

Version
as at 22 September 2022



Health Practitioners (Protected Quality Assurance Activity—New Zealand Family Planning Association Incorporated) Notice 2017

(LI 2017/273)

Health Practitioners (Protected Quality Assurance Activity—New Zealand Family Planning Association Incorporated) Notice 2017: revoked, on 22 September 2022, by section 54(4) of the Health Practitioners Competence Assurance Act 2003 (2003 No 48).

Pursuant to section 54(3) of the Health Practitioners Competence Assurance Act 2003, the Minister of Health, being satisfied of the matters set out in that subsection, gives the following notice.

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Note

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

This notice is administered by the Ministry of Health.

Notice

1 Title

This notice is the Health Practitioners (Protected Quality Assurance Activity—New Zealand Family Planning Association Incorporated) Notice 2017.

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 health practitioner who provides health services for or on behalf of New Zealand Family Planning Association Incorporated.

4 Declaration of protected quality assurance activities: Client Record Audit Activity

The following quality assurance activities are protected to the extent that they are undertaken by New Zealand Family Planning Association Incorporated in relation to specified health practitioners:

- (a) randomly selecting a number of patients' records every 6 months; and
- (b) auditing those patients' records with reference to a specific list of criteria; and
- (c) collating the results of the audit and entering those results onto a national summary sheet; and
- (d) discussing the results of the audit at meetings; and
- (e) making recommendations, based on the results of the audit, on how specified health practitioners may improve their performance so as to improve the quality of care they provide.

5 Declaration of protected quality assurance activities: Incident Audit Activity

The following quality assurance activities are protected to the extent that they are undertaken by New Zealand Family Planning Association Incorporated in relation to specified health practitioners:

- (a) entering in the Reportable Event Register—
 - (i) all complaints received; and
 - (ii) all clinical incidents involving a process or practice that resulted, or nearly resulted, or could have resulted, in an adverse outcome for 1 or more patients; and
- (b) reviewing the entries in the Register; and

- (c) notifying the National Clinical Services Director and National Medical and Nursing Advisors of any entries in the Register of a serious or critical nature; and
- (d) holding meetings, at an individual or group level, to discuss any entries in the Register to—
 - (i) ascertain whether any improvements to clinical processes and practices may be made; and
 - (ii) develop strategies to reduce the incidence of adverse outcomes; and
- (e) making recommendations on how specified health practitioners can improve their performance so as to—
 - (i) improve the quality of care they provide; and
 - (ii) reduce the incidence of adverse outcomes; and
- (f) facilitating and implementing any such recommendations.

6 Declaration of protected quality assurance activities: Patient Care Activity

The following quality assurance activities are protected to the extent that they are undertaken by New Zealand Family Planning Association Incorporated in relation to specified health practitioners:

- (a) setting standards each year in relation to particular aspects of the patient care process; and
- (b) auditing clinical work against those standards to determine whether those standards have been achieved; and
- (c) collating the results of the audit; and
- (d) discussing the results of the audit at meetings; and
- (e) making recommendations, based on the results of the audit, on how specified health practitioners may improve their performance so as to improve the quality of care they provide.

7 Declaration of protected quality assurance activities: Peer Review Activity

The following quality assurance activities are protected to the extent that they are undertaken by New Zealand Family Planning Association Incorporated in relation to specified health practitioners:

- (a) holding peer review meetings to discuss individual patient cases or clinical processes and practices; and
- (b) making recommendations, based on discussions at peer review meetings, on how to improve patient care.

8 Declaration of protected quality assurance activities: Performance Audit Activity

The following quality assurance activities are protected to the extent that they are undertaken by New Zealand Family Planning Association Incorporated in relation to specified health practitioners:

- (a) developing performance review guidelines for all specified health practitioners; and
- (b) undertaking annual performance reviews for all specified health practitioners, which includes reviewing—
 - (i) work responsibilities and performance (including direct observation of clinical consultations, professional standards, and work practices); and
 - (ii) recent client records; and
 - (iii) working relationships; and
- (c) making plans to improve any deficiencies in competency or to extend the scope of the practice of individual health practitioners.

9 Revocation

The Health Practitioners (Quality Assurance Activities—New Zealand Family Planning Association Incorporated) Notice 2011 (SR 2011/92) is revoked.

Dated at Wellington this 31st day of August 2017.

Hon Dr Jonathan Coleman,
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 *clauses 4 to 8* 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 remains in force for 5 years.

Issued under the authority of the Legislation Act 2019.
Date of notification in *Gazette*: 21 September 2017.

Notes

1 *General*

This is a consolidation of the Health Practitioners (Protected Quality Assurance Activity—New Zealand Family Planning Association Incorporated) Notice 2017 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

2 *Legal status*

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

3 *Editorial and format changes*

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

4 *Amendments incorporated in this consolidation*

Health Practitioners Competence Assurance Act 2003 (2003 No 48): section 54(4)