

Service Agreement Deed of Amendment (Abridged)

An agreement between:

Department of Health Chief Executive Officer

And

South Metropolitan Health Service

for the period

1 July 2017 – 30 June 2018

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BACKGROUND

- A. On 1 July 2017, pursuant to section 46 of the Act the Parties entered into the Service Agreement. Section 46(4) of the Act provides that the Service Agreement is binding on the Parties.
- B. The Service Agreement details the health services that the Department CEO will purchase from the South Metropolitan Health Service and the health services the South Metropolitan Health Service will deliver during the 2017-18 financial year.
- C. The State election in Western Australia delayed the delivery of the 2017-18 State budget. The State budget delivered in September 2017 changes the funding set out in the Service Agreement and an amendment to the Service Agreement is required.
- D. Section 50 of the Act stipulates that a Party that wants to amend the terms of the Service Agreement must provide written notice of the proposed amendment to the other party.
- E. This Deed is executed in accordance with section 50 of the Act.

DEFINED TERMS

In this Deed:

1. **Act** means the *Health Services Act 2016*.
2. **Deed** means this Deed of Amendment
3. **Parties** means the parties to the Service Agreement and to the Deed and “Party” means any one of them.
4. **Policy Framework** means a policy framework issued under section 26 of the Act.
5. **Service Agreement** means the South Metropolitan Health Service Service Agreement 2017–18 between the Parties and as amended from time-to-time including all schedules and annexures
6. **Schedule** means a schedule to the Service Agreement.

1. OPERATION OF AMENDMENTS

The Service Agreement will be read and construed subject to this Deed, and in all other respects the provisions of the Service Agreement are confirmed, and subject to the terms of the amendments contained in this Deed, the Service Agreement will continue in full force and effect in accordance with its terms.

Each Party will promptly do and perform all further acts and execute and deliver all further documents (in form and content reasonably satisfactory to that Party) required by law or reasonably requested by any other Party to give effect to this Deed.

This Deed is governed by and will be construed according to the laws in force in Western Australia.

2. ENTIRE AGREEMENT

This Deed together with the Service Agreement constitutes the entire agreement between the Parties and supersedes any previous agreement between the Parties as to the subject matter of this Deed.

3. AMENDMENTS TO SERVICE AGREEMENT

With effect from the date of this Deed the Parties agree that the Service Agreement is varied so that:

- (a) Reference to the “Office of the Attorney General” in clause 9.4 is deleted and replaced with the words “Office of the Auditor General”.
- (b) The existing Outcome Based Resource Allocation table at page 17 of the Service Agreement is amended to reflect changes to WA State Government goals. This amendment is attached hereto and marked as Annexure 1.
- (c) The existing schedule A: SMHS Summary of Activity and Funding table at page 18 of the Service Agreement is amended. This amendment is attached hereto and marked as Annexure 2.

4. PUBLICATION OF DEED

The Department will publish an abridged version of this Deed on the WA health system internet site, in accordance with Schedule D9 of the National Health Reform Agreement. Any subsequent amendments to this Deed together with the Service Agreement will also be published in accordance with Schedule D9 of the National Health Reform Agreement.

Parties to the Agreement:

Executed as a Deed of Amendment in the state of Western Australia.

Parties to the Agreement:

Department CEO

Dr David J Russell-Weisz
Director General
Department of Health


Date: 18/10/17

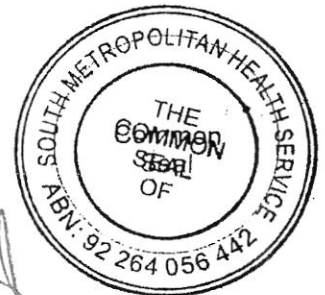
Signed: 

The Common Seal of the
South Metropolitan Health Service)
was hereunto affixed in the presence of:)

Mr Robert McDonald
Board Chair
South Metropolitan Health Service

Date: 4/10/17

Signed: 



Mr Paul Forden
A/Chief Executive
South Metropolitan Health Service

Date: 4/10/17

Signed: 

