

National Registration and Accreditation Scheme for the Health Professions

Comments on Proposed Arrangements for handling complaints, and dealing with performance, health and conduct matters.

November, 2008

Medical Deans Australia and New Zealand Inc (Medical Deans) is the peak body representing medical education and research in Australia and New Zealand universities. The organisation comprises the Deans of Australia's current eighteen medical schools and the two New Zealand schools.

Medical Deans welcomes the opportunity to comment on the proposed arrangements for handling complaints, and dealing with performance, health and conduct matters. Our comments are restricted to that of the matter of student registrants and mandatory reporting.

In general terms, Medical Deans is supportive of the framework of the proposed notifications management system, and the separate streams for addressing concerns about a practitioner's performance, their health or conduct.

Medical Deans, as advised in an earlier response, supports student registration under the new Scheme. The proposed notification management system will however require some modification in relation to student registrants.

In relation to the specific matters raised under section 4.4 of the Consultation Paper:

Should registered practitioners and/or educational institutions be required to report registered students to their respective boards, and if so, for what types of matters?

Registered practitioners and/or educational institutions should be required to report registered students to their respective Boards as follows:

Performance: in general terms, academic performance issues **should not** be a notifiable requirement to the respective Board.

Health: in general terms, health issues which impair, or have the capacity to impair, a student registrant's capacity to provide medical treatment, **should be** a notifiable requirement to the respective Board.

Misconduct: in general terms, professional misconduct, (as defined on p44 of the Consultation Paper), **should be** a notifiable requirement to the respective Board. However Medical Deans believes it necessary that, for student registrants, the legislation distinguish between misconduct as it applies to professional behaviour (ie competence and capacity to practice as the health professional) and misconduct as it applies to academic matters typically associated with assessment, progress and academic integrity whilst a student. It is our view that the latter **should not** be a notifiable requirement.

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Two additional conditions should be built in to the legislation for student registrants as follows:

- capacity for a matter of significance to be notified, and the Board, in consultation with the educational institution, determine whether the notification is best dealt with by the Board or the educational institution; and
- following a determination by the Board on either health or conduct notices, capacity for consultation with the relevant educational institution, regarding any conditions to be imposed upon a student registrant, as they affect academic progress.

Should reporting obligations be placed on student registrants?

Medical Deans are of the view that student registrants should have the same obligations, with respect to reporting obligations, as a registered practitioner.

Should the proposals above be adopted, the proposed legislation with respect to national registration and accreditation and State and Territory health complaints legislation (section 5.3 of the Consultation Paper) would require some modification to provide for liaison and referral between the Board and educational institutions on matters in relation to professional misconduct and health.



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