

South Australia

Emergency Management (Appropriate Surgery During COVID-19 Pandemic No 6) Direction 2022

under section 25 of the *Emergency Management Act 2004*

Preamble

- 1 On 22 March 2020 I, Grantley Stevens, Commissioner of Police, being State Co-ordinator for the State of South Australia pursuant to section 14 of the *Emergency Management Act 2004* (the *Act*), declared pursuant to section 23 of the Act that a Major Emergency is occurring in respect of the outbreak of the Human Disease named COVID-19 within South Australia.
- 2 Now I, Grantley Stevens, being of the opinion that this is necessary to achieve the purposes of the Act, give the following direction pursuant to section 25 of the Act.

1—Short title

This direction may be cited as the *Emergency Management (Appropriate Surgery During COVID-19 Pandemic No 6) Direction 2022*.

2—Revocation

- (1) The *Emergency Management (Appropriate Surgery During COVID-19 Pandemic No 5) Direction 2022* is revoked.
- (2) This direction replaces the *Emergency Management (Appropriate Surgery During COVID-19 Pandemic No 5) Direction 2022*.

3—Purpose of this direction

The purpose of this direction is to ensure that healthcare resources are available to respond to the immediate needs of persons infected with COVID-19.

4—Appropriate Surgery Direction

- (1) Subject to clause 5, only the following surgical treatment may be performed in the State of South Australia:
 - (a) emergency surgery and procedures performed for conditions where failure to do so expediently and safely will lead to the following outcomes:
 - (i) loss of life; or
 - (ii) loss of limb; or
 - (iii) permanent disability;

- (b) non-emergency but urgent surgery and procedures performed for conditions where a patient would come to harm were surgery to be delayed;
 - (i) Category 1 surgery as defined in the National Guidelines;
 - (ii) Category 2 surgery as defined in the National Guidelines where a clinical risk assessment has determined there to be an urgent need to proceed;
 - (iii) Procedures including endoscopy, bronchoscopy, interventional radiology and cardiology where there is an urgent clinical need to proceed;
 - (c) surgery and procedures of a kind specified in subclause (2).
- (2) For the purposes of subclause (1)(c), the following surgery and procedures are specified:
- (a) procedures undertaken in a community setting utilising local anaesthetic by health practitioners;
 - (b) dental procedures and dental surgical treatments performed outside of a hospital setting, provided that the risk of disease transmission is managed and personal protective equipment stocks are safely available;
 - (c) surgical termination of pregnancy;
 - (d) assisted reproduction procedures (IVF);
 - (e) screening procedures (including breast, bowel and cervix screening).

- (4) In this clause—

National Guidelines means the Australian Government, Australian Health Ministers' Advisory Council, National Elective Surgery Urgency Categorisation guideline dated April, 2015.

5—Exemptions

- (1) A prescribed authorised officer may, if satisfied that exceptional circumstances exist, exempt (conditionally or unconditionally) a person or class of persons from this direction or a provision of this direction.

- (2) In this clause—

prescribed authorised officer means the Chief Executive of the Department for Health and Wellbeing, the South Australian Chief Public Health Officer or the South Australian Chief Medical Officer.

6—Powers of authorised officers

Nothing in this direction derogates from the powers of authorised officers to exercise powers pursuant to the Act.

IMPORTANT—

FAILURE TO COMPLY WITH THIS DIRECTION IS AN OFFENCE.

This direction operates from the 7th day of January 2022 at 0001 hours

SIGNED at Adelaide on this 6th day of January 2022
at 1321 hours



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GRANTLEY STEVENS
STATE CO-ORDINATOR