



9 April 2010

Ms Naomi Bleeser
Committee Secretary
Australian Senate
Community Affairs Legislation Committee
GPO Box 6100
Parliament House
Canberra ACT 2600

Dear Ms Bleeser

Inquiry into Health Practitioner Regulation (Consequential Amendment) Bill 2010

Thank you for your letter of 26 February 2010 informing the Australian Nursing Federation (ANF) of inquiry being undertaken by the Community Affairs Legislation Committee on the Health Practitioner Regulation (Consequential Amendment) Bill 2010.

The ANF has been a strong supporter of the move to national registration and accreditation for health professions in Australia. The enactment of legislation to introduce the National Registration and Accreditation Scheme for the Health Professions (NRAS) on 1 July 2010 will have a significant and positive impact on the nursing and midwifery professions. While the *Mutual Recognition Act 1992* reduced some barriers for nurses and midwives moving across the country for work purposes, the new Scheme will bring unprecedented efficiencies to the flexibility for transfer of practice for personal reasons, but also, and importantly, in times of emergencies and national disasters. The Scheme will also introduce a far greater degree of safety and quality in terms of transparency regarding registration information about individual nurses and midwives; and the standards for education courses leading to registration.

The ANF has consistently provided assistance and advice to the development of legislation and policies relating to the establishment of the new Scheme, through verbal and written communications, either as an individual organisation or in conjunction with other peak nursing and midwifery groups.

With a membership of over 175,000 nurses and midwives, the ANF is the largest professional and industrial organisation in Australia for nurses and midwives, with Branches in each State and Territory of Australia. Our members are employed in a wide range of enterprises in urban, rural and remote locations in both the public and private health and aged care sectors. The ANF therefore has a central concern for ensuring that the new Scheme for registration and accreditation for health professionals will afford protection for the public by providing a fundamental framework for the practice of nurses and midwives.

The industrial and professional organisation for nurses and midwives in Australia

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In a submission of November 2008 to the consultation paper *Proposed Registration Arrangements - Issues that will be covered in the second stage to be introduced in the Queensland Parliament*, produced by the Practitioner Regulation Subcommittee, the ANF stated quite clearly that the Divisions on the Register held by the Nursing and Midwifery Board of Australia for nurses and midwives should be:

- Register of Nurses:
 - Registered nurses
 - Enrolled nurses
- Register of Midwives

This position was reiterated by the Australian Peak Nursing and Midwifery Forum (APNMF – of which the ANF is a member) in a submission dated 22 December 2008, to the consultation paper *Other matters for inclusion in Bill B* from the same subcommittee. Following the issuing of the exposure draft *Health Practitioner Regulation National Law 2009* (Bill B) the APNMF submitted a response to Dr Louise Morauta (17 July 2009) requesting removal of the wording “Division 1” and “Division 2” in reference to Registered and Enrolled nurses in the *Registers in relation to registered health practitioner* (Division 3 of the Act).

The ANF therefore notes with considerable concern that the Health Practitioner Regulation (Consequential Amendment) Bill 2010 proposes to insert in the definition for nurse the following wording:

Nurse means:

- (a) *a person who is registered under a law of a State or Territory as a registered nurse (Division 1); or*
- (b) *(b) a person who is registered under a law of a State or Territory as an enrolled nurse (Division 2).*

The terms Division 1 and Division 2 are not currently used in any Australian State or Territory except one – Victoria. This is neither common terminology for nursing nor universally accepted terminology for the nursing profession.

The ANF requests in the strongest possible terms that the words *Division 1* and *Division 2* be removed from the definition of nurse in the health practitioner regulation legislation.

The ANF is also concerned about the proposed removal of the word “registered” from the definition of “nursing care”. There is a difference in the accountability level of a registered nurse and an enrolled nurse. Enrolled nurses work under the supervision and direction of registered nurses. Registered nurses are educated and qualified to assess and delegate nursing care to other registered or enrolled nurses. The removal of “registered” from the definition of “nursing care” becomes problematic then as this distinction in accountability level is lost.

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australian nursing federation

The wording for the definition of “nursing care” should be:

Nursing care means care that is given by a nurse or under the supervision of a registered nurse.

Should you require any additional information or wish to discuss this matter further please contact Elizabeth Foley, Federal Professional Officer, on (03) 9602 8500 or elizabethf@anf.org.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Gerardine", written in a cursive style.

Gerardine (Ged) Kearney
Federal Secretary

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