



08 JUN, 2020

Licence needed to install medical gas lines after mix-ups

Sydney Morning Herald, Sydney

Licence needed to install medical gas lines after mix-ups

EXCLUSIVE**Chris O'Keefe**

Tradespeople will need a licence to work with medical gas after the NSW government relented to pressure from the family of a baby left with lifelong brain injuries after a gas mix-up at a Sydney hospital.

Amelia Khan was accidentally given nitrous oxide instead of oxygen in June 2016 at Bankstown-Lidcombe Hospital after lines were mixed up in the operating theatre. Another newborn, John Ghanem, was killed a month later.

The installer, Christopher Turner, was fined \$100,000 in the Downing Centre District Court last month after he admitted to lying that he tested the gas outlets when he hadn't.

Amelia's parents, Benish and Danial Khan, told *60 Minutes* about their determination to see the laws changed, to introduce a mandatory licensing regime for medical gas.

"You would never for a second think that in a country like Australia, something like this can happen," Mrs Khan said. "I am angry."

A spokesperson for Better Regulation Minister Kevin Anderson said the regulation would be amended to specifically require "installers to be licensed specifically for installation of medical gas".

A bill was introduced by Labor MLC Mark Buttigieg into Parliament last week. "To have such a yawning gap in the system, whereby something as critical as medical gas, which can affect the birth of the child, unregulated, unlicensed, beggars belief," he said.

The *Herald* understands the government will not support the bill, instead opting to make the change through existing legislation.

Amelia was administered nitrous oxide instead of oxygen on and off for an hour immediately after birth. The error left her with severe brain trauma, and doctors believe she will never walk or talk.

The Khans were encouraged to take her off life-support after she was born. Doctors told the family her condition was critical.

"I was like, 'Wow, the first person I'm going to bury is my own daughter'," Mr Khan said. "We would just wait, maybe this is her last breath, maybe this is her last breath. And that kept on going for a month." Amelia is now four.

The hospital found the oxygen outlet was dispensing nitrous oxide after John Ghanem died. SafeWork NSW launched criminal proceedings against Bankstown Hospital, gas company BOC and Mr Turner, who was subcontracted to install the lines in 2015.

BOC was cleared by the court. Charges against the hospital were dropped in favour of an enforceable undertaking to change its management of medical gas installation.

District Court Judge David Russell said the mix-up would not have occurred if the contractor had "properly carried out tests of no great complexity".

The maximum penalty for the offence was a \$150,000 fine with no provisions for a custodial sentence.



Amelia Khan was born at Bankstown-Lidcombe Hospital in June 2016. Photo: 60 Minutes