

**Health, Communities, Disability Services
and Domestic and Family Violence Prevention Committee**

**Health Practitioner Regulation National Law and
Other Legislation Amendment Bill 2018
Report No. 17, 56th Parliament**

Government Response

Recommendation 1

The committee recommends the Health Practitioner Regulation National Law and Other Legislation Amendment Bill 2018 be passed.

Government response: Supported

The Government thanks the Committee for its recommendation that the Bill be passed.

Recommendation 2

The committee recommends the Minister for Health and Minister for Ambulance Services advise the House of the scope and timing of the proposed education program to raise awareness and understanding of the proposed mandatory reporting requirements.

Government response: Supported

The Government supports the Committee's recommendation that the Minister for Health and Minister for Ambulance Services advise the House of the scope and timing of the proposed education program to raise awareness and understanding of the proposed mandatory reporting requirements. An overview of the proposed education program is provided below. The Minister will also address these issues in his second reading speech when consideration of the Bill resumes.

Details of proposed education program

The Government appreciates the need for a comprehensive education program to raise awareness and understanding of the reforms to mandatory reporting in the Health Practitioner Regulation National Law and Other Legislation Amendment Bill 2018 (Bill). Education of registered health practitioners and other stakeholders will be critical to changing stakeholders' perceptions of mandatory reporting requirements and ensuring that health practitioners have confidence to seek treatment for their health issues.

At the COAG Health Council meeting of 13 April 2018, Australian Health Ministers agreed to direct the Australian Health Practitioner Regulation Agency (AHPRA) to work with relevant regulatory bodies and employers to develop a communication and awareness plan about the reforms to mandatory reporting by treating practitioners under the Health Practitioner Regulation National Law (National Law). These activities will help to inform registered health practitioners of their rights and obligations, including opportunities for practitioners to seek assistance for their health.

AHPRA has provided preliminary advice that the proposed education campaign will aim to:

- inform registered health practitioners of the importance of managing their health and well-being;
- raise awareness and understanding of the mandatory reporting requirements under the National Law; and
- reassure registered health practitioners that the amendments to the National Law are designed to support practitioners to seek help for their health and well-being when needed.

It is proposed that the target audience for the education campaign will include all registered health practitioners, including treating practitioners and practitioners who may be in need of treatment, with a focus on the medical, nursing and psychology professions. The campaign will also target professional bodies, including peak professional associations and professional and specialist colleges; professional indemnity providers; employers; and health services.

In its report on the Bill, the Committee commented that a comprehensive education campaign should include case studies and examples of what is and what is not notifiable conduct. AHPRA has advised that case studies will be pivotal to include in the educational materials to be developed, particularly to dispel myths related to mandatory reporting requirements and outcomes. Practical examples will be developed covering mandatory reporting of the misuse of alcohol and drugs, departure from accepted professional standards and impairment matters. For example, a focus will be to improve stakeholder understanding of the regulatory differences between a practitioner with a health concern and a practitioner posing a risk to patient safety because of an impairment. Case studies and examples could also be used to clarify the role of employers in supporting the health and well-being of registered practitioners they employ.

AHPRA intends to develop and lead the education campaign in partnership with professional bodies and other significant stakeholders. The involvement of these stakeholders will be pivotal to the success of the campaign. AHPRA and the National Boards have well-established mechanisms for stakeholder engagement, which will commence shortly after passage of the Bill.

The timing of the education campaign will be closely linked to the development and publication of revised National Board guidelines for mandatory reporting. It is important that the information provided in the education campaign is aligned with the revised guidelines. Under section 40 the National Law, the content of any guidelines developed by the National Boards must be subject to wide-ranging consultation with stakeholders. To allow sufficient time for development of the National Board guidelines, it is expected the education campaign would be delivered in late 2019 and the first half of 2020. There will also be ongoing opportunities to raise awareness, such as through continued dissemination of the revised guidelines and educational materials in conjunction with stakeholders through a variety of channels. Consideration will be given to the most appropriate time to commence the legislation after development of the revised guidelines and once the education campaign has been substantially rolled out.

The Queensland Health Ombudsman was consulted about the Committee's recommendation and supports AHPRA delivering an education program about the amendments. The Health Ombudsman noted that most matters involving impairment of a health practitioner are dealt with by AHPRA and the National Boards. The Health Ombudsman will be consulted by AHPRA during development of the education program.

Queensland Legislative Assembly

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14 FEB 2019

Tabled

By Leave

MP: Hon Miles

Clerk's Signature: [Signature]