

Chapter 1

Introduction and background

Referral

1.1 On 20 August 2015, the Senate referred the following matter to the Legal and Constitutional Affairs References Committee (the committee) for inquiry and report by 30 June 2016:

The establishment of a national registration system for Australian paramedics to improve and ensure patient and community safety, with particular reference to:

- (a) the role and contribution made by those in the paramedic profession, including the circumstances in which they are required to operate;
- (b) the comparative frameworks that exist to regulate the following professions, including training and qualification requirements and continuing professional development:
 - (i) paramedics,
 - (ii) doctors, and
 - (iii) registered nurses;
- (c) the comparative duties of paramedics, doctors and registered nurses;
- (d) whether a system of accreditation should exist nationally and, if so, whether the Australian Health Practitioner Regulation Agency is an appropriate body to do so;
- (e) the viability and appropriateness of a national register to enable national registration for the paramedic profession to support and enable the seamless and unrestricted movement of paramedic officers across the country for employment purposes; and
- (f) any other related matters.¹

Conduct of inquiry

1.2 In accordance with usual practice, the committee advertised the inquiry on its website and wrote to a number of organisations and individual stakeholders inviting submissions by 29 January 2016. Details of the inquiry were made available on the committee's website at www.aph.gov.au/senate/legalcon.

1.3 The committee received 15 submissions, which are listed at Appendix 1. A public hearing was held in Canberra on 20 April 2016. A list of witnesses who appeared before the committee at the hearing is included at Appendix 2.

1.4 The committee thanks all those who made submissions and gave evidence at its public hearing.

1 *Journals of the Senate*, No. 110–20 August 2015, p. 3012.

Structure of this report

- 1.5 There are four chapters in this report.
- 1.6 Chapter 1 outlines the context and background to the inquiry, including progress that has been made towards national registration for paramedics through the Council of Australian Governments (COAG).
- 1.7 Chapter 2 describes paramedics in the context of related professions and compares regulatory frameworks and duties.
- 1.8 Chapter 3 considers national accreditation and registration of paramedics.
- 1.9 Chapter 4 provides the committee's views and recommendations.

Background

Current approaches

1.10 Currently, there is no national registration or accreditation for the paramedic profession in Australia. It was explained that there is a:

distinction between the process of registration of a health practitioner and the accreditation function that is normally associated with regulation and is (typically) an assessment of the capacity of an educational institution and course program to prepare graduates for practice. Successful completion of 'accredited' courses normally forms one element in the suite of standards or requirements adopted by a regulatory authority for practitioner 'registration'.²

1.11 Regulation varies between jurisdictions, practice settings and employers.³ At the hearing, the committee heard that:

With regard to paramedicine, it varies from jurisdiction to jurisdiction. As a number of people have highlighted...we currently lack a standard national definition of what a paramedic is and what qualifications and experiences are required.⁴

1.12 In Western Australia and the Northern Territory 'there is no legislation at all about ambulance services or paramedics'.⁵ In Victoria, there is some regulation of paramedics:

Victoria's paramedics are subject to the same regulatory framework as other unregistered healthcare workers in this state, including in relation to health

2 Professors Bange, Brightwell and Maguire, *Submission 10*, p. 28.

3 PA, *Submission 9*, p. 2.

4 Mr Martin Nichols, Chair, Board of Directors, Australian and New Zealand College of Paramedicine (ANZCP), *Committee Hansard*, 20 April 2016, p. 39.

