

NEW ZEALAND MEDICO LEGAL CONGRESS



27 - 28 FEBRUARY 2024

Grand Millennium, Auckland

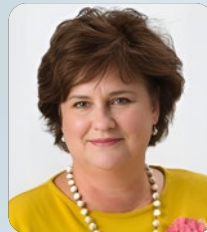
Navigating the medico-legal landscape of Aotearoa

KEY THEMES

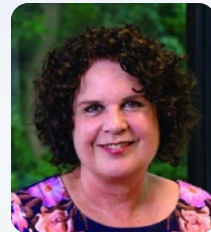
- Overview of the shifting medico-legal landscape
- Health equity in the medico-legal environment
- Reviewing recent legal and regulatory developments plus court and tribunal decisions
- Leadership in compliance
- The legal and ethical implications of emerging technologies in healthcare



MORAG MCDOWELL
*Commissioner,
Health and Disability
Commission*



JOAN SIMEON
*Chief Executive,
Medical Council of
New Zealand*



KRISTIN GOOD
*Chief Clinical Advisor,
Ministry of Health*



AMY DE JOUX
*Principal Legal Adviser,
Office of the Privacy
Commissioner*



WINSTON MCCARTHY
*Deputy Chairperson,
Health Practitioners
Disciplinary Tribunal*



AISLING WEIR
*Special Counsel,
Buddle Findlay*

DAY 1 | 27 FEBRUARY 2024

8.30 Registration and coffee

9.00 Opening remarks from the Chair
Iris Reuvecamp, Principal, Vida Law

OVERVIEW OF THE SYSTEM AND THE RECENT MEDICO-LEGAL LANDSCAPE

9.10 Catching you up – what has changed in the last year?

- Providing an overview of recent healthcare policy, legislation and regulatory changes
- Exploring recent developments in case law, tribunal and disciplinary hearings and analysing their implications
- Understanding the practitioner shortage and its legal implications across different healthcare settings
- Discussing key developments in biomedical ethics

9.50 Update from the Health and Disability Commissioner

- Reviewing the latest outcomes of recent cases before the Commission
- How is negligence measured and what quality assurance steps can be taken to avoid it?
- Highlighting the issues from recent complaints and how these are being resolved
- Medical students informed consent
- Ngā Paerewa Health and Disability service standards - how to ensure an inclusive health environment and meet regulatory standards

Morag McDowell, Commissioner, Health and Disability Commission

10.30 Morning break

11.00 Medico-Legal responsibilities and challenges in the ACC system

- Presenting some of the most recent medical and negligence cases covered by ACC
- Understanding the litigation and involvement of medical and legal practitioners in accident claims
- Identifying the ACC guidelines and standard that are relevant in a medico-legal environment
- Medico-legal and ACC: The role of professionals in ACC cases

Anita Miller, Partner, Claro Law
Rachel Mould, Senior Solicitor, Claro Law

HEALTH EQUITY IN THE MEDICO-LEGAL ENVIRONMENT

11.30 Indigenous health equity and justice: Te Tiriti o Waitangi and beyond

- Identifying the key policies and their implications that address Māori health aspirations and needs
- He Korowai Oranga: Māori Health Strategy
- Whakamaua: Māori Health Action Plan and how it is coming along

- Outlining the new political landscape post-election and what that means for Māori and iwi health
- Understanding the role tikanga Māori and matauranga Māori in a medico-legal context

Sharon Shea, Tumu Whakarae | CEO, Shea, Pita and Associates

12.00 Panel discussion: Working towards a safe and more equitable healthcare system

- Learning about how to contribute to a safe and equitable health environment
- How do fulfil your work and respect peoples' values and views?
- Understanding the medico-legal role in enabling self-determination and leadership in diverse populations

Huhana Hickey, Managing Director, Pukenga Consultancy
Georgie Todd, Senior Associate, MC. Auckland
Sharon Shea, Tumu Whakarae | CEO, Shea, Pita and Associates

12.40 Lunch break

REVIEWING RECENT ACTS AND POLICIES

1.40 The right to refuse treatment – an update on section 11 of the NZBORA

- An update on the Court's interpretation and application of s11 of the NZBORA
- A focus on the COVID-19 cases, and how they have shaped our view of s11
- Applying s11 in practice – what it means for legal and clinical practitioners alike

Holly Headley, Senior Associate, Buddle Findlay

2.20 Updates on the End-of-Life Choice Act

- Reviewing the latest data from on assisted dying
- Looking at the End-of-Life Act Guidance: Understanding the process for health practitioners and their responsibilities
- Outlining the End-of-Life Monitoring Framework
- Analysing the improvement and lessons learnt in the past year

Kristin Good, Chief Clinical Advisor, Ministry of Health
Rob McHawk, Manager Regulatory Services, Ministry of Health

3.00 Afternoon break

3.20 Bill to Act – An update on the Therapeutic Products Act

- Outlining and understanding the Act and who it will effect
- Understanding what this Act means to front line staff
- What are steps everyone has to take before it comes into force?

Tina Liu, Partner, Tompkins Wake

NEW ZEALAND MEDICO LEGAL CONGRESS

Investigate the critical intersection of clinical and legal practice like never before at the 2024 New Zealand Medico-Legal Congress. This unique annual event provides critical insights from the interface of healthcare policy, regulation, and biomedical ethics and provides delegates with an essential opportunity to gain an understanding of how existing and emerging medico-legal issues impact across the healthcare and legal systems.

