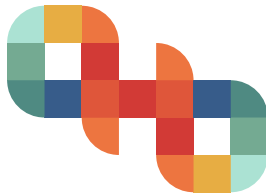


Office of the Health Ombudsman
Performance report December 2021



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HEALTH
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Published by the Office of the Health Ombudsman December 2021



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Introduction

This document reports on our performance during December 2021.

The OHO is Queensland's health service complaints management agency. We are an independent statutory body and the one place all Queenslanders should go if they have a complaint about a health service provided to them or someone in their care, a health service provider or any aspect of a health service provided in Queensland.

The OHO's vision is 'safe, competent and ethical health services that are responsive to consumer complaints' The OHO is committed to ensuring that all decisions are well-informed, fair, impartial and timely. For transparency the OHO publishes monthly, quarterly and yearly reports about its performance.

Data in this report is correct as at 23/01/2022 but is subject to change.

Intake of complaints

Type of contacts

Type of contact	Number	Percentage
Complaint	720	74.92
Enquiry	177	18.42
Information	53	5.52
Yet to be classified	11	1.14
Total	961	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.

Type of complaints

Type of complaints	Number	Percentage
Health consumer complaint	627	87.08
Mandatory notification*	31	4.31
Voluntary notification*	56	7.78
Self-notification*	2	0.28
Referral from another agency	4	0.55
Total	720	100.00

*Notifications are matters defined under the Health Practitioner Regulation National Law (Queensland) and only relate to registered practitioners.

Complaint decisions

Decision timeframes—within seven days

Decision made within seven days of receiving a complaint	Number	Percentage
Yes	772	99.48
No	4	0.52
Total	776	100.00

Decisions made

Number of decisions made	Number	Percentage
Accepted and further relevant action taken	392	50.52
Accepted and no further action taken*	254	32.73
Not accepted under s35A**	130	16.75
Total	776	100.00

*These decisions relate to matters in which the Health Ombudsman has decided to take no further action under section 44 of the Act. Prior to 1 March 2020, this category was reported as "Not Accepted".

**Matters may not be accepted under s35A of the Act where the matter would be more appropriately dealt with by an entity other than the health ombudsman or where the complainant has not yet sought a resolution with the health service provider.

An additional 18 matters were determined to fall outside the jurisdiction of the Act.

Accepted decision outcomes

Type of relevant action taken	Number	Percentage
Assessment	85	20.05
Local resolution	60	14.15
Conciliation	0	0.00
Investigation	5	1.18
Referral to Ahpra and the national boards	169	39.86
Referral to another entity	105	24.76
Referral to legal services	0	0.00
Total	424	100.00

The data in the above table includes all actions taken in matters which were identified as requiring action (noted in category 'Accepted and further relevant action taken' included the previous 'Decisions made' table). A single decision may result in more than one action being taken.

Health service complaints profile

Main issues raised in complaints

Issue	Number	Percentage
Access	130	10.91
Code of conduct for healthcare workers	21	1.76
Communication/information	139	11.66
Consent	44	3.69
Discharge/transfer arrangements	18	1.51
Environment/management of facilities	39	3.27
Fees/cost	28	2.35
Grievance processes	61	5.12
<i>Health Ombudsman Act 2013</i> offence	1	0.08
Medical records	37	3.10
Medication	102	8.56
Professional conduct	143	12.00
Professional health	27	2.27
Professional performance	365	30.62
Reports/certificates	37	3.10
Research/teaching/assessment	0	0.00
Total	1,192	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.

