



Health Practitioners (Protected Quality Assurance Activity—Royal Australasian College of Physicians MyCPD) Notice 2019

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.

Contents

		Page
1	Title	1
2	Commencement	1
3	Interpretation	1
4	Declaration of protected quality assurance activity	2

Notice

1 Title

This notice is the Health Practitioners (Protected Quality Assurance Activity—Royal Australasian College of Physicians MyCPD) 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,—

activity means the activity described in clause 4

MyCPD means the Royal Australasian College of Physicians online continuing professional development programme

specified health practitioner means a medical practitioner who is—

- (a) practising in New Zealand; and
- (b) enrolled in the activity.

4 Declaration of protected quality assurance activity

The following quality assurance activities are protected to the extent that they are undertaken by the Royal Australasian College of Physicians in relation to specified health practitioners who enter the information into MyCPD:

- (a) details of their performance (being the health services they perform and the clinical judgements they make), which may identify deficiencies in skills or knowledge; and
- (b) the analysis of any process or practice resulting in an outcome for patients that may, but need not, be an adverse outcome; and
- (c) records of patient satisfaction surveys; and
- (d) self-assessments about how their performance—
 - (i) compares with practice standards; and
 - (ii) may be improved (for example, by implementing changes in practice or undertaking further learning on a particular topic).

Dated at Wellington this 19th day of November 2019.

Hon Jenny Salesa,
for the 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 remains in force for 5 years, unless sooner revoked.

Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*: 5 December 2019.

This notice is administered by the Ministry of Health.