



## Health Profession Agreement

Chinese Medicine Board of Australia

and

The Australian Health Practitioner Regulation  
Agency

2020-2025

# Head Agreement

## Preamble

The purpose of the Health Practitioner Regulation National Law (**the National Law**), as in force in each state and territory, is to establish the National Registration and Accreditation Scheme (**the National Scheme**). The National Scheme has six key objectives set out in s.3(2) of the National Law. In summary, the objectives are to:

- protect the public
- facilitate workforce mobility for health practitioners,
- facilitate high-quality education and training of health practitioners,
- facilitate assessment of overseas-trained health practitioners,
- facilitate access to health services, and
- development of a flexible, responsive and sustainable health workforce.

In accordance with the 2019 policy directions from the Council of Australian Governments (COAG) Health Council, the protection and safety of the public is the paramount consideration when administering the National Scheme.

Fifteen National Boards and the Australian Health Practitioner Regulation Agency (**Ahpra**) work in partnership to deliver these objectives, as well as the objectives of the National Scheme Strategy 2020-2025. Ahpra and National Boards have clear accountabilities for the separate and shared functions that contribute to achieving these objectives.

This Health Profession Agreement (**HPA**) is a statutory instrument under the National Law. Under the National Law, the Chinese Medicine Board of Australia (**the National Board**) and Ahpra are required to negotiate in good faith and attempt to come to an agreement on the terms of the HPA. Although the National Board does not have the power to enter into contracts generally (s.32(2)(a)), the National Law clearly intends that the Board will agree and execute an HPA with Ahpra.

## Accountability Framework

The National Scheme Accountability Framework (**the Accountability Framework**) is at Schedule 1 to this HPA. It defines the accountabilities of all relevant entities in the National Scheme arising from their functions under the National Law.

The Accountability Framework is an essential foundational document for the partnership between Ahpra and National Boards as articulated by this HPA, as well as the exercise of delegated functions under the National Law.

The Accountability Framework will be reviewed annually by Ahpra and the Board in line with the other HPA schedules. However, to ensure the effective delivery of functions of the National Scheme, any updates or changes to the Accountability Framework require the agreement of Ahpra and all National Boards.

## Purpose of this Agreement

The purpose of this HPA is to make provision for the following, as outlined in s 26(1) of the National Law:

- the fees payable by health practitioners and others in relation to the health profession for which the National Board is established,
- the National Board's annual budget, and
- the services to be provided to the National Board by Ahpra to enable the National Board to carry out its functions under the National Law.

This HPA also describes the relationship between the National Board and Ahpra, where Ahpra is both a governance and regulatory partner, as well as a service provider to the National Board. As such, it

outlines how both Ahpra and the National Board, as statutory entities, work together to achieve the goals of the National Scheme.

### Behavioural Attributes

In line with the values articulated in the National Scheme Strategy, the National Board and Ahpra agree to the following behavioural attributes, the purpose of which is to provide guidance to each party in exercising its responsibilities under this HPA:

Value	Attributes
Integrity	<ul style="list-style-type: none"> <li>In line with our Regulatory Principles, we are fair, transparent, objective and consistent in our decision-making.</li> <li>We are committed to doing what is right, even when it is difficult or unpopular.</li> <li>We clearly explain the basis of our actions.</li> </ul>
Respect	<ul style="list-style-type: none"> <li>We recognise diversity and treat everyone equitably and with empathy.</li> <li>We are present, engaged and person-centred.</li> <li>We support, and are accountable to each other in a considerate way.</li> <li>We foster timely, open and civil interactions with all people.</li> </ul>
Collaboration	<ul style="list-style-type: none"> <li>We work with others for a shared purpose (our Mission).</li> <li>We listen, consider feedback and develop responsive solutions, while enabling others to do the same.</li> <li>We engage with our stakeholders to build constructive relationships and support cultural safety for Aboriginal and/or Torres Strait Islander Peoples.</li> </ul>
Achievement	<ul style="list-style-type: none"> <li>We actively work together to achieve our Vision.</li> <li>We empower our people to strive for a culture of excellence and service.</li> <li>We report accurately and proactively within and external to the Scheme to maintain community trust and practitioner confidence.</li> <li>We recognise and celebrate our successes.</li> </ul>

### Period

This HPA is for the period 1 July 2020 to 30 June 2025 inclusive.

### Liaison Officers

The National Board agrees to authorise the Chair of the National Board (or his/her nominee) to act as liaison officer with respect to the HPA. Ahpra agrees to authorise the Executive Director, Strategy and Policy to act as liaison officer with respect to the HPA.

### Schedules

The following table outlines how the requirements of s. 26(1) of the National Law are represented in the HPA schedules, as well as describing the content of all other schedules.

Schedule 1:	Accountability Framework
Schedule 2:	Summary of Services to be provided to the National Board by Ahpra to enable the National Board to carry out its functions
Schedule 3:	Summary of National Scheme Strategy, implementation map, and National Board's regulatory plan
Schedule 4:	Fees payable by health practitioners
Schedule 5:	Summary of National Board's annual budget
Schedule 6:	Performance and Reporting
Schedule 7:	Equity Framework

The Performance and Reporting framework contained in Schedule 6 provides the mechanism for articulating performance metrics for the purposes of this HPA.

## National Scheme Strategy 2020-25

The National Scheme Strategy outlines the shared vision, mission, values and strategic objectives for Ahpra and the National Boards.

Together, Ahpra and National Boards are focused on ensuring the effective implementation of our strategy including supporting and promoting our four strategic themes of regulatory effectiveness, capability and culture, evidence and innovation, and trust and confidence.

### Issues management and escalation

Issues management and escalation provides a means to identify, track and resolve partnership issues throughout the life of the agreement ensuring each issue is resolved quickly and effectively between Ahpra and the Board.

An issue is defined as any problem or concern that has the potential to adversely affect the success of the partnership between Ahpra and the Board.

In line with our shared values, Ahpra and the National Board will work constructively to identify and resolve issues in a timely way and at the lowest possible level. Ordinarily, this will be achieved by discussion or negotiation between the relevant Executive Officer, the Chair/nominated National Board member and any other relevant Ahpra senior staff (generally at the level of a National Manager) with responsibility for a relevant functional area (e.g.: registrations, policy etc.).