Subcategories of professional performance issues raised in complaints

Issue	Number	Percentage
Competence	12	3.29
Coordination of treatment	51	13.97
Delay in treatment	15	4.11
Diagnosis	35	9.59
Inadequate care	32	8.77
Inadequate consultation	25	6.85
Inadequate prosthetic equipment	5	1.37
Inadequate treatment	71	19.45
Infection control	5	1.37
No or inappropriate referral	21	3.29
Public or private election	0	0.00
Rough and painful treatment	12	3.29
Teamwork and supervision	3	0.82
Unexpected treatment outcome or complications	62	16.99
Withdrawal of treatment	1	0.27
Wrong or inappropriate treatment	15	4.11
Total	365	100.00

Professional performance represents the largest proportion of complaint issues. Additional information on this category of issue provides greater transparency around the issues being managed by OHO. 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	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Chinese medicine practitioner	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Chiropractor	11	-	-	2	-	-	-	-	-	-	-	9	1	5	-	-	-	
Dental practitioner	24	-	-	2	2	-	-	-	-	-	2	-	3	-	29	-	-	
Medical practitioner	233	18	-	51	18	1	1	5	4	-	11	30	43	11	117	23	-	
Medical radiation practitioner	1	-	-	-	-	-	-	-	-	-	-	-	1	1	-	-	-	
Midwife	3	-	-	-	-	-	-	-	-	-	-	-	1	-	2	-	-	
Nurse	44	-	1	1	1	-	-	-	1	-	4	2	32	8	5	-	-	
Occupational therapist	3	-	-	1	-	-	-	-	-	-	-	-	2	-	-	-	-	
Optometrist	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Osteopath	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Paramedic	3	-	-	-	-	-	-	-	-	-	-	-	2	1	-	-	-	
Pharmacist	7	-	-	1	-	-	-	-	1	-	-	3	5	-	1	-	-	
Physiotherapist	7	-	-	-	-	-	-	-	-	-	-	-	5	-	4	-	-	
Podiatrist	1	-	-	1	-	-	-	-	-	-	-	-	1	1	-	-	-	
Psychologist	21	-	-	5	-	-	-	1	-	-	1	-	11	4	5	3	-	
Student practitioner	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Unregistered practitioner	19	-	18	2	-	-	-	-	1	1	1	2	7	-	1	-	-	
Unknown practitioner	26	1	1	4	1	-	-	-	-	-	-	2	7	-	13	1	-	
Total	393	19	20	70	22	1	1	6	7	1	19	39	129	27	182	27	0	

* 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																
		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	Total issues identified
Administrative service	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	1
Aged care facility	6	-	-	3	1	-	1	-	2	-	-	-	-	-	8	-	-	15
Allied health service	4	1	-	-	1	-	-	-	3	-	1	2	-	-	3	-	-	11
Ambulance service	3	1	-	-	-	-	-	-	1	-	-	-	-	-	1	-	-	3
Community health service	11	3	-	1	-	1	4	3	2	-	1	-	-	-	7	1	-	23
Correctional facility	92	37	-	7	-	-	3	-	-	-	-	36	-	-	22	-	-	105
Dental service	19	6	-	6	-	-	-	4	5	-	-	-	-	-	8	-	-	29
Health promotion service	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Hospital and Health Service	13	5	-	4	-	1	-	-	2	-	-	1	-	-	8	1	-	22
Laboratory service	5	-	-	-	-	-	2	2	2	-	-	-	-	-	-	1	-	7
Licensed day hospital	2	-	-	-	-	-	-	1	1	-	-	-	1	-	-	-	-	3
Licensed private hospital	15	2	-	4	-	3	-	-	5	-	-	1	1	-	4	-	-	20
Medical centre	78	32	-	14	2	-	7	6	6	-	7	4	4	-	10	2	-	94
Mental health service	28	3	-	3	6	1	1	-	3	-	-	7	1	-	14	1	-	40
Nursing service	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Optical Store	4	-	-	-	1	-	1	1	1	-	-	-	-	-	-	-	-	4
Other government department	8	-	-	1	-	-	6	-	-	-	-	-	-	-	-	1	-	8
Other support service	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Paramedical service	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Pharmaceutical service	9	1	-	1	-	-	-	1	-	-	-	4	1	-	1	-	-	9
Private organisation	12	3	1	1	1	-	1	2	-	-	1	1	-	-	4	-	-	15
Public health service	7	1	-	-	-	-	1	1	-	-	2	1	-	-	3	-	-	9
Public hospital	118	12	-	21	8	11	10	1	20	-	5	6	6	-	88	2	-	190
Specialised health service	10	4	-	3	1	-	1	-	1	-	1	-	-	-	2	-	-	13
Unknown organisation	1	-	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	1
Welfare service	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Total	446	111	1	69	22	17	38	22	54	0	18	63	14	0	183	10	0	622

