

Consumer Health Regulators Group Meeting Minutes

Meeting time and date	9 am, 15 February 2018		
Meeting number	CHRG 2018/01	Issue number	1
Locations	Canberra - 23 Marcus Clarke Street		
	Sydney - Level 20, 175 Pitt Street		
	Melbourne - Level 17, Casselden, 2 Lonsdale Street		
Members	Australian Competition and Consumer Commission (Chair) (ACCC)	Scott Gregson, Sharon Clancy, Kerin Callard, Wynette Neil (Secretariat)	
	Australian Health Practitioner Regulation Agency (AHPRA)	Camilla Worsnop, Helen Townley, Luisa Interligi	
	Department of Health (Therapeutic Goods Administration) (TGA)	Ross Hawkins, Mark Rowe	
	NSW Health Care Complaints Commission (HCCC)	Sue Dawson	
Observers	Private Health Insurance Ombudsman (PHIO)	David McGregor	
	Department of Health	Lisa Leifheit	
	NSW Department of Finance	Rose Webb	
	Consumer Affairs Victoria	David Joyner, Naomi Lay	
Apologies	Lynne Gillam and Ros Bauer (Department of Health)		

1. Welcome from Chair

Mr Gregson welcomed everyone to the meeting and introduced Rose Webb, David Joyner and Naomi Lay to the group.

2. Minutes

a) Minutes of the meeting held on 12 October 2017 were accepted.

b) Action Items

Letter to [REDACTED] - ACCC requested feedback from members on the draft letter to [REDACTED] by 22 February 2018.

3. Standing items

a) Register of matters and reports from members on emerging matters

i.

ii.

iii.

iv. *Hearing Sector*

ACCC provided an update on its work on consumer issues in the hearing sector. The ACCC recently requested and received data from the Department of Health about the Australian Government Hearing Services Program which will assist the ACCC's investigations.

v.

The ACCC reported that it had recently brought bankruptcy proceedings against Mr Vaisman, the former director of Advanced Medical Institute, who was declared bankrupt on 30 January 2018.

vi. *Advertising Complaints – paper by AHPRA*

AHPRA presented a paper on its advertising compliance and enforcement work program, existing resources and new tools. AHPRA is currently reviewing its guidelines for advertising regulated health services which is expected to be completed by the start of 2019. There was discussion about the regulation of advertising using testimonials and the online materials developed by AHPRA.

4. Jurisdictional collaboration on addressing risks to public health and safety

Ms Dawson presented a paper on how consumer health regulators can use coordinated action, at state and national levels, to address risks to public health and safety. There was discussion on how best to develop plans to mobilise multiple agencies to tackle concerning

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conduct and whether the Consumer Health Regulators Group should have a role in these activities. It was decided that the current example of dermal fillers could be used as an example of how plans might be put in place on specific issues and that the Consumer Health Regulators Group would continue to be a forum in which the coordination of these activities are discussed.

Action: TGA and HCCC to provide update [REDACTED] at next meeting.

5. Triaging and prioritising of matters

Mr Rowe spoke about the TGA's approach to prioritising and triaging complaints through the Case Categorisation and Prioritisation Model. Mr Rowe used the example of TGA's active pharmaceutical ingredient risk assessment matrix and how it is used to prioritise matters and guide resource allocation.

Mr McGregor spoke about how PHIO utilises its Private Health Insurance Quarterly Bulletins to publicly report on the issues it is dealing with, including through the identification of insurers which are the subject of complaints in a disproportionate volume to their market share. Mr McGregor explained that the PHIO is not a regulator and has no statutory powers. Instead, PHIO analyses the complaints it receives to determine which health insurers it should engage with and which issues it should address publicly.

Action: TGA to share risk assessment matrix with the group.

6. Consumer Affairs Victoria

Mr Joyner from CAV reported that CAV intends to prioritise consumer health issues in 2018 and is currently deciding what industry or issue is most appropriate. Possible areas of focus include IVF, cancer treatment and the wellness industry. Mr Joyner expressed interest in the CAV working with other regulators.

7. Other business

There was no other business raised.

The meeting closed at 11 am.

Next meeting –The next meeting will take place during May 2018.

