

Office of the Health Ombudsman

Performance report September 2019



Office of the
**HEALTH
OMBUDSMAN**

Listen. Respond. Resolve.

Office of the Health Ombudsman—Performance report September 2019

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Introduction

This document reports on our performance during September 2019.

As Queensland's health service complaints agency, the Office of the Health Ombudsman (OHO) exists to protect the health and safety of the public by assessing, investigating and resolving complaints made about health services provided in Queensland.

Our vision is to be the cornerstone of a transparent, accountable and fair system for effectively and quickly dealing with complaints and other healthcare matters in Queensland. Our performance reports—which we update and publish monthly, quarterly and yearly—are a testament to this.

We are committed to ensuring that all decisions are well-informed, fair, impartial and timely.

Data in this report is correct as at 18 October 2019, but is subject to change.

Intake of complaints

Type of contacts

Type of contact	Number	Percentage
Complaint	805	83.08
Enquiry	125	12.90
Information*	36	3.72
Yet to be classified	3	0.31
Total	969	100.00

'Yet to be classified' includes contacts in which not enough information was provided for a determination to be reached—but further information is being sought, or matters that were not able to be finalised prior to the end of the reporting period. Contacts deemed 'yet to be classified' will be allocated as complaints or enquiries once additional information is received and registered as such in the next reporting period.

*The introduction of improved business processes in August 2019 resulted in the addition of 'Information' as a new contact category. The office may receive information from other government entities, for example the Queensland Police Service, relating to health service practitioners. These matters previously would have been classified as either a complaint or enquiry depending on whether further action was required by the office but are now captured as information.

Type of complaints

Type of complaints	Number	Percentage
Health consumer complaint	728	90.43
Mandatory notification*	20	2.48
Voluntary notification*	47	5.84
Self-notification*	6	0.75
Referral from another agency	4	0.50
Total	805	100.00

*Notifications are matters raised by health service providers which do not otherwise meet the definition of a health consumer complaint as required under the *Health Practitioner Regulation National Law (Queensland)*.

Complaint decisions

Decision timeframes—within seven days

Decision made within seven days of receiving a complaint	Number	Percentage
Yes	696	93.67
No	47	6.33
Total	743	100.00

Accepted vs not accepted

Number of decisions made	Number	Percentage
Accepted	518	50.59
Not accepted*	225	21.97
Decision pending**	281	27.44
Total	1024	100.00

*'Not accepted' decisions relate to matters in which the Health Ombudsman has decided to take no further action under section 44 of the *Health Ombudsman Act 2013*.

**The introduction of improved business processes have resulted in the definition of 'Decision pending' changing in August 2019. This figure now includes all matters in which a decision on whether to 'accept' or 'not accept' a health service complaint is outstanding. Previously this figure only included matters in which a request for information was outstanding at the close of the reporting period.

An additional 12 matters were determined to fall outside the jurisdiction of the Act.

Accepted decision outcomes

Type of relevant action	Number	Percentage
Assessment	97	17.86
Local resolution	126	23.20
Conciliation	0	0.00
Investigation	4	0.74
Referral to AHPRA and the national boards	180	33.15
Referral to another entity	136	25.05
Referral to legal services	0	0.00
Total	543	100.00

Accepted decisions may result in multiple issues and/or practitioners being identified, each requiring its own action. The data in the above table includes all identified issues/practitioners requiring action that were identified in the accepted complaints (noted in the previous 'Accepted vs not accepted' table).

Health service complaints profile

Main issues raised in complaints

Issue	Number	Percentage
Access	90	7.86
Code of conduct for healthcare workers	13	1.14
Communication/information	171	14.93
Consent	21	1.83
Discharge/transfer arrangements	18	1.57
Environment/management of facilities	36	3.14
Fees/cost	49	4.28
Grievance processes	19	1.66
<i>Health Ombudsman Act 2013 offence</i>	0	0.00
Medical records	33	2.88
Medication	128	11.18
Professional conduct	112	9.78
Professional health	15	1.31
Professional performance	421	36.77
Reports/certificates	19	1.66
Research/teaching/assessment	0	0.00
Total	1145	100.00

These figures are based on issues recorded during the reporting period. A single complaint can contain multiple issues. Reporting on all issues identified in complaints allows comprehensive monitoring of trends, which can in turn inform a range of health complaint management system functions, such as education and information provision.

