

Aboriginal and Torres Strait Islander Health Practice Chinese Medicine Chiropractic Dental Medical Medical Radiation Practice

Occupational Therapy Optometry Osteopathy Pharmacy Physiotherapy Podiatry Psychology

Australian Health Practitioner Regulation Agency

Nursing and Midwifery

AHPRA and National Boards - Q4 2014-15

Performance Report:

Complaints management quarterly performance data

Reporting period: 1/04/2015 to 30/06/2015

Report provided to the Office of the Health Ombudsman (OHO)

Additional notes have been provided in italics to ensure the information provided is clear to other readers.

Comments written directly to the Health Ombudsman in the original report have been re-worded to assist the reader's understanding.

Registration Management

No data about AHPRA's management of registration matters has been provided to the Health Ombudsman. AHPRA does not believe that the Health Ombudsman has jurisdiction in relation to AHPRA's performance in the management of registration functions under the National Law. AHPRA will, in future, be reporting publicly on its performance in this area and provides detailed information about registration management in its annual reports.

Referrals management Number of referrals

In Queensland, under the co-regulatory arrangements, all notifications about health practitioners are made to the OHO. The OHO has responsibility for retaining and dealing with the most serious notifications and may refer other notifications to AHPRA and the National Boards.

The tables below show the number of notifications about registered health practitioners referred under section 91 of the Health Ombudsman Act 2013 by the OHO during the period, the number of referrals completed during the reporting period and the number of referrals open at the end of the reporting period.

1. Number of referrals received during the reporting period.

	Total
Referrals received	265

Table 1

2. Number of referrals completed during the reporting period.

	Total
Referrals completed	295

Table 2

3. Number of referrals open at the end of the reporting period.

	June
Referrals open	773

Number of s150 preliminary assessments

Under s150 of the National Law, a National Board must, within 60 days after receipt of a referred matter, conduct a preliminary assessment of the referred matter and decide whether or not it relates to a person who is a health practitioner or a student registered by the Board, and whether or not it relates to a matter that is a ground for notification.

Table 4 below shows the number of s150 preliminary assessments completed during the reporting period. Table 5 shows the outcome of each preliminary assessment conducted.

Tables 6, 7 and 8 show the timeliness of the preliminary assessments.

1. Number of s150 preliminary assessments completed during the reporting period.

	Total
Preliminary assessments completed	265

Table 4

Outcomes and timeliness of completed s150 preliminary assessments

1. Number of s150 preliminary assessments completed during the reporting period, by outcome.

Outcome	Total
Progressed to Notification	265
Closed at enquiry	
Other	
Total	265

Table 5

 Of those s150 preliminary assessments completed during the reporting period, number of s150 preliminary assessments completed in ≤ 30 days.

	Total
s150 Preliminary assessments completed in ≤ 30 days	265

Table 6

3. Of those s150 preliminary assessments completed during the reporting period, number of s150 preliminary assessments completed in > 30 days but \leq 60 days.

	Total
s150 Preliminary assessments completed in > 30 days but ≤ 60 days	0

Table 7

4. Of those s150 preliminary assessments completed during the reporting period, s150 number of preliminary assessments completed in > 60 days.

	Total
s150 Preliminary assessments completed in > 60 days	0

Number of assessments

After completing a preliminary assessment of a matter, Boards have the power to take no further action, investigate the matter further, refer the matter for health assessment, refer the matter for performance assessment, refer the matter for hearing by a panel or the responsible tribunal, or to take a form of action under Division 10 of Part 8 of the National Law. If a Board proposes to take action under Division 10 of Part 8 of the National Law, it must undertake a show cause process. This also applies when the Board proposes to take action as an interim step to keep the public safe. In these cases, the final assessment decision will not occur until the show cause process has concluded.

After a Board decision to take no further action after an assessment or to take action under Division 10 of Part 8, some matters may remain open to enable administrative processes to be completed.

Tables 9, 10 and 11 show the number of assessments commenced and completed during the reporting period and the number of assessments open at the end of the reporting period.

