Llywodraeth Cymru
Welsh Government

www.cymru.gov.uk

Public Health (Wales) Act 2017 Where are we now and where are we going?

Dr Sarah Jones
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Special Procedures: Part 4 of the Act

- Special Procedures include Acupuncture, Body Piercing, Electrolysis and Tattooing
- Intention is to embed these procedures, before adding other ones (aesthetic and therapeutic)
- Based on industry consultation and documented health risks, although lack of academic research.

"I hate to tell you this but I've still got a headache."

Primary aim to drive up standards, provide a level play field for businesses and reduce associated health risks

What does the law say?

- If you undertake a prescribed special procedure in Wales you will need a licence
  - 3 year or 7 day licence
  - The licence conditions will be commensurate with risk
  - You will be required to demonstrate a knowledge of
    - Infection control
    - First aid
    - Requirements of the Act
  - You will be required to have a licence whether you operate a business or not
  - You only need one licence to operate anywhere in Wales
  - Working on one national licence fee

Deddf Iechyd y Cyhoedd (Cymru) 2017

2017 dccc 2

Public Health (Wales) Act 2017

2017 anaw 2

Explanatory Notes have been produced to assist in the understanding of this Act and are available separately.

£27.50

What does the law say?

- The premises where you operate from will need to be approved
  - Set of criteria which the premises must comply before approval authorised
  - Criteria will be commensurate with risk
  - Guidance will be provided to help compliance
  - ‘Premises’ includes domestic premises, vehicle, tent, commercial building

- A special procedures register required to be maintained by local authorities

- Stricter enforcement powers
  - Unlimited fines and a range of formal legal notices
  - Licences will be revoked

Key summary points

- **An individual licence**
  - Practitioner
  - Licence conditions will be specific to the procedures

- **Premises Approval Certificate**
  - Practitioner (business/premises owner)
  - Manager or premises owner
  - Approval conditions will be specific to the procedures

Both conditions will be commensurate with risk

Who are we working with?

- Industry and trade associations
- EHOs, CIEH and local authorities
- Public Health Wales
- Medical professionals
- Royal Society of Public Health
- Stakeholders outside Wales (London and the Midlands)

Engagement Groups

Task and Finish Groups

Improving our network nationally and throughout the UK

The Training Requirement

- Section 62 (2) requires ‘the applicant to demonstrate a knowledge of –
  - Infection control and first aid
  - Duties of the licence holder under the Act

- Proposed that this requirement will be fulfilled by:
  - Provision of specific assessed infection control training
  - Practitioner interview as part of the individual licence application

- Principles
  - Accessible, consistent, comparable
  - Support a level playing field
  - Enable minimisation of public health risk

RSPH
ROYAL SOCIETY FOR PUBLIC HEALTH
VISION, VOICE AND PRACTICE

Level 2 Award in Infection Prevention and Control

A knowledge and understanding of;

- the importance of infection control and prevention,
- associated infectious and non-infectious hazards,
- good infection practice and controls based upon an awareness of the chain of infection and standard infection control precautions.

What are Environmental Health doing?

- Updating current registers
- Helping with maintaining industry awareness
- Resourcing and officer competency
- Cross boundary working

The Benefits

- Update inadequate existing legislation.
- Improved enforcement powers.
- Promotes a consistent approach to enforcement
- Higher consistent standards.
- Support a level playing field for businesses.
- Flexibility to address ‘new threats’.
- Improved public access to information.

Single-use medical devices

MHRA

How do I know if a device is for single-use?

It will have the symbol on the packaging or the device

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What does single-use mean?

Do not reuse. A single use device is used on an individual patient during a single procedure and then discarded. It is not intended to be reprocessed and used again, even on the same patient

Is single-patient use the same as single-use?

No. Single-patient use means the medical device may be used for more than one episode of use on one patient only. The device may undergo some form of reprocessing between each use.

Why shouldn't they be reused?

The MHRA is aware of serious incidents relating to reuse of single use devices.

Reuse can be unsafe because of risk of:

- cross-infection — inability to clean and decontaminate due to design.
- endotoxin reaction — accessive bacterial breakdown products, which cannot be adequately removed by cleaning.
- patient injury — device failure from reprocessing or reuse because of fatigue, material alteration and embrittlement.
- chemical burns or sensitisation — residues from chemical decontamination agents on materials that can absorb/adsorb chemicals.

Also, if you reuse a single-use device you may be legally liable for the safe performance of the device.

Can I sterilize a single-use device?

Some single-use devices are marketed as non-sterile. These may require reprocessing, in line with the manufacturer's instructions, to make them sterile and ready for use. Check the manufacturer's instructions for any limit on the number of times the unused device may be reprocessed. Once used on a patient, the device must be discarded.

Medicines and Healthcare products Regulatory Agency, an executive agency of the Department of Health

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What happens next?

Continued proactive engagement

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Diolch yn fawr
Thank you very much

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