Profile of complaints about health practitioners

Practitioner type	Number of practitioners identified in complaints*	Number and type of issues** identified in complaints about health practitioners																
		Access	Code of conduct for healthcare workers	Communication and information	Consent	Discharge/ transfer arrangements	Environment/ management of facility	Fees and costs	Grievance process	Health Ombudsman Act 2013 Offence	Medical records	Medication	Professional conduct	Professional health	Professional performance	Reports/ certificates	Research/ Teaching/ Assessment	Total issues identified
Aboriginal and Torres Strait Islander health practitioner	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Chinese medicine practitioner	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Chiropractor	3	-	-	-	-	-	1	-	-	-	-	-	2	-	1	-	-	4
Dental practitioner	25	1	-	3	-	-	-	3	-	-	1	-	2	1	20	-	-	31
Medical practitioner	223	6	-	51	4	-	-	6	-	-	13	39	36	7	117	8	-	289
Medical radiation practitioner	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Midwife	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Nurse	44	-	-	5	-	-	-	-	-	-	1	6	27	6	16	-	-	61
Occupational therapist	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2	-	2
Optometrist	1	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	1
Osteopath	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Paramedic	5	-	-	-	-	-	-	-	-	-	-	1	1	-	3	-	-	5
Pharmacist	8	-	-	2	-	-	-	-	-	-	-	4	3	-	1	-	-	10
Physiotherapist	3	-	-	-	-	-	-	-	-	-	-	-	2	1	1	-	-	4
Podiatrist	2	-	-	-	-	-	-	-	-	-	-	-	1	-	1	-	-	2
Psychologist	22	-	-	7	-	-	-	2	-	-	-	-	7	-	7	4	-	27
Student practitioner	1	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1
Unknown practitioner	23	-	1	6	-	-	-	2	-	-	-	3	7	-	8	-	-	27
Unregistered practitioner	19	-	11	1	-	-	-	2	-	-	-	1	5	-	1	-	-	21
Total	381	7	12	75	4	0	3	15	0	0	15	54	93	15	177	14	0	484

* The figures reported in this column are a count of the number of health practitioners identified in complaints during the reporting period. A single complaint may identify more than one health practitioner and/or health service organisation. In circumstances where a health practitioner is identified in relation to multiple complaints, the health practitioner would be counted per complaint. For example, a health practitioner identified in three complaints would be counted three times in this column.

** This data is a count of the number of issues identified within the reporting period. A complaint may also identify more than one issue per health practitioner.

Profile of complaints about health service organisations

Organisation type	Number of facilities identified in complaints*	Number and type of issues** identified in complaints about health service organisations																Total issues identified
		Access	Code of conduct for healthcare workers	Communication and information	Consent	Discharge/transfer arrangements	Environment/management of facility	Fees and costs	Grievance processes	Health Ombudsman Act 2013 Offence	Medical records	Medication	Professional conduct	Professional health	Professional performance	Reports/certificates	Research/Teaching/Assessment	
Administrative service	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Aged care facility	9	-	-	1	-	1	2	-	-	-	1	1	1	-	7	-	-	14
Allied health service	12	1	-	3	1	-	-	3	1	-	-	1	4	-	2	-	-	16
2Ambulance service	2	-	-	1	-	-	-	-	-	-	-	-	-	-	1	-	-	2
Community health service	9	1	-	4	-	-	-	-	1	-	1	-	1	-	3	-	-	11
Correctional facility	141	37	-	5	-	-	-	1	-	-	1	49	-	-	61	-	-	154
Dental service	10	-	-	2	-	-	-	-	-	-	-	-	-	-	10	-	-	12
Health promotion service	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1
Hospital and Health Service	5	2	-	1	-	-	1	1	1	-	-	-	1	-	-	-	-	7
Laboratory service	3	-	-	2	-	-	-	1	1	-	-	-	-	-	1	-	-	5
Licensed private hospital	28	1	-	9	-	4	5	-	1	-	1	4	1	-	16	1	-	43
Medical centre	40	5	-	8	-	-	4	9	2	-	4	4	3	-	6	-	-	45
Mental health service	51	1	-	9	12	1	4	1	-	-	2	4	3	-	22	1	-	60
Nursing service	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Optical Store	1	-	-	-	-	-	-	-	1	-	-	-	-	-	-	-	-	1
Other government department	3	1	-	-	-	-	-	-	-	-	2	-	-	-	1	-	-	4
Other support service	2	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	2

