



10 September 2014

Jason Arditi
Inquiry Manager
Parliament of New South Wales
Committee on the Health Care Complaints Commission
Macquarie Street
Sydney, NSW 2000

Dear Mr Arditi,

Inquiry into the Promotion of False or Misleading Health-related Information or Practices

Thank you for the opportunity to present to the Health Care Complaints Inquiry and for your letter of 8 September 2014, attaching the draft transcript of evidence.

I am pleased to return a corrected version with small edits as requested.

I would like to advise the committee that there is one error in fact, during my evidence. The number of experts on our Panel of Eminence is approx. 30 rather than the 20 advised.

Since giving evidence we have reviewed the question posed again in relation to amending section 7 of the Act (healthcare complaints act). At the time of this question we believed the Committee was referring, to a Medicines Australia submission in relation to their code, as it came off the back of series of Code of Practice questions, which was an incorrect assumptions. On review it was a reference to Medical Technology's Association (MTAA) submission in support of amending section 7 of the Healthcare Complaints Act.

"The Act was amended earlier this year to provide the Commission with an 'own motion' power, providing scope to allow it to initiate a complaint in matters where a significant issue of public health or safety or a significant question regarding a health service affects or is likely to affect the clinical care or treatment of a patient. Or, in a case that the likely result will be disciplinary proceedings against a registered practitioner or warrants action against an unregistered practitioner."

The MTAA submission supported amending further this section of the Act to affect the clinical management of care of the public or any member of the public.

May I ask the indulgence of the Inquiry for Complementary Medicines Australia to consider this matter in further detail in light of the HCC Act itself and respond separately?

Finally, we took on notice a question relating to the number of complaints received under the Complementary Medicines Australia Resolution Committee, and I am pleased to detail in Annexe A the statistics as promised.

Best of health,

Carl Gibson
Chief Executive Officer
Complementary Medicines Australia

ANNEXE A:

CMA Complaints Resolution Committee (formerly Complementary Healthcare Council of Australia)

Summary of Complaints Received

	12/13		11/12		10/11		09/10		08/09	
No. Complaints received	16		25		31		33		62	
CMA Member / Non Member	5	11	4	21	4	27	5	28	23	39
Finalised ¹	24		35		35		41		43	
Multiple Complaints ²	2		2		2		1		7	
Forwarded to TGA ³	7		5		7		6		21	
Referred to CRP	1		4		9		9		4	

Notes:

- 1 Totals reflect that some complaints were not finalised during the reporting period. Some complaints also had multiple outcomes (e.g were both considered by the committee and referred)
- 2 Number of companies against which more than one complaint was received.
- 3 Where a complaint received involves risk to public safety or the therapeutic good has not been included in the Australian Register of Therapeutic Goods (ARTG).