In the event an issue remains unresolved, at the operational level it must be escalated in accordance with Ahpra reporting lines, to either the Executive Director, Strategy and Policy or the National Director, Regulatory Governance who will take reasonable steps to facilitate resolution of the issue to the satisfaction of Ahpra and the National Board.

In the event an issue needs to be escalated further, it will be escalated to the appropriate member(s) of Ahpra's National Executive, the Chair of the Agency Management Committee and/or dealt with as a dispute below.

### Dispute resolution

The National Board and Ahpra have a commitment to working together constructively and in accordance with our shared values to reasonably prevent any issues escalating into disputes.

For the purposes of this HPA, a dispute is defined as any unresolved disagreement between the Board and Ahpra about the terms or schedules, including the performance of either party, of this agreement.

If a dispute arises, as partners, we will use our best endeavours to resolve the dispute respectfully, fairly and promptly.

If the dispute cannot be resolved, the matter will be referred to the Ahpra Chief Executive Officer and the Chair of the National Board. If the dispute still cannot be resolved, it will be referred to the Chair of Ahpra's Agency Management Committee and the Chair of the National Board.

Either the Chair of Ahpra's Agency Management Committee or the Chair of the National Board may request the appointment of an independent, accredited mediator at any stage in the process. The process for appointment is for both parties to agree to the appointment of the nominated mediator.

If we are still unable to agree on the matter, s. 26(2) of the National Law provides that any failure to reach agreement between National Boards and Ahpra on matters relating the HPA is to be referred to the Ministerial Council (as that term is defined in the National Law) for resolution. The National Board and Ahpra agree that this is a step of last resort that will not be taken unless all prior steps have been exhausted.

## **Review**

The National Board and Ahpra agree to review the HPA head agreement at least every five years in line with the review of the National Scheme Strategy, or earlier with the agreement of all National Boards and Ahpra.

The supporting schedules will be reviewed and agreed annually by Ahpra and the National Board.

## **Publication**


Once agreed, both the HPA head agreement and schedules will be published on the Ahpra and the National Board websites respectively.

**This Agreement is made between**

**Chinese Medicine Board of Australia**

and

**The Australian Health Practitioner Regulation Agency (Ahpra)**

<p>Signed for and on behalf of Ahpra by:</p>  <p><i>Martin Fletcher</i></p> <p>Signature of Chief Executive Officer Mr Martin Fletcher</p> <p>Date 04 September 2020</p>	<p>Signed for and on behalf of the Chinese Medicine Board of Australia by:</p>    <p>Signature of the Board Chair Distinguished Professor Charlie C. Xue</p> <p>Date 7 September 2020</p>
--	---

## Schedule 1 – Accountability Framework

### National Registration and Accreditation Scheme Accountability Framework v.1.8 (November 2019)

All entities in the National Registration and Accreditation Scheme (**the National Scheme**) are ultimately accountable to the public through the Ministerial Council. The [agreement between Australian Governments](#) on the design of the National Scheme creates interdependent statutory authorities with no single point of accountability for all National Scheme functions. The [Health Practitioner Regulation National Law Act, as enacted in each State and Territory \(the National Law\)](#) creates the legal basis for the National Scheme.

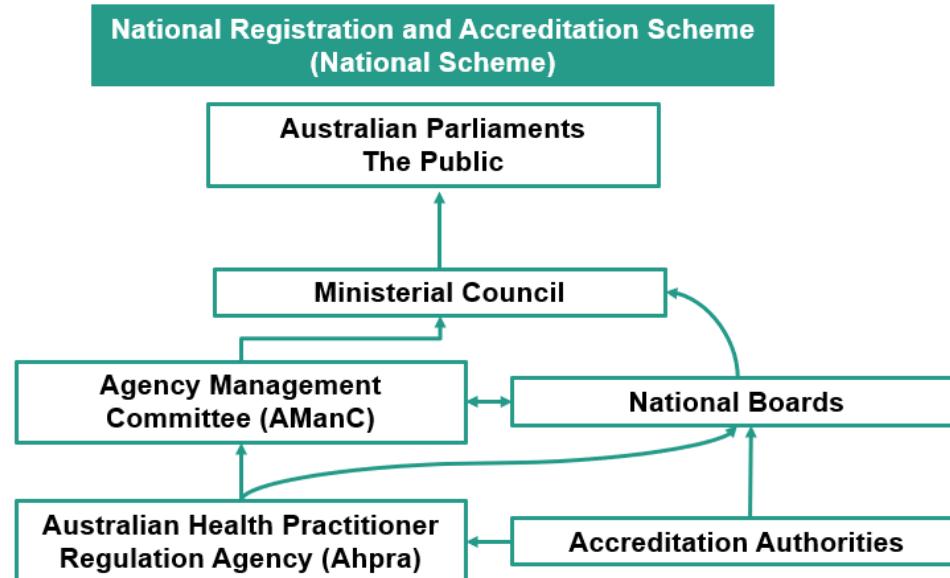
As a key component of the overall governance arrangements, this framework articulates the accountabilities of key entities arising from their roles and functions in the National Scheme. Ahpra, its governing Board (the Agency Management Committee (**AManC**), the National Health Practitioner Boards (**National Boards**) and their accreditation authorities are all entities created by National Law. Their powers and functions are prescribed in the National Law, the [Health Practitioner Regulation National Law Regulation 2018 \(National Law Regulation\)](#) or otherwise, conferred by applicable legislation. However, accountabilities for National Scheme entities also arise from statutory instruments, including policy directions from the Ministerial Council and from statutory agreements or other negotiated agreements.

External agencies, contractors or consultants cannot be held directly accountable for delivering the functions of an entity under the National Law. The mechanism for assigning responsibility for such functions is the contract or agreement that governs the provision of services. Under the National Law, only Ahpra can enter into contracts with external entities and accountability as to the management of the contract rests with the delegate approving the contractual arrangements.

