**OHO Undertakings Library**

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### Approved forms

Where reference is made in the restrictions to a ‘form’ these forms can be accessed on the Office of the Health Ombudsman website using the following link: <https://www.oho.qld.gov.au/investigations/monitoring-and-compliance>

### Important note on offering undertakings

It is important when offering undertakings for the Health Ombudsman’s consideration, that the library structure is used, as the undertakings have been carefully worded to ensure a practitioner’s compliance with the undertakings is able to be monitored.

The undertakings must be numbered, with references to ‘AND’ and **OR** removed (these are provided for clarity only), and provided in the ‘order’ provided in the library – that is:

* ‘Scope of practice’ undertakings, followed by
* all listed ‘monitoring’ undertakings applicable to the scope of practice, followed by
* ‘common undertakings’ (see below), followed by
* all listed ‘definitions’ applicable to the scope of practice.

[View an example of a ‘Schedule of Undertakings’](https://www.oho.qld.gov.au/assets/uploads/schedule-undertakings-example.pdf). It is recommended to use the [Schedule of Undertakings Template](https://www.oho.qld.gov.au/assets/uploads/template-schedule-of-undertakings.dotx) when offering undertakings.

### Common undertakings

The following undertakings are to be included in all undertakings offered to the Health Ombudsman, unless otherwise indicated in red. These common restrictions should be the last undertakings listed in any schedule of undertakings offered.

Common undertakings are the only undertakings which do not follow the library structure, as the scope of practice and’ monitoring’ undertakings are combined.

| **Common undertakings** |
| --- |
| **Authorisations***[not to be used if entering into an ‘Undertaking not to practise’]*For the purposes of providing Health Ombudsman approvals where indicated in these undertakings, the following persons are authorised officers of the Health Ombudsman:* Director, Compliance
* Director, Office of the Health Ombudsman
* Executive Director, Investigations

AND*[not to be used if entering into an ‘Undertaking not to practise’]*I authorise the exchange of information between the Office of the Health Ombudsman and my employers and/or places of practice to ensure compliance with these undertakings.AND *[not applicable to nurses (except nurse practitioners) or practitioners with mentor conditions]*Within five (5) business days of the commencement of these undertakings, I will provide written authorisation to the Office of the Health Ombudsman (by completing the *Authority to release information* form) to obtain the release of information relating to my professional practice and/or prescribing from:* the Department of Health, Queensland Government
* Services Australia
* private health insurers
* any other entity who may provide information relevant to my professional practice and/or prescribing.

AND *[not applicable to nurses or practitioners with mentor conditions]*I authorise the Office of the Health Ombudsman to inspect, take or copy patient clinical records, log books and/or appointment diaries for any patient at such reasonable times as the Health Ombudsman shall determine for the purpose of monitoring compliance with these undertakings if I am, or become, an owner of a practice or entity that provides a health service during the period these undertakings are in effect. |
| **Other matters** *[for all practitioners]*Within five (5) business days of changing residential address, email address or contact telephone number, I will provide written notification to the Office of the Health Ombudsman of that change and provide new contact details.ANDI will immediately advise the Office of the Health Ombudsman if at any time I am charged with an indictable offence.ANDIf, in the event of a medical emergency, I am unable to comply with an undertaking, I will notify any such incident to the Office of the Health Ombudsman within three (3) business days. For the purposes of these undertakings, I understand a medical emergency is an incident where it is not possible or reasonable to have a patient with a serious or life-threatening condition seen by another practitioner or transferred to the nearest hospital. |

### Restriction on contact with females/males

| **‘Scope of practice’ undertakings** | **Undertakings for monitoring ‘scope of practice’ (all practitioners)** | **Definitions** |
| --- | --- | --- |
| **Scope of practice**I will not have contact with **#gender#** patients.ANDI will only practise as a registered health practitioner in employment and at practice location/s approved by the Health Ombudsman and published on the Office of the Health Ombudsman website.AND *[not applicable to nurses, except nurse practitioners]*I will take all reasonable steps to ensure **#gender#** patients are told at the time of wanting to book an appointment with me that they are unable to. I will not provide this information to patients personally. | **Booking requirements** *[not applicable to nurses, except nurse practitioners]*Unless otherwise directed by the Health Ombudsman, I will not continue to practise in my current employment or practice location, or commence in any new employment or practice location, until an *Acknowledgement of Booking staff* form has been completed by every staff member responsible for making patient bookings where patients will be seen by me at any practice location, stating they are aware of the booking requirements and that staff of the Office of the Health Ombudsman may contact them and exchange information. I will also submit these forms within three (3) business days of any new permanent, casual or temporary booking staff commencing at any approved practice location.**Employment requirements** *[all practitioners]*Unless otherwise directed by the Health Ombudsman, if I am currently employed in a health service or providing a health service (practising) as a registered health practitioner when these undertakings commence, or I propose to commence in any new or other employment while these undertakings are in force, I will meet the following requirements and await notification of the Health Ombudsman’s approval **before** continuing to practise in my current employment or commencing in any new employment or practice location:* 1. I will provide my employer or proposed employer at each practice location, or ‘senior person’ if I am the employer and there is no other entity that meets the definition of ‘employer’, with:
		1. a full copy of this schedule of undertakings; and
		2. details of the specific alleged conduct that gave rise to these undertakings and the reasons for the Health Ombudsman taking immediate action; and then
	2. I will submit to the Office of the Health Ombudsman, details of my current or proposed employment including:
		1. Practice name and location (physical address)
		2. Position held, or proposed position, and role description
		3. Employment type (e.g. full-time, part-time, temporary, casual, contractor, self-employed)
		4. Name and contact details of employer (or ‘senior person’ if applicable) #and Director of Nursing (or equivalent)#

*[not applicable to nurses, except nurse practitioners]** + 1. a completed *Employer acknowledgement and consent* form from every current or proposed employer (including me if I am the employer), providing consent as detailed on the form and certifying my employer has been provided with a copy of this Schedule of Undertakings.

*[not applicable to nurses, except nurse practitioners]** + 1. Completed Acknowledgement *of Booking staff* forms.
	1. In the event the Health Ombudsman has pre-approved in writing for me to continue practising in my current employment and practice location on acceptance of these undertakings, within five (5) business days of these undertakings commencing I will satisfy the requirements of (a) and (b) above.
 | **‘Authorised officer’** is defined as an Office of the Health Ombudsman position authorised by the Health Ombudsman to make routine administrative decisions and provide certain approvals contained in specified immediate action conditions and restrictions.**‘Communication device’** is defined as any hardware that transmits voice, video or text including those that transmit information via electronic booking applications.**‘Contact’** with a patientincludes consultation, interview, examination, assessment, prescribing for, advising, or otherwise treating a patient, whether it is in person or on a communication device.**‘Employer’** is defined as an entity that-* employs the practitioner to provide health services; or engages the practitioner to provide health services under a contract for services; or
* operates a facility at which the practitioner provides health services; or
* the practitioner is providing services to or on behalf of, whether in an honorary capacity, as a volunteer or otherwise, and whether or not the practitioner receives payment from the entity for the services; or
* the practitioner is providing services to or on behalf of, whether in an honorary capacity, as a volunteer or otherwise, and whether or not the practitioner receives payment from the entity for the services.

‘Employer’ therefore also includes co-owners, co-directors, contractors of service, and/or owners/operators of medical practices, hospitals and/or facilities where the practitioner provides a health service (even if there is no contractual relationship between the practitioner and the owner/operator).**‘Female’** is defined as any individual whose biological sex is that of a female (including a person who has undergone gender affirming (confirming) surgery to ‘female’) and/or who identifies as ‘female’. **‘Health practitioner’** is defined under the *Health Ombudsman Act 2013* as an individual who is –* a health practitioner under the National Law; or
* another individual who provides a health service.

**‘Health service’** is defined as a service that is or purports to be for maintaining, improving, restoring or managing people’s health and wellbeing, and includes a ‘support service’ (see definition of ‘support service’) for a health service and any form of consultation, interview, examination, assessment, advising, or otherwise treating a patient, whether it is in person or on a communication device. For a full definition of ‘health service’, please see section 7 of the *Health Ombudsman Act 2013*.**‘Lacks capacity to consent’** means a person who is a child (person under 18 years of age), or who, because of mental or physical disability, is not able effectively to give informed consent to a proposed treatment or investigation, or an intervention.**‘Male’** is defined as any individual whose biological sex is that of a male (including a person who has undergone gender affirming (confirming) surgery to ‘male’) and/or who identifies as ‘male’.***‘*Patient’** is defined as:* any individual awaiting, requiring, or receiving the professional services of an unregistered or registered health practitioner; and
* any **#restricted gender#** person who is accompanying a **#unrestricted gender#** patient where the patient lacks capacity to consent (for example a child) unless also accompanied by an adult **#unrestricted gender#** who has the capacity to consent.

