

Professions Reference Group communiqué

The Professions Reference Group (PRG) met by video conference on 13 March 2024.

The CEO provided this update:

Minimising the risk of distress in health practitioners involved in a regulatory process: Implementing the EAG recommendations

Three one-day symposia was held in February with the aim of providing an opportunity for key stakeholders to discuss the reasons for practitioner distress and to propose strategies for addressing myths and misconceptions about notifications and increasing the uptake of support by practitioners.

Each symposium had the same focus, but with different professions represented. There were 119 attendees across the three days with wide representation across 15 professions. Professional associations, professional and medical indemnity firms, education providers, co-regulators, Ahpra staff and Boards attended. The pre-survey completed by attendees identified strong agreement about the challenges and the reasons behind those.

The day was focused on participants working together to propose ideas and potential workable solutions. One recurring theme was the need for early and ongoing education of practitioners by education providers and employers with support from Ahpra and National Boards. Other suggestions included joint (and regular) campaigns correcting misinformation about mandatory notifications or virtual 'drop-in' sessions about regulation hosted by others. Some ideas will be taken up by attendees without our involvement, others would require a commitment from Ahpra and National Boards.

A copy of the provisional report to attendees following the symposia will be emailed separately to PRG members.

Israel/Gaza conflict – complaints about health practitioners' views on social media

Between October 2023 and 23 February 2024, Ahpra received 63 notifications involving 43 health practitioners alleging inappropriate use of social media related to the Gaza conflict. The data includes 33 medical practitioners and 10 other registered health practitioners.

Practitioners have expressed a range of views on social media about this conflict, which broadly reflect the sensitivities and positions expressed in the wider community. Complaints received are split between those supporting Israel and criticising Palestine, and those supporting Palestine and criticising Israel. Of the 63 notifications received, 38 relate to claims of antisemitism or similar, and 25 relate to claims of Islamophobia, or similar.

Ahpra has made or will make standard enquiries into each notification. This includes speaking with a person who raises a concern to understand their perspective (wherever possible) to help us consider whether we need to make further enquires. We can also contact the practitioner to understand the context in which a post has been made if this is unclear.

Significant progress had been made on resolving the notifications we have received. More than 70% of the matters have been closed. Each case closed has had no action taken. Two practitioners in the cohort are subject to an investigation. In both these cases, the concerns extend beyond online behaviour.

Following media inquiries, we provided information about notifications received to date and how they are managed. This resulted in media reporting.

We have published case examples to support understanding of how current Codes of Conduct and social media guidance are likely to apply when concerns are raised about public comment by practitioners. These case studies can be accessed [here](#).

Update on legislative amendments

The debate of the Western Australian amendment Bill in their Parliament's Legislative Council is on track to start in the late March sittings. The WA Parliament's Standing Committee on Uniform Legislation and Statutes Review Committee has delivered its [report on the WA Bill](#), with no issues to be resolved. Jurisdictions have continued to consider a suitable date for the remaining changes to the National Law to start that will align with the expected passage of the WA Bill and with Ahpra's scheduled IT releases to ensure system support. The proposed date is 1 July 2024, but this is not yet confirmed.

Health Ministers' Meeting are consulting on legislative amendments in relation to the management of professional misconduct and strengthening protection for notifiers. Our work also includes improving the explanatory information that is available on the public register on the regulatory action that has been taken regarding a practitioner who has proven findings of professional misconduct in relation to sexual boundary violations. It also includes providing a plain English description of the restrictions (for example conditions, suspension, or cancellation) about professional misconduct (boundary violation) and the nature of the professional misconduct that led to the restrictions. This will enable the public to understand the nature of the restriction.

