

OCCUPATIONAL THERAPISTS BOARD OF THE NORTHERN TERRITORY NEWSLETTER – FEBRUARY 2007

Members of the Board

Ms Nadine Hinchliff	Chairperson
Ms Mandy Cox	Public Member
Ms Miriam Kolker	
Ms Shirley Preston	
Ms Beth Walker	Public Member

Board Support

Ms Jill Huck	Registrar
Ms Colette Pethick	Policy & Research
Ms Samantha Bullen	A/Complaints Mgr
Ms Julie Burrows	Registrations Mgr

Message from the Chair

Welcome to the first Newsletter for 2007.

As did the last Newsletter, this and future Newsletters will provide ongoing feedback in relation to the Council of Australian Governments (COAG), National Registration and Accreditation model.

COAG plans to commence the new arrangements for regulation and accreditation of 9 professional groups in July 2008. These health professions are as follows:

Medical Practitioners; Chiropractors; Dental (Dentists, Dental Specialists, Dental Hygienists, Dental Therapists, Prosthetists); Nurses & Midwives; Optometrists; Osteopaths; Pharmacists; Physiotherapists, and Psychologists. Some consideration is currently being given to the inclusion of other professions.

Occupational Therapists, Aboriginal Health Workers and Radiographers will continue to be regulated under current Northern Territory legislation.

The Chairs of the Northern Territory Boards listed above have forwarded a submission to COAG Health Working Group care of the Prime Minister and Cabinet. COTRB and OT Australia have continued discussion in relation to this matter and made submissions to COAG to present a case of national registration of occupational therapists.

The Board strongly encourages all occupational therapists to develop an understanding of the *Health Practitioners Act 2004* and hopes its Newsletters provide assistance in this area.

Every year the Board identifies occupational therapists that have not taken account of the detail provided on their annual practising certificates (APC). Please ensure:

- You know the date on which your APC expires;
- Information on your APC is accurate; and
- Security of your APC.

The Board has been disappointed with the number of registrants who have allowed their

registration to lapse, without good cause and in fact have practised unlicensed for a period.

Should you find your self in this situation, please take the time to contact or correspond with the board. "I forgot" is not an acceptable excuse. Several registrants have been asked to meet with the board to clarify their reasons for allowing their registration to lapse.

The Board conducted its inaugural Competency Practice Audit in tandem with the renewal of registration period 2006. I am aware that completing the audit added an additional demand on busy people, but would like to thank all who were audited for their efforts.

The Board reconfirms that occupational therapists names are randomly selected and of interest all 3 occupational therapist Board members were selected for audit. However, it was impressive to gain an understanding of how committed many of you are to your profession and ensuring you remain up to date with contemporary practice.

Please contact the Board if you have items of interest you would like the Board to address in Newsletters.

Best Wishes

Nadine Hinchliff (Chair)

Board Member Vacancies

As of May 2007 there will be vacancies for two (2) occupational therapists and one public member on the Board. Please refer to the attached notice calling for Expressions of Interest accompanying this Newsletter.

Scheduled Board Meeting Dates

Please note the Board requires information to be addressed at a Board meeting to be available two weeks prior to the scheduled meeting date.

- 26 March
- 27 August
- 26 November

If your matter is urgent please contact the Board at the address on this Newsletter.

New Policies

- The following new policies are available on the Board's website. Recency of Practice – Supervised Practice Policy

The policy provides guidelines for those occupational therapists that have not practised in the preceding 5 years, to return to the workforce under supervision and be assessed prior to being eligible for full registration.

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- Occupational Therapists Working in Positions Not Identified as 'Occupational Therapist' Policy Statement and Guidelines

The guidelines have been endorsed by the Council of Occupational Therapists Registration Boards (Australian and New Zealand) Inc (COTRB), for the purpose of clarifying whether or not, the practice of a person who holds a tertiary qualification in occupational therapy, falls within the scope of occupational therapy practice; and thus registration and a practising certificate are required.

Competency Audit

Section 22 of the Act requires that the Board be satisfied that occupational therapists applying for registration (including renewal or restoration of registration) are competent to practise.

An occupational therapist on the register will not be audited more than once in every 5 years. The total number of registrants appears to be between 80 and 110 each year. Therefore, each registrant should expect to be audited in the period 2006 to 2011.

