

Guidance for Attending Healthcare Hearings and Investigations



Reading time:
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When there has been an adverse event or a complaint against you as a doctor or dentist, you may be required to attend a meeting, panel or investigation interview or even go to court. These range in severity and consequences. If you have already notified MIPS of the incident, discuss this with the clinico-legal adviser who is your file manager before attending the meeting. If it has not already been notified to MIPS, do so immediately, in order to receive appropriate help and assistance.

This article will give a brief overview of these situations and make some suggestions as to what could be helpful in preparing for such meetings.

There are many types of meeting: the most common are AHPRA meetings (which in NSW are conducted by the NSW Medical Council and HCCC). These consist of conduct, counselling, health and performance meetings.

The Local Health District can meet with you when investigating an adverse outcome or complaint etc. Medicare and the Professional Service Review Interviews can be organised to review Medicare billing issues. The Pharmaceutical Services branches of the various state and territory departments of health can ask to meet with you regarding prescribing issues. Then there are the disciplinary hearings which include Medical and Dental Board Tribunals and Professional Standard Committee Hearings.

Presenting well to any of these meetings is to your advantage. Dress appropriately, be clean and tidy and importantly be punctual. It is very helpful to take time prior to the meeting to discuss with your clinico-legal adviser what may be required of you at the meeting. There is a common format that a lot of the performance, counselling and health interviews have and it can be useful to go through this with your adviser beforehand.

Many of these meetings cover briefly your general background, medical training and education. You will be asked about your current practice or job and your hours worked and responsibilities may be covered. You may also be asked about your life outside of work, your family and your work life balance. Depending on the focus of the meeting you may be asked about your health, treating doctors and medication that you may be on. Then you will be asked more specifically about the issue that has triggered the meeting or hearing.

If your MIPS adviser feels that it is appropriate, a letter of reference from a colleague may be helpful. It may be useful to bring in evidence of your continuing education. It would be seen as insightful to have done some education in the area related to any complaint.

Showing genuine insight is invaluable as is, acknowledging what has happened and how things done differently might have avoided being in the situation. Many patient complaints relate to communication. If this is the case, in your interview acknowledge the breakdown (if applicable) and how it could have been rectified.

Many of the more serious hearings can result in conditions or restrictions being placed on your ability to practice. Your MIPS adviser will discuss this with you if it is relevant to your situation.

It is important to notify MIPS as soon as you are aware that you are required to attend a meeting, hearing or panel. Your MIPS adviser can provide valuable help and advice for you. Depending on the situation, an experienced MIPS adviser may accompany you to your meeting where appropriate and judged on balance considered likely to achieve a better outcome legal assistance can also be provided. Our aim is to help you get the best possible outcome for you at what is often a stressful time.

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