

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

17/07/2009

To Whom it may concern,

I am writing to you to share my disappointment at the proposed legislation to come from the federal maternity services review. In particular I am deeply concerned about the parts of the legislation that would effectively make homebirth with a midwife illegal: "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."

I recently had my second child at home and am hoping to have the rest of my children at home. The care that I received from my midwife over my whole pregnancy, during the birth and postpartum period was first class and it makes me sad to think that this wouldn't be an option for me next time, or for any women in the future. It baffles me that Australian women can choose to have elective caesareans (which greatly increases the morbidity and mortality risks for mother and baby) at no extra financial cost to themselves and yet women who wish to homebirth have to pay their own way. This proposed legislation makes the situation even more discriminatory by making it almost impossible for Australian women to find a midwife in private practice to care for them in having a homebirth.

I urge you to rework the draft legislation in order to remove the parts which discriminate against midwives in private practice and Australian homebirthers.

Kind regards,
Sarah McLean