

Comments on Exposure Draft of the *Health Practitioner Regulation National Law 2009 (Bill B)*

July, 2009

Medical Deans Australia and New Zealand Inc (Medical Deans) is the peak body representing medical education and research in Australia and New Zealand universities. The organisation comprises the Deans of Australia's current eighteen medical schools and the two New Zealand schools.

Medical Deans appreciates the opportunity to have participated in the AHWMC- sponsored Forum on the Exposure Draft held recently in Canberra and the opportunity to now provide written comment.

In general terms, Medical Deans is supportive of the legislation as it has been framed. Many of our initial concerns about the arrangements for the Scheme, and how they may potentially impact on two key areas for our organisation- medical students and accreditation functions - appear to have been addressed in the broad. We recognise however that the real test will be the implementation of these provisions. In this regard there are a small number of provisions which in our view could be better expressed in the legislation in order to minimise difficulties with the interpretation and implementation of the legislation at a later stage. These are as follows:

Accreditation

Medical Deans notes that it is intended the accreditation function will be independent of governments. In order to ensure that this is the case, two changes are suggested:

Clause 10 (4): as currently worded, this provision could still allow a narrow opportunity for the Ministerial Council to initiate intervention in the approval of an accreditation standard. Further we are concerned that Ministerial intervention is specifically linked to 'the recruitment or supply of health practitioners'; and intervention should be on the basis solely to ensure standards of care.

We suggest that the clause be reworded to allow the Ministerial Council to give the National Board a direction only where a National Board changes an accreditation standard, and that change is not, in the view of the Ministerial Council, in the public interest.

Clause 60 (Appointment of external accreditation entity): under this provision, the members of the accreditation entity are appointed by the Ministerial Council. Medical Deans proposes that, in order to ensure total independence of the accreditation function from government, members of the accreditation entity be appointed by the relevant National Board.

We also suggest changes to Clause 11 (3) Definition of accreditation standard.

Medical Deans note that a definition of 'accreditation standard' is incorporated in the Note to this clause; there does not appear to be a definition under Division 3 of Part 6 which contains the key provisions for development and approval of accreditation standards.

The definition contained in the Note is too narrow for a standard; in our view the definition more resembles a competency. We suggest that the draft review the definition or exclude from the provisions entirely. If a definition is to be included, we suggest it be included in Division 3 of Part 6.

Workforce planning

Medical Deans is disappointed that the collection of key workforce planning data will not be required of registrants. As we noted in an earlier submission, national registration provides a unique opportunity to capture data on key issues likely to impact on workforce modelling for the future. Medical Deans has declared its particular interest in that the collection of key workforce data would enable the matching of datasets with our own Medical Schools Outcomes Database (MSOD) and Longitudinal Tracking Project in a relatively seamless and efficient manner, thus providing exceptionally robust data for medical workforce planning. In particular we have highlighted three data elements should be included in the minimum data set for registrants:

Labour force status

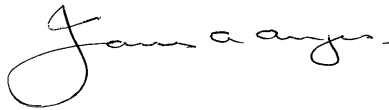
Work main location, suburb/locality, postcode

Field of profession and Specialty/clinical area

Medical Deans does not believe that requiring registrants to complete this data would place an undue burden on registrants. Rather, the collection will potentially minimise survey-fatigue as current paper-based voluntary labour force surveys on behalf of jurisdictions may be able to be discontinued.

Medical Deans strongly support further consideration of the decision to make the collection of workforce planning data voluntary.

Yours sincerely

A handwritten signature in black ink, appearing to read "James Angus". The signature is written in a cursive style with a large initial 'J' and a long horizontal stroke extending to the right.

Professor James Angus

President