

Agency Management Committee

Meeting Number 12

9 March 2010

Russell Kennedy, Level 12, 469 La Trobe St Melbourne

Final decisions and actions arising

Members present

Mr Peter Allen, Chair

Mr Michael Gorton

Professor Genevieve Gray

Professor Constantine Michael

Professor Marilyn Walton

In attendance

Mr Martin Fletcher, Chief Executive Officer

Mr Chris Robertson, Director National Board Services

Mr John Ilott, Director Operations

Ms Del Stitz, Director Implementation, NRAIP

Ms Dominique Saunders, Senior Legal Adviser

Item 1: Record of previous meeting

1. The draft minutes of the meeting held on 9 February 2010 were approved by the Committee.

ACTION: Nil

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. Michael Gorton advised that Russell Kennedy is handling the sale of the Nurses Board of Victoria building and therefore he has a potential conflict of interest in this matter.

ACTION: Nil

Item 3.1: Update from Chair and members

1. Prof Michael reported on discussions underway in relation to introducing the corresponding legislation into the WA parliament.

ACTION: Nil

Item 3.2: Implementation Update

1. Members noted matters reported in the paper.
2. The Victorian Department of Health has advised that the building owned by the Victorian Nurses Board will be auctioned on 11 April. The Department has not yet advised the amount to be directed to the benefit of the scheme and the amount to be credited to the Nursing and Midwifery Board of Australia. Michael Gorton has advised a conflict of interest in relation to this matter.
3. Members requested that a paper on key performance indicators for the work of the Agency be brought forward to the April meeting for a formative discussion, and for a fuller discussion at the May meeting. Discussion highlighted that measures should address performance in relation to the health profession agreements, operations of the national and State and Territory offices and the forward work program for AHPRA.
4. Members noted the recent NT case of a medical practitioner who is alleged to have fraudulently misrepresented his qualifications and asked the CEO to ensure that checks and balances within the national scheme took account of relevant learning from the case and are as robust as possible.

ACTION: AHPRA

Item 4: Governance matters

Item 4.1 Feedback from 4 March AHMAC meeting

1. Members noted the CEO's report of the recent AHMAC meeting that considered 3 AHPRA- related matters:
 - a. Registration standards - a sub-group of Health CEOs will meet on Monday 15 February to finalise recommendations to Ministers.
 - b. Reserves to transfer - AHMAC discussed the small number of Boards which may be in deficit and noted that AHPRA would write to individual Health CEOs. AHMAC agreed that reserves to transfer from NSW to the national scheme would be determined on the basis of the split of regulation and registration functions. This will require independent verification and a report back to AHMAC.
 - c. Critical legislative timing: advice from AHPRA was noted,
2. Members noted that AHPRA has been invited to formally nominate a representative to the NRAS Sub-committee.

ACTION: AHPRA

Item 5: Jurisdictional and legislative matters

Item 5.1: Update on progress of Bills C

1. Members noted the updated information on progress of Bills C:
 - a. the Commonwealth has introduced Bill C ahead of schedule
 - b. Bill C had been passed in the NT

- c. second stage Victorian legislation had been introduced
 - d. WA has indicated introduction of enabling legislation is now likely for April rather than March.
- 2. Members noted that the transition offer to staff can proceed in all State and Territories, with the offer subject to passage of legislation.
 - 3. Members expressed a preference to continue the mail out to all registrants even if the legislation is not passed.
 - 4. Members requested an out of session paper on the implications of any phased implementation, including the additional cost.

ACTION: AHPRA

Item 5.2: NSW progress report

- 1. Members noted the strategies being adopted to operate within the NSW co-regulatory model. A meeting this week will discuss budget and NSW fees, and a meeting the following week will discuss business processes in the NSW model.

ACTION: AHPRA

Item 6: National board matters

Item 6.1: Key issues from February board meetings

- 1. Members noted that National Boards had considered:
 - a. registration standards
 - b. codes and guidelines
 - c. the accreditation funding and service agreement
 - d. delegations
 - e. forms
 - f. certificates.
- 2. March meetings will consider:
 - a. transition of State and Territory Boards
 - b. panel lists
 - c. April mail out
 - d. approved programs of study
 - e. accreditation services and costs
 - f. fees
 - g. delegations
 - h. forms, and
 - i. forms.
- 3. Members agreed to consider the recommendations to National Boards on fees out of session. Martin Fletcher will brief Fran Thorn on the proposed national fees in her role as lead CEO for AHMAC on NRAS matters.