**‘Practice location’** means any location where the practitioner provides a health service including any place where the practitioner:* is self-employed
* shares premises with other registered or unregistered health practitioners
* is engaged by one or more entities under a contract of employment, contract for services or any other arrangement or agreement
* provides services for or on the behalf of one or more entities, whether in an honorary capacity, as a volunteer or otherwise, whether or not the practitioner receives payment from an entity for the services, or
* provides professional services at the residential premises of a patient.

**‘Practise’** is defined as any role, whether remunerated or not, in which a practitioner uses their skills and knowledge in a health care industry, whether they are required to be a registered health practitioner or not. It is not restricted to the provision of direct clinical care and includes using the knowledge and skills of any health practitioner in a direct non-clinical relationship with a patient or client, working in management, administration, education, research, advisory, regulatory or policy development roles and any other roles that impact on safe, effective delivery of services in the health care industry.**‘Senior person’** is defined as a person at the place of practice where the practitioner is providing a health service such as the Director of Medical Services, Director of Nursing, Senior Practice Manager, Senior Manager, Senior Partner, Proprietor, Owner, or equivalent.**‘Support service’** for a health service, means a service providing business support, clinical support, corporate support or other support to the health service. See schedule 1 of the *Health Ombudsman Act 2013* for examples of a support service. |

### Restriction on age AND contact with males/females

| **‘Scope of practice’ undertakings** | **Undertakings for monitoring ‘scope of practice’ (all practitioners)** | **Definitions** |
| --- | --- | --- |
| **Scope of practice**I will not have contact with **#restricted gender#** patients or patients under **#age#** years of age.ANDI will only practise as a registered health practitioner in employment and at practice locations approved by the Health Ombudsman and published on the Office of the Health Ombudsman website.AND*[not applicable to nurses, except nurse practitioners]*I will take all reasonable steps to ensure **#restricted gender#** patients and patients under **#age#** years of age, or their parent or guardian, are told at the time of wanting to book an appointment with me that they are unable to. I will not provide this information to patients personally. | **Booking requirements** *[not applicable to nurses, except nurse practitioners]*Unless otherwise directed by the Health Ombudsman, I will not continue to practise in my current employment or practice location, or commence in any new employment or practice location, until an *Acknowledgement of Booking staff* form has been completed by every staff member responsible for making patient bookings where patients will be seen by me at any practice location, stating they are aware of the booking requirements and that staff of the Office of the Health Ombudsman may contact them and exchange information. I will also submit these forms within three (3) business days of any new permanent, casual or temporary booking staff commencing at any approved practice location.**Employment requirements** *[all practitioners]*Unless otherwise directed by the Health Ombudsman, if I am currently employed in a health service or providing a health service (practising) as a registered health practitioner when these undertakings commence, or I propose to commence in any new or other employment while these undertakings are in force, I will meet the following requirements and await notification of the Health Ombudsman’s approval **before** continuing to practise in my current employment or commencing in any new employment or practice location:* 1. I will provide my employer or proposed employer at each practice location, or ‘senior person’ if I am the employer and there is no other entity that meets the definition of ‘employer’, with:
		1. a full copy of this schedule of undertakings; and
		2. details of the specific alleged conduct that gave rise to these undertakings and the reasons for the Health Ombudsman taking immediate action; and then
	2. I will submit to the Office of the Health Ombudsman, details of my current or proposed employment including:
		1. Practice name and location (physical address)
		2. Position held, or proposed position, and role description
		3. Employment type (e.g. full-time, part-time, temporary, casual, contractor, self-employed)
		4. Name and contact details of employer (or ‘senior person’ if applicable) #and Director of Nursing (or equivalent)#

*[not applicable to nurses, except nurse practitioners]** + 1. a completed *Employer acknowledgement and consent* form from every current or proposed employer (including me if I am the employer), providing consent as detailed on the form and certifying my employer has been provided with a copy of this Schedule of Undertakings..

*[not applicable to nurses, except nurse practitioners]** + 1. Completed *Acknowledgement of Booking staff* forms
	1. In the event the Health Ombudsman has pre-approved in writing for me to continue practising in my current employment and practice location on acceptance of these undertakings, within five (5) business days of these undertakings commencing I will satisfy the requirements of (a) and (b) above.
 | **‘Authorised officer’** is defined as an Office of the Health Ombudsman position authorised by the Health Ombudsman to make routine administrative decisions and provide certain approvals contained in specified immediate action conditions and restrictions.**‘Communication device’** is defined as any hardware that transmits voice, video or text including those that transmit information via electronic booking applications.**‘Contact’** with a patientincludes consultation, interview, examination, assessment, prescribing for, advising, or otherwise treating a patient, whether it is in person or on a communication device.**‘Employer’** is defined as an entity that-* employs the practitioner to provide health services; or engages the practitioner to provide health services under a contract for services; or
* operates a facility at which the practitioner provides health services; or
* the practitioner is providing services to or on behalf of, whether in an honorary capacity, as a volunteer or otherwise, and whether or not the practitioner receives payment from the entity for the services; or
* the practitioner is providing services to or on behalf of, whether in an honorary capacity, as a volunteer or otherwise, and whether or not the practitioner receives payment from the entity for the services.

‘Employer’ therefore also includes co-owners, co-directors, contractors of service, and/or owners/operators of medical practices, hospitals and/or facilities where the practitioner provides a health service (even if there is no contractual relationship between the practitioner and the owner/operator).**‘Female’** is defined as any individual whose biological sex is that of a female (including a person who has undergone gender affirming (confirming) surgery to ‘female’) and/or who identifies as ‘female’.**‘Health practitioner’** is defined under the *Health Ombudsman Act 2013* as an individual who is –* a health practitioner under the National Law; or
* another individual who provides a health service.

**‘Health service’** is defined as a service that is or purports to be for maintaining, improving, restoring or managing people’s health and wellbeing, and includes a ‘support service’ (see definition of ‘support service’) for a health service and any form of consultation, interview, examination, assessment, advising, or otherwise treating a patient, whether it is in person or on a communication device. For a full definition of ‘health service’, please see section 7 of the *Health Ombudsman Act 2013*.**‘Lacks capacity to consent’** means a person who is a child (person under 18 years of age), or who, because of mental or physical disability, is not able effectively to give informed consent to a proposed treatment or investigation, or an intervention.**‘Male’** is defined as any individual whose biological sex is that of a male (including a person who has undergone gender affirming (confirming) surgery to ‘male’) and/or who identifies as ‘male’.***‘*Patient’** is defined as:* any individual awaiting, requiring, or receiving the professional services of an unregistered or registered health practitioner;
* any **#restricted gender#** person who is accompanying a **#unrestricted gender#** patient (**#age#** years of age or over) where the patient lacks capacity to consent (for example a person with a mental or physical disability) unless also accompanied by an adult **#unrestricted gender#** who has the capacity to consent; and
* any person **under #age# years of age** who is accompanying an adult **#unrestricted gender#** patient where the adult patient lacks capacity to consent, unless also accompanied by another adult **#unrestricted gender#** who has the capacity to consent.

**‘Practice location’** means any location where the practitioner provides a health service including any place where the practitioner:* is self-employed
* shares premises with other registered or unregistered health practitioners
* is engaged by one or more entities under a contract of employment, contract for services or any other arrangement or agreement
* provides services for or on the behalf of one or more entities, whether in an honorary capacity, as a volunteer or otherwise, whether or not the practitioner receives payment from an entity for the services, or
* provides professional services at the residential premises of a patient.