Accountability can be delegated by an accountable person or entity to another person or entity. This framework is also designed to support the exercise of delegations in the National Scheme under section 37 and schedule 7 section 29 of the National Law. As a general principle, decision-making within Ahpra is delegated to the lowest reasonable level, having regard to the knowledge, experience and capabilities required to exercise the responsibility. Delegators must specify any conditions or limitations placed on the exercise of delegated powers and functions. For example, if a health profession National Board requires assurance that a decision will only be made with appropriate clinical input, this can be specified in the Instrument of Delegation to Ahpra. Ahpra is then responsible to ensure compliance with that specification when exercising the responsibility.

The Health Profession Agreement (section 26 of the National Law) with each National Board codifies the relationship with Ahpra as both a governance and regulatory partner and service provider.

Visual representation of accountability





### **The Ministerial Council is ultimately accountable for the National Scheme**

Ultimate accountability for the performance of the National Scheme resides with the parliaments of each State and Territory of Australia, through the Ministerial Council. Under the National Law, the Ministerial Council may provide policy directions to Ahpra and the National Boards, approve registration standards, make regulations and approve certain other recommendations from National Boards in respect of specialist registration, or endorsements on registration. The Ministerial Council is also accountable for appointing the AManC and National Boards and can remove appointed members in specific circumstances. The annual report provided to the Ministerial Council and tabled in each Parliament is a key component of how Ahpra and National Boards are accountable to the Ministerial Council and parliaments.

### **The Agency Management Committee (AManC) is accountable for National Scheme performance**

As the governing board for the National Scheme, AManC has a principal role in the approval, monitoring and reporting of performance of the National Scheme strategy as well as directing and controlling the affairs and policy directions of Ahpra. The AManC is accountable for National Scheme performance, including the establishment of regulatory procedures and general administration of the National Scheme. To enable it to perform its executive functions, Ahpra has powers to employ staff and enter into contracts.

Accountable to all Australian Parliaments, the Ministerial Council, the justice system, Administrative and Regulatory bodies for:

- all acts and things done by Ahpra.
- corporate governance, including Workplace Health and Safety for all physical and virtual work locations controlled by Ahpra.
- operational performance of the National Scheme.
- delivering Ahpra functions required by the National Law, including specific regulatory powers under Part 7.
- oversight and leadership on significant whole of scheme accreditation issues, including governance, accountability and transparency issues.
- compliance with relevant obligations set by other regulators.
- financial management in relation to the administration of the Agency Fund.
- appointment of the CEO, conferral of powers and delegations to the CEO.

Accountable to National Boards for:

- setting, monitoring and reviewing performance of the National Scheme Strategy.
- services provided by Ahpra to enable the Board to carry out its regulatory functions, including finance and communications.
- executing and managing contracts with accreditation authorities on the advice, and with approved terms and conditions, from the relevant National Board.
- executing and managing contracts for services with external providers on the advice, and with approved terms and conditions, from the relevant National Board.
- ensuring that Ahpra's operations are carried out efficiently, effectively and economically.

**The Chief Executive Officer is accountable for the delivery of Ahpra’s functions**

The Chief Executive Officer is accountable for delivery of Ahpra’s functions through an employment contract with and delegated authority from the AManC. The CEO also has a partnership responsibility with each National Board under the Health Profession Agreements.

Accountable to the Agency Management Committee for:

- implementing the National Scheme Strategy.
- delivery of Ahpra functions including specific regulatory powers under Part 7.
- delivery of services to National Boards.
- conferral and exercise of delegated functions by Ahpra.

Accountable to National Boards and their committees for:

- Effective, efficient and economic delivery of regulatory procedures and services consistent with the Health Profession Agreements.

**National Boards are accountable as the principal regulatory decision-makers**

National Boards are the principal regulatory decision-makers in the National Scheme, with delegated functions undertaken by Ahpra and by their committees including, where relevant, State, Territory or Regional Boards. National Boards are accountable to the Ministerial Council and Australian Parliaments for regulatory policies, the quality of their regulatory decisions, and through the court system and relevant administrative review bodies for the legality of their regulatory decisions. While National Boards can propose regulatory procedures, they do not establish or administer them. Without the power to employ staff or enter into contracts, National Boards rely on the partnership with Ahpra for the services provided under the HPAs.

Accountable to the Ministerial Council and Australian parliaments for:

- proper exercise of functions under National Law, including regulatory policies and the quality of their regulatory decisions.

Accountable through the justice system, administrative and regulatory bodies for:

- the legality of regulatory decisions, including by delegates. This can also include adequacy of standards, codes, guidelines, delegations and probity of decision-making processes.

Accountable to the AManC for:

- partnership responsibilities with Ahpra under the HPA, including provision of information to enable Ahpra to perform its financial management functions.
- informing and supporting the development of the National Scheme Strategy

**Accreditation Authorities are accountable for the delivery of specific accreditation functions.**

An accreditation authority may be an external entity, or a committee established by a National Board. The National Law creates a 'separation of powers' between National Boards and accreditation authorities by clearly specifying distinct decision-making roles in accreditation functions. Ahpra formalises arrangements for performance and funding of accreditation functions through contracts with external entities and terms of reference (TOR) for committees. Ahpra has facilitated the development of standardised agreements and TORs incorporating performance metrics and developed a cross-profession reporting model for accreditation authorities. These provide an overarching reference document for National Boards and Ahpra to assess the work of accreditation authorities.

Accountable to National Boards and their committees:

- the performance of accreditation functions as described in the contract with Ahpra or the relevant ToR.

Accountable to Ahpra for:

- delivery of funded accreditation activities, including compliance with performance measurement processes and reporting obligations, through an accreditation contract with Ahpra, or an approved ToR, on behalf of the National Board.

## Schedule 2: Summary of services to be provided to the National Board by Ahpra to enable the National Board to carry out its functions

In the event of any exceptional circumstances, outside of the annual review of schedules, any changes to Schedule 2 will be negotiated with National Boards.