* 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, 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	90
Assessments completed	128

Completed assessment timeframes

As per s34 of the Health Transparency Bill 2019 (Assent: 05 December 2021), the timeframe for finalising assessment matters received from 6th December 2021 onwards has changed from 30 calendar days (or 60 calendar days with an approved extension) to 22 business days (or 44 business days with an approved extension).

Of the 128 assessments finalised in December, 121 were completed within statutory timeframes, representing a finalisation rate within statutory timeframes of 94.5 per cent.

Assessment timeframes	Number	Percentage
Completed within 22 days	2	1.56
Completed within 30 days	41	32.03
Completed within 44 days*	0	0.00
Completed within 60 days*	78	60.94
Completed in more than 44 days	0	0.00
Completed in more than 60 days	7	5.47
Total	128	100.00

*Assessments are able to be completed within 60 calendar days (or 44 business for matters received 06/12/2021 onwards) when granted an extension of 30 days (or 22 business days for matters received 06/12/2021 onwards) as a result of legislated requirements being met.

Assessment decisions

Type of relevant action	Number	Percentage
Local resolution	0	0.00
Conciliation	1	0.70
Investigation	10	7.04
Referred to Ahpra and the national boards	37	26.06
Referral to another entity	18	12.68
No further action	76	53.52
Total	142	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	58
Local resolutions completed	85

Completed local resolution timeframes

As per s35 of the Health Transparency Bill 2019 (Assent: 05 December 2021), the timeframe for finalising local resolution matters received from 6th December 2021 onwards has changed from 30 calendar days (or 60 calendar days with an approved extension) to 22 business days (or 44 business days with an approved extension).

Of the 85 local resolutions finalised in December, all were completed within statutory timeframes, representing a finalisation rate within statutory timeframes of 100.0 per cent.

Local resolution timeframes	Number	Percentage
Completed within 22 days	8	9.41
Completed within 30 days	43	50.59
Completed within 44 days*	0	0.00
Completed within 60 days*	34	40.00
Completed in more than 44 days	0	0.00
Completed in more than 60 days	0	0.00
Total	85	100.00

*Local resolutions are able to be completed within 60 calendar days (or 44 business for matters received 06/12/2021 onwards) when granted an extension of 30 days (or 22 business days for matters received 06/12/2021 onwards) as a result of legislated requirements being met

Outcomes

Local resolution outcomes	Number	Percentage
Resolved	46	54.12
Not resolved	33	38.82
Partially resolved	2	2.35
Complaint withdrawn*	3	3.53
Local resolution did not commence**	1	1.18
Total	85	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

Type of relevant action	Number	Percentage
Referral to Ahpra and the national boards	2	6.06
Referral to another entity	0	0.00
No further action	31	93.94
Total	33	100.00

Conciliation

Conciliations started and closed

Conciliations this month	Number
Conciliations open at the start of the month	33
Conciliations started	1
Conciliations closed	3

'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. 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	0
Party/ies did not agree to conciliation	1
Decision pending at end of month	15

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	1	50.00
6–9 months	1	50.00
9–12 months	0	0.00
More than 12 months	0	0.00
Total	2	100.00

The data above relates to matters where parties initially 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 initially agreed to participate.

Outcomes

Conciliation outcomes	Number	Percentage
Successful	2	100.00
Not successful	0	0.00
Ended by Health Ombudsman	0	0.00
Parties withdrew prior to conciliation conference*	0	0.00
Total	2	100.00

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 some instances, the Health Ombudsman may end a conciliation or parties involved may withdraw from the process prior to conciliation occurring. 'Completed conciliations' differ from 'closed conciliations'—in the table on page 16—in that they only relate to matters where parties agreed to participate in conciliation.

