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Mr Elton Humphrey
Committee Secretary
Community Affairs Legislative Committee
PO Box 6100
Parliament House
ACT 2600

Nurses and Midwives Board of Western Australia's Response to the Health Legislation Amendment (Midwives and Nurse Practitioner) Bill 2009 and two related Bills.

The Nurses and Midwives Board of Western Australia (NMBWA) is pleased to contribute to the Senate Community Affairs Legislative Committee regarding the *Health Legislation Amendment (Midwives and Nurse Practitioners) Bill 2009* and two related Bills.

The Nurses and Midwives Board of Western Australia (NMBWA) is the regulatory authority responsible for protecting the community of Western Australia by ensuring safe standards of nursing and midwifery practice. The NMBWA has been actively working with the Australian Nursing and Midwifery Council (ANMC) and other state and territory Nursing and Midwifery Regulatory Authorities (NMRAs) in developing national standards for nursing and midwifery ahead of the establishment of National Regulation in 2010.

As the NMBWA's primary mission is the protection of the public through the regulation of nursing and midwifery practice, we have restricted our comments to matters relating to this mission.

1. Health Legislation and Amendment (Midwives and Nurse Practitioners) Bill 2009

The NMBWA supports the Federal Government's initiative to provide access to the MBS and PBS for eligible nurse practitioners and midwives. We believe that this will allow greater utilisation of the nurse practitioner role and also give childbearing women and their families greater access to a range of midwifery services.

We share the concerns of the ANMC in relation to the meanings of 'eligible nurse practitioner' and 'eligible midwife' in the legislation and agree that these need to be discussed with key stakeholders including the ANMC and NMRA's.

Further to this, the NMBWA believes that;

- the mechanism for the credentialing of ‘eligible nurse practitioners’ and ‘eligible midwives’ should sit with the respective professional bodies (the Royal College of Nursing and Australian College of Midwives respectively) and
- the recording of ‘eligible nurse practitioners’ and ‘eligible midwives’ is a regulatory responsibility that should rest with the soon to be established Nurses and Midwives Board of Australia.

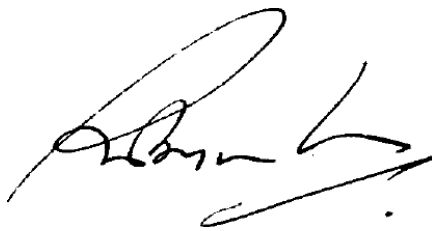
2. Two Related Bills (Professional Indemnity Insurance for Midwives)

The NMBWA welcomes the Federal Government’s commitment to ensure access to professional indemnity insurance for midwives and nurse practitioners in private practice. However we share the concerns of the ANMC in relation to limiting access to professional indemnity insurance for private homebirth midwives.

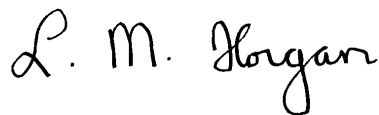
The NMBWA supports the midwifery profession in the provision of homebirth services for low-risk women and their babies. However when coupled with the proposed Health Professional Registration Act, this bill effectively excludes women from birthing at home under the care of an appropriately qualified private homebirth midwife. The NMBWA therefore recommends that professional indemnity legislation should provide access for all midwives, regardless of their area of practice.

The NMBWA welcomes the opportunity to comment on this important legislation and would be happy to be consulted further as part of the Senate Enquiry.

Kindest Regards,



Robyn Collins
Chief Executive Officer



Ms Louise Horgan
Presiding Member