

Office of the Health Ombudsman

Performance report March 2018



Office of the
**HEALTH
OMBUDSMAN**

Listen. Respond. Resolve.

Office of the Health Ombudsman—Performance report March 2018

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Introduction

This document reports on our performance during March 2018.

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 9 April 2018, but is subject to change.

Intake of complaints

Type of contacts

Type of contact	Number	Percentage
Complaint	604	54.12
Enquiry	512	45.88
Yet to be classified	0	0.00
Total	1116	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 number of complaint contacts will not equal the number of decisions made in the table below.

Type of complaints

Type of complaints	Number	Percentage
Health consumer complaint	526	87.08
Mandatory notification*	9	1.49
Voluntary notification*	61	10.10
Self-notification*	4	0.66
Referral from another agency	4	0.66
Total	604	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	511	91.58
No	47	8.42
Total	558	100.00

Accepted vs not accepted

Number of decisions made	Number	Percentage
Accepted	374	63.61
Not accepted*	184	31.29
Decision pending**	30	5.10
Total	588	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*.

**'Decision pending' relates to matters where more information is required before a decision on whether to accept or not accept can be made, or because the matter came in just before the end of the reporting period and is still being processed.

An additional 20 matters were determined to fall outside the jurisdiction of the Act.

Accepted decision outcomes

Type of relevant action	Number	Percentage
Assessment	160	41.56
Local resolution	75	19.48
Conciliation	0	0.00
Investigation	7	1.82
Referral to AHPRA and the national boards	143	37.14
Referral to another entity	0	0.00
Immediate registration action	0	0.00
Interim prohibition order	0	0.00
Total	385	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	59	6.56
Code of conduct for healthcare workers	28	3.11
Communication/information	107	11.90
Consent	18	2.00
Discharge/transfer arrangements	14	1.56
Environment/management of facilities	18	2.00
Enquiry service	0	0.00
Fees/cost	26	2.89
Grievance processes	20	2.22
<i>Health Ombudsman Act 2013 offence</i>	0	0.00
Medical records	36	4.00
Medication	110	12.24
Professional conduct	82	9.12
Professional health	35	3.89
Professional performance	330	36.71
Reports/certificates	16	1.78
Research/teaching/assessment	0	0.00
Total	899	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.

Number and type of issues identified in complaints by health practitioner

Practitioner type	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
Alternative care	-	13	-	-	-	-	-	-	-	-	-	4	-	-	-	-	17
Chinese medicine	-	1	1	-	-	-	-	-	-	-	-	-	-	1	-	-	3
Chiropractor	-	-	1	-	-	-	-	-	-	-	-	1	-	1	-	-	3
Dentistry	-	-	1	-	-	-	2	-	-	-	-	5	1	16	-	-	25
Emergency care	-	1	-	-	-	-	-	-	-	-	-	-	1	-	-	-	2
General medical	7	-	23	4	-	-	3	1	-	12	22	18	11	72	7	-	180
Medical radiation	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	1
Medical specialty	-	-	5	1	-	-	1	3	-	-	-	4	1	11	1	-	27
Nursing	-	1	5	1	-	-	-	-	-	1	3	13	15	9	-	-	48
Occupational therapy	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	1
Optometry	-	-	-	-	-	-	-	-	-	-	-	-	-	2	1	-	3
Osteopathy	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Other	2	8	3	-	-	-	1	-	-	2	2	5	3	7	-	-	33
Pathology service	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Pharmacy	-	-	2	-	-	-	-	-	-	-	20	4	-	1	-	-	27
Physiotherapy	-	-	-	-	-	-	-	-	-	-	-	1	-	-	-	-	1
Podiatry	-	-	-	-	-	-	-	-	-	-	-	1	1	1	-	-	3
Psychology	-	1	1	1	-	-	-	-	-	2	1	9	2	2	4	-	23
Speech pathology	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Surgical	-	-	2	2	-	-	2	-	-	1	-	-	-	27	-	-	34
Total	9	25	44	9	0	0	9	4	0	18	48	67	35	150	13	0	431

These figures are based on issues recorded during the reporting period. A single complaint can contain multiple issues.