*Improvements to the office's systems and processes have enabled the inclusion of this outcome in September 2020. Previously matters where parties initially agreed to participate in conciliation, and subsequently withdrew from the process were reported as Not successful.

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
No further action	0	0.00
Total	0	0.00

Open conciliation timeframes

Open conciliation timeframes	Number	Percentage
Less than 3 months	8	25.81
3–6 months	14	45.16
6–9 months	1	3.23
9–12 months	1	3.23
More than 12 months	7	22.58
Total	31	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. 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.

There are 10 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 have been open for less than 3 months, 4 that have been open for 3–6 months, 1 that have been open for 6–9 months, 1 that have been open for 9–12 months, and 3 that have been open for more than 12 months.

Investigation

Investigations started and closed

Investigations this month	Number
Investigations open at start of month*	159
Investigations started	17
Investigations closed**	18
Investigations amalgamated under s40(2)***	4
Investigations separated under s40(2)****	0

* Due to a timing error, 1 matter was incorrectly reported as being open at the end of November 2021 when it was started in the December 2021 and 2 matters were missing from the open at end of November 2021 which were closed in early December 2021. The Investigations open at the start of month has been adjusted from 158 to 159 to cater for this timing error.

** Of the 18 matters closed in December, one matter was created in error and made errant.

*** Matters that involve similar allegations against a health service provider may be combined and dealt with together under section 40(2) of the Act.

****The office may decide to separate an investigation in cases where, as the investigation progresses, it becomes apparent that the matter is not suitable to be dealt with together under s40(2) of the Act.

Closed investigations

Timeframes

Of the 18 investigations, 66.67 per cent were closed within twelve months of commencement.

Closed investigation timeframes	Number	Percentage
Less than 3 months	4	22.22
3–6 months	3	16.67
6–9 months	4	22.22
9–12 months	1	5.56
12–24 months	5	27.77
More than 2 years	1	5.56
Total	18	100.00

Investigation outcomes

Outcome	Number	Percentage
Recommended for referral to Director of Proceedings*	11	61.11
Recommended that the Health Ombudsman issue a Permanent Prohibition Order	1	5.56
Referred to Ahpra	0	0.00
Referred to another agency	4	22.22
No further action	2	11.11
Conciliation	0	0.00
Total	18	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.

*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.

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	38	40.86
3–6 months	19	20.43
6–9 months	14	15.05
9–12 months	9	9.68
12–24 months*	11	11.83
More than 2 years*	2	2.15
Total	93	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	7	11.48
3–6 months	12	19.67
6–9 months	8	13.11
9–12 months	6	9.84
12–24 months	22	36.06
More than 2 years	6	9.84
Total	61	100.00

Total open investigation timeframes

Total open investigation timeframes	Number	Percentage
Less than 3 months	45	29.22
3–6 months	31	20.13
6–9 months	22	14.29
9–12 months	15	9.74
12–24 months	33	21.43
More than 2 years	8	5.19
Total	154	100.00

Total open investigation categories

Type of investigation	Number
Health service complaint	86
Systemic issue	3
Ministerial directed investigation	0
Another matter	61
s105 matters	4
Total	154

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 recommendation monitoring program to track the implementation of the recommendations.

OHO recommendations monitoring

Cases this month	Number
Cases open at the beginning of the month	2
Recommendations monitoring cases started	0
Recommendations monitoring cases closed	0

Open recommendations monitoring timeframes

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

Director of Proceedings

Matters referred to the Director of Proceedings by practitioner type

Practitioner type	Number	Percentage
Medical practitioner	3	27.30
Paramedic	2	18.18
Pharmacist	1	9.10
Registered nurse	5	45.42
Total	11	100.00

Matters currently with the Director of Proceedings by practitioner type

Practitioner type	Number	Percentage
Dentist	1	2.78
Medical practitioner	22	61.11
Nurse	8	22.22
Paramedic	3	8.33
Pharmacist	2	5.56
Total	36	100.00

Outcomes of matters reviewed by Director of Proceedings

Matters filed in in the Queensland Civil and Administrative Tribunal

Practitioner type	Number	Percentage
Registered nurse	3	100.00
Total	3	100.00

Matters to be referred back to the Health Ombudsman

Practitioner type	Number	Percentage
Total	0	0

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 the practitioner poses a serious risk to the health and safety of the public, or it is otherwise in the public interest.