Pharmaceutical service	8	2	-	-	-	-	-	2	1	-	-	2	1	-	-	-	-	8
Private organisation	8	-	1	3	-	-	1	4	1	-	-	-	-	-	1	-	-	11
Public health service	11	1	-	2	-	-	-	1	-	-	-	-	1	*	6	-	-	11
Public hospital	168	28	-	44	4	12	14	1	8	-	5	9	3	*	97	3	-	234
Residential care service	1	-	-	-	-	-	1	-	-	-	-	-	-	*	-	-	-	1
Specialised health service	11	1	-	2	-	-	1	1	-	-	1	-	-	*	6	-	-	14
Licensed day hospital	2	-	-	-	-	-	-	1	-	-	-	-	-	*	2	-	-	3
Welfare service	2	1	-	-	-	-	-	-	-	-	-	-	-	*	1	-	-	2
Total	528	83	1	96	17	18	33	34	19	0	18	74	19	0	244	5	0	661

* The figures reported in this column are a count of the number of health service organisations identified in complaints during the reporting period. A single complaint may identify more than one health practitioner and/or health service organisation. In circumstances where a health service organisation is identified in relation to multiple complaints, the health service organisation would be counted per complaint. For example, a health service organisation identified in three complaints would be counted three times in this column.

** This data is a count of the number of issues identified within the reporting period. A complaint may also identify more than one issue per health service organisation.

Assessment

Assessments started and completed

Assessments this month	Number
Assessments started	107
Assessments completed	154

Completed assessment timeframes

Of the 154 assessments finalised in September, 148 were completed within 30 days or 60 days with an approved extension, representing a finalisation rate within statutory timeframes of 96.10 per cent.

Of the 70 assessments completed within 60 days, 69 were approved for extension.

Assessment timeframes	Number	Percentage
Completed within 30 days	79	51.30
Completed within 60 days*	70	45.45
Completed in more than 60 days	5	3.25
Total	154	100.00

*Assessments are able to be completed within 60 days when granted an extension of 30 days as a result of legislated requirements being met.

Assessment decisions

Type of relevant action	Number	Percentage
Local resolution	0	0.00
Conciliation	6	3.87
Investigation	4	2.58
Referred to AHPRA and the national boards	20	12.90
Referral to another entity	8	5.16
No further action	117	75.48
Total	155	100.00

Total assessment decisions will not equal the total number of assessments (in previous tables) as a single assessment can result in multiple relevant actions.

Local resolution

Local resolutions started and completed

Local resolutions this month	Number
Local resolutions started	136
Local resolutions completed	127

Completed local resolutions

Timeframes

Of the 127 local resolutions finalised in September, 126 were completed within 30 days or 60 days with an approved extension, representing a finalisation rate within statutory timeframes of 99.21 per cent.

Local resolution timeframes	Number	Percentage
Completed within 30 days	108	85.04
Completed within 60 days*	19	14.96
Completed in more than 60 days	0	0.00
Total	127	100.00

*Local resolutions are able to be completed within 60 days when granted an extension of 30 days as a result of legislated requirements being met.

Outcomes

Local resolution outcomes	Number	Percentage
Resolved	99	77.95
Not resolved	17	13.39
Complaint withdrawn*	8	6.30
Local resolution did not commence**	3	2.36
Total	127	100.00

*Complainants can choose to withdraw their complaint at any stage during local resolution.

**A local resolution may not commence where the complaint is resolved directly with the health care provider prior to the commencement of the process.

Decisions for matters that were not resolved

Type of relevant action	Number	Percentage
Assessment	0	0.00
Conciliation	0	0.00
Investigation	0	0.00
Referral to AHPRA and the national boards	2	11.76
Referral to another entity	0	0.00
No further action	15	88.24
Total	17	100.00

Conciliation

Conciliations started and closed

Conciliations this month	Number
Conciliations open at the start of the month	24
Conciliations started	7
Conciliations closed	2

*One matter was referred for conciliation, and placed on hold pending the finalisation of another relevant action. This conciliation was recorded after the close of the prior reporting period and, as such, this figure has been adjusted accordingly.

