



APPLICANT INFORMATION

Positions available: Chair, Member/s, Determining Authority

Location: flexible, Australia

Employment type: part-time, specified term

Overview of the opportunity and selection process

Professional Services Review (PSR) is seeking applications from suitably qualified candidates to fill a small number of part-time positions on the Determining Authority (DA) under section 106ZPB of the *Health Insurance Act 1973* (the Act). We are seeking:

- two medical practitioners, one of whom is to be the Chair of the DA, and
- a person who is not a health practitioner (otherwise referred to as a community representative).

Most of the matters before the DA concern medical practitioners. These positions form the core membership of the DA, and those members are paid an annual retainer to attend to the regular core DA workload. There are also 'non-core' members of the DA who are practitioners from other professions that may be the subject of PSR action. The non-Chair medical member is replaced by a non-core practitioner member when a matter from a relevant non-medical profession is before the DA. Non-core members are recruited separately from this recruitment process.

Applications will be assessed by a Selection Advisory Panel for consideration by the Australian Government. Successful candidates will be appointed by the Minister for Health and Aged Care for a term of up to five years.

About PSR

PSR is a statutory agency within the Commonwealth Health and Aged Care portfolio. DA members are independent statutory officers appointed by the Minister for Health and Aged Care. PSR is a key contributor to the regulatory framework that governs health care provision in Australia.



The PSR Scheme is provided for in Part VAA of the Act. The PSR Scheme was introduced in 1994 to protect the integrity of the Commonwealth medicare benefits, dental benefits, and pharmaceutical benefits programs, and in doing so:

- protect patients and the community in general from the risks associated with inappropriate practice, and
- protect the Commonwealth from having to meet the cost of services provided as a result of inappropriate practice.

The PSR Scheme is part of a strong regulatory regime to ensure that clinically appropriate, cost-effective clinical services are delivered.

The concept of 'peer review' underpins the work of the PSR. The Director of PSR is required to be a medical practitioner. PSR Committees and the DA comprise practitioners from the same profession as the practitioner under review, which ensures the practitioner is reviewed by peers who have relevant experience in the appropriate field of practice.

Further information about PSR's purpose, vision, goals and values are found in the section at the end of this document. For further information about the PSR, visit <http://www.psr.gov.au/>

PSR Scheme

PSR deals with requests to the Director from the Chief Executive Medicare to review the provision of services by a person in a specified period.

Matters referred to PSR are first considered at the Director's review stage. The Director must decide whether to undertake the review. The Director must decide to review if there is a possibility that the person has engaged in inappropriate practice. 'Inappropriate practice' is defined as conduct in connection with rendering or initiating services that would be unacceptable to the general body of the profession in which the practitioner practised. The Director's review stage may result in:

- no further action being taken
- an agreement with a person involving voluntary acknowledgement of inappropriate practice in respect of specified services and agreement terms which may include:
 - reprimand
 - counselling
 - repayment of benefits to the Commonwealth
 - disqualification from providing specified services
- referral to a PSR Committee of peers to investigate whether the person engaged in inappropriate practice in providing specified services.



The DA's functions under Part VAA of the Act are:

- to decide whether to ratify an agreement between the Director and a person under review
- make determinations following a PSR Committee's finding of inappropriate practice, which may include:
 - reprimand
 - counselling
 - repayment of benefits to the Commonwealth, and
 - disqualification from providing specified services.

SR provides administration and support to the DA including making arrangements for it to receive independent legal services.

The Director, as the accountable authority for PSR under the *Public Governance, Performance and Public Accountability Act 2013*, is responsible for ensuring that the PSR Scheme is administered in a way that promotes the efficient, effective, ethical, and economical use of public resources. Decisions about the operations of PSR are made having regard to its obligations as a Commonwealth agency as well as ensuring that the PSR review process complies with the legislative requirements including ensuring independence of decision-making at each stage of the process.