**‘Practise’** is defined as any role, whether remunerated or not, in which a practitioner uses their skills and knowledge in a health care industry, whether they are required to be a registered health practitioner or not. It is not restricted to the provision of direct clinical care and includes using the knowledge and skills of any health practitioner in a direct non-clinical relationship with a patient or client, working in management, administration, education, research, advisory, regulatory or policy development roles and any other roles that impact on safe, effective delivery of services in the health care industry.**‘Senior person’** is defined as a person at the place of practice where the practitioner is providing a health service such as the Director of Medical Services, Director of Nursing, Senior Practice Manager, Senior Manager, Senior Partner, Proprietor, Owner, or equivalent.**‘Support service’** for a health service, means a service providing business support, clinical support, corporate support or other support to the health service. See schedule 1 of the *Health Ombudsman Act 2013* for examples of a support service. |

### Restriction on age

| **‘Scope of practice’ undertakings** | **Undertakings for monitoring ‘scope of practice’ (all practitioners)** | **Definitions** |
| --- | --- | --- |
| **Scope of practice**I will not have contact with patients under **#age#** years of age.ANDI will only practise as a registered health practitioner in employment and at practice locations approved by the Health Ombudsman and published on the Office of the Health Ombudsman website.AND *[not applicable to nurses, except nurse practitioners]*I will take all reasonable steps to ensure patients under **#age#** years of age, or their parent or guardian, are told at the time of wanting to book an appointment with me that they are unable to. I will not provide this information to patients personally. | **Booking requirements** *[not applicable to nurses, except nurse practitioners]*Unless otherwise directed by the Health Ombudsman, I will not continue to practise in my current employment or practice location, or commence in any new employment or practice location, until an *Acknowledgement of Booking staff* form has been completed by every staff member responsible for making patient bookings where patients will be seen by me at any practice location, stating they are aware of the booking requirements and that staff of the Office of the Health Ombudsman may contact them and exchange information. I will also submit these forms within three (3) business days of any new permanent, casual or temporary booking staff commencing at any approved practice location.**Employment requirements** *[all practitioners]*Unless otherwise directed by the Health Ombudsman, if I am currently employed in a health service or providing a health service (practising) as a registered health practitioner when these undertakings commence, or I propose to commence in any new or other employment while these undertakings are in force, I will meet the following requirements and await notification of the Health Ombudsman’s approval **before** continuing to practise in my current employment or commencing in any new employment or practice location:* 1. I will provide my employer or proposed employer at each practice location, or ‘senior person’ if I am the employer and there is no other entity that meets the definition of ‘employer’, with:
		1. a full copy of this schedule of undertakings; and
		2. details of the specific alleged conduct that gave rise to these undertakings and the reasons for the Health Ombudsman taking immediate action; and then
	2. I will submit to the Office of the Health Ombudsman, details of my current or proposed employment including:
		1. Practice name and location (physical address)
		2. Position held, or proposed position, and role description
		3. Employment type (e.g. full-time, part-time, temporary, casual, contractor, self-employed)
		4. Name and contact details of employer (or ‘senior person’ if applicable) #and Director of Nursing (or equivalent)#

*[not applicable to nurses, except nurse practitioners]** + 1. a completed *Employer acknowledgement and consent* form from every current or proposed employer (including me if I am the employer), providing consent as detailed on the form and certifying my employer has been provided with a copy of this Schedule of Undertakings.

*[not applicable to nurses, except nurse practitioners]** + 1. Completed Acknowledgement of Booking staff forms
	1. In the event the Health Ombudsman has pre-approved in writing for me to continue practising in my current employment and practice location on acceptance of these undertakings, within five (5) business days of these undertakings commencing I will satisfy the requirements of (a) and (b) above.
 | **‘Authorised officer’** is defined as an Office of the Health Ombudsman position authorised by the Health Ombudsman to make routine administrative decisions and provide certain approvals contained in specified immediate action conditions and restrictions.**‘Communication device’** is defined as any hardware that transmits voice, video or text including those that transmit information via electronic booking applications.**‘Contact’** with a patientincludes consultation, interview, examination, assessment, prescribing for, advising, or otherwise treating a patient, whether it is in person or on a communication device.**‘Employer’** is defined as an entity that-* employs the practitioner to provide health services; or engages the practitioner to provide health services under a contract for services; or
* operates a facility at which the practitioner provides health services; or
* the practitioner is providing services to or on behalf of, whether in an honorary capacity, as a volunteer or otherwise, and whether or not the practitioner receives payment from the entity for the services; or
* the practitioner is providing services to or on behalf of, whether in an honorary capacity, as a volunteer or otherwise, and whether or not the practitioner receives payment from the entity for the services.

‘Employer’ therefore also includes co-owners, co-directors, contractors of service, and/or owners/operators of medical practices, hospitals and/or facilities where the practitioner provides a health service (even if there is no contractual relationship between the practitioner and the owner/operator).**‘Health practitioner’** is defined under the *Health Ombudsman Act 2013* as an individual who is –* a health practitioner under the National Law; or
* another individual who provides a health service.

**‘Health service’** is defined as a service that is or purports to be for maintaining, improving, restoring or managing people’s health and wellbeing, and includes a ‘support service’ (see definition of ‘support service’) for a health service and any form of consultation, interview, examination, assessment, advising, or otherwise treating a patient, whether it is in person or on a communication device. For a full definition of ‘health service’, please see section 7 of the *Health Ombudsman Act 2013*.**‘Lacks capacity to consent’** means a person who is a child (person under 18 years of age), or who, because of mental or physical disability, is not able effectively to give informed consent to a proposed treatment or investigation, or an intervention.**‘Patient’** is defined as:* any individual awaiting, requiring, or receiving the professional services of an unregistered or registered health practitioner; and
* any person under (**#age#)** years of age who is accompanying an adult patient where the adult patient lacks capacity to consent, unless also accompanied by another adult person who has the capacity to consent.

**‘Practice location’** means any location where the practitioner provides a health service including any place where the practitioner:* is self-employed
* shares premises with other registered or unregistered health practitioners
* is engaged by one or more entities under a contract of employment, contract for services or any other arrangement or agreement
* provides services for or on the behalf of one or more entities, whether in an honorary capacity, as a volunteer or otherwise, whether or not the practitioner receives payment from an entity for the services, or
* provides professional services at the residential premises of a patient.

**‘Practise’** is defined as any role, whether remunerated or not, in which a practitioner uses their skills and knowledge in a health care industry, whether they are required to be a registered health practitioner or not. It is not restricted to the provision of direct clinical care and includes using the knowledge and skills of any health practitioner in a direct non-clinical relationship with a patient or client, working in management, administration, education, research, advisory, regulatory or policy development roles and any other roles that impact on safe, effective delivery of services in the health care industry.**‘Senior person’** is defined as a person at the place of practice where the practitioner is providing a health service such as the Director of Medical Services, Director of Nursing, Senior Practice Manager, Senior Manager, Senior Partner, Proprietor, Owner, or equivalent.**‘Support service’** for a health service, means a service providing business support, clinical support, corporate support or other support to the health service. See schedule 1 of the *Health Ombudsman Act 2013* for examples of a support service. |

### Practise with a supervisor

| **‘Scope of practice’ undertakings** | **Undertakings for monitoring ‘scope of practice’ (all practitioners)** | **Definitions** |
| --- | --- | --- |
| **Scope of practice***Choose one supervision undertaking as required:*I will be supervised by another registered health practitioner (the supervisor) when practising as a #profession#.**OR**I will be supervised by another registered health practitioner (the supervisor) when undertaking #particular area of care or practice or procedure#.**OR**I will be supervised by another registered health practitioner (the supervisor) when providing care to #specify type of patient#.*­­­­­­­\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_* *Choose an appropriate level of supervision from the options below,* ***for inclusion in the undertaking selected above. For example:***I will be supervised by another registered health practitioner (the supervisor) when practising as a medical practitioner. For the purpose of this undertaking, ‘supervised’ is defined as: *I will consult and follow the directions of the supervisor about the management of each patient before care is delivered and will be directly observed by the supervisor who is physically present at all times.*DirectFor the purpose of this undertaking, ‘supervised’ is defined as: *I will consult and follow the directions of the supervisor about the management of each patient before care is delivered and will be directly observed by the supervisor who is physically present at all times.***OR**Indirect IFor the purpose of this undertaking, ‘supervised’ is defined as: *I will consult with the supervisor who is always physically present in the workplace and available to observe and discuss the my management of patients and/or performance, when necessary and otherwise at #frequency# intervals unless otherwise directed by the Health Ombudsman.***OR**Indirect II*[this option may only be considered in certain circumstances – for example, when it is not possible for a supervisor to be present in the workplace at all times and/or the alleged conduct does not warrant a higher level of supervision]*For the purpose of this undertaking, ‘supervised’ is defined as: *I will consult with the supervisor, who is to be accessible by telephone or other means of telecommunication and available to attend the workplace to observe and discuss my management of patients and/or performance, when necessary and otherwise at #frequency# intervals unless otherwise directed by the Health Ombudsman.* | **Supervision requirements**Unless otherwise directed by the Health Ombudsman, I will not return to my current employment or practice location, or commence in any new employment or practice location as a registered health practitioner, until a primary supervisor and at least one alternate supervisor has been approved by the Health Ombudsman. To obtain approval:* 1. I will provide each nominated supervisor with:
		1. a full copy of this schedule of undertakings, and
		2. details of the specific alleged conduct that gave rise to these undertakings and the reasons for the Health Ombudsman taking immediate action; and then
	2. I will submit a signed *Information for supervisors approved by the Health Ombudsman* document (completed by each nominated supervisor) and then await written notification of the Health Ombudsman’s approval of the nominated supervisors.

