



SEANAD ÉIREANN

AN BILLE UM SHLÁINTE LEANAÍ, 2018 CHILDREN'S HEALTH BILL 2018

LEASUITHE COISTE COMMITTEE AMENDMENTS

SEANAD ÉIREANN

AN BILLE UM SHLÁINTE LEANAÍ, 2018 —AN COISTE

CHILDREN'S HEALTH BILL 2018 —COMMITTEE STAGE

Leasuithe Amendments

**Government amendments are denoted by an asterisk*

SECTION 2

1. In page 6, line 9, after “*section 5*” to insert “, known as the Kathleen Lynn National Children’s Hospital”.

—*Senators Máire Devine, Niall Ó Donnghaile, Rose Conway-Walsh, Fintan Warfield,
Pádraig Mac Lochlainn, Paul Gavan.*

SECTION 6

2. In page 7, line 4, after “health”, where it secondly occurs, to insert “, mental health”.

—*Senators Máire Devine, Niall Ó Donnghaile, Rose Conway-Walsh, Fintan Warfield,
Pádraig Mac Lochlainn, Paul Gavan.*

3. In page 7, between lines 18 and 19, to insert the following:

“(e) to facilitate, foster and promote health and well-being amongst staff by providing training, awareness raising programmes and necessary support services;”.

—*Senators Máire Devine, Niall Ó Donnghaile, Rose Conway-Walsh, Fintan Warfield,
Pádraig Mac Lochlainn, Paul Gavan.*

SECTION 7

4. In page 8, between lines 8 and 9, to insert the following:

“(2) Children’s Health Ireland shall guarantee that there shall be no non-medical influence in the clinical operations of the hospital within the laws of the State.”.

—*Senators Máire Devine, Niall Ó Donnghaile, Rose Conway-Walsh, Fintan Warfield,
Pádraig Mac Lochlainn, Paul Gavan.*

SECTION 8

5. In page 8, to delete lines 24 to 26.

—*Senators Máire Devine, Niall Ó Donnghaile, Rose Conway-Walsh, Fintan Warfield,
Pádraig Mac Lochlainn, Paul Gavan.*

[SECTION 9]

SECTION 9

6. In page 9, line 4, to delete “or current”.

—*Senators Máire Devine, Niall Ó Donnghaile, Rose Conway-Walsh, Fintan Warfield, Pádraig Mac Lochlainn, Paul Gavan.*

SECTION 12

7. In page 10, line 27, to delete “12 members” and substitute “18 members”.

—*Senators Máire Devine, Niall Ó Donnghaile, Rose Conway-Walsh, Fintan Warfield, Pádraig Mac Lochlainn, Paul Gavan.*

8. In page 10, lines 29 and 30, to delete “the Minister.” and substitute the following:

“the Oireachtas, following a public interview process of candidates conducted by the Oireachtas Select Committee on Health.”.

—*Senators Máire Devine, Niall Ó Donnghaile, Rose Conway-Walsh, Fintan Warfield, Pádraig Mac Lochlainn, Paul Gavan.*

9. In page 10, lines 31 and 32, to delete “the Minister” and substitute “the Oireachtas”.

—*Senators Máire Devine, Niall Ó Donnghaile, Rose Conway-Walsh, Fintan Warfield, Pádraig Mac Lochlainn, Paul Gavan.*

SECTION 13

10. In page 11, line 19, to delete “the Minister” and substitute the following:

“the Oireachtas, following a public interview process of candidates conducted by the Oireachtas Select Committee on Health,”.

—*Senators Máire Devine, Niall Ó Donnghaile, Rose Conway-Walsh, Fintan Warfield, Pádraig Mac Lochlainn, Paul Gavan.*

11. In page 11, line 21, to delete “11 ordinary members” and substitute “17 ordinary members”.

—*Senators Máire Devine, Niall Ó Donnghaile, Rose Conway-Walsh, Fintan Warfield, Pádraig Mac Lochlainn, Paul Gavan.*

12. In page 11, line 22, to delete “the Minister” and substitute the following:

“the Oireachtas, following a public interview process of candidates conducted by the Oireachtas Select Committee on Health,”.