Members of the Determining Authority:

- Medical (including Chair)
- Member who is not a practitioner (community member)

Position overview

To be successful in this role, you will be either a registered medical practitioner if applying for appointment as a medical member or Chair, or a person who is not a practitioner under the Act, with a record of professional achievement and a strong commitment to governance in healthcare.

You will have well-developed communication, organisational and sound decision-making skills and demonstrate the highest ethical standards. You will have experience in making independent decisions within the framework of legislative requirements and administrative law principles including observing procedural fairness. You will have the ability to bring an open mind to considering the available evidence in decision-making with a view to ensuring that the legislative objects of the PSR Scheme are upheld. You will collaborate effectively with other DA members, appointed legal advisers, administrative support staff and the PSR agency. You will undertake your functions in a way that is consistent with PSR's responsibilities to maintain a safe and respectful work environment and your obligations under relevant laws and policies including the APS code of conduct as it applies to statutory office holders.

Duties

Core members of the DA meet monthly to consider matters referred to the DA by way of agreements referred by the Director and reports from PSR Committees following findings of inappropriate practice. Meetings may be held by videoconference or in person at a location decided by the DA. Core members of the DA may also need to meet from time to time on other occasions as may be required.

DA members are required to consider material provided by the Director or a PSR Committee as well as submissions made by persons under review prior to monthly meetings. This material is made available 10 days prior to those meetings.

In respect of determinations made by the DA following referrals from PSR Committees, DA members are also required to approve decisions including reasons for decision. This is necessary at the draft determination and final determination stages as prepared by its appointed legal advisers on instructions provided by DA at its meetings.



The Chair has additional responsibility for managing the conduct of the DA's functions. This includes:

- arrangement and scheduling of meetings
- chairing meetings
- approving meeting agendas and the content of business for DA meetings
- ensuring the DA's functions are managed and discharged in a timely and effective way using resources provided by PSR in an efficient manner
- maintaining effective, productive and respectful relationships with PSR and DA secretariat staff, and
- monitoring the quality of DA's decision-making and the knowledge and skills of members and facilitating any necessary training and development.

Note: travel will be required to fulfil the duties of these roles.

Selection criteria

When considering applicants, the Selection Advisory Panel will seek evidence of performance against each of the criteria. The Selection Advisory Panel may use a range of methods to identify work outcomes, capabilities and behaviours that demonstrate performance. It is therefore in the interests of candidates to present their application in a way that demonstrates significant outcomes associated with each of the criteria.

1. Be eligible to apply (as outlined below)
2. Experience in representing the medical profession/community interests
3. Have knowledge and experience of the healthcare field and with healthcare regulation and compliance in particular
4. High standard of professionalism, personal integrity, and impartiality
5. Experience in high level evaluative decision-making to achieve just outcomes
6. Experience in providing sound reasons for decisions in clear language within a legal framework
7. Demonstrated ability to work effectively with a range of stakeholders.



Remuneration & Eligibility

Remuneration

Remuneration of members is determined by the Remuneration Tribunal. The current total remuneration is found in *Remuneration Tribunal (Remuneration and Allowances for Holders of Part-time Office) Determination 2024*, Part 6.

Tenure

The successful candidates will be offered an appointment term of up to five years.

Eligibility

To be employed by the Commonwealth of Australia applicants must be Australian citizens or have permanent residency status pending the granting of Australian citizenship.

Applicants must consent to the following pre-appointment checks, which will involve the disclosure of information relating to the applicant:

- contacting the Australian Federal Police for a national criminal history record check
- contacting Medicare to review the applicant's entire billing profile
- contacting relevant Medical Boards and/or Health complaints agencies to determine whether disciplinary action has been taken against the applicant
- consulting with organisations or associations representing the interests of the profession to which the practitioner belongs as the Minister thinks fit under section 106ZPB(3) of the Act.

Failure to provide such consent could affect PSR's ability to deal with the applicant's application and consequently, could impact on whether the applicant can be appointed to the DA.

