

Extract from Journals of the Senate No. 101, 23 November 2009

COMMUNITY AFFAIRS LEGISLATION COMMITTEE REFERENCE

Senator Siewert, pursuant to notice of motion not objected to as a formal motion, moved business of the Senate notice of motion no. 1

(1) That the following bills:

Health Legislation Amendment (Midwives and Nurse Practitioners) Bill 2009

Midwife Professional Indemnity (Run-off Cover Support Payment) Bill 2009

Midwife Professional Indemnity (Commonwealth Contribution) Scheme Bill 2009, be again referred to the Community Affairs Legislation Committee, together with the Government amendments to the bills circulated on 28 October 2009, for inquiry and report by 1 February 2010.

(2) In undertaking this inquiry, the committee shall consider:

- (a) whether the consequences of the Government's amendments for professional regulation of midwifery will give doctors medical veto over midwives' ability to renew their licence to practice;
- (b) whether the Government's amendments' influence on the health care market will be anti-competitive;
- (c) whether the Government's amendments will create difficulties in delivering intended access and choice for Australian women;
- (d) why the Government's amendments require 'collaborative arrangements' that do not specifically include maternity service providers including hospitals;
- (e) whether the Government's amendments will have a negative impact on safety and continuity of care for Australian mothers; and
- (f) any other related matter.

Question put and passed.

Statement by leave: Senator O'Brien, by leave, made a statement relating to the motion.

[The Government's amendments to the Bills circulated on 28 October 2009 are attached]

2008-2009

The Parliament of the
Commonwealth of Australia

THE SENATE

Health Legislation Amendment (Midwives and Nurse Practitioners) Bill 2009

(Government)

- (1) Schedule 1, item 6, page 4 (line 10), omit paragraph (b) of the definition of *participating midwife*, substitute:
 - (b) otherwise—an eligible midwife;
so far as the eligible midwife renders a service in a collaborative arrangement or collaborative arrangements of a kind or kinds specified in the regulations, with one or more medical practitioners of a kind or kinds specified in the regulations, for the purposes of this definition.
[collaborative arrangements]
- (2) Schedule 1, item 6, page 4 (line 18), omit paragraph (b) of the definition of *participating nurse practitioner*, substitute:
 - (b) otherwise—an eligible nurse practitioner;
so far as the eligible nurse practitioner renders a service in a collaborative arrangement or collaborative arrangements of a kind or kinds specified in the regulations, with one or more medical practitioners of a kind or kinds specified in the regulations, for the purposes of this definition.
[collaborative arrangements]
- (3) Schedule 1, item 70, page 22 (line 2), at the end of the definition of *authorised midwife*, add “, so far as the eligible midwife provides midwifery treatment in a collaborative arrangement or collaborative arrangements of a kind or kinds specified in a legislative instrument made by the Minister for the purposes of this definition, with one or more medical practitioners of a kind or kinds specified in the legislative instrument”.
[collaborative arrangements]
- (4) Schedule 1, item 71, page 22 (line 6), at the end of the definition of *authorised nurse practitioner*, add “, so far as the eligible nurse practitioner provides nurse practitioner treatment in a collaborative arrangement or collaborative arrangements of a kind or kinds specified in a legislative instrument made by the Minister for the purposes of this definition, with one or more medical practitioners of a kind or kinds specified in the legislative instrument”.
[collaborative arrangements]

2008-2009

The Parliament of the
Commonwealth of Australia

THE SENATE

Midwife Professional Indemnity (Commonwealth Contribution) Scheme Bill 2009

(Government)

- (1) Clause 5, page 5 (lines 9 and 10), omit paragraph (c) of the definition of *eligible midwife*, substitute:

(c) is not included in a class of persons specified in the Rules for the purposes of this paragraph;

so far as the person practises midwifery in a collaborative arrangement or collaborative arrangements of a kind or kinds specified in the Rules, with one or more medical practitioners of a kind or kinds specified in the Rules, for the purposes of this definition.

[collaborative arrangements]