

PUBLIC HEALTH ACT 2016 (WA)

Sections 157(1)(k) and 190(1)(p)

PROHIBITION ON THE USE OF POINT OF CARE SEROLOGY TESTS DIRECTIONS

The World Health Organization declared COVID-19 a pandemic on 11 March 2020.

On 23 March 2020, the Minister for Health declared a public health state of emergency with effect from 1.30 p.m. on 23 March 2020 in respect of COVID-19 pursuant to section 167 of the *Public Health Act 2016 (WA)* (**Act**). The public health state of emergency applies to the State of Western Australia.

I, Dr Clare Huppertz, an emergency officer authorised by the Chief Health Officer under section 174(2) of the Act to exercise any of the emergency powers while the public health state of emergency declaration in respect of COVID-19 is in force, consider it reasonably necessary to give the following directions to all persons in Western Australia to prevent, control or abate the serious public health risk presented by COVID-19 pursuant to sections 157(1)(k) and 190(1)(p) of the Act.

DIRECTIONS

Preamble

1. The purpose of these directions is to prohibit a person from using a point of care serological (blood) test (including an assay or device) (**POC Test**) as an acute illness diagnostic tool for COVID-19, as their use may adversely affect the prevention, control and abatement of the serious public health risk present by COVID-19.

Citation

2. These directions may be referred to as the **Prohibition on the Use of Point of Care Serology Tests Directions**.

Commencement

3. These directions come into effect at the beginning of the day after the day on which they are made.

Directions

4. Unless otherwise directed under the Act, a person must not use a POC Test as a tool to detect or diagnose COVID-19.

PENALTIES

It is an offence for a person to fail, without reasonable excuse, to comply with any of these directions, punishable by a fine of up to \$20,000 for individuals and \$100,000 for bodies corporate.



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Dr Clare Huppertz
Emergency Officer
1 April 2020