

Megan Cahill
Chair, Practitioner Regulation Subcommittee
Health Workforce Principal Committee
Level 12/120 Spencer Street
Melbourne VIC 3000



Dear Ms Cahill

Thank you for the opportunity to make a submission to the Health Workforce Principal Committee regarding the National registration and Accreditation Scheme for Health Professionals.

As the Director of the Office of Health Review I would like to provide some general commentary around the benefits of national regulation for all partially regulated professions. I do this specifically in response to:

Criterion 6- Do the benefits to the public of regulation clearly outweigh the potential negative impact of such regulation?

Overview

The face of modern health care is more diverse than ever before and there is now a range of occupations that have a direct impact on health service delivery in the community. I draw your attention particularly to Chinese medical practitioners, dental technicians, medical radiation practitioners, occupational therapists, optical dispensers, and speech pathologists.

In recognition of this shift to various health occupations, there needs to be a way for the general public to be protected and empowered to make decisions about their health care needs. In short, practitioners need to be held to account for the services they provide and consumers able to trust that the services they access are upheld to consistent standards across Australia.

Registration and regulation does this by enabling people to recognise appropriately qualified practitioners in the community and populate their businesses accordingly. It should not be up to the public themselves to identify competent service providers through market forces, but through a frame of ensuring compliance to national regulatory frameworks.

The benefits to regulation are also clearly seen in the operation of our office when a complaint arises about a health service.

Complaints about Health Services

The Office of Health Review deals with complaints made against registered and unregistered health providers, mostly through a model of conciliation:

Registered Providers

Where a complaint is made against a registered provider, we find that providers are keen to cooperate with our process. They tend to aim to resolve the issue with the consumer and participate willingly in conciliation to the benefit of both parties. They do this for many reasons, including their Registration.

HEALTH AND DISABILITY COMPLAINTS

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Our legislation asks that we report the outcome of conciliation with the board of the registered provider. Failure to navigate our process, or to hinder the efforts of a consumer to address an issue, may impact upon their reputation and standing with their professional board.

In turn, Registration boards inform us of Orders in place and findings against practitioners. This allows us to notify the board if a breach of an Order comes to our attention through a complaint. In this way, we act in cooperation with Registration boards to ensure that the health practitioners they oversee are complying with directives in place, contributing to system-wide change and improvement.

Unregistered providers

Where complaints involve an unregistered health occupation, however, cooperation with our process is dependent only on the willingness of the provider themselves to want to seek resolution with the consumer. There are no professional repercussions, nor incentives, for a practitioner to engage in a dialogue with a consumer.

Where we notice a pattern or trend emerge we have the option of investigation; however, without standards of expected practice in place, this can make it difficult to find what would be unreasonable under our Act. Therefore complaints against unregistered providers are difficult to resolve where the practitioner is unwilling to participate.

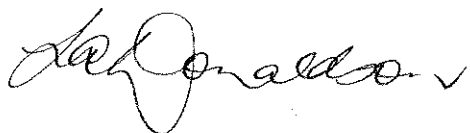
If the consumer is unable to resolve a dispute through either conciliation or investigation with our office, they are left with no further recourse than to follow a legal pathway- which is financially and emotionally punitive- should they wish to continue with their complaint or get answers from the provider.

In Summary

Registration of health occupations not only benefits the consumer at the front-end of the service by allowing them to identify professionals in the field, but also then gives them a further level of recourse should the experience not go to plan.

I submit that national registration of all the partially regulated professional groups is the best way forward to protect the consumers of health services across Australia.

Yours Sincerely

A handwritten signature in black ink, appearing to read 'Anne Donaldson', with a checkmark at the end.

Anne Donaldson
DIRECTOR

15 October 2008