ANDI authorise staff of the Office of the Health Ombudsman and my nominated supervisor(s) at every practice location where I practise as a health practitioner, to exchange information for the purpose of monitoring my compliance with these undertakings, including reports from the supervisor.ANDUnless otherwise directed by the Health Ombudsman, I will ensure a report is provided every #frequency (e.g. three months)# to the Office of the Health Ombudsman from my primary supervisor (or alternate supervisor if my primary supervisor is on leave), within five (5) business days of the end of the reporting period, that addresses:* my compliance with the Schedule of Undertakings
* the level of supervision provided by my supervisor, as required by my Schedule of Undertakings
* any period of absence or any period of time where my primary supervisor was not otherwise able to provide supervision and, if so, whether another Health Ombudsman approved supervisor provided the supervision required by my Schedule of Undertakings
* any discussion that has occurred between my primary and alternate Health Ombudsman approved supervisors during the reporting period regarding my compliance with the Schedule of Undertakings
* whether my supervisor is aware of any concerns about my conduct, professional performance and/or fitness to practise.

ANDIn the event no approved supervisor is willing or able to provide the supervision required, I will cease practice immediately and notify the Office of the Health Ombudsman in writing. I will not resume practice until a new supervisor has been nominated in the same terms as previous nominations and approved by the Health Ombudsman.**Employment requirements**Within five (5) business days of the commencement of these undertakings (if I am currently employed in a health service or providing a health service as a registered health practitioner), and within five (5) business days of commencing in any new employment or practice location:* 1. I will provide my employer or proposed employer (or ‘senior person’ if I am the employer and there is no other entity that meets the definition of ‘employer’), with:
		1. a full copy of this schedule of undertakings, and
		2. details of the specific alleged conduct that gave rise to these undertakings and the reasons for the Health Ombudsman taking immediate action; and then
	2. I will provide to the Office of the Health Ombudsman the following employment/practice information:
		1. Practice name and location (physical address)
		2. Position held, or proposed position, and role description
		3. Employment type (e.g. full-time, part-time, temporary, casual, contractor, self-employed)
		4. Name and contact details of employer (or ‘senior person’ if applicable) #and Director of Nursing (or equivalent)#.
 | **‘Authorised officer’** is defined as an Office of the Health Ombudsman position authorised by the Health Ombudsman to make routine administrative decisions and provide certain approvals contained in specified immediate action conditions and restrictions.**‘Employer’** is defined as an entity that-* employs the practitioner to provide health services; or engages the practitioner to provide health services under a contract for services; or
* operates a facility at which the practitioner provides health services; or
* the practitioner is providing services to or on behalf of, whether in an honorary capacity, as a volunteer or otherwise, and whether or not the practitioner receives payment from the entity for the services; or
* the practitioner is providing services to or on behalf of, whether in an honorary capacity, as a volunteer or otherwise, and whether or not the practitioner receives payment from the entity for the services.

‘Employer’ therefore also includes co-owners, co-directors, contractors of service, and/or owners/operators of medical practices, hospitals and/or facilities where the practitioner provides a health service (even if there is no contractual relationship between the practitioner and the owner/operator).**‘Health practitioner’** is defined under the *Health Ombudsman Act 2013* as an individual who is –* a health practitioner under the National Law; or
* another individual who provides a health service.

**‘Health service’** is defined as a service that is or purports to be for maintaining, improving, restoring or managing people’s health and wellbeing, and includes a ‘support service’ (see definition of ‘support service’) for a health service and any form of consultation, interview, examination, assessment, advising, or otherwise treating a patient, whether it is in person or on a communication device. For a full definition of ‘health service’, please see section 7 of the *Health Ombudsman Act 2013*.***‘*Patient’** is defined as any individual awaiting, requiring, or receiving the professional services of an unregistered or registered health practitioner.**‘Practice location’** means any location where the practitioner provides a health service including any place where the practitioner:* is self-employed
* shares premises with other registered or unregistered health practitioners
* is engaged by one or more entities under a contract of employment, contract for services or any other arrangement or agreement
* provides services for or on the behalf of one or more entities, whether in an honorary capacity, as a volunteer or otherwise, whether or not the practitioner receives payment from an entity for the services, or
* provides professional services at the residential premises of a patient.

**‘Practise’** is defined as any role requiring clinical patient contact (including supervision of other practitioners engaged in clinical patient contact), whether remunerated or not, in which the individual uses their skills and knowledge as a health practitioner in the safe, effective delivery of services in the health care industry. The practitioner may use their professional knowledge to practise in roles that do not involve any patient contact, such as management, administration, education, research, advisory, regulatory or policy development roles.**‘Support service’** for a health service, means a service providing business support, clinical support, corporate support or other support to the health service. See schedule 1 of the *Health Ombudsman Act 2013* for examples of a support service. |

### Practise with a supervisor (Domestic and Family Violence matters only)

| **‘Scope of practice’ undertakings** | **Undertakings for monitoring ‘scope of practice’ (all practitioners)** | **Definitions** |
| --- | --- | --- |
| **Scope of practice**I will only practise as a registered health practitioner in employment and at practice location/s approved by the Health Ombudsman and published on the Office of the Health Ombudsman website.ANDI will be supervised by another registered health practitioner (the supervisor) when practising as a #profession#.*\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**Choose an appropriate level of supervision from the options below,* ***for inclusion in the above undertaking. For example:***I will be supervised by another registered health practitioner (the supervisor) when practising as a medical practitioner. For the purpose of this undertaking, ‘supervised’ is defined as: *I will consult with the supervisor, who is to be accessible by telephone or other means of telecommunication and available to attend the workplace to observe and discuss the management of patients and/or the performance of the practitioner, when necessary and otherwise at fortnightly intervals unless otherwise directed by the Health Ombudsman.*Indirect IIFor the purpose of this undertaking, ‘supervised’ is defined as:I will consult with the supervisor, who is to be accessible by telephone or other means of telecommunication and available to attend the workplace to observe and discuss the management of patients and/or the performance of the practitioner, when necessary and otherwise at #frequency# intervals unless otherwise directed by the Health Ombudsman.**OR**Remote*[this option may only be considered in certain circumstances – for example, when a practitioner is practising in a rural or remote location and/or the alleged conduct does not warrant a higher level of supervision]*For the purpose of this undertaking, ‘supervised’ is defined as:I will consult with the supervisor, who is accessible by telephone or other means of telecommunication about the management of patients and/or performance of the practitioner, when necessary and at #frequency# intervals unless otherwise directed by the Health Ombudsman. | **Supervision requirements**Unless otherwise directed by the Health Ombudsman, I will not return to my current employment or practice location, or commence in any new employment or practice location as a registered health practitioner, until a primary supervisor and at least one alternate supervisor has been approved by the Health Ombudsman. To obtain approval:* 1. I will provide each nominated supervisor with:
		1. a full copy of this schedule of undertakings, and
		2. details of the specific alleged conduct that gave rise to these undertakings and the reasons for the Health Ombudsman taking immediate action; and then
	2. I will submit a signed *Information for supervisors approved by the Health Ombudsman* document (completed by each nominated supervisor) and then await written notification of the Health Ombudsman’s approval of the nominated supervisors.

ANDI authorise staff of the Office of the Health Ombudsman and my nominated supervisor(s) at every practice location where I practise as a health practitioner, to exchange information for the purpose of monitoring my compliance with these undertakings, including reports from the supervisor.ANDUnless otherwise directed by the Health Ombudsman, I will ensure a report is provided every #frequency (e.g. three months)# to the Office of the Health Ombudsman from my primary supervisor (or alternate supervisor if my primary supervisor is on leave), within five (5) business days of the end of the reporting period, that addresses:* my compliance with the Schedule of Undertakings
* the level of supervision provided by my supervisor, as required by my Schedule of Undertakings
* any period of absence or any period of time where my primary supervisor was not otherwise able to provide supervision and, if so, whether another Health Ombudsman approved supervisor provided the supervision required by my Schedule of Undertakings
* any discussion that has occurred between my primary and alternate Health Ombudsman approved supervisors during the reporting period regarding my compliance with the Schedule of Undertakings
* whether my supervisor is aware of any concerns about my conduct, professional performance and/or fitness to practise.

