



Tithe an  
Oireachtais  
Houses of the  
Oireachtas

## **AN COMHCHOISTE UM SHLÁINTE**

**Clár Oibre 2018/2019**

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**JOINT COMMITTEE ON HEALTH**

**Work Programme 2018/2019**

## **Work Programme 2018-19 (July – June)**

### **Introduction**

The Joint Committee on Health was established following Orders of Dáil Éireann on 16 June 2016 and of Seanad Éireann on 20 July 2016. Standing Orders 89(4) of Dáil Éireann and 75(4) of Seanad Éireann require that “as soon as may be following its appointment and thereafter at annual intervals, each Select Committee shall prepare a work programme and shall lay such programme before Dáil/Seanad Éireann”.

The Committee was established with a remit to examine legislation and to scrutinise policy, expenditure and administration of the Department of Health, and the public bodies under its remit.

It is a forum for Oireachtas Members from all parties and none to have meaningful input into key legislation and policy matters under the Department of Health.

It plays a key role in influencing the agenda in relation to the physical, mental and public health of the people of Ireland. The Committee regularly meets with the Minister for Health and the HSE to scrutinise performance.

This Work Programme for the period from July 2018 to June 2019 sets out the Committee’s agreed priorities in accordance with Standing Orders, including key policy areas agreed for consideration by Committee Members. In so far as possible, the Joint Committee will focus on strategic issues.

### **Select Committee**

The function of the Select Committee is to scrutinise Bills, to review Estimates, to consider Motions referred to it by the Dáil and any other business referred to it by the Houses of the Oireachtas.

The Membership of the Select Committee on Health is made up of representatives from the Dáil only. Members of the Seanad cannot attend a Select Committee Meeting. Any Member of the Dáil may attend a Select Committee Meeting, but in the event of a vote taking place at a meeting of the Select Committee, only the Members of the Committee or their nominated substitutes may cast a vote.

When the Select Committee meets to consider a Bill (i.e. Committee Stage), the Members can propose amendments for consideration.

### Legislation (Bills)

The Government Legislative Programme makes provision for the publication of a number of Bills which will be referred to the Select Committee.

### Legislation (Statutory Instruments)

The Joint Committee considers draft Statutory Instruments which transpose EU legislation in the area of health, prior to their being signed into law by the Minister for Health. The Committee also has the opportunity to examine any Regulations made by the Minister.

### Motions

Occasionally Motions may be referred to the Select Committee (or to the Joint Committee) by the Dáil or Seanad. It is not possible to say in advance what those matters might be, or when they might arise. However, there are no items currently referred to either the Select Committee or to the Joint Committee.

### Scrutiny of Estimates

The Estimates are the Department of Health's spending plans for the coming financial year. When the Estimates are referred to the Select Committee on Health for examination, the Members have a valuable opportunity to question the Minister about proposed spending and performance. It should be noted that the Select Committee is required to consider the Estimates but is not empowered to amend them.

The Estimate which the select Committee can examine is as follows:

- Revised Estimates for Public Service (Vote 38 – Health)

(Note: Since the beginning of 2015, the HSE is funded by grants provided under Vote 38.)

The Committee is obliged to consider a Supplementary Estimate if additional monies are required by the Department of Health.

## **Joint Committee**

The duties of the Joint Committee are discharged in two ways: (1) there will be items of business referred to it by one or both Houses and (2) it can select business for consideration from the areas within its terms of reference. In practice, the Joint Committee's work will comprise the examination of EU business and key policy priorities.

### **(1) EU Business**

Oireachtas Committees have the capacity to improve regulation at an EU level by scrutinising EU legislative proposals. The Committee system in the 32nd Oireachtas will continue to mainstream consideration of EU Legislative Proposals across all sectoral Committees.

### **EU Councils**

Irish Ministers attend Council of Ministers meetings in their relevant policy areas, and it is intended that the Minister for Health will come before the Committee in advance of, or following, Council meetings to brief the Committee.

