



30 June 2017

Consultations Team  
Ministry of Health  
PO Box 5013  
Wellington 6140

Submitted via email

Dear Consultation Team,

### **Regulating Paramedic Workforce**

The Board appreciates the opportunity to provide feedback to the Ministry of Health to assist in considering regulating the paramedic workforce under the Health Practitioners Competence Assurance Act (HPCA Act).

The HPCA Act's purpose is to protect public safety and ensure practitioner competence. The Board considers that due to the high pressure, variable, emergency and often isolated nature of the work paramedics carry out it is important the profession is regulated to protect the public. The HPCA Act as already established legalisation overseeing 23 professions seems a reasonable way in which to regulate the paramedic profession.

The consultation document lays out various reasons which support establishing a Paramedic Council under the HPCA Act, and in reviewing the information, it appears there may be another. The HPCA Act is supported by regulations including the Restricted Activities Order 2005. The Restricted Activities Order lays out specific actions that members of the public *cannot carry out unless* they are registered under the HPCA Act. The consultation document at section 5.2.2 states "they [paramedics] can perform a range of medical and surgical procedures..." The Restricted Activities Order Section A states that surgical or operative procedures are an activity that can only be carried out by a registered health practitioner. The Restricted Activities Order provides the exception for emergency situations, arguably a specific instance in which a paramedic attends a patient may meet that exemption. However, it may not meet the legislative intent for the emergency exception to be regularly relied on as it is a basic of paramedic work that care will often happen in emergency situations and that care may include surgical or operative procedures. The regular reliance on an exemption to a regulation of an Act which provides for public protection is a strong reason to support and necessitate regulating paramedics under the HPCA Act.

While the Chiropractic Board strongly supports regulating paramedics under the HPCA Act, the Board does call attention to a few operational matters raised in the consultation document. The proposal is for a Council of five members, this is quite a small Board, and while that may allow for cost efficiencies, it may not be sufficient to regulate a relatively large profession especially while first undertaking section 118 responsibilities. Also, the proposal includes reference to the new Council's Registrar and secretariat being that of the Nursing Council. The Chiropractic Board, along with eight others, currently receives back office support from the Nursing Council, the Ministry would need to assure itself that there was sufficient resource available. Finally, as the HPCA Act includes clear restrictions on RAs not cross-subsidising, it will be important the Council has reasonable controls in place to prevent against this.

The specific questions detailed in the consultation document are replied to by corresponding number below.

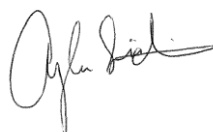
1. Yes, it is clear that the service and care provided by paramedics to the public is a health service and that many of these services are high risk creating an inherent risk of harm to the public.
2. Yes, the nature and severity of the risk detailed appear correct.
3. From our position as the Chiropractic Board, this is difficult to answer.
4. The Board is aware of anecdotal instances of harm, but we are not in a position to substantively comment.
5. N/A
6. Yes, the risk posed by paramedics, while not frequent, would by the nature of the job (isolated, emergency, limited information, non-practice environment, etc.) be high. Due to the high risk and other information given in the letter above, the Board considers it is in the public's best interest for paramedics to be regulated.
7. No, while it is admirable that Ambulance New Zealand, Wellington Free and St. John have taken the steps they have, there is no consistency across the country or legal enforceability.
8. As the HPCA Act is a clear framework already in place, it would seem most reasonable to use this system to regulate paramedics.
9. No, it would be very difficult without clear legal parameters to establish a register and protect the rights of the public and practitioners.
10. The HPCA Act would be best suited.
11. Yes, other professions such as the psychotherapists have come under the HPCA Act in recent years and have been able to establish all necessary documents and policies.
12. N/A
13. No, the lists provided are sufficiently comprehensive.
14. Yes, the benefits to the public and profession most definitely outweigh the costs.

Thank you for providing us with the opportunity to comment on the proposal. We are happy to speak to our submission and answer any questions.

Sincerely,



Dr Kristin Grace, DACBR  
Board Chair



Angela Sinclair  
Registrar- General Manager