

11 May 2011

Health Workforce New Zealand  
PO Box 5013  
WELLINGTON

**Proposal for a shared secretariat and office function for all health-related regulated authorities together with a reduction in the number of regulatory authority board members**

Thank you for the opportunity to comment on Health Workforce New Zealand's "*Proposal for a shared secretariat and office function for all health-related regulatory authorities together with a reduction in the number of regulator authority board members*".

*Role of the Health and Disability Commissioner*

Under the Health and Disability Commissioner Act 1994 (HDC Act), I am charged with the role of promoting and protecting the rights of health and disability services consumers, as set out in the Code of Health and Disability Services Consumers' Rights (the Code). Under section 14(1)(d) of the HDC Act, one of my functions is to make public statements in relation to any matter affecting the rights of health or disability services consumers.

*HDC's relationship with regulated authorities*

My role requires me to act as the initial recipient of complaints about health care providers and to ensure that each complaint is appropriately dealt with.<sup>1</sup> Pursuant to section 65 of the Health Practitioners Competence Assurance Act 2003 (HPCA Act), whenever a responsible authority receives a complaint about a health practitioner's practice or conduct, the authority must forward the complaint to my Office.

Under section 34(1)(a) of the HDC Act, I may refer a complaint to the appropriate authority if it appears that the competence of a health practitioner or his or her fitness to practise or the appropriateness of his or her conduct may be in doubt. Under section 59(4) of the HDC Act, I may bring a matter to the attention of an appropriate authority if I consider it is necessary or desirable in the public interest.

Accordingly, a regulatory authority carries the ultimate responsibility and is accountable for the protection of the health and safety of the public, by ensuring its respective health professionals are competent and fit to practise medicine. Given my own focus on consumer protection, I consider it essential for there to be authoritative systems in place to address competence, fitness to practice, and learning initiatives.

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<sup>1</sup> Health and Disability Commissioner Act 1994, section 14(1)(da)