The number of conciliations started in the reporting period may not match the number of decisions to refer for conciliation noted in other areas of the report due to the time between a decision being made and an action taken crossing over different reporting periods.

'Conciliations started' includes all matters—including matters where agreement to participate has or has not been reached or the decision is pending—that entered the conciliation workflow during the reporting period following the OHO assessing them as being suitable for conciliation. Similarly, 'conciliations closed' are all matters that were closed during the reporting period, whether due to parties not agreeing to participate or the matter being closed after completing the conciliation process. Closed conciliations differ from completed conciliations below, as completed conciliations only include matters where both parties agreed to participate and the conciliation process was completed.

Agreement to participate in conciliation

Agreement to participate in conciliation	Number
Parties agreed to conciliation	2
Party/ies did not agree to conciliation	2
Decision pending at end of month	10

Once the decision is made to attempt conciliation, both parties must agree to participate in the process. If either one, or both, of the parties do not agree, the conciliation process does not commence and the matter is closed.

'Decisions pending' includes matters where parties are still deciding whether to participate in conciliation at the end of the reporting period. It also includes matters that have been referred to another relevant action, where conciliation may not commence until this relevant action has been finalised.

Completed conciliations

Timeframes

Completed conciliation timeframes	Number	Percentage
Less than 3 months	0	0.00
3–6 months	0	0.00
6–9 months	0	0.00
9–12 months	0	0.00
More than 12 months	0	0.00
Total	0	0.00

The data above relates to matters where parties agreed to participate in conciliation and the conciliation process was completed within the specified timeframes. 'Completed conciliations' differ from 'closed conciliations'—in the table on page 15—as they only relate to matters where parties agreed to participate and the conciliation process was completed.

Outcomes

Conciliation outcomes	Number	Percentage
Successful	0	0.00
Not successful	0	0.00
Ended by Health Ombudsman	0	0.00
Total	0	0.00

The data above relates to matters where parties agreed to participate in conciliation. After agreeing, the conciliation process was completed with the matter either being successful or not successful—or in rare instances, the Health Ombudsman ending it. 'Completed conciliations' differ from 'closed conciliations'—in the table on page 15—in that they only relate to matters where parties agreed to participate and the conciliation process was completed.

Decisions for conciliations that were not successful

Type of relevant action	Number	Percentage
Local resolution	0	0.00
Investigation	0	0.00
Referral to AHPRA and the national boards	0	0.00
Referral to another entity	0	0.00
Immediate action	0	0.00
No further action	0	0.00
Total	0	0.00

Open conciliation timeframes

Open conciliation timeframes	Number	Percentage
Less than 3 months	11	37.93
3–6 months	10	34.48
6–9 months	0	0.00
9–12 months	2	6.90
More than 12 months	6	20.69
Total	29	100.00

Matters can be referred simultaneously to conciliation and another relevant action. Conciliation may not commence until after the other relevant action has been finalised.

There are 4 matters on hold until the outcome of another process is finalised (e.g. the process of another agency such as AHPRA). This includes 1 matter that has been open for less than 3 months, 1 that has been open for 3–6 months, 0 that has been open for 6 – 9 months, 1 that have been open for 9–12 months, and 1 that have been open for more than 12 months.

To allow for continued transparency in the timeliness of conciliation processes, open conciliation timeframes include the time in which a matter was on hold whilst another process was finalised.

Investigation

Investigations started and closed

Investigations this month	Number
Investigations open at the beginning of the month	163
Investigations started	24
Investigations closed	14
Investigations amalgamated under s40(2)	5
Investigations separated under s40(2)	0

Closed investigations

Timeframes

Of the investigations closed in September, 85.71 per cent were closed within twelve months of commencement.

Closed investigation timeframes	Number	Percentage
Less than 3 months	6	42.86
3–6 months	4	28.57
6–9 months	1	7.14
9–12 months	1	7.14
12–24 months	2	14.29
More than 2 years	0	0.00
Total	14	100.00

Investigation outcomes

Outcome	Number	Percentage
Recommended for referral to Director of Proceedings*	4	28.57
Referred to AHPRA	4	28.57
Referred to another agency	1	7.14
No further action	5	35.71
Referred to legal services**	0	0.00
Conciliation	0	0.00
Total	14	100.00

Total investigation outcomes may not equal the total number of investigations completed (in previous tables) as a single investigation may result in multiple outcomes. In certain circumstances it may also be appropriate for the office to take action prior to the investigation being completed. For example, a matter of criminal conduct identified in the course of an investigation being referred to the Queensland Police Service.

