



Aboriginal and Torres Strait
Islander Health Practice
Chinese Medicine
Chiropractic
Dental
Medical
Medical Radiation Practice
Nursing and Midwifery
Occupational Therapy
Optometry
Osteopathy
Pharmacy
Physiotherapy
Podiatry
Psychology

Australian Health Practitioner Regulation Agency

27 January 2016

Ms Sophie Dunstone
Committee Secretary
Legal and Constitutional Affairs References Committee
Parliament of Australia
Parliament House
CANBERRA ACT 2600

By email: legcon.sen@aph.gov.au

Dear Ms Dunstone

Inquiry into the establishment of a national registration system for Australian paramedics to improve and ensure patient and community safety

Thank you for your letter of 22 September 2015, inviting the Australian Health Practitioner Regulation Agency (AHPRA) to make a submission to the Senate Inquiry into the establishment of a national registration system for Australian paramedics (the Senate Inquiry) by 29 January 2016. AHPRA notes that the terms of reference for the Senate Inquiry were released in August 2015 and the report is due by the last sitting day in June 2016.

Recent developments

A decision that additional professions warrant regulation under the National Registration and Accreditation Scheme in order to protect the public, is made by the Australian Health Workforce Ministerial Council (the AHWMC), whose membership consists of the Minister responsible for health in each state and territory and the Commonwealth. AHPRA is tasked with implementing the AHWMC decision subject to amendments being made to the *Health Practitioner Regulation National Law* as in force in each state and territory (the National Law) to regulate this profession.

As Committee members would be aware, in November 2015, the COAG Health Council released its meeting communiqué announcing that the AHWMC agreed to include the regulation of paramedics under the National Registration and Accreditation Scheme (the National Scheme). Ministers agreed that further work needed to be done by governments on policy issues, including consideration of the recommendations from the *Final report on the independent three-year review of the National Registration and Accreditation Scheme* (the independent review report), resolution of the scope of the paramedic workforce, and development of vocational and tertiary pathways. Noting the terms of reference for the Senate Inquiry, the Committee's final report may help inform governments on these key policy decisions to support the regulation of paramedics under the National Scheme.

The Council's communiqué also indicates that those jurisdictions that wish to register paramedics will apply/adopt the necessary amendments to the National Law. The sovereignty of each state and territory to make this decision is respected. AHPRA acknowledges that this is an important policy decision for governments to resolve over the coming months.

AHPRA looks forward to working closely with governments to implement this important regulatory reform, to ensure that the public is protected, and paramedics who have been practising safely in Australia can transition to the National Scheme in an efficient way, consistent with the objectives and guiding principles of the National Law.

Inquiry terms of reference

I attach a response to the Senate Inquiry's terms of reference. We have not addressed each of the terms of reference, only those where we are able to provide some contextual information that may be of assistance to you.

Therefore our response focuses on:

- comparative regulatory frameworks for paramedics, medical practitioners, and registered nurses
- accreditation
- portability of registration and the public national register of health practitioners.

In closing, I would again like to thank you for inviting AHPRA to submit a response to the Senate Inquiry. We look forward to the release of the report in June 2016.

Yours sincerely

Martin Fletcher
Chief Executive Officer

Attachment: Response to Inquiry terms of reference

Attachment – response to Inquiry terms of reference

Term of reference (b) – the comparative regulatory frameworks that exist to regulate the following professions, including training and qualification requirements and continuing professional development: paramedics, doctors and registered nurses.

The AHPRA and National Board websites are an informative source for gaining a deeper understanding of the National Scheme's regulatory framework.

Each year, AHPRA and the National Boards publish an annual report. The 2014/15 report is accessible from: <http://www.ahpra.gov.au/annualreport/2015/>

In summary, AHPRA supports the [14 National Boards](#) that are responsible for regulating the health professions. The primary role of the National Boards is to protect the public and they set standards and policies that all registered health practitioners must meet. Each Board has entered into a [health profession agreement](#) with AHPRA, which sets out the fees payable by health practitioners, the annual budget of the Board and the services provided by AHPRA.

The November 2015 decision of Health Ministers indicates that paramedics will become – subject to resolution of policy issues and passage of amendments to the National Law by states and territories – a registered health profession under the National Scheme. The National Scheme is established under an omnibus National Law, and regulation of the paramedics will be within the same regulatory framework as currently applies to fourteen other health professions, including medical practitioners and nurses and midwives.

Currently under the National Law, there is a National Board for each of the registered health professions. However, in August 2015, the *Final report on the independent three-year review of the National Registration and Accreditation Scheme* (the independent review report) was released. Ministers deferred a decision on the recommendation to consolidate some of the lower regulatory volume National Boards within the National Scheme and sought further advice by the end of 2015. The outcome of these further deliberations by Ministers on this important issue will determine whether a new National Board is proposed to be established to regulate paramedics. There is currently no provision in the National Law that will enable a new profession to be added, for example by regulation. The National Law will need to be amended to enable any new profession, including paramedics, to be regulated under the scheme.

This term of reference refers to continuing professional development (CPD). Under the National Law, one of the five registration standards that must be developed by a National Board¹, for approval by the AHWMC, is for CPD. The CPD requirements are detailed in the registration standards for each profession, published on each Board's website – including the websites for the Medical Board of Australia and the Nursing and Midwifery Board of Australia.

