

Health Legislation Amendment Bill 2006

Explanatory Notes for Amendments to be moved during consideration in detail by The Honourable Stephen Robertson MP

Title of the Bill

Health Legislation Amendment Bill 2006

Objectives of the Amendments

The objectives of the amendments are to:

- ensure that junior medical officers who transfer to another junior medical officer position under section 150AA of the *Medical Practitioners Registration Act 2001* (the Act) practise in accordance with an applicable supervised practice plan approved by the Medical Board of Queensland (the Board); and
- correct minor numbering errors in the Bill.

Achievement of the Objectives

The amendments insert provisions that:

- require that junior medical officers wishing to transfer to another position under section 150AA of the Act must apply to the Board for approval of a new supervised practice plan relevant to the position, if the position involves them practising under a different supervised practice plan; and
- clarify that it is a standard condition of registration that junior medical officers who transfer under section 150AA must practise in accordance with the applicable supervised practice plan approved by the Board.

Consistency with Fundamental Legislative Principles

The amendments are consistent with fundamental legislative principles.

Consultation

The Executive Officer of the Office of the Health Practitioner Registration Boards was consulted about the amendments and supports the amendments.

Notes On Provisions

Amendment 1 amends clause 86 to make it clear that the standard condition on special purpose registration imposed under section 140A also requires registrants practise in accordance with a supervised practice plan approved by the Board that is applicable to the registrant when the registrant transfers to another position under section 150AA.

Amendment 2 amends clause 91 to correct a reference in section 149 to renumbered sections 150AA and 150AC.

Amendment 3 amends clause 94 to renumber section 150B as 150AA.

Amendment 4 amends clause 94 to clarify that the transfer provisions in section 150AA that apply to junior medical officers apply subject to the requirement to obtain the Board's approval of a supervised practice plan under section 150AB.

Amendment 5 amends clause 94 by inserting new section 150AB.

New section 150AB requires junior medical officers wishing to transfer to another position under section 150AA of the Act to apply to the Board for approval of a new supervised practice plan relevant to the position, if the position involves them practising under a different supervised practice plan. The section requires the application to be in the approved form and be accompanied by the proposed supervised practice plan for the person relevant to the transfer position. If the Board refuses to approve the proposed supervised practice plan, it must give the applicant an information notice (outlining the reasons for the decision and appeal rights). The application is taken to be refused if the Board does not decide the application within 14 days after its receipt. The provision also specifies that a person may not give notice of a proposed transfer under section 150AA unless they have obtained the Board's approval of the proposed supervised practice plan.

Amendment 6 amends clause 94 to renumber section 150C as 150AC.

Amendment 7 inserts new clause 99A which amends Schedule 1 of the Act (which lists the decisions for which information notices must be given) to include decisions to refuse to approve a proposed supervised practice plan under section 150AB.