



Health Bulletin September 2023

Share

05 Sep 2023

The latest insights from our Health Law team:

- Australia's first public egg and sperm bank opens in Victoria
- Sports injury hospitalisations return to pre-Covid trends
- Doctors are put on notice – cosmetic surgery advertising has changed
- People with psychosocial disability may be diverted from NDIS in future
- Brain scans could be key to early detection of mental health issues in young people
- The role of dietetics in gut health

If you'd like to stay up to date with Russell Kennedy's insights, please
sign up here

Australia's first public egg and sperm bank opens in Victoria

The Royal Women's Hospital, in partnership with Monash Health, has recently opened Australia's first egg and sperm bank.

Open from 3 July 2023, it is part of a broader \$120 million fertility program involving partner health services across Victoria. It is thought the facility will help support up to 5,000 Victorians a year with starting a family.

Prospective parents will need to be referred to the facility by their specialist or GP, but it is hoped by the Victorian Government that the fertility care program will make it 'more equitable' for LGBTIQ+ couples, couples with fertility challenges and single parents to access fertility treatments. It is also hoped that the facility will support Victorians making it fairer, easier and more accessible for hopeful parents to start a family of their own.

The facility offers:

- Fertility consultation;
- In-vitro fertilisation (IVF) treatment;
- Diagnostic tests and procedures;

Related Services

Corporate & Commercial Advisory

Dispute Resolution

Information Technology

Intellectual Property

Property & Development

Property & Development Sales and
Acquisitions experience

Prosecutions

Public & Administrative Law

Royal Commissions

Workplace Relations, Employment &
Safety

[View all services](#)

- Ultrasounds; and
- Counselling information and support.

The Royal Women's Hospital is now accepting egg and sperm donations from the Victorian community.

Prospective donors and parents can visit the [Better Health Channel](#) for more information on how to donate.

To read the article click [here](#).

[Sports injury hospitalisations return to pre-Covid trends](#)

The AIHW have conducted a study into hospitalisations caused by sports injuries. The report reviews the participation rate of activities during the Covid-19 lockdowns and post-Covid period.

In response to Covid-19 lockdowns in 2019-2020, and the cancellation of many sporting competitions, the number of hospitalisations due to sports injuries declined. These numbers bounced back the following year with an increase of 27% replicating sports injury hospitalisation admissions in the pre-Covid years.

During Covid-19 lockdowns there was a rise in individual activities, particularly cycling which has continued in popularity through the post-Covid period. During 2020-2021 cycling produced the highest number of sports injury hospitalisations, followed by roller sports, soccer, AFL and the rugby codes. When rugby is combined with soccer and AFL as codes of 'football' these codes are the greatest cause of hospitalisations.

Over 50% of sports injuries presented to hospital were for a fracture, most commonly a fracture of the arm or shoulder. Intercranial injuries accounted for less than 5% of all sporting injuries presented to hospital in 2020-2021 of which 83% of intercranial injuries were for concussions. Over 70% of these concussions were in males and over 40% occurred from playing some form of football. 16% of concussions presented were from cycling injuries.

Further, males were generally more likely to present to hospital based on sports injuries. Males had a higher rate of being hospitalised in every age group except the 70-74 and 80-84 age groups. Both males and females peak in the teenage years with males aged 15-19 are most likely to be hospitalised representing just over 1% of participants. Females peaked in the 10-14 age group with 0.35% of the participants hospitalised.

The Australian Sports Commission is working with the AIHW to implement a National Sports Injury Data Strategy to help identify sports injury trends and identify prevention priorities and opportunities.

Read the AIHW media release [here](#) or click [here](#) for an in-depth report that breaks down the results reported for each sport.

[Doctors are put on notice – cosmetic surgery advertising has changed](#)

The following alert continues Russell Kennedy's ongoing discussion around cosmetic surgery reform. Click [here](#) to read Russell Kennedy's previous alerts on the topic.

In a significant stride towards bolstering safety for patients seeking cosmetic surgery, stringent new regulations have now been introduced, which require doctors to adhere to a higher standard of care. As of 1 July 2023, these safety measures aim to safeguard the public against the perils of botched surgeries, instigating a crackdown on misleading advertising practices, including those prevalent on social media platforms.

The updates, announced in April, are part of a comprehensive set of reforms implemented by the Medical Board of Australia and the Australian Health Practitioner Regulation Agency (**Ahp**ra).

Dr. Anne Tonkin AO, Chair of the MBA Board, emphasised that these reforms are intended to ensure that all practitioners unequivocally prioritise their patients' best interests. The focus is on mitigating the emotional and physical scars that have regrettably resulted from some cosmetic surgeries.

surgeries.

Ahpra's CEO, Martin Fletcher, stressed that any practitioners who dare to flout the new rules will face severe consequences. The primary objective is to cleanse the sector of irresponsible practices and to clearly outline what constitutes safe and ethical conduct, particularly in advertising.

Ahpra and the Medical Board will remain vigilant in monitoring, which includes the meticulous evaluation of practitioners and organisations as highlighted in Ahpra's ongoing advertising audit. Ahpra and the Board are also actively implementing the 16 recommendations arising from last year's independent review, which underpins their commitment to enhancing safety in the cosmetic surgery domain.

Among the ongoing reforms, one notable initiative entails the establishment of new cosmetic surgery accreditation standards, sanctioned by the Australian Medical Council. This area of practice will enable education providers to seek accreditation for their training programs, ensuring a higher calibre of training for aspiring cosmetic practitioners. Read more on the protection of the word "surgeon" in Russell Kennedy's June article [here](#).

Steps are also being taken to protect the title "surgeon" by introducing an amendment bill to the Queensland Parliament, which will establish strict criteria governing the use of this prestigious designation.

