

**Agency Management Committee
Meeting Number 6**

**21 September 2009
Level 16, 150 Lonsdale Street, Melbourne**

Final decisions and actions arising

Members present

Mr Peter Allen, Chair
Mr Michael Gorton
Professor Genevieve Gray
Professor Constantine Michael
Associate Professor Merrilyn Walton

In attendance

Dr Louise Morauta, Project Director, National Registration and Accreditation
Implementation Project (NRAIP)
Ms Del Stitz, Director Implementation, NRAIP

Item 1: Record of previous meeting

1. Final minutes of the last meeting held on 24 August 2009 were noted by the Committee.

ACTION: NRAIP

Item 2: Disclosure of any conflicts of interest in relation to agenda items

1. In accordance with Section 6(1) of Schedule 2 of the *Health Practitioner Regulation (Administrative Arrangements) National Law Act 2008* (the Act), members declared any possible conflict of interest in relation to agenda items for consideration by the Committee.
2. No conflicts of interest were noted.

ACTION: Nil

Item 3: Consideration of discussion with Victorian boards

1. Members noted that Victorian boards were engaged in the detail of the transition. Key issues raised in the discussion with boards included:

- a. The importance of communications including from the national boards. It was noted that a communiqué from board Chairs had already foreshadowed consultation on registration standards in October/November. Communiqués will be issued in the next few days reporting on the outcomes of the first meetings of national boards.
- b. The timing of the release of organisation design following consultation with national boards and timing of recruitment action.
- c. The enterprise agreement. Many staff and boards have provided feedback. The Agency Management Committee would be considering today how to proceed.
- d. Lack of awareness of professionals that the new arrangements are planned. It was noted that an individual letter would go to all registrants in about April next year to advise of the change and the category to which they will translate. A common script may be needed by State and Territory boards when the letters are distributed.
- e. Progress on IT delivery. It was particularly noted that the decommissioning plan for current systems needed to be clear. Transitional arrangements for IT staff were raised. NRAIP are planning to issue a high-level design document shortly.
- f. Changes in Bill B. There was interest to have a clear description of what had changed in Bill B since the exposure draft. It was noted that practitioners would still be subject to different State requirements in relation to drugs and poisons, etc. It was noted that registrants in NSW may have a lower fee but that gaming would be reduced by the requirement to be registered in the principle place of practice.
- g. The timing of Bill C. It was clarified that Victoria was well advanced. Bill C may need to deal with the completion of annual report requirements, etc.

ACTION: Chair and NRAIP

Item 4: Current situation

Item 4.1 Update from Chair and members

1. Members noted that national board Chairs were working very effectively together and agreeing to cooperate in a number of areas, including common standards for English language and criminal history checking, and a common code of ethics.
2. Members agreed that Peter Allen should offer to participate in teleconferences with the Chairs.
3. Members agreed that the national boards should be advised that the project team currently has limited capacity to provide more than secretariat support, but boards may wish to engage existing State and Territory staff to provide support for development of registration standards from board funds.
4. Members agreed to fast track the recruitment of board support staff in the recruitment schedule.
5. Members agreed that there was a problem with not having anyone to speak to complex papers and therefore in future Louise Morauta and Del Stitz should offer to speak to relevant papers and have others in the notetaker roles.

6. Members noted that NSW intends to reply to the Agency concerning arrangements in NSW.

ACTION: Chair and NRAIP

Item 4.2 Progress report from project team

1. Members noted the matters reported in the paper.

ACTION: Nil

Item 5: Financial matters

Item 5.1: Next stages on draft procedures for development of standards

1. Members noted the draft procedures for the development of standards provided to boards.
2. Members noted the comments made by boards at their meetings yesterday.
3. Members decided on no amendments to the draft procedures.
4. In respect of the procedures for registration standards, Members agreed:
 - a. a final set of procedures
 - b. that the final procedures are posted on the AHPRA website, and promulgated to national boards via a letter from the Chair
 - c. to the draft processes to support boards in using the procedures, and
 - d. to the draft letter from the Chair to the boards attaching the final procedures and suggested process for using them.
5. In respect of the procedures for accreditation standards, Members agreed:
 - a. that the Committee now consult with accreditation authorities prior to finalising the procedures, and
 - b. to the draft letter from the Chair to accreditation authorities.

