



Aboriginal and Torres Strait
Islander health practice
Chinese medicine
Chiropractic
Dental
Medical
Medical radiation practice
Nursing and Midwifery
Occupational therapy
Optometry
Osteopathy
Pharmacy
Physiotherapy
Podiatry
Psychology

Australian Health Practitioner Regulation Agency

AHPRA REPORT

AHPRA Report Edition 14, May 2014

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Message from the CEO

Welcome to the June edition of AHPRA Report – our six-monthly update for all who are interested in the work of AHPRA and the National Registration and Accreditation Scheme (the National Scheme).

It has been another busy chapter at AHPRA as we prepare to participate in the scheduled three-year review of the National Scheme, extend our work with notifiers and report more workforce data and performance information. More accurate and complete data about health practitioners is one of the important benefits of the National Scheme. All National Boards have recently published their quarterly registration data on their websites – look under *About Us* or *News*.

A big focus in the months ahead will be on contributing to the three-year review of the National Scheme established by Australia's health ministers. Led by Mr Kim Snowball, the independent review provides an important opportunity to identify both what's working well and opportunities to improve and strengthen our work to protect the public and facilitate access to health services. [More on the three-year review here](#), including some comments from the independent review team.

Also in this edition, the new Agency Management Committee Chair, Michael Gorton shares his ideas about the opportunities provided by the three-year review and his priorities as Chair.

Links with overseas regulators

The global mobility of the health workforce means that it is important that we develop strong links with regulators in other countries. We continue to learn from overseas

regulators and also share our knowledge of national regulation across professions. So far this year we have hosted delegations from the UK, South Africa and Vietnam, who are interested in the scale of our scheme and the balance it strikes between public safety (a common priority for health regulators world-wide) and workforce supply and reform (which are more unique responsibilities required by our legislation in Australia). [Read more about a recent visit from the UK's Harry Cayton](#) and his views about the global challenges of regulation.

Social media

Another recent milestone is our step into social media. Social media presents some exciting opportunities for AHPRA and the National Boards to connect with practitioners and the community in new ways. AHPRA joined the 'Twittersphere' earlier this year to take part in the online conversation triggered by the release of revised advertising guidelines. It's still early days and we are taking small steps but plan to expand our presence in social media over time.

Management of notifications

The timely and effective management of notifications (concerns or complaints about registered health practitioners) continues to be an important focus. There is an upward trend in the number of notifications we are receiving. We have also been looking at ways we can improve our communication with people who raise concerns about health practitioners. [Read about our partnership with the Health Issues Centre here](#).

Consumer engagement

We are working with the Consumers Health Forum on ways they can help us make consumers more aware of our work and hear direct consumer voices about National Board policies. We are also committed to our ongoing work with the Professions Reference Group and the Community Reference Group – which have provided really helpful feedback for us on a range of issues, including social media, advertising and our work with notifiers.

Registration renewal

The due date for Australia's nurses and midwives to renew their registration is 31 May. So far, we've had a great response to our renewal campaign and on going to press, 86 per cent of nurses and midwives had renewed. We are working closely with stakeholders and reminding practitioners directly to make sure everyone who wants to keep practising applies to renew by 31 May. The renewal campaign is on track and we expect 95 per cent of practitioners to have renewed on time, 97 per cent online.

Panel recruitment

A number of National Boards are recruiting for panel members. As part of managing a notification, National Boards may decide to refer a registered practitioner or student to a panel. Panels are established from a list of

approved people. Under the National Law, panels must include members from the relevant health profession as well as community members. Each National Board has a list of approved people who may be called on to sit on a panel. More information on [panel member recruitment](#) can be found on AHPRA's website.

Improving our websites

Simple and easy access to information is an important part of our public safety mandate. We are making changes to improve our websites and make the information we publish easier to find and read. We have strengthened the [register of cancelled practitioners](#), and now provide a direct link to the decision that cancelled the practitioner's registration. We are also progressively updating the publication of [panel decisions](#) including case summaries when there is clinical or educational value.

We have also updated our [legal practice notes](#) – with new notes on *Court or tribunal power to stay a Board decision* (LPN 21) and *Delegations under the National Law* (LPN 22).

Martin Fletcher

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Review of the National Registration and Accreditation Scheme

Health Ministers have now published the [terms of reference](#) for the National Registration and Accreditation Scheme (NRAS) review. Mr Kim Snowball has been appointed the independent reviewer. Mr Snowball has held a variety of senior leadership roles in both the public and private health sector, was previously the Director General of WA Health and has also served as the Chair of the Australian Health Ministers' Advisory Council (AHMAC).