### 1. Regulatory services, procedures and processes

<b>1.1 Registrations</b>	
Core	Profession Specific
1.1.1	<i>Profession-specific services, as listed in the National Board's regulatory plan and annual budget.</i>
1.1.2	
1.1.3	
1.1.4	
1.1.5	
1.1.6	
1.1.7	

<b>1.2 Notifications</b>	
Core	Profession Specific
1.2.1	<i>Profession-specific services, as listed in the National Board's regulatory plan and annual budget.</i>
1.2.2	
1.2.3	
1.2.4	

<b>1.3 Compliance</b>	
<b>Core</b>	<b>Profession Specific</b>
1.3.1 Develop compliance policy, processes and systems	<i>Profession-specific services, as listed in the National Board's regulatory plan and annual budget.</i>
1.3.2 Manage practitioners with registration restrictions (conditions and undertakings), suspension or cancellation	
1.3.3 Undertake the intake and assessment of offence complaints, assessment of all advertising offence complaints and the ongoing management of low and moderate risk advertising complaints under the <i>Advertising Compliance and Enforcement Strategy</i> .	
1.3.4 Manage the development and maintenance of the National Restrictions Library	
1.3.3 Oversee the ongoing development and reporting of performance measures for monitoring of practitioner's compliance	

<b>1.4 Legal Services</b>	
<b>Core</b>	<b>Profession Specific</b>
1.4.1 Provide nationally consistent legal advice and management to support effective and lawful registration, notifications and compliance procedures, and hearing panels processes	<i>Profession-specific services, as listed in the National Board's regulatory plan and annual budget.</i>
1.4.2 Conduct all Tribunal matters involving Ahpra and the National Boards	
1.4.3 Provide legal advice and services to the Boards to enable it to effectively and efficiently perform its functions and meet its objectives.	
1.4.3 Defend and/or resolve any litigation brought against the Board and respond to complaints lodged with external bodies against the Boards.	

## 2. Regulatory Governance

2.1 Governance and regulatory advice		
Core		Profession Specific
2.1.1	Develop and administer procedures to support effective and efficient National Board and committee operations	<i>Profession-specific services, as listed in the National Board's regulatory plan and annual budget.</i>
2.1.2	Support the development and implementation of National Board Regulatory Plans, including regular reporting	
2.1.3	Provide National Board member orientation, induction, professional development and evaluation programs	
2.1.4	Develop and release National Board communiqués, National Board newsletters and news updates	
2.1.5	Support working relationships with relevant committees	

2.2 National Board Services		
Core		Profession Specific
2.2.1	Provide secretariat and administrative support for National Board Meetings	<i>Profession-specific services, as listed in the National Board's regulatory plan and annual budget.</i>
2.2.2	Provide secretariat and administrative support for National Board committee meetings	
2.2.3	Provide panel hearing secretariat support	
2.2.4	Secretariat and policy support for governance forums, including the Forum of Chairs and its sub-committees	
2.2.5	Provide support in the recruitment of members to National Board committees and the List of Approved Persons for panels as requested by National Boards.	

### 3. Engagement and Government Relations

3.1 Communication		
Core	Profession Specific	
3.1.1	Develop, implement and review communication strategies, tools and guidelines	<i>Profession-specific services, as listed in the National Board's regulatory plan and annual budget.</i>
3.1.2	Review and release National Board media releases	
3.1.3	Develop and maintain National Board website and resources	
3.1.4	Coordinate and manage the production of the Ahpra and National Board annual report and other publications	
3.1.5	Provide communications advice and support for crisis and issue management	
3.1.6	Develop Branding for National Board and Ahpra Communication	
3.1.7	Report on relevant media coverage	
3.1.8	Monitor and manage social media	

3.2 Engagement		
Core	Profession Specific	
3.2.1	Build trust and confidence with external stakeholders, consistent with the National Scheme's strategies on engagement	<i>Profession-specific services, as listed in the National Board's regulatory plan and annual budget.</i>
3.2.2	Manage government relations, including advice and reporting to governments and Ministers, corporate secretariat, WHO Collaborating Centre	
3.2.3	Undertake consultation to support National Board strategies and guidelines	
3.2.4	Engage with external advisory groups as needed	
3.2.5	Monitor, support and advise on stakeholder engagement activities	

#### 4. Strategy

<b>4.1 Planning</b>	
Core	Profession Specific
4.1.1 Inform and support the development of the National Scheme Strategy	<i>Profession-specific services, as listed in the National Board's regulatory</i>
4.1.2 Develop and implement National Scheme Strategy	
4.1.3 Provide management oversight and effective delivery of scheme-level strategic initiatives	
4.1.4 Provide resources and support to assist with National Board regulatory planning	
4.1.5 Coordinate the annual review, development and execution of the Health Professions Agreements with Ahpra	

<b>4.2 Reporting</b>	
Core	Profession Specific
4.2.1 Deliver regular HPA and strategy performance reports.	<i>Profession-specific services, as listed in the National Board's regulatory plan and annual budget.</i>

#### 5. Policy

<b>5.1 Policy</b>	
Core	Profession Specific
5.1.1 Maintain procedures for the development of registration standards, codes, policies and guidelines	<i>Profession-specific services, as listed in the National Board's regulatory plan and annual budget.</i>
5.1.2 Develop, review, consult on and implement cross-profession standards, codes and guidelines	
5.1.3 Assist National Boards to develop, review and implement cross-profession regulatory policy and profession specific policy	
5.1.4 Provide tools to support regulatory policy development, review and evaluation	
5.1.5 Coordinate work on whole of Scheme, cross-directorate and profession specific regulatory policy issues	



<b>5.2 Accreditation</b>		
<b>Core</b>		<b>Profession Specific</b>
5.2.1	Support National Boards to oversight effective delivery of accreditation functions	<i>Profession-specific services, as listed in the National Board's regulatory plan and annual budget.</i>
5.2.2	Support accreditation committees to deliver the accreditation functions, where applicable	
5.2.3	Maintain procedures for the development of accreditation standards	
5.2.4	Coordinate work on whole of Scheme and multi-profession accreditation policy issues.	

