



PODIATRISTS BOARD OF QUEENSLAND

Newsletter – March 2003

Issue No. 9

New Legislation

The *Podiatrists Registration Act 2001* and the *Podiatrists Registration Regulation 2002* commenced on 1 May 2002. Registrants should peruse these documents which are available on the website: www.legislation.qld.gov.au

The introduction of the new legislation has brought significant changes to the powers and responsibilities of the Board. Examples of these changes are:

Applying for registration

Before deciding an application for registration, the Board may:

- investigate the applicant,
- require the applicant to undertake a health assessment;
- ask the Commissioner of Police Service for a written report on the applicant's criminal history; and/or
- place conditions on an applicant's general registration if the Board considers it necessary for the applicant to competently and safely practise the profession.

Registration Period

The *Podiatrists Registration Act 2001* also provides for a change in the registration period from a calendar year to a financial year.

Due to the transitional arrangements contained in the new Act, registrants previously registered until 31 December 2002 have had their registration extended to 30 April 2003. Those registrants received a renewal notice to renew their registration to 30 June 2003. All registrants will now receive a renewal notice each May for 12 months registration to 30 June.

Renewal of Registration

In accordance with the new Act, registrants must apply for renewal of registration by completing and signing the renewal form and returning the form together with the registration fee by the prescribed time.

MEMBERS OF THE BOARD

The three year term of appointment for the Members of the Podiatrists Board commenced on 30 November 2000 and expires

on 29 November 2003. The Board Members are:

Mr Lloyd Reed, Dip App Sc (Pod), M Hlth Sc (Pod), Grad Cert (Ed) (Chairperson)

Dr Paul Bennett, Dip App Sc (Pod), Post Grad Dip Hlth Sc, PhD, MPH

Mrs Shay Green, Dip App Sc (Pod), Dip Ed (Nurs)

Ms Rebecca Mills, Dip App Sc (Pod)

Mr Jason Warnock, Dip App Sc (Chir) (Deputy Chairperson)

Mrs Nerylie Whitecross, Grad Dip Hlth Sc (Hlth Ed), Dip App Sc (Pod)

Ms Vera Somerwil-Nord, B App Sc (Nurs), Dip App Sc (Nurs Mgt), MHA, FRCNA, AFACHSE

Mr Gregory Ploetz, Solicitor

Mr Ted Howard. OBE. OAM

Restoration of Registration

A person is only eligible to apply for restoration of registration within three months after the expiry. If a person's registration has been expired for more than three months, the person is required to re-apply.

Holding out as a Podiatrist

Penalties for holding out as a podiatrist or implying one is qualified to practise podiatry have been substantially increased. The maximum penalty that can be imposed on a person for this offence is 1,000 penalty points (\$75,000).

Recency of Practice

The new Act also allows the Board to introduce "recency of practice requirements" on renewal of registration. To date, "recency of practice requirements" have not been developed. Registrants will be kept informed of any proposed "recency of practice requirements" being considered.

Change of address

Registrants must notify the Board of a change in address within 14 days. A registrant's residential address will not be available for inspection on the public register unless permission is obtained from the registrant. The Register of Podiatrists is available on the website: www.healthregboards.qld.gov.au

Notification of business names

Registrants must notify the Board (not seek approval) if practising under a business name other than their own names.

Private Health Facilities

The *Private Health Facilities Act 1999* provides a framework for protecting the health and well being of patients receiving health services at private health facilities. Podiatrists are not prohibited from utilizing private health facilities. A copy of the Act is available on the website: www.legislation.qld.gov.au

Complaints

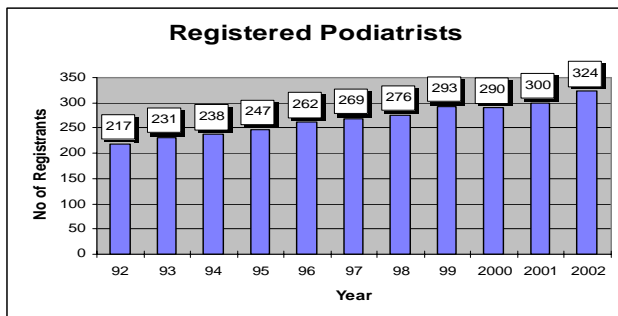
During the 2001-2002 financial year the Board received three complaints.