Show cause notices

In December 2021, one show cause notice was issued to a Pharmacist.

As outlined in the Act, 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
Nurse	1	Conditions		✓
Nurse	1	Conditions	✓	✓
Nurse	1	Suspension	✓	
Pharmacist	1	Suspension	✓	
Midwife	1	Conditions		✓

Interim prohibition orders

Practitioner type	Number	Action taken	Reasons/s for taking action*	
			Public Interest	Serious Risk
Unregistered non-clinical support	1	Prohibit	✓	✓
Massage therapist	1	Prohibit	✓	
Security guard	1	Prohibit		✓
Massage therapist	1	Conditions	✓	✓
Massage therapist	1	Prohibit	✓	✓

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	179
Practitioner monitoring cases started	10
Practitioner monitoring cases closed	1

Open monitoring cases

Timeframes

Open case timeframes	Number	Percentage
Less than 6 months	55	29.26
6–12 months	41	21.81
More than 12 months	92	48.93
Total	188	100.00

Immediate action types

Open cases by immediate action type	Number	Percentage
Interim prohibition order – restrictions	26	13.83
Interim prohibition order – prohibited	33	17.55
Immediate registration action - conditions	53	28.19
Immediate registration action - suspension	24	12.77
QCAT disciplinary decision	31	16.49
QCAT interim decision	1	0.53
Permanent prohibition order	20	10.64
Total	188	100.00

Registered practitioners being monitored by practitioner type

Open cases by practitioner type	Number	Percentage
Chinese medicine practitioner	5	6.67
Chiropractor	1	1.33
Dental practitioner	3	4.00
Medical practitioner	30	40.00
Nursing and midwifery practitioner	20	26.67
Osteopath	1	1.33
Paramedic	4	5.33
Pharmacist	2	2.67
Physiotherapist	4	5.33
Psychologist	5	6.67
Total	75	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 being monitored by type

Open cases by practitioner type	Number	Percentage
Aboriginal and Torres strait islander health worker	1	1.05
Aged care health worker	8	8.42
Assistant in nursing	13	13.68
Ayurvedic medicine practitioner	1	1.05
Cosmetic therapist	1	1.05
Counsellor	1	1.05
Disability support worker	1	1.05
Former registered health practitioner	17	17.89
Holding out*	3	3.16
Kinesiologist	2	2.11
Massage therapist	30	31.58
Medical assistant	3	3.16
Naturopath	1	1.05
Other health educator	2	1.05
Other health support worker	2	2.11
Other natural or alternative health care provider	2	2.11
Personal carer	3	3.16
Psychotherapists	1	1.05
Social worker	1	1.05
Unregistered paramedic**	2	2.11
Wardsperson	1	1.05
Total	95	100.00

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

**In November 2018 paramedicine became a regulated profession under the National Registration and Accreditation Scheme. The practitioners listed in this table were working as paramedics prior to the regulation of the profession and are therefore listed as unregistered.

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.

Australian Health Practitioner Regulation Agency

The Health Transparency Bill 2019 (Assent: 05 December 2021), has changed the way the Health Ombudsman consults with Ahpra. From 6th December 2021 onwards, the Health Ombudsman and Ahpra must jointly consider all matters received involving registered health practitioners within 7 business days and decide what course of action to take. The consultation period is excluded from the 7 business day statutory timeframe. A matter can either be retained by the Health Ombudsman, referred to Ahpra or not accepted.

If a matter is retained by the Health Ombudsman for further relevant action and at the end of the relevant action the decision is to take no further action on the complaint, Ahpra can decide to have the matter referred to them. This is known as subsequent joint consideration. (Refer to the Health Transparency Bill 2019 for more information on the joint consideration process.)