1. Number of assessments commenced during the reporting period.

	Total
Assessments commenced	262

Table 9

2. Number of assessments completed during the reporting period.

	Total
Assessments completed	274

Table 10

3. Number of assessments open at the end of the reporting period.

	Total
Assessments open	229

Outcomes and timeliness of completed assessments

Table 12 shows the outcomes of the assessments completed during the reporting period. Tables 13, 14 and 15 show the timeliness of conducting the assessments during the reporting period, including any administrative or show cause steps required to complete the assessment.

1. Number of assessments completed during the reporting period, by outcome.

Outcome	Total
Outcome of decisions to take the notification further	
Investigation	68
Health or performance assessment	24
Panel hearing	4
Tribunal hearing	
Outcome of decision to close the notification	
Accept undertaking	3
Caution	36
Impose conditions	23
No further action	115
Refer all of the notification to another body	1
Total	274

Table 12

2. Of those assessments completed during the reporting period, number of assessments completed in \leq 60 days.

	Total
Assessments completed in ≤ 60 days	82
	Table 13

3. Of those assessments completed during the reporting period, number of assessments completed in > 60 days but < 90 days.

	Total
Assessments completed in > 60 days but ≤ 90 days	120

Table 14

4. Of those assessments completed during the reporting period, number of assessments completed in > 90 days.

	Total
Assessments completed in > 90 days	72

Timeliness of open assessments

Tables 16, 17, 18 and 19 show the number of assessments that remain open at the end of the reporting period and the length of time that they have been in the assessment stage.

1. Number of assessments open at the end of the reporting period.

	Total
Assessments open and open for ≤ 60 days	150
Assessments open and open for > 60 days but ≤ 90 days	47
Assessments open and open for > 90 days	32
Total	229

Table 16

2. Of assessments open at the end of the reporting period, number that have been open \leq 60 days, by stage.

	Total
Pending Board decision	141
Post Board decision	4
Subject to division 10 process	5

Table 17

3. Of assessments open at the end of the reporting period, number that have been open > 60 days but ≤ 90 days, by stage.

	Total
Pending Board decision	11
Post Board decision	2
Subject to division 10 process	34

Table 18

4. Of assessments open at the end of the reporting period, number that have been open > 90 days, by stage.

	Total
Pending Board decision	1
Post Board decision	3
Subject to division 10 process	28

Number of Investigations

A National Board may decide to investigate a registered practitioner or student if it believes that:

- the practitioner or student has, or may have, an impairment, and/or
- the way the practitioner practises is, or may be, unsatisfactory, and/or
- the practitioner's conduct is, or may be, unsatisfactory.

A National Board assesses the risk to the public when considering whether or not to investigate.

Tables 20, 21 and 22 show the number of investigations commenced during the reporting period, the number of investigations completed during the reporting period and the number of investigations that remain open at the end of the reporting period.

1. Number of investigations commenced during the reporting period.

	Total
Investigations commenced	71

Table 20

2. Number of investigations completed during the reporting period.

	Total
Investigations completed	89

Table 21

3. Number of investigations open at the end of the reporting period.

	June
Investigations open	323

Outcomes and timeliness of completed investigations

Table 23 shows the outcomes of investigations completed during the reporting period. Tables 24, 25, 26 and 27 show the timeliness of these completed investigations.

1. Number of investigations completed during the reporting period, by outcome.

Outcome	Total
Outcome of decisions to take the notification further	
Health or performance assessment	2
Panel hearing	12
Tribunal hearing	3
Outcome of decision to close the notification	
Accept undertaking	4
Caution	19
Impose conditions	17
No further action	31
Refer notification to another body	1
Total	89

Table 23

2. Of investigations completed during the reporting period, number completed in ≤ 6 months of national board's decision to investigate.

	Total
Number of investigations completed in ≤ 6 months	3
	Table 04

Table 24

3. Of investigations completed during the reporting period, number completed in > 6 months but ≤ 12 months of national board's decision to investigate.