Summary of the 2006 Audit:

- 23 Registrants selected for audit
- 19 Complied with requirements
- 4 Did not renew, restore or re apply for registration

The staff at the Health Professions Licensing Authority will be pleased to answer questions in relation to the audit and guide occupational therapists to the Board's website to access the 'Audit Of Occupational Therapists Competence And Capacity To Practise Policy'.

Information for Occupational Therapists and Employers re Practising Unlicensed

To hold a current registration in the Northern Territory is a legal requirement and the responsibility of the practitioner. Practising unlicensed is a breach of Section 101 (1)(b) of the *Health Practitioners Act*.

The Board alerts practitioners and employers to the fact that practising unlicensed may: affect indemnity arrangements and cause the practitioner and employer to be in breach of the *Trade Practices Act 1974*.

The Board reminds occupational therapists it is their responsibility to ensure they hold a current practising certificate. Please note **your practising certificate expires on 30 September every year**. If you fail to renew your practising certificate by **30 September**, and continue to practise, you have committed an offence under the Act.

Renewal forms are posted to registrants by the end of August annually, forms will be available from this office or the Board's website. Please note, non-receipt of a renewal notice in August/September is not an acceptable reason for practising unlicensed.

Employers are reminded to ensure they have sound processes in place to ensure all occupational therapists and other regulated health profession employees hold current registration.

Council of Occupational Therapists Registration Boards (COTRB)

Delegates from the Occupational Therapists Registration Boards of Northern Territory, Western Australia, South Australia, Queensland, and New Zealand and the CEO of Occupational Therapy Australia attended the forums listed below on 13th and 14th October 2006. Ms Shirley Preston attended on behalf of the NT. Ms Preston's 6-year term as the Board's representative on COTRB has now expired. The Board extends its gratitude to Shirley for her consistent and professional contributions to COTRB on behalf of the NT.

- *The Council of Occupational Therapists Registration Boards (COTRB) AGM*

The Annual Report was tabled. Joanna Riches, the chair of the WA Board, is in her second year as Chair. Brenton Kortman (SA) was elected to the position of Deputy Chairperson.

- *The Council of Occupational Therapists Registration Boards (COTRB) Operational Meeting*

The meeting was dominated with the COAG proposal for a national registration and national accreditation model. COTRB believes the highest priority for OT's to be included in the first national board. Alternatively, COTRB will strongly support that OT's should be included in the second round of professions to be considered for national registration. Until OT's are included in national registration, COTRB is adamant that regulation of the profession should continue in individual jurisdictions under their legislation.

- *The COTRB Overseas Qualifications Assessment Committee (OQAC) Meeting*

COTRB conducted 142 assessment of overseas qualification in the 12 months to July 2006, 136 of whom were assessed as suitable, with 67 applicants seeking migration, and 69 working on short-term visas.

Country of Qualifications: UK (61), Australia (18), Canada (13), South Africa (13), and India (8).

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36 Practice Audits were successfully completed by overseas trained OTs in the 12 months to July 2006.

WFOT

COTRB operated an information booth at the WFOT congress in Sydney in July 2006, which was very successful and quite a few enquiries were received.

Audit Guidelines

There was general agreement on some changes and improvements to the Practice Audit Guidelines, most of which are aimed at clarifying the role of the supervisor.

- *The Trans Tasman Conference of Occupational Therapists Registration Boards (TTCOTRB)*

The conference provided an opportunity for jurisdictions to share information and discuss topics of mutual interest. Each jurisdiction gave a summary of current legislation and policy, the key points of which are provided for your interest.

New Zealand:

The Board's current major project is the accreditation tool as the new legislation gives responsibility to the Board to accredit the occupational therapy schools in New Zealand.

A lot of competence and fitness to practice issues were arising as a result of the new Act.

Queensland:

Queensland has experienced an average annual 10% increase in the number of registrants. 69% of registrants have obtained their initial qualifications from the University of Queensland.

The Board's Recency of Practice Guidelines are due to be released shortly.

A fieldwork collaborative effort exists between the two Universities, the Board and other organisations to foster placements for students. The Board's involvement is by way of financial support. The QLD Board also awards grants during the year (attendance at the WFOT Congress, research etc.).

South Australia:

The new Occupational Therapy Practice Act has been proclaimed, and the new Board appointed, effective 31 August 2006. The Board now has 9 members (5 of whom are new including the legal and medical representatives and the 2 laypersons). The Chairperson is now an occupational therapist.

South Australia is the first jurisdiction in Australia to introduce student registration. There is no registration fee for students, and although they are required to renew their registration annually there is also no fee payable for this.

