

Version
as at 22 November 2024



Health Practitioners (Protected Quality Assurance Activity—New Zealand Orthopaedic Association Practice Visit Programme) Notice 2019

(LI 2019/279)

Health Practitioners (Protected Quality Assurance Activity—New Zealand Orthopaedic Association Practice Visit Programme) 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.

Contents

		Page
1	Title	1
2	Commencement	2
3	Interpretation	2
4	Declaration of protected quality assurance activity	2
5	Revocation	3

Notice

1 Title

This notice is the Health Practitioners (Protected Quality Assurance Activity—New Zealand Orthopaedic Association Practice Visit Programme) Notice 2019.

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.

2 Commencement

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

3 Interpretation

In this notice, **specified health practitioner** means an orthopaedic surgeon who is participating in the New Zealand Orthopaedic Association Continuing Professional Development Programme as the visited orthopaedic surgeon.

4 Declaration of protected quality assurance activity

The following quality assurance activities are protected to the extent that they are undertaken by orthopaedic surgeons acting on behalf of the New Zealand Orthopaedic Association in relation to specified health practitioners:

- (a) reviewing the following information provided by the specified health practitioner:
 - (i) information about the specified health practitioner's practice gathered from questionnaires completed by colleagues, co-workers, and patients; and
 - (ii) a summary of the surgical audits relating to the specified health practitioner's practice from the previous 2 years; and
 - (iii) the specified health practitioner's operating lists from the previous 2 months; and
 - (iv) up-to-date data relating to the specified health practitioner's practice obtained from the New Zealand Orthopaedic Association National Joint Registry; and
 - (v) a record of the specified health practitioner's continuing professional development activities to date; and
 - (vi) a completed practice profile questionnaire; and
- (b) discussing that information with the specified health practitioner; and
- (c) reviewing the specified health practitioner's practice surroundings, facilities, and processes; and
- (d) reviewing 10 randomly selected case records of the specified health practitioner that include both public and private cases; and
- (e) observing the specified health practitioner perform a surgical session; and
- (f) conducting a concluding interview with the specified health practitioner; and
- (g) providing a report to the specified health practitioner and to the New Zealand Orthopaedic Association Practice Visit Committee with recommendations as to how any shortcomings should be addressed.

5 Revocation

The Health Practitioners (Protected Quality Assurance Activity—New Zealand Orthopaedic Association Practice Visit Programme) Notice 2016 (LI 2016/83) 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—New Zealand Orthopaedic Association Practice Visit Programme) 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—New Zealand Orthopaedic Association Practice Visit Programme) 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)