



## Health Practitioners (Protected Quality Assurance Activity—New Zealand Orthopaedic Association Joint Registry) Notice 2019

Pursuant to section 54(3) of the Health Practitioners Competence Assurance Act 2003, the Minister of Health gives the following notice.

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### Notice

#### 1 Title

This notice is the Health Practitioners (Protected Quality Assurance Activity—New Zealand Orthopaedic Association Joint Registry) Notice 2019.

#### 2 Commencement

This notice comes into force on the day after the date of its notification in the *Gazette*.

#### 3 Interpretation

In this notice, **specified health practitioner** means a registered orthopaedic surgeon or neurosurgeon who carries out arthroplasty (joint replacement surgery) in New Zealand.

#### 4 Declaration of protected quality assurance activity

The following quality assurance activities are protected to the extent that they are undertaken by the New Zealand Orthopaedic Association Joint Registry in relation to specified health practitioners:

- (a) collecting data on hip, knee, shoulder, elbow, and ankle arthroplasties carried out by specified health practitioners; and
- (b) aggregating the data received in respect of all specified health practitioners under paragraph (a) and providing to each specified health practitioner 6-monthly reports on—
  - (i) the number of arthroplasties performed by the specified health practitioner; and
  - (ii) the number of arthroplasties performed in the region in which the specified health practitioner works; and
  - (iii) the national total and cumulative national total of arthroplasties performed; and
- (c) conducting patient satisfaction surveys; and
- (d) collating the information obtained under paragraphs (a) and (c) and preparing reports; and
- (e) identifying and analysing good and adverse outcomes; and
- (f) comparing the results of the analysis in paragraph (e) with internal and external benchmarking standards; and
- (g) preparing reports on the comparison made under paragraph (f), summarising the data, and identifying any apparent trends; and
- (h) holding audit meetings to peer-review the competence of specified health practitioners; and
- (i) making recommendations on how specified health practitioners can improve their performance to—
  - (i) improve the quality of care they provide; and
  - (ii) reduce the incidence of adverse outcomes; and
- (j) facilitating and monitoring the implementation of any of those recommendations.

## **5 Revocation**

The Health Practitioners (Quality Assurance Activity—New Zealand Orthopaedic Association National Joint Registry) Notice 2014 (LI 2014/150) is revoked.

Dated at Wellington this 19th day of September 2019.

Hon Dr David Clark,  
Minister of Health.

## Explanatory note

*This note is not part of the notice, but is intended to indicate its general effect.*

This notice comes into force on the day after the date of its notification in the *Gazette*. It declares the quality assurance activities described in *clause 4* to be protected. Quality assurance activities are activities that are undertaken to improve the practices or competence of health practitioners by assessing the health services performed by those practitioners.

The effect of protecting a quality assurance activity is that—

- any information that becomes known solely as a result of the activity is confidential; and
- any documents brought into existence solely for the purposes of the activity are confidential; and
- the persons who engage in the activity in good faith are immune from civil liability.

The protections afforded by this notice are subject to certain statutory exceptions. For example, this notice does not prohibit the disclosure of information that does not identify, either expressly or by implication, a particular individual.

This notice revokes the Health Practitioners (Quality Assurance Activity—New Zealand Orthopaedic Association National Joint Registry) Notice 2014.

This notice remains in force for 5 years, unless sooner revoked.

Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*: 3 October 2019.

This notice is administered by the Ministry of Health.