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## 'Regulatory actors and strategies in Australia'

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ISQua 26<sup>th</sup> International Conference  
Dublin, 12 October 2009

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**Regulation/governance:** influencing flow of events


- **multiple regulatory actors** - state and non-state
- **multiple mechanisms** - not just enforcing compliance with rules (Ayres & Braithwaite 1992).

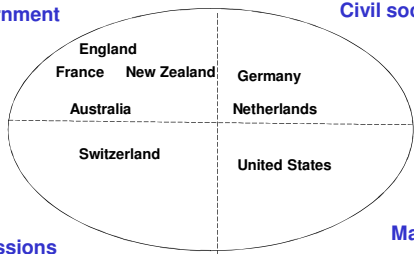
**Networked governance** – plurality of actors who form interconnected networks (Burriss et al 2005).

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Improving health care safety and quality: many regulatory actors many spheres

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Regulatory constellation: regulatory styles

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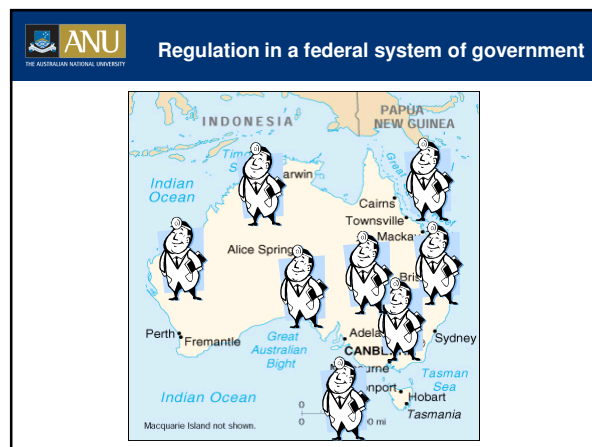
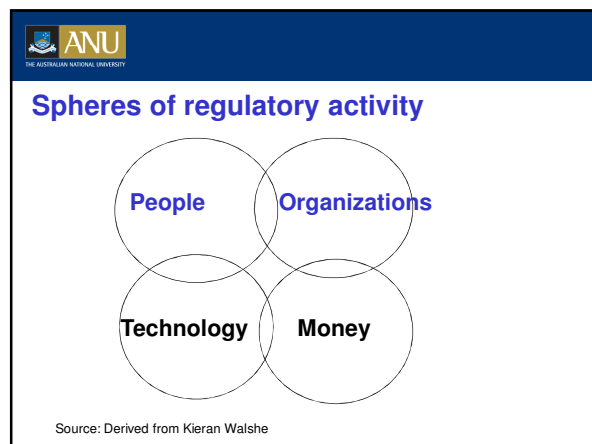
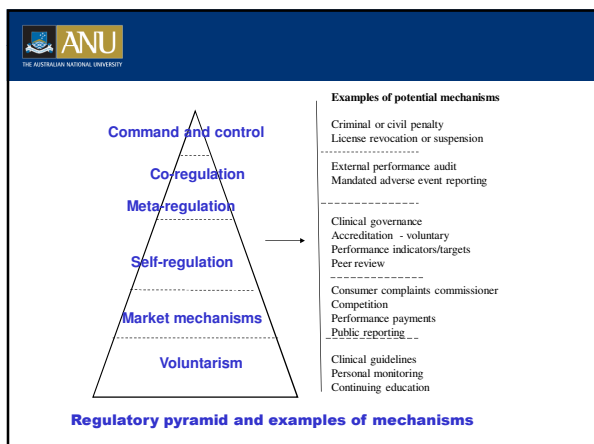
### Responsive regulation model

Responsive to the context, culture and behaviour of those being regulated.  
Appropriate model of regulation for the health sector.  
Governance by multiple regulatory actors using multiple methods escalating upwards if necessary from soft to hard strategies in a regulatory pyramid.

Ayres & Braithwaite 1992; Healy & Braithwaite (2006: 184, S56-9) *Medical Journal of Australia*

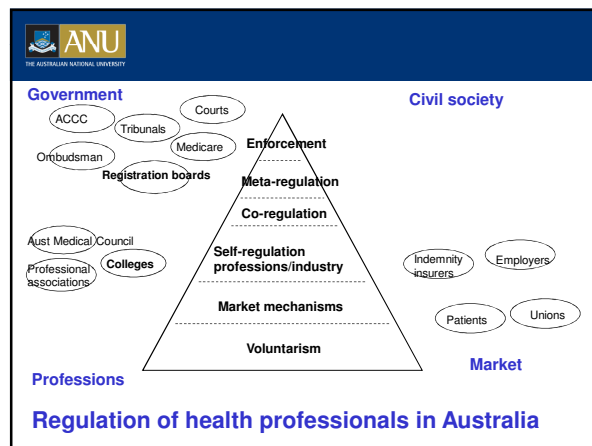
### Adaptive Strategies





**Australia: strategies for regulating professions**

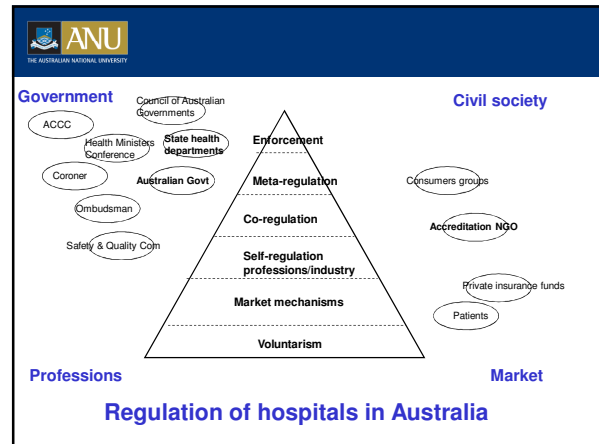
- Australia a laggard on national registration or federation of boards.
- Council of Australian Governments 2008 agree National Registration and Accreditation Scheme.
- Ten national boards & Australian Health Practitioner Regulation Agency.
- Health Practitioner Regulation National Law 2009 enacted in each State – scheme begins July 2010.
- Registration reforms include
  - annual re-registration and continuing professional development
  - mandatory reporting where 'substantial risk' to public
  - independent disciplinary tribunals
  - but no 'fitness to practice' assessment
  - national register – public access to disciplinary determinations?



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### Australia: strategies for regulating hospitals

- Who is responsible? Split funding/split responsibility
- Debate dominated by cost not quality
- National Health & Hospitals Reform Commission suggest single funder
- Licensing/registration – mandatory minimum standards
- Accreditation - changes underway
- National performance indicators being developed
- Professional governance – clinical governance, peer audit
- Australia - no independent authority with statutory review powers.

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### Conclusions

Dramatic increase external and internal health sector regulation around the world.  
 Reliance on self-regulation by professions and health industry no longer acceptable.  
 Considerable experimentation underway on regulatory actors and strategies.  
 Australia is strengthening regulation of professionals and organizations.  
 Networked governance - co-regulation between state and non-state actors and governments in Australia's federal system.

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### References

**Healy J & Braithwaite J** (2006) 'Can better governance produce better health care?' *Medical Journal of Australia* (Supplement); 184(10): S56-S59.

**Healy J & Dugdale P** eds. (2009) *Patient Safety First: Responsive Regulation in Health Care* Allen & Unwin, Sydney.

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**PATIENT SAFE+Y FIRST**  
RESPONSIVE REGULATION IN HEALTH CARE  
 Edited by Judith Healy & Paul Dugdale