

Version
as at 22 November 2024



Health Practitioners (Protected Quality Assurance Activity—Capital and Coast DHB) Notice 2019

(LI 2019/280)

Health Practitioners (Protected Quality Assurance Activity—Capital and Coast DHB) Notice 2019: revoked, on 22 November 2024, pursuant to section 54(4) of the Health Practitioners Competence Assurance Act 2003 (2003 No 48).

Pursuant to section 54(3) of the Health Practitioners Competence Assurance Act 2003, the Minister of Health, being satisfied of the matters set out in that subsection, gives the following notice.

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Notice

1 Title

This notice is the Health Practitioners (Protected Quality Assurance Activity—Capital and Coast DHB) Notice 2019.

2 Commencement

This notice comes into force on the day after the date of its notification in the *Gazette*.

Note

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

This notice is administered by the Ministry of Health.

3 Interpretation

In this notice,—

Capital and Coast DHB means the Capital and Coast District Health Board established by or under section 19(1) of the New Zealand Public Health and Disability Act 2000

specified health practitioner means a health practitioner who provides health services on behalf of Capital and Coast DHB and who—

- (a) is employed by Capital and Coast DHB; or
- (b) is authorised by Capital and Coast DHB to provide health services; or
- (c) has an access agreement with Capital and Coast DHB.

4 Declaration of protected quality assurance activity

- (1) The quality assurance activities set out in subclause (2) are protected to the extent that they are undertaken by Capital and Coast DHB in relation to specified health practitioners.
- (2) The activities are—
 - (a) examining patients' records; and
 - (b) analysing the following data on patients:
 - (i) admission and discharge;
 - (ii) morbidity;
 - (iii) mortality;
 - (iv) outcomes of treatment; and
 - (c) analysing the patient care process; and
 - (d) identifying and analysing any process or practice that results in an outcome for patients that may, but need not, be an adverse outcome; and
 - (e) presenting and discussing the results obtained under paragraphs (a) to (d); and
 - (f) undertaking multidisciplinary case reviews and peer reviews; and
 - (g) making recommendations on how specified health practitioners can improve their performance to—
 - (i) improve the quality of the care they provide; and
 - (ii) reduce the incidence of adverse outcomes; and
 - (h) facilitating and monitoring the implementation of any recommendations made under paragraph (g).

5 Revocation

The Health Practitioners (Quality Assurance Activity—Capital and Coast DHB) Notice 2016 (LI 2017/5) is revoked.

Dated at Wellington this 4th day of November 2019.

Hon Jenny Salesa,
for the Minister of Health.

Explanatory note

This note is not part of the notice, but is intended to indicate its general effect.

This notice comes into force on the day after the date of its notification in the *Gazette*. It declares the quality assurance activities described in *clause 4* to be protected. Quality assurance activities are activities that are undertaken to improve the practices or competence of health practitioners by assessing the health services performed by those practitioners.

The effect of protecting a quality assurance activity is that—

- any information that becomes known solely as a result of the activity is confidential; and
- any documents brought into existence solely for the purposes of the activity are confidential; and
- the persons who engage in the activity in good faith are immune from civil liability.

The protections afforded by this notice are subject to certain statutory exceptions. For example, this notice does not prohibit the disclosure of information that does not identify, either expressly or by implication, a particular individual.

This notice revokes the Health Practitioners (Protected Quality Assurance Activity—Capital and Coast DHB) Notice 2016.

This notice remains in force for 5 years, unless sooner revoked.

Notes

1 *General*

This is a consolidation of the Health Practitioners (Protected Quality Assurance Activity—Capital and Coast DHB) Notice 2019 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

2 *Legal status*

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

3 *Editorial and format changes*

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

4 *Amendments incorporated in this consolidation*

Health Practitioners Competence Assurance Act 2003 (2003 No 48): section 54(4)