REASONS TO ATTEND

- To learn from medico-legal experts sharing insights on the latest policy and regulatory developments, decisions
- To analyse the latest developments in health sector reform and explore potential post-election changes
- To hear directly from key regulators and disciplinary bodies about their recent decisions and the learning from them
- To participate in interactive panel discussions that explore on clinical practice, law and technology

HEAR FROM THE FOLLOWING KEY ORGANISATIONS

- Ministry of Health
- The Health and Disability Commissioner
- Office of the Privacy Commissioner
- Health Practitioners Disciplinary Tribunal
- Medical Council of New Zealand

4.00 **The Health Information Privacy Code 2023 - what is new, what has changed**

- What has stayed the same based on the Health Information Privacy Code 1994?
- Understanding the new additions to the Act and what has changed?
- What are the Acts implications for medico-legal practitioners?

Paul Holmes, *Managing Director, INFO by Design*

4.30 **LGBTQIA+ and health law - responsibilities and justice**

- Understanding the future medico-legal environment of LGBTQIA+
- Outline the practitioners' responsibilities to accommodate and consider the LGBTQIA+ community
- Identifying gender affirmation laws and regulations in the UK and how they might become relevant to Aotearoa
- What are the current medico-legal responsibilities and considerations of gender affirmation care and possible legal results?

Dr. Zoe Kristensen

5.00 **Summary remarks from the Chair & Networking**

DAY 2 | 28 FEBRUARY 2024

9.00 **Welcome back from the Chair** **Iris Reuvecamp, *Principal, Vida Law***

LEADERSHIP IN COMPLIANCE

9.10 **Health system policy and reform - where are we now?**

- Analysing the impact of a new Government on the future direction of health policy and regulation
- What are the impacts on the future of Pae Ora and the ongoing reform process
- Understanding the future and ongoing roles of Te Aka Whai Ora, Te Whatu Ora and Manatū Hauora
- Developing and maintaining contracts and commissioning arrangements agreements with external parties - What are the responsibilities and implications on health and law practitioners

Tim Tenbenschel, *Professor of Health Policy - School of Population Health, University of Auckland*

9.50 **Hearing from the Office of the Privacy Commissioner**

- What are the emerging trends and recent developments in the medico-legal field that affect the privacy of health information in New Zealand?
- Understanding how the privacy commissioner handles complaints, investigations, and audits
- Identifying the importance and risks of privacy and confidentiality of digital health
- Learning how medico-legal practitioners can collaborate and engage with the privacy commissioner

Amy De Joux, *Principal Legal Adviser, Office of the Privacy Commissioner*

10.30 **Morning break**

11.00 **Receiving notifications: Breaching professional standard and standards of ethical conduct**

- The public's expectations of doctors: Outlining the importance of trust in patient/doctor relationships and what happens when it's broken
- Understanding public's expectations of regulators in ensuring doctors maintain professional standards
- Identifying the principles of right-touch regulation and how they are applied when considering notifications
- Outlining how regulators balance public safety, risk, proportionality of response and transparency and consistency
- Investigations, Tribunal and Court: Do outcomes and decisions meet the expectations of the public?

Joan Simeon, *Chief Executive, Medical Council of New Zealand*

11.40 **Learning what happens at the Health Practitioners Disciplinary Tribunal**

- Understanding the types of complaints and charges can be brought against health practitioners that reach the tribunal?
- The process and procedure of the HPDT and possible outcomes and penalties
- Outlining the recent decisions and statistics of the HPDT – trends, issues and outcomes

Winston McCarthy, *Deputy Chairperson, Health Practitioners Disciplinary Tribunal*

12.20 **Lunch break**

THE LEGAL AND ETHICAL IMPLICATIONS OF EMERGING TECHNOLOGIES IN MEDICINE

1.20 **Update: Mental health developments in the recent months**

- Outlining the most recent developments in the mental health reform
- Understanding the Mental Health and Wellbeing Commission Amendment Bill - What does it mean and what are its implications?
- What are the legal and ethical implementations of the amendment of Mental Health (Compulsory Assessment and Treatment) Amendment bill?

Iris Reuvecamp, *Principal, Vida Law*

2.00 **Health technology - Transforming medical practices**

- What is happening on the ground - Understanding New Zealand's capacities on technological medical tool
- Identifying the opportunities of remote patient monitoring
- Outlining the ethical and legal implications of new health technology, particularly in relation to privacy
- Looking ahead: The direction of New Zealand's health technology

Aisling Weir, *Special Counsel, Buddle Findlay*

2.40 **Closing remarks from the Chair and end of conference**

SEPARATELY BOOKABLE MASTERCLASS

3:00 – 6.00 PM | 28 Feb 2024

Masterclass: Promoting autonomy and inclusion: Delivering supported decision-making in New Zealand

Join this separately bookable masterclass to explore the legal and ethical foundations of supported decision-making and gain practical strategies for seamless implementation across healthcare, legal, and social service settings. Elevate your expertise, drive positive change, and be at the forefront of promoting autonomy and inclusion.

- The legal and ethical frameworks surrounding supported decision-making in New Zealand
- Practical strategies for implementing supported decision-making in various contexts, such as healthcare, legal matters, and social services
- Taking a person's will and preferences into account in circumstances where their decision-making capacity is impaired



ERIKA BUTTERS

Strategic Advisor,
**The Personal Advocacy and
Safeguarding Adults Trust**

Erika works as the Director of The Personal Advocacy and Safeguarding Adults Trust. She is passionate that the rights, well-being and interests of all New Zealanders are protected and promoted. Over the last several years her work has focused on ensuring independent advocacy and support for decision making is available to all disabled people in New Zealanders. Erika is also the Founder of Volition, a Social Enterprise on a mission to empower all disabled people as Decision Makers in their own lives. Erika works and lives in Wellington.

NEW ZEALAND MEDICO LEGAL CONGRESS



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SEPARATELY BOOKABLE MASTERCLASS

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* Available until 18 December 2023 OR until 40 tickets sold, whichever occurs first.
**Delegates must be from the same organisation and book at the same time.

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