




Speech By
Deb Frecklington

MEMBER FOR NANANGO

HEALTH OMBUDSMAN BILL

 **Mrs FRECKLINGTON** (Nanango—LNP) (8.49 pm): I rise to support the Health Ombudsman Bill 2013. Firstly I would like to congratulate the Minister for Health, the Hon. Lawrence Springborg, for bringing this bill before the House. I would also like to thank the Health and Community Safety Committee, chaired by Mr Trevor Ruthenberg, member for Kallangur, for considering the bill and making their recommendations.

The background to this bill is clear. Our government has made a commitment to introduce legislation in response to the recommendations of the Chesterman inquiry to better respond and assess allegations of medical malpractice. The subsequent reports of Mr Jeffrey Hunter SC and Dr Kim Forrester also highlighted fundamental deficiencies in the way the public is protected by the existing health complaints management system. This bill is our promise to Queenslanders to establish a new and accountable complaints reporting system that effectively deals with health service complaints. This is the setting up of the Health Ombudsman. I reiterate: this bill is about protecting the health and safety of the public, promoting high standards of practice and service delivery by health providers and maintaining the public's confidence in the complaints management system of Queensland's health services.

The report highlighted the deficiencies. Given that it is such an overly complex complaints system, this bill represents major reform. It repeals the Health Quality and Complaints Commission Act 2006 and creates a new system for managing complaints about health services. The Health Quality and Complaints Commission will be replaced by the Health Ombudsman to deal with complaints in a transparent and accountable manner and, most importantly, in a timely fashion.

I believe it is important to note in this debate that, while the bill is focused on how we deal with complaints, it is important to remember what an amazing job health service providers do for our local communities. We all know that in the overwhelming majority of towns and cities across our state our health service providers are amongst the most trusted and well-respected people, working long hours to service the communities in which they live, especially in rural and regional towns such as those in the electorate of Nanango—brilliant, well-respected doctors covering a broad range of health services such as caring for our ageing community and coping with the ever-increasing mental health problems and, of course, the daily influx of broken bones, sniffly noses and accidents. However, we should never forget that sometimes things do go wrong. When this happens, it is so important for the public to know there will be a single point of contact for making a complaint. This bill removes any confusion and gives the Health Ombudsman the power to take immediate action should they determine there is a serious risk to the public.

Another important aspect of this bill is that it amends the Health Practitioner Regulation National Law Act 2009 so that Queensland becomes a co-regulatory jurisdiction under the national law. As co-regulatory jurisdiction, Queensland will join with New South Wales. What this means is that Queensland can vary disciplinary arrangements for health practitioners. It does not amend the national law but modifies how it is applied in Queensland so that all complaints—or notifications as

they are known under the national law—are received by the Health Ombudsman and all serious disciplinary matters are dealt with by the said ombudsman. This bill, again, does not affect the national registration of health practitioners.

I am pleased to note also that the bill appoints a director of proceedings. This will be a lawyer who will independently determine whether an investigation has produced sufficient evidence for the matter to be taken to QCAT. The director of proceedings will not be subject to the direction of the Health Ombudsman when making these referral decisions. This bill also empowers the director of proceedings to take serious matters about health practitioners who are not registered to QCAT for consideration. On the flip side, the bill also contains strict criteria for the Health Ombudsman to take no further action if the matter is found to be vexatious, misconceived or lacking in substance, and the onus will be on the complainant to assist the Health Ombudsman to resolve the complaint in a timely manner.

Overall, Queenslanders can rest assured that this bill is guided by the principle that their health and safety are paramount. For the first time, investigations will be subject to statutory time frames. It will be expected that investigations are completed within 12 months of the decision to undertake the inquiry, with three-month extensions if so required. I hope this will reassure people that if they do make a complaint their investigations and local resolutions will be undertaken in a timely way.

I also believe that this bill will help restore confidence that our government is serious about addressing the rights of the public when it comes to their health. Again, I thank the Minister for Health for his hard work on this bill and I commend the bill to the House.