ANDIn the event no approved supervisor is willing or able to provide the supervision required, I will cease practice immediately and notify the Office of the Health Ombudsman in writing. I will not resume practice until a new supervisor has been nominated in the same terms as previous nominations and approved by the Health Ombudsman.**Employment requirements**Unless otherwise directed by the Health Ombudsman, if I am currently employed in a health service or providing a health service (practising) as a registered health practitioner when these undertakings commence, or I propose to commence in any new or other employment while these undertakings are in force, I will meet the following requirements and await notification of the Health Ombudsman’s approval **before** continuing to practise in my current employment or commencing in any new employment or practice location:* 1. I will provide my employer or proposed employer at each practice location, or ‘senior person’ if I am the employer and there is no other entity that meets the definition of ‘employer’, with:
		1. a full copy of this schedule of undertakings; and
		2. details of the specific alleged conduct that gave rise to these undertakings and the reasons for the Health Ombudsman taking immediate action; and then
	2. I will submit to the Office of the Health Ombudsman, details of my current or proposed employment including:
		1. Practice name and location (physical address)
		2. Position held, or proposed position, and role description
		3. Employment type (e.g. full-time, part-time, temporary, casual, contractor, self-employed)
		4. Name and contact details of employer (or ‘senior person’ if applicable) #and Director of Nursing (or equivalent)#

*[not applicable to nurses, except nurse practitioners]** + 1. a completed *Employer acknowledgement and consent* form from every current or proposed employer (including me if I am the employer), providing consent as detailed on the form and certifying my employer has been provided with a copy of this Schedule of Undertakings.
	1. In the event the Health Ombudsman has pre-approved in writing for me to continue practising in my current employment and practice location on acceptance of these undertakings, within five (5) business days of these undertakings commencing I will satisfy the requirements of (a) and (b) above.
 | **‘Authorised officer’** is defined as an Office of the Health Ombudsman position authorised by the Health Ombudsman to make routine administrative decisions and provide certain approvals contained in specified immediate action conditions and restrictions.**‘Employer’** is defined as an entity that-* employs the practitioner to provide health services; or engages the practitioner to provide health services under a contract for services; or
* operates a facility at which the practitioner provides health services; or
* the practitioner is providing services to or on behalf of, whether in an honorary capacity, as a volunteer or otherwise, and whether or not the practitioner receives payment from the entity for the services; or
* the practitioner is providing services to or on behalf of, whether in an honorary capacity, as a volunteer or otherwise, and whether or not the practitioner receives payment from the entity for the services.

‘Employer’ therefore also includes co-owners, co-directors, contractors of service, and/or owners/operators of medical practices, hospitals and/or facilities where the practitioner provides a health service (even if there is no contractual relationship between the practitioner and the owner/operator).**‘Health practitioner’** is defined under the *Health Ombudsman Act 2013* as an individual who is –* a health practitioner under the National Law; or
* another individual who provides a health service.

**‘Health service’** is defined as a service that is or purports to be for maintaining, improving, restoring or managing people’s health and wellbeing, and includes a ‘support service’ (see definition of ‘support service’) for a health service and any form of consultation, interview, examination, assessment, advising, or otherwise treating a patient, whether it is in person or on a communication device. For a full definition of ‘health service’, please see section 7 of the *Health Ombudsman Act 2013*.***‘*Patient’** is defined as any individual awaiting, requiring, or receiving the professional services of an unregistered or registered health practitioner.**‘Practice location’** means any location where the practitioner provides a health service including any place where the practitioner:* is self-employed
* shares premises with other registered or unregistered health practitioners
* is engaged by one or more entities under a contract of employment, contract for services or any other arrangement or agreement
* provides services for or on the behalf of one or more entities, whether in an honorary capacity, as a volunteer or otherwise, whether or not the practitioner receives payment from an entity for the services, or
* provides professional services at the residential premises of a patient.

**‘Practise’** is defined as any role requiring clinical patient contact (including supervision of other practitioners engaged in clinical patient contact), whether remunerated or not, in which the individual uses their skills and knowledge as a health practitioner in the safe, effective delivery of services in the health care industry. The practitioner may use their professional knowledge to practise in roles that do not involve any patient contact, such as management, administration, education, research, advisory, regulatory or policy development roles.**‘Senior person’** is defined as a person at the place of practice where the practitioner is providing a health service such as the Director of Medical Services, Director of Nursing, Senior Practice Manager, Senior Manager, Senior Partner, Proprietor, Owner, or equivalent.**‘Support service’** for a health service, means a service providing business support, clinical support, corporate support or other support to the health service. See schedule 1 of the *Health Ombudsman Act 2013* for examples of a support service. |

### Practise with a mentor

| **‘Scope of practice’ undertakings** | **Undertakings for monitoring ‘scope of practice’ (all practitioners)** | **Definitions** |
| --- | --- | --- |
| **Scope of practice**I will be mentored by another registered health practitioner in relation to #define issues – e.g. professional boundaries and professional conduct#.For the purpose of this undertaking, ‘mentoring’ is defined as a relationship in which a skilled registered practitioner (the mentor) helps to guide me regarding issues impacting on my professional performance/conduct. | **Mentor requirements**Unless otherwise directed by the Health Ombudsman, the mentoring will comprise a minimum of #number# session/s per month with each session being of at least #number# hour’s duration. Each session will include discussion about:* my understanding of #primary discussion focus#
* #primary discussion focus#
* #primary discussion focus#
* Any other information relevant to my practice.

ANDWithin 21 days of the commencement of these undertakings:* 1. I will provide the mentor nominee with:
		1. a full copy of this schedule of undertakings; and
		2. details of the specific alleged conduct that gave rise to these undertakings and the reasons for the Health Ombudsman taking immediate action; and then
	2. I will nominate the mentor by submitting a *Mentor acknowledgement* form (completed by the nominated mentor) to the Office of the Health Ombudsman and await written notification of the Health Ombudsman’s approval of the nominated mentor prior to the mentoring arrangement commencing.

ANDI authorise staff of the Office of the Health Ombudsman and my nominated mentor to exchange information for the purpose of monitoring my compliance with these undertakings, including reports from the mentor on any or all of the following occasions:* every #number# months
* at the conclusion of the mentoring relationship in order to confirm the outcomes of the mentoring
* whenever the mentor has a concern or becomes aware of a concern regarding my conduct or professional performance, and
* when otherwise requested by the Office of the Health Ombudsman.

ANDIn the event an approved mentor is no longer willing or able to provide the mentoring required I will notify the Office of the Health Ombudsman in writing and provide a new nomination in the same terms as previous nominations, within 21 days of becoming aware of the termination of the mentoring relationship. In the event mentor nominations are not submitted within the required timeframes specified in these undertakings, I understand I may be required by the Health Ombudsman to cease practice until a mentor has been nominated.**Employment requirements**Within five (5) business days of the commencement of these undertakings (if I am currently employed in a health service or providing a health service as a registered health practitioner), and within five (5) business days of commencing in any new employment or practice location:* 1. I will provide my employer or proposed employer (or ‘senior person’ if I am the employer and there is no other entity that meets the definition of ‘employer’), with:
		1. a full copy of this schedule of undertakings, and
		2. details of the specific alleged conduct that gave rise to these undertakings and the reasons for the Health Ombudsman taking immediate action; and then
	2. I will provide to the Office of the Health Ombudsman the following employment/practice information:
		1. Practice name and location (physical address)
		2. Position held, or proposed position, and role description
		3. Employment type (e.g. full-time, part-time, temporary, casual, contractor, self-employed)
		4. Name and contact details of employer (or ‘senior person’ if applicable) #and Director of Nursing (or equivalent)#.
 | **‘Authorised officer’** is defined as an Office of the Health Ombudsman position authorised by the Health Ombudsman to make routine administrative decisions and provide certain approvals contained in specified immediate action conditions and restrictions.**‘Employer’** is defined as an entity that-* employs the practitioner to provide health services; or engages the practitioner to provide health services under a contract for services; or
* operates a facility at which the practitioner provides health services; or
* the practitioner is providing services to or on behalf of, whether in an honorary capacity, as a volunteer or otherwise, and whether or not the practitioner receives payment from the entity for the services; or
* the practitioner is providing services to or on behalf of, whether in an honorary capacity, as a volunteer or otherwise, and whether or not the practitioner receives payment from the entity for the services.

‘Employer’ therefore also includes co-owners, co-directors, contractors of service, and/or owners/operators of medical practices, hospitals and/or facilities where the practitioner provides a health service (even if there is no contractual relationship between the practitioner and the owner/operator).**‘Health practitioner’** is defined under the *Health Ombudsman Act 2013* as an individual who is –* a health practitioner under the National Law; or
* another individual who provides a health service.

**‘Health service’** is defined as a service that is or purports to be for maintaining, improving, restoring or managing people’s health and wellbeing, and includes a ‘support service’ (see definition of ‘support service’) for a health service and any form of consultation, interview, examination, assessment, advising, or otherwise treating a patient, whether it is in person or on a communication device. For a full definition of ‘health service’, please see section 7 of the *Health Ombudsman Act 2013*.**‘Mentor’** is defined as a skilled registered practitioner who shares knowledge, experience and advice with the practitioner and provides guidance to the practitioner regarding issues impacting on professional performance/conduct.***‘*Patient’** is defined as any individual awaiting, requiring, or receiving the professional services of an unregistered or registered health practitioner.**‘Practice location’** means any location where the practitioner provides a health service including any place where the practitioner:* is self-employed
* shares premises with other registered or unregistered health practitioners
* is engaged by one or more entities under a contract of employment, contract for services or any other arrangement or agreement
* provides services for or on the behalf of one or more entities, whether in an honorary capacity, as a volunteer or otherwise, whether or not the practitioner receives payment from an entity for the services, or
* provides professional services at the residential premises of a patient.

