

Message from the Chair

Welcome to the November edition of *Registrant update* from the Physiotherapy Board of Australia (the Board).

The Board's approach to risk

At the recent Australian Physiotherapy Association (APA) Symposium in Cairns, I presented on behalf of the Board on risk-based regulation and how it has informed the development of the recently published regulatory principles for the National Registration and Accreditation Scheme (National Scheme). This included how the principles guide the Board in all its activities, including decisions about physiotherapists.

Risk-based regulation involves rigorously assessing data and evidence to identify risks of harm to the public, assessing the likelihood and consequences of the identified risks, and applying proportionate responses to managing risks that ensure the public remains safe.

The Board constantly reviews its regulatory data for risks of harm to the public. The recently released 2013/14 annual report, (pages 90 to 92), identifies that while the total number of notifications (complaints) about physiotherapists increased last year, physiotherapists continue to present a relatively low risk to the public. The significant majority of notifications about physiotherapists are closed with no further action, with only a small number progressing to a panel or tribunal hearing. Cases that progress mainly tend to involve a range of practice issues, covered in the Board's *Code of conduct*, specifically including section 2.2 *Providing good care*. However, an area of potential concern for the Board is that five out of the seven most recent matters about physiotherapists considered by Australian health practitioner tribunals have involved boundary violations with patients, including a recent matter from Queensland. I strongly encourage all physiotherapists to regularly review, and reflect on, the Board's *Code of conduct*, in particular section 8.2 *Professional boundaries*.

Physiotherapist prescribing

At the APA Symposium, I also participated with six other key stakeholders in a webinar presentation – *Physiotherapy on the pathway to prescribing?*

This was a valuable opportunity to engage with the profession on the Board's role in recognition of competence to prescribe scheduled medicines under the Health Practitioner Regulation National Law, as in force in each state and territory (the National Law).

I explained the role of the Board in a potential application to the Australian Health Workforce Ministerial Council for approval to endorse the registration of physiotherapists for scheduled medicines under the National Law. Amongst other things, I highlighted that such an application would need to demonstrate clear alignment with the objectives and guiding principles of the National Law (refer to Queensland Health Practitioner Regulation National Law Act 2009, pages 19 and 20), and offer a significant value proposition for improving the capacity of the health workforce to address the health needs of the Australian community.

In addition, if granted, I explained the role of the Board in ensuring safe prescribing practice, including:

- approving accreditation standards and programs of study for prescribing practice
- considering applications for registration with an endorsement for scheduled medicines, and
- setting and monitoring compliance of endorsed physiotherapists with registration standards, codes and guidelines.

As part of its work in fulfilling the workforce reform objectives of the National Law, the Board will consult with physiotherapists, and the broader community, to assist in building the case for why it is in the best interests of the public to enable physiotherapist prescribing of scheduled medicines.

Registrant survey

In the August update I indicated that you would shortly receive an electronic survey from the Board with the aim of improving its understanding of registrant's knowledge and awareness of obligations under the National Law. As practitioners are currently busy with the registration renewals process, the Board has deferred the release of this survey until early 2015.

More information will be available in the February update.

Paul Shinkfield

Chair, Physiotherapy Board of Australia



Renew registration online now

The Board has launched its 2014 renewal of registration campaign for physiotherapists and AHPRA has sent email reminders to physiotherapists who have provided an email address.

Physiotherapists should act now if their contact information has changed to not miss future reminders to renew. To update contact details visit the Board's website and use the appropriate link under online services for practitioners. A user ID and secure password are needed. Practitioners who have forgotten their user ID can complete a web enquiry form. Select 'Online Services – Practitioner' as the category type.

The registration renewal date for physiotherapists with general or non-practising registration is 30 November 2014. The quickest and easiest way to renew registration is [online](#).

Renewal applications received during December will incur a late payment fee.

Under the National Law, practitioners who do not renew their registration within one month of their registration expiry date must be removed from the Register of Physiotherapists. Their registration will lapse and they will not be able to practise physiotherapy in Australia. A fast track application can be made, but only during January. The practitioner cannot practise until the application is processed and the national register is updated.

Physiotherapists should read the Board's registration standards carefully before applying to renew as information in support of declarations made in an application could be requested.