ACTION: Chair and NRAIP

Item 5.2: Other feedback from boards on professional matters and any consequent decisions required

1. Members noted some boards are seeking to establish specialist registration.

Item 6: Financial matters

Item 6.1: Feedback from boards on 2010-11 funding arrangements, the Health Profession Agreements, health programs for practitioners and remuneration for State and Territory boards

1. Members noted that:
 - a. most boards noted the 2010-11 funding arrangements and preferred to await more accurate data from SALT Agreements

- b. Nursing and Midwifery Board of Australia and the Medical Board of Australia had a concern about the high proportionate share of costs being attributed to their boards
 - c. there were very few comments on the HPA draft
 - d. it seems unlikely that national health programs will be introduced from July 2010, and
 - e. not all boards supported the remuneration rates for State and Territory boards.
2. Members asked for information about rates paid to the Medical Board in Queensland.
 3. Members confirmed that the principle of paying the same to each profession was well established by decisions of Ministers and the proposal should be implemented.
 4. Members noted that a paper on the operation of regional boards would be required for the next meeting of national boards.
 5. Members noted that a paper on business processes implicit on the new scheme and delegations would be desirable for the next meeting.

ACTION: Chair

Item 6.2: Feedback from boards on options for State and Territory boards

1. Members noted that not all boards resolved this issue:
 - a. The Pharmacy Board of Australia deferred the decision.
 - b. The Osteopathy Board of Australia opted for one national board.
 - c. The Physiotherapy Board of Australia will have a board in every State and Territory.
 - d. The Optometry Board of Australia will have one national board.
 - e. The Nursing and Midwifery Board of Australia will have a board in each State and Territory.
 - f. The Psychology Board of Australia were undecided.

ACTION: NRAIP

Item 6.3: Funding arrangements in 2009-10

1. [REDACTED]
2. [REDACTED]
3. Members noted that further reserves will not become available to the national boards until the passage of Bills C in States and Territories.
4. Members agreed to recommend to the national boards at their October meeting that boards agree to:
 - a. the recruitment of staff prior to January 2010 on the basis that they will need to meet part of the salary costs in 2009-10 from reserves when these are received [REDACTED]
 - b. the recruitment of other staff in the first half of 2010 on the basis that these costs are also to be met from reserves transferred to boards, and

- c. once Bill C is passed in a jurisdiction, the Agency enter into commercial loans to fund accommodation for the national and State offices where required, with the cost to be met over time by the boards.
5. Members agreed to consider out of session a paper with further detail before it is released to the boards for their October meeting.

ACTION: Chair/NRAIP

Item 7: Employment matters

Item 7.1: Appointment of Chief Executive Officer (CEO)

1. Martin Fletcher has been appointed CEO and will commence in December 2009.
2. Mr Fletcher will be available for recruitment activities for two weeks in late October, early November.
3. Members discussed the possibility of meeting with him during that period.

ACTION: Chair/NRAIP

Item 7.2: CEO delegations

1. Members noted that the Chief Executive Officer (CEO) has no powers under the legislation except those delegated by the Agency Management Committee and the national boards.
2. Members agreed the draft delegations to the CEO at Attachment A.
3. Members noted that the delegations will be made by the Chair at the time of commencement of the CEO.

ACTION: Chair/NRAIP

Item 7.3: Progress report on progress of enterprise agreement (EA)

1. Members noted that:
 - a. comments had been received from staff and boards and it was now much clearer what conditions were of importance to staff
 - b. a letter has been received from the CPSU
 - c. discussion with DEEWR had failed to identify alternative options for lodging federally, and
 - d. governments were unlikely to refer their industrial powers in relation to AHPRA in Bill C.
2. Members agreed that priority will be given to reaching an agreement in Victoria, NT and the ACT. The draft EA will be redrafted to meet the better off overall test in those States and Territories.

