

Health Practitioner Regulation National Law and Other Legislation Amendment Bill 2024

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Australian College of Nurse Practitioners response to:

Queensland Parliament

**Inquiry into the Health Practitioner Regulation National Law and Other Legislation Amendment
Bill 2024**

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26th September 2024

Committee Secretariat
Health, Environment and Agriculture Committee
Queensland Parliament

By email: HEAC@parliament.qld.gov.au

Dear Committee Secretariat

Thank you for the opportunity to respond to the **Inquiry into the Health Practitioner Regulation National Law and Other Legislation Amendment Bill 2024**.

The Australian College of Nurse Practitioners (ACNP) is the national peak organisation for Nurse Practitioners, advancing nursing practice and consumer access to health care. A key focus for the role and scope of practice development for Nurse Practitioners is on unmet needs within the community and increasing access to health care.

BACKGROUND

Nurse Practitioners work in diverse healthcare settings, including general practice, primary care clinics, urgent care clinics, acute and emergency services and community health centres^{1,2}. Research has shown that patients consistently report high levels of satisfaction with the care delivered by Nurse Practitioners³⁻⁷. This heightened satisfaction not only signifies a positive outcome, but also plays a pivotal role in enhancing patient adherence to treatment plans and ultimately contributes to improved health outcomes.

Our response to the Inquiry is as follows.

Efforts to uncover and act on sexual misconduct in the healthcare system have seen a sustained jump in reports to authorities as well as the number of practitioners facing regulatory action to protect the public (AHPRA, 2023). A consultation paper opened by the Victorian Government in February 2024 provided an overview of proposed reforms, which were the same amendments as this inquiry into the Health Practitioner Regulation National Law, providing greater transparency to the public about health practitioners' regulatory history when they have engaged in sexual misconduct or sexual boundary violations as well as reinstatement orders and greater protection for notifiers. It seems appropriate that

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Queensland make the same amendments to the National Law.

The ACNP outlines feedback on the amendments below;

1. ***require cancelled and disqualified practitioners to seek a reinstatement order from a responsible tribunal before applying to a National Board for re-registration;***

The ACNP supports this amendment as this requirement already exists in New South Wales and will now apply to disqualified persons in all states and territories, creating national consistency in the process of obtaining re-registration following cancellation or disqualification.

2. ***provide greater information to the public about practitioners who have been found to have engaged in professional misconduct involving sexual misconduct, by expanding the information required to be included on the national public registers;***

A practitioner's regulatory history could include any undertakings, conditions, reprimands and prohibitions orders. The National Law does not currently allow this history to remain on the public register when they are no longer in force. The ACNP supports the publication and retention of these elements if the circumstances for publication are met. We believe this will improve protections for the public by increasing transparency of information about practitioners who have engaged in professional misconduct involving sexual misconduct.

If it is proposed to use the guidelines in the Medical Board of Australia's Guidelines: Sexual boundaries in the Doctor-Patient relationship to define the scope of behaviours covered by these reforms, we would strongly support the review of this document. These guidelines were last reviewed in 2018 and are both intended and need to be reviewed every 5 years.

3. ***provide greater protections for people who make notifications or assist regulators during investigations about registered health practitioners.***

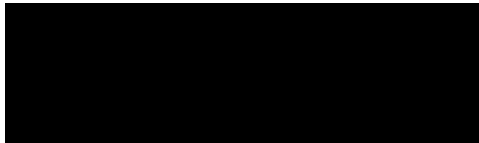
The ACNP supports the proposed reforms to strengthen protections for notifiers and prospective notifiers. We support the changes to make it an offence to seek to include a non-disclosure agreement without advising the affected person that they can still make a notification to the Australian health practitioner regulation authority (AHPRA), National Boards or another relevant regulatory body. We also endorse the changes which would mean a non-disclosure agreement is void to the extent that it prevents a person making a notification to AHPRA, National Boards of

another relevant regulatory body.

The management of professional misconduct by health practitioners relating to sexual boundary violations and sexual misconduct needs to better meet community expectations. The ACNP applauds these proposed reforms as a step towards improvement. We are committed to being involved in exploring what additional commitments can be made to those impacted by sexual misconduct.

Thank you again for the opportunity to participate in this important review. We are happy to be contacted to participate further or provide clarification.

Yours sincerely




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