**‘Practise’** is defined as any role requiring clinical patient contact (including supervision of other practitioners engaged in clinical patient contact), whether remunerated or not, in which the individual uses their skills and knowledge as a health practitioner in the safe, effective delivery of services in the health care industry. The practitioner may use their professional knowledge to practise in roles that do not involve any patient contact, such as management, administration, education, research, advisory, regulatory or policy development roles.**‘Support service’** for a health service, means a service providing business support, clinical support, corporate support or other support to the health service. See schedule 1 of the *Health Ombudsman Act 2013* for examples of a support service. |

### Undertaking not to practise

| **‘Scope of practice’ undertakings** | **Undertakings for monitoring ‘scope of practice’ (all practitioners)** | **Definitions** |
| --- | --- | --- |
| **Scope of practice**I will not practise as **#registered profession#.**For the purpose of this undertaking, ‘practise’ is defined as *any role, whether remunerated or not, in which a practitioner uses their skills and knowledge in a health care industry, whether they are required to be a registered health practitioner or not. It is not restricted to the provision of direct clinical care and includes using the knowledge and skills of any health practitioner in a direct non-clinical relationship with a patient or client, working in management, administration, education, research, advisory, regulatory or policy development roles and any other roles that impact on safe, effective delivery of services in the health care industry.* | Please use relevant **‘common undertakings’** listed at the beginning of this document. |  |

### Limitations on practice

| **‘Scope of practice’ undertakings** | **Undertakings for monitoring ‘scope of practice’ (all practitioners)** | **Definitions** |
| --- | --- | --- |
| **Scope of practice**I will only practise as a registered health practitioner in employment and at practice locations approved by the Health Ombudsman and published on the Office of the Health Ombudsman website.AND*Choose one or more undertakings as required from the following options:*I will not be the only #profession# on site.**OR**I will not practise outside the hours of #restricted times (e.g. 8pm to 6am)#.**OR**I will not practise outside the hours of #restricted times (e.g. 8pm to 6am)# without another #profession# on site at any approved practice location.**OR**I will not exceed #number# hours of practice a week.**OR**I will not practise in any role requiring #direct/direct or indirect# patient contact (including supervision of other practitioners engaged in #direct/direct or indirect# patient contact). The practitioner may only use their professional knowledge to practise in management, administration, education, research, advisory, regulatory or policy development roles that do not involve any patient contact.**OR**I will not undertake any #prohibited type of work/procedures#. *For the purpose of this undertaking #prohibited type of work/procedures# #is/are# defined as #definition of prohibited type of work/procedures#.* | **Employment requirements**Unless otherwise directed by the Health Ombudsman, if I am currently employed in a health service or providing a health service (practising) as a registered health practitioner when these undertakings commence, or I propose to commence in any new or other employment while these undertakings are in force, I will meet the following requirements and await notification of the Health Ombudsman’s approval **before** continuing to practise in my current employment or commencing in any new employment or practice location:* 1. I will provide my employer or proposed employer at each practice location (or ‘senior person’ if I am the employer and there is no other entity that meets the definition of ‘employer’), with:
		1. a full copy of this schedule of undertakings; and
		2. details of the specific alleged conduct that gave rise to these undertakings and the reasons for the Health Ombudsman taking immediate action; and then
	2. I will submit to the Office of the Health Ombudsman, details of my current or proposed employment including:
		1. Practice name and location (physical address)
		2. Position held, or proposed position, and role description
		3. Employment type (e.g. full-time, part-time, temporary, casual, contractor, self-employed)
		4. Name and contact details of employer (or ‘senior person’ if applicable) #and Director of Nursing (or equivalent)#

*[not applicable to nurses, except nurse practitioners]** + 1. a completed *Employer acknowledgement and consent* form from every current or proposed employer (including me if I am the employer), providing consent as detailed on the form and certifying my employer has been provided with a copy of this Schedule of Undertakings.
	1. In the event the Health Ombudsman has pre-approved in writing for me to continue practising in my current employment and practice location on acceptance of these undertakings, within five (5) business days of these undertakings commencing I will satisfy the requirements of (a) and (b) above.
 | **‘Authorised officer’** is defined as an Office of the Health Ombudsman position authorised by the Health Ombudsman to make routine administrative decisions and provide certain approvals contained in specified immediate action conditions and restrictions.**‘Employer’** is defined as an entity that-* employs the practitioner to provide health services; or engages the practitioner to provide health services under a contract for services; or
* operates a facility at which the practitioner provides health services; or
* the practitioner is providing services to or on behalf of, whether in an honorary capacity, as a volunteer or otherwise, and whether or not the practitioner receives payment from the entity for the services; or
* the practitioner is providing services to or on behalf of, whether in an honorary capacity, as a volunteer or otherwise, and whether or not the practitioner receives payment from the entity for the services.

‘Employer’ therefore also includes co-owners, co-directors, contractors of service, and/or owners/operators of medical practices, hospitals and/or facilities where the practitioner provides a health service (even if there is no contractual relationship between the practitioner and the owner/operator).**‘Health practitioner’** is defined under the *Health Ombudsman Act 2013* as an individual who is –* a health practitioner under the National Law; or
* another individual who provides a health service.

**‘Health service’** is defined as a service that is or purports to be for maintaining, improving, restoring or managing people’s health and wellbeing, and includes a ‘support service’ (see definition of ‘support service’) for a health service and any form of consultation, interview, examination, assessment, advising, or otherwise treating a patient, whether it is in person or on a communication device. For a full definition of ‘health service’, please see section 7 of the *Health Ombudsman Act 2013*.***‘*Patient’** is defined as any individual awaiting, requiring, or receiving the professional services of an unregistered or registered health practitioner.**‘Practice location’** means any location where the practitioner provides a health service including any place where the practitioner:* is self-employed
* shares premises with other registered or unregistered health practitioners
* is engaged by one or more entities under a contract of employment, contract for services or any other arrangement or agreement
* provides services for or on the behalf of one or more entities, whether in an honorary capacity, as a volunteer or otherwise, whether or not the practitioner receives payment from an entity for the services, or
* provides professional services at the residential premises of a patient.

**‘Practise’** is defined as any role, whether remunerated or not, in which a practitioner uses their skills and knowledge in a health care industry, whether they are required to be a registered health practitioner or not. It is not restricted to the provision of direct clinical care and includes using the knowledge and skills of any health practitioner in a direct non-clinical relationship with a patient or client, working in management, administration, education, research, advisory, regulatory or policy development roles and any other roles that impact on safe, effective delivery of services in the health care industry.**‘Support service’** for a health service, means a service providing business support, clinical support, corporate support or other support to the health service. See schedule 1 of the *Health Ombudsman Act 2013* for examples of a support service. |

**Access to medication**

|  |  |  |
| --- | --- | --- |
| **‘Scope of practice’ undertakings** | **Undertakings for monitoring ‘scope of practice’ (all practitioners)** | **Definitions** |
| **Scope of practice**I will only practise as a registered health practitioner in employment and at practice locations approved by the Health Ombudsman and published on the Office of the Health Ombudsman website.AND*Decision maker to choose one core undertaking as required from the options below:***Prohibition on access to monitored medicines**I will not prescribe, possess, supply, administer, handle, dispense, access or check, including as emergency treatment supplies or doctor’s bag stock, any monitored medicine listed in Schedule 2, Part 4 of the Medicines and Poisons (Medicines) Regulation 2021 as amended from time to time and as published at [https://www.legislation.qld.gov.au/view/html/asmade/sl-2021-0140#sch.2](https://www.legislation.qld.gov.au/view/html/asmade/sl-2021-0140) except when prescribed to me by a registered health practitioner for a genuine personal therapeutic purpose.**OR****Prohibition on access to Schedule 8 medicines**I will not prescribe, possess, supply, administer, handle, dispense, access or check, including as emergency treatment supplies or doctor’s bag stock, any substance listed in Schedule 8 of the Standard for the Uniform Scheduling of Medicines and Poisons (the SUSMP) as amended from time to time and as published at <https://www.tga.gov.au/publication/poisons-standard-susmp> and/or pharmaceutical items containing any active ingredient listed within Schedule 8 of the SUSMP, except when prescribed to me by a registered health practitioner for a genuine personal therapeutic purpose.**OR****Prohibition on access to specific SUSMP Schedule**I will not prescribe, possess, supply, administer, handle, dispense, access, check, including as emergency treatment supplies or doctor’s bag stock, any medicine or poison listed in Schedule(s) **#relevant schedule#** of the Standard for the Uniform Scheduling of Medicines and Poisons (the SUSMP) as amended from time to time and as published at <https://www.tga.gov.au/publication/poisons-standard-susmp> and/or pharmaceutical items containing any active ingredient listed within **#relevant schedule#** of the SUSMP, except when prescribed to me by a registered health practitioner for a genuine personal therapeutic purpose.**OR****Prohibition on access to specific named substance(s)**I will not prescribe, possess, supply, administer, handle, dispense, access or check, including as emergency treatment supplies or doctor’s bag stock, the following substance(s): **#specific name of medication(s)#** - exceptwhen prescribed to me by a registered health practitioner for a genuine personal therapeutic purpose. | **Employment requirements**Unless otherwise directed by the Health Ombudsman, if I am currently employed in a health service or providing a health service (practising) as a registered health practitioner when these undertakings commence, or I propose to commence in any new or other employment while these undertakings are in force, I will meet the following requirements and await notification of the Health Ombudsman’s approval **before** continuing to practise in my current employment or commencing in any new employment or practice location:* 1. I will provide my employer or proposed employer at each practice location (or ‘senior person’ if I am the employer and there is no other entity that meets the definition of ‘employer’), with:
		1. a full copy of this schedule of undertakings; and
		2. details of the specific alleged conduct that gave rise to these undertakings and the reasons for the Health Ombudsman taking immediate action; and then
	2. I will submit to the Office of the Health Ombudsman, details of my current or proposed employment including:
		1. Practice name and location (physical address)
		2. Position held, or proposed position, and role description
		3. Employment type (e.g. full-time, part-time, temporary, casual, contractor, self-employed)
		4. Name and contact details of employer (or ‘senior person’ if applicable) #and Director of Nursing (or equivalent)#