Number and type of issues identified in complaints by health service organisation

Organisation type	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
Aged care facility	-	-	4	-	1	1	-	-	-	2	4	-	-	9	-	-	21
Allied health service	-	-	-	-	-	1	-	-	-	-	-	-	-	-	-	-	1
Ambulance service	-	-	-	-	-	-	-	-	-	-	-	-	-	2	-	-	2
Community health service	1	-	2	-	-	-	-	1	-	1	-	1	-	5	-	-	11
Correctional facility	34	-	4	-	-	-	-	1	-	2	42	1	-	28	-	-	112
Dental service	1	-	-	1	-	-	3	-	-	1	-	-	-	4	-	-	10
Hospital and Health Service	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	1
Laboratory service	-	-	-	-	-	-	-	1	-	1	-	-	-	1	-	-	3
Licensed private hospital	-	-	3	-	1	1	1	-	-	-	1	1	-	10	1	-	19
Medical centre	3	-	9	-	-	2	7	4	-	3	2	1	-	2	-	-	33
Mental health service	-	-	4	2	-	1	-	1	-	1	1	4	-	4	-	-	18
Nursing service	-	-	-	-	-	2	1	-	-	-	-	-	-	-	-	-	3
Other support service	-	-	2	-	-	1	-	1	-	-	1	-	-	1	-	-	6
Pharmaceutical service	-	-	2	1	-	1	2	-	-	-	5	1	-	1	-	-	13
Private organisation	-	3	-	-	-	-	-	-	-	-	-	1	-	2	-	-	6
Public health service	-	-	2	-	-	2	-	-	-	-	1	-	-	3	-	-	8
Public hospital	10	-	26	5	12	6	2	7	-	7	5	4	-	104	2	-	190
Specialised health service	1	-	2	-	-	-	1	-	-	-	-	1	-	3	-	-	8
Administrative service	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-	-	1
Paramedical service	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	1
Welfare service	-	-	1	-	-	-	-	-	-	-	-	-	-	-	-	-	1
Total	50	3	63	9	14	18	17	16	0	18	62	15	0	180	3	0	468

These figures are based on issues recorded during the reporting period. A single complaint can contain multiple issues.

Assessment

Assessments started and completed

Assessments this month	Number
Assessments started	178
Assessments completed	189

Completed assessment timeframes

Of the 189 assessments finalised in March, 143 were completed within 30 days or 60 days with an approved extension, representing a finalisation rate within statutory timeframes of 75.66 per cent.

Of the 34 assessments completed within 60 days, 26 matters were approved for extension.

The 38 matters completed outside of 60 days were due to the continuing high volume of matters that require additional assessment, the complexity of many of the matters in assessment, and delays in receiving information from parties or in order to appropriately assess the matters.

Assessment timeframes	Number	Percentage
Completed within 30 days	117	61.90
Completed within 60 days*	34	17.99
Completed in more than 60 days	38	20.11
Total	189	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	2	0.96
Conciliation	4	1.92
Investigation	12	5.77
Referred to AHPRA and the national boards	30	14.42
Referral to another entity	68	32.69
Immediate registration action*	0	0.00
Interim prohibition order*	0	0.00
No further action	92	44.23
Total	208	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.

The figures for the type of relevant action decided in the assessment stage may not correspond with totals for respective relevant actions (e.g. local resolution, conciliation, investigation) due to the time between a decision being made and an action being taken crossing over different reporting periods.

*Immediate action assessment decision figures may not align with the immediate action figures later in the report due to immediate action decisions being made outside of the assessment process.

Local resolution

Local resolutions started and completed

Local resolutions this month	Number
Local resolutions started	80
Local resolutions completed	124

The number of local resolutions started in the month may not directly match the number of assessment decisions to undertake local resolution due to the time between a decision being made and an action taken crossing over different reporting periods.

