



Professor Debora Picone AM
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Dear Professor Picone

CONSULTATION DRAFT: AUSTRALIAN OPEN DISCLOSURE FRAMEWORK

Thank you for your letter dated 22 June 2012 to Mr Rob Scott, President of the Insurance Council of Australia¹ (Insurance Council), inviting the Insurance Council to participate in the Australian Commission on Safety & Quality in Health Care's (the Commission) review of the national Open Disclosure Standard (the Standard).

The Insurance Council appreciated the opportunity to attend the Sydney Forum on 3 August 2012 which provided a comprehensive history of the Standard and development of the draft Framework. We recognise open disclosure has been found beneficial both for the adversely affected patient, their family and the health care practitioner.

As you are aware, the Insurance Council has two industry representatives appointed to the Commission's Open Disclosure Advisory Group – Advisory Committee. Our nominees, Mr Troy Browning for medical indemnity insurance and Ms Katherine Henry (replaced recently by Nihal D'Cruz) for insurance of health care institutions, have been active participants in the development of the draft Framework. The Insurance Council welcomes the contributions they have been able to make on behalf of our Health Care Indemnity members.

As such, we are pleased to support the draft Framework which sets out Insurance Considerations at clause 6.7, in recognition that inappropriate disclosure may have implications for the cover of insured health care practitioners and the institutions in which they work. Given our members more direct experience in the operation of the Standard, we

¹ The Insurance Council of Australia is the representative body of the general insurance industry in Australia. Our members represent more than 90 percent of total premium income written by private sector general insurers. Insurance Council members, both insurers and reinsurers, are a significant part of the financial services system. June 2012 Australian Prudential Regulation Authority statistics show that the private sector insurance industry generates gross written premium of \$37.5 billion per annum and has total assets of \$118.2 billion. The industry employs approx 60,000 people and on average pays out about \$115 million in claims each working day.

Insurance Council members provide insurance products ranging from those usually purchased by individuals (such as home and contents insurance, travel insurance, motor vehicle insurance) to those purchased by small businesses and larger organisations (such as product and public liability insurance, professional indemnity insurance, commercial property, and directors and officers insurance).



distributed the survey to our Health Care Indemnity Committee for direct response to the Commission.

If you require any further information, please contact Mr Anning on (02) 9253 5121 or janning@insurancecouncil.com.au.

Yours sincerely

Robert Whelan
Executive Director & CEO