The NRAS review will be focused on:

- identifying the achievements of the National Scheme against its objectives and guiding principles
- assessing the extent to which National Scheme meets its aims and objectives
- the operational performance of the National Scheme
- the National Law, including the impact of mandatory reporting provisions, the role of the Australian Health Workforce Advisory Council, advertising, and mechanisms for new professions entering the scheme, and
- the future sustainability of the National Scheme, with a specific focus on the addition of other professions in the scheme and funding arrangements for smaller regulated professions.

Mr Snowball said the review provides the opportunity to reflect on the performance of the National Scheme in its first three years of operation.

'The objectives and guiding principles that underpin the National Scheme will provide a solid foundation for this analysis, assisting us to identifying issues relevant to improving its efficiency and effectiveness,' Mr Snowball said.

'I am seeking to engage with AHPRA and the National Boards early in this review process as we endeavour to capture the full range of issues from those with detailed working knowledge of the National Scheme,' he said.

AHPRA and the National Boards will be actively participating in the review process and making submissions in the months ahead.

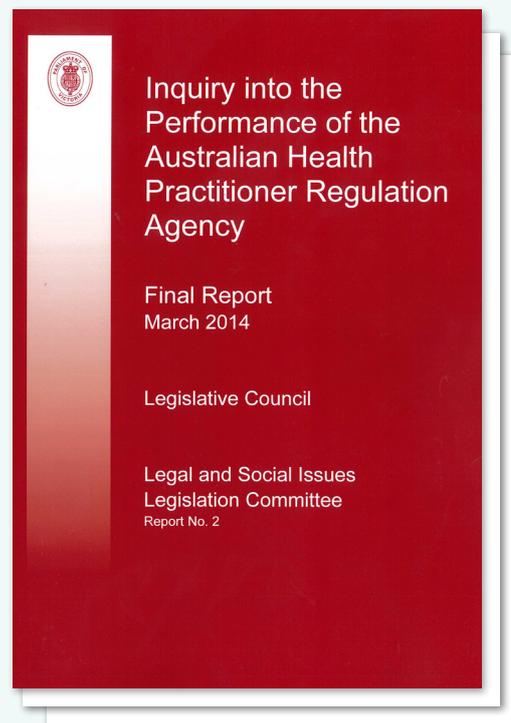
Working with governments

In March, the Legal and Social Issues Legislation Committee of the Victorian Parliament presented its report after its seventeen-month inquiry into the performance of AHPRA.

During 2013, AHPRA, along with the Medical Board of Australia, appeared before the committee on several occasions and made detailed submissions about improvements to managing consumer complaints and public risk and increasing accountability and reporting. We engaged fully with the committee and already have work underway in a number of areas that we highlighted in our submissions.

The three-year review of the National Scheme (called the NRAS review) will provide an important opportunity to explore how the framework for regulating health practitioners in Australia can be strengthened in a way that is nationally consistent, internationally benchmarked and in the public interest.

The Parliamentary Committee report and the two minority reports are published on the Victorian Parliament website. You can also read our media release about the findings.



Our work with notifiers

AHPRA and the National Boards continue work to enhance our regulatory services. Over the past year, we have focused on improving the way we manage notifications about health practitioners. As part of this work, we have commissioned a specific project focusing on the notifiers who raise concerns with us.

Earlier this year we commissioned a leading consumer organisation, the Health Issues Centre (HIC), to make recommendations on actions we can take to improve the experience of consumers as notifiers. The HIC reviewed our communication with notifiers and our responsiveness, understanding of the role of AHPRA, boards and the health complaints entity and where this could be clarified, and consumer understanding of the process for jointly considering notifications with the Health Services Commissioner (HSC).

The HIC project analysed administrative complaints data, notifications letters (in a de-identified form) and included a number of focus groups with community and practitioner state board and committee members and AHPRA/HSC staff; consultation and interviews with a number of other relevant stakeholders including the AHPRA Community Reference Group; and a stakeholder workshop with around 45 attendees.

The workshop discussed the findings from interviews and focus groups and worked through proposals for improvement, considering the various factors affecting their implementation. It was facilitated by Dr Norman Swan.

