



Hon Yvette D'Ath MP
Minister for Health and Ambulance Services
Leader of the House

29 SEP 2022

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Mr Neil Laurie
Clerk of the Parliament
Queensland Parliament
George Street
BRISBANE QLD 4000

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Dear Mr Laurie

I write in response petition number 3784-22, tabled in Parliament on 30 August 2022, about the guiding principles contained in the Health Practitioner Regulation National Law and Other Legislation Amendment Bill 2022 (Bill).

The petitioners have raised concerns about provisions of the Bill that establish a new guiding principle in the Health Practitioner Regulation National Law (National Law) to make protection of the public and public confidence in health services the paramount consideration in administering the National Law.

The new guiding principle will create a specific legislative obligation to place public safety and public confidence as the most important factor in all decisions and actions of the Australian Health Practitioner Regulation Agency, the National Boards and other entities exercising functions under the National Law. This will encourage a responsive, risk-based approach to regulation across all health professions regulated under the National Law. It also acknowledges the importance of community confidence in health services provided by health practitioners to achieve good health outcomes for patients and health consumers.

The guiding principles in the National Law do not apply to all aspects of health care. The provision of health care will continue to be guided by universal practices, including informed consent and medical ethics, as well as treatment tailored to individual patient needs. The principles in the National Law guide regulatory decision-making by entities exercising powers under the National Law. For example, the guiding principles apply to a broad range of decisions, including decisions about accreditation and registration standards for health practitioners, as well as decisions to take health, conduct or performance action against practitioners.

The inclusion of the new guiding principle does not make a significant change to the law in Queensland. The guiding principles of the National Law in Queensland have been modified to make health and safety of the public the paramount consideration. This paramount principle already guides regulatory decisions in Queensland.

I trust this information is of assistance to the petitioners.

Yours sincerely



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