

**NATIONAL REGISTRATION AND ACCREDITATION SCHEME
FOR THE HEALTH PROFESSIONS**

**MIIAA SUBMISSIONS ON THE CONSULTATION PAPER
OTHER MATTERS FOR INCLUSION IN BILL B**



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The Medical Indemnity Industry Association of Australia (MIIAA) is the peak body for the Australian Medical Indemnity Industry and represents its members on issues of common interest or concern. The MIIAA is an industry association and its members include Australian based medical indemnity insurers and medical defence organisations. Members of the MIIAA represent approximately 75% of insured doctors in Australia.

The MIIAA is supportive of many of the proposals, but makes submissions with respect to the principles and proposals identified below.

3. Delegation Powers of National Boards

The MIIAA is supportive of there being more flexibility for the national boards to have discretion to delegate decision-making, in effect to 'delegated' committees, rather than establishing a series of statutory committees under the legislation. However, it is essential that the rights of the individual are protected. The New Zealand legislation, *Health Practitioners Competence Assurance Act 2003*, provides a good example for the broad delegation power with appropriate checks and balances on the exercise of delegated decision-making. It is essential that the legislation provides a right for a person who is adversely affected by a decision made under delegation to seek a review of that decision to the authority within a specified timeframe. The authority should also be in a position to delegate the conduct of the review.

3.5.1 The MIIAA supports this proposal with qualification. The board's delegation would be limited by appropriate rights of review and specific timeframes.

3.5.2 The MIIAA supports this proposal with the following qualification:

The MIIAA submits that the only statutory committees in the new scheme would be panels convened for the purposes of hearing individual matters (health, performance or conduct), which would include any hearing relating to the decision to suspend registration in response to possible risk to public health and safety.

3.5.3 The MIIAA supports this proposal.

3.5.4 The MIIAA supports this proposal.

3.6.1 The MIIAA supports this proposal with one qualification. There should be a right of review for all decisions, not simply confined to key registration and panel hearing decisions.

5. Interaction of national scheme with other legislation schemes

5.2.1 The MIIAA supports Option 1.

5.2.3 The MIIAA supports Option 1.

5.2.8 The MIIAA supports Option 2.

6. Trans-Tasman Mutual Recognition and the national scheme

The MIIAA supports preservation of the linkages between Australian and New Zealand Regulatory Authorities and supports joint standard setting and accreditation.