

Application for a Protected Quality Assurance Activity (PQAA) Notice under the Health Practitioners Competence Assurance Act 2003

September 2024

A PQAA is an activity undertaken to improve the practices and competence of health practitioners by assessing the health services provided by them (eg, clinical audits of the outcomes of treatment). PQAAs are conferred by the Minister of Health, in line with the Health Practitioners Competence Act 2003 (the Act).

The purpose of a PQAA is to encourage effective quality assurance activities in relation to health services performed by health practitioners.

Please note: A PQAA only protects information that exists as a result of the quality assurance activity. Information that exists prior to the activity being conducted cannot be protected.

This application should provide sufficient information to assess whether the proposed Quality Assurance Activity (QAA) should be declared a PQAA. Please refer to the guidance to apply for a PQAA on the Ministry of Health website before completing this application.

If you wish to apply for protection for multiple activities, please submit activities separately.

Any queries or completed applications should be sent to QAA@health.govt.nz

1. What is the title of the QAA?

Please provide a short title for your QAA to be identified by (eg, Clinical Audit)

2. Please describe the purposes of the QAA and how it improves the practice of 1 or more practitioners as described in Section 53(1) of the Act:

Quality assurance activity – means an activity that is undertaken to improve the practices of 1 or more health practitioners by assessing the health services performed by those health practitioners (whenever those services are or were performed).

3. Who are the participants?

Please clearly identify the groups or memberships who are participating in this activity. For example 'All New Zealand Orthopaedic surgeons who carry out reconstruction surgery'. If there are multiple groups of professionals involved in the activity, please list them all. All participants should support the application for a protected quality assurance notice.

4. Describe the methodology or how the activity will be carried out:

Provide a clear description of the QAA process from beginning to end. This description will inform how the Notice is written and published if conferred by the Minister of Health.

5. What actions will be taken if the QAA identifies a problem or deficiency in the provision of health services by the health practitioners?

Describe the mechanisms for providing feedback and advice to the health practitioners and how it is intended to effect any changes or to introduce new processes or procedures designed to improve the provision of the relevant health services.

6. What information do you intend the notice to protect?

A PQAA only protects information that exists as a result of the quality assurance activity. Information that exists prior to the activity being conducted cannot be protected. Please describe the information you intend the notice to protect.

7. Why is it in the public interest that the activity is protected?

The Minister of Health may not declare a QAA protected unless they are satisfied that it is in the public interest that the protection conferred by the provisions of the Health Practitioners Competence Assurance Act 2003 should apply in respect of that activity.

Please confirm you have included the following information in this application to support the proposed QAA:

• Identifiable group of health practitioner(s)	Yes / No
• Description of how the activity improves the practices of practitioners involved	Yes / No
• Method for assessment or evaluation of the health services provided by that/those practitioner(s)	Yes / No
• Clear process for handling problems/issues identified as a result of the activity.	Yes / No
• The process for monitoring the implementation of any improvements.	Yes / No

8. Who is the activity’s sponsor?

A sponsor could, for example, be a department, a specialty group, a Government body, a licensed hospital, a body that provides health care, an educational institution, a research body or a health practitioner college.

9. What are the sponsor’s contact details?

Please provide the preferred contact details for all matters related to the QAA. This may be an organisation administrator, or the person submitting the application. You may provide multiple points of contact.

Name: _____

Email: _____

Signature of Applicant/Sponsor

Date

Name of Applicant/Sponsor

Responsible Person

All Protected Quality Assurance Notices (PQAA) must have a nominated responsible person in line with section 57 of the Health Practitioners Competence Assurance Act 2003. A responsible person must be nominated by the sponsor of the PQAA and appointed by the Minister of Health.

The responsible person needs to be able to take responsibility for the integrity and maintenance of the QAA's methodology and to provide independent or objective commentary to meet the reporting requirements. Reporting requirements can be found in appendix 1.

Name: _____

Email: _____

Please describe the person's role within the organisation:

Does the responsible person have any association with the health practitioners whose performance is being assessed?

(The Act requires the responsible person is independent of the health practitioners whose services are being assessed or evaluated through the QAA.)

Yes / No

Please confirm if the responsible person has been subject to a criminal convictions check in the past 3 years:

Yes / No

Note:

The duration of a protected QAA notice may be no longer than five years. If there is a change in the nature of the activity, an amendment to the notice may be required. The Ministry of Health should be consulted.

Every notice declaring a QAA protected is deemed to be a Regulation. This means that each notice is subject to a measure of Parliamentary scrutiny and control of the process. This includes potential scrutiny by Parliament's Regulations Review Committee. Each notice will be published in the Statutory Regulation series. The notice is a legal document.

Undertakings and Declaration by the Responsible Person

The following declaration and undertakings must be completed by the nominated responsible person. You can find more details about these undertakings in the Act and guidance on our website

Undertaking 1

I undertake to inform the Minister of Health of any change to the purposes of the QAA as soon as practicable after the change occurs.

Undertaking 2

I undertake to inform the Minister of Health of any significant change to the composition or purposes of the group of the participating health practitioners, if it is likely to affect the QAA, as soon as practicable after the change occurs.

Undertaking 3

I undertake to meet the obligations set out in section 58 of the Health Practitioners Competence Assurance Act 2003 relating to reporting to the relevant providers of health services and to the Minister of Health as outlined in appendix 1.

Initial below

Declaration

I declare I have not;

- been convicted in any Court in New Zealand or elsewhere of any offence punishable by imprisonment for a term of three months or more.
- been adjudged bankrupt under the Insolvency Act 1967 or any other relevant insolvency legislation.

I declare I have;

- been subject to a criminal conviction check by my employer within the last three years.

Initial below

Signature of Applicant/Sponsor

Date

Name of Applicant/Sponsor

Appendix 1. Responsible Persons' Reporting Requirements

Section 58(1) and (3) of the Health Practitioners Competence Assurance Act 2003 reads as follows:

58 Reporting requirements:

- (1) Within two months after the expiry of each period of 12 months (the reporting period) that follows the date of a notice under section 54 declaring a QAA to be protected, the person for the time being appointed to be responsible for the activity must give each provider of health services (the provider) who has, or whose employees or agents have, been assessed in the reporting period through the activity a report relating to the reporting period that sets out information on the following matters:
 - (a) any problems or issues concerning the operations of the provider that have been identified in the course of the activity;
 - (b) any action that has been taken, as a result of the activity, to resolve or address the problems or issues stated under paragraph (a);
 - (c) any recommendations that have been, or are to be, made to the provider as a result of the activity;
 - (d) the manner in which the implementation of the recommendations stated under paragraph (c) is to be monitored; and
 - (e) the manner in which improvements in the competence or practice of the provider or any of the agents or employees of the provider are to be monitored.
- ...
- (3) A report given under [this section] may not identify, either expressly or by implication, a particular individual.



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