



The Hon Brad Hazzard MP
Minister for Health
Minister for Medical Research



Ms Helen Minnican
Clerk of the Legislative Assembly
Office of the Legislative Assembly
Parliament House
Macquarie Street
SYDNEY NSW 2000

Our ref B19/125

Dear Ms Minnican

**Joint Parliamentary Committee on the Health Care Complaints Commission
Report 3/56 'Review of the 2016–2017 Annual Report of the Health Care Complaints
Commission'**

Please accept the NSW Government's response to the Committee on the Health Care Complaints Commission Report 3/56 'Review of the 2016–2017 Annual Report of the Health Care Complaints Commission.'

A copy of the response is enclosed.

Yours sincerely

Brad Hazzard MP

Encl.

26 FEB 2019

REPORT 3/56 REVIEW OF THE 2016-2017 ANNUAL REPORT OF THE HEALTH CARE COMPLAINTS COMMISSION

NSW GOVERNMENT RESPONSE

Recommendation 1

The Commission develops new initiatives to identify, target and engage with membership-based organisations for unregistered health practitioners.

Response: Supported

It is important that there is strong practitioner awareness of their obligations in relation to protecting public health and safety under the Code of Conduct for Unregistered Practitioners.

While the number of unregistered practitioners that have been the subject of a complaint to the Commission remains relatively small, this is nevertheless a growing and diverse cohort of practitioners and may also involve delivery of services to more vulnerable health consumers.

The Commission has already commenced action to implement this recommendation.

It established a dedicated stakeholder engagement position in October 2018, and one of the most immediate projects for this position is to develop and implement initiatives and actions to promote awareness and compliance with the Code, as part of the Commission's broader stakeholder engagement strategy.

In the planning phase of this work the Commission has analysed the patterns of complaints about unregistered practitioners over the last five years, identifying 22 health occupations that have been the subject of complaints over this time (refer to [Table 1](#) below).

Table 1: Complaints received about unregistered health practitioners 2013-14 to 2017-18

Profession	Number of complaints
Counsellor	75
Assistant in Nursing	67
Social Worker	60
Massage Therapist	54
Health Administrators/Clerical	52
Alternative Health Provider	52
Cosmetic Therapist	39
Dietician/Nutritionist	20
Psychotherapist	13
Dental Technician	13
Naturopath	12
Residential Care Worker	7
Audiologist	5
Homeopath	5
Speech pathologist	5
Natural Therapist	4
Personal Care Assistant	3
Doula	2
Kinesiologist	2
Herbalist	1
Student Psychologist	1
Venopuncturist	1

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NSW GOVERNMENT RESPONSE

This analysis is guiding identification of those membership organisations and professional associations that should be involved as a priority, and early contact has been made with a number of the relevant membership organisations. The initiatives to follow will include presentations and workshops for members (either online or face to face) and distribution of explanatory materials via newsletters and other information pathways. This will cover content about the expectations of unregistered practitioners and the role and processes of the Commission in receiving and assessing complaints.

Noting also that these associations may receive complaints about their members, the Commission will also be discussing the nature of the issues that are raised with them and the options for referral of such matters to the Commission.

The Commission will also continue publicising all Prohibition Orders that it places on unregistered practitioners and to strenuously defend appeals against such Orders, so that there is clear communication to the community and a deterrence to other unregistered practitioners.

Progress on these initiatives will be reported in the Commission's 2018-19 Annual Report.