—*Senators Máire Devine, Niall Ó Donnghaile, Rose Conway-Walsh, Fintan Warfield, Pádraig Mac Lochlainn, Paul Gavan.*

13. In page 11, between lines 24 and 25, to insert the following:

“(2) The membership of the Board under *subsection (1)* shall be made up of the following members:

- (a) 11 ordinary members and the chairperson, appointed by the Oireachtas following a public interview process of candidates conducted by the Oireachtas Select Committee on Health, who have experience or expertise in matters connected to the functions of paediatric healthcare, healthcare or to corporate governance and

[SECTION 13]

management generally;

- (b) 2 members nominated by the Irish Congress of Trade Unions (ICTU), appointed by the Oireachtas following a public interview process of candidates conducted by the Oireachtas Select Committee on Health, who have experience or expertise in matters connected to the functions of paediatric healthcare, healthcare or to corporate governance and management generally;
- (c) 2 members nominated by Dublin City Council who will be sitting Dublin City Councillors, appointed by the Oireachtas, following a public interview process of candidates conducted by the Oireachtas Select Committee on Health;
- (d) 2 members who shall be patient advocates, appointed by the Oireachtas following a public interview process of candidates conducted by the Oireachtas Select Committee on Health, who have experience or expertise in matters connected to the functions of patient advocacy, paediatric healthcare, healthcare or to corporate governance and management generally.”.

—*Senators Máire Devine, Niall Ó Donnghaile, Rose Conway-Walsh, Fintan Warfield, Pádraig Mac Lochlainn, Paul Gavan.*

14. In page 11, line 28, to delete “5 ordinary members” and substitute “all ordinary members”.

—*Senators Máire Devine, Niall Ó Donnghaile, Rose Conway-Walsh, Fintan Warfield, Pádraig Mac Lochlainn, Paul Gavan.*

15. In page 11, to delete lines 29 to 31 and substitute the following:

“appointment.”.

—*Senators Máire Devine, Niall Ó Donnghaile, Rose Conway-Walsh, Fintan Warfield, Pádraig Mac Lochlainn, Paul Gavan.*

16. In page 11, to delete lines 32 to 35.

—*Senators Máire Devine, Niall Ó Donnghaile, Rose Conway-Walsh, Fintan Warfield, Pádraig Mac Lochlainn, Paul Gavan.*

SECTION 14

17. In page 12, lines 3 and 4, to delete “the Minister” and substitute the following:

“the Oireachtas, following a public interview process of candidates conducted by the Oireachtas Select Committee on Health,”.

—*Senators Máire Devine, Niall Ó Donnghaile, Rose Conway-Walsh, Fintan Warfield, Pádraig Mac Lochlainn, Paul Gavan.*

18. In page 12, line 7, to delete “Minister” and substitute the following:

“Oireachtas, following a public interview process of candidates conducted by the Oireachtas Select Committee on Health,”.

—*Senators Máire Devine, Niall Ó Donnghaile, Rose Conway-Walsh, Fintan Warfield, Pádraig Mac Lochlainn, Paul Gavan.*

[SECTION 14]

19. In page 12, lines 8 and 9, to delete “Board, 4 of whom shall be appointed on the nomination of the Board and 2 of whom shall be chosen by the Minister.” and substitute “Board.”.

—*Senators Máire Devine, Niall Ó Donnghaile, Rose Conway-Walsh, Fintan Warfield, Pádraig Mac Lochlainn, Paul Gavan.*

20. In page 12, to delete lines 10 and 11.

—*Senators Máire Devine, Niall Ó Donnghaile, Rose Conway-Walsh, Fintan Warfield, Pádraig Mac Lochlainn, Paul Gavan.*

21. In page 12, to delete lines 12 to 14.

—*Senators Máire Devine, Niall Ó Donnghaile, Rose Conway-Walsh, Fintan Warfield, Pádraig Mac Lochlainn, Paul Gavan.*

22. In page 12, to delete lines 15 to 17.

—*Senators Máire Devine, Niall Ó Donnghaile, Rose Conway-Walsh, Fintan Warfield, Pádraig Mac Lochlainn, Paul Gavan.*

23. In page 12, to delete lines 18 and 19.

—*Senators Máire Devine, Niall Ó Donnghaile, Rose Conway-Walsh, Fintan Warfield, Pádraig Mac Lochlainn, Paul Gavan.*

24. In page 12, to delete lines 20 to 22.

—*Senators Máire Devine, Niall Ó Donnghaile, Rose Conway-Walsh, Fintan Warfield, Pádraig Mac Lochlainn, Paul Gavan.*

25. In page 12, line 28, after “Board” to insert the following:

“if approved by the Oireachtas following a public hearing of the Oireachtas Select Committee on Health”.

