

LAWS70401 Regulation of Health Practitioners

Credit Points:	12.5
Level:	7 (Graduate/Postgraduate)
Dates & Locations:	2016, Parkville This subject commences in the following study period/s: July, Parkville - Taught on campus. This subject has a quota of 30 students. Please refer to the Melbourne Law Masters website for further information about the management of subject quotas and waitlists.
Time Commitment:	Contact Hours: 24-26 hours Total Time Commitment: 136-150 hours The pre-teaching period commences four weeks before the subject commencement date. From this time, students are expected to access and review the Reading Guide that will be available from the LMS subject page and the subject materials provided by the subject coordinator, which will be available from Melbourne Law School. Refer to the Reading Guide for confirmation of which resources need to be read and what other preparation is required before the teaching period commences.
Prerequisites:	None
Corequisites:	None
Recommended Background Knowledge:	Applicants without legal qualifications should note that subjects are offered in the discipline of law at an advanced graduate level. While every effort will be made to meet the needs of students trained in other fields, concessions will not be made in the general level of instruction or assessment. Most subjects assume the knowledge usually acquired in a degree in law (LLB, JD or equivalent). Applicants should note that admission to some subjects in the Melbourne Law Masters will be dependent upon the individual applicant's educational background and professional experience.
Non Allowed Subjects:	None
Core Participation Requirements:	The Melbourne Law Masters welcomes applications from students with disabilities. The inherent academic requirements for study in the Melbourne Law Masters are: The ability to attend a minimum of 75% of classes and actively engage in the analysis and critique of complex materials and debate; The ability to read, analyse and comprehend complex written legal materials and complex interdisciplinary materials; The ability to clearly and independently communicate in writing a knowledge and application of legal principles and interdisciplinary materials and to critically evaluate these; The ability to clearly and independently communicate orally a knowledge and application of legal principles and interdisciplinary materials and critically evaluate these; The ability to work independently and as a part of a group; The ability to present orally and in writing legal analysis to a professional standard. Students who feel their disability will inhibit them from meeting these inherent academic requirements are encouraged to contact Student Equity and Disability Support.
Coordinator:	Prof Loane Skene
Contact:	Lecturers Professor Loane Skene (http://www.law.unimelb.edu.au/staff/Loane%20Skene) (Coordinator) Email: law-masters@unimelb.edu.au (mailto:law-masters@unimelb.edu.au) Phone: +61 3 8344 6190 Website: www.law.unimelb.edu.au/masters (http://www.law.unimelb.edu.au/masters)
Subject Overview:	Over the past few years there have been profound changes in the regulation of the health professions. Fourteen major professions are now included in a new national scheme. All of the registered professions are covered by the same legislation for accreditation, registration and the monitoring of practice to ensure that standards are maintained to protect the public. More than half a million health practitioners are registered under the national scheme and, when it was adopted in July 2010, 66 Acts of parliament were repealed and about 85 health professional boards were abolished. This subject will provide a detailed examination of the new scheme which has centralised the disciplinary process, with the state and territory registration

	<p>bodies acting under delegated authority from the federal board. The subject will also provide an understanding of how health practitioners, their employers and educators have a mandatory obligation to report 'notifiable conduct' of practitioners to the national regulator, and how healthcare consumers (patients) lodge a 'notification' about the practice of a health practitioner, rather than a 'complaint.'</p> <p>Principal topics include:</p> <ul style="list-style-type: none"> # Legal requirements for accreditation, registration and monitoring of practice of health practitioners in Australia # The process and grounds for disciplinary action # An examination of specific disciplinary proceedings against health practitioners # A comparison of disciplinary proceedings and other legal action against health practitioners # An evaluation of the new registration scheme and its operation to date.
Learning Outcomes:	<p>A student who has successfully completed this subject will:</p> <ul style="list-style-type: none"> # Have an advanced and integrated understanding of the legal requirements for accreditation, registration, and the monitoring of practice of health practitioners in Australia. # Have a sophisticated appreciation of the factors and processes driving the extensive parliamentary revision of the legal framework. # Be aware of the criticism of the new registration scheme and the way it has been implemented in practice; and be able to critically examine, analyse, interpret, assess and respond to the critical comments about it. # Be an engaged participant in debate regarding methods of regulation of health practitioners and the potential for unfair treatment and discrimination # Have well developed communication skills to clearly articulate and convey complex information regarding the regulatory structure to health practitioners and the wider community. # Have an advanced and integrated understanding of the disciplinary process in relation to health practitioners and how it differs from the earlier process for members of different health professions. # Have a sophisticated understanding and well developed communication skills, to advise patients and others about the process for lodging notifications about a health practitioner's practice; and to advise health practitioners on how to respond to notifications relating to their practice. # Have undertaken detailed study of a range of law reports relating to disciplinary proceedings against health practitioners in order to appreciate the underlying principles relating to the imposition of disciplinary penalties. # Be able to critically analyse ethical and legal issues relating to the regulation of health practitioners in a detailed, fully referenced research essay.
Assessment:	Class presentation (10%) 2,000 word presentation paper (20%) (3 August) 7,000 word research paper (70%) (12 October) on a topic approved by the subject coordinator A minimum of 75% attendance is a hurdle requirement.
Prescribed Texts:	Specialist printed materials will be made available free of charge from the Melbourne Law School prior to the pre-teaching period.
Breadth Options:	This subject is not available as a breadth subject.
Fees Information:	Subject EFTSL, Level, Discipline & Census Date, http://enrolment.unimelb.edu.au/fees
Links to further information:	www.law.unimelb.edu.au/subject/LAWS70401/2016
Related Course(s):	<p>Graduate Diploma in Government Law Graduate Diploma in Health and Medical Law Graduate Diploma in Legal Studies Master of Health and Medical Law Master of Laws Master of Public and International Law</p>