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Consumer Health Regulators Group

Action Items from 12 October 2017

Member	Action Item	Completed?
ACCC	Update the group from time to time on the progress and outcome of the ACCC's appeal in the Medibank matter.	Updates to be provided over time
	Draft a letter to [REDACTED] about the Consumer Health Regulators Group for the group's consideration.	Yes
	Provide a copy of the ACCC's evaluation of its consumer health priority to the group.	Yes
AHPRA	Provide a copy to the group of the report about AHPRA's forum on responsible advertising in healthcare.	Yes
	[REDACTED]	Yes
	[REDACTED]	Yes
HCCC	Share a copy of the public warning about unsafe practices in beauty and cosmetic clinics with group members.	Yes
TGA	Provide the group with a copy of the presentations from the advertising seminar.	Yes
	Speak with HCCC about the possibility of becoming involved in the beauty and cosmetic clinics matter, including through liaison with Border Force.	
	Discuss TGA's triaging and prioritisation processes at the next meeting.	Agenda item for February 2018

Consumer Health Regulators Group Meeting 12 October 2017 – AHPRA Action items

1. AHPRA forum on responsible advertising in healthcare on 9 August

Action: AHPRA will prepare and publish a report about the forum and will provide a copy to the group.

AHPRA and the National Boards held a successful multi-profession stakeholder forum to discuss responsible advertising in healthcare in Melbourne on 9 August 2017.

Stakeholders interested in how regulated health services are advertised heard about the work of AHPRA and the National Boards in managing complaints about advertising and debated current issues with representatives from consumer organisations, professional associations, insurers and other regulators, in addition to Board members and AHPRA staff.

A copy of the report on the Forum and other resources such as a highlights video and videos of panels discussions are available at:

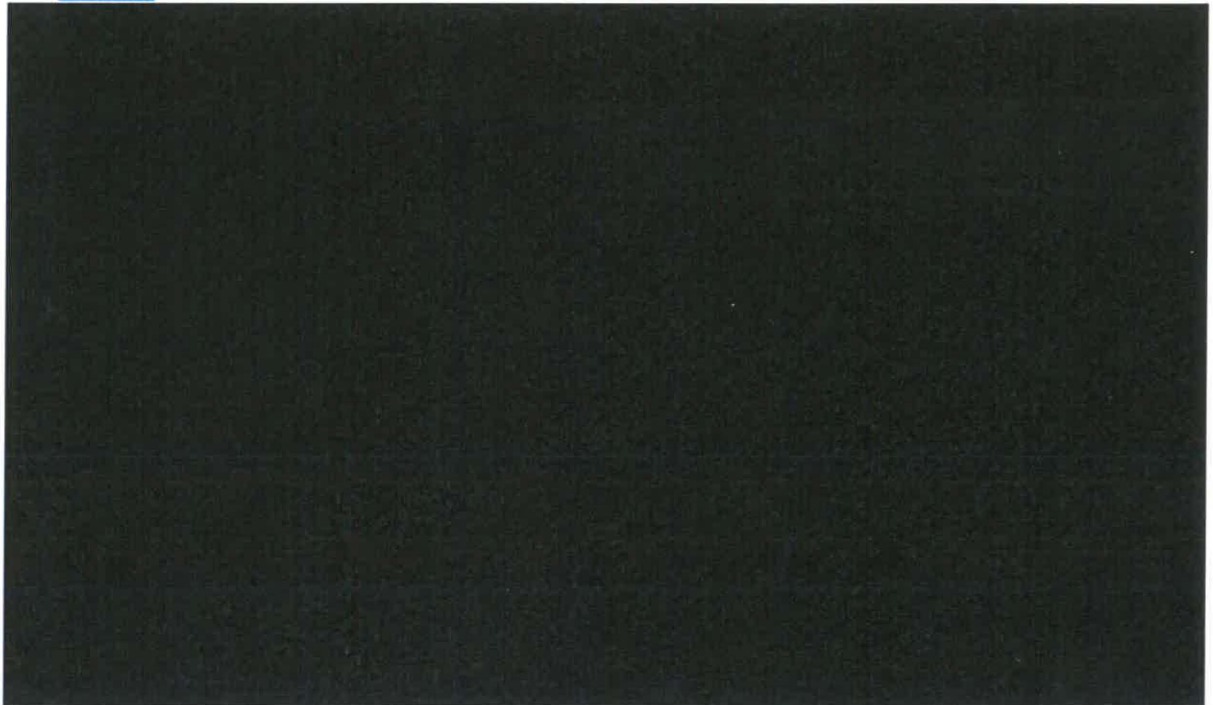
<http://www.ahpra.gov.au/Publications/Advertising-resources/Further-information/Forum-Responsible-advertising-in-healthcare.aspx>

How AHPRA and National Boards aim to achieve responsible advertising in healthcare is set out in the [Advertising compliance and enforcement strategy for the National Scheme](#).

