

## Message from the Chair

My term as the Osteopathy Board of Australia (National Board) Chair and NSW health practitioner member finishes this year on 31 August, following an open process to seek applications for appointment by the [Australian Health Workforce Ministerial Council](#). The Ministerial Council appointed the NSW and WA health practitioner members and the new National Board Chair in August 2014. The incoming Chair, Nikole Grbin, will next month be welcoming to the Board two new practitioner members: Andrew Yaksich from WA and Anne Cooper from NSW.

I have been fortunate to be one of the seven remaining Chairs since the inaugural meeting of the then 10 National Boards' members in September 2009, and those five years have been a period of immense change for the regulation of osteopathy in Australia. An astounding amount of work has been achieved by the National Board, the Australian Health Practitioner Regulation Agency (AHPRA), the Australasian Osteopathic Accreditation Council (formerly the Australian and New Zealand Osteopathic Council) and key stakeholders. The goodwill and hard work of all involved has meant that protection of the public has been upheld through several years of significant change.

I would like to extend a personal thank you to everyone with whom I have worked and who I have encountered, during what has been a unique professional experience. In particular, I want to thank and acknowledge my fellow past and present National Board members. Together, we shared the responsibility of implementing a national registration and accreditation scheme for osteopaths. I am sure our many achievements will serve as a sound platform for national regulation into the future.

Robert Fendall

Chair, Osteopathy Board of Australia

## Osteopathy Board news

### Competent authority pathway

The Board introduced the competent authority pathway on 1 January 2014. Since then it has approved six applications for provisional registration for overseas-trained osteopaths from that pathway to undertake a period of six months' supervision. The applications have been from osteopaths who received their osteopathy training in the UK, are registered with the General Osteopathic Council and have organised to work under supervision in Queensland, ACT, New South Wales, South Australia and Victoria.

The standard pathway is still operating as a parallel pathway and there have also been applicants during the year who were applying for limited registration to sit the clinical exam. Further information on the standard pathway and competent authority pathway for overseas-trained osteopaths can be found on the Board's website under [Registration > Overseas practitioners](#).

### Tribunal and panel outcomes

The Osteopathy Board of Australia is the regulator of osteopaths in Australia and acts to protect the public by ensuring that only eligible, qualified and suitable osteopaths are registered to practise. The Board is responsible for developing registration standards, codes and guidelines for osteopaths. In NSW and Queensland there are co-regulatory arrangements for managing notifications (complaints) about osteopaths and osteopathy students.

Under the National Law, the Board can refer allegations about the most serious unprofessional conduct, health or performance for hearing by panels or tribunals. In the past two years, there have been two cases about osteopaths referred to the Victorian Civil and Administrative Tribunal (VCAT). There are important lessons for the profession that can be learnt from the outcomes of these two tribunal hearings. Both matters had a focus on record-keeping and billing issues in regard to the Victorian WorkCover Authority and the Traffic Accident Commission (TAC).

The most recent case in [2014](#) found that the registered osteopath engaged in professional misconduct and has resulted in the practitioner receiving a three-month suspension from practice, a reprimand and conditions on his registration. In summary, VCAT reasoned that (at page 12):

*In weighing up the factors and requirements, it is considered necessary for the purpose of specific deterrence, protection of the public, general deterrence, protection of the reputation of the profession and having regard to the nature and gravity of the misconduct that a period of suspension is appropriate.*

*In relation to allegation 3, the primary objective is protection of the public. This is achieved by the placing of conditions on the respondent's registration with the objective of improving his record keeping.*

This followed his earlier conviction in the Victorian Magistrate's Court on four charges of fraudulently obtaining payment from WorkSafe and one charge of fraudulently obtaining benefit from the TAC, with a resulting fine of \$21,000 paid to the court.

The earlier case in [2012](#) also related to professional misconduct by an osteopath. This was found under the previous state legislation to be conduct that '*violated and fell short of, to a substantial degree, the standard of professional conduct observed by members of the profession of good repute and competency*'. That VCAT finding followed a conviction where the Magistrates Court made a 15-month community-based order, and the practitioner was also ordered to perform 100 hours of unpaid community work over 12 months and undergo medical/psychological/psychiatric assessment and treatment as directed.

AHPRA and the National Boards' commitment to transparency and accountability continues with an expansion of the information published about legal issues and hearing decisions. AHPRA has published a table of panel hearing decisions dating back to July 2010. Summaries have been provided where there is educational and clinical value and some summaries of tribunal decisions are also provided, to help share information and guide practitioners. You can find these summaries on the AHPRA website under [Publications > Panel decisions](#).

Practitioners' names are not published in panel outcomes, consistent with the requirements of the National Law. By contrast, findings of tribunals are on the public record. The [register of practitioners](#) will also show if a practitioner is suspended or where there are conditions, undertakings, notations or a reprimand.

