

National Registration and Accreditation Implementation Project

Kent McCourt
To NRAIP 16/7/09 11:48PM

Submission re: Exposure draft of Health Practitioner Regulation National Law 2009 (Bill B)

I am strongly opposed to two parts of this proposed legislation:
101 (1a) (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*

AND

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.

This legislation will effectively make independent midwife attended homebirth illegal. I can only assume this is an intended outcome of the legislation, as independent midwives have been practising without professional indemnity insurance for over eight years now.

This is a serious infringement on the basic human rights of women. My partner birthed our first child at home by her decision as it is her body and her choice. I fully supported her in this choice.

The legislation is also a restriction on trade for independent midwives, yet another reason why this should not be allowed to go ahead as is.

I suggest that this legislation be changed to allow exemption to independent midwives to practice without professional indemnity insurance.

Sincerely,

Kent McCourt
QLD