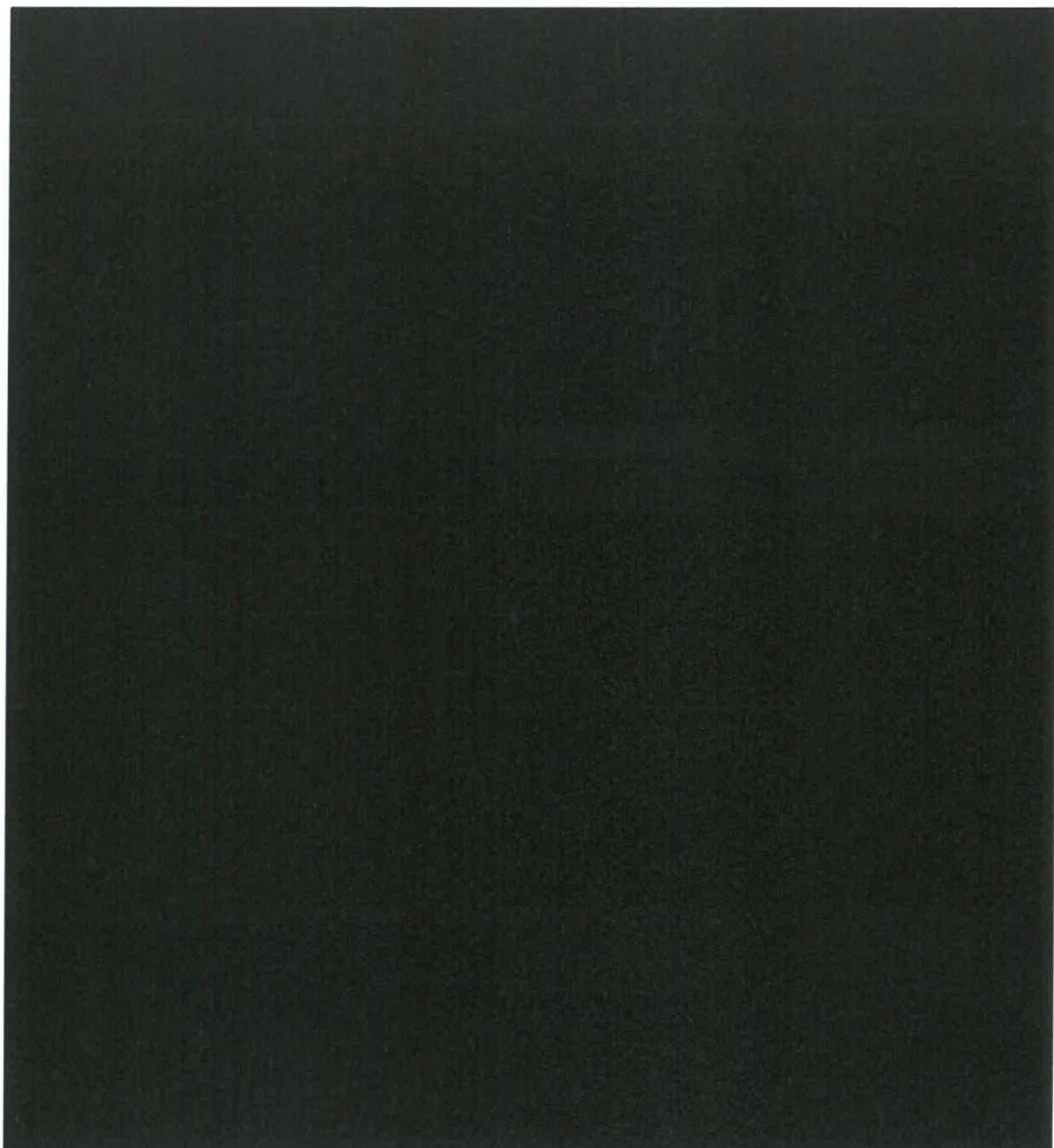
The forum provided information about the [practical resources](#) that have been developed to support people to comply with advertising obligations and also facilitated discussion about achieving responsible advertising by all registered health practitioners to support informed healthcare choices by consumers.

