



Health and Other Legislation Amendment Bill 2021

**Queensland Government
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EXERCISE & SPORTS SCIENCE AUSTRALIA (ESSA) SUBMISSION

Committee Secretary
State Development and Regional Industries Committee
Parliament House
George Street
Brisbane, Qld 4000
Email: sdric@parliament.qld.gov.au

RE: HEALTH AND OTHER LEGISLATION AMENDMENT BILL 2021

Thank you for the opportunity to provide feedback in relation to the Queensland Government's, *Health and Other Legislation Amendment Bill 2021*.

Exercise & Sports Science Australia (ESSA) is the peak professional association for exercise and sports science professionals in Australia, representing more than 9,000 members comprising university qualified Accredited Exercise Physiologists, Accredited Sports Scientists, Accredited High Performance Managers and Accredited Exercise Scientists.

Exercise physiology is a self-regulated allied health profession that has met the benchmark standards set by the [National Alliance of Self-Regulating Health Professions \(NASRHP\)](#) for the regulation and accreditation of practitioners within that profession. Other recognised allied health professions like dietetics, audiology and speech pathology are also self-regulated health professions meeting NASRHP standards.

Currently, the *Hospital and Health Boards Act 2011 Act (Qld)* defaults to definitions under the *Health Practitioner Regulation National Law*, which only recognises those allied health professionals regulated through the Australian Health Practitioner Regulation Agency (Ahpra). This impacts on integration and coordination of care for patients who receive care from health professions that are self-regulated.

The proposed amendments to the current *Hospital and Health Boards Act 2011 (Qld)* have not captured all definitions of a "clinician" and have just defaulted to the *Health Practitioner Regulation National Law*. The current definition of *clinician* excludes all health professionals who are self-regulated health professionals. This means that these health professionals (one third of the health workforce) are not eligible to be a member of a Queensland hospital and health board or a representative on an executive committee.

We welcome the opportunity to provide further detail if required. Please contact ESSA Policy & Advocacy Advisor, Judy Powell, on 07 3171 9688 or at Policy@essa.org.au for further information or questions arising from the following submission.

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1.0 ABOUT ACCREDITED EXERCISE PHYSIOLOGISTS

Accredited Exercise Physiologists (AEPs) are four-year university degree qualified allied health professionals. They provide services to people across the full health spectrum, healthy through to those at risk of developing a health condition, and people with health conditions, a disability, and aged related illnesses and conditions, including chronic, complex conditions [1]. Exercise physiology services are recognised by Australian compensable schemes including Medicare, the National Disability Insurance Scheme (NDIS), Department of Veteran Affairs (DVA), workers' compensation schemes and most private health insurers.

2.0 FEEDBACK ON THE PROPOSED BILL

ESSA supports the replacement of the term *practitioner* by *professional*.

ESSA supports the inclusion of a more complete range of health professions in the definition of a *prescribed health professional*. This will facilitate access to The Viewer for health professionals such as Accredited Exercise Physiologists who provide services for patients transferring from acute to community care settings.

ESSA asks that the following is reflected in the Schedule when acknowledging the accrediting body for exercise physiology. **"The health professional is accredited, by Exercise & Sports Science Australia, as an Accredited Exercise Physiologist"**.

Currently, the *Hospital and Health Boards Act 2011* defaults to a definition of *clinician* under the *Health Practitioner Regulation National Law* as below for membership of Boards and Executive Committees in two clauses:

"Subdivision 2 Membership, 23 Membership of boards (5) In this section— clinician means a person who— (a) is a health professional registered under the Health Practitioner Regulation National Law, other than as a student; and (b) is currently directly or indirectly providing care or treatment to persons; and (c) is in a profession that provides care or treatment to persons in public sector health services."

"Division 2A Executive committees, 32C Membership of executive committee (2) In this section — clinician means a person who— (a) is a health professional registered under the Health Practitioner Regulation National Law, other than as a student; and (b) is currently directly or indirectly providing care or treatment to persons; and (c) is in a profession that provides care or treatment to persons in public sector health services."

This definition in these two clauses excludes self-regulating health professions from membership of Queensland Health and Hospital Boards and Executive Committees and is inconsistent with the Council of Australian Governments (COAG) Health Council policy outlined in a [Ministerial Communiqué](#) which clearly outlines the purpose of National Registration and Accreditation Scheme (NRAS) and recognises the important contribution to health service delivery by all health professionals, including those regulated under the NRAS, **and those that are regulated by other means** [2].

The proposed definition for *prescribed health professionals* in the *Health and Other Legislation Amendment Bill 2021* would provide for consistency in language, is inclusive and should replace *clinician*. Below is the definition of prescribed health professional:

"34A Prescribed health professionals—Act, s 139

For section 139 of the Act, definition prescribed health professional, paragraph (a), a health professional is prescribed if the health professional—(a) provides a health service mentioned in schedule 2C, column 1; and (b) satisfies the condition, for provision of the health service, mentioned opposite in schedule 2C, column 2."

ESSA recommends that the definition and references to *clinician* in the current *Hospital and Health Boards Act 2011* be replaced with *prescribed health professional*, and the *Health and Other Legislation Amendment Bill 2021* be amended to include these changes.

REFERENCES

1. Exercise & Sports Science Australia, *Accredited Exercise Physiologist (AEP) Scope of Practice 2021*, Exercise & Sports Science Australia.
2. Council of Australian Governments Health Council, *Purpose of the National Registration and Accreditation Scheme*. 2018.