5 Associate Professor Michael Eburn, Australian National University (ANU), *Committee Hansard*, 20 April 2016, p. 2.

complaints, public health, consumer protection, employment, drugs and poisons and criminal law.⁶

1.13 In other states, such as Tasmania, South Australia and NSW there are 'varying measures to protect the title of "paramedic"'.⁷

COAG agreement

1.14 The case for national registration for paramedics has been argued for several years and is based on a number of reasons, including improved workforce mobility, protection of the public, and support throughout the paramedic profession.⁸ In November 2015, the COAG Health Council of federal, state and territory health ministers met and discussed options for the registration of paramedics. They agreed to:

...move towards a national registration of paramedics to be included in the National Registration Accreditation Scheme with only those jurisdictions that wish to register paramedics adopting the necessary amendments.⁹

1.15 Also on 6 November 2015, Paramedics Australasia (PA) published a statement on its website describing the COAG agreement. It indicated that the case for national registration was put forward by the Victorian health minister, with support from the ministers from South Australia and Western Australia, and that there was 'some opposition from the Federal Health Minister'.¹⁰

1.16 It is currently unclear whether New South Wales (NSW) will participate in national registration. The PA statement included: 'Whereas all other state and territory governments have strongly supported National Registration, NSW has reserved its right to participate in National Registration'.¹¹

1.17 PA views the move towards national registration as 'a defining development for our profession' and the result of a ten year advocacy campaign.¹² PA anticipates that national registration will begin in 2017 and notes that it is currently in discussions

6 Victorian Department of Health and Human Services, *Submission 15*, pp 2–3.

7 Adjunct Associate Professor Raymond Bange, Central Queensland University (CQU), *Committee Hansard*, 20 April 2016, p. 2.

8 Paramedics Australasia (PA) <https://www.paramedics.org/advocacy/registration/the-case-for-national-registration-for-paramedics/> (accessed 25 April 2016)

9 Council of Australian Governments (COAG) Health Council, *Communique*, 6 November 2016, p. 2, <http://www.coaghealthcouncil.gov.au/Publications/Communiques> (accessed 25 April 2016)

10 PA, *Australian Paramedics to be Nationally Recognised*, 6 November 2015, <https://www.paramedics.org/news-corporate/australian-paramedics-to-be-nationally-registered/> (accessed 25 April 2016)

11 PA, *Paramedic Registration: Frequently Asked Questions*, 4 December 2016, <https://www.paramedics.org/news-corporate/paramedic-registration-frequently-asked-questions-issue-1/> (accessed 25 April 2016)

12 PA, *Paramedic Registration: Frequently Asked Questions*, 4 December 2016.

'with the lead government department tasked with developing the policy around Paramedic National Registration by March 2016'.¹³

1.18 Victoria has taken the lead role in implementing national regulation of paramedics, stating that it has 'led the push for the national registration of paramedics', and further, that 'the Australian Health Ministers' Advisory Council agreed that Victoria would be responsible for managing the project scoping and policy development processes required to give effect to this decision'.¹⁴ The Victorian submission advises that a timetable for implementing national registration of paramedics has also been agreed:

The Australian Health Ministers' Advisory Council has also agreed on an implementation plan that is expected to be presented to health ministers for consideration in April 2016. The implementation plan anticipates that policy parameters will be settled by mid-2016, legislation prepared and passed by mid-2017, and that national registration of paramedics will commence in the second half of 2018.¹⁵

1.19 However, it appears that the health department in one jurisdiction is not supportive of national registration for paramedics. In its submission to the inquiry, NSW Health explained that in its view:

National registration has both costs and benefits. Each of these must be closely examined in relation to whether it is necessary and appropriate to register paramedics. Given that then regulatory framework for paramedics differs from jurisdiction to jurisdiction, the costs and benefits of registration will also differ. NSW has a strong regulatory framework for paramedics that already delivers many of the benefits of a national registration system...In this context, there is an ongoing question of whether the costs of registration in NSW will outweigh the minimal additional benefits that would be achieved.¹⁶

13 PA, *Paramedic Registration: Frequently Asked Questions*, 4 December 2016.

14 Victorian Department of Health and Human Services, *Submission 15*, p. 1.

15 Victorian Department of Health and Human Services, *Submission 15*, p. 1.

16 NSW Health, *Submission 13*, pp 2–3.