



Speech by

Dr PETER PRENZLER

MEMBER FOR LOCKYER

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**HEALTH PRACTITIONER REGISTRATION BOARDS (ADMINISTRATION) BILL
HEALTH PRACTITIONERS (PROFESSIONAL STANDARDS) BILL**

Dr PRENZLER (Lockyer—ONP) (3.59 p.m.): I rise to support the objectives of the Health Practitioners (Professional Standards) Bill 1999 and the Health Practitioner Registration Boards (Administration) Bill 1999 introduced into the House by the Minister for Health. I will be supporting this legislation. The current system of complaints and disciplinary action against health practitioners is completely inadequate and is regarded with low esteem by the public. Because I support this Bill, I will just make a few general observations concerning the Bill and some research we conducted.

The growing dissatisfaction with the health system in general is a disgrace. The Health Practitioner Registration Board (Administration) Bill and Health Practitioners (Professional Standards) Bill are a good start to repairing the credibility of Queensland Health and restoring some public confidence in the current system. One Nation supports the establishment of a regime to investigate misconduct by members of the medical profession and to administer any disciplinary action if it is appropriate. Any change to the current practice can only be an improvement.

Stories of patients and members of the public suffering or dying as a result of negligence or poor medical treatment are unfortunately far too common in our community, just as stories of disciplinary action against these professionals seem far too few. It appears that the practice of some political parties looking after and protecting their mates is also followed by health professionals when complaints are made against their mates. These Bills at least make such practices less likely.

The investigative and restitution process is not uniform across the professions. It is not transparent and, in many cases, the complainant is left dissatisfied with the process. A recent report in the Sydney Morning Herald of 21 June stated that patients' complaints about doctors can take years to resolve and almost two-thirds remain unhappy with the results of those investigations. Many believe negligent practitioners escape sufficient punishment.

A number of constituents have expressed to me their displeasure and frustration at the Queensland system concerning both the length of time to complete investigations and the investigative procedures used. In one case involving a male patient, investigations have been ongoing for a decade and there are clear signs of professionals covering up mistakes made by other professionals, rather than seeking justice and restitution for the gentleman involved—a gentleman who in good faith allowed his doctor to treat him and through that doctor's negligence has suffered every day for the past 10 years. Through no fault of his own, this man's health and quality of life have been jeopardised, yet after 10 years of fighting for justice through all of the proper channels, he has achieved absolutely nothing. This says that the current system probably does more to protect medical practitioners at the expense of patients than the other way around. I repeat that this an unacceptable situation in our society today.

Most patients are not after fame and fortune, they are merely after justice. Generally, the patient only wants the practitioner concerned to be disciplined in some way that reduces the chances of the same thing happening to somebody else. With up to 18,000 Australians reportedly dying each year as a result of inadequate or inappropriate treatment in our hospital systems, complaints against medical professionals can only increase. The member for Kurwongbah has already mentioned the number of complaints in Queensland per year—about 650—thus legislation of this type is badly needed in Queensland to provide justice to both the complainants and the registrants. Unfortunately, in many

cases, particularly those involving nursing staff, I believe a lack of sufficient funding to hospitals has led to a reduction in the quality of care of patients, not because the nurses do not care but simply because there are not enough of them to handle the workloads involved.

I support these Bills, as they impose greater accountability upon health practitioners and professional health boards, although I believe the issue needs to be dealt with also from the front end through increased funding for facilities, equipment, nursing staff and public hospitals in general. The increased accountability that these Bills provide is positive and hopefully will help. Improved transparency protects the public from medical malpractice or unfair treatment by medical professionals and their representative boards. The Bills go a long way towards increasing the accountability of health practitioners, and I am sure they will act as a deterrent to negligent behaviour.

Public protection is the issue here and members of the public deserve to know that, if they go to the doctor to seek medical treatment or advice, they can trust that medical treatment or advice. That is what doctors are for. Similar to other professionals, if they fail to do their job or if they act negligently, they should be brought to task so that these mistakes can be dealt with in some way, especially considering that they are dealing with people's lives.

The Bill allows the complainants to attend disciplinary proceedings triggered by their complaints. It provides an increase in sanctions and the ability to impose conditions on those who are negligent. Other positive aspects of these Bills include the flexible three-tiered disciplinary structure that allows minor complaints to be dealt with in a minor way by the Health Practitioners Tribunal, and serious incidents to be dealt with by a District Court judge. This last tier is an extremely important one, as in respect of issues of a serious nature an independent judge is less likely to ensure that mates look after mates.

Open misconduct hearings encourage additional complainants to come forward and give the public more faith and confidence in the health system, as everything is more transparent and accountable and they can see that they can have a say and receive appropriate justice. The New South Wales Health Care Complaints Commissioner, Ms Merrilyn Walton, in a report in the Sydney Morning Herald on 21 June 1999, rightly stated—

"I think that we need to expand the definition of professional conduct to include a community standard as well as a peer standard."

The increased openness to the public and the increased ability for restitution for negligence or malpractice afforded by these Bills will impose that community standard.

In conclusion, I agree with the need for the transparency and accountability that these Bills introduce into the health system and into other professional areas. I commend those who worked to make these Bills a reality. I reiterate my support for the Health Practitioners (Professional Standards) Bill and the Health Practitioner Registration Board (Administration) Bill and my belief that they will result in a fairer, more just system in which the public can have confidence. I commend the Minister for bringing these Bills into the House. I assure the member for Bulimba, who has my walking stick at the moment, that the surgeon who looked after me did a good job and I have no complaints.