<b>5.3 Research</b>		
<b>Core</b>		<b>Profession Specific</b>
5.3.1	Develop and implement an annual National Scheme research and evaluation plan	<i>Profession-specific services, as listed in the National Board's regulatory plan and annual budget.</i>
5.3.2	Work with National Boards to identify priority cross-profession issues.	
5.3.3	Provide advice and consult with National Boards about proposed research and evaluation projects and develop supporting tools and training	
5.3.4	Broker, participate in and maintain strategic data and research partnerships with external organisations	
5.3.5	Develop and regularly update a research governance framework and evaluation methodologies	

<b>5.4 Data</b>		
<b>Core</b>		<b>Profession Specific</b>
5.4.1	Develop, implement and manage the process and procedures for data access, release and exchange	<i>Profession-specific services, as listed in the National Board's regulatory plan and annual budget.</i>
5.4.2	Develop and maintain core data and statistical infrastructure to support internal and external research and analyses	
5.4.3	Implement processes to improve the quality of our data to ensure it is fit for purpose	

5.5 Finance	
Core	Profession Specific
5.5.1 Provide analysis, support and advice on financial plans, fee setting and annual budgets	<i>Profession-specific services, as listed in the National Board's regulatory plan and annual budget.</i>
5.5.2 Make provision for fees payable by health practitioners	
5.5.3 Develop and maintain the Equity model	
5.5.4 Manage equity investments in accordance with the conservative approach required of the Investment Policy	
5.5.5 Develop and maintain the cost allocation model used to inform the apportionment of Ahpra's costs	
5.5.6 Discretionary/initiative project evaluation, monitoring and benefits reporting	
5.5.7 Provide stage-gated financial reporting for major Scheme-wide projects <sup>1</sup> to assess progress and validate readiness for the next stage.	

<sup>1</sup>Major projects are those classified as high value and high risk to the National Scheme and will generally require a detailed business case. For these projects, at each Stage Gate, a review is undertaken: assessing the project against its specified objectives at the particular stage in the project's life cycle, identifying early the areas that may require corrective action and validating that a project is ready to progress successfully to the next stage.

5.6. Risk management	
Core	Profession Specific
5.6.1 Coordinate the development of Board level profession risk assessments and plans	<i>Profession-specific services, as listed in the National Board's regulatory plan and annual budget.</i>
5.6.2 Review and implement all necessary insurances including, but not limited to: <ul style="list-style-type: none"> <li>• Professional Indemnity</li> <li>• Directors and Officers</li> <li>• Crime</li> <li>• Cyber Liability</li> <li>• Business Travel</li> <li>• Workers compensation</li> <li>• Corporate Practices Protection</li> <li>• Industrial Special Risk</li> </ul>	
5.6.3 Business continuity planning, preparation, response and recovery approaches for any form of critical incident	

# Schedule 3: Summary of National Scheme Strategy, implementation map, and National Board's regulatory plan

## National Scheme Strategy 2020–2025

**Vision:** Our communities have trust and confidence in regulated health practitioners

**Values:**  
Integrity  
Respect  
Collaboration  
Achievement

**Mission:** Safe and professional health practitioners for Australia



**Regulatory effectiveness**

- Efficient and effective core regulatory functions
- Responsive accreditation systems
- Strengthened risk-based regulatory practices
- Sustainable financial framework
- Enhanced digital capability



**Trust and confidence**

- Aboriginal and/or Torres Strait Islander Peoples cultural safety
- Enhanced safety of vulnerable communities
- Supported professional learning and practice
- Enhanced community collaboration, engagement and communication
- Strengthened contribution to sustainable healthcare



**Evidence and innovation**

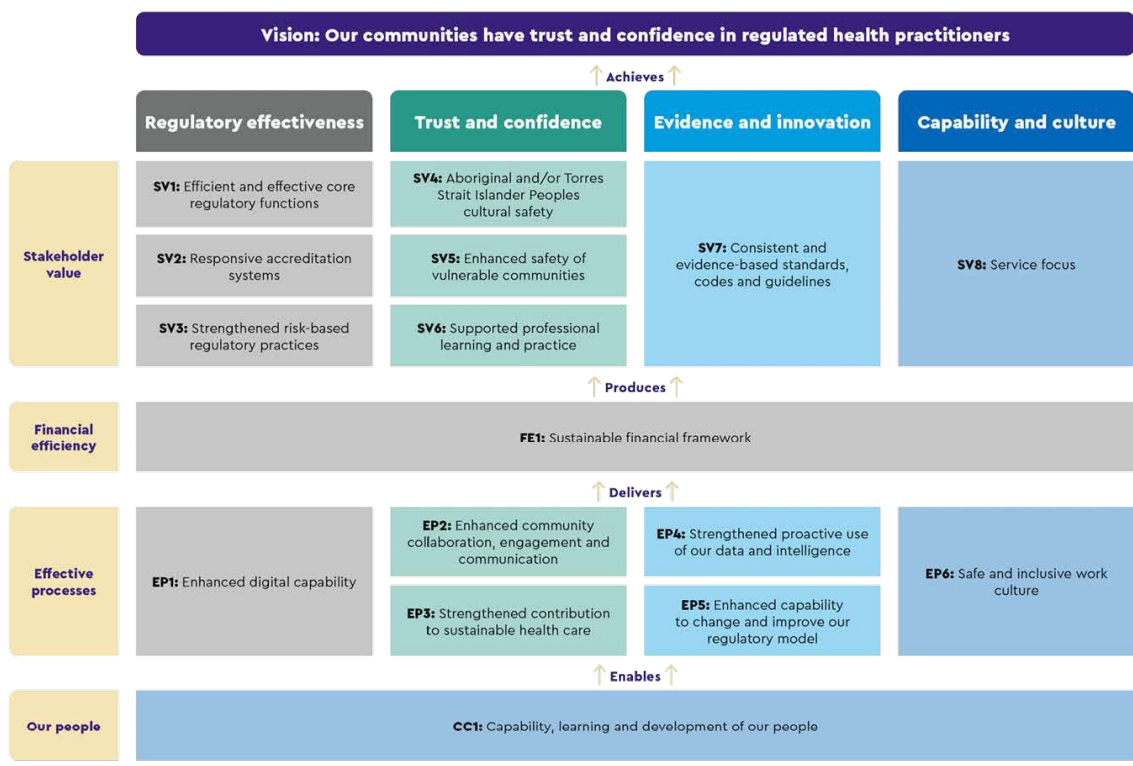
- Consistent and evidence-based standards, codes and guidelines
- Strengthened proactive use of our data and intelligence
- Enhanced capability to change and improve our regulatory model



**Capability and culture**

- Service focus
- Safe and inclusive work culture
- Capability, learning and development of our people

## Strategy Implementation Map



# National Board Regulatory Plan

## Background

The annual regulatory plan of the Chinese Medicine Board of Australia (CMBA) includes those strategic projects which are proposed by the CMBA and considered by the Agency Management Committee to be consistent with the objectives and strategy of the National Registration and Accreditation Scheme (NRAS) and the regulatory performance and function of the CMBA.

