p>Not applicable</p>		
3.	<p>A list of procedures contemplated for regulation is provided below.</p> <p>Is this list sufficient?</p> <p>Are there procedures you believe should be added to or deleted from the list?</p> <p>Please see Appendix A – extract from our Category of Practice guide which outlines the procedures we categorise as “Advanced” (and therefore higher risk) for the purposes of our Practitioner Indemnity Insurance Policy.</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top; padding: 5px;"> <input type="checkbox"/> Abdominoplasty (tummy tuck)  <input type="checkbox"/> Belt lipectomy  <input type="checkbox"/> Brachioplasty (armlift)  <input type="checkbox"/> Breast augmentation or reduction  <input type="checkbox"/> Buttock augmentation, reduction or lift  <input type="checkbox"/> Calf implants  <input type="checkbox"/> Facial implant involving implant insertion on bone or surgical exposure to deep tissue  <input type="checkbox"/> Fat transfer that involves the transfer of more than 2.5 litres of lipoaspirate         </td> <td style="width: 50%; vertical-align: top; padding: 5px;"> <input type="checkbox"/> Liposuction that involves the removal of more than 2.5 litres of lipoaspirate  <input type="checkbox"/> Mastopexy or mastopexy augmentation  <input type="checkbox"/> Necklift  <input type="checkbox"/> Pectoral implants  <input type="checkbox"/> Penis augmentation  <input type="checkbox"/> Rhinoplasty  <input type="checkbox"/> Superficial musculoaponeurotic system facelift (SMAS facelift)  <input type="checkbox"/> Vaginoplasty or labiaplasty         </td> </tr> </table>	<input type="checkbox"/> Abdominoplasty (tummy tuck) <input type="checkbox"/> Belt lipectomy <input type="checkbox"/> Brachioplasty (armlift) <input type="checkbox"/> Breast augmentation or reduction <input type="checkbox"/> Buttock augmentation, reduction or lift <input type="checkbox"/> Calf implants <input type="checkbox"/> Facial implant involving implant insertion on bone or surgical exposure to deep tissue <input type="checkbox"/> Fat transfer that involves the transfer of more than 2.5 litres of lipoaspirate	<input type="checkbox"/> Liposuction that involves the removal of more than 2.5 litres of lipoaspirate <input type="checkbox"/> Mastopexy or mastopexy augmentation <input type="checkbox"/> Necklift <input type="checkbox"/> Pectoral implants <input type="checkbox"/> Penis augmentation <input type="checkbox"/> Rhinoplasty <input type="checkbox"/> Superficial musculoaponeurotic system facelift (SMAS facelift) <input type="checkbox"/> Vaginoplasty or labiaplasty
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4.	<p>If this proposed change to the regulation of cosmetic surgery procedures came into force, how could monitoring and enforcement challenges best be addressed?</p> <p>No comment</p>		
5.	<p>If this proposed change to the regulation of cosmetic surgery procedures were to proceed, at what point should the regulations come into force? How much time should be allowed for practitioners to make the necessary arrangements to ensure compliance?</p> <p>We agree with the need to allow practitioners time to make the necessary arrangements to ensure compliance. Some practitioners will need to apply for a licence and ensure their facilities meet the licensing standards. In NSW a transitional period of 9 months was provided before the facilities needed to be licensed. We recommend a time period of 9-12 months.</p>		

### How to submit your feedback

We thank you for your time and efforts in assisting us to maintain the efficacy of the legislation. Please use the details below to submit your feedback by **14 April 2017**.

Email: [Private\\_Health@health.qld.gov.au](mailto:Private_Health@health.qld.gov.au)

Post: Private Health Regulation Unit  
Queensland Health  
PO Box 2368  
Fortitude Valley BC QLD 4006



Annexure A

Extract from Avant’s Category of Practice Guide for Cosmetic Practice (full document available [via our website](#))

Cosmetic Practice categories / Category of Practice Guide

# Cosmetic Practice categories

## Cosmetic Practice – Basic

You are a medical practitioner performing the activities below. You have undertaken the relevant training and have the required experience and qualifications to undertake these treatments. However, you are not a specialist plastic surgeon who holds FRACS or equivalent recognised qualifications.

### Includes:

- chemical peels (medium) – papillary dermal peels using peeling agents such as alpha hydroxy acids and augmented trichloroacetic acid solutions
- chemical peels (deep) – reticular dermal peels using peeling agents such as phenol (Including Baker-Gordon Phenol formula) and trichloroacetic acid
- dermabrasion
- dermal fillers – Aquamid, Radlesse and Sculptra
- facial implants – Goretex Implants
- facial thread lifts including Aptos and Promoitalia threads
- fat injections (related to the facial areas only and not involving any major fat grafts from the body or injections into breasts)
- hair transplants using follicular unit extraction (FUE)
- laser tattoo removal
- laser therapy and laser resurfacing (ablative lasers)
- lipo-dissolving treatments
- scalp reductions (simple central scalp reductions only).

### Excludes:

- all cosmetic treatments involving general or tumescent anaesthesia
- all procedures in Cosmetic Practice – Advanced
- Intrapartum obstetrics including caesarean section.

## Cosmetic Practice – Advanced

You are a medical practitioner performing the activities below. You have undertaken the relevant training and have the required experience and qualifications to undertake these treatments. However, you are not a specialist plastic surgeon who holds FRACS or equivalent recognised qualifications.



**Urologists with recognised specialist qualifications performing cosmetic urological procedures must insure in this category.**

### Includes:

Anything covered under Cosmetic Practice – Basic PLUS:

- abdominoplasty
- blepharoplasty including laser blepharoplasty
- breast reduction, enhancement or augmentation (surgical)
- labiaplasty – only if performed in a day hospital or hospital setting with appropriate emergency equipment
- liposuction/liposculpture
- meloplasty
- otoplasty
- penile lengthening or thickening and cosmetic urological procedures
- rhinoplasty
- scalp reductions.

### Excludes:

- cosmetic treatments except those listed in the Inclusions
- gender reassignment surgery
- transfer or injection of non-vascularised fat into breast(s)
- phalloplasty unless you are a specialist urologist
- Intrapartum obstetrics including caesarean section.

### Cosmetic treatments

Cosmetic treatments are defined as: ‘Operations, procedures and treatments that revise or change the appearance, colour, texture, structure or position of normal bodily features with the sole intention of improving the patient’s appearance or self-esteem. It includes non-surgical cosmetic medical treatments and surgical cosmetic treatments.’

If you undertake any cosmetic treatments, please ensure that you select the correct category for the procedures you are undertaking.