Completed local resolutions

Timeframes

Of the 124 local resolutions finalised in November, 118 were completed within 30 days or 60 days with an approved extension, representing a finalisation rate within statutory timeframes of 95.16 per cent.

Of the 20 local resolution matters completed within 60 days, 16 were approved for extension.

We strive to finalise all matters within legislated timeframes, however, some can take longer than others due to factors outside of our control, such as delays in receiving information and responses from individual parties.

Local resolution timeframes	Number	Percentage
Completed within 30 days	102	82.26
Completed within 60 days*	20	16.13
Completed in more than 60 days	2	1.61
Total	124	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	106	85.48
Not resolved	7	5.65
Complaint withdrawn*	10	8.06
Local resolution did not commence**	1	0.81
Total	124	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	1	14.29
Referral to another entity	0	0.00
Immediate action	0	0.00
No further action	6	85.71
Total	7	100.00

Conciliation

Conciliations started and closed

Conciliations this month	Number
Conciliations open at the start of the month	52
Conciliations started	3
Conciliations closed	7

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	6
Party/ies did not agree to conciliation	2
Decision pending at end of month	19

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	20.00
6–9 months	1	20.00
9–12 months	1	20.00
More than 12 months	2	40.00
Total	5	100.00

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	4	80.00
Not successful	1	20.00
Ended by Health Ombudsman	0	0.00
Total	5	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 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	1	100.00
Total	1	100.00

Open conciliation timeframes

Open conciliation timeframes	Number	Percentage
Less than 3 months	20	41.67
3–6 months	8	16.67
6–9 months	8	16.67
9–12 months	6	12.50
More than 12 months	6	12.50
Total	48	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 16 matters on hold until the outcome of another process is finalised (e.g. the process of another agency such as AHPRA). This includes 8 matters that have been open for less than 3 months, 3 that have been open for 3–6 months, 2 that have been open for 6–9 months, 2 that have been open for 9–12 months, and 4 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

In October 2017 improvements to systems and processes were made to allow multiple investigations about health service providers which involve similar allegations to be combined and dealt with together under section 40(2) of the *Health Ombudsman Act 2013*. This approach will ensure greater efficiency, transparency and accountability in dealing with health service complaints. As a result of this, the number of open investigations reported on page 21 has decreased significantly when compared to previously reported performance data.

To allow for continued transparency in the timeliness of investigation processes, where an investigation involves more than one complaint or other matters, timeframes are calculated from the oldest decision to investigate date.

This update is an example of our commitment to continual improvement as we mature as an agency and the importance we place on transparent, robust data.

Investigations started and closed

Investigations this month	Number
Investigations open at the beginning of the month	219*
Investigations started	17
Investigations closed	41
Investigations amalgamated under s40(2)	0

*Two (2) matters that were previously amalgamated under s40(2) of the act have been separated again into individual investigations.

The number of investigations started in the reporting period may not match the number of assessment decisions to undertake investigation due to the time between a decision being made and an action taken crossing over different reporting periods, or due to investigations being started via other processes (e.g. own-motion investigation).

Closed investigations

Timeframes

Closed investigation timeframes	Number	Percentage
Less than 3 months	5	12.20
3–6 months	3	7.32
6–9 months	3	7.32
9–12 months	2	4.88
12–24 months	19	46.34
More than 2 years	9	21.95
Total	41	100.00

Outcomes

Investigation outcomes	Number	Percentage
Recommended for referral to Director of Proceedings*	26	63.41
Referred to AHPRA	3	7.32
Referred to another agency	1	2.44
No further action	11	26.83
Referred to Executive Director, Legal Services**	0	0.00
Total	41	100.00

*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 the Queensland Civil and Administrative Tribunal.