—*Senators Máire Devine, Niall Ó Donnghaile, Rose Conway-Walsh, Fintan Warfield, Pádraig Mac Lochlainn, Paul Gavan.*

26. In page 12, line 30, after “reappointment” to insert the following:

“if approved by the Oireachtas following a public hearing of the Oireachtas Select Committee on Health”.

—*Senators Máire Devine, Niall Ó Donnghaile, Rose Conway-Walsh, Fintan Warfield, Pádraig Mac Lochlainn, Paul Gavan.*

SECTION 15

27. In page 12, lines 35 to 37, to delete all words from and including “the Minister” in line 35 down to and including in line 37 and substitute the following:

“the Oireachtas shall appoint a person to fill the resulting vacancy following a public interview process of candidates conducted by the Oireachtas Select Committee on Health.”.

—*Senators Máire Devine, Niall Ó Donnghaile, Rose Conway-Walsh, Fintan Warfield, Pádraig Mac Lochlainn, Paul Gavan.*

[SECTION 15]

28. In page 13, lines 2 to 4, to delete all words from and including “be filled on” in line 2 down to and including line 4 and substitute the following:

“be filled on the nomination of the Oireachtas following a public interview process of candidates conducted by the Oireachtas Select Committee on Health.”.

—*Senators Máire Devine, Niall Ó Donnghaile, Rose Conway-Walsh, Fintan Warfield, Pádraig Mac Lochlainn, Paul Gavan.*

SECTION 16

29. In page 13, line 10, to delete “6 ordinary members” and substitute “12 members”.

—*Senators Máire Devine, Niall Ó Donnghaile, Rose Conway-Walsh, Fintan Warfield, Pádraig Mac Lochlainn, Paul Gavan.*

30. In page 13, lines 11 and 12, to delete “6 ordinary members” and substitute “12 members”.

—*Senators Máire Devine, Niall Ó Donnghaile, Rose Conway-Walsh, Fintan Warfield, Pádraig Mac Lochlainn, Paul Gavan.*

31. In page 13, line 19, to delete “6 members.” and substitute “12 members.”.

—*Senators Máire Devine, Niall Ó Donnghaile, Rose Conway-Walsh, Fintan Warfield, Pádraig Mac Lochlainn, Paul Gavan.*

SECTION 17

32. In page 14, to delete line 7 and substitute the following:

“profession,

(g) is found to have a conflict of interest, including any prospect of financial gain from the functions of the services provided by Children’s Health Ireland and its subsidiaries.”.

—*Senators Máire Devine, Niall Ó Donnghaile, Rose Conway-Walsh, Fintan Warfield, Pádraig Mac Lochlainn, Paul Gavan.*

33. In page 14, line 18, to delete “The Minister” and substitute “The Oireachtas”.

—*Senators Máire Devine, Niall Ó Donnghaile, Rose Conway-Walsh, Fintan Warfield, Pádraig Mac Lochlainn, Paul Gavan.*

SECTION 18

34. In page 14, line 26, to delete “The Minister” and substitute “The Oireachtas”.

—*Senators Máire Devine, Niall Ó Donnghaile, Rose Conway-Walsh, Fintan Warfield, Pádraig Mac Lochlainn, Paul Gavan.*

35. In page 14, line 31, to delete “The Minister” and substitute “The Oireachtas”.

—*Senators Máire Devine, Niall Ó Donnghaile, Rose Conway-Walsh, Fintan Warfield, Pádraig Mac Lochlainn, Paul Gavan.*

36. In page 14, line 33, to delete “the Minister” and substitute “the Oireachtas”.

—*Senators Máire Devine, Niall Ó Donnghaile, Rose Conway-Walsh, Fintan Warfield, Pádraig Mac Lochlainn, Paul Gavan.*

[SECTION 18]

37. In page 14, line 39, to delete “the Minister’s receipt of the report.” and substitute “the receipt of the report by the Oireachtas.”.