A non-practising fee had been introduced (primarily for therapists who are interstate, overseas or retired) to allow them to stay on the Register. Therapists who choose to renew as non-practising will be exempted from the Board's requirements regarding professional indemnity and ongoing competency

Western Australia

Western Australia is still not part of the Trans Tasman Mutual Recognition Agreement. A Project Officer is to be employed to look at the issue of specialties and titles, as under the new Act the Board can identify these groups.

The first qualified person has been prosecuted for practising unregistered, and the matter had proceeded to prosecution because the therapist knew she was unregistered but chose to continue practising anyway.

WA reported on a case commencing shortly against a therapist who did not call herself an "occupational therapist" but obtained her position based on an occupational therapy qualification. She was previously registered, and did not renew registration, but continued practising.

- Meeting with OT Australia CEO

The COAG proposal for a national registration model also dominated this meeting. OT Australia also confirms it places high priority of OT national registration.

Shirley Preston 6/12/06

Know your Act

Occupational therapists and 11 other health profession groups are regulated under the *Health Practitioners Act 2004* in the Northern Territory. The purpose of the Act is to ensure public protection.

The following information is provided to emphasise the need to ensure your Annual Practising Certificate is current, correct and secure. In addition information in relation to Offences of dishonesty has been provided.

S40 (2) Practising certificates

A practising certificate issued to a registered health practitioner is evidence until the due date, or the date determined by the relevant Board, that –

- (a) the health practitioner is authorised to practise in the Territory in the category of registration specified in the certificate subject to the conditions, if any, specified in the certificate;
- (b) the health practitioner is authorised to practise in the restricted practice areas, if any, subject to the conditions, if any, specified in the certificate.

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S41 Replacement and amendment of certificates

(1) If the relevant Board is satisfied that a certificate issued by it has been lost or destroyed, it may issue a replacement certificate (that is marked accordingly) on the replacement certificate fee being paid.

(2) The relevant Board, by notice, may require a health practitioner to surrender a certificate issued to the health practitioner to enable it to issue a new certificate with amended particulars.

(3) The Registrar of a Board has the same powers in relation to an interim certificate of registration or enrolment as the Board has under this section in relation to certificates issued by it.

(4) A health practitioner who is given a notice under subsection (2) must surrender the certificate to the relevant Board –

- (a) within 7 days after receiving the notice; or
- (b) within any longer period that the Board allows and specifies in the notice.

(5) A person who is given a notice by a Registrar under subsection (3) must surrender his or her interim certificate to the Registrar –

- (a) within 7 days after receiving the notice; or
- (b) within any longer period that the Registrar allows and specifies in the notice.

Penalty: 50 penalty units.

42. Offences in relation to certificates

A person who is issued with a certificate of registration must not –

- (d) lend or agree to lend that certificate to another person; or
- (e) allow that certificate to be used by another person.

Penalty: 500 penalty units.

106. Offences of dishonesty

(1) A person must not make or produce a false or misleading statement, either orally or in writing, in connection with –

- (a) an application, assessment or inquiry;
- (b) a preliminary investigation into a complaint; or
- (c) an investigation carried out by an inspector.

(2) A person must not forge or change –

- (a) a certificate of registration or enrolment;
- (b) an interim certificate of registration or enrolment; or
- (c) a practising certificate.

(3) A person must not forge or change a degree, diploma or other evidence of qualifications for registration or enrolment under this Act.

(4) An offence against this section is a regulatory offence.

Section 46

Notice of change of name or address
A health practitioner must, within 30 days of changing his or her name, personal address or business address, give the relevant Board notice of the change and the new name or address, as the case may be.

Failing to update the Board with changes of name / address details means that you will not receive any correspondence from the Board. In effect this means you will miss the opportunity:

- To keep up with changes to policy;
- Receive newsletters, and
- Receive the application to renew your registration.

The Board seeks your assistance in ensuring that the name and contact details maintained on the database are current.

Professional Conduct

As at 30 January 2007 there was one matter concerning professional conduct before the Board. In the final quarter of last year the Board:

- finalised one matter, and
- dismissed 1 complaint

Registration Statistics

As at **31 December 2006** there were **100** occupational therapists on the Register, 2 of whom hold conditional registration. This compares with 88, (one of which held conditional registration) for the same time in 2005.

Stop Press!

Remember the renewal date for registration is 30 September 2007 unless otherwise stated on your Annual Practising Certificate.

Contact Details

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