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## From the Chair

Welcome to the December 2017 issue of the Osteopathy Board of Australia's (the Board) newsletter.

The International Osteopathic Alliance (OIA) conference was held in September in Auckland in conjunction with the Professional associations' annual conference sponsored this year by Osteopaths New Zealand. There were a large number of Australian osteopaths participating at the two co-located conferences, and if you were there I trust you had time to mingle with the international regulatory guests from all continents (except Antarctica!).

I welcomed the opportunity to present at the conference to strengthen our international links and share our regulatory research, education and knowledge with our colleagues from other countries. Australian regulation and accreditation has a lot to offer internationally where other regulators are at varying stages of developing the regulation of osteopaths.

We have previously reported on the increase in the number of advertising complaints about osteopaths received in the last financial year. The Board and the Australian Health Practitioner Regulation Agency (AHPRA) have an Advertising compliance and enforcement strategy for managing complaints about advertising regulated health services, including osteopathy, and are using an educative approach to work through the complaints that have been received. The educative approach is helping osteopaths to be compliant. Remember to check and correct your advertising and look at the osteopathy examples that have been published to help your advertising comply.



Early in 2018 expressions of interest will be advertised to fill six scheduled Board vacancies for practitioner members from Victoria, Queensland and South Australia and three for community members. The Board Chair position will also be advertised and current or prospective practitioner members can apply. The vacancies will be advertised on the AHPRA website, where you can also find out more information about National Board recruitment.

I would like to wish everyone a safe and relaxing festive season and holiday as we head towards the end of a very busy and productive year in 2017.

Dr Nikole Grbin (osteopath)  
Chair, Osteopathy Board of Australia

## Osteopathy Board news

### Getting on board with the Osteopathy Board – a conversation with Board member Phillip Tehan

Adjunct Associate Professor Philip Tehan (Osteopath)  
Health practitioner from Victoria  
**Qualifications:** Dip. Physio., Dip. Osteo., M.H.Sc.

Associate Professor Tehan is a registered osteopath and physiotherapist and works in a busy practice in Melbourne. In addition, he teaches at RMIT and Victoria University, where he holds an Adjunct Associate Professor position; and regularly goes overseas to teach. He has



recently co-authored a fourth edition of a highly regarded international publication on spinal manipulation.

He has been involved in regulation for 27 years and has been a consultant to the Medical Panels of Victoria since 2002. He was appointed as Vice President of the inaugural Osteopaths Registration Board of Victoria in 1997 and then President from 2000.

His extensive experience in regulation includes being elected osteopathic member of the Chiropractors and Osteopaths Registration Board of Victoria between 1984 and 1990. In 2009, when the regulation of osteopaths became national for the first time, he was appointed to the inaugural Osteopathy Board of Australia as a practitioner member from Victoria.

We spoke to Assoc. Prof. Tehan to find out what it is like to be an Osteopathy Board member in the National Scheme.<sup>1</sup>

### **You have been a Board member since 2009, what is the role that you play as a practitioner member?**

Being part of the Board means to support the regulation of the osteopathy profession across Australia. The Board does this by setting the standards and policies that all registered osteopaths must meet to protect the public.

While the primary role of the Board is to protect the public, Board members are also responsible for registering practitioners and students, as well as other functions, such as managing complaints and accreditation.

To do this I have to take my role seriously and be committed to all the work that being a Board member entails. Practitioner members need to be available to attend face-to-face meetings each month including a Board meeting and a Registration and Notification Committee meeting. These take place mainly in Melbourne but can involve travelling to other states and territories and being able to teleconference when it is required. In advance of these meetings there is a significant amount of preparatory work to do. A Board member needs to dedicate time to carefully read and consider all the papers and associated materials – often over 500 pages! Don't worry if you are not tech savvy, AHPRA staff support us through the systems and software we have to use.

I also get the opportunity to be part of working groups or other groups that look at a particular regulatory issue or topic or who are tasked with the development or review of a standard and/or a guideline. This is extremely rewarding as I use the knowledge I gain as a Board member to innovate and support improvements to what we do and the standards practitioners use every day in their practice.

As well as the practicalities of being a Board member, the thing I always try and remember is that the work I do is not to promote osteopathy as a profession, that role is for professional associations; it is to support the registration of

osteopaths, the accreditation of approved courses and to make sure concerns about osteopaths are investigated.

My role is to help make sure registration standards, codes, policies and guidelines are developed which help osteopaths maintain the standards required of them to provide care to patients including their training, professional skills, conduct and behaviour. If an osteopath does not meet our standards, we can and do take action.

### **What kind of person would make a good Board member?**

Being a Board member is an opportunity for building your professional network, to expand your skill set and to gain new perspectives through working with a diverse group of people who all have a common interest in the public receiving the best care they can from osteopaths.

