

**Question on Notice**  
**No. 1541**  
**Asked on 30 November 2006**

MR FOLEY asked the Premier and Minister for Trade (MR BEATTIE) -

QUESTION:

- (1) How many of the hospital victims on the Fraser Coast that have sought compensation for their injuries have been paid through his compensation process or the Health Quality and Complaints Commission (HQCC)?
- (2) Why hasn't he given full power to the HQCC to demand full co-operation from hospital management when investigating a complaint, including the power to pursue compensation of the complaint fully until agreement is reached by both the consumer and the health care provider?

ANSWER:

- (1) Patients in the Fraser Coast Health Service District have the right to seek redress for any treatment concerns through the Health Quality and Complaints Commission (the Commission) or the courts.

A number of patients from the Fraser Coast have made complaints to the Commission. The Commission is able to facilitate voluntary negotiation of settlements in conciliation, however, cannot reveal the nature of any settlements reached. The conciliation process under the *Health Quality and Complaints Commission Act 2006* (the Act) is confidential and subject to legal privilege. In addition, parties to any settlements negotiated in conciliation usually sign an agreement not to disclose details of their settlement.

- (2) The Commission does have powers under the Act to require information to be provided from health service providers, which would include public hospitals, to enable it to assess and investigate complaints made under the Act.

While the Commission does not possess any powers under the Act to award compensation, it can facilitate conciliation of complaints. Through this conciliation process it remains possible for parties to agree to settle complaints through the payment of compensation. Additionally, there exists power under the Act for the Commission to refer the complaint made to another entity that is able to investigate or take other appropriate action and which potentially may lead to the payment of compensation in response thereto.