

South Australia

## Emergency Management (Prohibition of Certain Point of Care Tests No 3) (COVID-19) Direction 2020

under section 25 of the *Emergency Management Act 2004*

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### Preamble

- 1 On 22 March 2020 I, Grantley Stevens, Commissioner of Police, being the 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 directions pursuant to section 25 of the Act.
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### 1—Short title

This direction may be cited as the *Emergency Management (Prohibition of Certain Point of Care Test No 3) (COVID-19) Direction 2020*.

### 2—Revocation

- (1) This direction replaces the *Emergency Management (Prohibition of Certain Point of Care Tests No 2) (COVID-19) Direction 2020*.
- (2) The *Emergency Management (Prohibition of Certain Point of Care Tests No 2) (COVID-19) Direction 2020* is revoked.

### 3—Definitions

- (1) In this direction—

**PCR test** means— analysis of a combined oropharyngeal/nasal specimen taken by an appropriately trained and qualified health care worker to test for COVID-19 (also referred to as SARS-Co V-2) using Polymerase Chain Reaction;

**Permitted setting** means—

- (a) a public hospital;
- (b) a private hospital;
- (c) an ambulance service (including an ambulance service for transporting patients);
- (d) primary community healthcare facilities;
- (e) Australian Health Practitioner Regulation Agency (AHPRA) registered Specialist Medical practitioners working in a Specialist Outpatient Facility;

**Note**— a list of Specialties, Fields of Specialties Practice and Related Specialist Titles is available at the following link:

<https://www.medicalboard.gov.au/Registration/Types/Specialist-Registration/Medical-Specialties-and-Specialty-Fields.aspx>

- (f) private pathology centres;
- (g) private radiology centres (including breast screening centre);
- (h) defence health settings (including Garrison health centres, deployed and exercise health support and clinical health training);
- (i) Aboriginal community controlled health services;

**primary community healthcare facility** means—

- (a) general practice clinics;
- (b) dental clinics;

**private hospital** means a private hospital under Part 10 of the *Health Care Act 2008* (including a private day procedure centre);

**public hospital** means an incorporated hospital under Part 5 of the *Health Care Act 2008*, including all services provided by a hospital (Local Health Network);

**quarantine as directed** is the requirement that for the period specified a person must reside and remain quarantined and segregated from other persons at a place, or place of a class, determined by an authorised officer or employee of the Department for Health and Wellbeing.

#### 4—Direction

- (1) A person must not use—
  - (a) a point-of-care serological (blood) test (including an assay or device); or
  - (b) a point-of-care antigen based or nucleic acid based (upper or lower respiratory tract or oropharyngeal specimen) test (including an assay or device),as a tool to detect or diagnose COVID-19.
- (2) Subclause (1) does not apply to a person employed or engaged in the provision of pathology services within SA Pathology or public health services within the Department of Health and Wellbeing.
- (3) Subclause (1)(b) does not apply to—
  - (a) a person employed or engaged in the provision of pathology services in a laboratory accredited by the National Association of Testing Authorities or similar testing service;
  - (b) a person engaging in work or performing duties which involves conducting point-of-care testing in permitted settings; or
  - (c) a service provider who has been approved in writing by the Chief Public Health Officer or their delegate to use point-of-care testing.
- (4) A person who returns a positive result to COVID-19 from a point-of-care test in accordance with subclause (3) must obtain a COVID-19 PCR test as soon as reasonably possible and quarantine as directed until a negative PCR test result is received.

## Draft

### Emergency Management (Prohibition of Certain Point of Care Tests No 2) (COVID-19) Direction 2020

#### 5—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 10<sup>th</sup> day of December 2021 at 1717 hours

SIGNED at ADELAIDE on this 10<sup>th</sup> day of December 2021  
at 1717 hours



GRANTLEY STEVENS

STATE CO-ORDINATOR

