9 October, 2014

Mr Kim Snowball
Independent Reviewer
Review of the National Registration and Accreditation Scheme for Health Professions
GPO Box 4541
Melbourne VIC 3001

By email: nras.review@health.vic.gov.au

Dear Mr Snowball

Review of the National Registration and Accreditation Scheme for Health Professions

Background

As you are aware, the Australian Physiotherapy Council (the Council) is the body appointed by the Physiotherapy Board of Australia (PhysioBA) under the relevant provisions of the Health Practitioner Regulation National Law Act 2009 (the National Law) to undertake the accreditation and assessment functions to enable eligibility of health practitioners for registration in Australia as a physiotherapist under the National Registration and Accreditation Scheme (the National Scheme).

The Council thanks you for the opportunity to comment on the Consultation Paper released by you on 29 August 2014 in your role as the Independent Reviewer of the National Scheme commissioned by the Australian Health Ministers’ Advisory Council. As a member of the Health Professions Accreditation Councils’ Forum (the Forum), the Council has had the opportunity to contribute to the response to the Consultation Paper submitted by the Forum and agrees with the views expressed in that document. As such, the Council does not intend to reiterate unnecessarily responses to a number of matters addressed in that document. The Council does, however, wish to make the following comments in relation to specific matters raised in the Consultation Paper, including through reference to specific questions.

Response and Comments

As has been acknowledged on multiple occasions during the Consultation process, the introduction of the National Scheme has been highly successful in enabling a uniform approach to the registration of health practitioners whose professions are covered by the scheme (in excess of 600,000 registrants). This notwithstanding the initial implementation issues that arose from bringing together the varied processes in existence across multiple jurisdictions and professions, and those involved are to be congratulated on this achievement. Issues in relation to the manner in which complaints and notifications are handled across the scheme are clearly in need of some consideration in relation to enabling a process that is uniform and clearly understood, and it is hoped that the review will bring beneficial outcomes in relation to this aspect of the scheme.
Questions 3 & 4

Should a single Health Professions Australia Board be established to manage the regulatory functions that oversee the nine low regulatory workload professions?

Alternatively, should the nine National Boards overseeing the low regulatory workload professions be required to share regulatory functions of notifications and registration through a single service?

Whilst noting the basis on which the proposed mergers of the Boards of the nine professions in question are based, as per the Forum submission, the Council views the strength of the Boards continuing to exist and operate in their own right as being the preferred model that will best ensure the meeting of the objectives of the National Scheme. The inclusion of Physiotherapy (the fifth largest profession in the National Scheme by registrant numbers, that would count for in excess of a third of all registrants were the nine Boards combined) as one of the nine professions with a ‘lower regulatory workload’ is of note and perhaps testament to the effectiveness of the current processes. This is particularly so when the data is considered on both an absolute, as well as Notifications per ‘000 practitioners basis, and is in contrast to some of the other professions involved, which have what may be considered significant rates notifications per ‘000 practitioners.

The desire for efficiencies and the principle of no cross-subsidisation between professions involved in the scheme is noted, as are the potential cost savings cited in the Consultation Paper. The Council understands that receipt of further information from the Professional Standards Authority (PSA) / Centre for Health Services Economics and Organisation (CHSEO) analysis is pending in relation to the extent to which the potential cost savings quoted in the Consultation Paper are realisable, and looks forward to this information. Should it emerge that significant cost savings can, in reality, be obtained through the mechanisms proposed in Questions 3 and 4, then the Council is of the view that the proposal articulated in Question 4, where the individual Boards are maintained and efficiencies realised through consolidation of ‘back end’ functions, is the better option.

The Council is also aware of further work being conducted by PSA / CHSEO in relation to the cost of accreditation in the National Scheme and awaits the outcome(s) of this analysis with interest. As discussed elsewhere in this document, the Council views its relationship with the PhysioBA as positive and collaborative, and one that is resulting in effective regulatory outcomes for the profession.

Questions 20 & 22

To what extent are National Boards and Accrediting Authorities meeting the statutory objectives and guiding principles of the National Law, particularly with respect to facilitating access to services, the development of a flexible, responsible and sustainable health workforce and innovation in education and service delivery?

To what extent are Accrediting Authorities accommodating multidisciplinary education and training environments with coordinated accredited processes or considering future health practitioner skills and competencies to address changes in technology, models of care and changing health needs?

As per the Forum submission, the Council recognises the core role of accreditation authorities as being to ensure that only health practitioners who are suitably trained and qualified to practice in a competent and ethical manner are registered. The regulatory workload associated with the basis underlying the proposals that are the subject of Questions 3 and 4, particularly in relation to professions such as Physiotherapy which has a
large ‘hands on’ practice component and the capacity for significant patient harm, is testament to the effectiveness of current processes in relation to this central function.