A renewal FAQ is available on the Board's website.

Graduate applications

AHPRA is calling for online applications from students who are in their final year of an [approved program of study](#). Students due to complete study at the end of 2014 are urged to apply for registration before completing their course.

An email reminder to apply early and online will be sent by AHPRA on behalf of the Board to final-year students on the Student Register. Applications can also be made by completing a [paper application form](#).

Physiotherapy students are encouraged to read the information on AHPRA's website under [Graduate applications](#). Graduates must meet the Board's [registration standards](#) and need to be a registered physiotherapist before they start practising.

2013/14 National Scheme annual report

AHPRA and the National Boards have released their 2013/14 [annual report](#) on the National Scheme, providing a comprehensive record of the operations of the National Scheme for the 12 months ending 30 June 2014.

This year, for the first time, AHPRA and the National Boards have also [published summaries](#) of our work regulating health practitioners in every state and territory. [Profession-specific profiles](#) will be released and progressively published.

The annual report provides a national snapshot of the work and finances of the National Scheme and is tabled in the parliaments of each state and territory and the Commonwealth. The 2014 annual report is an important reporting milestone and covers the lead-up to the scheduled independent three-year review of the National Scheme, now underway.

For more information, please read the [media release](#) on the AHPRA website.

Health profession agreement

The Board and AHPRA have published the [health profession agreement](#) (HPA) that outlines the partnership between the Board and AHPRA, and the services AHPRA will provide to the Board in 2014/2015. The HPA also provides information about the Board's financial operations and fees.

Physiotherapy Board of Australia sets fees for 2014/15

The national registration fee for physiotherapists for 2014/15 has been reduced to \$159.

The annual renewal fee applies from 9 September 2014 and covers the registration period for most practitioners of 1 December 2014 to 30 November 2015.

A fees schedule, including the fee arrangements for practitioners whose principal place of practice is NSW, where a co-regulatory arrangement exists, is published on the Board's [website](#).

You can read more details in a [media release](#) on the Board's website.

Strengthening international criminal history checks

From early 2015, National Boards and AHPRA will implement a new procedure for checking the criminal history of international applicants for registration. The new approach aims to balance protecting the public without unnecessarily delaying the registration process for applicants.

For more information, please read the [media release](#) on the AHPRA website.

Tribunal reprimands and suspends physiotherapist

The Queensland Civil and Administrative Tribunal has reprimanded Mr Alexander Browning and suspended his registration as a physiotherapist for two months.

The Physiotherapy Board of Australia took disciplinary action against Mr Browning alleging that he had violated a practitioner-patient boundary by conducting a sexual relationship with a patient over a 14-month period.

Mr Browning first treated the patient for a neck complaint in 2008, and on several occasions in 2009-10. The professional relationship ended approximately 24 days after the sexual relationship started.

The Board sets the professional standards that registered physiotherapists must meet. These are detailed in the Board's *Code of conduct*, which includes specific information about professional boundaries.

Mr Browning and his patient were of a similar age when the relationship started, and the Tribunal found the relationship was not exploitative, predatory or emotionally distressing to the patient. It therefore found the boundary violation was at the lower end of seriousness for cases of this kind.

Mr Browning admitted to engaging in professional misconduct.

The tribunal imposed conditions on Mr Browning's registration, requiring him to complete a course of education addressing professional boundary management issues with patients and undertake a 12-month mentoring program.

Mr Browning was also ordered to pay the Board's costs of and incidental to the proceedings fixed at \$14,000.

The full decision is on the [AustLII website](#). See also the Board's [media release](#).

Certificate of registration status now available online

New process makes it easy

Registered health practitioners can now request a certificate of registration status (CoRS) using the online AHPRA portal. In the past this was a manual process involving a form which was either posted or hand-delivered to an AHPRA office. Practitioners can now:

- apply online by [logging onto online services](#), or find out more information on our [Practitioner services page](#) of the AHPRA website, or
- apply using the [PDF form](#) (245 KB), which is available for download from our [Common application forms page](#) or the [Practitioner services page](#) of the AHPRA website.

There is a fee of \$50 for each CoRS.

What is a CoRS?

