



S. Keady 09/0/09
 NEW * SOUTH * WALES
Medical Board

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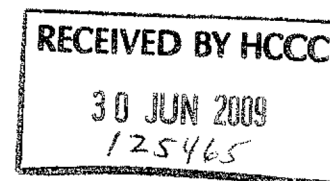
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Our Ref: MPO 085512-03 : 09/24437

25 June 2009

Mr K Pehm
 Commissioner
 Health Care Complaints Commission
 Locked Bag 18
STRAWBERRY HILLS NSW 2012



CONFIDENTIAL

Attention: Mr Ian Thurgood
Director of Assessments

Dear Mr Pehm

Dr John Philip Rolleston, MPO 085512, DOB: REDACT 1938
Outcome of proceedings held under section 66 and referral of matter under
section 66B of the *Medical Practice Act 1992*

I refer to the NSW Medical Board's letter dated 12 June 2009.

I confirm that proceedings under section 66 of the *Medical Practice Act 1992* (the Act) were held in relation to Dr John Rolleston on 23 June 2009. The Board was satisfied that action was appropriate for the protection of the health or safety of any person or is otherwise in the public interest.

The following conditions were imposed on the registration of Dr John Philip Rolleston under the provisions of section 66 of the Act effective from 23 June 2009:

Practice Conditions

1. Dr Rolleston must obtain NSW Medical Board approval prior to changing the nature or place of his practice.
2. Dr Rolleston must not provide medical services, including examination, treatment or interview to any patient aged between 11 and 18 years (inclusive). This includes emergency consultations, after-hours presentations and home visits.
3. A third person ('the chaperone') must be present at all times during any provision of medical services, including examination, treatment or

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interview of all patients aged from 0 to 10 years (inclusive) by Dr Rolleston;

- (a) The chaperone is to be a registered or enrolled nurse approved by the NSW Medical Board;
 - (b) If the chaperone is not a registered or enrolled nurse approved by the NSW Medical Board the chaperone is to be an adult family member of the patient.
4. Dr Rolleston must forward to the NSW Medical Board within 7 days of the end of each calendar month a report of all patients aged between 0 to 10 years who were treated during the preceding month. This report will be in the form of a record sheet approved by the NSW Medical Board, which must include:
 - (a) the date and the time of the consultation,
 - (b) the printed names of the chaperone and the patient,
 - (c) the contemporaneous signature of the chaperone.
5. Dr Rolleston is to ensure the chaperones have an understanding of their responsibility to be present during all examinations, treatments and interviews with patients aged between 0 and 10.
6. Dr Rolleston is to notify any other practitioner (including future practitioners) who may be working on site with Dr Rolleston of these conditions. He is to forward to the NSW Medical Board, within 7 days, a copy of these conditions signed by each one of these practitioners.
7. Dr Rolleston is to authorise the exchange of information between Medicare Australia and the NSW Medical Board where required in order to facilitate monitoring of compliance with these conditions.

Matter referred to Commission under s66B to be investigated as a complaint by the Commission

Pursuant to section 66B(1) the Board now formally refers this matter for investigation as a complaint.

The written decision will be provided to the Commission when finalised by the Board's delegates.

In advance of the Board's written decision, please find enclosed the documents considered by the s66 delegates (tabbed 1 to 32) constitute the matters considered by the Board in making its decision as to whether it was appropriate to take action under section 66.

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The Board will be forwarding the written reasons for decision as soon as it is available.

I note due to technical difficulties there is not voice recording of these proceedings and apologise for any inconvenience.

Please do not hesitate to contact me on 9879 2227 should you wish to discuss this matter further.

Yours sincerely



Bronwyn Sharp
Legal Officer

Enclosures:

1. Folder of documents (1 to 32)