A Board member needs to be someone with personal and professional integrity and a high level of understanding of the importance of the regulation of osteopaths in protecting the public.

At the end of the day, being part of the Osteopathy Board is being part of a team, yet you will often have to use sound independent judgement, when putting forward your views, when reviewing standards or making a regulatory decision.

Anyone who is interested in applying to become a Board member needs to have a genuine interest in the health sector and the provision of high quality osteopathic care to patients.

My motivation to be a Board member stemmed from my experience of regulation before the National Scheme and a desire to shape the new National Board for osteopathy. I think future Board members should look to build on the current work of the Board and future-proof standards, codes and guidelines to make sure they are relevant to registered osteopaths.

Though what we do as Board members is serious it is also very rewarding as we try and contribute to patient safety across Australia.

### **What was the process of becoming a Board member like?**

The way to apply and become a Board member is a very clear and straightforward. Lots of supporting information is available online for anyone who is interested.

Once appointed there is a great induction program which will help familiarise new Board members with all the systems and processes they need to know about and use as Board members. The induction is comprehensive and will highlight important obligations including how to deal with conflicts of interest, confidentiality and governance principles. Training is provided and the AHPRA staff are very supportive, with specialist staff who regularly work to support the Board in its work.

<sup>1</sup> National Registration and Accreditation Scheme (the National Scheme).

My advice for those thinking about applying to be a Board member, but are unsure because they are not sure if they have enough experience of regulation, do not let that stop you. A fresh perspective is always welcomed and diversity of experience is actually better for us as decision-makers.

### What piece of advice would you give to other osteopaths interested in becoming a practitioner Board member?

New Board members bring a new energy and enthusiasm to the Board; they are always a welcome addition.

I would advise anyone considering becoming a practitioner Board member to make sure they are able to commit the time that you will have to give to the role. The role can be managed alongside work and life commitments as Board members are very well supported by AHPRA staff. The more effort you put into the role the more you get back – you can learn a lot from your experiences as a Board member and there is a lot of satisfaction from setting standards to help keep the public safe.

If there is something you do not understand you can discuss it with your fellow Board members, many with extensive regulatory experience, or seek help from the AHPRA staff who support the Board.

It is a challenge to not advocate on behalf of the profession, so take the time to talk to your fellow Board members, and understand that the public safety interests are the focus of your role. This is the exciting part of regulation and makes being a Board member a unique opportunity for any osteopath. More information about other Board members can be found on the Board's [website](#).

### Osteopathy Board vacancies

The Board expects that scheduled vacancies arising for the role of Chair and practitioner members on the Board from Victoria, Queensland and South Australia, and a further three community members, will be advertised in January 2018 in the national and relevant metropolitan newspapers.

Anyone who would like to help protect the health and safety of the public, maintain public confidence and ensure standards of practice are upheld, should consider seeking appointment as a Board member and/or Board Chair and is encouraged to apply.

Contributing to health practitioner regulation can involve:

- setting national standards of practice for the regulated health professions
- developing guidance for practitioners on their scope of practice
- managing complaints/notifications about a practitioner's health, performance or conduct, and/or
- other functions as delegated by a National Board.

Time commitment varies, however, a National Board member can expect a commitment of around two or three full days per month, and maybe more, in addition to travel time to and from meetings.

All National Board appointments are made by the [COAG Health Council](#). If interested, please monitor the [National Boards recruitment page](#) on AHPRA's website.

More information will be available on the website as soon as the vacancies are advertised. In the meantime, those interested are encouraged to [find out more](#) from a current Chair, community and/or practitioner member of other National Boards.

### Statistics – a snapshot of the osteopathy profession

The [2016/17 AHPRA and National Boards Annual Report](#) is now available and provides a nationwide snapshot of the work of AHPRA and the National Boards. The report highlights a multi-profession approach to risk-based regulation, with a clear focus on ensuring that the public are protected.

Over the past year, registration with the Board grew by 6.5% to 2,230 registered osteopaths. This contingent now comprises 0.3% of all health practitioners in the National Scheme.

The following is a snapshot of the osteopathy profession in 2016/17 from the Annual Report.