—*Senators Máire Devine, Niall Ó Donnghaile, Rose Conway-Walsh, Fintan Warfield,
Pádraig Mac Lochlainn, Paul Gavan.*

38. In page 15, line 1, to delete “the Minister” where it firstly occurs and substitute “the Oireachtas”.

—*Senators Máire Devine, Niall Ó Donnghaile, Rose Conway-Walsh, Fintan Warfield,
Pádraig Mac Lochlainn, Paul Gavan.*

39. In page 15, lines 2 and 3, to delete “the Minister’s opinion” and substitute “the opinion of the Oireachtas”.

—*Senators Máire Devine, Niall Ó Donnghaile, Rose Conway-Walsh, Fintan Warfield,
Pádraig Mac Lochlainn, Paul Gavan.*

40. In page 15, lines 5 to 11, to delete all words from and including “appointment—” in line 5 down to and including line 11 and substitute the following:

“appointment elect a member to be nominated to the Oireachtas for appointment as chairperson of the Board, and where the Oireachtas approves of the nomination, the member shall be appointed as chairperson for a term of 5 years.”.

—*Senators Máire Devine, Niall Ó Donnghaile, Rose Conway-Walsh, Fintan Warfield,
Pádraig Mac Lochlainn, Paul Gavan.*

41. In page 15, lines 5 to 11, to delete all words from and including “appointment—” in line 5 down to and including line 11 and substitute the following:

“appointment elect a member to be nominated to the Minister for appointment as chairperson of the Board, and where the Minister approves of the nomination, the member shall be appointed as chairperson for a term of 5 years.”.

—*Senators Máire Devine, Niall Ó Donnghaile, Rose Conway-Walsh, Fintan Warfield,
Pádraig Mac Lochlainn, Paul Gavan.*

SECTION 20

42. In page 15, line 31, to delete “or a local authority”.

—*Senators Máire Devine, Niall Ó Donnghaile, Rose Conway-Walsh, Fintan Warfield,
Pádraig Mac Lochlainn, Paul Gavan.*

43. In page 16, line 2, to delete “or a local authority”.

—*Senators Máire Devine, Niall Ó Donnghaile, Rose Conway-Walsh, Fintan Warfield,
Pádraig Mac Lochlainn, Paul Gavan.*

44. In page 16, lines 7 and 8, to delete “ or a local authority”.

—*Senators Máire Devine, Niall Ó Donnghaile, Rose Conway-Walsh, Fintan Warfield,
Pádraig Mac Lochlainn, Paul Gavan.*

[SECTION 21]

SECTION 21

45. In page 16, line 16, after “allow” to insert the following:

“, with details of the expenses paid out to each Board member to be publicly published after each year”.

—*Senators Máire Devine, Niall Ó Donnghaile, Rose Conway-Walsh, Fintan Warfield, Pádraig Mac Lochlainn, Paul Gavan.*

SECTION 23

46. In page 16, line 35, to delete “the Minister,” and substitute “the Oireachtas,”.

—*Senators Máire Devine, Niall Ó Donnghaile, Rose Conway-Walsh, Fintan Warfield, Pádraig Mac Lochlainn, Paul Gavan.*

47. In page 17, lines 4 and 5, to delete “the Minister and the approval of the Minister for Public Expenditure and Reform.” and substitute “the Oireachtas.”.

—*Senators Máire Devine, Niall Ó Donnghaile, Rose Conway-Walsh, Fintan Warfield, Pádraig Mac Lochlainn, Paul Gavan.*

48. In page 17, line 13, after “disposal” to insert “and shall be publicly published annually”.

—*Senators Máire Devine, Niall Ó Donnghaile, Rose Conway-Walsh, Fintan Warfield, Pádraig Mac Lochlainn, Paul Gavan.*

SECTION 24

49. In page 17, line 32, after “Board” to insert “and the Oireachtas”.

—*Senators Máire Devine, Niall Ó Donnghaile, Rose Conway-Walsh, Fintan Warfield, Pádraig Mac Lochlainn, Paul Gavan.*

50. In page 18, line 9, after “Children's Health Ireland” to insert “and its subsidiaries”.

—*Senators Máire Devine, Niall Ó Donnghaile, Rose Conway-Walsh, Fintan Warfield, Pádraig Mac Lochlainn, Paul Gavan.*

51. In page 18, line 11, after “Children's Health Ireland” to insert “and its subsidiaries”.

—*Senators Máire Devine, Niall Ó Donnghaile, Rose Conway-Walsh, Fintan Warfield, Pádraig Mac Lochlainn, Paul Gavan.*