



07 July 2017

Committee Secretary  
Health, Communities, Disability Services  
Domestic and Family Violence Prevention Committee  
Parliament House  
George Street  
Brisbane Qld 4000  
[hcdsdfvpc@parliament.qld.gov.au](mailto:hcdsdfvpc@parliament.qld.gov.au)

Re: Health Practitioner Regulation National Law and Other Legislation Amendment Bill 2017

Thank you for the opportunity to provide comment to the Amendment Bill 2017.

Our comments relate to the sharing of information provisions about disciplinary or enforcement action in regard to unregistered health practitioners, with reference to the Committee's areas of responsibility concerning Communities, Women, Youth and Child Safety, and Disability Services and Seniors.

We believe that an expansion of the powers of the Queensland Health Ombudsman's (QHO) role is required.

The amendments are inadequate in ensuring the Ombudsman is fully informed about the practitioner for whom a complaint has been received. As outlined in our original submission (Amendments\_ Qld HO Act 2013 - 05 April 2017) the information sharing provisions do not acknowledge the pivotal role of Professional Associations in managing complaints or assisting the QHO with their investigations.

The inadequacy of information sharing arrangements means that the QHO is often not fully informed around the number and nature of previous complaints about unregistered health practitioners received by Associations, placing a significant and unnecessary burden on the resources of QHO.

Being at the coalface, Associations such as Massage & Myotherapy Australia are central to self-regulation, through the management complaints about members and non-members through such mechanisms as the Association's National Ethics Committee (NEC). This includes providing support and information to Authorities to aid their investigations concerning misconduct complaints, and attending trials as expert witnesses.

Often Associations hear about QHO investigations or convictions retrospectively through the general news media. Additionally the lack of more detailed information available to Associations concerning Investigations means that they are unable to conduct adequate reference and background checks for new member applicants.

Despite the National Code of Conduct, and the role of the QHO, individuals with a history of Informal and Formal complaints regarding Misconduct logged against them with the QHO and other unregistered health practitioner associations that do not result in a conviction, can continue to migrate between unregistered health services, without any monitoring or conduct management support. Given that many practitioners convicted of misconduct offences have a long history of complaints or incidents dating back several years, those non convicted practitioners pose a significant potential risk and threat to the vulnerable.

## *The Association of Professional Therapists*

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To address the inadequacies of the Amendments concerning information sharing provisions for Unregistered Health Practitioners, and to strengthen the function of the QHO, we ask the Committee to consider the following additional provisions:

1. Further develop the QHO's capability and use of innovative processes to improve its service through a rich site summary (RSS) we feed, QHO website news feed facility regarding Prohibition Orders, Investigation Register, Immediate Registration Action and News Releases.
2. Bolster the intelligence information available to the QHO through a requirement for all Associations to provide the QHO with uniform and detailed information about the formal and informal complaints they receive.
3. Strengthen the ability of the QHO to protect the health and safety of the public by provide a confidential reference checking service to Unregistered Health practitioner services, that includes more detailed information concerning the formal and informal complaints history of individual practitioners.

These issues are of particular relevance to the massage and myotherapy sector, which is known to provides an unmonitored gateway for sexual predators, is subject to illegal prostitution and until recently open to abuse of unskilled workers through 457 visas.

As an Association of unregistered health practitioners we endeavor to develop the sector professionally and to achieve increased recognition for its legitimate contribution to the health and wellbeing of Australians. Massage & Myotherapy Australia requests that you consider these serious issues as a matter of priority in your report to the Queensland Parliament.

Please do not hesitate to contact should you require more information.

Thanks you for your consideration

Tricia Hughes

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Chief Executive Officer /Company Secretary

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