

# Clinical Advisory Committee

## Member Guidelines

Version 8.0  
October 2024  
D24-20493



**IHACPA**

## Document Information

### Approval and version history

Version	Effective Dates	Change Summary	Approvals	Signature	Approval date
1.0	06/07/12 To 05/07/13	Author: Adam Bannon	Approved by: Tony Sherbon Acting Chief Executive Officer		
2.0	27/01/16 to 26/01/17	Author of Update: Olga Liavas	Approved by: James Downie Acting Chief Executive Officer		
3.0	27/01/17 to 27/02/18	Author of Update: Olga Liavas	Approved by: James Downie Chief Executive Officer		
3.1	28/02/18 to 27/02/19	Author of Update: Olga Liavas	Approved by: James Downie Chief Executive Officer		
3.2	25/08/19 to 27/02/19	Minor updates to members and remuneration. Author of Update: Olga Liavas	Approved by: James Downie Chief Executive Officer		
4.0	27/02/20 to 20/08/21	Minor updates and removal of duplication. Author of Update: Olga Liavas	Approved by: James Downie Chief Executive Officer		30 March 2020
5.0	21/08/21	Updates to membership Author of Update: Olga Liavas	Approved by: James Downie Chief Executive Officer		21 August 2021
6.0	01/07/22	Updates to membership and remuneration Author of Update: Olga Liavas	Approved by: Joanne Fitzgerald Acting Chief Executive Officer		17 August 2022
7.0	27/10/23	Updates to content and branding Author of Update: Brisha Gurung	Approved by: Michael Pervan Chief Executive Officer		16 February 2023
8.0	27/09/24	Annual review and minor update Author of Update: Darren Viskovich	Approved by: Michael Pervan Chief Executive Officer		27 February 2025 (see meeting minutes)

## **Ownership**

Enquiries regarding this document can be made to:

Name: Olga Liavas

Position: A/Executive Director, Legal and Corporate

Email: [olga.liavas@ihacpa.gov.au](mailto:olga.liavas@ihacpa.gov.au)

Phone: 02 8215 1100

## **Document location**

An electronic copy of this document is stored on IHACPA's electronic document record management system (TRIM).

## Table of Contents

1.	Introduction .....	5
2.	Function of the Committee .....	5
3.	Terms of Reference .....	5
4.	Operational Matters .....	6
	Membership of the Committee .....	6
	Terms of appointment .....	6
	Forms to be completed .....	6
	Proxies.....	6
	Leave of absence .....	7
	Resignation.....	7
5.	Duties of Members.....	7
	Confidentiality .....	7
	Duty to disclose interests .....	7
	Outside employment.....	7
	Official business.....	7
	Liabilities and insurance.....	8
	Media contact .....	8
6.	Committee meetings .....	8
	Meeting arrangements .....	8
	Quorum.....	9
	Meeting minutes .....	9
	Business between meetings .....	9
	Role of IHACPA Secretariat .....	9
7.	Remuneration .....	9
8.	Personal taxation arrangements .....	10
9.	Superannuation .....	11
10.	Personal Information.....	11
11.	Travel arrangements.....	11
	Travel allowance rates .....	11
	Additional costs incurred by the Member .....	12
	Accommodation .....	12
	Air travel .....	12
	Use of private vehicle.....	12
12.	Payment arrangements.....	13
13.	Appendix.....	13
	Appendix 1: Committee membership .....	14

# 1. Introduction

The Clinical Advisory Committee (the Committee) was established on 26 June 2012, by the Commonwealth Minister for Health (the Minister) under section 176 of the *National Health Reform Act 2011* (the Act).

The Committee provides advice to the Independent Health and Aged Care Pricing Authority (IHACPA) on the implementation of Activity Based Funding (ABF) for hospital services and clinical matters relating to the development of aged care pricing advice, including classification development and refinement, data collection, policy development and pricing.

IHACPA Secretariat provides administrative support for the Committee.

# 2. Function of the Committee

The Committee has the following functions as described under section 177 of the Act:

- (a) to advise the Pricing Authority in relation to developing and specifying classification systems for health care and other services provided by public hospitals.
- (b) to advise IHACPA in relation to matters that:
  - i. relate to the functions of the Pricing Authority; and
  - ii. are referred to the Committee by the Pricing Authority.
- (c) to do anything incidental to or conducive to the performance of the above functions.