The Regulatory plan is complimented by a CMBA workplan 2020-21 which covers the more business-as-usual projects and activities of the CMBA.

## NRAS Objectives

### 1. NRAS Strategic themes

- a. Regulatory effectiveness
- b. Trust and confidence (engagement)
- c. Evidence and innovation
- d. Capability and culture

### 2. NRAS Strategic framework

**Vision:** A community that has trust and confidence in regulated health practitioners

**Mission:** Safe and professional health practitioners for Australia

**Values:**  
Integrity  
Respect  
Collaboration  
Achievement



**Regulatory effectiveness**

- Increased efficiency and effectiveness of core regulatory functions
- Strengthened responsiveness of accreditation systems
- Strengthened risk-based regulatory practices
- Sustainable financial framework
- Uplifted digital capability



**Trust and confidence**

- Promoted and enhanced cultural safety
- Supported professional learning and practice
- Enhanced collaboration, engagement and communication with key stakeholders
- Strengthened contribution to sustainable health care



**Evidence and innovation**

- Enhanced consistency and evidence-base for standards, codes and guidelines
- Strengthened proactive use of our data and intelligence
- Enhanced capability to improve our regulatory model



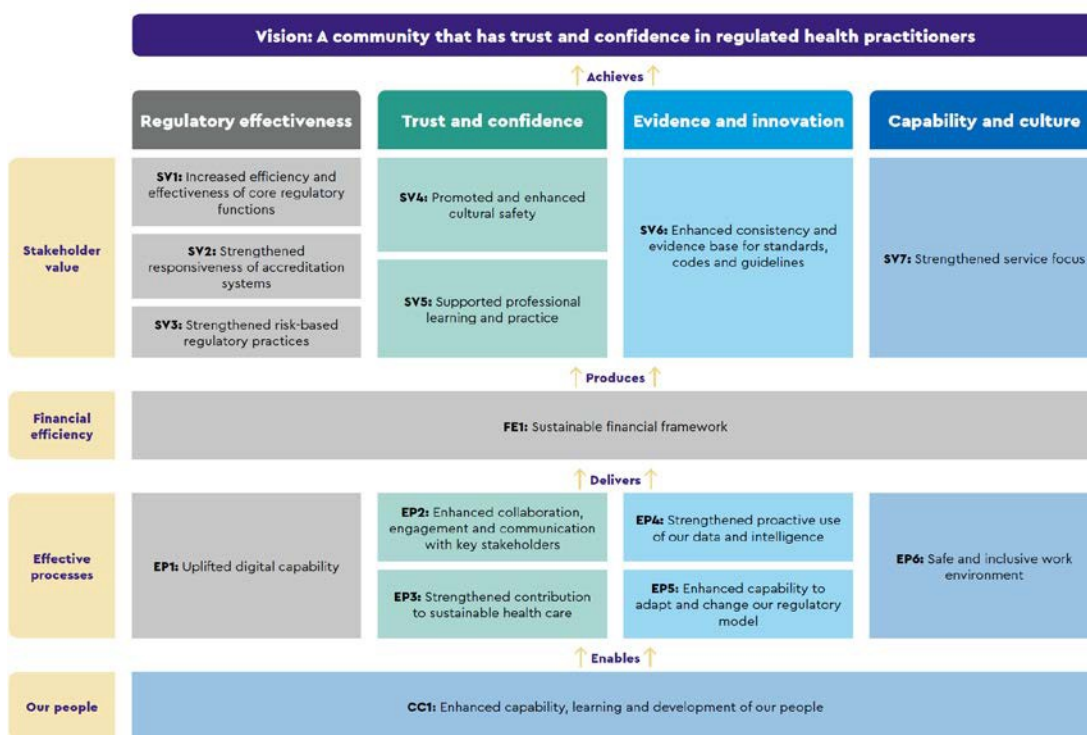
**Capability and culture**

- Strengthened service focus
- Safe and inclusive work culture
- Enhanced capability, learning and development of our people

### 3. Implementation

The NRAS strategy framework is underpinned by the Balanced Scorecard (BSC) methodology<sup>2</sup>. In practical terms, the BSC approach means the strategy is delivered through a continuous annual cycle of planning, implementation and review. A range of key tools is used to:

- **Coordinate** the strategic planning and implementation.
- **Communicate** the strategy internally and externally.
- **Align the work** of Ahpra and the National Boards to a common set of strategic objectives, including how expected value and benefits link to the strategic performance.
- **Align organisational processes** such as budgeting, risk management and research activities, to enable delivery of the strategic priorities.
- **Monitor** progress in delivering our strategy by developing consistent measures and targets for each objective and displaying them in dashboards and reports, and
- **Report** regularly on performance.



### 4. What will success look like in 5 years' time?

- Highly trusted by the public and the profession
- Better community awareness of Board's role/benefit through enhancing relevance/credibility of the Chinese medicine profession
- Improved safety of the public
- Increased collaboration amongst practitioners from various health professions

<sup>2</sup> First published by Professors Robert Kaplan and David Norton from Harvard University in 1992, see <https://hbr.org/2007/07/using-the-balanced-scorecard-as-a-strategic-management-system>. The BSC approach has evolved through several generations and is now used extensively in government and not-for-profit organisations worldwide.

