

Order 43 Review Opportunities for Improvement

Medical Framework

Current	Issue / enhancement	Opportunity
<ul style="list-style-type: none">• Preplacement medical before worker commences work for the PCBU at a coal mine• Coal Mine worker attends every 3 years for periodic health surveillance• Preplacement Medical – Doctor and Nurse service• Periodic Medical – Nurse only service	<ul style="list-style-type: none">• Duplication of medicals i.e. multiple pre-placements• Industry specific medicals (site access)• Parent companies cannot move medicals across their sites• Multiple medicals in short timeframes i.e.. preplacement medicals and periodic medicals within weeks / months of each other	<ul style="list-style-type: none">• Coal Mine Worker Health Assessment – Doctor and Nurse Service which replaces both the preplacement and periodic medicals

Medical Frequency

Current	Issue / Enhancement	Opportunity
<ul style="list-style-type: none">• Pre-placement – every time worker changes employer unless completed in previous 12 months• Periodic Medical – every 3 years (not reset by pre-placement)	<ul style="list-style-type: none">• Duplication of medicals i.e. multiple pre-placements• Multiple medicals in short timeframes i.e. preplacement medicals and periodic medicals• Parent companies cannot move medicals across their sites• Misalignment with audiometry testing requirements (every two years)• MSAC proposed chest x-ray surveillance recommendations	<ul style="list-style-type: none">• One medical every three year to remain

Medical Risk Profile



Current	Issue / Enhancement	Opportunity
<ul style="list-style-type: none">Order does not include a risk profile	<ul style="list-style-type: none">Order is silent on risk profile therefore no linkage to future Industry Health Standard which will sit separate to the orderInconsistent application of medical determinations against role profiles	<ul style="list-style-type: none">Include Risk Profile categories in new Order for low, medium, and high

Medical Reviews



Current	Issue / Enhancement	Opportunity
<ul style="list-style-type: none">Order does not include medical reviews	<ul style="list-style-type: none">Employers are inconsistent in ensuring the completion of medical reviews	<ul style="list-style-type: none">Include medical reviews in the Order and include payment for worker if it is for occupational exposure related

Approved Medical Practitioner Governance



Current	Issue / Enhancement	Opportunity
<ul style="list-style-type: none">Medical Practitioner has completed the NSW Coal Industry Medical Induction Program run by CS Health	<ul style="list-style-type: none">Provides greater transparency for the requirements to maintain approval with Coal Services and IndustryRecommendation from EY audit was to increase governance	<ul style="list-style-type: none">Increase governance in the Order and include a reference to a Clinical and Service Standard which will sit outside of the Order

Medical Disclosures

Current	Issue / Enhancement	Opportunity
<ul style="list-style-type: none">Order is silent on medical disclosures	<ul style="list-style-type: none">Order is silent on medical disclosuresClearly outlines what is released to the employer	<ul style="list-style-type: none">Include a schedule in the Order of Permitted Disclosures<ul style="list-style-type: none">NameDate of BirthSEGAssessed risk categoryOverall Fitness for RoleRestrictions / Remedial ActionsAdvise if disease, injury or illness as a result of workFollow upCorrective lenses / Hearing AidsAudiology resultsEquipment rating i.e. > 120kg

Exit Medical

Current	Issue / Enhancement	Opportunity
<ul style="list-style-type: none">PCBU must offer to each coal mine worker who is retiring or otherwise ceasing work for the business or undertaking (an “Exit Medical Assessment”)	<ul style="list-style-type: none">Duplication of medicals i.e. same components as Periodic Medical	<ul style="list-style-type: none">Offer only to workers when employer is aware that worker is retiring or leaving of coal mining industry

Respirator Fit Testing (RFT)

Current	Issue / Enhancement	Opportunity
<ul style="list-style-type: none">• Preplacement Medical – RFT for a worker who will undertake tasks relating to production, processing or maintenance at a coal mine for the first time• Periodic Medical – RFT with each medical	<ul style="list-style-type: none">• Replicated in Work Health and Safety Regulation 2017 – REG 44	<ul style="list-style-type: none">• RFT to be optional for employers

Medical Assessment – delays

Current	Issue / Enhancement	Opportunity
<ul style="list-style-type: none">Order is silent on delays with part of the assessment	<ul style="list-style-type: none">Order is silent on delays with part of the assessment	<ul style="list-style-type: none">Include a section that if the approved medical practitioner considers the risk to any coal mine worker from delaying an examination to be lower than the risk to the coal mine worker undergoing the examination of an adverse health effect of the examination i.e. chest x-ray and pregnancy

Coal Mine Worker Lists



Current	Issue / Enhancement	Opportunity
<ul style="list-style-type: none">Submitted to CS Health on 31 October each calendar year	<ul style="list-style-type: none">Requesting information in the last quarter of the yearProvides data back earlier to industry for the forthcoming year planning	<ul style="list-style-type: none">Change submission date to 30 September each calendar yearInclude commencement date, termination date, SEG and role

Approved Health Professionals



Current	Issue / Enhancement	Opportunity
<ul style="list-style-type: none">Only Registered Nurses can provide Order 43 medical services under the supervision of an Approved Medical Practitioner	<ul style="list-style-type: none">Limits the scope of health professionals available to be used to complete medical assessments especially by the External Doctor Network	<ul style="list-style-type: none">Increase the scope of approved health professionals to include<ul style="list-style-type: none">Registered NursesAccredited Exercise PhysiologistsOccupational TherapistsPhysiotherapist

Note: This proposed change was not discussed during phase 1 of the consultation. However, it will be included in phase 2. This opportunity for improvement was identified by CS Health during the drafting of the revised Order.