- One complaint was from a health service user alleging injury being sustained during a pedicure performed by an unregistered person. This complaint was referred to the Health Rights Commission as the Board did not have any jurisdiction to take any action.
- The second complaint alleged unsatisfactory professional conduct by a podiatrist already under investigation by the Board in relation to two earlier complaints alleging unsatisfactory professional conduct and dissatisfaction with treatment and orthotics.
- The third complaint alleged a breach of confidentiality and unsatisfactory standards of care by a Podiatrist.

These complaints were still under investigation at the end of the financial year.

Register

The following graph illustrates the growth since 1992 in the number of registered Podiatrists at 30 June each year.



The Register of Podiatrists is available on 'public access' on the website: www.healthregboards.qld.gov.au

Ethics and Professional Conduct

Professional Conduct

Registrants are expected to deliver health services in a "professional" way. The definition of "unsatisfactory professional conduct" for registrants, as defined in the *Health Practitioners (Professional Standards) Act 1999* is set out below:

- professional conduct that is of a lesser standard than that which might reasonably be expected of the registrant by the public or the registrant's professional peers;
- professional conduct that demonstrates incompetence, or a lack of adequate knowledge, skill, judgment or care, in the practice of the registrant's profession;
- infamous conduct in a professional respect;
- misconduct in a professional respect;
- conduct discreditable to the registrant's profession;
- providing a person with health services of a kind that are excessive, unnecessary or not reasonably required for the person's wellbeing;
- influencing, or attempting to influence, the conduct of another registrant in a way that may compromise patient care;
- fraudulent or dishonest behaviour in the practise of the registrant's profession;
- other improper or unethical conduct.

Please peruse the Act on the website: www.legislation.qld.gov.au for further information on the management of complaints.

Conflict of Interest

It is important for a registrant to avoid any conflict of interest or any perception of a conflict of interest, particularly when referring patients to other practitioners with whom the registrant may have a close personal or financial relationship, e.g. a spouse or business partner.

Best Practice Guidelines

Registrants are reminded to comply with the following Best Practice Guidelines:

Infection Control Guidelines:

www.health.gov.au/nhmrc/publications/pdf/ic6.pdf

Orthotic Therapy Protocols:

www.apodc.com.au/apodc/orthotic.pdf

Type 1 and 2 Diabetes:

www.health.qld.gov.au/publications/best_practice

Maintaining Registration

Registrants are reminded of the importance of maintaining registration. If a person is not eligible to restore to the register, the person will be required to re-apply and the qualification relied on may not be a current podiatry qualification prescribed for registration purposes in the legislation.

Registrants are also reminded that failure to maintain registration will compromise:

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

REMINDER: The Health Insurance Commission has access to the Register and health insurance companies conduct random checks on the registration status of registrants.

Interstate and New Zealand Registration Boards Contact Details

Podiatrists Registration Board of New South Wales
Phone: 02 9219 0233

Podiatrists Registration Board of Victoria
Phone: 03 9949 3720

Podiatrists Board of Australian Capital Territory
Phone: 02 6205 1599

The Chiropracist Board of South Australia
Phone: 08 8212 2887

Podiatrists Registration Board of Western Australia
Phone: 08 9481 0977

Podiatrists Registration Board of Tasmania
Phone: 03 6233 2075

Podiatrists Board of New Zealand
Phone: 64 4 499 7979

Office Contacts

The Office of Health Practitioner Registration Boards (OHPRB) is open to the public between 9.00am and 4.00pm Monday to Friday and is located at:

Level 19, Forestry House
160 Mary Street
BRISBANE QLD 4000



Executive Officer: Mr Jim O'Dempsey
Assistant Registrar: Mrs Pauline Portier
Administration Officers: Ms Sinead Lee
Ms Billee Johnston

Telephone: 61 7 3234 1164

Fax: 61 7 3225 2527

Email: podiatry@healthregboards.qld.gov.au

Website: www.podiatryboard.qld.gov.au

Postal address: GPO Box 2438, Brisbane QLD 4001.