



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

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*.

#### 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.

Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*: 21 November 2019.

This notice is administered by the Ministry of Health.