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## National Registration & Accreditation Scheme for the Health Professions

Consultation paper: Proposed arrangements for information sharing and privacy

### **HCSCC SA submission December 2008**

#### **Introduction**

HCSCC is the independent statutory health complaints office in South Australia (SA). HCSCC operates under the *Health and Community Services Complaints Act 2004* (H&CSC Act). Information about HCSCC is available at [www.hcsc.sa.gov.au](http://www.hcsc.sa.gov.au)

Until HCSCC was established in October 2005, there was no independent statutory health complaints office with jurisdiction for complaints involving private health service providers, including individual registered practitioners, in SA.

HCSCC provided a submission in response to the consultation paper: Proposed arrangements for handling complaints and dealing with performance, health and conduct matters in November 2008.

In that submission HCSCC

- endorsed the Principles for the proposed new national registration and accreditation scheme for the health professions (1.5.1 page 3);
- outlined the risks associated with the proposed complaints handling arrangements;
- argued that the co regulation arrangements between the Queensland Health Quality and Complaints Commission (QHCC) and the Queensland health professional registration authorities represented the minimum framework for co regulation under the proposed national scheme; and
- requested direct consultation with all independent statutory health complaints bodies (AHCCs) to improve the proposed arrangements for complaint handling between registration authorities and AHCCs.

The proposed arrangements for information sharing and privacy will require further consideration after the co regulation model for complaints handling between AHCCs and registration authorities has been determined.

#### **Proposed arrangements for information sharing and privacy**

HCSCC comment about the proposed arrangements for information sharing and privacy is confined to those areas within HCSCC's jurisdiction and experience to date.

#### **1.5 Principles**

HCSCC supports the policy framework principles for information sharing and privacy. It is essential that the registration authorities and AHCCs share relevant information to enable them to uphold the principles.

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### **3. Information to be collected**

#### **3.1 Information to be collected for initial registration**

##### **3.1.2 (d) overseas registration details**

Certificates of Good Standing should be required from all countries in which the applicant has been registered since their initial registration. Work statements, evidence of competence and of English language proficiency should also be required.

##### **3.2.1 Employer details**

It is essential that this information is required and Option 1. should be adopted to give effect to 3.2.1.

#### **3.5 Document checking on initial registration**

In addition to document checking on initial registration, information should also be requested about any substantiated complaints concerning an applicant's conduct or fitness to practice during pre-initial registration clinical placement and employment.

#### **4.1.1 Information on the public register**

The categories of information proposed represent a minimum dataset that should be available publicly.

#### **4.2 De-registered practitioners**

Practitioners who opt to cease their registration in an effort to avoid scrutiny and public identification remain outside the proposed option 4.2.1 (Option 4). Option 1. should be adopted, with scope for an explanatory note about the reason for deregistration if for other than conduct reasons.

#### **4.3 Recording of conditions on practice**

Proposal 4.3.1 is endorsed.

#### **4.4 Online public register**

An online public register is endorsed.

#### **4.6 Public access to the findings of formal proceedings**

Proposals 4.6.1 and 4.6.2 Option 1. are endorsed.

### **5. The privacy regime**

Proposal 5.1.1 is endorsed.

### **6. Confidentiality**

Authority to release information to AHCCs will need to be expressly defined. The scope of this authority will need to be determined after the co regulation model for complaints handling between AHCCs and registration authorities has been determined.

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## 7.6 Health complaint bodies and tribunals

Complementary legislative provisions for information sharing between AHCCs and registration authorities will need to be determined after the co regulation model for complaints handling between AHCCs and registration authorities has been determined.

## 8. Health records

Proposal 8.1 is endorsed. Access to medical records when a practitioner has defaulted on their obligations is a recurrent issue that requires a definitive solution.



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