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	37	23.72
3–6 months	31	19.87
6–9 months	13	8.33
9–12 months	15	9.62
12–24 months*	43	27.56
More than 2 years*	17	10.90
Total	156	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	10.26
3–6 months	7	17.95
6–9 months	8	20.51
9–12 months	6	15.38
12–24 months	9	23.08
More than 2 years	5	12.82
Total	39	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*). From an OHO perspective, these matters are not closed but effectively paused within the OHO's complaints management system as in these circumstances it is not appropriate for the OHO to conduct any investigations that may impede on an external agency's processes. As a result, investigation of these matters will be put on hold until the external agency finalises its processes.

Total open investigation timeframes

Total open investigation timeframes	Number	Percentage
Less than 3 months	41	21.03
3–6 months	38	19.49
6–9 months	21	10.77
9–12 months	21	10.77
12–24 months	52	26.67
More than 2 years	22	11.28
Total	195	100.00

Total open investigation categories

Type of investigation	Number
Health service complaint	120
Systemic issue	22
Another matter*	52
Matters identified for further investigation**	1
Total	195

*Matters that are brought to the Health Ombudsman's attention by means other than through a health service complaint or notification.

**Matters referred for further investigation by the Health Ombudsman under section 105 of the Act following referral to Director of Proceedings.

Monitoring investigation recommendations

The OHO monitors the implementation of recommendations made as an outcome of two types of investigation process—recommendations made as a result of an OHO investigation and recommendations made as a result of a health service provider investigation.

OHO 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.

Health service provider recommendations

In addition, a health service provider may conduct its own investigation, or engage another entity to conduct an independent investigation, resulting in recommendations for improvement. The Health Ombudsman may decide to monitor the implementation of these recommendations.

OHO recommendations monitoring

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

Health service provider recommendations monitoring

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

Open recommendations monitoring timeframes

Open case timeframes	Number	Percentage
Less than 6 months	2	40.00
6–12 months	0	0.00
More than 12 months	3	60.00
Total	5	100.00

Director of Proceedings

Matters referred to the Director of Proceedings by practitioner type

Practitioner type	Number	Percentage
Medical Practitioner	3	11.54
Medical Radiation Practitioner	1	3.85
Pharmacist	1	3.85
Physiotherapist	2	7.69
Psychologist	1	3.85
Registered Nurse	12	46.15
Advanced Care Paramedic	1	3.85
Assistant in Nursing	1	3.85
Massage Therapist	1	3.85
Student Nurse	1	3.85
Holding Out Psychologist	1	3.85
Social Worker	1	3.85
Total	26	100.00

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. As a result, these figures will differ from 'closed investigation outcomes' figures.

Matters currently with the Director of Proceedings by practitioner type

Practitioner type	Number	Percentage
Advanced Care Paramedic	3	1.92
Assistant in Nursing	2	1.28
Audiologist	2	1.28
Chinese Medicine Practitioner	2	1.28
Chiropractor	1	0.64
Dentist	6	3.85
Former Chiropractor	1	0.64
Holding Out Registered Nurse	1	0.64
Holding Out Psychologist	1	0.64
Massage Therapist	9	5.77
Medical Practitioner	45	28.85
Medical Radiation Practitioner	2	1.28
Natural Therapist	1	0.64
Optometrist	1	0.64
Pharmacist	12	7.69
Physiotherapist	2	1.28
Podiatrist	2	1.28
Psychologist	9	5.77
Registered Nurse	52	33.33
Social Worker	1	0.64
Student Nurse	1	0.64
Total	156	100.00

Decisions made by the Director of Proceedings

Matters to be referred to the Queensland Civil and Administrative Tribunal

Practitioner type	Number	Percentage
Registered Nurse	1	25.00
Registered Nurse and Midwife	1	25.00
Physiotherapist	2	50.00
Total	4	100.00

The table above reflects the number of matters which the Director of Proceedings decided that a referral to QCAT would be appropriate. The filing of a matter with QCAT may occur at a later date and these figures are reflected in the table below.

*One provider held dual registration as a midwife.

