



19 December 2023

COVID-19 Response Inquiry Panel
Department of the Prime Minister and Cabinet
Australian Government

Via email: COVID-19Inquiry@pmc.gov.au

Dear COVID-19 Response Inquiry Panel

Commonwealth Government COVID-19 Response Inquiry

The Australian Health Practitioner Regulation Agency (Ahpra) welcomes the opportunity to provide feedback to the Commonwealth Government COVID-19 Response Inquiry to identify lessons learned to improve Australia's preparedness for future pandemics.

We appreciate that the panel may be familiar with the National Registration and Accreditation Scheme (National Scheme) for health professions, however, we have included some additional background in case it is helpful to give context to our feedback.

Background

Ahpra and the fifteen National Boards regulate registered health practitioners in sixteen professions through the National Scheme under the Health Practitioner Regulation National Law (the National Law), as in force in each state and territory. Our primary role is public protection, and we adopt a risk-based approach to regulation, taking action proportionate to the future risk of harm.

National Board standards, codes and guidelines

Each National Board sets a regulatory framework for the profession it regulates in addition to requirements in the National Law. Standards, codes and guidelines set out the respective National Board's requirements and expectations in relation to:

- registration - registration standards define the requirements that applicants, registrants or students need to meet to be registered
- accreditation – accreditation standards define the requirements that education providers and their programs need to meet to ensure graduating students are suitably qualified and skilled to apply to register as a health practitioner
- professional standards, codes and guidelines - define the professional obligations that practitioners must meet to deliver effective regulated health services within an ethical framework and provide guidance to the profession.

This comprehensive and integrated regulatory framework enables comprehensive assessment for entry to the relevant profession and requires registrants to meet clear ongoing requirements to remain registered to ensure patient safety.

National Boards and the Ahpra response to COVID-19

While some of the issues raised in the terms of reference are beyond the scope of our regulatory role, we would like to provide the following information about the work undertaken by National Boards and Ahpra during the pandemic to support the public health response and provide guidance to registered health practitioners, the public and our other stakeholders.

Australian Health Practitioner Regulation Agency
National Boards

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Ahpra and the National Boards regulate these registered health professions: Aboriginal and Torres Strait Islander health practice, Chinese medicine, chiropractic, dental, medical, medical radiation practice, midwifery, nursing, occupational therapy, optometry, osteopathy, paramedicine, pharmacy, physiotherapy, podiatry and psychology.

- **Pandemic sub-register.** The most significant operational step taken by Ahpra and the National Boards was to establish the pandemic response sub-register (the sub-register) to help facilitate a surge health workforce in response to the anticipated pressures on the health system as a result of the COVID-19 pandemic.

The sub register was established administratively by Ahpra in April 2020 following a request from Australia's Health Ministers to enable more health practitioners' quick return to practice. This was a substantial program of work to design, develop and implement rapidly. Similar to the approach taken in other countries, the process included identifying eligible practitioners, designing a way to distinguish those on the sub-register and ensuring there was a simple opt-out. At the peak of the pandemic, 40,000 eligible health practitioners (doctors, nurses, midwives and pharmacists) were on the sub-register.

Our experience with the sub-register has provided valuable learning about how to establish a surge workforce if needed in the future, and the need for an integrated approach with governments and employers in both the public and private sectors.

- **Coordinated communication.** During the pandemic Ahpra and National Boards were committed to supporting health practitioners to continue to provide safe care to their communities. We provided regular updates via email and set up a dedicated section of Ahpra's website for [COVID-19 information](#) which was linked to National Board websites.
- **Flexible regulatory approaches to support practitioners.** Ahpra and the National Boards developed flexible regulatory approaches to respond to the needs of students, interns, practitioners and health service delivery during the pandemic. This included flexibility for National Board requirements such as continuing professional development (CPD), recency of practice (ROP) and temporary modification to the National Boards' English language skills standard test pathway. Ahpra and National Boards also introduced financial hardship policies to assist practitioners who may have been experiencing financial hardship due to the pandemic.
- **Policy and workforce guidance.** To facilitate continued access to health services and delivery of health professional education, Ahpra and National Boards developed [Telehealth guidance for practitioners](#) as well as national principles for clinical education in conjunction with Accreditation authorities and Commonwealth departments of Health and Education. To support the Covid health workforce, Ahpra also published information about employment opportunities for registered health practitioners with links to health department websites.
- **Notifications.** National Boards and Ahpra also managed COVID-19 related notifications. We categorised a notification as being COVID-19 related if concerns were raised about:
 - Clinical care to patients when seeking or receiving COVID-19 advice, vaccination, or treatment
 - COVID-19 impacting a patient's ability to seek help or treatment from a practitioner or service
 - Inappropriate practitioner behaviour – for example, that the practitioner failed to comply with public health orders such as mask mandates
 - A practitioner's practice not being COVID-safe
 - A practitioner providing false or misleading information about COVID-19 to patients or the public
 - Online behaviour by a practitioner in debate about the pandemic breaching a National Board's code of conduct.

In order to manage these COVID-19 notifications effectively, we created a temporary COVID-19 Taskforce and prioritized cases where we believed there was an ongoing risk to the public.

- **Public health guidance.** Following queries about registered health practitioners' obligations in relation to COVID-19 vaccination, in March 2021 National Boards and Ahpra published the [Position statement – Registered health practitioners and students and COVID-19 vaccination](#) (the position statement). The position statement was based on obligations already outlined in the Codes of Conduct or equivalent, and stated the National Boards' expectations of Australian registered health practitioners in regard to -
 - being vaccinated against COVID-19,
 - administering COVID-19 vaccines, and
 - providing advice and information about COVID-19 vaccination, including in social media and advertising

In late March 2023, a review of the position statement commenced. In line with the current public health advice and given the high rates of vaccination against COVID-19 in Australia, the review considered whether a position statement specific to COVID-19 vaccination was still needed. The review included consultation with key stakeholders including ATAGI, State and Territory, and Commonwealth governments.

As a result, National Boards have agreed it is appropriate that the position statement is superseded by [general vaccination FAQs](#) which were published on the Ahpra and National Boards websites on 11 December 2023.

Thank you again for the opportunity to provide feedback. We support and share the government's commitment to improve response measures in the event of future pandemics and would be happy to provide additional detail about any of the work by Ahpra and National Boards or to discuss if helpful.

We consent to this submission being published. If you have any questions or would like further information, please contact Helen Townley, National Director Policy and Accreditation at

Yours sincerely



Martin Fletcher
Chief Executive Officer