	Total
Number of investigations completed in > 6 months but ≤ 12 months	10

Table 25

 Of investigations completed during the reporting period, number completed in > 12 months but ≤ 18 months of national board's decision to investigate.

	Total
Number of investigations completed in > 12 months but < 18 months	31
Number of investigations completed in > 12 months but < 18 months	

Table 26

5. Of investigations completed during the reporting period, number completed in > 18 months of national board's decision to investigate.

	Total
Number of investigations completed in > 18 months	45

Timeliness of open investigations

Table 28 shows the number of investigations open at the end of the reporting period. Tables 29, 30, 31 and 32 show the length of time that these investigations have been open.

1. Number of investigations open at the end of the reporting period.

	June
Investigations open	323

Table 28

2. Of investigations open at the end of the reporting period, number open ≤ 6 months since national board's decision to investigate.

	June
Investigations open and open for ≤ 6 months	113

Table 29

3. Of investigations open at the end of the reporting period, number open > 6 months but ≤ 12 months since national board's decision to investigate.

	June
Investigations open and open for > 6 months but < 12 months	98

Table 30

4. Of investigations open at the end of the reporting period, number open > 12 months but ≤ 18 months since national board's decision to investigate.

	June
Investigations open and open for > 12 months but ≤ 18 months	53
	= 11 01

Table 31

5. Of investigations open at the end of the reporting period, number open > 18 months since national board's decision to investigate.

	June
Investigations open and open for > 18 months	59

Number of health assessments

A health assessment is an assessment of a person to determine whether the person has an impairment and includes a medical, physical, psychiatric or psychological examination or test of the person.

Tables 33, 34 and 35 show the number of health assessment commenced during the reporting period, the number of health assessments completed during the reporting period and the number of health assessments open at the end of the reporting period.

1. Number of health assessments commenced during the reporting period.

	Total
Health assessments commenced	25
	Table 33

2. Number of health assessments completed during the reporting period.

Health assessments completed		Total
rioditi doccomente completed	Health assessments completed	32

Table 34

3. Number of health assessments open at the end of the reporting period.

	June
Health assessments open	50

Outcomes and timeliness of completed health assessments

Table 36 shows the outcomes of the health assessments completed during the reporting period. Tables 37 and 38 show the timeliness of these health assessments.

1. Number of health assessments completed during the reporting period, by outcome.

Outcome	Total
Outcome of decisions to take the no	tification further
Assessment	1
Investigation	1
Referred to another body	1
Outcome of decision to close the	e notification
Accept undertaking	4
Impose conditions	14
No further action	11
Total	32

Table 36

2. Of health assessments completed during the reporting period, number completed in ≤ 6 months of national board's decision to refer for health assessment.

	Total
Health assessments completed in ≤ 6 months	13

Table 37

3. Of health assessments completed during the reporting period, number completed in > 6 months of national board's decision to refer for health assessment.

	Total
Health assessments completed in > 6 months	19

Timeliness of open health assessments

Tables 39 and 40 show the timeliness of open health assessments at the end of the reporting period.

1. Of health assessments open at the end of the reporting period, number open ≤ 6 months of national board's decision to refer for health assessment.

	June
Health assessments open and open for ≤ 6 months	40

Table 39

2. Of health assessments open at the end of the reporting period, number open > 6 months of national board's decision to refer for health assessment.

	June
Health assessments open and open for > 6 months	10

Number of performance assessments

A performance assessment is an assessment of the knowledge, skill or judgement possessed, or care exercised by a registered health practitioner in the practice of the health profession in which the practitioner is registered.

Tables 41, 42 and 43 show the number of performance assessments commenced during the reporting period, the number of performance assessments completed during the reporting period and the number of performance assessments open at the end of the reporting period.

1. Number of performance assessments commenced during the reporting period.

	Total
Performance assessments commenced	2
	Table 41

2. Number of performance assessments completed during the reporting period.

	Total
Performance assessments completed	6

Table 42

3. Number of performance assessments open at the end of the reporting period.

	June
Performance assessments open	10

Outcomes and timeliness of completed performance assessments

Table 44 shows the outcomes of the performance assessments completed during the reporting period. Tables 45 and 46 show the timeliness of these performance assessments.

