

Exposure Draft

Bronwyn Simpson
To NRAIP 16/7/09 11:37PM

Re: Comments on draft legislation for the National Registration and Accreditation Scheme (Bill B)

I write to express my concern about the above bill. I understand this bill requires health professionals included in the Scheme provide evidence of appropriate professional indemnity insurance upon applying for or renewing registration.

As you would be aware, private practice midwives (also known as independent midwives) are the only health professionals in the Scheme that do not have access to indemnity, due to a multimillion dollar lawsuit involving obstetrics that left private practice midwives uninsured in the process. The Government subsidised private obstetric indemnity to the tune of millions, but left private midwifery on their own.

The intersection of Bill B with the Health Legislation Amendment (Midwives and Nurse Practitioners) Bill 2009 and two related bills will prevent private practice homebirth midwives from registering. This is not acceptable.

Australia would be totally out of step with nations such as the United Kingdom, Canada, New Zealand and The Netherlands where the rights of the women to choose homebirth are supported and a registered midwife funded through their national health scheme.

I ask that the Government seriously re-consider handing 10 of Australia's health professions over to third party business on the assumption that there will always be a company to insure the professions.

I am gravely concerned about the vulnerable position the Government is putting Australia's health care industry in. Private practice midwives are the 'here and now' symptom of a flaw in the exposure draft. If Bill B is passed, it is impossible to predict the future of other private health care sectors.

I call for all clauses in the exposure draft linking registration to indemnity to be removed.

If the Government must continue along the line of registration dependence on indemnity, I call for Bill B to be amended to include a transitional law that allows midwives in private practice (independent midwives) to register without indemnity until insurance is secured. It is not acceptable for an entire profession to be wiped out on the back of a lawsuit relating to another profession.

We also highlight Section 148(1) – Maximum penalty (a) of the exposure draft, where an individual can be penalised \$30,000 for directing or inciting a registered practitioner to do anything that amounts to unprofessional conduct or professional misconduct. I understand Dr Morauta has expressed that it is not the intention of the exposure draft to penalise individuals / consumers, and this sub-section will therefore be removed.

I support the removal of Section 148(1) – Maximum penalty (a) of the exposure draft.

On a more personal note: I am a mother of two children. My son was born in 2006, in a private hospital. It was a reasonable birth experience in itself but I felt that I was totally disempowered as soon as I walked through the hospital doors. I was very passionate about having a drug free birth, with interventions such as episiotomy being only used if absolutely necessary. I ended up with both an epidural (for the last 2.5 hours of my labour) and an episiotomy. Down there was a bit "messy" due to amniotic fluid and other "stuff", and due to having an epidural I felt like I was left to sit in my own mess. My blood pressure was low enough that I should have been unconscious, and I shivered regardless of the amount of blankets they piled on me. As he was crowning, the doctor said I should have an episiotomy, and I was not really in the head-space to be able to say no as by that time all I wanted was baby to be out. When I was pushing him out, the doctor and midwife wanted me to hold

my legs up, to not make any noise, to hold my breath and push. All not conducive to a baby being delivered well, but unfortunately a method so commonly used! Finally I managed to voice that I wanted to put my legs down, and two pushes later my son was born. A little while after the elation of having my son wore off, the disappointment set in, that I had failed myself. Oh well, I said, at least I have a healthy baby!

I fell pregnant again, but due to how I felt about my first birth I had been doing a lot of research and speaking to a lot of people. Here might be a good place to say that I am a very well educated person. I have a PhD, where I used molecular biologic and electrophysiologic techniques to research a muscle disease. I have also worked for the Royal Australasian College of Surgeons performing systematic reviews on new interventional procedures as well as reviews for the Medicare Services Advisory Committee (MSAC). Basically, what I am saying is I know how to scientifically evaluate the evidence. I concluded that having my next baby at home, with an independent midwife of my choosing was what I and my husband wanted to do both from an emotional and scientific point of view – i.e. birthing at home is as safe as birthing in a hospital (if not more so!). In February of this year, I birthed my daughter, into water in my own home. It was a truly amazing, life changing, empowering, uplifting and beautiful experience. My independent midwife was the most professional, caring and expert person at what she does. Birthing at home with an independent midwife has many advantages, including but not limited to:

- Antenatal visits at my home – very useful as the thought of taking a two-year old to the obstetrician's office.....and she included him in the visits so he was familiar rather than fearful of the situation.
- Advice available at anytime – if I was concerned about something, I could send a simple text message, or make a phone call direct to my independent midwife rather than having to wait for a reply from an obstetrician or hospital.
- All decisions regarding my pregnancy and the birth of my daughter were EVIDENCE BASED, as my independent midwife took the time to keep up what was best-practice.
- My independent midwife came to me as soon as my labour started (actually I was still technically in pre-labour) and she monitored baby's heart rate and my labour progression from this time. This meant that I and the baby were being monitored much more closely as compared to my hospital birth, where I was only monitored in the last stages of labour after I had come to the hospital.
- The quietly capable presence of a skilled, knowledgeable person ie. my independent midwife, at the birth of my baby allowed me to relax, and really enjoy my labour and birth my baby beautifully and I fulfilled every wish that I had with regard to having babies.

In short:

Do not create a situation where it is illegal for an independent midwife to attend a birth at home, and that they may be fined if they do so.

Do not let Australia fall behind other first world countries with regard to birthing choices.

Do not force me to have any more children in the hospital system.

Do not take away my choice and my children's choice of where to birth our babies.

Do not wipe out the profession of independent midwifery as these women are truly the most amazing people that you would ever meet.

Yours sincerely
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