

Regulating Paramedics: What's the Point?

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The dilemma of regulation

“An essential task of democratic societies is to establish a proper balance between freedom and order.... The issue of regulation involves the role of government in reconciling the special interests of the members of the occupation with the general concerns of the public.”

Bryson and Kleiner: British Journal of Industrial Relations, 2010

Regulation, the arguments:

For:

- urbanisation
- specialisation
- technological change
- swift redress
- high standards
- expertise of regulator

Against:

- restriction on entry
- raises wages and prices
- excludes others
- cost to taxpayer

Occupational Licensing Legislation in the States
US Council of State Governments, 1952

In health care...

a power imbalance exists which creates vulnerability between:

- the needs of the patient; and
- the knowledge and expertise of the practitioner.

regulation sets safe boundaries for their interaction and helps ensure that practitioners meet the obligations of:

- beneficence ('doing good'); and
- non-maleficence ('causing no harm').

It's about patients, not the profession

“The risk, benefits and costs of professional regulation are complex and multi-dimensional, involving difficult trade-offs and judgements. Where there is uncertainty and complexity, it is important that there is rigorous analysis of available evidence, clear criteria for decision making, and effective governance of the decision making process to avoid conflicts of interests and ensure that patients and the public are at the heart of the system”.

Report of the Working Group on Extending Professional Regulation
UK Department of Health, 2009

Support may be qualified...

“ACEM supports the principle of national registration of paramedics under the auspice of the Australian Health Practitioners Regulation Agency (AHPRA)...

However...the support of ACEM for paramedic registration must not be interpreted as support for the independent clinical practice of paramedics, without appropriate clinical governance models that includes medical oversight...”

Submission to AHMAC consultation on the regulation of paramedics
Australasian College for Emergency Medicine, September 2012

...and there may be opposition



EMS employers' "interference unwelcome" say paramedics opposed to a regulatory college

It is inappropriate for emergency service (EMS) employers to weigh-in to support college regulation for paramedics "when it is an issue for paramedics themselves to settle. Employer interference is unwelcome," said union leaders representing the majority of certified Ontario paramedics at a Queen's Park media conference, today.

Toronto; March 26, 2013

What do we mean by “regulation”?

Licensure: right to practice or functional closure

Certification: control of title but not function
(but may do so indirectly)

Registration: formal requirement for practice

In federal jurisdictions, regulation may be a combination. For example, certification by a national body and licensure at the state/province/territory level.

“scope of practice”

A legal description of the distinction between licensed health care personnel and the public, and among different licensed health care professionals.

Scope of practice laws:

- define activities which are illegal if performed without licensure;
- establish boundaries between professions and the public; and
- creates exclusive or overlapping domains among professions.

