

24 September 2013

Mr Martin Fletcher  
Chief Executive Officer  
Australian Health Practitioner Regulation Agency  
GPO Box 9958  
MELBOURNE VIC 3001

*medicalboardconsultation@ahpra.gov.au*

Dear Mr Fletcher

**Re: Good Medical Practice – A Code of Conduct for Doctors in Australia**

The Royal Australian College of General Practitioners (RACGP) thanks the Australian Health Practitioner Regulation Agency (AHPRA) for the opportunity to provide comment on the revised Code of Conduct for Doctors in Australia.

The RACGP is the specialty medical college for general practice in Australia, responsible for defining the nature of the discipline, setting and maintaining the curriculum and standards for education, training, quality general practice and for supporting GPs in their pursuit of clinical excellence and community service.

Proposed changes to the code

The proposed additions and amendments are comprehensive and appear to bring the Code into line with current regulatory frameworks and recent revisions to the Advertising Guidelines, including guidance on the use of social media and technology based consultations by the medical profession.

The RACGP acknowledges the importance of implementing guidelines for social media, given the increasingly common use amongst both medical students and medical practitioners. As per previous input provided by the RACGP regarding social media, it is important that social media is incorporated into existing guides and policies regarding professional obligations, rather than creating a “stand alone” policy.

Mandatory reporting for doctors

Despite the above, the RACGP has on-going concerns regarding mandatory reporting requirements imposed on medical practitioners since the mandatory reporting laws came into effect on 1 July 2010. Whilst the College recognises that changes cannot be made to the code of conduct until the legislation has been amended, the issue must be addressed as a high priority.

Mandatory reporting discourages doctors from seeking medical assistance from their general practitioner, particularly in circumstances where medical assistance is needed most. More than half of the doctors (53%) surveyed in a recent study stated that, since the implementation of mandatory reporting, they are less likely to seek help from a colleague.<sup>1</sup>

Australian state and territory doctors' health advisory services have also observed that the number of calls received has significantly reduced since the implementation of mandatory reporting requirements.



For example, the ACT Doctors' Health Advisory Service has reported that it has received no calls from doctors regarding their own mental health since mandatory reporting's introduction.<sup>2</sup>

As predicted by the RACGP, and many professional bodies, the introduction of the legislation has resulted in doctors hiding their impairments and professional issues from their colleagues, driving issues underground and increasing, rather than decreasing the risk to patients, the public, the practitioners themselves and their colleagues.

### Recommended changes to mandatory reporting

In Western Australia (WA), doctors treating other health professionals are exempt from making a mandatory notification if they become aware of notifiable conduct while in the course of providing treatment.

The RACGP believes that doctors experiencing health problems must be encouraged to seek medical assistance without fear of being reported. Changes to existing legislation are required if this is to occur, and the RACGP would welcome a move to the WA model with a built in exemption for doctors seeking treatment. Doctors must be able to enjoy the same confidential therapeutic relationships that they offer their patients. Implementing a uniform exemption similar to WA would allow doctors to access medical assistance when needed.

The RACGP would greatly appreciate your consideration of the issues canvassed herein. If you have any questions regarding these matters, please contact myself or Mr Roald Versteeg, Manager – Policy & Practice Support on (03) 8699 0408 or at [roald.versteeg@racgp.org.au](mailto:roald.versteeg@racgp.org.au)

Yours sincerely

Dr Eleanor Chew  
Vice - President

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<sup>1</sup> See Medical Observer website: <http://www.medicalobserver.com.au/news/mandatory-reporting-puts-gps-off-seeking-help-poll>, Accessed 6 September 2013.

<sup>2</sup> See Medical Observer website: <http://www.medicalobserver.com.au/news/mandatory-reporting-puts-gps-off-seeking-help-poll>, Accessed 6 September 2013.



# RACGP

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