*Matters determined suitable for referral to the Director of Proceedings at the conclusion of an investigation are sent to the Health Ombudsman for consideration and determination on whether referral to the Director of Proceedings is appropriate.

**These matters are referred to the Executive Director, Legal Services Division within the office for consideration as to whether there is evidence of a breach of the Act that constitutes an offence that should be prosecuted in the courts. These matters differ to those referred to the Director of Proceedings, which require an independent determination of whether the matter should be put before QCAT.

Open investigations

Open investigations consist of two categories—active investigations and paused investigations.

Active investigations are being currently investigated by the office, while paused investigations are not able to be investigated by the office until such time as another agency—such as the Queensland Police Service or the Office of the State Coroner—concludes their own processes. Despite the office being unable to progress paused investigations, they are still considered to be open investigations.

Active investigation timeframes

Active investigation timeframes	Number	Percentage
Less than 3 months	43	33.08
3–6 months	21	16.15
6–9 months	22	16.92
9–12 months	17	13.08
12–24 months*	23	17.69
More than 2 years*	4	3.08
Total	130	100.00

* All investigations that have been open for more than 12 months are published on the investigations register on the OHO website.

Paused investigation timeframes

Paused investigation timeframes	Number	Percentage
Less than 3 months	4	10.53
3–6 months	5	13.16
6–9 months	4	10.53
9–12 months	8	21.05
12–24 months	9	23.68
More than 2 years	8	21.05
Total	38	100.00

Certain matters may be referred to an external agency, such as the Queensland Police Service while criminal proceedings take place, or to the coroner if it relates to reportable deaths (under section 92 of the *Health Ombudsman Act 2013*). As a result, investigation of these matters will be put on pause until the external agency finalises its processes.

Total open investigation timeframes

Total open investigation timeframes	Number	Percentage
Less than 3 months	47	27.98
3–6 months	26	15.48
6–9 months	26	15.48
9–12 months	25	14.88
12–24 months	32	19.05
More than 2 years	12	7.14
Total	168	100.00

Total open investigation categories

Type of investigation	Number
Health service complaint	97
Systemic issue	5
Ministerial directed investigation	1
Another matter	55
s105 matters	10
Total	168

Monitoring investigation recommendations

At the completion of certain investigations, the Health Ombudsman makes recommendations to health services for how they can improve service delivery and/or prevent the issues identified in the investigation from happening again. In these instances, the OHO puts in place a recommendations monitoring program to track the implementation of the recommendations.

OHO recommendations monitoring

Cases this month	Number
Cases open at the beginning of the month	4
Recommendations monitoring cases started	0
Recommendations monitoring cases closed	1

Open recommendations monitoring timeframes

Open case timeframes	Number	Percentage
Less than 6 months	1	33.33
6–12 months	0	0.00
More than 12 months	2	66.67
Total	3	100.00

Director of Proceedings

Matters referred to the Director of Proceedings by practitioner type

Practitioner type	Number	Percentage
Massage therapist	1	25.00
Registered nurse	2	50.00
Social worker	1	25.00
Total	4	100.00

Matters currently with the Director of Proceedings by practitioner type

Practitioner type	Number	Percentage
Advanced Care Paramedic	2	3.28
Assistant in Nursing	4	6.56
Audiologist	2	3.28
Chinese Medicine Practitioner	1	1.64
Counsellor	1	1.64
Dentist	2	3.28
Holding Out Enrolled Nurse	1	1.64
Holding Out Paramedic	1	1.64
Holding Out Psychologist	1	1.64
Massage Therapist	3	4.92
Medical Assistant	1	1.64
Medical Practitioner	20	32.79
Natural Therapist	1	1.64
Osteopath	1	1.64
Pharmacist	2	3.28
Podiatrist	2	3.28

Practitioner type	Number	Percentage
Psychologist	2	3.28
Registered Nurse	12	19.67
Social Worker	1	1.64
Unregistered Chiropractor	1	1.64
Total	61	100.00

These are matters that have been referred to the Director of Proceedings, but have not been filed in QCAT or referred back to the Health Ombudsman. This includes matters where there has been a decision to refer the matter to QCAT, but no referral has been filed QCAT at this stage.

