



Department of Health

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OUR REF: XXXXX

YOUR REF:

19 May 2011

Dr Joanna Flynn
Chair, Medical Board of Australia
Australian Health Practitioner Regulation Agency
GPO Box 9958
MELBOURNE VIC 3001

Dear Dr Flynn

Re: Consultation paper on Guidelines for medical practitioners and medical students infected with blood -borne viruses.

Thank you for the opportunity to comment on the consultation paper. I agree that it would be preferable to have these guidelines aligned with the guidelines of the Communicable Diseases Network Australia.

I attach my comments on your draft guidelines in table format. If you require any further information, please contact Dr Rosemary Lester, Assistant Director, Communicable Disease Prevention and Control Unit,

Yours sincerely

Dr John Carnie
Director, Health Protection
Chief Health Officer

Medical Board of Australia
Draft Guidelines for Consultation
Guidelines for medical practitioners and medical students infected with blood-borne viruses

Page	Section	What	Suggestions	Comment
		Reference to registered medical practitioners & medical students/ medical practitioners & medical students and practitioners throughout the guideline	Standardise terminology throughout the document	
2	Q1	Should medical practitioners & medical students perform exposure prone procedures with any level of viraemia?	Medical practitioners & medical students should not perform exposure prone procedures with any level of viraemia	
2	Q2	Q2 refers to specialist doctors	Define "specialist doctors" -- suggest a glossary of terms	
2	Q4	Q4 which of the following groups of medical practitioners infected with a blood-borne virus should be monitored by the board and, if so, how?	Only registered medical practitioners & medical students who perform exposure prone procedures should be required to provide regular results of tests to the board	
2	Q5	Q5 Are there any other measures the Board should put in place to protect the public....	Include the following statement: "All registered medical practitioners & medical students should have the risks of blood-borne viruses to patients considered in relation to their impairment and monitored by the Medical Board of Australia accordingly"	

4	Para 1, Line 1	These guidelines has been developed under s. 39 of the <i>Health Practitioner Regulation National Law Act 2009</i> ("the national Law") as in force in each state and territory.	Should read: "These guidelines has have been developed under s. 39 of the <i>Health Practitioner Regulation National Law Act 2009</i> ("the national Law") as in force in each state and territory.	
4	Para 1, Line 2	It provides guidance to registered medical practitioners and registered medical students who are infected with blood-borne viruses about how to prevent transmission of the infection to patients	Should read: " It provides They provide guidance to registered medical practitioners and registered medical students who are infected with blood-borne viruses about how to prevent transmission of the infection to patients"	
4	para 8	A registered medical practitioner or registered medical student who is alleged to have breached these guidelines will be investigated by the Medical Board of Australia(Board) and if the allegations are found to be substantiated, the Board will take the necessary action to protect the public	Requires stronger wording. Suggest include the following text from the previous Medical Practitioners Board of Victoria policy: "The board may find that a practitioner who performed an exposure prone procedure that resulted in transmission of a blood borne infectious disease to a patient, had engaged in unprofessional conduct, even if the practitioner was unaware that he/she was infected" (Page 8, para 4, line 3)	
5	Para 4	Medical practitioners and students should be immunised against blood-borne viruses where a vaccine is available	Suggest the following: Medical practitioners and students should be immunised against Hepatitis B unless there is documented evidence of pre-existing immunity	

5	Par 5, line 2	It is not necessary for practitioners to stop performing exposure prone procedures after the exposure unless they are found to have become infected with a blood-borne virus.	Should read: "It is not necessary for practitioners to stop performing exposure prone procedures after the exposure unless until they are found to have become infected with a blood-borne virus"
5	Para 6, line 2	Medical practitioners should therefore protect themselves and their patients by adhering to current infection control guidelines and protocols	Should read: Medical practitioners should therefore protect themselves and their patients by adhering to the current Australian Guidelines for the Prevention and Control of Infection in Healthcare
5	Para 8, line 2	The exception to this is if through their practice, they are putting the public at risk (for example breaching the guidelines) in which case, they should be reported to the Board via the Australian Health Practitioner Regulation Agency	Should read: "The exception to this is if, through their practice, they are putting the public at risk (for example breaching the guidelines) in which case, they should be reported to the Board via the Australian Health Practitioner Regulation Agency"
6	Q1	Should medical practitioners & medical students perform exposure prone procedures with any level of viraemia?	Medical practitioners & medical students should not perform exposure prone procedures with any level of viraemia.
6	Q3, Numbers 1, 2 & 3		Numbers No 1, 2 & 3 should include end points based on the available evidence for proportions of treated patients clearing virus permanently, relapsing etc.
7	Para 6 line 1	The board understands the issues facing medical practitioners and medical students infected with blood-borne viruses and the importance of	Should read: "The board understands the issues facing medical practitioners and medical students infected with blood-

		confidentiality and their right to privacy	borne viruses, and the importance of confidentiality and their right to privacy"	
7	Para 6, line 1	There is no mention of healthcare worker behaviour in line 1.	Suggest the following: "Medical practitioners, medical students, employers and education providers have an obligation to notify the Australian Health Practitioner Regulation Agency (AHPRA) if a medical practitioner or medical student has an impairment and/or behaviour that places the public at substantial risk of harm"	
7	Q4	Which of the following groups of medical practitioners and medical students.....	b. Only registered medical practitioners and medical students who perform exposure prone procedures and are infected with a blood-borne virus should be monitored by the Board	