

Health Service Establishments Advisory Committee Roles and Responsibilities

November 2022 V1.0

The aim of the Health Service Establishments Act 2006 (the Act) is to ensure:

- a) the quality and safety of services provided at private health establishments by specifying the standards to be met by those establishments; and**
- b) that services are provided to meet effectively the needs of Tasmanians in accordance with clinical practice guidelines as to the provision of services and standards observed in Tasmania and elsewhere in Australia.**

The Act grants authority for a Health Service Establishments Advisory Committee (HSEAC) to be established.

Appointment to the HSEAC

Members are appointed to the HSEAC by the Secretary for a term of three years.

When a new member(s) is required, expressions of interest are invited to apply for a membership position.

The Secretary then determines the membership and appoints members through Instruments of Appointment.

Members can be reappointed for a subsequent three-year term and are not limited to serving only one term.

HSEAC Members

The Act states that the HSEAC must comprise of between three and seven members, as determined by the Secretary.

As a minimum membership must include:

- at least one State Service Officer of State Service employee
- at least one person nominated by the private hospital industry; and
- at least one person who does not manage a day procedure centre or private hospital and is appointed by the Secretary to represent the interests of the consumers

The Chair of the HSEAC will be appointed by the Secretary.

Functions of HSEAC

As per clause 7 of the Act, the functions of the HSEAC are:

- a) to provide advice to the Secretary in respect of applications for approval for new, altered or expanded private hospital services or services to be provided by other establishments taking account of:
 - i. any relevant hospital services planning guidelines; and
 - ii. the critical mass of patients required to comply with clinical practice recognised throughout Australia and with any guidelines as to the provision of services which are so recognised; and
 - iii. any other similar matter that the Advisory Committee considers to be supported by expert opinion; and
 - iv. the current availability of services in the local area; and
 - v. the suitability of the applicant to provide any such services; and
- b) to prepare such reports for the Minister, giving such advice, as may be required by the Minister from time to time.

HSEAC roles and responsibilities

The committee is comprised of a Chair, Members and Secretariat.

Chair

- The HSEAC Chair is responsible for authorising the convening of a committee meeting.
- They determine whether quorum has been achieved.
- They ensure that the HSEAC have considered all the requirements of the Act (as per clause 7).
- Where there is disagreement between members, they will consider all views and suggest to members a pathway to reach agreement.
- They will ensure that any outstanding questions raised by the HSEAC are addressed.
- They will seek approval from the HSEAC for submission of the application to the Secretary (or delegate).
- Where a conflict of interest is identified, they will ensure that this is recorded and actions to address the conflict implemented.

HSEAC Member

- The HSEAC member must review each licence application to ensure all the requirements of the Act (as per clause 7) have been addressed.
- They must view the application as a whole and treat each application confidentially and with integrity and professionalism.

- Using their expert knowledge, they must assess, and make a recommendation, as to whether the Secretary should issue the Health Service Establishment (HSE) with a licence to operate.
- If they do not agree that the HSE should be licensed, they must clearly define the reasons why during the committee meeting. The reasons why must be document in writing and sent to the HSEAC Chair.
- If the HSEAC member believes that that a licence should be issued with specific conditions, they must clearly define what the conditions should be and the reason for inclusion during the committee meeting. The reasons why must be document in writing and sent to the HSEAC Chair.
- If meeting pre-reads have been supplied, the member must ensure that these are read prior to the meeting to ensure an effective use of time.
- Meetings should be attended on time and out of session voting emails actioned promptly.

Secretariat/Regulation, Licensing and Accreditation Unit (RLA)

- The RLA Unit prepares the licence application for submission to the HSEAC.
- In agreement, and on behalf of the Chair, they may schedule committee meetings to seek approval for a licence application to be submitted to the Secretary (or delegate).
- They will provide committee meeting pre reads as required at least three working days prior to the meeting.
- They will document any additional questions/concerns from the HSEAC and request these from the licence applicant.
- They will document the HSEACs approval for submission to the Secretary (or delegate).

Conflict of Interest

Conflicts of interest are not 'wrong' by default. When disclosed, declared and managed appropriately, they do not pose a risk.

It is expected that HSEAC members behave honestly, fairly, equitably and with integrity at all times. Members are responsible for identifying, declaring and supporting the management of any conflicts of interest that arise.

Conflicts of interest arise where a member's personal interests have the potential to influence their obligations within the HSEAC (whether actual, perceived or potential). These may include:

- financial, economic or business interests
- significant family or other relationships with applicants, fellow workers, stakeholders, clients, contractors or other relevant parties
- dual client/personal relationships
- affiliations with political, employee organisations, professional or other associations
- other employment or engagement

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- animosity or competition towards another individual or group.

Where a conflict of interest is identified, the committee will agree the most appropriate course of action and document its decision.

Private Health Service Establishment members will not be allowed to participate, or have voting rights, in committee meetings concerning their own establishments, and will be excluded from all correspondence concerning it.

Quorum

A HSEAC meeting can be considered quorum if the majority of members are present (for example if the HSEAC has four appointed members, three members is considered quorum).

Remuneration

As per Schedule 1, clause 4 of the Act, members are entitled to receive remuneration (including any travelling and subsistence allowance) as determined by the Secretary.

Members are entitled to remuneration for each HSEAC meeting. Out of session voting on items discussed in a previous HSEAC meeting, does not attract a remuneration.

Questions

Any member who has questions concerning the function of the HSEAC or has feedback concerning the committee should contact the Chair in the first instance.