AN BILLE UM FHEIDHMEANACHT NA SEIRBHÍSE SLÁINTE (RIALACHAS), 2012
HEALTH SERVICE EXECUTIVE (GOVERNANCE) BILL 2012

LEASUITHE COISTE COMMITTEE AMENDMENTS

[No. 65 of 2012] [10 October, 2012]
SECTION 2
1. In page 3, before section 2, to insert the following new section:

“2.—The Health Service Executive shall cease to exist on 1 January 2014.”.
—Senator Sean D. Barrett.

SECTION 5
2. In page 4, to delete lines 24 to 27.
—Senators Averil Power, Marc Mac Sharry, Thomas Byrne, Mark Daly, Terry Leyden, Paschal Mooney, Brian Ó Domhnaill, Denis O’Donovan, Labhrás Ó Murchú, Darragh O’Brien, Ned O’Sullivan, Jim Walsh, Mary M. White, Diarmuid Wilson.

3. In page 4, paragraph (c), between lines 36 and 37, to insert the following:

“(8) The Director General shall publish any reports presented by the Executive to the Minister concerning its compliance with a Ministerial Direction.”.
—Senators Averil Power, Marc Mac Sharry, Thomas Byrne, Mark Daly, Terry Leyden, Paschal Mooney, Brian Ó Domhnaill, Denis O’Donovan, Labhrás Ó Murchú, Darragh O’Brien, Ned O’Sullivan, Jim Walsh, Mary M. White, Diarmuid Wilson.

SECTION 6
4. In page 4, lines 41 and 42, to delete all words from and including “priorities” in line 41 down to and including “service” in line 42 and substitute the following:

“priorities in accordance with which the Executive shall prepare its service”.
—Senators Averil Power, Marc Mac Sharry, Thomas Byrne, Mark Daly, Terry Leyden, Paschal Mooney, Brian Ó Domhnaill, Denis O’Donovan, Labhrás Ó Murchú, Darragh O’Brien, Ned O’Sullivan, Jim Walsh, Mary M. White, Diarmuid Wilson.
SECTION 7

* 5. In page 6, line 18, to delete “PART 2A” and substitute the following:

“PART 3A”.

* 6. In page 6, line 30, to delete “Subject to subsection (3)” and substitute “Subject to section 16K(10)”.

* 7. In page 6, to delete lines 34 to 36.

* 8. In page 6, line 37, to delete “(4) A person” and substitute “(3) A person”.

  9. In page 6, to delete lines 37 to 40. —Senator Sean D. Barrett.

* 10. In page 6, line 41, to delete “(5) An appointed” and substitute “(4) An appointed”.

  11. In page 6, between lines 45 and 46, to insert the following:

“(6) The post of Director for Mental Health shall be a publicly advertised position, subject to strict criteria.”.

—Senators Averil Power, Marc Mac Sharry, Thomas Byrne, Mark Daly, Terry Leyden, Paschal Mooney, Brian Ó Domhnaill, Denis O’Donovan, Labhrás Ó Murchú, Darragh Ó’Brien, Ned O’Sullivan, Jim Walsh, Mary M. White, Diarmuid Wilson.

12. In page 7, after line 46, to insert the following:

“16D.—The Director for Mental Health shall be responsible for planning, budgeting for and reporting on the implementation of mental health policy. His delegated functions shall include but are not limited to producing a multi-annual plan to implement the Government’s mental health policy; consulting with patients, their families and significant others and other stakeholders in relation to a mental health services reform implementation plan; producing annual service plans, approving mental health service area budgets, reporting regularly against performance indicators agreed with the Minister for Health and ensuring equity of resources between Mental Health Catchment Areas.”.

—Senators Averil Power, Marc Mac Sharry, Thomas Byrne, Mark Daly, Terry Leyden, Paschal Mooney, Brian Ó Domhnaill, Denis O’Donovan, Labhrás Ó Murchú, Darragh Ó’Brien, Ned O’Sullivan, Jim Walsh, Mary M. White, Diarmuid Wilson.

13. In page 9, line 25, to delete “Subject to subsection (4),”.

—Senator Marc Mac Sharry.


—Senator Marc Mac Sharry.

15. In page 10, line 26, after “opinion,” to insert the following:

“such opinion being corroborated by independent written medical advice,”.

—Senator Marc Mac Sharry.
* 16. In page 12, to delete lines 9 to 15 and substitute the following:

   “(b) where and to the extent specified in a delegation made under paragraph (a), authorise the subdelegation of any or all of the functions delegated under paragraph (a) to or by other employees of the Executive.”.

* 17. In page 12, to delete lines 31 to 34 and substitute the following:

   “(a) vary any delegation or subdelegation of a function made under this section, including by modifying the geographical area to which the delegation or subdelegation relates.”.

18. In page 13, line 17, to delete “, or is likely to be”.  

   —Senator Sean D. Barrett.

19. In page 14, to delete lines 8 to 12.  

   —Senator Sean D. Barrett.

* 20. In page 15, line 39, to delete “act” and substitute “perform its functions”.

SECTION 12

21. In page 18, line 42, to delete “is consistent with” and substitute “complies with”.

   —Senators Averil Power, Marc Mac Sharry, Thomas Byrne, Mark Daly, Terry Leyden, Paschal Mooney, Brian Ó Domhnaill, Denis O'Donovan, Labhrás Ó Murchú, Darragh O’Brien, Ned O'Sullivan, Jim Walsh, Mary M. White, Diarmuid Wilson.

22. In page 19, line 22, after “Minister” to insert “including performance targets set by the Minister”.

   —Senators Averil Power, Marc Mac Sharry, Thomas Byrne, Mark Daly, Terry Leyden, Paschal Mooney, Brian Ó Domhnaill, Denis O'Donovan, Labhrás Ó Murchú, Darragh O’Brien, Ned O'Sullivan, Jim Walsh, Mary M. White, Diarmuid Wilson.

23. In page 19, between lines 26 and 27, to insert the following:

   “(h) comply with any priorities set by the Minister.”.

   —Senators Averil Power, Marc Mac Sharry, Thomas Byrne, Mark Daly, Terry Leyden, Paschal Mooney, Brian Ó Domhnaill, Denis O'Donovan, Labhrás Ó Murchú, Darragh O'Brien, Ned O'Sullivan, Jim Walsh, Mary M. White, Diarmuid Wilson.

24. In page 20, line 22, to delete “policies and”.

   —Senator Sean D. Barrett.

SECTION 17

25. In page 22, lines 42 to 44, to delete all words from and including “, in” in line 42 down to and including “to” in line 44 and in page 23 to delete lines 1 and 2 and substitute “have professional qualifications in auditing.”.

   —Senator Sean D. Barrett.
SECTION 23

26. In page 27, before section 23, but in Part 2, to insert the following new section:

“23.—Any officer/employee of the Executive shall be tax resident in Ireland for the duration of his or her employment with/by the Executive.”.

—Senator Marc Mac Sharry.