

In Confidence

Office of the Minister of Health
Chair, Cabinet Legislation Committee

Health Practitioners Competence Assurance (Designation of Paramedic Services as Health Profession) Order 2019

1. This paper seeks authorisation for submission to the Executive Council of the Health Practitioners Competence Assurance (Designation of Paramedic Services as Health Profession) Order 2019.

Policy

2. The Health Practitioners Competence Assurance (Designation of Paramedic Services as Health Profession) Order 2019 (the Order in Council) will designate the paramedic profession as a health profession and establish a new responsible authority, the Paramedic Council, as the responsible authority appointed in respect of the health profession of paramedics under the Health Practitioners Competence Assurance Act 2003 (the Act).
3. Once the Order in Council is made, paramedic services will be designated as a health profession under the Act and paramedics will be regulated by the Paramedic Council.
4. The regulation of paramedics as a health profession will give better protection to the public by providing mechanisms to ensure that paramedics are competent and fit to practise the profession.
5. Paramedics provide acute emergency care to patients in life-threatening situations and practise high-risk interventions under challenging environments. Like doctors and nurses, paramedics act as independent practitioners in patient assessment and decision making, however without the collegial and full diagnostic support available at medical facilities.
6. The risk of harm posed by paramedics is the reason to regulate them under the Act. A regulated paramedic workforce will provide the public and the health sector with assurance that paramedics are appropriately qualified and competent to practise. Regulation will also enable paramedics to play an expanded role in acute primary care settings, especially in rural areas.
7. On the recommendation of the Minister of Health, pursuant to section 115 of the Act, Cabinet has agreed to the designation of paramedics as a profession and the establishment of the Paramedic Council as the responsible authority for paramedics under the Act. [CAB-19-MIN-0139].

Timing and 28-day rule

8. The Health Practitioners Competence Assurance (Designation of Paramedic Services as Health Profession) Order 2019 complies with the 28-day rule and has been scheduled to come into effect on 1 January 2020 (or earlier if drafting of the Order is completed before that date).

Compliance

9. The Health Practitioners Competence Assurance (Designation of Paramedic Services as Health Profession) Order 2019 complies with:

- 9.1 the principles of the Treaty of Waitangi;
- 9.2 the rights and freedoms contained in the New Zealand Bill of Rights Act 1990 or the Human Rights Act 1993;
- 9.3 the principles and guidelines set out in the Privacy Act 1993;
- 9.4 relevant international standards and obligations; and
- 9.5 the Legislation Guidelines (2018 edition), which are maintained by the Legislation Design and Advisory Committee.

Regulations Review Committee

10. There are no grounds for the Regulations Review Committee to draw the Health Practitioners Competence Assurance (Designation of Paramedic Services as Health Profession) Order 2019 to the attention of the House of Representatives under Standing Order 319.

Certification by Parliamentary Counsel

11. The Health Practitioners Competence Assurance (Designation of Paramedic Services as Health Profession) Order 2019 was certified by the Parliamentary Counsel Office as being in order for submission to Cabinet.

Impact analysis

12. The Impact Statement was prepared in accordance with the necessary requirements and was submitted to Cabinet for its approval at the time the policy relating to the implementation of the Health Practitioners Competence Assurance (Designation of Paramedic Services as Health Profession) Order 2017 [CAB-19-MIN-0139] was sought.

Publicity

13. The commencement date is scheduled for 1 January 2020 (or earlier if drafting of the Order is completed before that date). This paper will be published on the Ministry of Health website as soon as practicable after the making of the Health Practitioners Competence Assurance (Designation of Paramedic Services as Health Profession) Order 2017.

Proactive Release

14. I propose to proactively release this paper.

Consultation

15. The following agencies were consulted: ACC, The Treasury, the New Zealand Defence Force, Ministry of Justice, Oranga Tamariki, Ministry of Education, Ministry of Business, Innovation and Employment, TEC, and the Department of the Prime Minister and Cabinet.

Recommendations

I recommend that the Cabinet Legislation Committee:

1. **note** that on 3 April 2019 the Cabinet Social Wellbeing Committee agreed that an Order in Council be made under the Health Practitioners Competence Assurance Act 2003 to designate the paramedic profession as a health profession and to establish the Paramedic Council as the responsible authority appointed in respect of the health profession of paramedics [CAB-19-MIN-0139];
2. **note** that the Health Practitioners Competence Assurance (Designation of Paramedic Services as Health Profession) Order 2019 will give effect to the decision referred to in paragraph 1 above;
3. **authorise** the submission to the Executive Council of the Health Practitioners Competence Assurance (Designation of Paramedic Services as Health Profession) Order 2019;
4. **note** that the Health Practitioners Competence Assurance (Designation of Paramedic Services as Health Profession) Order 2019 will come into effect on 1 January 2020 (or earlier if drafting of the Order is completed before that date).

Authorised for lodgement

Hon Dr David Clark
Minister of Health