ACTION: Chair/NRAIP

Item 7.4: Feedback from boards on organisation design and consideration of any adjustments required

1. Members noted:
 - a. the Medical Board of Australia did not support the structure and wanted roles and job descriptions
 - b. the Podiatry Board of Australia thought the structure top heavy
 - c. some smaller boards provided feedback on the number of Executive Officers (EOs) supporting boards and the scope to be swamped by the requirements of larger boards
 - d. the split of boards between EOs was questioned by some boards, and
 - e. the titling of 'Director Operations' was questioned.
2. Members agreed to increase to six EOs as follows:
 - a. EO Medical - Band 1
 - b. EO Nursing and Midwifery - Band 1
 - c. EO Dental and Chiropractic - EL2
 - d. EO Pharmacy and Optometry - EL2
 - e. EO Physiotherapy and Podiatry - EL2
 - f. EO Psychology and Osteopathy - EL2
3. Members agreed to retitle 'Director Complaints' as 'Director Notifications'.

ACTION: Chair/NRAIP

Item 8: Accommodation matters

Item 8.1 Report on accommodation options

1. Members noted the report on accommodation options prepared by Russell Harvey and Co.
2. Members noted the options that the project team is proposing be pursued further, but noted that the Queensland option is no longer available.
3. Members agreed that the Chair write to NSW about accommodation issues given the continuing lack of clarity about administrative arrangements in NSW.
4. Members agreed that the project team sound out jurisdictions on the possibility of jurisdictions taking leases and funding fitout based on a letter of intent agreed with AHPRA.
5. Members agreed that the Chair write to Victoria to confirm the financial undertaking made by Victoria and request interim financial support for a lease to be taken out ahead of Bill C in Victoria.
6. Members noted that if jurisdictional agreement can be obtained then action will proceed as foreshadowed in this paper.

ACTION: Chair and NRAIP

Item 9: Communications issues

Item 9.1: Draft statement to be issued following meeting

1. Members agreed that a draft statement would be developed.

ACTION: Chair and NRAIP

Item 10: IT strategy and program

1. The IT delivery is progressing to plan.

ACTION: Nil

Item 11: Business procedures

Item 11.1 Business rules for IT system development

1. Members agreed, consistent with the development of the National Law, that declarations that registrants are required to make as part of their annual statement associated with renewals (including online renewals):
 - a. will not require the provision of supporting documentation, and
 - b. will enable free text responses where required.
2. Members agreed to propose to national boards that applicants for registration be charged a non-refundable application fee plus a pro-rata registration fee based on the number of months remaining in the registration period, with both charged at the same time for simple applications.

ACTION: Chair and NRAIP

Item 11.2 Feedback from boards on date for renewal of registration and any consequent decisions required

1. The proposal was agreed by all boards who considered the agenda item.

ACTION: NRAIP

Item 12: Correspondence

1. Correspondence was noted.

ACTION: Chair and NRAIP

Item 13: Other business

1. Members agreed to the Dental Board of Australia moving to Friday meetings.
2. Members did not agree to support the Chiropractic Board of Australia meeting on Saturdays. Members were concerned about the pressure on staff, the cost and the difficulty of accessing business services.
3. Members noted that the Chiropractic Board of Australia wanted to meet in January. It was agreed that they would be approached to reconsider.
4. Members noted that their January meeting may be devoted to discussions with the CEO.

5. Members agreed that the national board logos should be changed to put the profession in colour and the 'Board of Australia' in black.
6. Members agreed to enter into a contract for services with NT in relation to residual boards.
7. Members noted that 50% of board members had opted to travel economy.

ACTION: Chair and NRAIP

Item 14: Next meeting

1. Members noted the next meeting – Friday, 23 October in Hobart, preceded by the meeting with the Tasmanian boards at 7.30am.

ACTION: NRAIP



***Health Practitioner Regulation (Administrative Arrangements)
National Law Act 2008***

Instrument of Delegation

1. Commencement

This Delegation commences on the date it is signed.

2. Interpretation

In this Delegation:

Act means the *Health Practitioner Regulation (Administrative Arrangements) National Law Act 2008*.

Functions and powers means the functions and powers of the Australian Health Practitioner Regulation Agency (AHPRA) under the Act.

