

Health Practitioner Regulation National Law and Other Legislation Amendment Bill 2022

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Submitter Recommendations:

Committee Secretariat

Health and Environment Committee
 Committee of the Legislative Assembly
 Parliament House George Street
 BRISBANE QLD 4000

Email: hec@parliament.qld.gov.au

Dear Secretariat,

Re: The Health Practitioner Regulation National Law and Other Legislation Amendment Bill 2022 (the Bill)

The Australian College of Nursing (ACN) would like to thank the Queensland Committee of the Legislative Assembly for this opportunity to comment on the **Health Practitioner Regulation National Law and Other Legislation Amendment Bill 2022 (the Bill)**.

ACN distributed the consultation to our members for their comments and directed them to the **Explanatory Notes** to ensure consistency of response. ACN members consider that this amendment will be effective in its aims, strengthening public safety and confidence in health care workers, improving the governance of the National Scheme, and enhancing its efficiency and effectiveness of the National Scheme.

We have collated the members' responses and presented them below.

Clause / page	Statement	Concern
Page 5	... a separate amendment in the Bill removes the modification from the Queensland National Law Act.	One law is removed and will be replaced by amendments. Will this allow a seamless transition to the new legislation? Or will there be an opportunity for cases to slip through the legislation?
Page 5	... ensuring the development of a culturally safe and respectful health workforce that is responsive to Aboriginal and Torres Strait Islander Peoples and their health and that contributes to the elimination of racism	This is a much-needed addition to the legislation but is there a timeline for entities to ensure all HCWs are trained and culturally responsive?

Clause / page	Statement	Concern
Page 11	... to remove the prohibition against using testimonials in advertisements	Testimonials are not necessarily true and accurate. There is the possibility of false advertising here; consider the implications.
Page 12	... the Ministerial Council be able to delegate its power to approve standards	The critical issue here is that the power to approve standards ought only to be delegated with the relevant professional board's express approval. This requires examples of who can be selected for the delegated powers.
Page 13	... changes the name of the Agency Management Committee to 'Agency Board.'	The name change from Agency Management Committee to Agency Board is more accurate/appropriate.
Page 13	... removes the provisions in the National Law that establish the Australian Health Workforce Advisory Council	ACN members have concerns over the dissolution of the Australian Health Workforce Advisory Council. An independent voice would be more acceptable.
Page 13	... concluded that the Australian Health Workforce Advisory Council is not necessary	ACN members are concerned about broadening the advisory role of AHPRA and that any advice AHPRA gives to the Ministerial Council about matters other than administrative matters should be undertaken with the express agreement of the relevant National Board/s.
Page 17	... removes endorsements of registrations for midwife practitioners	ACN does not speak on behalf of midwives but agrees with the removal of endorsement for midwife practitioners (MP), providing safeguards for MPs in sole practice will be sustained.

ACN commends the proposed changes, as recommended by the Independent Review of Governance and Accreditation Systems and notes that many modifications are related to the experience of practitioners and regulators since the beginning of National Regulation in 2010. Of major significance is the new objective and guiding principle (p5) Cultural Safety and Respectful Health Workforce, an essential inclusion in the legislation.

If you have further enquiries about this matter, please do not hesitate to contact me, Dr Carolyn Stapleton at [REDACTED]

Yours sincerely,

Carolyn M Stapleton

Dr. Carolyn Stapleton FACN
Director – Policy and Advocacy
Australian College of Nursing

1 June 2022