### **(2) Key policy priorities**

The Joint Committee is empowered to consider such other policy issues as it may select within its terms of reference.

The following are the high priority policy issues identified by the Joint Committee which it proposes to examine in further detail during 2018/19:

#### **A. Primary Care**

Under the heading of Primary Care, particular issues to be cognizant of include:

- i. How conditions can be realistically managed in the community
- ii. The cycle of care for diabetes
- iii. Possible improvements in how different parts of the health service work together
- iv. How to prevent/ameliorate chronic illnesses
- v. Support services and requirements for children with special needs
- vi. The costs of residential and/or day care services for the elderly
- vii. The extent to which primary care centres continue to alleviate the burden on the A&E sector.

## **B. Adult Safeguarding**

The need for legislation in the area of Adult Safeguarding and the range of issues to be addressed

## **C. Disability Issues**

- i. Implementation following ratification of the UN Convention on the rights of persons with disabilities (UNCRPD)
- ii. Non-health areas impacting on the health and wellbeing status of people with disabilities and how we engage with other related entities
- iii. Alcohol and its health impact with particular reference to brain injury and foetal alcohol syndrome.

Other areas of Work which the Committee will look to undertake, time and resources allowing, include:

- i. Review of progress in implementing the Sláintecare Report
- ii. Hospital Acquired Infections
- iii. Challenges facing those with Neurological Conditions
- iv. System for mediation and compensation to address adverse medical outcomes
- v. Regulation of Homecare Providers
- vi. Proposed regulation on Health Technology Assessment
- vii. Chronic Fatigue Syndrome (Myalgic Encephalomyelitis)
- viii. Tick Talk Ireland re Lyme Disease

## **(3) Quarterly Meetings with the Minister**

The Joint Committee meets on a Quarterly basis with the Minister for Health accompanied by the Director General of the HSE. The purpose of these meetings is for the Minister and the Director General to update the Committee on strategic issues, as well as addressing current topics of concern to Committee Members.

#### **(4) Chairpersons Designate of State Boards**

An individual appointed as a Chairperson Designate to a State board or body is required to make themselves available to appear before the relevant Oireachtas Committee.

This procedure gives Committees the discretion to engage in public sessions with Chairs Designate, to discuss challenges facing the organisation, their approach to the role, and their strategic vision for the future. Following that discussion, the Clerk of the Committee forwards a copy of the transcript of the meeting to the Minister or the Government, as appropriate.

In practice, the Committee may wish simply to note the majority of Chairs Designate, and identify a small number of strategically important Chairs Designate with whom to hold meetings. It should also be noted that a Chair Designate meeting is not an interview process.

#### **(5) Pre-Legislative Scrutiny**

The Minister may request that the Joint Committee consider carrying out pre-legislative scrutiny of a proposed piece of legislation.

The decision to carry out PLS is at the discretion of the Committee, having regard to its Work Programme and competing priorities. However, the PLS process offers a good opportunity for a Committee to analyse the draft Heads of a Bill at an early stage. The purpose of PLS is to:

- assist in the preparation and drafting of the final legislation;
- examine the policy aspirations behind each provision of the legislation;
- assess whether the legislation, as drafted, will meet its stated objectives;
- consider possible amendments which are aimed at addressing any gaps or weaknesses identified in the current Heads of the Bill.

To achieve these aims, the Committee will generally consult with stakeholders, seeking their views regarding the proposed legislation. A Report will then be published on the Committee's deliberations and it will be laid before the Houses of the Oireachtas and submitted to the relevant Minister.

This Work Programme for 2018/19 of the Joint Committee on Health was agreed by the Committee at its meeting on 17 October 2018. In accordance with the Standing Orders of Dáil Éireann and Seanad Éireann, it was agreed that the Work Programme was to be laid before both Houses of the Oireachtas.

Subject to agreement by the Committee, the Work Programme will also be published on the Committee's page of the Oireachtas website.

*Dr. Michael Harty* *17 Oct 18*

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Michael Harty TD,  
Chairman  
17 October 2018