Read Ahpra's article on these updates [here](#).

[People with psychosocial disability may be diverted from NDIS in future](#)

The Federal Government is currently conducting a review of the National Disability Insurance Scheme (NDIS), looking at the design, operation and sustainability of the NDIS along with ways to build a more responsive and supportive NDIS workforce. The NDIS Review is due by October 2023.

The Hon. Bill Shorten, Minister for the NDIS has flagged that the government expects to divert 27,000 people with psychosocial disability (an umbrella term for severe forms of conditions such as schizophrenia, post-traumatic stress disorder and obsessive-compulsive disorder) to outside supports by 2026-2027. According to the NDIS it was never intended to replace community mental health services or treatment services provided through the health system.

Minster Shorten states that *"We believe that if we can set up supports outside the scheme in the area of psychosocial support, maybe not everyone needs to go on the scheme who might have otherwise gone on the scheme."* This change is expected to save the government \$15.3 billion in growth of the scheme over four years.

The creation of the NDIS over a decade ago led to significant gaps in services for people with psychosocial disability, as their previous support services were either folded into the NDIS or ceased to be funded by governments because it was expected those programs would be covered by the NDIS. According to the Productivity Commission in 2020 around 154,000 people who need psychological support have been unable to access the scheme.

In a submission to the government's NDIS review, Mental Health Australia (MHA) wrote that it was a priority for the Federal Government to clarify the scheme's role for people with psychosocial disability. MHA wants the Federal Government to ensure that there are no gaps in service for people with psychosocial disability, including funding early intervention programs both through and outside the NDIS.

To read further [click here](#). To learn more about the NDIS Review, [click here](#).

[Brain scans could be key to early detection of mental health issues in young people](#)

A world-first study lead by Professor Daniel Hermens of Youth Mental Health and Neurobiology at the University of the Sunshine Coast has found that around 50 per cent of mental health disorders began before the age of 14 and 75 per cent before the age of 25.

The study, which is a third of the way to its target to map the brains of 500 young persons, indicates at the early stages that mental health problems can be identified by performing various tests on the brains of developing adolescents.

The study is using "brain fingerprinting" to monitor changes in the brains of adolescents over a five-year period. The results have been able to provide fine-grained information about adolescent brain changes which have helped predict mental health outcomes. This is achieved by examining the brain fingerprints and unique neurological changes in brain structure and functional activity.

Assistant Minister for Mental Health and Suicide Prevention Emma McBride said the research was important for furthering scientific understanding of youth mental health. McBride noted that the pandemic has had a significant impact on the mental health of young people and that the study is a positive step towards predicting mental health at the early stages.

To read more click [here](#).

[The role of dietetics in gut health](#)

Concerns over the popularisation of 'gut health' by the media and food industry, and that it is overtaking scientific understanding, have been raised by Dr Georgina Williams, an accredited practising dietitian and postdoctoral researcher in diet and gastroenterology at the National Health and Medical Research Centre (NHMRC) for Research Excellence in Digestive Health.

There have been rapid scientific advances in the area of gut health over the past 20 years; scientists assert that 'gut health' is complex and likely influenced by various genetic, diet and environmental factors.

Scientists have conducted research focusing on dietitian's perceptions of gut health to investigate outcomes to assist health professionals in practice.

[Gut health and dietetics: Now](#)

Research conducted by NHMRC determined that dietitians did not make a distinction between gut symptoms and gut microbiome characteristics. Despite this, the general consensus when working with clients is to improve their symptoms through evidence based, personalised and multidisciplinary gut health management.

Dietitians also stressed the importance of including nutrition professionals in research to ensure nutrition-related interventions are realistic and that findings and analysis can be implemented by health professionals in practice.

It was found that consumers turn to social media for health advice and education, and therefore, it is recommended by NHMRC that dietitians should use these platforms as a tool to provide science-based dietary recommendations to consumers.

[Gut health and dietetics: Future](#)

Dietitians reported that until science can explain the relationship between diet and microbiome, they will continue to focus on aligning diet with the Australian Dietary Guidelines.

Fibre-rich foods such as fruits and vegetables will continue to be recommended given the benefits to the gut microbiome, as will fermented foods such as kombucha, kefir and sauerkraut.

Whilst evidence suggests that probiotic foods (food containing live bacteria) and prebiotic foods (foods that feed bacteria) are health benefits, dietitians are yet to determine how often and in what quantities these foods should be consumed.

[Consumer thoughts](#)

Research revealed that consumers consider gut health to be important and are motivated to make changes to improve it. The study recommends that health professionals should continue to engage consumers and encourage diverse fibre-rich diets and adherence to the Australian Dietary Guidelines.

For more information, please click [here](#).

[How we can help](#)

For more information, please contact the [Russell Kennedy Health Team](#).

Learn more about Russell Kennedy's expertise in the Health sector [here](#).

If you'd like to stay up to date with Russell Kennedy's Insights, please sign up [here](#).

[View related insights](#)



[Navigating AI's Role in Healthcare: Legal Implications](#)

9 May 2024

Much has been written on the introduction of Artificial Intelligence (AI) into many aspects of our lives, our work and our leisure. Given that so much in medicine is based on the “precautionary ...

[View](#)



[Health Alert - Medical Colleges deal with bullying, discrimination and sexual harassment](#)

15 Feb 2024

Much has been made in recent years of the pervasive n bullying, discrimination and sexual harassment (BDSH) medical profession, and in particular in medical training

[View](#)

Community

Diversity and inclusion

Russell Kennedy Women's Network

Available positions

Law Graduates

Seasonal Clerkship Program

Paralegal Pathway Program