Based on the project so far, our priorities for action include better written communication with notifiers and clearer information on our websites, more focus on clarifying notifier expectations and the role of practitioner regulation and more streamlined interaction between the Health Services Commissioner and AHPRA. Already, we have commissioned an independent, plain-English review of our correspondence with notifiers.

We will publish the final HIC report and AHPRA's response to it on the website. The report is based on Victorian research, but many of the findings will apply nationally.

Updated codes and guidelines

Revised guidelines and codes of conduct, and a new social media policy, containing important information for all registered health practitioners came into effect in mid-March 2014. The new guidance included:

- revised *Guidelines for advertising regulated health services (Advertising guidelines)*
- revised *Guidelines for mandatory notifications*
- revised *Code of conduct*, and
- a new *Social media policy*.

The guidelines and policy are common across all National Boards and apply to all registered health practitioners. Most National Boards have a shared code of conduct while some have different codes. More information about the new guidance is published on our [News page](#).

We published the new guidance in a new design format, aimed at making the Board's expectations of health practitioners more accessible, readable and clear to practitioners and the community.

The updates followed a scheduled review three years into the National Scheme and are the first set of revised documents to be released this year. There are more to come later in 2014 – see more about our [current and forthcoming consultations](#). The new guidance was published five weeks before it took effect, to give practitioners time to become familiar with their obligations.

Advertising update

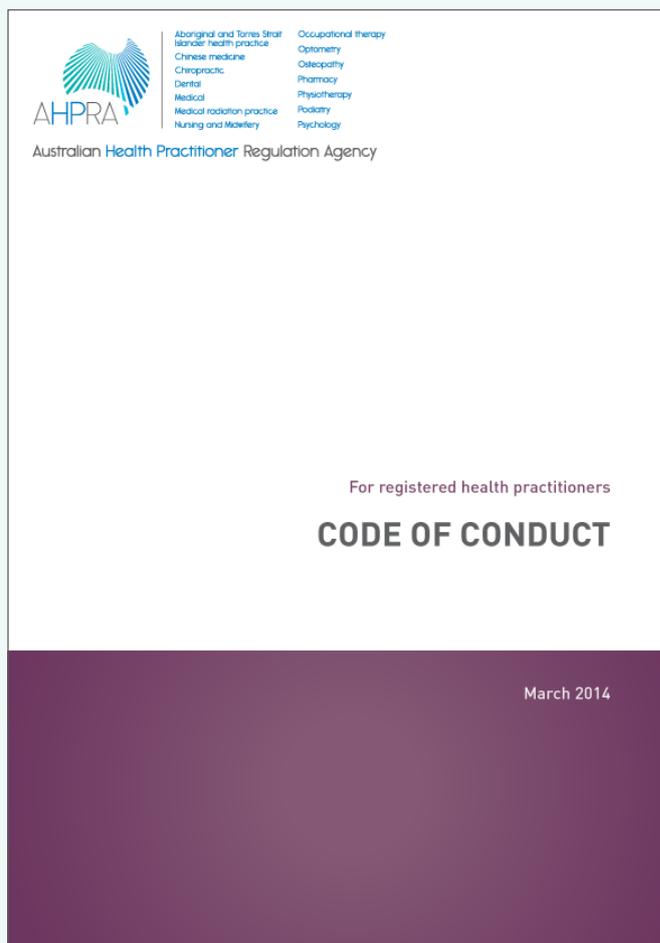
The updated advertising guidelines triggered vigorous debate, especially in social media, and prompted AHPRA's entry into the 'Twittersphere'. You can now find AHPRA on Twitter at @AHPRA and see results of our first Twitter chat on the advertising guidelines in the [Archive from the #AHPRAqanda Twitter chat](#).

National Boards have acted on the feedback they received about the advertising guidelines that were released in March and published an update on 21 May 2014.

Anyone who advertises a regulated health service must meet the requirements of the National Law. This includes registered health practitioners, individuals who are not health practitioners and businesses. No requirements have been added from the previous version of the guidelines.

The guidelines were edited to make them clearer, particularly that:

- under the National Law, testimonials are not allowed when advertising a regulated health service
- the obligations of the National Law about advertising only apply when a regulated health service is being advertised, and
- the National Law is not intended to stop members of the community and patients from discussing their experiences online or in person.



Much of the feedback that was received was about the ban on using testimonials in advertising a regulated health service. This is a requirement of the National Law, which is something National Boards are required to implement. The [terms of reference](#) for the scheduled review of the National Registration and Accreditation Scheme (the scheme regulating registered health practitioners in Australia) include a point about advertising, and interested members of the public and health practitioners will be able to provide feedback about the legislation. More information is available on the [AHMAC website](#).