Matters to be referred back to Health Ombudsman

Practitioner type	Number	Percentage
Medical Practitioner	1	100.00
Total	1	100.00

Disciplinary Matters filed in QCAT

Practitioner type	Number	Percentage
Registered Nurse	1	33.33
Registered Nurse and Midwife	1	33.33
Physiotherapist	1*	33.33
Total	3	100.00

*During March the Director of Proceedings made the decision to refer two separate matters regarding the same practitioner to QCAT. These two matters were filed together as one referral to QCAT.

Offences against the *Health Ombudsman Act 2013*

The *Health Ombudsman Act 2013* specifies a number of breaches of the Act which constitute either a summary or indictable offence.

Where there is evidence of such a breach, a matter may be referred to the Executive Director, Legal Services to commence prosecution within the courts.

No matters were referred for summary prosecution in March.

Immediate action

The *Health Ombudsman Act 2013* allows for the Health Ombudsman to take immediate action against registered and unregistered health practitioners in instances where the Health Ombudsman reasonably believes the practitioner’s health, conduct or performance poses a serious risk to the health and safety of the public.

Show cause notices

In March 2018, 5 show cause notices were issued. These relate to:

- Two assistants in nursing for reasons relating to conduct
- Two registered nurses for conduct
- One massage therapist for reasons 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		
			Health	Conduct	Performance
Registered Nurse	1	Conditions	✓	✓	

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			
			Health	Conduct	Performance	Interstate
Assistant in Nursing	2	Prohibition		✓		

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 Health Ombudsman can also enforce a prohibition order or an interim prohibition order issued in another state or territory where that interstate prohibition order corresponds—or substantially corresponds—to the type of prohibition order that can be made in Queensland.

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	104
Practitioner monitoring cases started	4
Practitioner monitoring cases closed	9

Open monitoring cases

Timeframes

Open case timeframes	Number	Percentage
Less than 6 months	25	25.25
6–12 months	13	13.13
More than 12 months	61	61.62
Total	99	100.00

Immediate action types

Open cases by immediate action type	Number	Percentage
Interim prohibition order—restrictions	18	18.18
Interim prohibition order—prohibited	37	37.37
Immediate registration action—conditions	27	27.27
Immediate registration action—suspension	17	17.17
Total	99	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	5.45
Chiropractor	1	1.82
Dental practitioner	3	5.45
Medical practitioner	9	16.36
Medical radiation practitioner	0	0.00
Nursing and midwifery practitioner	34	61.82
Occupational therapy	0	0.00
Optometrist	0	0.00
Osteopath	0	0.00
Pharmacist	0	0.00
Physiotherapist	2	3.64
Podiatrist	0	0.00
Psychologist	3	5.45
Total	55	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	2.63
Assistant in nursing	7	18.42
Audiologist	2	5.26
Counsellor	1	2.63
Dental assistant	1	2.63
Dental nurse	1	2.63
Former nurse	1	2.63
Holding out*	3	7.89
Massage therapist	13	34.21
Medical assistant	1	2.63
Naturopath	1	2.63
Natural therapist	1	2.63
Paramedic	3	7.89
Personal carer	1	2.63
Social worker	1	2.63
Total	38	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

In March the OHO received no new notifications (under section 193 of the Act) relating to a possible serious matter. One matter was requested for referral back to the OHO.

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*	208
Matters referred	196
Matters retained by the office**	3
Decision pending	18

*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	149	71.63
Assessment	47	22.60
Conciliation	0	0.00
Local resolution	1	0.48
Internal review	5	2.40
Investigations	6	2.88
Total	208	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	149	0	0	0	0
Assessment	5	5	15	13	9
Local resolution	0	0	0	1	0
Conciliation	0	0	0	0	0
Internal review	0	0	0	0	5
Investigation	0	0	0	0	6
Total	154	5	15	14	20

