

AHPRA and the National Boards – Q1

Performance Report: Additional performance data

Reporting period: 1 July 2016 to 30 September 2016



Australian Health Practitioner Regulation Agency

Aboriginal and Torres Strait Islander health practice	Occupational therapy
Chinese medicine	Optometry
Chiropractic	Osteopathy
Dental	Pharmacy
Medical	Physiotherapy
Medical radiation practice	Podiatry
Nursing and Midwifery	Psychology

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Notifications management

Outcomes and timeliness of completed immediate actions

Under the National Law, a National Board may take immediate action in relation to a registered health practitioner registered by the Board if the National Board reasonably believes that because of the registered health practitioner's conduct, performance or health, the practitioner poses a serious risk to persons and it is necessary to take immediate action to protect public health or safety. The Board may also take immediate action if the registered health practitioner's registration was improperly obtained because the practitioner or someone else gave the National Board information or a document that was false or misleading in a material particular or if the registered health practitioner's registration has been cancelled or suspended under the law of a jurisdiction, whether in Australia or elsewhere, that is not a participating jurisdiction.

Under the National Law, a National Board may take immediate action in relation to a student registered by the Board if the National Board reasonably believes that the student poses a serious risk to persons because the student has been charged with an offence, or has been convicted or found guilty of an offence, that is punishable by 12 months imprisonment or more; or has, or may have, an impairment; or has, or may have, contravened a condition of the student's registration or an undertaking given by the student to a National Board; and it is necessary to take immediate action to protect public health or safety. The Board may also take immediate action if the student's registration has been cancelled or suspended under the law of a jurisdiction, whether in Australia or elsewhere, that is not a participating jurisdiction.

The tables below show the number and timeliness of immediate actions completed during the reporting period.

Table 1.a Number of immediate actions completed during the reporting period, by stream, by stage

Stream	Assessment	Investigation	Total
Health	3		3
Performance		3	3
Conduct	1	1	2
Total	4	4	8

Table 1.b Number of immediate actions completed where immediate action was taken during the reporting period, by stream, by stage

Stream	Assessment	Investigation	Total
Health	3		3
Performance			
Conduct	1	1	2
Total¹	4	1	5

Table 1.c Average number of days for immediate actions completed where immediate action was taken, from receipt of notification until immediate action was taken.

Stream	Assessment	Investigation	Total
Health			
From receipt of notification	60		60
Performance			
From receipt of notification			-
Conduct			
From receipt of notification	42	106	74

Note:

From receipt of Notification

The time is taken from the date the notification is formally referred to AHPRA, until the decision to take immediate action under section 156 of the National Law.

Information that triggers consideration of immediate action may arise at any time. Measuring the timeframe from the date of referral does not take account of the date information triggering an immediate action is received.

Legal services management

Panel hearing overview

A National Board may establish a performance and professional standards panel if the Board reasonably believes, because of a notification or for any other reason, that the way a registered health practitioner practises the health profession is, or may be, unsatisfactory or the registered health practitioner's professional conduct is, or may be, unsatisfactory and the Board decides it is necessary or appropriate for the matter to be referred to a panel.

A National Board may establish a health panel if the Board reasonably believes, because of a notification or for any other reason, that a registered health practitioner or student has or may have an impairment and the Board decides it is necessary or appropriate for the matter to be referred to a panel.

The Panel hearing overview encompasses data about both performance and professional standards panels and health panels.

The tables below show the number of panel hearings commenced and completed during the reporting period and the number of panel hearings that are open at the end of the reporting period.

Table 4.a Number of panel hearings commenced during the reporting period, by type of panel hearing

	Total
Performance and Professional Standards Panel	10
Health Panel	0
Total	10

Table 4.b Number of panel hearings completed during the reporting period, by type of panel hearing

	Total
Performance and Professional Standards Panel	8
Health Panel	0
Total	8

Table 4.c Number of panel hearings open at the end of the reporting period, by type of panel hearing

	June
Performance and Professional Standards Panel	31
Health Panel	0
Total	31

Outcomes and timeliness of completed panel hearings

The tables below show the outcomes of the panel hearings completed during the reporting period and the timeliness of these completed panel hearings.

Table 5.a Number of panel hearings completed, by outcome, by type of panel hearing

Outcome	PPSP	Health Panel	Total
Outcome of decision to take the notification further			
Investigation			0
Health or performance assessment			0
Tribunal hearing			0
Other stage			0
Outcome of decision to close the notification			
Accept undertaking			0
Caution	3		3
Impose conditions	3		3
No further action	1		1
Reprimand	1		1
Total	8	0	8

Table 5.b Number of panel hearings completed, by time frame, by type of panel hearing

Time frame	PPSP	Health Panel	Total
Completed in ≤ 6 months	3		3
Completed in > 6 months	5		5
Total	8	0	8

Timeliness of open panel hearings

The table below shows the timeliness of panel hearings that remain open at the end of the reporting period.

Table 6.a Number of panel hearings open at end, by time frame, by type of panel hearing

Time frame	PPSP	Health Panel	Total
Open for ≤ 6 months	20		20
Open for > 6 months	11		11
Total	31	0	31

Monitoring and compliance

Status of open monitoring cases

The tables below show the number of open monitoring cases, risk profile and level of compliance. These tables report on the risk profile of the practitioner and the compliance status of a monitoring case. When AHPRA's monitoring reveals a practitioner's non-compliance, the matter is referred to a Board to consider further regulatory action. The time frame for this action depends on the level of risk posed to the public by the non-compliance.

The risk profile identifies those registrants that will cause the public, themselves or the reputation of the National Boards and AHPRA significant and immediate harm if the behaviour or conduct leading to the restrictions was to recur. A registrant is evaluated to have a normal risk profile if the recurrence of the behaviour or conduct will not cause the public, the registrant or the reputation of the National Boards and AHPRA significant and immediate harm. A registrant is evaluated to have a high risk profile if the recurrence of the behaviour will cause significant and immediate harm.

The risk posed by any breach of specific restrictions is different in each case and is managed individually. Not all breaches of restrictions require action to protect the public. For example, a practitioner who is two weeks late completing a required education program due to illness, has breached the condition on their registration, but the breach does not demonstrate increased risk to the public which needs to be managed.

The risk profile of each practitioner being monitored determines both how swiftly AHPRA responds and what action is taken.

Table 7 Number of monitoring cases where practitioner risk profile was normal

Stream	Compliant	Suspected non-compliant	Non-compliant	Compliance status yet to be assigned ¹
Health	80	3	5	
Performance	93	2	2	2
Conduct	49	2	6	1
Prohibited practitioner / student	10			1
Total	232	7	13	4

Table 8 Number of monitoring cases where practitioner risk profile was high

Profession	Compliant	Suspected non-compliant	Non-compliant	Compliance status yet to be assigned ¹
Health	164	9	20	1
Performance	68	3	8	
Conduct	54	13	4	
Prohibited practitioner / student	17			1
Total	303	25	32	2

¹ – Where the compliance status is yet to be assigned, in Tables 7 and 8, it relates to a Health, Performance or Conduct case not yet due for a Compliance Status update.