Outcomes of matters reviewed by Director of Proceedings

Matters filed in in the Queensland Civil and Administrative Tribunal

Practitioner type	Number	Percentage
Massage therapist	1	16.67
Medical practitioner	1 ¹	16.67
Pharmacist	1	16.67
Registered nurse	3 ²	50.00
Total	6	100.00

¹ This includes a referral where the Director of Proceedings decided to refer two matters regarding the same practitioner to QCAT, and filed both matters as one referral.

²This includes one practitioner who held dual registration as a midwife.

Matters to be referred back to the Health Ombudsman

Practitioner type	Number	Percentage
Dentist	1	25.00
Medical practitioner	3	75.00
Total	4	100.00

Immediate action

The *Health Ombudsman Act 2013* allows for immediate action to be taken against a registered or unregistered health practitioner if the Health Ombudsman reasonably believes:

- that a practitioner's health, conduct or performance poses a serious risk to the health and safety of the public

or

- that action is in the public interest.

Show cause notices

In September, six show cause notices were issued to:

- three medical practitioners relating to conduct
- two registered nurses relating to conduct
- one physiotherapist relating to conduct

As outlined in the *Health Ombudsman Act 2013*, upon receipt of a show cause notice, a health service provider is invited to make a submission within a stated period of time. The Health Ombudsman will then consider the submission before deciding whether to take immediate action against the provider.

Immediate registration actions

Practitioner type	Number	Action taken	Reasons/s for taking action*	
			Public Interest	Serious Risk
Registered Nurse	1	Conditions		✓
Medical Practitioner	1	Suspended	✓	

*From July 2019 the reason/s for taking action included in this table have been updated to more accurately reflect the immediate action process.

Immediate registration actions apply only to registered practitioners and may result in the Health Ombudsman issuing a suspension—or imposing conditions upon—a registered practitioner's registration.

Interim prohibition orders

Practitioner type	Number	Action taken	Reasons/s for taking action	
			Public Interest	Serious Risk
Massage Therapist	1	Restrictions		✓

The Health Ombudsman has powers to issue interim prohibitions orders to unregistered practitioners and registered practitioners practicing outside their field of registration. An interim prohibition order can prohibit or restrict the practitioner from providing any health service, or a specific health service.

The details for current prohibition orders can be found on the OHO website (www.oho.qld.gov.au) on the prohibition order register.

Monitoring practitioner compliance

When the Health Ombudsman takes immediate action against a health practitioner, the office monitors the practitioner's compliance with the conditions of the order.

For interim prohibition orders, this means monitoring compliance with the restriction(s) on or prohibition of service. For immediate registration actions, this means monitoring compliance with condition(s) on or suspension of a practitioner's registration.

The Health Ombudsman may take immediate action against a single practitioner with both immediate registration action and an interim prohibition order. This can occur, for example, in instances where there is a risk that a registered practitioner may also practice in an unregistered capacity.

Practitioner monitoring cases

Cases this month	Number
Cases open at the beginning of the month	120
Practitioner monitoring cases started	6
Practitioner monitoring cases closed	6

*One additional practitioner monitoring case was closed in July, but this decision was not recorded until August.

Open monitoring cases

Timeframes

Open case timeframes	Number	Percentage
Less than 6 months	33	27.50
6–12 months	33	27.50
More than 12 months	54	45.00
Total	120	100.00

Immediate action types

Open cases by immediate action type	Number	Percentage
Interim prohibition order – restrictions	19	15.83
Interim prohibition order – prohibited	38	31.67
Immediate registration action - conditions	40	33.33
Immediate registration action - suspension	16	13.33

Open cases by immediate action type	Number	Percentage
QCAT disciplinary decision	6	5.00
QCAT interim decision	1	0.83
Total	120	100.00

Registered practitioners under monitoring by practitioner type

Open cases by practitioner type	Number	Percentage
Aboriginal and Torres Strait Islander health worker	0	0.00
Chinese medicine practitioner	3	8.20
Chiropractor	0	0.00
Dental practitioner	4	6.56
Medical practitioner	27	44.26
Medical radiation practitioner	0	0.00
Nursing and midwifery practitioner	21	39.34
Occupational therapist	0	0.00
Optometrist	0	0.00
Osteopath	0	0.00
Pharmacist	0	0.00
Physiotherapist	1	1.64
Podiatrist	0	0.00
Psychologist	0	0.00
Total	56	100.00

These figures are based on the number of individual registered practitioners being monitored by the OHO during the reporting period. As a single practitioner may be monitored in relation to more than one immediate action, these figures may not match the total number of open monitoring cases.