'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	190	91.35
4–7 days	14	6.73
8–11 days	4	1.92
More than 12 days	0	0.00
Total	208	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	2	1.02
Chiropractor	0	0.00
Dental practitioner	15	7.65
Medical practitioner	113	57.65
Medical radiation practitioner	0	0.00
Nursing and midwifery practitioner	47	23.98
Occupational therapist	0	0.00
Optometrist	3	1.53
Osteopathy	0	0.00
Pharmacist	12	6.12
Physiotherapy	0	0.00
Podiatrist	1	0.51
Psychologist	3	1.53
Unregistered practitioner	0	0.00
Total	196	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	-	1	-	-	-	-	-	-	1	1	-	-	-	3
Chiropractor	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Dental practitioner	-	-	-	-	-	-	-	-	-	3	1	12	-	16
Medical practitioner	3	20	3	2	-	3	1	7	18	9	5	87	5	163
Medical student	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Medical radiation practitioner	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Nursing and midwifery practitioner	-	1	2	-	-	-	-	2	3	12	22	17	-	59
Nursing student	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Occupational therapist	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Optometrist	-	-	-	-	-	-	-	-	-	-	-	3	-	3
Osteopath	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Pharmacist	-	2	-	-	-	-	-	17	-	-	-	-	-	19
Physiotherapist	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Podiatrist	-	-	-	-	-	-	-	-	-	-	3	1	-	4
Psychologist	-	-	-	-	-	-	-	-	-	3	1	-	1	5
Unregistered practitioner	-	-	-	-	-	-	-	-	-	-	-	-	-	0
Total	3	24	5	2	0	3	1	26	22	28	32	120	6	272

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

Reporting parameters for demographics data were updated as of June 2017. Previously, demographics contained within the office's reporting related to complaints that had completed the assessment process during the reporting period.

Refinements to systems and processes now allow for reporting on the demographics of complainants, consumers and practitioners who have made, or were identified in, a complaint during the reporting period. This change will result in higher numbers in the following four tables from June 2017.

This update is an example of the office's commitment to continual improvement as it matures as an agency and the importance it places on transparent, robust data.

Unless otherwise specified, data is based on healthcare consumers, not the complainant, as the complainant in a matter may not be the consumer of the health service. Matters where the healthcare consumer is an organisation are not included in these figures.

Gender

Gender	Number	Percentage
Female	240	47.34
Male	244	48.13
Prefer not to specify	4	0.79
Unknown*	19	3.75
Total	507	100.00

*Not recorded or not provided for a particular matter.

Age

Age	Number	Percentage
Less than 18 years	17	3.35
18–24 years	36	7.10
25–34 years	97	19.13
35–44 years	101	19.92
45–54 years	84	16.57
55–64 years	60	11.83
65–74 years	48	9.47
More than 75 years	31	6.11
Unknown*	33	6.51
Total	507	100.00

*Not recorded or not provided for a particular matter.

Location of healthcare consumers

Location of healthcare consumers	Number	Percentage
Brisbane	209	41.22
Central West	1	0.20
Darling Downs	11	2.17
Far North	25	4.93
Fitzroy	11	2.17
Gold Coast	61	12.03
Mackay	14	2.76
North West	3	0.59
Northern	23	4.54
South West	2	0.39
Sunshine Coast	32	6.31
West Moreton	13	2.56
Wide Bay–Burnett	49	9.66
Outside Queensland	17	3.35
Unknown*	36	7.10
Total	507	100.00

*Not recorded or not provided for a particular matter.

Location of health service providers

Location of health service providers	Number	Percentage
Brisbane	278	45.65
Central West	0	0.00
Darling Downs	14	2.30
Far North	36	5.91
Fitzroy	13	2.13
Gold Coast	74	12.15
Mackay	13	2.13
North West	3	0.49
Northern	30	4.93
South West	3	0.49
Sunshine Coast	39	6.40
West Moreton	7	1.15
Wide Bay-Burnett	54	8.87
Outside Queensland*	13	2.13
Unknown**	32	5.25
Total	609	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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