Since July 2010, the Board has usually had at least one active legal case relating to osteopathy at any time in a court or tribunal, and this is in addition to the notifications that the Board manages through its Registration and Notification Committee. Some of these cases were contested matters before a tribunal, and such cases can incur significant legal costs for the Board. As the number, complexity and cost of these cases can't be accurately forecast, the Board will continue to keep fees under close review to ensure careful financial management. Registration fees are used to fund legal cases, and increases in notifications that relate to professional misconduct or unprofessional conduct may translate to higher registration fees over time.

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## National Scheme news

### Certificate of Registration Status now available online

As of 23 July 2014, registered health practitioners using the AHPRA portal can go online to request a Certificate of Registration Status (CoRS). Until now, this was a manual process using a form which was either posted or hand-delivered to an AHPRA office. This new functionality automatically updates data in AHPRA's Pivotal database when practitioners complete the online CoRS application form.

In the past year AHPRA received more than 8300 requests for CoRS. This new online process will reduce the time it

takes our staff to create a CoRS, as well as being more convenient for most practitioners.

If you wish to request your CoRS, you can apply:

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

### Three-year review of the National Scheme

Australia's health ministers have announced the terms of reference for the scheduled review of the National Registration and Accreditation Scheme (the National Scheme). The review – to be 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) will initiate an independent review after three years of the National Scheme's operation.

The terms of reference for the review are published at [Australian Health Ministers' Advisory Council website](#) under 'media releases' on the right-hand tab.

The independent reviewer, Mr Snowball, has held a variety of senior leadership roles in both the public and private health sectors. He was previously the Director General of WA Health and has also served as the Chair of the Australian Health Ministers' Advisory Council (AHMAC).

The National Board will be participating in the review process and will keep stakeholders informed of opportunities to provide comment and consultation timelines.

### Regulatory principles endorsed for National Scheme

The Board's work in regulating Australia's osteopaths in the public interest is underpinned by [regulatory principles](#), which encourage a responsive, risk-based approach to regulation. The National Boards and AHPRA have launched refreshed regulatory principles that will underpin the work of the Boards and AHPRA in regulating Australia's health practitioners in the public interest.

The principles are endorsed by all National Boards and AHPRA's Agency Management Committee and will guide Boards and AHPRA when they are making decisions.

Regulatory decision-making is complex and contextual, requiring judgement, experience and common sense. The principles will further support consistent, balanced decision-making.

AHPRA and the National Boards will be seeking feedback on the principles in a formal consultation later in 2014 and will review them based on this feedback and 12 months'

experience. You can read the regulatory principles in a [media release](#) on the AHPRA website.

## Four-year anniversary of the National Scheme

July marks the four-year anniversary of the National Scheme (with Western Australia joining in October 2010). Reflecting on the past four years, AHPRA Chair, Mr Michael Gorton AM, said the National Scheme had delivered important benefits for the quality and safety of the health system in each state and territory and for health practitioners and the community.

The National Scheme was the product of an important national health workforce reform, which was internationally significant in its scale and ambition.

Headline achievements in the last four years include:

- registering more than 618,000 health practitioners with national mobility of registration
- establishing and maintaining a searchable national online register that makes it easier for the Australian community to find out about the registration status of all registered practitioners
- increasing online renewal rates dramatically (95 per cent average), making it easier for practitioners to renew on time
- establishing data exchange with partners such as the Australian Institute of Health and Welfare and Medicare Australia to greatly improve workforce data for policy and planning, and
- developing a comprehensive set of regulatory policies and standards, across and within professions, to ensure appropriate protection of the public.

## New homepages for AHPRA and National Boards' websites

We are changing the homepages of the AHPRA and National Boards' websites, to make them easier to use and make it easier for users to find what they need.

The designs aim to make searches easier and more accurate and promote consultations and AHPRA's social media channels to make it easier for users to find the information they are looking for. The new designs are based on analytics data on how people use the sites as well as feedback from staff (including our customer service teams who receive calls from our stakeholders on where to find information on the sites) and members from our community reference group.

With the new homepages, users will be able to:

- search the register with one click straight from the homepage
- go to the 'employer' or 'practitioner' tabs, which include links specific to these groups

- browse more news items without clicking through to a specific story, and
- know which website they are on at all times, even if they click between AHPRA and Board pages.

While the new homepages will make an immediate improvement on the usability of the sites, there is still more work to follow. Work on the rest of the sites will begin later this year, which will include extensive consultation with a range of user groups, including practitioners, employers and members of the community.

## Audit of registered health practitioners continues

### Why audit?

Audits are an important way the Osteopathy Board of Australia and AHPRA can better protect the public. They help to ensure that practitioners are meeting the mandatory registration standards and provide assurance to the community and the Board.

Audits of random samples of practitioners from all professions will occur periodically throughout the year. Registered health practitioners may be audited at any time on any one of the mandatory registration standards.

### What is being audited?

Each time you apply to renew your registration as an osteopath, you make a declaration that you have (or have not) met the registration standards for the profession. The audit requires that you provide further information to support your declarations.

Further information is available on the Board's website on the [Audit page](#).

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## Contact 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: Robert Fendall, Chair, Osteopathy Board of Australia, GPO Box 9958, Melbourne, VIC 3001.