

Submission:  
Australian Health Ministers' Advisory Council  
National Registration and Accreditation Implementation Project  
Exposure Draft – Health Practitioner Regulation National Law 2009

Re Independent (Homebirth) Midwifery

I want access to all of the best services that this country can offer in regards to pregnancy and birthing. Currently, having access to an independent homebirth midwife provides unparalleled quality of service to a pregnant woman. With my first pregnancy I chose a highly qualified and experienced independent midwife who was up to date on all the best that evidence based practice has to offer. She was accessible 24 hours a day, and I was assured of being able to birth in the place of my choice without being concerned about availability. At every step she informed me of all choices available throughout the pregnancy and in preparation for labour, including emergency procedures. I took complete responsibility for the outcome of our birth, at the same time as having our midwife's professional guidance throughout labour and birth. At this stage, I can have her continuity of care for each of our subsequent children.

Sections 101\*(&148\*) will take this quality service away from me as a choice as of 1<sup>st</sup> July 2010. I will no longer have 24 hour access to a professional midwife of my choice, and will not be able to birth with the same midwife for subsequent children. Birth centres are accessible providing no one else is using it at the time, so there will be uncertainty as to the location of birth. All this amounts to is a reduction in the quality of care that I will receive.

Various studies have shown that birthing at home is as safe as birthing in hospital for healthy pregnancies. Independent midwives are qualified and have been working without insurance for some years now. It should be a consumer's right to continue to access their services with the understanding that they aren't covered by insurance. I ask to have Independent Midwifery exempted from the impractical professional indemnity insurance so that informed women like myself can still have access to this service in the full knowledge that the insurance is unavailable. Please do not turn what is a legitimate service into an illegal act.

Sincerely,

Julie Horsfall  
South Australia  
15th July 2009

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\* Referenced sections shown below:

#### 101 Conditions of registration

(1) If a National Board decides to register a person in the health profession for which the Board is established, the registration is subject to the following conditions:

(a) for a registered health practitioner other than a health practitioner who holds non-practising registration:

(i) that the registered health practitioner must complete the continuing professional development program required by the National Board, and

(ii) that the registered health practitioner must not practise the health profession unless professional indemnity insurance arrangements are in force in relation to the practitioner's practice of the profession,

(b) for a registered health practitioner who holds non-practising registration,

#### Subdivision 6 General

##### 148 Directing or inciting unprofessional conduct or professional misconduct

(1) A person must not direct or incite a registered health practitioner to do anything, in the course of the practitioner's practice of the health profession, that amounts to unprofessional conduct or professional misconduct.

Maximum penalty:

(a) in the case of an individual—\$30,000, or

(b) in the case of a body corporate—\$60,000.

(2) Subsection (1) does not apply to a person who is the owner or operator of:

(a) a public health facility, or

(b) another health facility that is licensed under a law of the Commonwealth or a participating jurisdiction.