ACTION: AHPRA

Item 7: Accreditation matters

Item 7.1: Arrangements for nursing and midwifery accreditation

1. Members noted the proposal from the Australian Nursing and Midwifery Council (ANMC) to the Ministerial Council seeking appointment of a restructured ANMC as the national accreditation authority for Nursing and Midwifery.
2. Members noted that there will be a special meeting of the Nursing and Midwifery Board of Australia on 16 March 2010 to consider this proposal.
3. Members agreed that AHPRA should provide clear advice in relation to the following matters:
 - a. the needs for a clear set of accreditation functions as the focus of the Service Agreement, which are clearly delineated from any wider responsibilities and functions of the ANMC
 - b. the composition of the governing board and the staffing arrangements, including assurance that the leadership has appropriate expertise in accreditation matters
 - c. the clarity of the business model including cost implications and plans for charging fees, and
 - d. intellectual property, and;
 - e. the value of name change to emphasise the new organisational focus.
4. Members indicated that the advice to AHMAC should highlight the importance of continuously improving standards in relation to accreditation bodies.
5. Members noted that the recommendations on the ANMC proposal will go to the March or April meetings of Ministers.

ACTION: AHPRA

Item 7.2: Best practice principles for accreditation

1. Members noted that the Agency has recently commenced development of a high level framework document that is intended to support informed decision making and improvements in accreditation arrangements over time.
2. A first draft framework was tabled. Members undertook to provide comment on the draft, which will be further refined and discussed with the Committee of Health Profession Councils.

ACTION: Members

Item 8: Financial matters

Item 8.1: 2009-10 Budget Report

1. Members noted the information in the financial report.

ACTION: Nil

Item 8.2: Provisioning for liabilities and risks

1. Members noted the advice from KPMG.

2. Members noted that funding may be required from governments to support the implementation of the national scheme for the next four professions. Work needs to be done to estimate required budget.

ACTION: AHPRA

Item 8.3: 2010-11 updated budget estimates

1. Members noted the updated budget estimates provided to National Boards at their February meetings.
2. Members noted that fees will need to be finalised in March. An out of session paper will be provided to the Agency Management Committee to facilitate timely consideration.
3. Members noted that timing issues may occur in order to estimate the rebate for NSW registrants, if required budget information from NSW is not provided in a timely way.

ACTION: AHPRA

Item 9: Progress of AHPRA set up

Item 9.1: Accommodation matters

1. Members noted the report on AHPRA accommodation.
2. Accommodation has now been secured in NSW at 680 George St.
3. Significant office space pressures are being experienced at 120 Spencer St.
4. Accommodation in Melbourne is expected to be occupied from mid June.
5. No risk sharing letter has yet been received from Tasmania.

ACTION: Nil

Item 9.2: Transition offers and staff recruitment

1. Members noted the actions, progress and timetable for staffing of the Agency and related issues.

ACTION: Nil

Item 10: Communications update

1. Members noted progress on the development of the communication strategy.
2. Members noted recent media interest.
3. Members approved the draft media policy, subject to changes to reflect the role of the Agency Management Committee and its agreed public speaking protocols.
4. Chris Robertson will circulate the standard AHPRA presentation.

ACTION: AHPRA

Item 11: Business processes

Item 11.1: Safe transition of registrants matters

1. Members noted the letter sent to registration boards concerning renewals due near implementation.
2. Members noted that detailed planning is underway in relation to the April mail out and expressed a preference for the mail out to go to all registrants even if the legislation is not through in the State or Territory.

ACTION: Nil

Item 12: Review of Risk Register

1. Members agreed the revised risk register which included two new risks and expansion of item 14.

ACTION: Nil

Item 13: Correspondence

1. The correspondence register was noted.

ACTION: Nil

Item 14: Other business

1. Nil

ACTION: Nil

Item 15: Next meeting

1. Members noted the next meeting - Melbourne on 13 April hosted by Michael Gorton at Level 12, 469 Latrobe Street. Lunch will be available and the meeting will run from 10.00am to 4.00pm.

ACTION: Michael Gorton and AHPRA