- **Easy to renew:** This year saw the largest online registration renewal rate ever achieved across all 14 registered health professions. Over 98.5% of all registered health practitioners renewed online and on time, with 98.3% of osteopaths renewing online.
- **Students on the register:** As at 30 June 2017, there were 1,929 registered osteopathy students (up 9.7% from 2015/16).
- **Aboriginal and Torres Strait Islanders on the register:** According to a workforce survey that practitioners can choose to fill out at the time of registration/renewal, 0.7% of osteopaths are Aboriginal or Torres Strait Islander (15 practitioners nationally).
- **Complaints received about osteopaths:** 14 notifications (complaints or concerns) were lodged with AHPRA about osteopaths in 2016/17. This equates to 1.1% of the profession.
- **Immediate action:** was taken once during the year to suspend or cancel an osteopath's registration while a matter was investigated.
- **Of the 13 matters closed about osteopaths in 2016/17:** 15.4% resulted in the Board accepting an undertaking or conditions being imposed on an osteopath's registration; 15.4% resulted in a caution or reprimand, and 69.2% resulted in no further action being taken.



- **Statutory offence complaints:** There were 252 statutory offence complaints made about osteopaths in 2016/17 (up from 12 in 2015/16). The vast majority (250) were about advertising breaches; two related to use of a protected title.
- **Active monitoring cases as at 30 June 2017:** Seven osteopaths were monitored during the year for health, performance and/or conduct.

To view the 2016/17 annual report, along with supplementary tables that segment data across categories such as registration, notifications, statutory offences, tribunals and appeals, and monitoring and compliance, see our [Annual Report microsite](#).

In the coming weeks, AHPRA and the National Boards will also publish summaries of our work regulating health practitioners in each of the 14 registered health professions. Jurisdictional reports, which present data on registered health practitioners in each state and territory, will also be published soon.

Remember, information about osteopathy regulation is available on the Board's website. The Board publishes quarterly updates of its registration data. The latest [update](#) was released in November and covers the period 1 July to 30 September 2017.

## Board sets registration fee for 2017/18

The Board has announced the registration fee has been frozen at \$376. The fee for practitioners whose principal place of practice is New South Wales<sup>2</sup> is \$525. A full fee schedule is published on the Board's website.

The National Scheme is funded by health practitioners' registration fees and there is no cross-subsidisation between professions.

More detailed information about the Board's financial operations is outlined in the health profession agreement between the Board and AHPRA for 2016/20, which is published on the Board's [website](#).

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## National Scheme news

### Amendments to the National Law

The *Health Practitioner Regulation National Law and Other Legislation Amendment Bill 2017* has been passed by the Queensland Parliament and has received royal assent. This Bill contains amendments to the National Law that will apply in all states and territories except Western Australia (South Australia also needs to make a regulation to give effect to the amendments). The Legislative Assembly of the Parliament of Western Australia has also passed a corresponding amendment Bill (the *Health Practitioner Regulation National Law (WA) Amendment Bill 2017*) which will now be considered by the Legislative Council.

The passing of the Bill in Queensland marks a significant day for health practitioner regulation as these are the first legislative amendments to the National Law since the start of the National Scheme in 2010. The changes to the National Law will enable the Paramedicine Board of Australia to be established with the appointment of inaugural board members by health ministers in the near future. Also, new measures that strengthen public protection will be introduced and there will be formal recognition of nursing and midwifery as two separate professions regulated by the Nursing and Midwifery Board of Australia (NMBA).

The amendments include:

- **Introduction of national regulation of paramedics:** This will mean the establishment of the Paramedicine Board of Australia, with national registration of paramedics expected to begin in the second half of 2018.
- **Recognising nursing and midwifery as separate professions:** The National Law will be updated to recognise the two professions as separate. There is no plan to change the structure of the NMBA or for how nurses and midwives will interact with the Board.
- **Changes to strengthen the management of complaints (notifications) and disciplinary enforcement powers of AHPRA and National Boards, including:**
  - a. **Provision of practice information:** A National Board may require a health practitioner to provide details of their practice arrangements, regardless of how they are engaged to practise. This will mean health practitioners that practise in multiple locations or under different employment; contractual or voluntary arrangements will be required under law to provide this information to their National Board when asked to do so.
  - b. **Public interest grounds for immediate action:** Broadening the grounds by which a National Board may take immediate action against a health practitioner or student if it reasonably believes it is in the public interest.
  - c. **Extension of prohibition order powers:** A responsible tribunal may issue a prohibition order to prohibit a person from providing any type of health service or using any protected or specified title. A breach of a prohibition order in any state or territory will also become an offence with a maximum penalty of \$30,000.
  - d. **Communication with notifiers:** This change will improve communication for people who make a complaint or report concern to AHPRA and National Boards (notifiers) about a registered health practitioner's health, performance or conduct. National Boards will now have the discretion to inform notifiers of a greater range of actions taken by the National Board in response to their complaint or concern and the reasons for their actions.

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2 NSW is a co-regulatory jurisdiction.

- **Additional powers for the COAG Health Council (formerly operating as the Australian Health Workforce Ministerial Council) to change the structure of National Boards:**

This means that health ministers may make changes to the structure and composition of the National Boards by regulation following consultation. There are no current proposals to change the structure of National Boards.