Increasingly, accreditation authorities have become aware of the expectations on them in relation to the objectives of the National Scheme and have taken (and are continuing to take) steps to ensure, as far as is practicable, that their activities assist with the meeting of these objectives. For example, the role of accreditation authorities in developing and applying ‘evidence-based and outcomes-focused’ standards in order to assist and encourage educational providers to provide innovative programs that are capable of producing the responsive health workforce is understood and accreditation standards have for some considerable period now been moving in directions that enable this to occur.

Accreditation authorities regularly review their accreditation standards for contemporary relevance, a process that is resource intensive. In partnership with the PhysioBA, the Council is currently undertaking a review of the accreditation standards for Physiotherapy. This is being conducted through a process that will ensure wide-ranging stakeholder consultation and result in a set of standards that will continue to enable innovation in the provision of physiotherapy education and training, while ensuring the production of a workforce that is equipped for contemporary practice in a range of settings in Australia, delivering a standard of healthcare that the Australian public have come to expect.

Additionally, the Council is investing significantly in Information and Communications Technology (ICT) infrastructure and re-engineering its processes to enable it to enhance its accreditation and assessment activities and associated reporting. This enhanced reporting capacity should be of assistance to the PhysioBA and other bodies in enabling further enhancements to aspects of the National Scheme.

The above said, there is a limit to what some elements of the scheme, as a regulatory scheme, and the bodies involved therein, can do to ensure health workforce supply in terms of guaranteed availability to the wider community. The Council understands the role of accreditation authorities and registration bodies as being to undertake their functions in a manner that ensures public safety, while facilitating workforce flexibility and mobility through enabling structures and processes. It is, however, not the role of accreditation authorities and registration bodies to formulate and implement health workforce plans at any jurisdictional level. To the extent possible, however, accreditation authorities are working to enable the provision of an appropriately trained workforce in a collaborative manner, through collaboration with their Registration Boards, education providers, and between themselves through activities of the Forum and other initiatives.

Question 24

How effective are the current processes with respect to assessment and supervision of overseas trained practitioners?

The objective of the National Scheme to facilitate the rigorous and responsive assessment of overseas trained health practitioners is significant in the context of the reliance of the Australian healthcare system on the individual practitioner, particularly in professions such as Medicine. In addition to the accreditation function, the Council is also appointed by the PhysioBA to conduct the assessment of overseas trained Physiotherapists for eligibility for registration in Australia. To this end the Council is very aware of the issues associated with this area and the recommendations arising from the House of Representatives Standing Committee enquiry that resulted in the Lost in the Labyrinth Report. The Council has processes in place for recognition of equivalent overseas training (akin to Competent
Authority recognition processes) and is currently undertaking a review of its process for assessing overseas trained physiotherapists to ensure that the processes balance public safety considerations with other factors such as timeliness, cost and administrative efficiency / access to assessment.

As per the Forum response, the Council considers the current processes to be effective, given the need for public safety balanced against other considerations, and it is actively working to ensure evolution of processes that achieve the required balance in the context of contemporary stakeholder expectations.

Questions 26 & 27

Is there an effective division of roles and functions between National Boards and accrediting authorities to meet the objectives of the National Law? If not, what changes are required?

Is there sufficient oversight for decisions made by accrediting authorities? If not, what changes are required?

The Council has a positive, collaborative working relationship with the PhysioBA that continues to be enhanced. The Council considers the roles and functions of the two bodies to be clearly and effectively defined, and to be conducive to achieving the objectives of the National Law in a manner that ensures appropriate independence of function and decision-making. Amongst other requirements and activities, regular reporting by the Council to the PhysioBA under the Quality Framework for the Accreditation Function ensures accountability of the Council for its appointed functions.

As with other decision making organisations, the Council recognises the importance of mechanisms to ensure review of decisions are available. The Council currently has internal review processes available in relation to its accreditation and assessment decisions and, as with all aspects of its activities, is committed to review and improvement of these processes as deemed necessary. As per the Forum submission, the Council is contributing to work being undertaken by the Forum in relation to further strengthening of review, appeal and complaint mechanisms.

Summary

The Council welcomes review of the National Scheme in which it recognises it plays an important role. The Council welcomes any improvements that the review can bring about that do not jeopardise the undoubted gains the scheme has made in relation to its objectives and which continue to be built upon by the work and goodwill of those involved in the scheme. The Council looks forward to the outcome of the review and in continuing to play its role in providing effective regulation for the health professions in Australia. Should you wish to discuss any aspect of this document further, the Council would be happy to do so.

Yours sincerely,

[Signature]

Professor Lorraine Sheppard
Chair
Australian Physiotherapy Council