

CHAPTER 4

The health care service delivery in context

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Introduction

This chapter looks at the delivery of health care given by those in the allied health care professions from a number of perspectives. To this extent there is some overlap between this chapter and other chapters that deal with the regulation of practitioners and complaints by patients or clients. In this chapter the main focus is the legal context; that is the legal environment within which the Commonwealth, the States and the Territories exercise control over those in the allied health care professions. However, the law does not exist in a vacuum. The political, social and economic contexts also inform and shape the law and the development of the law.

For this reason this chapter also considers policy issues such as waiting lists, staffing issues, and Indigenous health issues. These matters are being given greater attention by governments in light of an emerging framework of consensus and shared responsibility as between the Commonwealth and the States regarding the provision of health care and the funding of hospitals. Apart from this, there are issues concerning the growth in the practice of complementary medicine as a means of helping sick people and the growing demand by patients and clients for more accountability in the provision of health services, leading to increased emphasis on complaints mechanisms.

This chapter is constructed around an evolving fictitious case study: *In the matter of Wendy Wicket and Sam Slips*. The case study is designed to put some flesh on the various issues that arise from each of the sections in this chapter and to place the law in the context of a practice situation relevant to allied health care professions. The facts in the case study segments have legal implications that are highlighted in the material that follows each segment. However, the facts also raise many public interest issues, about which there is no clear legal answer and which will be equally important in determining what happens in practice on similar facts. The case study is introduced below.

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References

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