

CHARTERED 
INSTITUTE OF PROFESSIONAL CERTIFICATIONS

AUSTRALIA HEALTHCARE LAWS, MEDICAL NEGLIGENCE AND LIABILITY MANAGEMENT

**Fully Accredited
By:**

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CPD
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PROGRAM OVERVIEW



Australia's healthcare legal framework is complex as it is shaped by a combination of federal and state laws, as well as various professional standards and guidelines. Each of Australia's states and territories has its own healthcare legislation, adding another layer of complexity for healthcare professionals and administrators navigating the legal environment. The coexistence of federal and state regulations can lead to differences in legal requirements and compliance practices across regions, making it challenging to maintain uniform standards of care.

This certified program will equip you with a comprehensive understanding of the complex and evolving landscape of Australia's healthcare laws, medical negligence, and liability management. You will explore a wide range of crucial topics, including the **Health Practitioner Regulation National Law, the Therapeutic Goods Act, and the roles and responsibilities of AHPRA and TGA**. We will delve into the **unique aspects of state-specific health laws, focusing on their distinct regulations and the nuances in their implementation**, helping you appreciate the interplay between federal and state healthcare regulations.

In addition, this program will provide insights into **managing medical negligence claims, understanding the legal principles of duty of care and informed consent, and navigating the complexities of professional indemnity insurance**. You will learn about risk management strategies to prevent medical errors, the legal implications of telemedicine and digital health technologies, and the role of healthcare ethics in legal compliance. Furthermore, you will gain knowledge on how to **handle patient complaints and disputes effectively, ensuring that your organization adheres to legal and ethical standards**.

ACCREDITATIONS



4.8



4.6





PROGRAM OVERVIEW

With a solid understanding of Australian healthcare laws and liability management, you will be equipped to **integrate best practices into your organization's policies and procedures, ensuring compliance with all relevant legislation and mitigating legal risks.** This program will empower you to lead your organization in navigating the complexities of healthcare regulations and managing legal challenges with confidence.

Upon successfully completing the program, you will receive the highly respected **Certification in Australia Healthcare Laws**, enhancing your professional credentials and demonstrating your mastery of the key principles related to Australia's legislations and ethical framework in healthcare. This industry-recognized certification offers lifelong validity and distinguishes you as an expert in the legal and ethical dimensions of medical malpractice and liability management. We look forward to welcoming you to this program.

ACCREDITATIONS



4.8



4.6



KEY SKILLS YOU WILL GAIN

From This Program



**AUSTRALIA HEALTHCARE LAW
MEDICAL NEGLIGENCE
LIABILITY MANAGEMENT
CLINICAL RISK ASSESSMENT**

**MEDICAL DOCUMENTATION
MEDICAL RECORD KEEPING
CLINICAL GOVERNANCE
MALPRACTICE DEFENSE**

**ELEMENTS OF TORT LAW
MEDICAL INDEMNITY
ISO 31000:2018
MEDICAL LIABILITY**

**PATIENT SAFETY
MEDICAL RISK STRATEGIES
MEDICO-LEGAL DEFENSE
GOOD SAMARITAN SAFEGUARDS
INFORMED CONSENT**

**CIVIL LIABILITY PROCEEDINGS
CLINICAL RISK IDENTIFICATION**

YOUR FACULTY DIRECTOR



Dr. Wendy Bonython

Award Winning Health Law Professor

Dr. Wendy Bonython is a distinguished Associate Professor of Law and the Associate Dean of Learning & Teaching at Bond University. With over 14 years of experience in academia, Wendy **excels in tort law, health law, and technology regulation**. She has also **developed a highly regarded Masters-level micro credential on Medical Negligence for the Australasian College of Legal Medicine**.

Her research encompasses genetic discrimination, medical negligence, and healthcare regulation. Wendy is **an award-winning educator and a trusted consultant for numerous national and international law reform activities**. Her unique interdisciplinary expertise bridges the gap between law, biotechnology, and medicine, making her an influential voice in health law and policy. Wendy's dynamic approach to online learning ensures active and impactful engagement, fostering robust academic and professional networks among her students.