The approved CPD registration standards detail the number of credits/points/hours practitioners must spend each year on learning activities. Recently the National Boards for the first 10 health professions regulated under the National Scheme completed a scheduled review of their CPD registration standards. The approved revised CPD registration standards will come into effect progressively over the next 12 months, replacing existing standards. Revised CPD registration standards for nine registered health professions took effect from 1 December 2015 (see <http://www.ahpra.gov.au/News/2015-12-01-revised-standards.aspx> for more information).

¹ The five registration standards cover: professional indemnity insurance (PII) arrangements, recency of practice, CPD, English language skills and criminal history

As occurred for the four professions² regulated under the National Scheme in 2012, transitional arrangements will need to be made for training and qualifications required for registration as a paramedic. Vocational and tertiary pathways for this profession were a policy issue identified by Ministers in November 2015, and further information is being provided by governments.

Term of reference (d) – whether a system of accreditation should exist nationally and, if so, whether the Australian Health Practitioners Regulation Agency is an appropriate body to do so

Accreditation is a key part of the National Registration and Accreditation Scheme. Under the National Law, there are statutory accreditation arrangements for all professions regulated under the National Scheme.

Accreditation authorities may be either an external accreditation body or an accreditation committee established by a National Board.³ AHPRA and the National Boards work with accreditation authorities to make sure the education and training of registered health practitioners meet the requirements for registration in Australia.

Accreditation authorities carry out a range of statutory accreditation functions, including developing (and reviewing) national accreditation standards which are used to assess whether a program of study and the education provider that provides the program of study provides practitioners who complete the program with the knowledge, skills and professional attributes to practice the profession.

Information on current accreditation arrangements are available on the AHPRA website: <http://www.ahpra.gov.au/Education.aspx>

Therefore accreditation arrangements would need to be determined to support regulation of paramedics under the National Scheme. This may include arrangements to enable state and territory programs of study and training that lead to a suitable qualification for paramedics transition as approved programs of study under the National Law.

However, arising from the independent review report, Health Ministers have a strong interest in current accreditation arrangements under the National Scheme. Ministers have asked the Australian Health Ministers Advisory Council (AHMAC) to commission further work and undertake a comprehensive review of accreditation functions to identify opportunities for reform, to improve efficiency, effectiveness and administrative arrangements. The review is to be undertaken within 12 months with advice being provided by December 2016.

Term of reference (e) – the viability and appropriateness of a national register to enable national registration for the paramedic profession to support and enable the seamless and unrestricted movement of paramedic officers across the country for employment purposes portability of registration and viability of the public national register

One of the important reforms introduced via the National Scheme is the online, public national register for health practitioners regulated under the national scheme. While the national register is an important tool for checking registration for employment purposes, the national register was introduced as one of the most important public safety mechanisms under the scheme.

² Aboriginal and Torres Strait Islander health practice; Chinese medicine; medical radiation practice; occupational therapy

³ For the 14 registered health professions, an external accreditation body exercises the accreditation functions, except for three professions where the National Boards have established an accreditation committee: Aboriginal and Torres Strait Islander health practice accreditation committee, the Chinese medicine accreditation committee, the Medical radiation practice accreditation committee.

The national register has been an effective public safeguard because all 14 health professions are regulated nationally under the scheme, with a single national body (AHPRA) keeping and maintaining the register with the National Boards. If a person's name is on the register, then that person is registered and can practice anywhere in Australia within the type of registration held.

If in the future, a jurisdiction decides that regulation of paramedics under NRAS will not apply in that state, then the register of paramedics will not be a fully national register. Careful consideration will be needed to assess the full implications that an opt-out model will have on the effectiveness of the national register including clearly communicating how and why there is a potential difference in the national register for paramedics, and whether mutual recognition arrangements may be put in place to assure the public and employers that if action is taken to restrict, suspend, or cancel a paramedic's registration due to disciplinary action, this is communicated effectively in a non-participating jurisdiction to protect the public.

Employers, consumers and any other interested persons should always check the national register to see if a practitioner is registered. Tools are published on the AHPRA website to help people make the most of the national register, and to help employers check the register for employment purposes.

The national register is free, reliable and generally accessible online to everyone 24 hours a day (except for during period of essential maintenance), and is the only verifiable source for checking a person's registration status – including if there are any conditions or other restrictions on a practitioner's registration. The national register would include paramedics granted registration under the National Scheme, subject to amendments to the National Law being passed by states and territories to regulate paramedics under the scheme.

In terms of portability, national registration enables a registered health practitioner who holds current registration to register once and renew annually, to practice anywhere in Australia, within the scope of their registration.

Prior to the National Scheme, a practitioner needed to register in, and meet the different requirements of, each state and territory where they wanted to practice. For the profession, national registration removes these barriers and enables practitioners to meet nationally consistent registration standards for the profession. For the public, it means better protection through ensuring that only health practitioners who meet the national registration standards for that profession and who have the skills, qualifications and knowledge to provide safe care, are registered.

While paramedics are not currently required to be registered in any state or territory, the benefits of mobility between states and territories is expected to be of interest to this profession, as it was to the other registered professions that are currently regulated under the National Scheme.