As always, the focus of regulation is to protect the public. In relation to advertising, our priority is to help people understand the law and make sure consumers have access to clear information so they can make informed choices about their healthcare.

The statutory offences unit within AHPRA manages breaches of the advertising guidelines and the advertising requirements of the National Law. The National Boards support informed decision-making by consumers and in relation to advertising, AHPRA and the Boards will take action as needed to support that.

Audit update

Our audit program is up and running, and we now have a nationally consistent approach to auditing the compliance of registered health practitioners with mandatory registration standards set by National Boards. Audits help better protect the public and occur periodically across all professions throughout the year. More information is available on the [Audit page](#) of our website.

So far, we have audited practitioners in the nursing and midwifery, optometry, chiropractic, dental and pharmacy professions and we will audit medical practitioners in the coming weeks.

We have published more information for medical practitioners, including detail about what evidence practitioners will need to provide to substantiate the declaration they make when they renew their registration, that they have met the requirements of the registration standards being audited. More information about medical practitioner audit is available on the Medical Board's website under [Audit](#).

The National Boards and AHPRA will keep working on opportunities and strategies to improve practitioner awareness and compliance with the registration standards.



Learning from overseas regulators

We were fortunate last month to host a visit from a leading UK regulator, Harry Cayton OBE. Harry is the chief executive of the [Professional Standards Authority for Health and Social Care](#), the statutory body which oversees the regulation of health and care professions in the UK.

Harry led a spirited discussion about the challenges of health practitioner regulation and what AHPRA and National Boards can learn from our counterparts overseas. He explored the idea of 'right touch' regulation, which relies on an evaluation and management of risk (not just a description of it); a focus on making sure the regulatory

response is proportionate and outcome-focused (not just about following the steps in a process); and making sure that regulation provides a framework in which professionalism can flourish.

His summary of international debates about regulation identified a number of common themes including the independence of regulation, the extent which regulation is profession-led, the balance between public protection and professional standards, and single profession versus multi-profession approaches.

Appointments

Agency Management Committee

Australia's health ministers have appointed Michael Gorton AM as Chair of the Agency Management Committee, for the remainder of his current appointment until September 2015.

Ministers also reappointed Professor Merrilyn Walton for three years to April 2017 and appointed three new members:

- Barbara Yeoh, Chair, Monash Health
- David Taylor, former Divisional Head, Business Banking, Bankwest Bank, and
- Jenny Taing, Senior Lawyer, Australian Securities and Investments Commission.

Mr Gorton and Professor Walton were existing members of the committee, both appointed in March 2009 when it was established to guide the development of the National Registration and Accreditation Scheme.

Ministers recognised the quality of applicants to the committee and the valuable contribution of outgoing members Mr Peter Allen (Chair) and Professor Genevieve Gray, whose terms ended earlier this year.

More detail about the appointments and the new committee members are included in the [communiqué of the Australian Health Workforce Ministerial Council](#).

Read more about the appointments in AHPRA's [media release](#).

You can read more about [Michael Gorton](#) in our profile.

The [Agenda and Minutes of Agency Management Committee meetings](#) are published on their web page.

National Board appointments

Health ministers have also announced new appointments to National Boards – more details in the [Australian Health Workforce Ministerial Council recent communiqué](#).

Dr Lynette Cusack has been appointed as Chair of the Nursing and Midwifery Board of Australia to 30 August 2015, after holding the role of Presiding Member since 31 August 2013.

Current consultations

Have your say! Seven National Boards are consulting on important standards and guidelines.

We are inviting members of the community and health practitioners to have their say on a range of important registration standards and guidelines that are being consulted on by seven of the National Boards. These documents determine what standards registered health practitioners must meet and to which they will be held accountable.

The consultations close on 30 June 2014 and members of the public and health practitioners are encouraged to provide feedback.

The Chiropractic, Osteopathy, Medical, Pharmacy and Physiotherapy Boards are consulting on their core registration standards for:

- professional indemnity insurance (the insurance arrangements practitioners must have in place to practice)
- continuing professional development (the ongoing professional development practitioners must undertake every year to remain registered), and
- recency of practice (how recently practitioners must have practised in order to be considered safe to continue or go back to practice after a break).

Of the core registration standards, the Psychology Board of Australia is consulting on the continuing professional development and recency of practice standards only at this stage.