Limitations means the limitations or conditions respectively specified in Column 3 of the Schedule.

Chief Executive Officer means the person holding, acting in or performing the duties of the position of Chief Executive Officer for AHPRA.

Schedule means the attached schedule to this Instrument of Delegation.

3. Delegation

I, Peter Allen, Chair of the Agency Management Committee, pursuant to section 29 of the Act delegate functions specified in the Schedule to the Chief Executive Officer of AHPRA.

Signed at Melbourne in the State of Victoria

This day of 2009

Peter Allen
Chair
Agency Management Committee

**RELEASED UNDER THE
FREEDOM OF INFORMATION ACT 1982 (Cth)**

Column 1	Column 2	Column 3	Column 4
STATUTORY PROVISION	DESCRIPTION	LIMITATIONS	NOTIFICATION REQUIREMENTS
FINANCIAL			
All delegations		Within the budget approved by AHPRA and consistent with any Health Profession Agreements in place with the National Boards	
Section 19 (a)	Enter into contracts		If over \$1m, to be notified to Agency Management Committee at next available meeting.
Section 19 (b)	Acquire, hold, dispose of, and deal with, real and personal property	Up to \$10 million capital expenditure	If over \$1m, to be notified to Agency Management Committee at next available meeting.
Section 20 (1) (d)	Negotiate Health Profession Agreements with National Boards	In agreement with each National Board	To be notified to Agency Management Committee at next available meeting.
Section 47 (2)	Administer AHPRA fund	Up to \$10 million capital expenditure Up to \$1 million recurrent expenditure	If over \$1m, to be notified to Agency Management Committee at next available meeting.
Section 47 (3)	Establish accounts with any financial institution		

**RELEASED UNDER THE
FREEDOM OF INFORMATION ACT 1982 (Cth)**

Column 1	Column 2	Column 3	Column 4
STATUTORY PROVISION	DESCRIPTION	LIMITATIONS	NOTIFICATION REQUIREMENTS
Section 49	Make payments	Up to \$10 million capital expenditure Up to \$1 million recurrent expenditure	If over \$1m, to be notified to Agency Management Committee at next available meeting.
Section 50	Invest money		Provide monthly updates to the Agency Management Committee.
Section 51 (b)	Keep books and records		Provide monthly updates to the Agency Management Committee.
Section 51 (e)	Prepare financial statements		Provide monthly updates to the Agency Management Committee.
HUMAN RESOURCES			
Section 31 (1)	Employ staff	With Band 2 appointments to be made in consultation with Agency Management Committee	
Section 31 (2)	Determine terms and conditions of employment		
Section 32	Second staff		
Section 33	Engage consultants		

**RELEASED UNDER THE
FREEDOM OF INFORMATION ACT 1982 (Cth)**

Column 1	Column 2	Column 3	Column 4
STATUTORY PROVISION	DESCRIPTION	LIMITATIONS	NOTIFICATION REQUIREMENTS
OPERATIONAL			
Section 12 (3)	Publish any direction given to the National Agency by the Ministerial Council on the website and in the Annual Report		
Section 20 (1) (b)	Develop procedures	In consultation with national boards	
Section 20 (1) (c)	Provide administrative assistance to national boards		
Section 20 (1) (g)	Do anything necessary to prepare for implementation	In line with functions outlined in COAG IGA	
Section 22	Represent the National Agency in discussion with participating jurisdictions and the Commonwealth, registration authorities and educational bodies	Consistent with policy decisions taken by the Agency Management Committee	
Section 23	Establish offices		
Section 26 (1) (a)	Determine policies of the national agency	Consistent with directions of the Ministerial Council	

**RELEASED UNDER THE
FREEDOM OF INFORMATION ACT 1982 (Cth)**

Column 1	Column 2	Column 3	Column 4
STATUTORY PROVISION	DESCRIPTION	LIMITATIONS	NOTIFICATION REQUIREMENTS
Section 26 (3)	Act in the name of, or on behalf of, the National Agency	Consistent with directions of the Ministerial Council and policies of the Agency	
Sections 34 and 35	Prepare annual and progress reports of the National Agency		