*[not applicable to nurses, except nurse practitioners]** + 1. a completed *Employer acknowledgement and consent* form from every current or proposed employer (including me if I am the employer), providing consent as detailed on the form and certifying my employer has been provided with a copy of this Schedule of Undertakings.
	1. In the event the Health Ombudsman has pre-approved in writing for me to continue practising in my current employment and practice location on acceptance of these undertakings, within five (5) business days of these undertakings commencing I will satisfy the requirements of (a) and (b) above.
 | **‘Authorised officer’** is defined as an Office of the Health Ombudsman position authorised by the Health Ombudsman to make routine administrative decisions and provide certain approvals contained in specified immediate action conditions and restrictions.**‘Employer’** is defined as an entity that-* employs the practitioner to provide health services; or engages the practitioner to provide health services under a contract for services; or
* operates a facility at which the practitioner provides health services; or
* the practitioner is providing services to or on behalf of, whether in an honorary capacity, as a volunteer or otherwise, and whether or not the practitioner receives payment from the entity for the services; or
* the practitioner is providing services to or on behalf of, whether in an honorary capacity, as a volunteer or otherwise, and whether or not the practitioner receives payment from the entity for the services.

‘Employer’ therefore also includes co-owners, co-directors, contractors of service, and/or owners/operators of medical practices, hospitals and/or facilities where the practitioner provides a health service (even if there is no contractual relationship between the practitioner and the owner/operator).**‘Health practitioner’** is defined under the *Health Ombudsman Act 2013* as an individual who is –* a health practitioner under the National Law; or
* another individual who provides a health service.

**‘Health service’** is defined as a service that is or purports to be for maintaining, improving, restoring or managing people’s health and wellbeing, and includes a ‘support service’ (see definition of ‘support service’) for a health service and any form of consultation, interview, examination, assessment, advising, or otherwise treating a patient, whether it is in person or on a communication device. For a full definition of ‘health service’, please see section 7 of the *Health Ombudsman Act 2013*.***‘*Patient’** is defined as any individual awaiting, requiring, or receiving the professional services of an unregistered or registered health practitioner.**‘Practice location’** means any location where the practitioner provides a health service including any place where the practitioner:* is self-employed
* shares premises with other registered or unregistered health practitioners
* is engaged by one or more entities under a contract of employment, contract for services or any other arrangement or agreement
* provides services for or on the behalf of one or more entities, whether in an honorary capacity, as a volunteer or otherwise, whether or not the practitioner receives payment from an entity for the services, or
* provides professional services at the residential premises of a patient.

**‘Practise’** is defined as any role, whether remunerated or not, in which a practitioner uses their skills and knowledge in a health care industry, whether they are required to be a registered health practitioner or not. It is not restricted to the provision of direct clinical care and includes using the knowledge and skills of any health practitioner in a direct non-clinical relationship with a patient or client, working in management, administration, education, research, advisory, regulatory or policy development roles and any other roles that impact on safe, effective delivery of services in the health care industry.**‘Support service’** for a health service, means a service providing business support, clinical support, corporate support or other support to the health service. See schedule 1 of the *Health Ombudsman Act 2013* for examples of a support service. |

### Access to medication under direct supervision

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| **‘Scope of practice’ undertakings** | **Undertakings for monitoring ‘scope of practice’ (all practitioners)** | **Definitions** |
| **Scope of practice**I will only practise as a registered health practitioner in employment and at practice locations approved by the Health Ombudsman and published on the Office of the Health Ombudsman website.AND*Decision maker to choose one core undertaking as required from the options below:***Access to monitored medicines under supervision**I will not prescribe, possess, supply, administer, handle, dispense, access or check, including as emergency treatment supplies or doctor’s bag stock, any monitored medicine listed in Schedule 2, Part 4 of the Medicines and Poisons (Medicines) Regulation 2021 as amended from time to time and as published at [https://www.legislation.qld.gov.au/view/html/asmade/sl-2021-0140#sch.2](https://www.legislation.qld.gov.au/view/html/asmade/sl-2021-0140) other than when directly observed by another registered health practitioner.**OR****Access to Schedule 8 medicines under supervision**I will not prescribe, possess, supply, administer, handle, dispense, access or check, including as emergency treatment supplies or doctor’s bag stock, any substance listed in Schedule 8 of the Standard for the Uniform Scheduling of Medicines and Poisons (the SUSMP) as amended from time to time and as published at <https://www.tga.gov.au/publication/poisons-standard-susmp> and/or pharmaceutical items containing any active ingredient listed within Schedule 8 of the SUSMP, other than when directly observed by another registered health practitioner.**OR****Access to specific SUSMP Schedule under supervision**I will not prescribe, possess, supply, administer, handle, dispense, access, check, including as emergency treatment supplies or doctor’s bag stock, any medicine or poison listed in Schedule(s) **#relevant schedule#** of the Standard for the Uniform Scheduling of Medicines and Poisons (the SUSMP) as amended from time to time and as published at <https://www.tga.gov.au/publication/poisons-standard-susmp> and/or pharmaceutical items containing any active ingredient listed within **#relevant schedule#** of the SUSMP, other than when directly observed by another registered health practitioner.**OR****Access to specific named substance(s) under supervision**I will not prescribe, possess, supply, administer, handle, dispense, access or check, including as emergency treatment supplies or doctor’s bag stock, the following substance(s): **#specific name of medication(s)#** - other than when directly observed by another registered health practitioner. | **Supervision requirements**I authorise staff of the Office of the Health Ombudsman and my employer and medication supervisor(s) at every practice location where I practise as a health practitioner, to exchange information for the purpose of monitoring my compliance with these undertakings.**Employment requirements**Unless otherwise directed by the Health Ombudsman, if I am currently employed in a health service or providing a health service (practising) as a registered health practitioner when these undertakings commence, or I propose to commence in any new or other employment while these undertakings are in force, I will meet the following requirements and await notification of the Health Ombudsman’s approval **before** continuing to practise in my current employment or commencing in any new employment or practice location:* 1. I will provide my employer or proposed employer at each practice location (or ‘senior person’ if I am the employer and there is no other entity that meets the definition of ‘employer’), with:
		1. a full copy of this schedule of undertakings; and
		2. details of the specific alleged conduct that gave rise to these undertakings and the reasons for the Health Ombudsman taking immediate action; and then
	2. I will submit to the Office of the Health Ombudsman, details of my current or proposed employment including:
		1. Practice name and location (physical address)
		2. Position held, or proposed position, and role description
		3. Employment type (e.g. full-time, part-time, temporary, casual, contractor, self-employed)
		4. Name and contact details of employer (or ‘senior person’ if applicable) #and Director of Nursing (or equivalent)#

*[not applicable to nurses, except nurse practitioners]** + 1. a completed *Employer acknowledgement and consent* form from every current or proposed employer (including me if I am the employer), providing consent as detailed on the form and certifying my employer has been provided with a copy of this Schedule of Undertakings.
	1. In the event the Health Ombudsman has pre-approved in writing for me to continue practising in my current employment and practice location on acceptance of these undertakings, within five (5) business days of these undertakings commencing I will satisfy the requirements of (a) and (b) above.
 | **‘Authorised officer’** is defined as an Office of the Health Ombudsman position authorised by the Health Ombudsman to make routine administrative decisions and provide certain approvals contained in specified immediate action conditions and restrictions.**‘Employer’** is defined as an entity that-* employs the practitioner to provide health services; or engages the practitioner to provide health services under a contract for services; or
* operates a facility at which the practitioner provides health services; or
* the practitioner is providing services to or on behalf of, whether in an honorary capacity, as a volunteer or otherwise, and whether or not the practitioner receives payment from the entity for the services; or
* the practitioner is providing services to or on behalf of, whether in an honorary capacity, as a volunteer or otherwise, and whether or not the practitioner receives payment from the entity for the services.