# 3. Terms of Reference

## Terms of Reference (ToR) 1: Role of the Clinical Advisory Committee

The Committee will:

- be a high level representative advisory committee
- provide clinical advice on the development and refinement of health and aged care classifications including those relating to admitted and acute care, subacute care, emergency care, non-admitted care, mental health care and teaching, training and research
- provide clinical advice on implementation of Activity Based Funding (ABF) for hospital services and relating to the development of aged care pricing advice, including data collection, policy development and pricing
- provide advice to the Pricing Authority on matters relating to the functions of the Pricing Authority; and
- provide advice on matters referred to the Committee by the Pricing Authority.

In undertaking the above roles, the Committee, or the Members of the Committee, are to liaise with clinicians and to provide advice as requested by the Minister, the Department of Health and Aged Care and the Pricing Authority in the implementation of ABF.

## ToR 2: Coordination

The Committee will receive input and advice from sub-groups of medical and technical costing and classification specialists, including the National Hospital Cost Data Collection Advisory Committee.

Input may be sought from external experts and from the private sector.

## ToR 3: Monitoring and reporting

The Committee will report through the Committee Chair to the Minister and may also provide advice to the Department of Health and Aged Care. The Committee will provide the Minister with an annual report.

## 4. Operational Matters

### Membership of the Committee

Committee Members will be drawn from a range of clinical specialities and backgrounds to ensure the Committee can adequately represent the views of clinicians across all professions and specialities. This does not mean that all professions and specialities will be directly represented.

IHACPA will draw on advice from sub-committees as it sees fit.

Members appointed to the Committee are at **Appendix 1**.

### Terms of appointment

The Committee Chair will be appointed by the Minister. The Minister may appoint a person to act as the Chair or Member of the Committee if required, subject to the requirements of section 181 of the Act.

Committee Members will be appointed by the Minister by written instrument for a period not exceeding five years.

Only practicing clinicians are eligible for appointment under the Act. Each Member is appointed on the basis of their individual skills, knowledge and expertise and holds their appointment at the discretion of the Minister.

Under section 179(2) of the Act, the Minister must consult the COAG Health Council prior to appointing a Member. As COAG Health Council has been disbanded, any changes to membership will require consultation with state and territory health ministers and then approval from the Minister.

Members are nominated by states and territories through IHACPA's Jurisdictional Advisory Committee or through relevant healthcare bodies.

Members are appointed as individual clinical specialists and do not represent any jurisdiction or organisation.

### Forms to be completed

Members need to complete the following forms upon commencement:

- Personal Details Form
- Deed of undertaking in relation to confidential information and conflict of interest
- Declaration of Material Personal Interest Form

If eligible for sitting fees, Members will also need to complete:

- Personal Details and Remuneration Form, including a copy of photographic identification such as an Australian Driver's Licence
- Tax File Number Declaration Form
- Superannuation Fund Standard Choice Form

These forms will be provided to Members by IHACPA Secretariat and will need to be returned by email to [secretariatihacpa@ihacpa.gov.au](mailto:secretariatihacpa@ihacpa.gov.au) .

### Proxies

Proxies are not allowed to attend Committee meetings.

## Leave of absence

Under section 187 of the Act, the Minister may grant a leave of absence to the Chair. The Chair has the delegation to grant a leave of absence to Committee Members on the terms and conditions that the Chair determines.

## Resignation

Members may resign from the Committee at any time by providing a letter stating their intention to resign to the Minister (copied to the Committee Chair and IHACPA Secretariat) at least four weeks prior to the date of resignation.

The Minister may at any time terminate a Member's appointment to the Committee.

# 5. Duties of Members

## Confidentiality

Committee Members may, on occasion, be provided with confidential material. Members are not to disclose this material to anyone outside the Committee and are to treat this material with the utmost care and discretion and in accordance with the terms of their confidentiality agreement.

## Duty to disclose interests

Under section 183 of the Act, a Committee Member must give written notice to the Minister and the Pricing Authority of all interests, pecuniary or otherwise, that the Member has or acquires an interest that conflicts or could conflict with the proper performance of the Member's functions as a Member of the Committee. The process of disclosing interests to the Minister and IHACPA are listed in section 184 of the Act.

A Committee Member is not to participate in Committee business until they have completed the Deed of Confidentiality and Conflict of Interest form provided by IHACPA Secretariat.

As per section 184 of the Act, Committee Members will be asked to disclose any conflicts of interest at each Committee meeting and bi-annually to the Pricing Authority and the Minister for Health and Aged Care. Any conflicts of interest will be noted in the meeting minutes. Further information about the duty to disclose interests is provided in IHACPA's Disclosure of Material Personal Interests Policy for Committee Members.

## Outside employment

Under section 185 of the Act, a Committee Member must not engage in any paid, outside employment that conflicts or may conflict with the proper performance of their duties in the Committee.