## CMBA Regulatory Plan 2020-21 CMBA

### Regulatory priorities for 2020-21

Proposed Initiative or initiative in progress	NRAS Strategic Theme	Aligned NRAS Strategic Objective/s <sup>3</sup>	Potential activities to achieve	Outcomes
Board governance review  (Lead: David Graham)	Capability and Culture	Enhanced capability, learning and development of our people	ToR to be developed by PPCC in 2020 prior to any decision for inclusion. If approved, this may include: <ul style="list-style-type: none"> <li>Review roles, functions and effectiveness of current board committees and formulate recommendations (ToR and project plan for Board decision April 2020)</li> <li>If approved, undertake a review on the Board's governance processes, including roles and functions of members, and relevant decision-making processes (December 2020)</li> </ul>	Determine current performance and identify opportunity for improvements in 2021
Transition plan to new Board membership from 2021  (Lead: David Brereton)	Capability and Culture	Enhanced capability, learning and development of our people	<ul style="list-style-type: none"> <li>Map key timelines/key delivery dates</li> <li>Member skills/gap analysis,</li> <li>Update orientation and induction documents</li> <li>Develop relevant board procedures/processes for board operation beyond 2020 (October/November 2020)</li> </ul>	Seamless transition to new Board membership.
Implementation and review of regulatory examinations (Lead: Charlie Xue)	Regulatory Effectiveness	Strengthened risk-based regulatory practice	<ul style="list-style-type: none"> <li>Develop KPIs and targets</li> <li>Identify Key milestones</li> <li>Define outputs and outcomes (December 2020)</li> </ul>	Successful implementation of fit for purpose regulatory examinations by end of 2020 – minimise regulatory risk.
Equity/fees review (Leads: Charlie Xue)	Regulatory Effectiveness	Sustainable financial framework	<ul style="list-style-type: none"> <li>Liaise with Ahpra Finance to determine key elements of the Board's budget for development and change (March 2020)</li> <li>Confirm equity levels and fees for next 12-24 months (May/June 2020)</li> <li>Develop a communication plan to inform practitioners of any relevant changes (Sept/October 2020)</li> </ul>	Reduced fees for 2020/2021 renewal process and assured equity position.  Reduce regulatory burden.

## Schedule 4: Fees payable by health practitioners

### CHINESE MEDICINE BOARD OF AUSTRALIA

#### CMBA

Registration type	Note	National Fee		
		2019-20	Change	2020-21
Application fee for general registration in 1 division	1	579.00	-	579.00
Application fee for general registration in 2 divisions	1	685.00	-	685.00
Application fee for general registration in 3 divisions	1	737.00	-	737.00
Application fee for general registration in 1 division for new graduates	2	116.00	-	116.00
Application fee for general registration in 2 divisions for new graduates	2	137.00	-	137.00
Application fee for general registration in 3 divisions for new graduates	2	147.00	-	147.00
Application fee for limited registration in 1 division		579.00	-	579.00
Application fee for limited registration in 2 divisions		685.00	-	685.00
Application fee for limited registration in 3 divisions		737.00	-	737.00
Application fee for fast track application	3	60.00	-	60.00
Registration fee for general registration in 1 or more divisions		579.00	(87.00)	492.00
Registration fee for non-practising registration in 1 or more divisions		115.00	-	115.00
Registration fee for limited registration in 1 or more divisions		579.00	(87.00)	492.00
Registration fee - general registration new graduates	2	116.00	-	116.00
Late renewal fee for general registration	3	30.00	-	30.00
Late renewal for limited registration	3	30.00	-	30.00
Late renewal fee for non-practising registration	3	5.00	-	5.00
Replacement registration certificate	3	20.00	-	20.00
Extract from the register	3	10.00	-	10.00
Copy of the register (if application is assessed as in the public interest)	3	2,000.00	-	2,000.00
Verification of registration status (Certificate of Registration Status)	3	50.00	-	50.00

Note 1: This fee applies to applicants who are not graduates of Board-approved programs of study

Note 2: These fees apply to graduates of domestic approved programs of study effective 1 July 2019

Note 3: These fees are consistent across all professions and remain unaffected by annual indexation increase

NSW Fee										
2019-20				2020-21				Change Board	Change Council	Change NSW Rebate / (Surcharge)
Board	Council	Total	NSW Rebate / (Surcharge)	Board	Council	Total	NSW Rebate / (Surcharge)			
579.00		579.00	-	579.00		579.00	-	-	-	-
685.00		685.00	-	685.00		685.00	-	-	-	-
737.00		737.00	-	737.00		737.00	-	-	-	-
116.00		116.00	-	116.00		116.00	-	-	-	-
137.00		137.00	-	137.00		137.00	-	-	-	-
147.00		147.00	-	147.00		147.00	-	-	-	-
579.00		579.00	-	579.00		579.00	-	-	-	-
685.00		685.00	-	685.00		685.00	-	-	-	-
737.00		737.00	-	737.00		737.00	-	-	-	-
60.00		60.00	-	60.00		60.00	-	-	-	-
249.00	191.00	440.00	139.00	212.00	191.00	403.00	89.00	(37.00)	-	(50.00)
49.00	55.00	104.00	11.00	49.00	55.00	104.00	11.00	-	-	-
249.00	191.00	440.00	139.00	212.00	191.00	403.00	89.00	(37.00)	-	(50.00)
60.00	56.00	116.00	-	60.00	56.00	116.00	-	-	-	-
30.00		30.00	-	30.00		30.00	-	-	-	-
30.00		30.00	-	30.00		30.00	-	-	-	-
5.00		5.00	-	5.00		5.00	-	-	-	-
20.00		20.00	-	20.00		20.00	-	-	-	-
10.00		10.00	-	10.00		10.00	-	-	-	-
2,000.00		2,000.00	-	2,000.00		2,000.00	-	-	-	-
50.00		50.00	-	50.00		50.00	-	-	-	-



## Schedule 5: Summary of National Board's annual budget

### CHINESE MEDICINE BOARD OF AUSTRALIA

#### Income and expenditure budget and notes

#### SUMMARY BUDGET 2020/21

Item	\$
<b>Income</b>	
Registration (see note 1)	1,890,429
Application	63,000
Interest	82,100
Late Fees and Fast Track Fees	4,500
Accreditation	125,800
Other	250
<b>Total Income</b>	<b>2,166,079</b>
<b>Expenses</b>	
Board and committee (see note 2)	434,808
Legal, tribunal costs and expert advice (see note 3)	99,260
Accreditation (see note 4)	234,680
Office of the Health Ombudsman (Queensland)	95,613
Other direct expenditure (see note 5)	280,769
Indirect expenditure (see note 6)	1,020,950
<b>Total Expenses</b>	<b>2,166,079</b>
<b>Net Surplus (Deficit)</b>	<b>0</b>