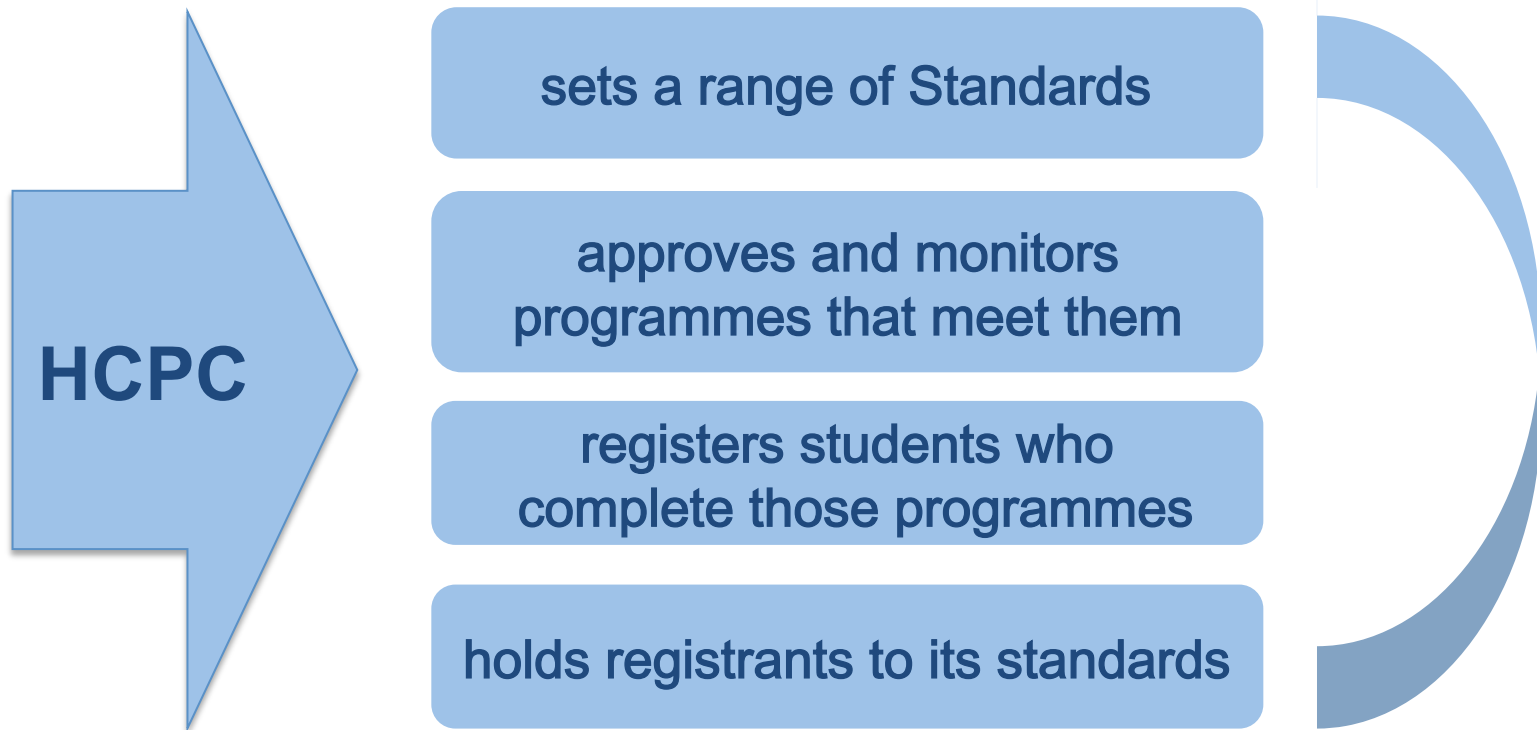
The HCPC's role

“The principal functions of the Council shall be to establish from time to time standards of education, training, conduct and performance for members of the relevant professions and to ensure the maintenance of those standards.”

“The main objective of the Council in exercising its functions shall be to safeguard the health and well-being of persons using or needing the services of registrants.”

Health and Social Work Professions Order 2001, Arts. 3(2) and (4)

The UK model: integrated regulation



Regulating the 'simple stuff'



A rapidly evolving profession

“Traditionally ambulance services have been perceived as an emergency service... stabilising the patient’s condition sufficiently for rapid transport to hospital for definitive care... Ambulance services have changed their traditional approach and are now embedded in urgent care as a whole.”

“Ambulance clinicians should be equipped with a greater range of competencies that enable them to assess, treat, refer or discharge patients.”



“From a service that transported patients to hospital, to one that transports specialist treatment directly to the patient”

Modern paramedic practice is intertwined with:

- educating the public about appropriate EMS use;
- developing alternatives to the ‘999’ system;
- prioritising and managing emergency calls;
- providing alternatives to routine ED conveyance.

CODE STEMI

Saving Time, Saving Lives

Community Paramedics

“EMS of the future will be community--based health management which is fully integrated with the overall health care system.”

EMS Agenda of The Future, NHTSA

A simple concept: connecting under-utilised resources to under-served populations by means of expanded primary care roles:

- acute and episodic care
- wellness and chronic care
- disease prevention management
- mental health services
- palliative and end of life care
- dental care



Evolving experience in Australia

The rural expanded scope of practice (RESP) model for paramedics:

- **Rural community engagement**
- **Emergency response**
- **Situated practice**
- **Primary health care**

Extending the paramedic role in rural Australia
O'Meara et al, Remote and Rural Health, 2012

So, what's the point?

- first and foremost, to ensure the safety and quality of the care that patients receive from paramedics;
- to assure and improve standards for the overwhelming majority of paramedics and address the poor conduct of the minority;
- to regulate the risks arising from paramedic practice proportionately and without imposing unnecessary burdens;
- to maintain the confidence of the public, and the profession, by regulating paramedics with demonstrable impartiality;
- to ensure the integrity of the paramedic profession, in a flexible and adaptable manner and, above all, in the public interest.

Adapted from *Trust, Assurance and Safety: Regulation of Health Professionals in the 21st Century*