



AACP

AUSTRALIAN ASSOCIATION  
OF CONSULTANT PHYSICIANS

## **SUBMISSION TO THE QUEENSLAND PARLIAMENT HEALTH AND COMMUNITY SERVICES COMMITTEE**

The Australian Association of Consultant Physicians (AACCP) welcomes the opportunity to make a submission to the Queensland Parliamentary Inquiry into the Establishment of a Health Ombudsman.

The AACCP is a representative organisation for consultant physicians and paediatricians, particularly in the area of workforce issues. The AACCP supports activities that assure quality health and medical care and notes that recent high profile events in Queensland have focused attention on processes designed to assure such quality.

However, the AACCP shares a number of the concerns that have already been expressed publicly about this proposal, embodied in Queensland's Health Ombudsman Bill 2013. These concerns include:

- the apparent lack of independence of a complaints mechanism under the proposed legislation
- the assurance of natural justice and fairness in any complaints process
- the suggestion that a medical practitioner may be suspended prior to assessment of a complaint and the potential damage that may result to the medical practitioner's reputation and practice
- the lack of assurance that there will be independent clinical advice underpinning these processes
- the proposition that Codes of Conduct may be determined by regulation under the Minister's direction, rather than by the relevant professional bodies (and in this regard, the AACCP does not support the proposition that national Boards should endorse all such codes)
- the potentially negative impact on medical practices
- the potential to increase the cost of medical indemnity insurance, and
- the fact that such changes would put Queensland at odds with other jurisdictions

While the AACCP acknowledges the Minister's genuine intentions to ensure that an environment that supports quality health care exists in Queensland, the AACCP is concerned that the proposed currently Bill may be an overreaction to past problems and has provisions that will have a negative impact on the environment in which health and medical care is delivered.

The AACCP is concerned that such problems will not be adequately addressed by the proposed legislation and that the Queensland community will not receive the level of assurance they should expect from such legislation.

These issues and others have been discussed in detail by the Australian Medical Association's (AMA) Queensland Branch in its response to the Inquiry, dated 17 June 2013; the AACCP wishes to formally support the AMA Queensland's submission.

The AACCP believes there needs to be further consultation on this Bill in order that the legislation delivers a fairer and more effective scheme.

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