



Special Commission of Inquiry into Healthcare Funding

21 September 2023

Mr Matt Berriman, Chair
Mental Health Australia
PO Box 174
Deakin West ACT 2600

By email: info@mhaustralia.org

Dear Mr Berriman,

Special Commission of Inquiry into Healthcare Funding

As you may know, on 23 August 2023 the Governor of New South Wales established a Special Commission of Inquiry to enquire into the funding of health services provided in NSW, and related matters ("the Inquiry"). A copy of the Terms of Reference for the Inquiry is enclosed to this letter.

The Inquiry has now launched a public invitation for submissions on its Terms of Reference. Without reaching a formal view, there is some prospect that Mental Health Australia may have an interest in the work of the Inquiry, and so it may be appropriate to draw your attention to the Inquiry's call for submissions.

Submissions can be made by:

- email to submissions.HFI@specialcommission.nsw.gov.au; or
- post, marked for the attention of the Special Commission of Inquiry into Healthcare Funding, GPO Box 5341 Sydney NSW 2001.

The Inquiry is calling for submissions no later than **5pm, Tuesday, 31 October 2023**.

Please also note that the Inquiry intends to treat all submissions as being suitable for publication, unless the author or authoring organisation makes a specific request for confidentiality over the whole or part of a submission.

I look forward to receiving any submissions you may wish to make. Please also do not hesitate to contact the Inquiry at contact.HFI@specialcommission.nsw.gov.au if you have any queries.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Patrick Mullane".

Patrick Mullane
Special Counsel

Special Commission of Inquiry into Healthcare Funding

Encl: (1)

NEW SOUTH WALES

CHARLES THE THIRD, by the Grace of God, King of Australia and His other Realms and Territories, Head of the Commonwealth.

TO

Mr Richard Beasley SC

GREETING

By these Our Letters Patent, made and issued by Our Governor under the authority of the *Special Commissions of Inquiry Act 1983* with the advice of the Executive Council, We hereby authorise you as Commissioner to inquire into and report to Our Governor of the said State on:

- A. The funding of health services provided in NSW and how the funding can most effectively support the safe delivery of high quality, timely, equitable and accessible patient-centred care and health services to the people of NSW, now and into the future;
- B. The existing governance and accountability structure of NSW Health, including:
 - i. the balance between central oversight and locally devolved decision making (including the current operating model of Local Health Districts);
 - ii. the engagement and involvement of local communities in health service development and delivery;
 - iii. how governance structures can support efficient implementation of state-wide reform programs and a balance of system and local level needs and priorities;
 - iv. the impact of privatisation and outsourcing on the delivery of health services and health outcomes to the people of NSW;
 - v. how governance structures can support a sustainable workforce and delivery of high quality, timely, equitable and accessible patient-centered care to improve the health of the NSW population;
- C. The way NSW Health funds health services delivered in public hospitals and community settings, and the extent to which this allocation of resources supports or obstructs access to preventative and community health initiatives and overall optimal health outcomes for all people across NSW;

ENTERED on the Record by me in Register of Patents No. 93 Page 592 this 23 day of August 2023.

SECRETARY
THE CABINET OFFICE

- D. Strategies available to NSW Health to address escalating costs, limit wastage, minimise overservicing and identify gaps or areas of improvement in financial management and proposed recommendations to enhance accountability and efficiency;
- E. Opportunities to improve NSW Health procurement process and practice, to enhance support for operational decision-making, service planning and delivery of quality and timely health care, including consideration of supply chain disruptions;
- F. The current capacity and capability of the NSW Health workforce to meet the current needs of patients and staff, and its sustainability to meet future demands and deliver efficient, equitable and effective health services, including:
 - i. the distribution of health workers in NSW;
 - ii. an examination of existing skills shortages;
 - iii. evaluating financial and non-financial factors impacting on the retention and attraction of staff;
 - iv. existing employment standards;
 - v. the role and scope of workforce accreditation and registration;
 - vi. the skill mix, distribution and scope of practice of the health workforce;
 - vii. the use of locums, Visiting Medical Officers, agency staff and other temporary staff arrangements;
 - viii. the relationship between NSW Health agencies and medical practitioners;
 - ix. opportunities for an expanded scope of practice for paramedics, community and allied health workers, nurses and/or midwives;
 - x. the role of multi-disciplinary community health services in meeting current and future demand and reducing pressure on the hospital system;
 - xi. opportunities and quality of care outcomes in maintaining direct employment arrangements with health workers;

- G. Current education and training programs for specialist clinicians and their sustainability to meet future needs, including:
- i. placements;
 - ii. the way training is offered and overseen (including for internationally trained specialists);
 - iii. how colleges support and respond to escalating community demand for services;
 - iv. the engagement between medical colleges and local health districts and speciality health networks;
 - v. how barriers to workforce expansion can be addressed to increase the supply, accessibility and affordability of specialist clinical services in healthcare workers in NSW;
- H. New models of care and technical and clinical innovations to improve health outcomes for the people of NSW, including but not limited to technical and clinical innovation, changes to scope of practice, workforce innovation, and funding innovation; and
- I. Any other matter reasonably incidental to a matter referred to in paragraphs A to H, or which the Commissioner believes is reasonably relevant to the inquiry.

AND FURTHER, WE authorise you to make recommendations to address the issues raised including in relation to National structures or settings, including the National public hospital funding model and/or National Health Reform Agreement and the impact of aged and disability care in NSW public hospitals, where such recommendations would support or enhance any changes recommended by the Special Commission.

AND hereby establish a Special Commission of Inquiry for that purpose. The Special Commission may be assisted by one or more experts on matters that you consider require expert opinion.

AND We direct you, in conducting the inquiry:

- J. To have regard to existing reviews, reports and recommendations in relation to the national public hospital funding model and other national settings insofar as they impact on the delivery of high quality, timely, equitable and sustainable public hospital and community health services in NSW, in particular co-payments, oversight of compliance and influence of private capital on the health services market; and
- K. That you are not required to inquire, or to continue to inquire, into a particular matter to the extent that you are satisfied that the matter has been or will be sufficiently and appropriately dealt with by another review, inquiry or investigation.

AND pursuant to section 21 of the *Special Commissions of Inquiry Act 1983* (NSW) it is hereby declared that section 24 shall apply to and in respect of the Special Commission issued to you by Our Letters Patent.

AND OUR further will and pleasure is that you do, as expeditiously as possible, but in any case on or before 24 August 2024, deliver your final report in writing of the results of your inquiry to the offices of the Premier and Our Governor in Sydney.

IN WITNESS, We have caused these Our Letters to be made Patent and the Public Seal of Our State to be hereunto affixed.



WITNESS Her Excellency the Honourable Margaret Beazley,
Companion of the Order of Australia, King's Counsel, Governor of the
State of New South Wales in the Commonwealth of Australia.

Dated this 23rd day of August 2023.

Margaret Beazley
Governor

By Her Excellency's Command,

A large, stylized handwritten signature in blue ink, appearing to be "Robyn" or similar, written over the text "Premier".

Premier