1. Number of performance assessments completed during the reporting period, by outcome.

Outcome	Total
Outcome of decisions to take the	notification further
Panel hearing	1
Outcome of decision to close	the notification
Impose conditions	3
No further action	1
Practitioner surrender	1
Total	6

Table 44

2. Of performance assessments completed during the reporting period, number completed ≤ 6 months of national board's decision to refer for performance assessment.

	Total
Performance assessments completed in ≤ 6 months	1
	T 11 45

Table 45

3. Of performance assessments completed during the reporting period, number completed > 6 months of national board's decision to refer for performance assessment.

	Total
Performance assessments completed in > 6 months	5

Timeliness of open performance assessments

Tables 47 and 48 show the timeliness of open performance assessments at the end of the reporting period.

1. Of performance assessments open at the end of the reporting period, number open \leq 6 months of national board's decision to refer for performance assessment.

	June
Performance assessments open and open for ≤ 6 months	4

Table 47

2. Of performance assessments open at the end of the reporting period, number open > 6 months of national board's decision 10 refer for performance assessment.

	June
Performance assessments open and open for > 6 months	6

Number of panel hearings

A National Board may establish a performance and professional standards panel if the Board reasonably believes, because of a complaint 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.

Table 49 shows the number of panel hearings commenced during the reporting period, the number of panel hearings completed during the reporting period and the number of panel hearings that are open at the end of the reporting period.

1. Number of panel hearings commenced during the reporting period.

	Total
Panel hearings commenced	17
	Table 49

2. Number of panel hearings completed during the reporting period.

	Total
Panel hearings completed	9

Table 50

3. Number of panel hearings open at the end of the reporting period.

	June
Panel hearings open	32

Outcomes and timeliness of completed panel hearings

Table 52 shows the outcomes of the panel hearings completed during the reporting period. Tables 53 and 54 show the timeliness of these completed panel hearings.

1. Number of panel hearings completed during the reporting period, by outcome.

Outcome	Total
Outcome of o	decisions to take the notification further
Assessment	2
Outcome	of decision to close the notification
Caution	2
Impose conditions	3
No further action	2
Total	g

Table 52

2. Of panel hearings completed during the reporting period, number completed ≤ 6 months of national board's decision to refer for hearing.

	Total
Panel hearings completed in ≤ 6 months	5

Table 53

3. Of panel hearings completed during the reporting period, number completed > 6 months of national board's decision to refer for hearing.

	Total
Panel hearings completed in > 6 months	4

Table 54

Timeliness of open panel hearings

Tables 55 and 56 show the timeliness of panel hearings that remain open at the end of the reporting period.

1. Of panel hearings open at the end of the reporting period, number open ≤ 6 months of national board's decision to refer for hearing.

	June
Panel hearings open and open for ≤ 6 months	25

Table 55

2. Of panel hearings open at the end of the reporting period, number of open > 6 months of national board's decision to refer for hearing.

	June
Panel hearings open and open for > 6 months	7

Number of tribunal hearings

A National Board refers a matter about a registered health practitioner or student to a responsible tribunal if

- (a) the Board forms the reasonable belief that the way in which a practitioner behaved constitutes professional misconduct or
- (b) a panel established by the Board asks the Board to refer the matter and it is not a matter that must be referred to the health ombudsman or the health ombudsman asks the Board under section 193(2) to continue to deal with the matter under the National Law.

The responsible tribunal for Queensland is the Queensland Civil and Administrative Tribunal (QCAT)

Table 57 shows the number of tribunal hearings commenced during the reporting period, the number of tribunal hearings completed during the reporting period and the number of tribunal hearings open at the end of the reporting period. Open matters include those referred to the Tribunal and pending QCAT action. More detail is published in Table 63 and 64.

