

## **Inquiry - Health Practitioner Regulation National Law and Other Legislation Amendment Bill 2024**

**Submission No:** 8  
**Submitted by:** Optometry Australia  
**Publication:** Making the submission and your name public  
**Attachments:** No attachment

### **Submitter Comments:**

Optometry Australia will offer feedback on two key aspects of the proposed amendments to the National Law, as well as Queensland's co-regulatory framework under the National Law. Reinstatement orders  
Optometry Australia believes introducing reinstatement orders would potentially add unnecessary time delay, expense and red tape for limited public safety gain. Optometry Australia has concerns that tribunal processing times are already very slow, and that adding this step to other states/territories would add further delays and financial / emotional distress to practitioners seeking to apply for re-registration (along with adding time delays for those awaiting a trial date before they have a verdict on registration). Expanding information on the public register  
Optometry Australia supports initiatives which improve patient safety. However, we do have some reservations about the proposed changes and their potential impact on practitioners.

While Optometry Australia appreciates the overall goal of the proposal is to increase transparency for the public about disciplinary action against health practitioners who have been found by a tribunal to have engaged in serious sexual misconduct, we note "to trigger the publication requirements, sexual misconduct need not be the sole or main basis for the tribunal's finding of professional misconduct." Optometry Australia questions whether publishing disciplinary actions in cases where sexual misconduct is not the primary reason for the tribunal's findings may risk disproportionately damaging the reputation of practitioners, without adequate context. As such, we believe it is important to ensure that any public disclosures are both fair and appropriately balanced to avoid confusion and maintain trust in the healthcare system. Currently regulatory history, including any undertakings and conditions, may be removed from the public register where it is determined that these actions taken by National Boards are no longer required to protect the public. The fact that the reforms propose that information about a practitioner is intended to be published indefinitely, even decades after an offence, could perhaps be viewed as not in line with balancing public protection with potential privacy, personal and reputational impacts to practitioners. For a practitioner with a less serious offence / one which may have just met the threshold for publication, this may no longer be necessary for protecting the public.

**From:** [Snapforms Notifications](#)  
**To:** [Health, Environment and Innovation Committee](#)  
**Subject:** New submission - Health Practitioner Regulation National Law and Other Legislation Amendment Bill 2024  
**Date:** Tuesday, 24 December 2024 2:04:54 PM

---

You have received a new submission for your form.

**SubmitterType:** on behalf of an organisation

**OrgName:** Optometry Australia

**ConfirmAuthorised:** Yes

**OrgContact:** Luke Arundel

**Address:** Suite 101, Level 1, 68-72 York St

**Postcode:** 3205

**EmailAddress:** [REDACTED]

**ContactNumber:** [REDACTED]

**SubmissionPublication:** Making the submission and your name public

**SubmissionFormat:** Free text submission

**SubmitterComments:** Optometry Australia will offer feedback on two key aspects of the proposed amendments to the National Law, as well as Queensland's co-regulatory framework under the National Law. Reinstatement orders Optometry Australia believes introducing reinstatement orders would potentially add unnecessary time delay, expense and red tape for limited public safety gain. Optometry Australia has concerns that tribunal processing times are already very slow, and that adding this step to other states/territories would add further delays and financial / emotional distress to practitioners seeking to apply for re-registration (along with adding time delays for those awaiting a trial date before they have a verdict on registration). Expanding information on the public register Optometry Australia supports initiatives which improve patient safety. However, we do have some reservations about the proposed changes and their potential impact on practitioners. While Optometry Australia appreciates the overall goal of the proposal is to increase transparency for the public about disciplinary action against health practitioners who have been found by a tribunal to have engaged in serious sexual misconduct, we note "to trigger the publication requirements, sexual misconduct need not be the sole or main basis for the tribunal's finding of professional misconduct." Optometry Australia questions whether publishing disciplinary actions in cases where sexual misconduct is not the primary reason for the tribunal's findings may risk disproportionately damaging the reputation of practitioners, without adequate context. As such, we believe it is important to ensure that any public disclosures are both fair and appropriately balanced to avoid confusion and maintain trust in the healthcare system. Currently regulatory history, including any undertakings and conditions, may be removed from the public register where it is determined that these actions taken by National Boards are no longer required to protect the public. The fact that the reforms propose that information about a practitioner is intended to be published indefinitely, even decades after an offence, could perhaps be viewed as not in line with balancing public protection with potential privacy, personal and reputational impacts to practitioners. For a practitioner with a less serious offence / one which may have just met the threshold for publication, this may no longer be necessary for

protecting the public.

**Awareness:** Other

**other:** email from Health, Environment and Innovation Committee  
<HEIC@parliament.qld.gov.au>

**ReadPrivacyStatement:** Yes