



Health Practitioners (Protected Quality Assurance Activity—Tū Ora Compass Health) 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.

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Notice

1 Title

This notice is the Health Practitioners (Protected Quality Assurance Activity—Tū Ora Compass Health) 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

specified health practitioner means a health practitioner who receives management support and clinical governance from Tū Ora Compass Health.

4 Declaration of protected quality assurance activity

The following quality assurance activities are protected to the extent that they are undertaken by Tū Ora Compass Health in relation to specified health practitioners:

- (a) conducting clinical audits to review the clinical practice of specified health practitioners and comparing the results of those audits against individual specified health practitioners; and
- (b) conducting referred service audits to review relevant topics following the review of the specified health practitioner's use of prescription, laboratory, and radiology services; and
- (c) holding peer review meetings to review—
 - (i) individual patient cases; and
 - (ii) clinical management practices; and
 - (iii) systems and processes; and
 - (iv) any other matters relating to work as a specified health practitioner; and
- (d) identifying and analysing any process or practice that may, but need not, have resulted in an adverse outcome for patients; and
- (e) making recommendations on how specified health practitioners can improve their practices and competence to—
 - (i) improve the quality of health services they provide; and
 - (ii) improve outcomes for patients; and
 - (iii) reduce the incidence of adverse outcomes; and
- (f) facilitating and monitoring the implementation of recommendations described in paragraph (e).

5 Revocation

The Health Practitioners (Protected Quality Assurance Activity—Compass Health) Notice 2015 (LI 2015/21) is revoked.

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 revokes the Health Practitioners (Protected Quality Assurance Activity—Compass Health) Notice 2015.

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.