Qualifications

The Chair and medical member must be a currently registered Medical Practitioner.



About PSR

PSR is the Australian Government's primary means of investigating inappropriate practice, with an emphasis on peer review. PSR relies on the support of health practitioners and their representative registration bodies.

The Director has overall responsibility for the PSR Scheme and must ensure the strategic direction of PSR aligns with its legislative and regulatory functions as set out in Part VAA of the Act. The PSR Scheme aims to protect patients and the community in general from the risks associated with inappropriate practice and protect the Commonwealth from having to meet the cost of services provided as a result of inappropriate practice.

PSR reviews a small number of health care providers; however, regular publication of information about the outcomes of its reviews can inform other practitioners and encourage them to maintain the highest standards. The Director also provides information in the PSR Annual Report about the nature of inappropriate practice investigated by the PSR to reduce these behaviors and associated costs to Medicare and the Pharmaceutical Benefits Scheme and the community.

PSR seeks to improve the standard of health care provided by the practitioners it investigates. More broadly, PSR seeks to change behavior across the health professions by raising awareness of the Australian Government's expectation of high-quality health service delivery. PSR also works with State and Territory Governments and medical and health care regulatory bodies.

The strategies employed by PSR to achieve this are:

- reviewing requests expeditiously and effectively
- providing legal advice and administrative support to PSR Committees to enable them to carry out the PSR's peer review role
- providing support to the DA to enable it to undertake its role in the PSR process
- managing relationships with stakeholders to maintain support for the PSR Scheme
- managing its governance, compliance and reporting obligations as a PGPA Act agency
- ensuring compliance with its obligations under Part VAA of the Act.

PSR works closely with the health care professions and the Department of Health and Aged Care to ensure it can respond appropriately to new developments in clinical services delivery. PSR consults with relevant professional bodies to raise awareness of inappropriate practice and highlights PSR review outcomes.

Purpose

The purpose of PSR is to enable the operation of the PSR Scheme and thereby safeguard the Australian public from the risk and cost of inappropriate practice within the Medicare, child dental and pharmaceutical benefits programs.



Vision

The vision of PSR is to:

- Conduct its business in a transparent process that resolves concerns efficiently and accurately.
- Continue to play a key role in protecting the integrity of Australia's universal health system.
- Be held in high esteem by the profession, who actively support the process, and the people charged with running the Scheme.
- Be a model public service agency by meeting the expectations of the Government and the Australian public and demonstrating the principles of good governance.

Goals

To achieve its vision, PSR has the following four goals:

1. PSR complies with Commonwealth laws and conducts its business accurately, effectively, and efficiently
2. PSR monitors and reports on its performance and is committed to continuous improvement
3. PSR is a model APS employer able to attract, develop and retain high quality people
4. PSR is respected and has the confidence of its stakeholders.

Values

PSR recognises its responsibilities as a part of the broader Australian Public Service (APS). As a statutory agency, it is committed to the APS Values and the Code of Conduct outlined in the *Public Service Act 1999*. In addition, to help guide its performance, the PSR has defined its own values and behaviours, which are to be **fair**, **transparent**, and **professional** in addressing the unique aspects of its role and in how it performs this role.

To PSR, being **fair** means:

- providing procedural fairness in the operation of the PSR Scheme
- using consistent processes to arrive at justifiable decisions
- delivering an effective and impartial PSR scheme
- explaining the process to stakeholders.

To PSR, being **transparent** means:

- accurately informing practitioners of their rights and responsibilities
- accurately informing practitioners of PSR's powers, responsibilities, and intentions
- proactively sharing information about the scheme, our outcomes, and our activities
- explaining the reasons for outcomes.



To PSR, being **professional** means:

- being accountable for its actions and decisions
- complying with Commonwealth legislative requirements and expectations
- operating with integrity and honesty
- protecting the privacy and confidentiality of the information we receive, use and create
- treating all people with courtesy and respect
- using time and resources effectively.

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