

PODIATRISTS BOARD OF QUEENSLAND

Newsletter—December 2001

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MEMBERS OF THE BOARD

The three year term of appointment for the Members of the Podiatrists Board expired on 27th August 2000. On 30 November 2000, the following Members of the Board were:

- Mr Lloyd Reed (Chairperson)
- Dr Paul Bennett
- Mrs Shay Green
- Ms Rebecca Mills
- Mr Jason Warnock
- Mrs Nerylie Whitecross
- Ms Vera Somerwil-Nord
- Mr Gregory Ploetz - Legal representative
- Mr Ted Howard, representative of the users of the services of podiatrists

The Board recognises the services of the former Board Members: Mrs Nadine Archibald, Mr Alan Crawford, Mr David Meiklejohn and Ms Suzanne Wykes.

FUNCTIONS OF THE BOARD

The major functions of the Board are:

- to keep a Register of Podiatrists;
- to determine applications for registration of Podiatrists pursuant to the provisions of the *Podiatrists Act 1969*, the *Mutual Recognition (Qld) Act 1992* and the *Trans-Tasman Mutual Recognition (Qld) Act 1999*;
- to investigate complaints made in relation to the practice of podiatry and to take disciplinary under the *Health Practitioners (Professional Standards) Act 1999*;
- to publish and distribute information concerning the Acts and its subordinate legislation to Podiatrists and other interested persons.

COMPLAINTS

The Board received one complaint during the year. The complaint, from a government agency, alleged unsatisfactory professional conduct by a podiatrist in that the podiatrist is alleged to have misappropriated funds from the podiatrist's employing agency.

The Board also considered two complaints which were ongoing from 1999-2000. One of these was from a client and the other was referred by the Health Rights Commissioner. The two complaints related to the same podiatrist and alleged unsatisfactory professional conduct and dissatisfaction with treatment and orthotics.

Investigations of all three complaints were undertaken and still ongoing at the close of the reporting period.

The Office of the Board is located at:

19th Floor
Forestry House
160 Mary Street
BRISBANE QLD 4000
Ph: 61 7 3234 1164
Fax: 61 7 3225 2527

E-mail: podiatry@healthregboards.qld.gov.au
Website: <http://www.podiatryboard.qld.gov.au>

Correspondence should be addressed to:

The Registrar
Podiatrists Board of Queensland
GPO Box 2438
BRISBANE QLD 4001

PODIATRISTS REGISTRATION ACT 2001

The new *Podiatrists Registration Act 2001* was passed by Parliament on 11 May 2001 and is due to commence on 1 May 2002.

It is important that every Podiatrist understands the changes and the implications of the new legislation. An overview of the significant changes will be highlighted in this newsletter. However, it is suggested all Podiatrists peruse the new Act which is accessible on the website: www.legislation.qld.gov.au or obtain a hard copy from Goprint: 07 3246 3399.

Categories of registration (Part 3)

The categories of registration under the new Act will be:

- General Registration (with or without conditions)
- Special Purpose Registration
- Provisional Registration.

All Podiatrists currently registered will be transferred over to the category of General Registration (without conditions) or Provisional Registration.

Special Purpose Registration is for a person to undertake activities relating to the profession such as:

- Study or train at a postgraduate level;
- Teach;
- Engage in research;
- Give clinical demonstrations.

Recognised qualifications

Only current Australian and New Zealand qualifications, eg B Hlth Sc (Pod) QUT, will be prescribed by regulation. Registrants with antecedent qualifications, eg Dip App Sc (Pod) QUT, should maintain registration as these qualifications may not be considered eligible for re-registration if registration lapses.

Renewal of general registration (s.68)

Registrants will be applying to renew their registration each year. Under the new legislation the Board has the power to introduce “recency of practice requirements”, eg maintaining an adequate connection with the profession by undertaking continuing professional education or undertaking a minimum number of practice hours within a specific period of time.

However, until such time as “recency of practice requirements” are introduced, the Board must renew the application for general registration.

Registrants will be given adequate notification before “recency of practice requirements” are introduced.

Advertising (s.128)

The advertising provisions in the Act are similar to those in the current *Podiatrists By-law 1996*. Broadly, the Act states that a person must not advertise in a way that:

- is false, misleading or deceptive;
- offers discounts, gifts or other inducements to attract business;
- refers to or cites endorsements or testimonials
- is disparaging of a professional service, business or registrant;
- is likely to harm a person;
- is outside of a registrant's skills, knowledge, training or qualifications.

Restoration of General Registration (s.76)

A person can only apply for restoration of general registration within 3 months after the expiry date. General Registration will only be restored to the date the Board approves the restoration (there is no provision for backdating) therefore registrants will have a "gap" in their registration.

Notification of business names (s.126)

Podiatrists carrying on a business under a business name other than their own must notify the Board of the name and address of the business (including directors names, if a corporation).

This is a change from the current legislation which requires Podiatrists to seek approval to use a practice name.

Change of registration period

Currently, the registration year is a calendar year. In 2003 the registration period will be changed to a financial period rather than a calendar period. Further information will be provided following the commencement of the new legislation.

Other legislation which may impact on Podiatrists and their practice

New Privacy Rules Apply to Registrants In Private Sector

From 21 December 2001 the *Privacy Act 1988 (Clth)* will apply to most private sector organisations, including Podiatrists in private practice and Podiatrists working for private sector organisations.

The new rules, known as the National Privacy Principles or NPPs, regulate matters such as the collection, use and disclosure, storage and security of personal information, including health information. Under the NPPs, clients have a right to access their health records and to require errors to be corrected.

All registrants practising in the private sector must be aware of their duties under the Privacy Act 1988 and comply with this law. A breach of privacy may be the subject of a complaint to the Federal Privacy Commissioner and also provides grounds for disciplinary action against the registrant concerned.

Fact sheets about the new privacy rules and the Health Privacy Guidelines can be obtained from <http://www.privacy.gov.au>

Queries regarding the new privacy rules may be directed to the Office of the Privacy Commissioner on 1300 363 992.

ANNUAL LICENCE FEE

The 2002 annual licence fee for Podiatrists increased from \$164.00 to \$168.00. Please ensure payment is received at the Office of the Board by 30 April 2002.

If the annual licence fee is not received by 30 April 2002, your name will be removed from the Register of Podiatrists.

Recognition of United Kingdom registered Podiatrists

The Australian Podiatry Council has recommended to Australian Registration Boards that the current automatic requirement for examination be removed for UK registered podiatrists. That is, Podiatrists from the UK be considered on an individual basis provided they have current registration with the UK Board, a three year degree from an approved school and a minimum of 2 years recent clinical practice.

PLEASE NOTE:

It is a registrant's responsibility to maintain registration

and

Notify the board of any change of address.

OFFICE DETAILS

The Board can be contacted Monday to Friday during business hours.

Assistant Registrar for the Board is Mrs Pauline Portier.

Administration Officers for the Board are Ms Sinead Lee and Ms Patricia Walsh.

On behalf of the Board and administration team
we wish you
Seasons Greetings and a safe and prosperous
2002.

REMINDER

Registrants are reminded to make sure that they have maintained their registration with the Board. If at the end of April 2002 you have not paid your registration fee, your name will be removed from the Register.

If you do not maintain registration, you will compromise:

- your Health Insurance Commission (Provider) number and your patients will not be able to claim refunds from their health fund;
- your indemnity insurance;
- claims through the Department of Veterans Affairs for services provided to veterans;
- WorkCover claims.

The Health Insurance Commission has access to the Boards records to do random checks on registrations.