## Official business

A Committee Member will be deemed to be undertaking official Committee business:

- during travel to and from and while attending meetings of the Committee; and
- while undertaking a task at the request of the Chair, including representing the Committee on other committees, sub-committees or forums approved by the Chair.

**Note:** *Formal speeches and papers to be delivered by a Member on behalf of the Committee must be provided to IHACPA Secretariat and cleared with the Chair or the IHACPA Chief Executive Officer (CEO) prior to presentation.*

## Liabilities and insurance

All Members have Directors and Officers Liability Insurance in their capacity as a Committee Member provided by Comcover. The insurance coverage for legal liabilities extends to Members who act in an official capacity on behalf of IHACPA. IHACPA's insurance does not extend to cover the Member's private travel arrangements, for example private motor vehicle or passengers. The insurance includes cover for the consequences of a wrongful act, defined as:

- an error, either by omission or commission
- a misstatement or misleading statement; or
- neglect or breach of duty or breach of trust.

The indemnity is provided by Comcover so long as:

*“such indemnity is not prevented by the Commonwealth Authorities and Companies Act 1997, the Public Governance, Performance and Accountability Act 2013, the Judiciary Act 1903 or the Corporations Act 2001 (whichever is appropriate) (including any Regulations, Orders, Legal Services Directions or Chief Executive Instructions or policies made or issued under them), to the extent, if any, they apply...”*

The insurance does not cover any claim made against a Committee Member that arises from:

- willful breach of duty by the Committee Member
- any claim made against a Committee Member unless their liability arises from conduct in good faith
- conduct involving a contravention of the duty regarding use of position or information, as required by section 23 of the Public Governance, Performance and Accountability Rule 2014.

Additionally, any fines, penalties, or multiple, punitive exemplary or aggravated damages must be paid by the Member. Further details on the Comcover insurance can be provided on request.

## Media contact

All contact with the media with respect to IHACPA related matters will require consultation with the Chair and IHACPA's CEO. Any information to be released to the media will need to be cleared through IHACPA's CEO.

## 6. Committee meetings

### Meeting arrangements

The Chair is ultimately responsible to the Minister for the operations of the Committee. The Chair will preside at all meetings. If the Chair is absent from a meeting, a Deputy Chair will preside. If there is no Deputy Chair, the Members will determine who is to preside that meeting.

The Committee normally holds three to four meetings each year, and Members may also undertake ongoing work on specific projects on sub-committees. Meetings will be held via videoconference unless the Chair specifies that a face-to-face meeting is required.

A draft agenda will be cleared prior to each meeting by the Chair in consultation with IHACPA Secretariat three weeks prior to the meeting.

The related papers will be circulated to Members two weeks prior to the meeting.

## Quorum

A quorum for a meeting is half the Committee membership plus one. Any vacancy on the Committee will not affect its power to function.

## Meeting minutes

The minutes of the meeting will be prepared by IHACPA Secretariat. Minutes will be drafted and circulated for comment to Members after they have been cleared by IHACPA's CEO. This will usually be within five working days of the meeting. Members are to provide any comments to the IHACPA Secretariat within ten working days of receiving the draft minutes.

## Business between meetings

The Chair may write and sign letters and conduct business between meetings on behalf of the Committee. IHACPA Secretariat must be provided with copies of all correspondence.

Members are expected to advise the Chair and IHACPA Secretariat when they have completed agreed actions arising from previous meetings.

Any material that is considered to be of particular importance and requiring immediate action will be circulated by email.

## Role of IHACPA Secretariat

The Committee's Secretariat is provided by IHACPA. The Secretariat provides timely advice and effective organisational management to the Committee Members. IHACPA Secretariat is responsible for:

- organising Committee meetings and any sub-committee meetings
- developing, in consultation with the Chair, agendas for Committee meetings and other business involving IHACPA and the Committee
- distributing agendas and associated materials
- ensuring all Members are kept informed of issues and information relevant to the work of the Committee
- maintaining a record of final papers and Member attendance
- arranging appropriate travel and accommodation; and
- verifying reimbursement of eligible expenses and administering payment of sitting fees.

IHACPA Secretariat can be contacted by email [secretariatihacpa@ihacpa.gov.au](mailto:secretariatihacpa@ihacpa.gov.au) or by phone (02) 8215 1100.

## 7. Remuneration

In accordance with section 186 of the Act and any relevant determinations made by the Commonwealth Remuneration Tribunal, Committee Members are eligible to receive sitting fees and payment for the expenses associated with their attendance at Committee meetings.

