

Government response to the recommendations arising from the Senate Standing Committee on Community Affairs Minority Report: *A matter relating to the PET Review of 2000*

Majority Report Recommendation:

That Department of Health and Ageing and the Medical Services Advisory Committee coordinate to issue a disclaimer or erratum to institutions likely to hold physical or electronic copies of the MSAC Assessment Report: Positron Emission Tomography or the Report of the Review of Positron Emission Tomography to indicate which members of the Supporting Committee did not agree that the final report reflected their views. (Majority and Minority Report)

Minority Report Recommendations:

- 1. The MSAC 2000 assessment of PET be withdrawn.*
- 2. That Department of Health and Ageing and the Medical Services Advisory Committee coordinate to issue a disclaimer or erratum to institutions likely to hold physical or electronic copies of the MSAC Assessment Report: Positron Emission Tomography or the Report of the Review of Positron Emission Tomography to indicate which members of the Supporting Committee did not agree that the final report reflected their views.*
- 3. MSAC, like the Pharmaceutical Benefits Advisory Committee be constituted as a statutory body at arm's length from government.*
- 4. The Department be required to provide documentary evidence of who inserted the "Primary Finding" of the 2000 PET Review.*
- 5. The Australian Public Sector Commissioner be asked to inquire into, report on and recommend action on the Department's conduct in relation to PET with regard to the APS Code of Conduct and its responsibility to assist Ministers "to fulfill their accountability obligations by providing full and accurate information to the Parliament about the factual and technical background to policies and their administration".*

Response:

Majority Report Recommendation and Minority Report Recommendations 1. & 2.

The Government accepts that the report reflects the views of the Medical Services Advisory Committee (MSAC) at the time and it therefore should not be withdrawn.

The Government has asked the Department of Health and Ageing and the MSAC to issue a disclaimer to institutions likely to hold physical or electronic copies of the MSAC Assessment Report: *Positron Emission Tomography* or the Report: *Review of Positron Emission Tomography* indicating members of the Supporting Committee who believe the final MSAC report did not reflect their views. The Department will contact all members of the Supporting Committee to confirm their position.

The Government has also asked the Department to upload the disclaimer once responses have been received by members of the Supporting Committee to the MSAC website, and to mail it to the likely holders of copies of the original reports including 44 libraries participating in the Library Deposit Scheme, the members of the 2000 PET Supporting Committee and Steering Committee, health portfolios in the States and Territories, and the medical colleges.

Minority Report Recommendation 3.

The Government will consider whether MSAC should be constituted as a statutory body in the context of any future review of health technology assessment.

Minority Report Recommendation 4.

The Government accepts that the Department of Health and Ageing is unable to identify any further documentary evidence and notes that the evidence provided at the Senate Committee hearing of 30 March 2007, in particular the evidence given by Professor King, and the Department's response to questions taken on notice at the 14 June 2007 Senate Committee hearing addressed this matter.

Minority Report Recommendation 5.

The Australian Public Service Commissioner has recently advised that she has considered the matter insofar as her powers permit and does not propose to take any further action.