‘Employer’ therefore also includes co-owners, co-directors, contractors of service, and/or owners/operators of medical practices, hospitals and/or facilities where the practitioner provides a health service (even if there is no contractual relationship between the practitioner and the owner/operator).**‘Health practitioner’** is defined under the *Health Ombudsman Act 2013* as an individual who is –* a health practitioner under the National Law; or
* another individual who provides a health service.

**‘Health service’** is defined as a service that is or purports to be for maintaining, improving, restoring or managing people’s health and wellbeing, and includes a ‘support service’ (see definition of ‘support service’) for a health service and any form of consultation, interview, examination, assessment, advising, or otherwise treating a patient, whether it is in person or on a communication device. For a full definition of ‘health service’, please see section 7 of the *Health Ombudsman Act 2013*.***‘*Patient’** is defined as any individual awaiting, requiring, or receiving the professional services of an unregistered or registered health practitioner.**‘Practice location’** means any location where the practitioner provides a health service including any place where the practitioner:* is self-employed
* shares premises with other registered or unregistered health practitioners
* is engaged by one or more entities under a contract of employment, contract for services or any other arrangement or agreement
* provides services for or on the behalf of one or more entities, whether in an honorary capacity, as a volunteer or otherwise, whether or not the practitioner receives payment from an entity for the services, or
* provides professional services at the residential premises of a patient.

**‘Practise’** is defined as any role, whether remunerated or not, in which a practitioner uses their skills and knowledge in a health care industry, whether they are required to be a registered health practitioner or not. It is not restricted to the provision of direct clinical care and includes using the knowledge and skills of any health practitioner in a direct non-clinical relationship with a patient or client, working in management, administration, education, research, advisory, regulatory or policy development roles and any other roles that impact on safe, effective delivery of services in the health care industry.**‘Support service’** for a health service, means a service providing business support, clinical support, corporate support or other support to the health service. See schedule 1 of the *Health Ombudsman Act 2013* for examples of a support service. |

### Audit of practice

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| **‘Scope of practice’ undertakings** | **Undertakings for monitoring ‘scope of practice’ (all practitioners)** | **Definitions** |
| **Scope of practice***Decision maker to choose one core undertaking as required from the options below:***One off audit**I will submit to an audit of my practice (the audit), including any supporting records, within **#timeframe#** of these undertakings commencing by:* 1. permitting an auditor (the auditor) approved by the **Office of the Health Ombudsman** to attend any and all places where I provide a health service (public and private) for the purpose of the audit; and
	2. by permitting the auditor to provide a report in relation to the findings of the audit.

**OR****Ongoing audits**I will submit to an audit of my primary place of practice (the audit), including any supporting records, within **#timeframe#** of these undertakings commencing and thereafter on a **#timeframe#** basis unless otherwise directed by the Health Ombudsman, and an audit of any other place where I provide a health service if determined by the Health Ombudsman, at a frequency to be determined by the Health Ombudsman, by:* 1. permitting an auditor (the auditor) approved by the Office of the Health Ombudsman to attend any and all places where I provide a health service (public and private) for the purpose of the audits; and
	2. permitting the auditor to provide a report to the Office of the Health Ombudsman in relation to the findings of each audit.
 | **Audit requirements**Within #timeframe# of these undertakings commencing, I will nominate an auditor for approval by the Health Ombudsman, by:* 1. providing the nominated auditor with
		1. a full copy of this schedule of undertakings; and
		2. details of the specific alleged conduct that gave rise to these undertakings and the reasons for the Health Ombudsman taking immediate action; and then
	2. nominating the auditor by submitting a completed *Auditor acknowledgement* form (completed by the nominated auditor) to the Office of the Health Ombudsman, and then await written notification of the Health Ombudsman’s approval of the nominated auditor prior to the auditing arrangement commencing.

ANDWithin **#timeframe#** of the nominated auditor being approved by the Health Ombudsman, I will provide a written audit plan, from the approved auditor, outlining the form the audit(s) will take and how the area of concerns for the Health Ombudsman will be addressed.  The audit(s) will take the form determined by the auditor.ANDIn the event an approved auditor is no longer willing or able to provide the audits required, I will notify the Office of the Health Ombudsman within 14 days of becoming aware of this and will provide a new nomination of auditor to the Office of the Health Ombudsman in the same terms as previous nominations.ANDI will ensure an audit report is provided to the Office of the Health Ombudsman within ten (10) business days of every audit conducted that includes, at a minimum, the following criteria:* **#detail concerns#\*\***
* ***any other areas of concern or issues the auditor may identify.***

***\*\*[For example:**** ***infection control procedures and practices***
* ***sterilisation equipment, procedures and practices***
* ***documentation and protocols for infection control***
* ***advice about whether the clinicians and clinical support staff employed at the practice locations are appropriately trained and qualified in compliance with the relevant codes, standards, guidelines and legislative requirements relating to the duties they undertake***
* ***if there is more than one approved auditor, any discussion that has occurred between the primary and alternate Health Ombudsman approved auditors during the reporting period regarding my professional practice and compliance with the Schedule of Undertakings.]***

**Employment requirements**Within five (5) business days of the commencement of these undertakings (if I am currently employed in a health service or providing a health service as a registered health practitioner), and within five (5) business days of commencing in any new employment or practice location:* 1. I will provide my employer at each practice location where I practise (or ‘senior person’ if the practitioner is the employer and there is no other entity that meets the definition of ‘employer’), with a full copy of this schedule of undertakings; and then
	2. I will provide to the Office of the Health Ombudsman the following employment/practice information:
		1. Practice name and location (physical address)
		2. Position held, or proposed position, and role description
		3. Employment type (e.g. full-time, part-time, temporary, casual, contractor, self-employed)

Name and **contact** details **of** employer (or ‘senior person’ if applicable) #and Director of Nursing (or equivalent)#. | **‘Authorised officer’** is defined as an Office of the Health Ombudsman position authorised by the Health Ombudsman to make routine administrative decisions and provide certain approvals contained in specified immediate action conditions and restrictions.**‘Employer’** is defined as an entity that-* employs the practitioner to provide health services; or engages the practitioner to provide health services under a contract for services; or
* operates a facility at which the practitioner provides health services; or
* the practitioner is providing services to or on behalf of, whether in an honorary capacity, as a volunteer or otherwise, and whether or not the practitioner receives payment from the entity for the services; or
* the practitioner is providing services to or on behalf of, whether in an honorary capacity, as a volunteer or otherwise, and whether or not the practitioner receives payment from the entity for the services.

‘Employer’ therefore also includes co-owners, co-directors, contractors of service, and/or owners/operators of medical practices, hospitals and/or facilities where the practitioner provides a health service (even if there is no contractual relationship between the practitioner and the owner/operator).**‘Health practitioner’** is defined under the *Health Ombudsman Act 2013* as an individual who is –* a health practitioner under the National Law; or
* another individual who provides a health service.

**‘Health service’** is defined as a service that is or purports to be for maintaining, improving, restoring or managing people’s health and wellbeing, and includes a ‘support service’ (see definition of ‘support service’) for a health service and any form of consultation, interview, examination, assessment, advising, or otherwise treating a patient, whether it is in person or on a communication device. For a full definition of ‘health service’, please see section 7 of the *Health Ombudsman Act 2013*.***‘*Patient’** is defined as any individual awaiting, requiring, or receiving the professional services of an unregistered or registered health practitioner.**‘Practice location’** means any location where the practitioner provides a health service including any place where the practitioner:* is self-employed
* shares premises with other registered or unregistered health practitioners
* is engaged by one or more entities under a contract of employment, contract for services or any other arrangement or agreement
* provides services for or on the behalf of one or more entities, whether in an honorary capacity, as a volunteer or otherwise, whether or not the practitioner receives payment from an entity for the services, or
* provides professional services at the residential premises of a patient.

**‘Practise’** is defined as any role requiring clinical patient contact (including supervision of other practitioners engaged in clinical patient contact), whether remunerated or not, in which the individual uses their skills and knowledge as a health practitioner in the safe, effective delivery of services in the health care industry. The practitioner may use their professional knowledge to practise in roles that do not involve any patient contact, such as management, administration, education, research, advisory, regulatory or policy development roles.**‘Support service’** for a health service, means a service providing business support, clinical support, corporate support or other support to the health service. See schedule 1 of the *Health Ombudsman Act 2013* for examples of a support service. |