



PROFESSIONAL SERVICES REVIEW

DIRECTOR
Dr Tony Webber

Practitioner Regulation Subcommittee
Health Workforce Principal Committee
Australian Health Ministers' Advisory Council

Dear Sir/Madam

Information Sharing and Privacy Submission

Thank you for the opportunity to attend the consultation forum on 18 November 2008.

A brief submission on some issues raised in the Consultation Paper on proposed arrangements for information sharing and privacy is attached.

Please contact Alison Leonard, Executive Officer, on (02) 6120 9100 should you require any further information.

Yours faithfully

Tony Webber
16 December 2008

National Registration and Accreditation Scheme for the Health Professions

Information Sharing and Privacy Submission – Professional Services Review (PSR)

General:

PSR supports the move towards greater information sharing across regulatory agencies to minimise risk to patients. The principles upon which the policy framework for information sharing and privacy (set out at 1.5 in the Consultation Paper) are appropriate.

Specific comments:

Publicly available information

1.17(a) and 4.1, 4.2, 4.3

PSR notes that the Intergovernmental Agreement states that the national agency will maintain lists of registered practitioners and these lists will include ‘any conditions or restrictions on professional practice’. As clarified at the consultation forum on 18 November 2008, PSR notes that such conditions and restrictions will not include the details of determinations resulting from PSR investigations.

Professional Services Review Scheme (PSR Scheme)

7.3

The discussion of the PSR Scheme includes a statement that there are no appropriate bodies prescribed in the regulations of the *Health Insurance Act 1973* (the Act), to whom the Director of PSR will send a statement of concerns relating to a practitioner who has not complied with professional standards. This is incorrect. The regulations currently contain lists of bodies in all states and territories responsible for registering and licensing general practitioners and other health care practitioners, to whom PSR can provide a statement of concerns.

PSR notes that while the Director of PSR may publicise particulars of findings of inappropriate practice made under s93 of the Act and does so through the publication of PSR’s Annual Report and annual Report to the Professions, the particulars of findings of inappropriate practice made under s92 of the Act remain confidential. PSR would be concerned that any change to the Act to accommodate provision of information to the agency should not compromise the ability of the Director of PSR to enter into agreements under s92 that remain confidential.

In relation to Proposal 7.3.1, PSR notes that amendments may also be required to the Act to set out how information provided by the agency and the boards may be used by PSR. The Act is currently silent on information of this nature.

Notification to health departments

7.8

In relation to Proposal 7.8.1, PSR recommends that the national scheme legislation provides the broadest possible flexibility on when information relating to possible risks to the health and safety of patients may be identified and referred on to the relevant health department.