**Committee Members who are employed by the Commonwealth, a State or a Territory on a full-time basis are not, however, entitled to remuneration (refer to section 186 of the Act).**

Eligible Committee Members will be paid remuneration in accordance with Section 22 Specified professional committees of the [Remuneration Tribunal \(Remuneration and Allowances for Holders](#)

[of Part-time Public Office\) Determination 2024 Compilation No.5<sup>1</sup>](#) (the Remuneration Tribunal Determination).

The table below lists the current remuneration rates for the Committee:

Office	Annual Fees Rate (\$)	Daily Fees Rate (\$)
Chairperson	n/a	\$1,291
Member	n/a	\$971

The amount of the daily fee to be paid is calculated in accordance with the Remuneration Tribunal Determination which are summarised as follows:

- if a formal meeting is less than two hours – an amount equal to 40% of the daily fee is paid
- If a formal meeting is more than two hours but less than three hours – an amount equal to 60% of the daily fee is paid
- if a formal meeting is more than three hours – the full daily fee is paid.

The daily fee for a formal meeting includes a component to cover normal preparation time, but where the Chair considers the period of preparation time involved is so unusual as to warrant further remuneration recognition that period may be included as business of the Committee.

A Member may also be paid a daily fee in respect of aggregated periods of business of the Committee subject to the following conditions:

- individual periods of business must be conducted on days other than formal meeting days
- each period must be for a minimum of one hour
- aggregated periods must total at least five hours
- the maximum payment in respect of any one day shall be the appropriate daily fee
- eligibility for each payment must be certified by the Chair.

IHACPA Secretariat will administer payments to eligible Members once the Chair has certified the Members have attended a formal meeting or conducted the business of the Committee. The duration of the meeting is to be specified in the minutes of the meeting.

## 8. Personal taxation arrangements

Committee Members who are receiving daily fees are to provide a Tax File Number Declaration form.

Taxation instalment deductions will be calculated accordingly to the Australian Taxation Office (ATO) requirements. If the Member does not provide a Tax File Number Declaration, a withholding tax will be withheld at the rate of 47% of the remuneration fee.

Income statements (payment summaries) are reported electronically through the ATO online services. Paid Members can access their statement:

- through their myGov account. Visit [myGov](#) and link to ATO Online services
- by contacting the ATO on 13 28 65 for a copy of the income statement

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<sup>1</sup> Documents related to remuneration is available on <https://www.remtribunal.gov.au/>

- through a registered tax agent who will be able to access this information directly from the ATO.

## 9. Superannuation

Committee Members who are receiving daily fees are to provide a Superannuation Fund Standard Choice Form. IHACPA will make an employer superannuation contribution for Committee Members, currently 11.5%.

The Committee Member may choose the superannuation fund or retirement savings account to which IHACPA will make future superannuation guarantee contributions. If the Committee Member does not make a choice, IHACPA's 'employer contributions' will be paid into the preferred fund of IHACPA.

## 10. Personal Information

The following personal information a Committee Member provides is required to enable IHACPA to contact the Member and to undertake any necessary financial and administrative transactions.

- contact details including names, addresses, phone numbers, email addresses and other contact details
- employment history
- educational qualifications
- committee membership details
- tax file number
- superannuation details
- bank account details
- conflict of interest details (e.g. previous employment with a particular entity).

IHACPA complies with the *Privacy Act 1988* (Cth) in storing and managing this information. Further information on managing personal information collected by IHACPA is available in [IHACPA's Privacy Policy](#).

Members may contact the Freedom of Information Coordinator, Ms Olga Liavas on (02) 8215 1100 to obtain advice regarding access to their personal information.

## 11. Travel arrangements

### Travel allowance rates

Committee Members travelling on official Committee business are regarded as being on official government business and may receive travel allowance and reimbursement for additional expenses.

Where the Committee Member receives travel allowance or reimbursement of travelling expenses from any other source for the same travel, IHACPA will not make a payment of travel allowance or expenses to the Member.

Where travel on official business does not require an overnight absence, IHACPA will not make a payment of travel allowance.

Committee Members attending an event where meals are provided will not receive the component of the travel allowance in respect of those meals.

Committee Members will be paid travel allowance, current rates of travel allowance is determined by and in accordance with the [Remuneration Tribunal \(Official Travel\) Determination 2024](#).

The level of travel allowance is at the Tier 1 rate.

### **Additional costs incurred by the Member**

An incidental component is included in the domestic and overseas travel allowance received by Committee Members. The incidentals component provides the Member with assistance for costs associated with private telephone calls, extra food or drink, dry cleaning and newspapers.