Most recently, AHPRA and the Boards have developed a self-assessment tool to help health practitioners and other advertisers meet their professional and legal obligations when advertising a regulated health service. The tool can be found at:

<http://www.ahpra.gov.au/Publications/Advertising-resources/Check-and-correct/Self-assessment-tool.aspx>



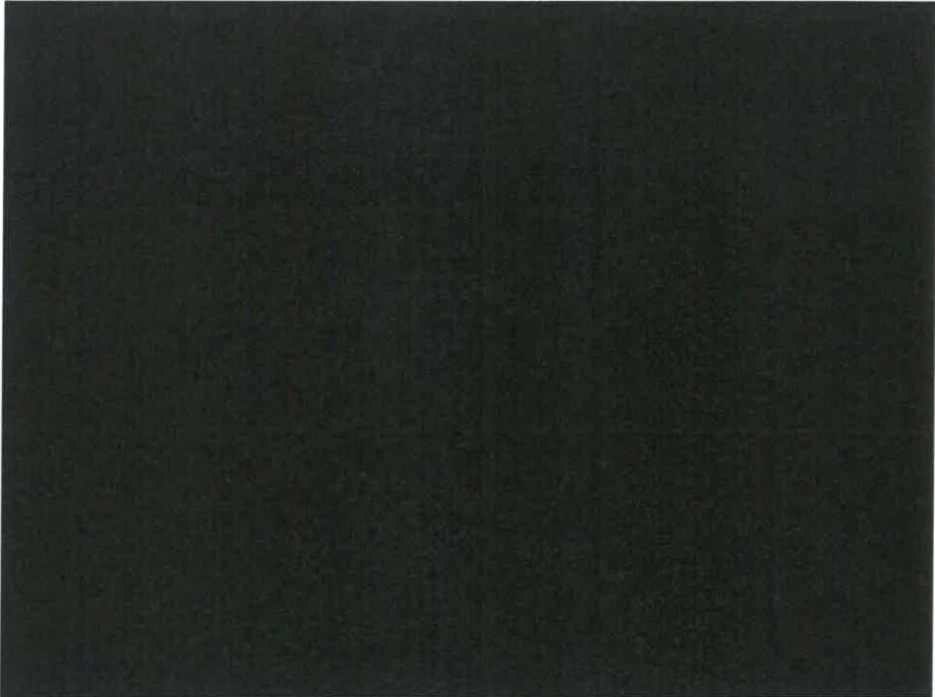
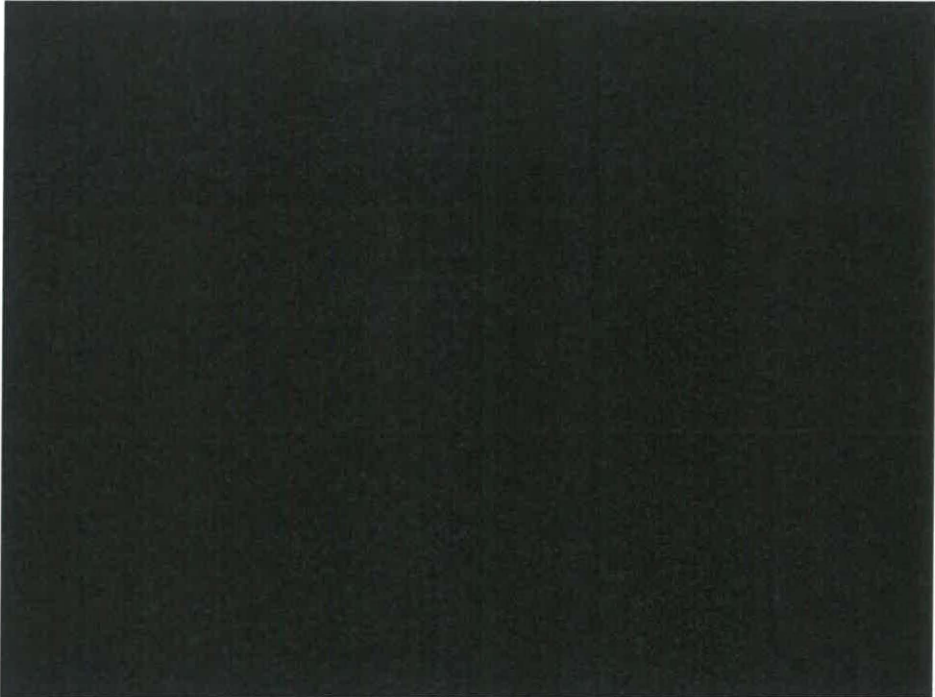
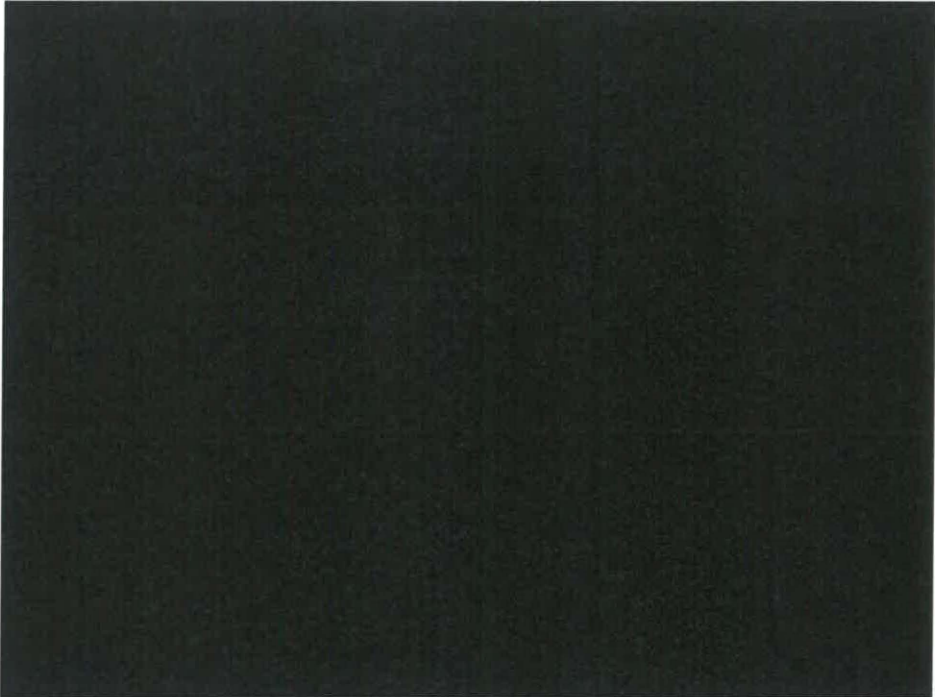
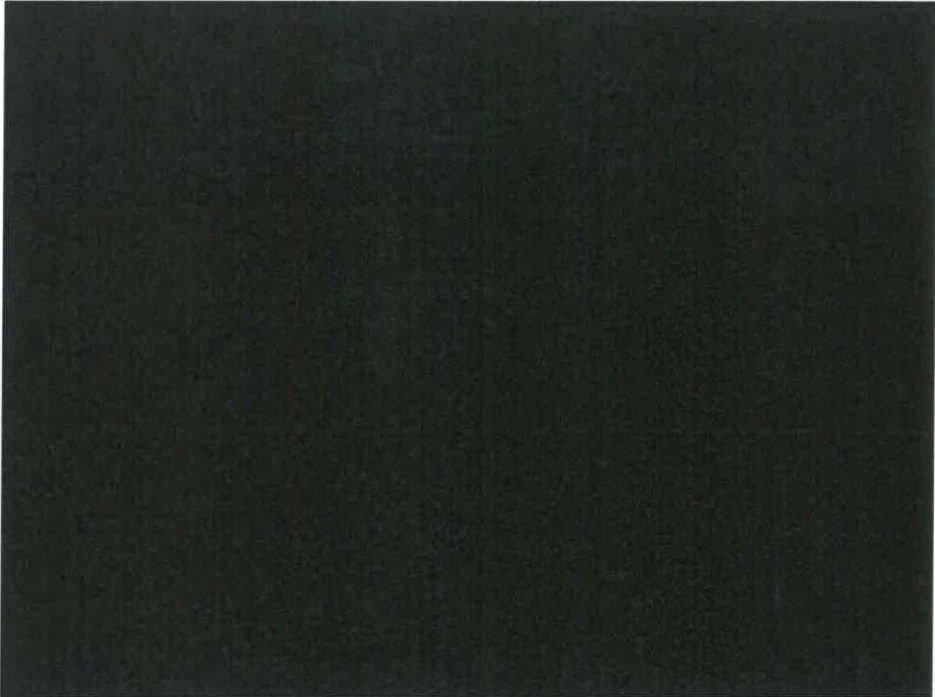
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Consumer Health Regulators Group

Register of Matters

Date	Description	Lead	Future Action
May 2017	Chiropractic profession	AHPRA	AHPRA to provide more detail about its learnings from this work – done at CHRG meeting in July 2017
May 2017			
July 2017			
July 2017			
Oct 2017			
Oct 2017	Hearing sector	ACCC	ACCC - update as necessary
<i>Proposed:</i> Feb 2017	Advertising complaints	TGA	TGA – update as necessary on implementation of reforms
	