



23 May 2018

Mr Martin Fletcher
Chief Executive Officer
Australian Health Practitioner Regulatory Agency
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Email: nationallawamendments@ahpra.gov.au

Dear Mr Fletcher

Consultation on draft guideline: Informing a National Board about where you practise

The Australian Nursing and Midwifery Federation (ANMF) welcomes the opportunity to provide feedback to the Australian Health Practitioner Regulatory Agency (AHPRA) public consultation on a proposed National Board *draft guideline for informing a National Board about where you practise*. The ANMF notes that this draft guideline is in response to recent amendments to the *Health Practitioner Regulation National Law* (the National Law) due to the passage of the *Health Practitioner Regulation National Law and Other Legislation Amendment Act 2017*. These amendments include changes to the information a registered health practitioner is required to provide about their practice arrangements when requested by the National Board (Section 132 of the National Law).

The ANMF makes the following comments:

Purpose of information to National Board

Despite the section (Section 2) headed *Why does the National Board need to know where you practise?* it is still not clear to the reader exactly the reason for Boards to have information on place of practice of a registrant. The ANMF suggests greater clarity would be provided by inserting words which appear on page 9 of the guideline (under Section 7) into Section 2 as follows:

Section 2, 3rd para, first sentence: *Being informed about where a practitioner practises can assist a National Board to make regulatory decisions **and monitor compliance with registration conditions or undertakings**,* (additional words in bold).

While Section 4 indicates that any registrant at any time may receive a notice from AHPRA requesting information on their place of practice, for transparency and due process, there should be a specific reason given – such as shown in the additional and highlighted words above.

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ANMF Journals

Australian Nursing and
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In addition, there should be an inclusion of the expected timeframe for making a response, understanding that extensions may be required.

Section 5 headed *Can you refuse to provide your practice information?* details examples of the likely situations for 'a reasonable excuse'. The word 'serious' to describe an illness or injury should be deleted. Any illness or injury which prevents a health practitioner from seeking advice and/or preparing a response to a practice information notice, within the timeframe provided, should be sufficient.

To ensure the practice information notice is received, contact made by AHPRA to a health practitioner must use multiple modes of communication.

Registrants with multi-site places of practice

Registrants who work across multiple sites are presumably those referred to in Section 132 of the National Law – Practice Information, Clause 4 part (c) which outlines their requirement for practice information as:

(c) If the practitioner is engaged by one or more entities under a contract of employment, contract for services or any other arrangement or agreement – the name, address and contact details of each entity

For practitioners who work across multiple sites, such as those employed by an agency, it is not clear for what period of time they must provide information on all the entities to whom they are sub-contracted via the agency service. Section 6 uses the words 'provide information that is current at that time', but this is an ill-defined timeframe if a person has practised in many different sites over the previous weeks. To provide greater clarity for practitioners in this category it would be helpful for the guideline to specify a period of time over which information will be sought (for example, information is required of every entity you have practised in for the two weeks/one month prior to receipt of this notice). To avoid the registrant being caught unawares, the guidelines need to be explicit on the timeframe, or, at the very least, state that the 'practice information notice' will advise the registrant of the period of time for which this information will be sought.

We appreciate the opportunity to provide input to this consultation process on behalf of our nurse and midwife members. Should you require further information on this matter, please contact [REDACTED]

Yours sincerely

A handwritten signature in black ink, appearing to read 'Annie Butler'.

Annie Butler
A/Federal Secretary