
Osteopaths Registration Board of Victoria

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Senate Inquiry into a National Registration scheme for Health Professionals

The Osteopaths Registration Board of Victoria and the Osteopaths Registration Board of New South Wales (hereafter referred to as “the Boards”) would like to present the following joint submission to the Senate Community Affairs Committee in response to its “*Inquiry into the national registration and accreditation scheme for doctors and other health workers*”.

The Board’s administer the registration of Osteopaths in NSW and Victoria.

At the outset, the Boards would like to express their concern with the title of the inquiry, specifically the statement “...*doctors and other health workers*”. The current proposal for a national registration and accreditation scheme makes no distinction between “doctors” and other health professionals, and hence this distinction should not be reflected in the title or substance of the inquiry. Additionally, the term “...*other health workers*”, especially when taken in isolation of “*doctors*” can be taken to imply that health practitioners other than doctors are viewed at a lower level. The current proposed scheme correctly refers to relevant health practitioners, incorporating doctors, under the singular title of Health Professionals.

The Boards are supportive of the National Registration process underlined by the benefits of a single Board and nation-wide registration for practitioners. They have been active participants in the forums and meetings held by the National Committee and other bodies associated with the introduction of the national scheme. The Boards are well informed on the current process and have been co-operating fully with the process.

The Boards, through the Australian Osteopathic Registration Boards (AORB), have been working as a unified group with contributions to, or substantive submissions made to the various discussion papers issued by the National Committee as below:

- Proposed arrangements for specialists (January 2009)
- Other matters for inclusion in Bill B (November 2008)
- Proposed arrangements for accreditation (November 2008)
- Proposed arrangements for information sharing and privacy (November 2008)
- Proposed complaints arrangements (October 2008)
- Proposed registration arrangements (September 2008)
- Partially regulated professions (July 2008)
- Issues to be covered in first piece of legislation

AORB’s detailed submissions can be found on the National Committee’s website at <http://www.nhwt.gov.au/natreg.asp>

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The Boards are aware that there may be issues that will arise following the introduction of the national scheme, in particular locally based matters and issues of responsibility between national, state, regional and local stakeholders. The Boards are further aware of proposals to separate accreditation from the current process. Providing that accrediting bodies retain their independence, the Boards see no issue with accreditation being considered in parallel with registration. Given the relationship between the two areas, it is difficult to see how accreditation could be completely excluded from the national scheme. From an osteopathic perspective, the Boards have been supportive of the creation of the Australian Osteopathic Council (AOC), a national independent organisation to assess and accredit osteopathic education programs leading to eligibility for registration as an osteopath in Australia, and to assess the suitability of overseas trained osteopaths to practise in Australia.

In relation to the Inquiry's reference to the impact of the scheme on patient care and safety, the Boards feel that it is important to reiterate to the Senate Committee the AORB position on the procedure of spinal manipulation, previously submitted to the National Committee in response to their consultation paper on "*Proposed registration arrangements*". In the interests of public safety, the Osteopathic Registration Boards of Australia believe they have a duty of care to strongly recommend that spinal manipulation should be a legislatively restricted practise under the proposed national system. The full submission to the National Committee is attached for your reference.

In conclusion, the Boards welcome the Senate Inquiry as a mechanism to further improve the proposed scheme for national registration and accreditation of health professionals in Australia. As there is considerable time-sensitive work to be done by the National Registration Committee prior to the scheduled introduction of the scheme, the Boards would like the Inquiry to ensure that it does not distract from the ongoing work of the Committee in any way that would substantively delay the introduction of the proposed scheme. The Boards endorse the work done to date by the National Committee and look forward to the continuation of the national registration process.

Yours Sincerely

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Osteopaths Registration Board of NSW

Mark Strickland
Registrar
Osteopaths Registration Board of Victoria

29 April 2009

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Submission by the Australian Osteopaths Registration Boards to the Practitioner Regulation Subcommittee, Health Workforce Principal Committee, on the Proposed Registration Arrangements consultation paper.

8.5 - Restrictions on spinal manipulation

The Australian Osteopaths' Registration Boards are comprised of eight separate Boards administering the registration of Osteopaths in each state and territory of Australia. Four of the Boards administer both the registration of Osteopaths as well as Chiropractors.

Currently, all states and territories of Australia, with the exception of Victoria and Western Australia, legislatively restrict the practise of spinal manipulation to a subset of registered health professionals (Victoria and WA have a titles protection only). In addition, South Australia currently restricts all forms of manipulation of the body. As the proposed legislation aims to build on the best aspects of State and Territory schemes, rather than the lowest common denominator, and at all times ensuring that public safety is the priority consideration, the Osteopathic Registration Boards of Australia believe they have a duty of care to strongly recommend that spinal manipulation should be a legislatively restricted practise under the proposed national system.

At its meeting of 27 October 2008, the Australian Osteopaths' Registration Boards confirmed that their position regarding spinal manipulation is as follows:

The practise of spinal manipulation should be restricted to the following health professionals:

- 1) Registered Osteopaths,
- 2) Registered Chiropractors,
- 3) Registered Physiotherapists with appropriate qualifications that demonstrate an equivalence of competency,
- 4) Registered Medical Practitioners with appropriate qualifications that demonstrate an equivalence of competency, and
- 5) Students of the above professions attending accredited undergraduate or post-graduate courses and acting under the direct supervision of a registered practitioner in the course of training and instruction for a recognised qualification. (Also covered under item 8.2 Practice protection of the discussion paper)

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The Boards propose that spinal manipulation be defined as per the NSW Public Health Act 1991 *“the rapid application of a force (whether by manual or mechanical means) to any part of a person’s body that affects a joint or segment of the vertebral column”* (NSW Public Health Act 1991, Part 2A Division 2 Section 10AC).

The Boards consider that the restriction of spinal manipulation to the above registered health professionals to be in the interest of public safety and in keeping with the principle outlined in Section 5.4(c) of the IGA which state *“it [the legislation] should recognise that restrictions on the practice of a profession should only occur where the benefits of the restriction to the community as a whole outweigh the costs”*. In this light, the Boards are of the opinion that only appropriately qualified practitioners should be authorised to use these techniques. Current accredited undergraduate Osteopathic programs at universities within Australia provide graduates with the skills to perform spinal manipulative procedures at the conclusion of 5-6 years clinical training. Other than for Osteopaths and Chiropractors the Boards consider that a demonstrated equivalence of competence to practise spinal manipulation should be required as part of the registration process. It should be noted that the proposed requirement for registered health professionals to hold adequate professional indemnity insurance (item 8.2 of the discussion paper) adds an additional layer of protection for the public/community in the event of a procedure causing injury, relative to unregistered practitioners should spinal manipulation not be restricted.

This submission is on behalf of all Australian Osteopath Registration Boards. Although it is acknowledged that the Queensland Board has made a separate state based submission to the national committee, Queensland was involved in the drafting of this submission.