Annexure 1

Outcome Based Resource Allocation

Government Goal	WA Health System Agency Goal	Desired Outcome	Services
Strong Communities: Safe communities and supported families.	Delivery of safe, quality, financially sustainable and accountable healthcare for all Western Australians	Outcome 1: Public hospital based services that enable effective treatment and restorative health care for Western Australians	1. Public Hospital Admitted Services
			2. Public Hospital Emergency Services
			3. Public Hospital Non-Admitted Services
			4. Mental Health Services
		Outcome 2: Prevention, health promotion and aged and continuing care services that help Western Australians to live healthy and safe lives	5. Aged and Continuing Care Services
			6. Public and Community Health Services
			7. Community Dental Health Services
			8. Small Rural Hospital Services
Sustainable Finances: Responsible financial management and better service delivery		Outcome 3: Strategic leadership, planning and support services that enable a safe, high quality and sustainable WA health system.	9. Health System Management - Policy and Corporate Services
			10. Health Support Services

Annexure 2

A: SMHS Summary of Activity and Funding

OBM Service	2016-17		2017-18		2017-18		2018-19		2019-20		2020-21	
	Final Position		Service Agreement		Deed of Amendment		Forward Estimate		Forward Estimate		Forward Estimate	
	WALs	\$'000	WALs	\$'000	WALs	\$'000	WALs	\$'000	WALs	\$'000	WALs	\$'000
1 Public Hospital Admitted Services	160,940	1,072,102	165,414	1,104,421	165,414	1,140,132	169,128	1,170,124	172,492	1,191,788	175,657	1,159,006
2 Public Hospital Emergency Services	26,686	175,055	26,448	174,302	26,448	180,067	27,571	188,153	28,684	195,456	29,812	194,521
3 Public Hospital Non-Admitted Services	34,335	231,994	35,752	241,949	35,752	249,774	36,485	255,727	37,282	260,755	38,076	251,814
4 Mental Health Services	9,746	126,926	10,010	128,520	10,010	127,967	10,197	71,183	10,370	73,024	10,508	69,722
5 Aged and Continuing Care Services	—	16,915	—	17,058	—	17,038	—	13,233	—	13,606	—	13,732
6 Public and Community Health Services	—	36,189	—	23,735	—	23,518	—	14,691	—	14,933	—	(19,360)
7 Community Dental Health Services	—	—	—	—	—	—	—	—	—	—	—	—
8 Small Rural Hospital Services	—	—	—	—	—	—	—	—	—	—	—	—
9 Health System Management - Policy and Corporate Services	—	—	—	—	—	—	—	—	—	—	—	—
10 Health Support Services	—	—	—	—	—	—	—	—	—	—	—	—
System Manager Initiatives	—	103,641	—	63,332	—	20,469	—	(34,188)	—	(34,733)	—	(30,038)
Expense Transfer	—	130	—	—	—	—	—	—	—	—	—	—
Carry-over	—	—	—	—	—	—	—	—	—	—	—	—
Total Expense Limit	231,707	1,762,953	237,624	1,753,317	237,624	1,758,965	243,381	1,678,924	248,828	1,714,829	254,053	1,639,396

Notes

a. The figures in all schedules include an allocation for Financial Products and HSS Resources Received Free of Charge. These may be subject to change due to changes in the budget.

SMHS Commonwealth Specific Purpose Payment Activity and Funding

ABF Service group	National Efficient Price (NEP\$) (as set by IHPA)	Total expected NWAU(#)	Commonwealth	
			Funding Rate (%)	Contribution (\$)
Acute Admitted	4,910	136,438	43.1	288,854,538
Admitted Mental Health	4,910	9,417	38.3	17,687,889
Sub-Acute	4,910	12,489	35.6	21,807,590
Emergency Department	4,910	24,951	42.4	51,951,513
Non Admitted	4,910	33,535	51.4	84,635,343
ABF Total	4,910	216,830	43.7	464,936,873

Non-ABF Service group	Total	Commonwealth		State
	Contribution (\$)	Contribution (\$)	Funding Rate (%)	Contribution (\$)
Non Admitted Mental Health	44,844,297	13,075,731	29.2	31,768,566
Other 'In Scope' Program Services	—	—		—
Rural CSO sites	—	—		—
Teaching, Training and Research	67,511,871	25,733,548	38.1	41,778,323
Total Block Funding	112,356,168	38,809,278	34.5	73,546,890

Note:

This schedule relates to Commonwealth in-scope activity only and is a subset of the Summary of Activity and Funding Schedule.