When practitioners are seeking registration or employment that requires them to be registered outside Australia, the regulatory authority in that jurisdiction may require a [certificate of registration status \(CoRS\)](#). This document is also referred to as a certificate of good standing or certificate of current professional status by some regulators.

The certificate provided by AHPRA:

- identifies the National Board and the recipient organisation
- lists practitioner-specific information including key registration dates, details of any current proceedings, suspensions, cancellations and/or any other relevant information, such as active conditions, undertakings, cautions and reprimands, and
- includes the date of issue of the certificate.

AHPRA offers a service to practitioners to provide a CoRS to regulatory authorities in other countries and some other approved organisations, including a number of specialist colleges. Approved organisations can be found on AHPRA's website under [Practitioner services](#).

The certificate is never provided to the requesting practitioner or to an employer, and can only be sent to an AHPRA-approved regulatory body or organisation.

These changes are part of our ongoing work with AHPRA to improve and streamline services for registered physiotherapists.

Have your say

Public consultation on draft proposed bi-national physiotherapy practice thresholds

The Physiotherapy Board of Australia and the Physiotherapy Board of New Zealand are working together to establish shared practice threshold statements that describe the requirements of entry-level practice for the physiotherapy profession in the two countries.

New Zealand and Australia share a unique relationship via the Trans-Tasman Mutual Recognition Arrangement (TTMRA). Under the TTMRA, physiotherapists registered to practise in New Zealand are entitled to become registered to practise in Australia, and vice versa, without the need for further testing or examination.

The proposed physiotherapy practice thresholds, which describe entry-level threshold competence for the physiotherapy profession, will confirm the necessary registration requirements of physiotherapists in one country, based on registration in the other. New threshold statements will replace the existing Australian Standards for Physiotherapy and the Physiotherapy Competencies for Physiotherapy Practice in New Zealand.

The first draft of the new document has been developed following targeted stakeholder consultation. It is now time for wide-ranging public consultation, and we seek the views of the profession and the public on this important document.

How to make a submission

The consultation document will be published on the Physiotherapy Board of Australia's website under [current consultations](#) and also on the Physiotherapy Board of New Zealand website under [consultations](#) until 12 January 2015.

Instructions on how to make submissions are included in the consultation document. As a guide, the consultation document includes specific questions on some of the issues raised in early consultation rounds. However, you are invited to raise issues not covered by the questions. All feedback is welcome.

All submissions will be published on both Board websites unless you request otherwise.

National Scheme news

Three-year review of the National Scheme

The independent review of the National Scheme is underway and a consultation paper is now [published](#).

The terms of reference for the review are published at the [Australian Health Ministers' Advisory Council website](#) under 'media releases' on the right-hand tab. The review – led by independent reviewer, Mr Kim Snowball – was built into the intergovernmental agreement that set up the framework and governance arrangements for the National Scheme. The agreement stated that the Australian Health Workforce Ministerial Council (Ministerial Council) would initiate an independent review after three years of the National Scheme's operation.

The National Boards and AHPRA are actively participating in the review process.

Queensland – new arrangements for handling notifications from 1 July 2014

From **1 July 2014** a new law came in to effect in Queensland, the *Health Ombudsman Act 2013*.

From this date, all complaints about Queensland health practitioners will be received by the Office of the Health Ombudsman (OHO) who will either manage the matters or refer them to the relevant National Board to manage.

Complaints that were made to AHPRA or National Boards before 1 July 2014 will generally continue to be managed by AHPRA on behalf of National Boards. However, under the new law the OHO can request that a matter be referred to them to be managed. If this were to happen, AHPRA would inform both the notifier and the practitioner who is the subject of the notification.

For information about the OHO please go to www.oho.qld.gov.au or call 133 646 (133 OHO).

For more information

- Visit the [Board's website](#) for the mandatory registration standards, codes, guidelines and FAQ.
- Lodge an [online enquiry form](#).
- For registration enquiries, call 1300 419 495 (from within Australia) or +61 3 8708 9001 (for overseas callers).
- Address mail correspondence to: Mr Paul Shinkfield, Chair, Physiotherapy Board of Australia, GPO Box 9958, Melbourne, VIC 3001.