IHACPA may reimburse reasonable and legitimate Committee related expenses not covered by the incidental component.

Members may claim additional expenses such as taxi fares, parking fees and Committee related phone calls. Reimbursement for expenses must be accompanied by a tax invoice and all other expenditure should be evidenced by an original invoice or receipt.

Where a Member has lost an invoice, the Member will be required to complete a duly executed statutory declaration detailing the expense incurred.

### **Accommodation**

Where a Committee Member is required to stay overnight due to official Committee business, accommodation will be booked and paid by IHACPA through its accommodation reservation service provider.

### **Air travel**

All Committee business related flights will be booked by IHACPA Secretariat. Committee Members are not to book their own flights and seek reimbursement from IHACPA.

When booking travel, IHACPA is to comply with the Australian Government's 'Best Fare of the Day' policy. The Best Fare of the Day is "the cheapest fare which suits official requirements".

Members for this Committee are entitled to fly first or business class.

Where practicable, Committee Members should travel on the day of the meeting or other event. Confirmation of a reservation will be provided to Members.

Members are responsible for contacting IHACPA Secretariat if they would like their flights changed. The Secretariat will ensure the Members are made aware of their revised air travel arrangements.

IHACPA does not belong to a frequent flyer scheme and Members will not accrue frequent flyer points for air travel undertaken in conjunction with Committee related business.

IHACPA will not pay any additional costs incurred for the Member's private business or for airline lounge membership.

### **Use of private vehicle**

While air travel is the preferred means of transport, alternative means of travel may be approved when it is considered to be in the best interests of IHACPA.

Members may claim motor vehicle allowance if they travel by their own vehicle to or from a meeting. Any private vehicle used for this purpose must be comprehensively insured.

The [Remuneration Tribunal \(Official Travel\) Determination 2024](#) sets the rate for private motor vehicle allowance.

The Member will receive the lesser amount of the calculated motor vehicle allowance or the amount IHACPA would pay for the flights.

Where an airline service is not in operation, the motor vehicle allowance calculation will be paid.

Prior to travel the Expenditure Approver must sight a copy of the Member's driver licence, insurance policy and registration documentation.

Any traffic or parking infringements incurred or received by the Member in the course of Committee business will be the responsibility of the Member.

## **12. Payment arrangements**

Payment of Members' remuneration, travel allowance and additional expenses will be made:

- within one week following the month in which the expenditure is acquitted; and
- by electronic funds transfer into a financial institution account of the Member's choice.

No Committee payments will be made until the forms referenced in section 4 have been completed and provided to IHACPA Secretariat.

An organisation is not entitled to payment for the services of an individual on the Committee.

Further information on remuneration rates and policies can be found at section 7 of this document.

## **13. Appendix**

Appendix 1: Committee membership

## Appendix 1: Committee membership

Name	Position	Specialty	Region
Prof Susan Moloney	Chair	Paediatrics	QLD
Ms Amber Polles	Member	Pharmacist	TAS
Dr Anthony (Jo) Wright	Member	Rural Medical Practice	NT
Dr Kathryn Zeitz	Member	Nursing	SA
A/Prof Virginia Plummer	Member	Nursing	VIC
Ms Nicole Carter (nee Harwood)	Member	Nursing	WA
Mr Christopher O'Donnell	Member	Nursing	QLD
Adj. A/Prof Nicole Phillips	Member	Administration/Anesthesia and pain management	NSW
Dr Tracy Smith	Member	Respiratory and palliative care	NSW
Clinical Professor Jenny Deague	Member	Cardiology	WA
Dr Richard Phoon	Member	Nephrology	NSW
Dr Amith Shetty	Member	Emergency care	NSW
Dr Marco Briceno	Member	Indigenous health	NT
Dr Didier Palmer	Member	Emergency care	NT
Prof Susan Kurrle	Member	Gerontology	NSW
Dr Nhi Nguyen	Member	Intensive Care	NSW
Dr Lisa Kelly	Member	Geriatric medicine	Qld
Mr Andric Lu	Member	Allied Health	Qld
Mr Sandeep Gupta	Member	Allied Health	NSW
A/Prof Sharon Carey	Member	Allied Health	NSW



Independent Health and Aged Care Pricing Authority

Eora Nation, Level 12, 1 Oxford Street  
Sydney NSW 2000

Phone 02 8215 1100

Email [enquiries.ihacpa@ihacpa.gov.au](mailto:enquiries.ihacpa@ihacpa.gov.au)

[www.ihacpa.gov.au](http://www.ihacpa.gov.au)