



AustralianDoctorsFund

Keeping Patients and Doctors Together

Submission – Health Practitioner Regulation National Law and Other Legislation Amendment Bill 2017

1. According to the Explanatory Notes of the Bill now before the Queensland Parliament, those changes which would see a non-medical practitioner as Chair of the Medical Board of Australia have been ‘deferred’ to the second stage of ‘reforms’. *“As a result of consultation, it was **decided to defer this amendment to the second stage of reforms to the National Law for further consideration.**”*¹ [emphasis added]
2. In reality, this means that the amendments are still being considered, but have been delayed, not rejected. The Australian Doctors’ Fund (ADF) will therefore continue to oppose these amendments, which we believe are detrimental to the integrity of medical regulation.
3. The changes, now deferred in the latest Bill, were buried in the Summary of the draft Health Practitioner Regulation National Law Amendment Law 2017, *“a **change will be made to enable the appointment of either a practitioner member in the relevant profession or community member as chairperson of a national board.**”*² [emphasis added]
4. The ADF maintains that the person who is fulfilling the role of Chair of any Medical regulatory body, should be a **qualified, respected and experienced Medical Practitioner**. Any attempt to demedicalise regulatory bodies, including the important role of Chairperson, undermines confidence in the profession’s view of that body, and hence works against its purpose.
5. The ADF requests the **Queensland Minister for Health rule out completely, any provision in the Bill that would allow a non-medically qualified practitioner** to be appointed as Chair of the Medical Board of Australia. The ADF makes no recommendations in regard to other Boards.
6. ADF submissions to numerous Parliamentary Inquiries and Reviews assert that the National Registration and Accreditation Scheme (**NRAS is inherently flawed**), adds complexity and cost and imposes less administrative accountability for the registration of health professionals.
7. The ADF also notes that NRAS has made the role of State Health Ministers, who bear political accountability for the delivery of healthcare in their State, more problematic (**accountability without responsibility**). Lines of authority and accountability are now blurred/shared with those of AHPRA, COAG and AHMAC. **What was direct and simple is now complex**, with less opportunity of effective redress of defects and grievances for patients and health professionals.
8. The ADF notes with interest that the Qld Parliament has reclaimed the health complaints process into its own jurisdiction. The ADF encourages this **Queensland government to return the registration of Queensland medical practitioners into its jurisdiction** and provide fairer arrangements for Senior Active Doctors. In summary, to reinstate the Qld Medical Board with full and final decision-making power for all medical practice in Queensland.³
9. The ADF also requests that the term **‘National Health Law’ be changed to ‘Queensland Health Law’** as there is no national health law, and the continued use of the term is misleading.

Stephen Milgate, CEO and Director, Australian Doctors’ Fund
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¹ Explanatory Notes, page 41.

² COAG Health Council, Summary of the draft Health Practitioner Regulation National Law Amendment Law 2017, Point 32, p.7

³ There should not be any reason why any reconstituted State Medical Board should not have access to the current registration database.