



Standing Council on Health

(meeting as the Australian Health Workforce Ministerial Council)

National Registration and Accreditation Scheme for the health professions Review Terms of Reference

Preamble:

The National Registration and Accreditation Scheme for the health professions (the National Scheme) is established under the *Health Practitioner Regulation National Law Act* (the National Law) as in force in each state and territory, and commenced operation on 1 July 2010, and 18 October 2010 in Western Australia.

An Intergovernmental Agreement (IGA) signed by Council of Australian Governments (COAG) members in March 2008 underpins the National Scheme and identifies its objectives as:

- protection of public safety;
- facilitation of workforce mobility and high quality education and training;
- promotion of access to health services; and
- development of a flexible responsive and sustainable workforce.

The objectives and guiding principles of the National Scheme are set out in section 3 of the National Law.

Clause 14.1 of the IGA states that for the purposes of the National Scheme, an independent review will be initiated by the Australian Health Workforce Ministerial Council (AHWMC) following three years of the National Scheme's operation.

1. Scope of the National Registration and Accreditation Scheme (NRAS) Review

The scope of the NRAS Review is to be focussed on matters relevant to:

- identifying the achievements of the National Scheme against its objectives and guiding principles;
- the future sustainability of the National Scheme, any recommended changes and the specific matters articulated below;
- the administration of the National Scheme;
- the interface between the National Scheme and jurisdictional practices; and
- an assessment of the extent to which the National Scheme meets its aims and objectives.

2. Objectives and Guiding Principles of the National Scheme

The NRAS Review will examine to the extent to which the implementation of the National Scheme and the regulation of the professions under the National Scheme is meeting the objectives and guiding principles as set out in the IGA and Section 3 of the National Law.

- (1) The objectives of the National Scheme are –

- (a) to provide for the protection of the public by ensuring that only health practitioners who are suitably trained and qualified to practise in a competent and ethical manner are registered; and
 - (b) to facilitate workforce mobility across Australia by reducing the administrative burden for health practitioners wishing to move between participating jurisdictions or to practise in more than one participating jurisdiction; and
 - (c) to facilitate the provision of high quality education and training of health practitioners; and
 - (d) to facilitate the rigorous and responsive assessment of overseas-trained health practitioners; and
 - (e) to facilitate access to services provided by health practitioners in accordance with the public interest; and
 - (f) to enable the continuous development of a flexible, responsive and sustainable Australian health workforce and to enable innovation in the education of, and service delivery by, health practitioners.
- (2) The guiding principles of the National Scheme are as follows -
- (a) the National Scheme is to operate in a transparent, accountable, efficient, effective and fair way.
 - (b) fees required to be paid under the National Scheme are to be reasonable having regard to the efficient and effective operation of the National Scheme.
 - (c) restrictions on the practice of a health profession are to be imposed under the National Scheme only if it is necessary to ensure health services are provided safely and are of an appropriate quality.

Without limiting the generality of the above, the NRAS Review should particularly comment on the benefits and costs that have been realised by the introduction of the National Scheme.

3. Operational Performance of the National Scheme

Without limiting the generality of the above, the NRAS Review should particularly comment on:

- a) Effectiveness of the National Scheme, including comparison with other similar international regulation authorities.
- b) Whether there are sufficient incentives built into the National Scheme to encourage continuous improvement and adoption of leaner and more efficient regulatory arrangements.
- c) Cost effectiveness of the National Scheme (including structure and functions), including where efficiencies might be gained and the impact of the model on the small professions.
- d) Whether the current regulatory arrangements for the National Scheme deliver sufficiently efficient, effective, consistent and proportionate regulations in light of the National Scheme's objectives and guiding principles.
- e) The adequacy and transparency of the accreditation functions under the National Scheme.

4. National Law

In relation to the National Law examine the:

- 1) Impact of mandatory notification provisions.
- 2) Role of the Australian Health Workforce Advisory Council (AHWAC).
- 3) Mechanisms for new professions to enter the scheme.
- 4) Key linkages to other national/jurisdictional laws (e.g. Drugs and Poisons, health complaints and tribunal legislation).
- 5) Requirements for amendment to the National Law to improve the effectiveness, efficiency and accountability of the National Scheme
- 6) Regulation and cost effectiveness of small professions.

5. Governance Effectiveness

- a) Examine the governance of the National Scheme, including the roles of:
 - Australian Health Practitioner Regulation Authority (AHPRA)
 - National Boards
 - Accreditation Authorities
 - AHWAC
 - Standing Council on Health (SCoH) / Australian Health Workforce Ministerial Council (AHWMC)
 - State/Territory and Regional Boards
 - Ombudsman/Privacy Commissioner
 - Tribunals
 - State and Territory health complaints entities
- b) Review the functions of these entities and the interrelationship with AHPRA and the National and State Boards.
- c) Consider the administration of the scheme and the interface between NRAS and jurisdictional practices.
- d) Consider the opportunities that AHPRA and the National Boards have to work effectively in partnership with other parties that influence workforce, including but not limited to state, territory and Commonwealth health departments, Health Workforce Australia, education providers.
- e) Make any recommendations to improve the efficiency, effectiveness and accountability of the National Scheme, for example, advertising provisions, whether to extend the practice protections to include cosmetic medicine and surgery, recognising the complexity of defining the scope and who could perform this scope of practice.

6. Future sustainability of the National Scheme

In light of the above Terms of Reference, examine and make recommendations on the future sustainability of the National Scheme (particularly in relation to the addition of other professions and funding arrangements for smaller regulated professions).