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PROGRAM AGENDA

MODULE 1 - HEALTH LAW WITHIN THE AUSTRALIAN CONTEXT

- Health Laws - Who is Empowered to Make Them?
- Social and Economic Influences on Health Law
- Health Laws Within the State and the Commonwealth

MODULE 2 - LIABILITY IN AUSTRALIAN HEALTHCARE - WHAT IS IT?

- What is Liability?
- Who Determines Liability?
- What Laws Apply?

MODULE 3 - CARELESS DOCTORS OR LITIGIOUS PATIENTS? MEDICAL NEGLIGENCE IN AUSTRALIA

- What is Medical Negligence?
- How Big a Problem is it?
- Elements of Medical Negligence

MODULE 4 - A DUTY OF CARE WITHIN A DUTY TO CARE

- Who is My Patient?
- Understanding the Scope and Content of the Duty
- Institutional and Organizational Duties and Obligations

MODULE 5 - PROFESSIONAL STANDARDS, ETHICAL GUIDELINES, AND THE 'PEER PROFESSIONAL' PRACTITIONER

- Setting the Professional Benchmark
- Differences in Clinical Opinion and Approach
- The Role of Codes, Guidelines, and Other Evidence of Acceptable Practice

MODULE 6 - A DEEPER DIVE INTO LIABILITY FOR INADEQUATE CONSENT: CAPACITY, AND VULNERABLE POPULATIONS

- Who can Give Consent? Capacity and Legally-Valid Decision-Making
- Substituted vs Supported Decision-Making in Healthcare
- What Does the Decision-Maker Need to Know?

MODULE 7 - CAUSE... BUT NO EFFECT? EFFECT BUT NO CAUSE? COMPLEXITY IN CAUSATION IN MEDICAL NEGLIGENCE

- Scientific vs Legal vs Ethical Causation - What's the Difference?
- Prevailing Counterfactuals as Proof of Causation
- The Role of Population or Epidemiological Evidence in Causation



PROGRAM AGENDA

MODULE 8 - DEFENCES AND INSTITUTIONAL LIABILITY

- Vicarious Liability
- Joint Liability
- Good Samaritan Protections

MODULE 9 - INDEMNITY, INSURANCE, AND STATUTORY SCHEMES

- What is Indemnity and Who Provides it?
- What Does it Indemnify Against?
- Other Indemnifying Statutory Schemes

MODULE 10 - PROFESSIONAL REGULATION AND OCCUPATIONAL DISCIPLINARY LIABILITY

- AHPRA, The Boards, and The Codes
- Processes, Charges, and Outcomes
- Other Healthcare Regulatory Authorities

YOUR CHARTER DESIGNATION



Chartered Institute of Professional Certifications' programs are unique as they provide you with professional charter designations and marks that can be used across your lifetime once you have completed our programs.

Upon successful completion of this program, you will be awarded with the **Certification in Australia Healthcare Laws** that can be used in your resume, CV and other professional credentials. This industry-recognized certification holds lifelong validity, attesting to your proficiency and competence.

Globally demanded and recognized, this certification will significantly enhance your professional qualifications, clearly showcasing your expertise in navigating the intricate field of Australian health law, medical negligence, including your proficiency in defending against medical negligence claims and aligning with the regulatory frameworks within medical law. Developed by the esteemed **Chartered Institute of Professional Certifications**, the program's content has been meticulously certified by the **CPD Certification Service**, ensuring adherence to the highest standards of continuing professional principles.

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All of Chartered Institute of Professional Certifications programs are fully accredited programs. The professional charters and designations are trademarked credentials that can only be used by professionals who have completed and passed our accredited program. It is also independently accredited by CPD as adhering to the highest standards of continuing professional principles.

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CONTACT US TODAY

We Thank You for Your Ongoing Support
of Our Programs

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