Unregistered practitioners under monitoring by type

Open cases by practitioner type	Number	Percentage
Aboriginal and Torres strait islander health worker	1	1.69
Aged care worker	1	1.69
Assistant in nursing	9	15.25
Audiologist	2	3.39
Counsellor	1	1.69
Former registered health practitioner	14	23.73
Health support worker	3	5.08
Holding out*	3	5.08
Kinesiologist	2	3.39
Massage therapist	15	25.42
Naturopath	0	0.00
Natural therapist	1	1.69
Paramedic	5	8.47
Personal carer	1	1.69
Social worker	1	1.69
Total	59	100.00

These figures are based on the number of individual unregistered practitioners being monitored by the OHO during the reporting period. As a single practitioner may be monitored in relation to more than one immediate action, these figures may not match the total number of open monitoring cases.

*Certain titles of registered health professions are protected under the National Law. Anyone who uses a protected title (e.g. medical practitioner), without being registered for that profession, are classified as 'holding out' as a practitioner of that profession.

Australian Health Practitioner Regulation Agency

Notifications from AHPRA

No new notifications and one new request (s193 of the Act) relating to possible serious matters were made in September.

Consultation on matters

The office consults with AHPRA on matters that are considered to be appropriate for AHPRA to manage. For matters that we are considering referring to AHPRA under section 91 of the *Health Ombudsman Act 2013*, we provide AHPRA with all necessary information in order for AHPRA to form a view as to whether they need to discuss or accept and progress the referral.

For complex cases or where a pattern of conduct may be present we may hold case conferences with AHPRA, either in person or electronically, which can sometimes delay the consultation process. By encouraging robust conversations during this process productive and consistent decisions between the co-regulatory agencies is achieved.

Consultation matters	Number
Matters consulted on*	238
Matters referred	218
Matters retained by the office**	1
Decision pending	71

*The number of matters consulted on may not equal the total number of matters referred, withdrawn and pending as a matter may have commenced consultation prior to the start of the reporting period.

**Under certain circumstances additional information may be received in the course of consultation resulting in the office retaining carriage of the matter and/or taking other relevant action.

Relevant action proposing referral

Relevant action	Number	Percentage
Intake and triage	196	82.35
Assessment	35	14.71
Conciliation	0	0.00
Local resolution	2	0.84
Internal review	0	0.00
Investigations	5	2.10
Director of Proceedings	0	0.00
Total	238	100.00

Age of matters on commencement of consultation

In order to prevent duplication of work, we aim to ensure that matters are referred to AHPRA as early as possible in the complaint management process.

Due to the type of matters in which investigation or conciliation is deemed appropriate, and the more time intensive nature of these processes, these matters are usually older when consultation commences.

Relevant action	0–7 days	8–14 days	15–30 days	30–60 days	More than 60 days
Intake and triage	174	13	4	0	0
Assessment	2	3	19	10	1
Local resolution	0	0	1	1	0
Conciliation	0	0	0	0	0
Internal review	0	0	0	0	0
Investigation	0	0	0	1	4
Director of Proceedings	0	0	0	0	5
Total	176	16	24	12	10

'Age of matters' is calculated from the date on which a matter was accepted by the office.