1. Number of tribunal hearings commenced during the reporting period.

	Total
Tribunal hearings commenced	3

Table 57

2. Number of tribunal hearings completed during the reporting period.

	Total
Tribunal hearings completed	5

Table 58

3. Number of tribunal hearings open at the end of the reporting period.

	June
Tribunal hearings open	129

Outcomes and timeliness of completed tribunal hearings

Table 60 shows the outcomes of tribunal hearings completed during the reporting period. Tables 61 and 62 show the timeliness of referrals to QCAT by the National Boards.

1. Number of tribunal hearings completed during the reporting period, by outcome.

Outcome	То	tal
Outo	ome of decisions to take the notification further	
Investigation		1
	Outcome of decision to close the notification	
Fine registrant		1
Reprimand		3
Total		5

Table 60

2. Of tribunal hearings completed during the reporting period, number completed ≤ 6 months of national board's decision to refer for hearing.

	Total
Tribunal hearings completed in ≤ 6 months	2

Table 61

3. Of tribunal hearings completed during the reporting period, number completed > 6 months of national board's decision to refer for hearing.

	Total
Tribunal hearings completed in > 6	3

Table 62

Timeliness of open tribunal hearings

Table 63 and 64 show the timeliness of tribunal matters open at the end of the reporting period. It should be noted that the only part of the process in which AHPRA and the National Boards have sole timing control is in relation to the lodgement of matters in the Tribunal. Beyond that, the timing of tribunal processes can be attributed to a range of factors, many of which are outside the direct control of the referring entity.

1. Of tribunal hearings open at the end of the reporting period, number open \leq 6 months of national board's decision to refer for hearing.

	June
Pending filing at tribunal	6
Post filing at tribunal	1
Total	7

Table 63

2. Of tribunal hearings open at the end of the reporting period, number of open > 6 months of national board's decision to refer for hearing.

	June
Pending filing at tribunal	3
Post filing at tribunal	119
Total	122

Health impairment programs

AHPRA does not have information on practitioners 'referred to a health impairment treatment program' because no such program(s) exists. In this regard, no data has been provided in relation to section 3 'health impairment programs'.

Compliance monitoring programs

Health practitioners and students may have restrictions placed on their registration for a range of reasons including as a result of a notification, the assessment of an application for registration or a renewal of registration, or after a referral to QCAT. These restrictions are actively monitored to ensure the compliance of health practitioners.

Tables 65, 66 and 67 show, by health profession, the number of practitioner monitoring cases commenced during the reporting period, the number of practitioner monitoring cases completed during the reporting period and the number of practitioner monitoring cases open at the end of the reporting period.

Number of practitioner monitoring cases

1. Number of practitioner registrations with conditions or undertakings on their registration at the end of the reporting period, by health profession.

The Health Ombudsman requested the number of practitioner registrations with conditions or undertakings on their registration. AHPRA does not believe that the Health Ombudsman has jurisdiction in relation to AHPRA's performance in the management of registration functions under the National Law; therefore this data was not provided to the OHO. AHPRA will in future be reporting publicly on its performance in this area and in the interim, provides detailed information about registration management in its annual reports.

2. Number of practitioner monitoring cases commenced during the reporting period, by health profession.

Profession	Total
Aboriginal and Torres Strait Islander Health Practitioner	
Chinese Medicine Practitioner	
Chiropractor	6
Dental Practitioner	12
Medical Practitioner	56
Medical Radiation Practitioner	3
Midwife	1
Nurse	48
Occupational Therapist	1
Optometrist	1
Osteopath	
Pharmacist	9
Physiotherapist	3
Podiatrist	1
Psychologist	9
Total	150

3. Number of practitioner monitoring cases completed during the reporting period, by health profession.

Profession	June
Aboriginal and Torres Strait Islander Health Practitioner	
Chinese Medicine Practitioner	
Chiropractor	1
Dental Practitioner	3
Medical Practitioner	49
Medical Radiation Practitioner	
Midwife	3
Nurse	34
Occupational Therapist	1
Optometrist	
Osteopath	
Pharmacist	10
Physiotherapist	1
Podiatrist	2
Psychologist	13
Total	117