This section of the report has been divided into matters received from 6th December 2021 onwards where joint consideration applies and historical matters received before this date where the previous consultation process applied. The datasets in each section are represented differently due to the change in business process.

Joint consideration matters

Initial joint consideration consultations

Consultation matters	Number
Matters commenced	223
Matters finalised within statutory timeframe	198
Matters finalised outside statutory timeframe	0
Decision pending at end of month	25

Subsequent joint consideration consultation by relevant action

Relevant action	Number	Percentage
Assessment	1	100.00
Conciliation	0	0
Local resolution	0	0
Internal review	0	0
Investigations	0	0
Director of Proceedings	0	0
Total	1	100.00

Outcome of initial joint consideration consultations by practitioner type

Practitioner type	Not accepted		HCE to retain		Refer to Ahpra		Total	
	No.	%	No.	%	No.	%	No.	%
Aboriginal and Torres Strait Islander health practitioner	-	-	-	-	-	-	-	-
Chinese medicine practitioner	-	-	-	-	-	-	-	-
Chiropractor	1	0.51	1	0.51	4	2.02	6	3.03
Dental practitioner	4	2.02	5	2.53	7	3.54	16	8.08
Medical practitioner	53	26.77	18	9.09	61	30.81	132	66.67
Medical radiation practitioner	-	-	-	-	1	0.51	1	0.51
Nursing and midwifery practitioner	3	1.52	3	1.52	14	7.07	20	10.10
Occupational therapist	-	-	-	-	2	1.01	2	1.01
Optometrist	1	0.51	-	-	-	-	1	0.51
Osteopath	-	-	-	-	-	-	-	-
Paramedic	-	-	-	-	2	1.01	2	1.01
Pharmacist	1	0.51	-	-	3	1.52	4	2.02
Physiotherapist	1	0.51	-	-	3	1.52	4	2.02
Podiatrist	-	-	-	-	-	-	-	-
Psychologist	3	1.52	2	1.01	5	2.53	10	5.05
Student practitioner	-	-	-	-	-	-	-	-
Unknown practitioner	-	-	-	-	-	-	-	-
Total	67	33.84	29	14.65	102	51.52	198	100.00

Outcome of subsequent joint consideration consultations by practitioner type

Practitioner type	No further action		Refer to Ahpra		Total	
	No.	%	No.	%	No.	%
Aboriginal and Torres Strait Islander health practitioner	-	-	-	-	-	-
Chinese medicine practitioner	-	-	-	-	-	-
Chiropractor	-	-	-	-	-	-
Dental practitioner	-	-	-	-	-	-
Medical practitioner	1	100.00	-	-	1	100.00
Medical radiation practitioner	-	-	-	-	-	-
Nursing and midwifery practitioner	-	-	-	-	-	-
Occupational therapist	-	-	-	-	-	-
Optometrist	-	-	-	-	-	-
Osteopath	-	-	-	-	-	-
Paramedic	-	-	-	-	-	-
Pharmacist	-	-	-	-	-	-
Physiotherapist	-	-	-	-	-	-
Podiatrist	-	-	-	-	-	-
Psychologist	-	-	-	-	-	-
Student practitioner	-	-	-	-	-	-
Unknown practitioner	-	-	-	-	-	-
Total	1	100.00	-	-	1	100.00

Pre-joint consideration matters

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 Act, 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.

Consultation matters	Number
Matters consulted on*	156
Matters referred	156
Matters retained by the office**	0
Decision pending	0

*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	107	68.59
Assessment	48	30.77
Conciliation	0	0.00
Local resolution	1	0.64
Internal review	0	0.00
Investigations	0	0.00
Director of Proceedings	0	0.00
Total	156	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 for 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	31–60 days	More than 60 days
Intake and triage	91	5	11	0	0
Assessment	1	2	13	23	9
Local resolution	0	0	0	1	0
Conciliation	0	0	0	0	0
Internal review	0	0	0	0	0
Investigation	0	0	0	0	0
Director of Proceedings	0	0	0	0	0
Total	92	7	24	24	9