Consultation duration

Consultation duration	Number	Percentage
0–3 days	64	26.89
4–7 days	155	65.13
8–11 days	19	7.98
More than 12 days	0	0.00
Total	238	100.00

Number of practitioners referred to AHPRA by practitioner type

Practitioner type	Number	Percentage
Aboriginal and Torres Strait Islander health practitioner	0	0.00
Chinese medicine practitioner	0	0.00
Chiropractor	1	0.46
Dental practitioner	16	7.34
Medical practitioner	135	61.93
Medical radiation practitioner	1	0.46
Nursing and midwifery practitioner	34	15.60
Occupational therapist	0	0.00
Optometrist	3	1.38
Osteopathy	0	0.00
Paramedic	5	2.29
Pharmacist	7	3.21
Physiotherapy	2	0.92
Podiatrist	2	0.92
Psychologist	11	5.05
Student practitioner	1	0.46
Total	218	100.00

Number of issues referred to AHPRA by practitioner type

Registered practitioner type	Access	Communication and information	Consent	Discharge/ transfer arrangements	Environment/ management of facility	Fees and costs	Grievance process	Medical records	Medication	Professional conduct	Professional health	Professional performance	Reports/ certificates	Total
Aboriginal and Torres Strait Islander health practitioner	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Chinese medicine practitioner	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Chiropractor	-	-	-	-	-	-	-	-	-	-	-	1	-	1
Dental practitioner	-	3	-	-	-	1	-	-	-	1	3	13	-	21
Medical practitioner	-	12	3	1	-	-	-	10	29	23	7	90	3	178
Medical radiation practitioner	-	-	-	-	-	-	-	-	-	1	-	-	-	1
Nursing and midwifery practitioner	-	-	-	-	-	-	-	2	3	30	3	11	-	49
Occupational therapist	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Optometrist	-	-	-	-	-	-	-	-	-	1	-	2	-	3
Osteopath	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Paramedic	-	2	-	-	-	-	-	-	-	1	-	4	-	7
Pharmacist	-	2	-	-	-	1	-	-	5	1	-	-	-	10
Physiotherapist	-	-	-	-	-	-	-	-	-	-	-	2	-	2
Podiatrist	-	-	-	-	-	-	-	-	-	1	-	1	-	2
Psychologist	-	4	2	-	-	1	-	-	-	5	-	3	2	17
Student practitioner	-	-	-	-	-	-	-	-	-	1	1	-	-	2
Total	0	23	5	1	0	3	0	12	37	65	14	127	5	292

The figures above represent the number of issues referred to AHPRA, not the number of practitioners. The referral of a single practitioner may include multiple issues relating to that practitioner, with each issue requiring its own action.

Demographics

Gender

Gender	Number	Percentage
Female	347	47.28
Male	370	50.41
Prefer not to specify	0	0.00
Unknown*	17	2.32
Total	734	100.00

*Not recorded or not provided for a particular matter.

Age

Age	Number	Percentage
Less than 18 years	35	4.77
18–24 years	54	7.36
25–34 years	141	19.21
35–44 years	152	20.71
45–54 years	101	13.76
55–64 years	79	10.76
65–74 years	60	8.17
More than 75 years	62	8.45
Unknown*	50	6.81
Total	734	100.00

*Not recorded or not provided for a particular matter.

Location of healthcare consumers

Location of healthcare consumers	Number	Percentage
Brisbane	301	41.01
Central West	0	0.00
Darling Downs	24	3.27
Far North	49	6.68
Fitzroy	21	2.86
Gold Coast	87	11.85
Mackay	27	3.68
North West	2	0.27
Northern	41	5.59
South West	1	0.14
Sunshine Coast	30	4.09
West Moreton	29	3.95
Wide Bay–Burnett	49	6.68
Outside Queensland	19	2.59
Unknown*	54	7.36
Total	734	100.00

*Not recorded or not provided for a particular matter.

Location of health service providers

Location of health service providers	Number	Percentage
Brisbane	320	42.78
Central West	0	0.00
Darling Downs	28	3.74
Far North	47	6.28
Fitzroy	22	2.94
Gold Coast	81	10.83
Mackay	19	2.54
North West	2	0.27
Northern	40	5.35
South West	2	0.27
Sunshine Coast	31	4.14
West Moreton	21	2.81
Wide Bay-Burnett	51	6.82
Outside Queensland*	6	0.80
Unknown**	78	10.43
Total	748	100.00

*Health service provider location is taken from the primary address of the provider recorded in the OHO complaints management system. Complaints can be made about health service providers from other states who have provided health services in Queensland. This could include locums travelling to Queensland from interstate or providers who previously lived in Queensland providing services but have since moved interstate—as the OHO can deal with complaints up to two years old.

**Not recorded or not provided for a particular matter.



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