



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

28 September 2018

Senator Rachel Siewert  
Chair  
Senate Standing Committee on Community Affairs  
PO Box 6100  
Parliament House  
CANBERRA ACT 2600

Via email: [community.affairs.sen@aph.gov.au](mailto:community.affairs.sen@aph.gov.au)

Dear Senator,

### **Inquiry into the Aged Care Quality and Safety Commission Bill 2018 and related Bill**

Thank-you for the opportunity to provide comment on the proposed *Aged Care Quality and Safety Commissioner Bill 2018* (the Bill). I note that the Bill is (amongst other purposes) for an Act to establish the Aged Care Quality and Safety Commission.

The National Registration and Accreditation Scheme (the National Scheme) regulates over 700,000 registered health practitioners, some of whom work within the aged care sector. While we do not regulate or accredit aged care providers, services or facilities, we recognise the importance of smooth working arrangements between regulators to support public protection and timely regulatory decision making. With this in mind, we make the following comments on the Bill related to Part 7 (Information sharing and confidentiality).

It is pleasing that the Bill provides a power in clause 61(1)(f) for the Commissioner to disclose protected information to a body responsible for the standards of conduct in the profession (such as a National Board of a health profession) where the Commissioner believes on reasonable grounds that a person's conduct breaches the standards of professional conduct of a profession of which the person is a member. Such powers would support the timely referral of matters regarding registered health practitioners to AHPRA and National Boards.

I note that clause 61(1)(h) provides for the Commissioner to disclose protected information to an agency if the Commissioner believes that the disclosure is necessary for the enforcement of either criminal law or a law imposing a pecuniary penalty. These powers may potentially assist the functions of AHPRA with respect to the investigation and prosecution of offences under the *Health Practitioner Regulation National Law*, as in force in each state and territory.

I hope this information is of assistance to the work of the Committee. Our contact is Mr Nick Lord, Program Manager, Government Relations at [REDACTED] or on [REDACTED].

Yours sincerely

**Martin Fletcher**  
Chief Executive Officer