'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	132	84.62
4–7 days	0	0.00
8–11 days	2	1.28
More than 12 days	22	14.10
Total	156	100.00

Number of practitioners referred to Ahpra by practitioner type

Practitioner type	Number	Percentage
Aboriginal and Torres Strait Islander health practitioner	1	0.53
Chinese medicine practitioner	2	1.07
Chiropractor	3	1.60
Dental practitioner	6	3.21
Medical practitioner	94	50.27
Medical radiation practitioner	0	0.00
Nursing and midwifery practitioner	54	28.88
Occupational therapist	2	1.07
Optometrist	0	0.00
Osteopath	1	0.53
Paramedic	2	1.07
Pharmacist	11	5.88
Physiotherapist	0	0.00
Podiatrist	1	0.53
Psychologist	8	4.28
Student practitioner	1	0.53
Unknown practitioner	1	0.53
Total	187	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	-	-	-	-	-	-	-	-	-	1	-	-	-	1
Chinese medicine practitioner	-	-	-	-	-	-	-	-	-	-	-	2	-	2
Chiropractor	-	-	-	-	-	-	-	-	-	3	-	-	-	3
Dental practitioner	-	-	2	-	-	-	1	-	-	1	1	5	-	10
Medical practitioner	3	18	5	-	-	2	1	4	24	25	5	68	7	162
Medical radiation practitioner	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Nursing and midwifery practitioner	-	1	1	-	-	-	1	3	5	40	6	11	-	68
Occupational therapist	-	-	-	-	-	-	-	-	-	1	-	1	-	2
Optometrist	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Osteopath	-	1	-	-	-	-	-	-	-	-	-	1	-	2
Paramedic	-	-	-	-	-	-	-	-	-	1	1	-	-	2
Pharmacist	-	-	-	-	-	-	-	-	6	3	1	1	-	11
Physiotherapist	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Podiatrist	-	1	-	-	-	-	-	-	-	1	1	-	-	3
Psychologist	-	2	-	-	-	-	-	2	-	5	3	6	-	18
Student practitioner	-	-	-	-	-	-	-	-	-	1	-	-	-	1
Unknown practitioner	-	-	-	-	-	-	-	-	1	-	-	1	-	2
Total	3	23	8	0	0	2	3	9	36	82	18	96	7	287

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 of healthcare consumers

Gender of healthcare consumers

Gender	Number	Percentage
Female	348	49.08
Male	319	44.99
Prefer not to specify	17	2.40
Unknown*	25	3.53
Total	709	100.00

*Not recorded or not provided for a particular matter.

Age of healthcare consumers

Age	Number	Percentage
Less than 18 years	34	4.80
18–24 years	40	5.64
25–34 years	119	16.78
35–44 years	167	23.55
45–54 years	107	15.09
55–64 years	82	11.57
65–74 years	56	7.90
More than 75 years	32	4.51
Unknown*	72	10.16
Total	709	100.00

*Not recorded or not provided for a particular matter.

Location of healthcare consumers

Location of healthcare consumers	Number	Percentage
Brisbane	278	39.21
Central West	2	0.28
Darling Downs	21	2.96
Far North	31	4.37
Fitzroy	21	2.96
Gold Coast	69	9.73
Mackay	17	2.40
North West	1	0.14
Northern	33	4.65
South West	1	0.14
Sunshine Coast	38	5.36
West Moreton	14	1.97
Wide Bay–Burnett	47	6.63
Outside Queensland	25	3.53
Unknown*	111	15.66
Total	709	100.00

*Not recorded or not provided for a particular matter.

Location of health service providers

Location of health service providers	Number	Percentage
Brisbane	344	42.84
Central West	2	0.25
Darling Downs	26	3.24
Far North	42	5.23
Fitzroy	25	3.11
Gold Coast	86	10.71
Mackay	21	2.62
North West	1	0.12
Northern	44	5.48
South West	3	0.37
Sunshine Coast	46	5.73
West Moreton	9	1.12
Wide Bay-Burnett	50	6.23
Outside Queensland*	8	1.00
Unknown**	96	11.96
Total	803	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.