## BUDGET NOTES

1. Registrant numbers	<p>The budget for registration income is based on the following:</p> <ul style="list-style-type: none"> <li>• Number of registrants invited to renew at next renewal period: .....4,954</li> <li>• Lapse rate of renewals: .....3.13%</li> </ul>
2. Board and committee expenses	<p>This covers the meeting costs of the National Board and its committees' obligations under the National Law.</p> <p>Costs include sitting fees, travel and accommodation while attending meetings for the Board.</p>
3. Legal, tribunal costs, and expert advice	<p>These costs are incurred in the management of complaints against practitioners (notifications), statutory offences and registration matters. The costs do not include the significant Board and committee costs, including sitting fees, related to notifications. These are included in '2' above.</p> <p>Also not included are the material staff costs in each state and territory office relating directly to notifications. These are included in "indirect expenditure" below.</p>
4. Accreditation	<p>Accreditation expenses include the costs of funding provided to the Board's Accreditation Committee for accreditation functions and projects.</p>
5. Other direct expenditure	<p>Costs associated with the Board's work on registration standards, policies and guidelines.</p> <p>This includes the following activities:</p> <ul style="list-style-type: none"> <li>• costs involved in consultation with the community and the profession</li> <li>• engagement of consultants necessary to support the Board's work</li> <li>• publication of material to guide the profession, such as the Board's newsletter</li> <li>• clinical advisers</li> <li>• Board member professional development, and</li> <li>• policy development and projects.</li> </ul>
6. Indirect expenditure	<p>Indirect expenditure includes Ahpra costs. Ahpra supports the work of the National Boards and committees by employing all staff and providing systems and infrastructure to manage core regulatory (registration, notifications, compliance, accreditation and professional standards) and support services in eight state and territory offices.</p> <p>Indirect costs are shared by the National Boards based on an agreed formula. The percentage is based on an analysis of historical and financial data to estimate the proportion of costs required to regulate the profession. Costs include salaries, systems and communication, property and administration costs.</p> <p>The proportion of Ahpra costs allocated to the Board is 0.491%.</p> <p>The National Registration and Accreditation Scheme Strategy 2020-2025 sets out Ahpra's objectives for 2020-21 and how they will be achieved. Ahpra costs also include key strategic initiatives for 2020/21 including the continuation of the transformation program of Ahpra's technology platform, cultural safety training, removal of hard copy certificates, wellness support program and other initiatives.</p>

## Schedule 6: Performance and reporting

This performance reporting program aims to facilitate the timely and effective delivery of functions under the National Law and the continuous improvement of the partnership between National Board and Ahpra.

There are three separate levels of reporting provided to National Boards outlined in more detail below:

1. Strategic Performance Reports
2. Health Profession Agreement Reports
3. Operational reports

Any additional changes to reporting will be decided through consultation and negotiation with National Boards and Ahpra as part of the annual review of this schedule.

Report	Timing	Content	Frequency
Strategic Performance Reports	Q1: Oct Q2: Jan Q3: April Q4: July	Strategic Performance Reports (SPRs) inform National Boards and the Agency Management Committee on our progress towards achieving the objectives of the National Scheme Strategy 2020-2025, through an aligned set of measures, targets and initiatives.  Our SPRs use the balanced scorecard methodology.	Quarterly
Health Profession Agreement Reports	May (TBC)	Health Profession Agreement (HPA) Reports monitor and report on the health of the partnership between Ahpra and National Boards.  The Reports will be based on the values and behavioural attributes of the National Scheme Strategy 2020-25, as well as relevant functional areas of the current Ahpra operating model including: <ul style="list-style-type: none"> <li>• Regulatory governance</li> <li>• Engagement and government relations</li> <li>• Strategy</li> <li>• Policy</li> <li>• Finance and Risk</li> </ul> HPA reports will be provided a to inform the annual review of the HPA schedules.	Annual
Operational Reports	Q1: Nov Q2: Feb Q3: May Q4: Aug	Operational reports capture the volume and trends for our registrations, notifications, compliance (including advertising compliance) and legal functions. National Boards also have access to the registrations and notifications dashboards.  Progress reporting against specific action plans and/or targets is provided, as agreed by RPC	Quarterly  Live access via Power BI  As agreed by Regulatory Performance Committee

# Schedule 7 - Equity Framework

## Overview

### Principles of equity

Ahpra and the National Boards work in close partnership to improve the management of equity on behalf of the National Registration and Accreditation Scheme (National Scheme) in the interests of greater cost effectiveness and efficiency to ensure the long-term financial sustainability of the Scheme.

Equity has accumulated both from equity bought into the scheme by National Boards upon the inception of the National Scheme and through subsequent operating surpluses.

Equity serves several important purposes including:

- mitigating against unexpected loss not covered by the National Scheme's comprehensive insurance
- funding capital and strategic projects that support the effective and efficient operation of Boards and the Scheme
- offsetting the impact to the financial position due to variance in the operating result.

Guiding principles of equity management include:

- joint accountability for the financial resilience and sustainability of the National Scheme, ensuring no Board is unreasonably disadvantaged under the equity approach
- appropriate and efficient use of resources
- use of National Board risk assessments to inform the National Boards' primary risk pool equity target
- appreciation of the different profession profiles and equity positions
- recognition that the fee strategies for each Board are integral to meeting each board's individual financial needs
- transparency of process.

Key elements of the Equity Framework include:

- a focus on ensuring sustainable levels of equity across the National Scheme
- two discrete equity pools:
  - Pool one is the National Scheme equity pool
  - Pool two is each National Board's equity pool
- indicative target equity levels for each National Board, with the Board primary risk pool provision based on the National Board profession risk assessment
- a governance framework and business rules for decision making in relation to equity.

By improving the management of equity, it is anticipated that the following outcomes will be achieved:

- clear accountability and responsibility improved collaboration, communication and coordination
- increased effectiveness and efficiency
- enhanced trust and confidence in process, oversight and sustainability.

### Equity Pools

The National Scheme equity pool serves three purposes:

- funding strategic initiatives with wider benefit to the scheme that are above the budgeted amount
- secondary risk provisioning to mitigate against uninsured loss to Ahpra and the scheme as a whole
- offsetting the impact on the financial position due to variance in the operating result.

The National Board equity pool serves four purposes:

- provision for National Board strategic initiatives
- provision for large case costs
- primary risk provisions
- offsetting the impact to the financial position due to variance in the operating result