Table 66

4. Number of practitioner monitoring cases open at the end of the reporting period, by health profession.

Profession	June
Aboriginal and Torres Strait Islander Health Practitioner	
Chinese Medicine Practitioner	2
Chiropractor	11
Dental Practitioner	46
Medical Practitioner	241
Medical Radiation Practitioner	8
Midwife	12
Nurse	243
Occupational Therapist	5
Optometrist	2
Osteopath	1
Pharmacist	38
Physiotherapist	12
Podiatrist	3
Psychologist	30
Total	654

Outcomes and timeliness of completed monitoring cases

Table 68 shows the outcomes of practitioner monitoring cases that were completed during the reporting period.

1. Number of practitioner monitoring cases completed during the reporting period, by outcome

Outcome	Total
Acquired non-practising registration	4
Acquired unrestricted registration	6
Board order under s125	26
Board order under s127	27
Completed Board requirements	11
Elected not to renew	11
Impose conditions	2
Panel order	1
Precedent Legislation	1
Registration cancelled	1
Relocated to co-regulatory jurisdiction	2
Surrendered Registration	7
Suspend registration	1
Tribunal order	2
Total	102

Table 68

Tables 69, 70, 71, 72 and 73 show the duration of monitoring cases completed during the reporting period. However, it should be noted that some matters will require monitoring of compliance activity for significant periods, including some for the lifespan of a practitioner's registration. A National Board decides when to remove a requirement for monitoring a practitioner's compliance with conditions on registration, when it is assured conditions are no longer needed to keep the public safe. The length of time a practitioner is monitored is tailored to the risk posed by the individual practitioner.

2. Of those practitioner monitoring cases completed during the reporting period, average number of days until completion

	Total
Average number of days for completion of monitoring cases completed during the reporting period	450

Table 69

3. Of those practitioner monitoring cases completed during the reporting period, number completed in ≤ 6 months

	Total
Monitoring cases completed in ≤ 6 months and completed during the reporting period	13

Table 70

4. Of those practitioner monitoring cases completed during the reporting period, number completed in > 6 months but ≤ 12 months.

	Total
Monitoring cases completed in > 6 months but ≤ 12 months and completed during the reporting period	29

5. Of those practitioner monitoring cases completed during the reporting period, number completed in > 12 months but ≤ 24 months.

	Total
Monitoring cases completed in > 12 months but ≤ 24 months and completed during the reporting period	60

Table 72

6. Of those practitioner monitoring cases completed during the reporting period, number completed in > 24 months

	Total
Monitoring cases completed in > 24 months and completed during the reporting period	

Status of open monitoring cases¹

Tables 74, 75, 76, 77, 78 and 79 show the number of open monitoring cases, risk profile and level of compliance. These data report on the risk profile of the practitioner and the compliance status of a case. When AHPRA's monitoring reveals a practitioner's non-compliance, the matter is referred to a Board to consider further regulatory action. The timeframe for this action depends on the level of risk posed to the public by the non-compliance.

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.

	June
Open monitoring cases where practitioner risk profile was normal and the practitioner was	
compliant with all restrictions	239

Table 74

	June
2. Open monitoring cases where practitioner risk profile was high and the practitioner was	
compliant with all restrictions	316

Table 75

	June
3. Open monitoring cases where practitioner risk profile was normal and the practitioner was	
suspected of being non-compliant with one or more restrictions	9

Table 76

	June
4. Open monitoring cases where practitioner risk profile was high and the practitioner was	
suspected of being non-compliant with one or more restrictions	37

Table 77

	June
5. Open monitoring cases where practitioner risk profile was normal and the practitioner was non-	
compliant with one or more restrictions	8

Table 78

	June
6. Open monitoring cases where practitioner risk profile was high and the practitioner was non-	
compliant with one or more restrictions	35

¹ The data requested by the OHO does not align with AHPRA processes and therefore cannot be produced in the mandated format. As an alternative approach to ensure the OHO has confidence that AHPRA is appropriately monitoring practitioners where required, a recommendation to change the format of future data requests has been made to the OHO.