



6 March 2025

Apolline Kohen
Committee Secretary
Standing Committee on Community Affairs
Legislation Committee
PO Box 6100
Parliament House
Canberra ACT 2600

Via email: community.affairs.sen@aph.gov.au

Dear Ms Kohen

Inquiry into the provisions of the Health Legislation Amendment (Improved Medicare Integrity and Other Measures) Bill 2025 (the Bill)

Thank you for the opportunity to provide a submission on the Bill to the Community Affairs Legislation Committee by 7 March 2025.

Feedback on Bill

The Australian Health Practitioner Regulation Agency (Ahpra) feedback is in relation to the Bill's proposed amendments to the Health Insurance Act 1973 (Cth) (the HIA).

Ahpra supports the proposed strengthening of information sharing provisions of the HIA, with the Bill seeking to amend section 106ZPQ to:

1. insert a new subsection which would allow certain information shared with Ahpra to be admitted in evidence in proceedings under the National Law or to address a significant threat to a person's life or health, and
2. insert a new subsection to clarify that documents or things obtained or created as a result of information shared by the Commonwealth under the Act may be admitted as evidence in legal proceedings (derivative use).

We consider that both of these amendments would improve the capacity of Ahpra and National Boards to address public safety risks that may be evidenced by information collected under the HIA, as it removes any doubt that protected information that is shared with Ahpra can be used in legal proceedings.

About us and our work as national risk-based regulators of registered health practitioners

The National Registration and Accreditation Scheme is now in its 14th year of operation. Nationally, Ahpra works in partnership with 15 National Boards to regulate over 900,000 registered health practitioners from 16 health professions. The National Law prescribes the roles and powers that National Boards and Ahpra have in addressing concerns about the practice and conduct of registered health practitioners (and in certain circumstances, registered students).³ Together, we adopt a risk-based approach to our regulation of health practitioners. When performing their duties, the Boards (and their committees) and Ahpra identify the risks posed by the health, conduct and performance of health practitioners, consider the possible consequences of those risks, and respond accordingly. When considering risk in response to a concern raised regarding the health, performance or conduct of a registered health practitioner, consideration of a matrix of factors may be considered including those which may escalate or conversely mitigate risk.

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Ahpra and the National Boards regulate these registered health professions: Aboriginal and Torres Strait Islander health practice, Chinese medicine, chiropractic, dental, medical, medical radiation practice, midwifery, nursing, occupational therapy, optometry, osteopathy, paramedicine, pharmacy, physiotherapy, podiatry and psychology.

Trust is fundamentally important to be an effective regulator. Ahpra and the National Boards rely on members of the community, health practitioners, students, employers, co-regulators, educators and many others to engage and work with us as national regulators. They expect us to be fair, transparent, responsive, empathic and accountable as we regulate and work effectively with our partners to keep the public safe. Ahpra maintains a wide range of important relationships and partnerships across the health care system in Australia as well as internationally. Our *National Scheme engagement strategy 2020-2025* demonstrates our commitment to working with a broad range of stakeholders and doing our part to protect the health and safety of the public within a wider network of regulation.

Lawful information sharing between Ahpra and Commonwealth, state and territory Governments and agencies is an important mechanism in our regulatory work to protect the public and ensure public confidence in the provision of health services by registered practitioners.

In closing

If you have any questions about our response, please contact Jamie Orchard, Ahpra General Counsel

Yours sincerely

Kym Ayscough
Acting Chief Executive Officer