The Nursing and Midwifery Board of Australia is currently consulting on the *Safety and quality framework for midwives* and will be consulting on the core registrations standards soon.

Most of the seven Boards are also consulting on profession-specific guidelines as well as some profession-specific registration standards.

For more information, visit the [Consultation page](#) on our website.

Profile: Michael Gorton AM

Australia's health ministers have appointed existing AHPRA Agency Management Committee member Michael Gorton AM as the new Chair. Michael has been on the committee since the get-go in 2009. At that time, establishing the committee was the first concrete sign that the National Scheme was really going to happen and sent an important signal that ministers were serious about implementing this important health reform. Five years on, the National Scheme is a firm feature of Australia's health regulatory landscape.

Michael's appointment comes on the eve of the scheduled review of the National Scheme, and he is enthusiastic about the opportunities it will provide to improve and strengthen it.

'The three-year review will provide opportunities for robust discussion, to make changes that will strengthen the Scheme and build strong relationships with the stakeholders who work with us every day,' he said.

He flagged governance and workforce reform as two areas of focus.

'More definition of the roles and responsibilities of the Agency Management Committee, AHPRA and National Boards may be helpful,' he said.

Working with governments and the professions on priorities for workforce reform in which regulation may play a role is also an important focus.

'There is a clear requirement in the National Law to facilitate workforce reform, which is innovative,' Michael said.

'The review provides an opportunity to make really clear what contribution regulation can best make to that debate, in the context of our wider commitment to public safety,' he said.

Michael's top three priorities during his term as Chair are to increase engagement with stakeholders, improve the experience of notifiers and use the opportunities provided by the NRAS review to improve and strengthen the National Scheme.

'Regulation in the National Scheme relies on effective collaboration – inside the Scheme between the management committee, AHPRA and the National Boards, and externally with the many different stakeholders who interact with us every day,' he said.

If the first few years were about building the systems and processes needed to bring the National Scheme to life, the next chapter is about innovation, efficiency and investing in the relationships we have with our stakeholders.

'You can usually do more together and with a common purpose, than individually or in competition,' he said.



With the National Scheme now a firm feature of the national regulatory landscape, we can work with the organisations and associations that collectively make up Australia's health system to get the most out of this important national reform.

'We've had the pain. Now it's time for the gain,' he quipped.

A recognised expert with a substantial practice in health law, Michael also has a long history in improving complaints systems. In the past, he has been the Chair of the Victorian Equal Opportunity and Human Rights Commission and led the recent independent review of the legislation governing the health complaints system in Victoria.

'I think we have a fantastic opportunity now to really focus on improving our work with notifiers and make sure our systems and services are constructive for the people they are designed to protect,' he said.

'I am looking forward to drawing on my background and experience in consumer complaints management in a range of sectors and applying this to strengthening this part of the National Scheme,' Michael said.

For more detail about Michael Gorton read the [health ministers' announcement about his appointment](#) or a [profile of members of the AHPRA Agency Management Committee](#).

Advice and information

Information online

Our [website](#) is a great place to start when you are looking for information on many different questions about the National Scheme. Try our new and improved search function to find the information you need quickly.

Email advice

Submit an [online enquiry form](#) any time and we will get back to you as soon as possible. There are categories of enquiries to select, reflecting the most common information requests, including getting your user ID and password reissued, or checking your application status.

Phone

Our customer service teams have a detailed knowledge and understanding of National Board standards, guidance and advice. Call from within Australia on 1300 419 495 between 09:00am – 05:00pm local time or from overseas on +61 3 8708 9001 between 09:00am – 05:00pm Australian Eastern Standard Time Monday to Friday.

State and territory offices

AHPRA has an office in each capital city. [Contact details](#) are published on our website.

Social media

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Publications and other information

National Boards produce registration standards, along with guidance and advice that expand on these standards, to support professional practice. We publish detailed information on the National Board websites about registration standards and a wide range of general news and information relevant to health practitioners. You can access all publications through the [AHPRA website](#), which provides a portal to the websites of the National Boards.

Current consultations

The National Boards frequently seek feedback from the professions, the community and other stakeholders on a range of issues. Check the National Board websites regularly via the [AHPRA website](#) to keep up to date with current consultations.

Think before you print

Any comments?

If you have any comments about this report, please [email us](#).

Further information can be found on the Australian Health Practitioner Regulation Agency website at [www.ahpra.gov.au](#).

Australian Health Practitioner Regulation Agency

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