Decisions about proposed amendments to the National Law are made by health ministers and the governments of all states and territories, with the changes progressed through the Queensland Parliament (as the host jurisdiction of the National Law), and the Western Australian Parliament. AHPRA will work with National Boards, governments, health departments, professions and consumer representatives to support the implementation of the changes to the National Law into daily operations.

While the Queensland Bill has received royal assent, commencement of many of the changes to the National Law are likely to occur in a staggered process over the coming months. The Bill can be accessed on the [Queensland Parliament website](#).

### National regulation of paramedicine moves a step closer

The national regulation of paramedicine moves a step closer with the [appointment of the first Paramedicine Board of Australia](#).

Registration of paramedicine is due to start from late 2018. Paramedics will be able to register with AHPRA and practise anywhere in Australia. The title 'paramedic' will also become a 'protected title' – only people registered with the Board will be able to call themselves a paramedic.

More information, including news about the implementation of the regulation of paramedics and the [newly appointed Board members](#), is available on the [Paramedicine Board of Australia's website](#).

### Update on the Independent Accreditation Systems Review

In October 2016, Australia's health ministers commissioned Professor Michael Woods, former Productivity Commissioner, to undertake the Independent Accreditation Systems Review (the Review). Following public consultations Professor Woods has prepared [draft recommendations](#) for ministers. Many of the reforms in his draft report that would, in their current form, require significant changes to our legislation and how we manage the accreditation of courses leading to registration as well as assessment of internationally qualified practitioners.

In response to the draft recommendations, AHPRA and National Boards have published a joint submission to the Review on the [AHPRA website](#). In summary we propose that a more effective and efficient approach would be to make

changes to roles of AHPRA, National Boards and Accreditation Councils, rather than create new regulatory bodies with the likely cost and complexity this could create. We believe that this would deliver the changes needed to support the professional health workforce required by Australia.

The joint submission includes additional responses from four participating National Boards - Chiropractic, Medical, Optometry and Psychology. The Pharmacy Board made a separate [submission](#) and has published this on their [website](#).

AHPRA and National Boards look forward to the Review's final report and health ministers' response in due course. A news item including a high-level summary of key aspects of the joint submission has been published on the [AHPRA website](#).

### Co-Chairs announced to help lead the way for the first ever National Scheme Aboriginal and Torres Strait Islander health strategy

The National Scheme is pleased to announce the appointment of co-Chairs for the Aboriginal and Torres Strait Islander health strategy group.

Associate Professor Gregory Phillips, CEO of ABSTARR Consulting and Dr Joanna Flynn AM, Chair of the Medical Board of Australia have been appointed as co-Chairs of the group.

The strategy group has been brought together to develop the National Scheme's first ever Aboriginal and Torres Strait Islander health strategy.

AHPRA, the 14 National Boards responsible for regulating the health professions, accreditation authorities and Aboriginal and Torres Strait Islander health sector leaders and organisations have committed to an Aboriginal and Torres Strait Islander health strategy with the vision of: *Patient safety for Aboriginal and Torres Strait Islander peoples in Australia's health system is the norm, as defined by Aboriginal and Torres Strait Islander peoples.*

'With more than 700,000 Australians registered by the National Boards and a commitment from Aboriginal and Torres Strait Islander Leaders and the National Scheme to work collaboratively there is a unique opportunity for real change to the health outcomes of all Australians,' Associate Professor Phillips said.

'We are grateful for the strong relationships we have with our partners in this work, particularly the expert guidance we have received from Aboriginal and Torres Strait Islander health sector leaders. This work cannot be done with National Boards acting in isolation and I am looking forward to making this new strategy a reality through my role as co-Chair,' Dr Flynn said.

The Aboriginal and Torres Strait Islander health strategy group publishes communiqués about its work. These are available on the [Advisory group page](#) of the AHPRA website.

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## Keep in touch with the Board

- Visit [www.osteopathyboard.gov.au](http://www.osteopathyboard.gov.au) for the mandatory registration standards, codes, guidelines and FAQ. Visiting the website regularly is the best way to stay in touch with news and updates from the Board.
- Lodge an enquiry form via the website by following the [Enquiries](#) link on every web page under *Contact us*.
- For registration enquiries, call the Australian Health Practitioner Regulation Agency (AHPRA) on 1300 419 495 (from within Australia) or +61 3 8708 9001 (for overseas callers).
- To update your contact details for important registration renewal emails and other Board updates, go to the AHPRA website: [Update contact details](#).
- Address mail correspondence to: Dr Nikole Grbin, Chair, Osteopathy Board of Australia, GPO Box 9958, Melbourne, VIC 3001.

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