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16 July 2019

Mr Leif Ettrup
A/Manager
Legislative Policy Unit
Strategic Policy and Legislation Branch
Queensland Health
By email: legislation@health.qld.gov.au

Dear Mr Ettrup

Thank you for the opportunity for AMA Queensland to provide feedback about the proposed amendments to the *Health Ombudsman Act 2013* and the Queensland-specific provisions of the *Health Practitioner Regulation National Law Act 2009*.

AMA Queensland sought feedback from our members regarding these changes.

AMA Queensland members who had been investigated by AHPRA (after being referred by OHO) found that that process questions the integrity and honesty of doctors and assumes the doctors have committed a serious criminal offence. AMA Queensland members found the process led to stress, anxiety and unnecessary worry.

AMA Queensland's recommends the following actions be considered by OHO (based on the responses from our members):

1. OHO should develop and implement a framework to assess whether the complaint is legitimate/important rather than automatically referring the complaint on to AHPRA. For instance, cases against doctors should initially be reviewed by a clinician (engaged by OHO), including communication with the GP against whom the complaint has been made, and a recommendation made to either refer to AHPRA or not to refer, prior to referral.
2. AMA Queensland recommends serious penalties be applied for people making false allegations, i.e. when the allegations are unfounded.
3. AMA Queensland recommends that the legislation embeds a transparent and fair process for both the public and the practitioner. The medical literature documents the importance of reducing medico-legal stress experienced by health practitioners during assessments and investigations and we want to ensure this is one of the outcomes of the changes to this legislation.
4. AMA Queensland wishes to emphasise the importance of ensuring changes to this legislation will not impact upon health access for doctors.

5. AMA Queensland strongly recommends that timeframes for assessing complaints be reduced – universally our members found investigations by AHPRA too lengthy, with little transparency regarding the timeframe for assessing complaints.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Dilip Dhupelia', enclosed within a simple rectangular box.

Dr Dilip Dhupelia
President
Australian Medical Association Queensland