Medicinal Cannabis Regulators Forum

On 16 February 2024, Ahpra co-hosted a forum with the Medical, Nursing and Midwifery and Pharmacy Boards of Australia in Melbourne titled *Medicinal cannabis regulator's forum: regulating complexity*. The event was attended by just over 50 stakeholders, Board and committee members and Ahpra staff including jurisdictional representatives from Commonwealth, state and territory governments, our co-regulatory partners in Queensland and New South Wales, the TGA and ACCC, health complaints entities, NSW Councils and state and territory pharmacy premises authorities.

The content on the day was split into three main sections – product, people and places – and the speakers on the day guided the group as they explored some of the complexities attendees face in protecting the public from negative outcomes while ensuring evidence-based treatments are being offered to patients.

The forum attendees agreed to continue discussions with the aim to monitor issues and identify any gaps in the regulatory and wider health response to this rapidly growing industry. In particular:

1. Improving data and information sharing among Australia's regulatory agencies
2. Gaining a better understanding of the drivers of the recent rapid rise in access to these products
3. Enhancing communication to prescribers, including clinical guidance, on the safe and effective use of medical cannabis products
4. Examining ways of better educating consumers about medicinal cannabis medications
5. Encouraging more research to drive the production of clinical guidelines for medicinal cannabis

A [communiqué](#) was developed after the event which was proactively shared with identified media outlets, as well as being published on the Ahpra and Boards website. Next steps will include convening a working group of interested organisations to look at how this collaborative work should continue.

A copy of the [communiqué](#) from the forum was made available to PRG members.

Regulatory Operations – verbal update

Kym Ayscough provided this update.

Registration update

There has been a continual increase in registration applications received across all profession. As of 7 March 2024, there has been an 8% increase in applications received and 10.5% increase in completed registrations compared to the same period in 2023.

The end of campaign survey for graduates is underway. Recent graduates are surveyed at the end of every graduate campaign and early indicators show a high percentage of graduates are satisfied with the registration process. We have been successful in obtaining at least a five day timeframe upon receipt of application to registration for new graduates.

There are now 900,000 registered practitioners in the National Scheme.

Notifications

Ahpra has received 17% more notifications in Q1/2 FY2023/24 than in Q1/2 FY2022/23. Q2 FY2023/24 was the first quarter in the last two years that we received more notifications than we completed despite our closure rate being 7% higher than for the same period last financial year. We are also increasing the proportion of low-medium risk matters that close quickly.

We continue to increase the rate of referrals to tribunal as outcomes from serious formal investigations. 82 practitioners about 123 matters were referred to tribunals in Q2.

Fast tracking international practitioners

As of Friday 15 March 2024, overseas-based applicants will no longer need to attend an in-person identity check in Australia before their registration can be granted. The change means Ahpra and National Boards can register an overseas-based health practitioner before they come to Australia. Streamlining this aspect of the application process will save overseas health practitioners and their employers time and money without changing the minimum standards that ensure public safety. It is the removal of a significant barrier for international practitioners wishing to practice in Australia.

Checklist for practitioners handling feedback and complaints

A checklist was developed by Ahpra, the National Boards and the Australian Commission on Safety and Quality in Health Care, in consultation with stakeholders and consumers with the aim of helping practitioners effectively handle feedback and complaints when they are first made directly to the health provider. The [checklist](#) is available on the Ahpra website.

Transformation Program update – standing agenda item

Kym Ayscough provided this update.

We are working towards a date of release for the Transformation Program to become operational. The building and design of the new system is occurring and testing and training will follow. It has been challenging to meet an accelerated deadline to streamline the registration process, however we will continue with the testing and training. At this point there is no fixed date for transition to the new system. Risk assessments on a number of potential dates for the system going live is underway, given Ahpra and National Boards' yearly cycle of registration renewal and new graduate campaigns. We will keep the PRG updated on a potential go live date at each meeting.

Regulatory Intelligence – standing agenda item

Members were advised to contact Helen.Townley@ahpra.gov.au are any regulatory intelligence issues occurring in any profession

The next meeting of the PRG is confirmed for Tuesday 16 April 2024.