

Service Agreement End-of-year Final Allocations (Abridged)

An agreement between:

Department of Health Chief Executive Officer

And

PathWest Laboratory Medicine WA

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 Health Services Act 2016 (the Act) the Parties entered into a 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 PathWest Laboratory Medicine WA (PathWest) and the health services PathWest will deliver during the 2017-18 financial year.
- C. The State budget delivered in September 2017 changed the funding set out in the Service Agreement. After September 2017, the Parties agreed to changes to the Service Agreement and executed the Budget Deed of Amendment.
- D. The State Mid-Year Review handed down on 20 December 2017 changed the funding set out in the Budget Deed of Amendment and an amendment to these was executed through a Mid-year Review Deed of Amendment.
- E. Since the State Mid-year Review and up to 30 June 2018 changes to the funding set out in the Mid-year Review Deed of Amendment have occurred and an amendment to these is required.
- F. This document is not required to be executed in accordance with section 41 of the Act as all amendments have been approved through other processes.

DEFINED TERMS

In this EOY Final Allocation:

1. **Budget Deed** means the Health Service Provider Budget Deed of Amendment 2017–18 between the Parties
2. **EOY** means End-of-year and refers to the 2017-18 Financial year
3. **EOY Final Allocations** means this document
4. **MYR Deed** means the Health Service Provider Mid-Year Review Deed of Amendment 2017–18 between the Parties
5. **Parties** means the parties to the Service Agreement, the Budget Deed, the MYR Deed and to the EOY Final Allocations and “Party” means any one of them

1. OPERATION OF AMENDMENTS

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

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

2. ENTIRE AGREEMENT

This EOY Final Allocations together with the Service Agreement, including amendments contained in the Budget Deed and MYR Deed, constitutes the entire agreement between the Parties and supersedes any previous agreement between the Parties as to the subject matter of this EOY Final Allocations.

3. AMENDMENTS TO SERVICE AGREEMENT

With effect from the date of this EOY Final Allocations the Service Agreement is varied so that:

- (a) The Schedule B: Summary of Activity and Funding table at page 20 of the Service Agreement, as amended by the Budget Deed and MYR Deed, is amended. This amendment is attached hereto and marked as Annexure 1.

4. PUBLICATION OF EOY FINAL ALLOCATIONS

The Department will publish an abridged version of this EOY Final Allocations on the WA health system internet site, in accordance with Schedule D9 of the National Health Reform Agreement.

Annexure 1

B: PathWest Summary of Activity and Funding

OBM Service	2017-18	2017-18	2017-18	2017-18	2017-18	2017-18
	Executed Service Agreement	Changes from SA to Budget DOA	Changes from Budget DOA to MYR DOA	Mid-Year Review Deed of Amendment	Changes MYR DOA to EOY Final Alloc.	End-of-year Final Allocations
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
01 Public Hospital Admitted Services	—	—	—	—	—	—
02 Public Hospital Emergency Services	—	—	—	—	—	—
03 Public Hospital Non-Admitted Services	—	—	—	—	—	—
04 Mental Health Services	—	—	—	—	—	—
05 Aged and Continuing Care Services	—	—	—	—	—	—
06 Public and Community Health Services	327,642	—	1,651	329,293	(100,602)	228,691
07 Community Dental Health Services	—	—	—	—	—	—
08 Small Rural Hospital Services	—	—	—	—	—	—
09 Health System Management - Policy and Corporate Services	—	—	—	—	—	—
10 Health Support Services	—	—	—	—	—	—
System Manager Initiatives	(6,226)	(3,532)	2	(9,756)	102,536	92,781
Total	321,417	(3,532)	1,653	319,537	1,934	321,472

Notes

- The figures in all schedules include an allocation for Financial Products, HSS-RRFOC and System Manager Initiatives. These may be subject to change.
- Budget Deed of Amendment (Budget DOA) reflects adjustments endorsed by the WA State Government through the 2017 18 Budget process as well as all other approved adjustments that have occurred since the release of the Service Agree 2017-18 on 15 September 2017.
- Mid-Year Review Deed of Amendment (MYR DOA) reflects adjustments endorsed by the WA State Government through the 2017 18 Mid-Year Review process as well as all other approved adjustments that have occurred since the release of the Budget DOA 2017-18 on 15 September 2017.
- End-of-year (EOY) Final Allocations reflects all other approved adjustments that have occurred since the release of the MYR DOA in January 2019.