

17 July 2009



Ms Bronwyn Nardi
Chair
Practitioner Regulation Subcommittee
Of the Health Workforce Principal Committee

(Via email:nraip@dhs.vic.gov.au)

Dear Ms Nardi

Addendum submissions into the exposure draft of the *Health Practitioner Regulation National Law 2009 prepared by the Nurses Board of South Australia*

The Nurses Board of South Australia ("nbsa") wishes to provide the following submissions in relation to the exposure draft of the *Health Practitioner Regulation National Law 2009*. These submissions reflect the responses contained within the Australian Peak Nursing and Midwifery Forum response and are in addition to those jointly submitted with the ANF (SA Branch), Royal College of Nursing Australia (SA Chapter), Australian College of Midwives (SA Branch), Australian College of Mental Health Nurses (SA Branch), Flinders University: School of Nursing and Midwifery, and Uni SA: School of Nursing and Midwifery.

Independent accreditation functions

nbsa questions how accreditation functions can be independent of governments when it is proposed that the Ministerial Council:

- may appoint any person or body to undertake accreditation functions (clause 60); and
- may give directions to a national board about the accreditation standard to be applied where the Ministerial Council believes the accreditation standard would have a substantive and negative impact on the recruitment or supply of health practitioners to the workforce (clause 10).

With regards to the first of these issues, nbsa strongly supports the proposal that standards be developed by accreditation entities established by the respective national boards for their respective health professions. It is the view of nbsa that this is the best method of ensuring that accreditation functions are independent of governments.

In relation to the latter of the points raised above, nbsa is of the view that the recruitment or supply of health practitioners is essentially an employment matter. Further, nbsa fears that any directions made by the Ministerial Council in response to market forces are likely to result in the lowering of accreditation standards and ultimately place the public at risk.

In light of the above, **nbsa** recommends that the Ministerial Council be stripped of the capacity to make determinations affecting accreditation standards and the power to appoint an entity to undertake accreditation functions.

As a member of the Australian Nursing and Midwifery Council, **nbsa** strongly supports the Australian Peak Nursing and Midwifery Forum response in relation to the recognition that the Accreditation Committee pathway (part 6 division 2 c 62) is the least independent of the two pathways for accreditation of standards because the committee is appointed by the National Board and is subsequently directly responsible to the Board. Potentially any division within the Board regarding the appointment of the committee or related to the proposed accreditation standards could impact directly on the function of the accreditation committee and subsequently place the accreditation process at risk.

nbsa supports the removal of the Accreditation Committee pathway as a pathway for management of accreditation functions from the Bill thereby ensuring nursing and midwifery aligns with all the other health professions and the national and international best practice arrangements for accreditation.

Membership of national boards

Whilst **nbsa** supports the process and manner in which membership of national boards are to be determined in general, it is of the view that national boards should contain at least one practitioner member from each jurisdiction regardless of size.

The current proposal requires national boards to contain one practitioner member from each of the larger jurisdictions (Queensland, New South Wales, Victoria, South Australia and Western Australia) and at least one other practitioner member drawn from the three smaller States and Territories (Tasmania, the Australian Capital Territory or the Northern Territory).

nbsa has concerns about the dominance of the larger jurisdictions in such a structure. In addition, the smaller jurisdictions may not necessarily share common issues and concerns, and as such a single representative may not necessarily be able to ensure all views are voiced and considered equally. Moreover, fair representation on national boards would necessitate all constituencies being able to participate in the new registration and accreditation system. **nbsa** therefore strongly recommends that the current proposal be amended to provide for a practitioner member from each State and Territory.

nbsa is appreciative of the opportunity to make this submission.

Yours sincerely



Kerry Whitehead
Acting CEO & Registrar