



Healthcare Update Issue 10

September 2008

Madden report on patient safety

The Minister for Health and Children, Mary Harney on 7 August 2008 welcomed the report of the Commission on Patient Safety and Quality Assurance on "Building a culture of patient safety". The most significant recommendation in the report is the introduction of a licensing system for all health services whether public or private. It says the licensing system should begin with the acute hospitals and other facilities "based on analysis of potential risk to patient safety". The licensing system would be financed by a licence fee, to be paid according to the size of the health facility. It would be administered by the Health Information and Quality Authority. The report also outlines proposals for greater incident reporting and accountability in the health service in relation to patient safety.

The Minister will now consider all the report recommendations with a view to bringing it to Government in September. A copy of the report is available at: http://www.dohc.ie/publications/building_culture_patient_safety.html

Mental Capacity and Guardianship Bill 2008

In February 2008 the Mental Capacity and Guardianship Bill 2008 was introduced. The Bill seeks to reform the law concerning mental capacity by introducing a number of necessary provisions for the welfare of adults lacking capacity in certain circumstances. It is similar to the draft Bill proposed by the Law Reform Commission in their report on 'Vulnerable Adults and the Law' in 2006.

The Bill provides that healthcare providers will be immune from liability if they take reasonable steps to establish whether the person lacks capacity before providing such care and must also reasonably believe that the person lacks capacity while providing such care.

New Medical Council established

The new Medical Council began work on 3 July 2008 and has elected its President and Vice-President (*Medical Practitioners Act 2007 (Commencement) (No. 2) Order 2008*). Other provisions of the Medical Practitioners Act 2007 brought into operation are those relating to processing complaints concerning registered medical practitioners, including fitness to practise procedures and the imposition of sanctions. These newly commenced provisions mean that from now on the Fitness to Practise Committee will have lay members as a majority.

In order to meet today's standards of openness, fitness to practise hearings will generally be held in public unless the Fitness to Practise Committee itself decides otherwise. In addition, a statutory basis is now in place for the Medical Council's Health Committee, which will support doctors themselves when they are experiencing health problems.

The remaining sections of the legislation, including those relating to registration, medical education and training, and maintenance of professional competence will be brought into force over the coming months.



Proposed Health Information Bill

The Minister for Health and Children, Mary Harney on 19 June 2008 announced a public consultation exercise on the proposed Health Information Bill which will deal with the collection, use, sharing, storage, disclosure and transfer of personal health information as well as the rights of individuals to control and access their health information.

The Minister stated that she wishes to obtain the views of the public and interested parties on this legislation which is part of the ongoing Health Reform Programme.

The main purposes of the proposed Bill will be:

1. To establish a legislative framework to enable information to be used to best effect to enhance medical care and patient safety throughout the health system.
2. To facilitate the greater use of information technologies for better delivery of patient services.
3. To underpin an effective information governance structure for the health system generally.

More information on the consultation process, including the discussion document on the Bill and an accompanying audit paper setting out relevant key international instruments, national laws and guidelines relating to health information for Ireland and selected other countries is available at www.dohc.ie/issues

The public consultation runs until 11 September 2008 and all submissions received will be subject to the Freedom of Information Acts 1997 and 2003.

Hospital acquired infections and coroner's recent judgments

In recent months a number of coroners have made findings of death due to a hospital acquired infection or a hospital acquired infection has been noted as a contributing factor on the death certificate. The Dublin City Coroner has specifically requested that in any death where there is a suspicion of MRSA, the death should be referred to his office and MRSA should be noted on the death certificate where appropriate.

Global patient safety challenge

The Minister for Health and Children, Mary Harney reaffirmed her commitment to enhance the safety of patients when she participated by video link in the World Health Organisation's (WHO) global launch of the second global patient challenge "Safe Surgery Saves Lives" in Washington DC on 25 June 2008. This initiative aims to introduce a surgical safety check list to ensure the entire surgical team has a common understanding of the procedure and risk and a thorough knowledge of the patient. The concept of a checklist as a simple, effective safety tool has been well established in other healthcare settings such as intensive care.

The surgical safety checklist was formally launched in Ireland by the Minister on 17 June 2008 and national organisations such as the Royal College of Surgeons endorsed the initiative and their signed letters of endorsement were forwarded to the WHO.



HIQA: draft national standards for infection prevention and control

The consultation period for the Health Information and Quality Authority's draft national standards for Infection Prevention and Control in Ireland closed on 18 July 2008. The standards aim to provide a national framework to improve the performance of healthcare settings in order to reduce healthcare associated infections. The final set of standards is due to be launched later this year.

PIAB: a new name

InjuriesBoard.ie is the new web-friendly identity of the Personal Injuries Assessment Board (PIAB). On 19 June 2008 it launched a range of new services. These include: online applications, (available 24/7), an online claims estimator, multi-lingual services and a health and well-being section to assist recovery following an accident. Under their new brand, InjuriesBoard.ie, they have stated that they aim to increase public awareness and accessibility of their services.

Irish Healthcare Awards

Beauchamps Solicitors are sponsoring a new award "Innovation in Healthcare Management" at the Irish Medical Times' annual Irish Healthcare Awards on 16 October 2008. The award will recognise innovation in healthcare management which is focused on the patient, the carer and the general public. It seeks to reward management which has made a difference and has improved patient care and/or streamlined administrative procedures.

The Healthcare Unit

If you have any queries on the contents of this update, or if there are other topics you would like to see us address in future editions, please contact any member of the Healthcare Unit listed below.

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