

MEET THE BOARD

Mr Bill Robertson	Chair
Ms Tess Presswell	Member
Mr Lance Chin	Member
Mr Rollo Manning	Public Member
Mr Sarjeet Gill	Public Member

BOARD SUPPORT

Ms Jill Huck	Registrar
Ms Vicki Skopellos	A/Policy & Research
Ms Sharon Krause	A/Complaints Manager
Ms Julie Burrows	Registrations

MESSAGE FROM THE CHAIR

Welcome to the first Newsletter for 2008. Another exciting and challenging year ahead is anticipated by the Board.

A big welcome to Mr Lance Chin Quan who was appointed as a practitioner member of the Board and Mr Sarjeet Gill who was appointed as a public member of the Board by the Minister for Health. Mr Lance Chin Quan is an independent private practitioner, with extensive experience in the Northern Territory. He holds additional qualifications in ocular therapeutics. Mr Sarjeet Gill, who is a registered nurse is currently employed as a Lecturer and Clinical Facilitator at the School of Education and Health Sciences. Both Lance Chin Quan and Sarjeet Gill have a strong commitment to ensuring professional standards are maintained.

The Board has continued to work towards providing guidance to the Optometrists in the interest of ensuring maintenance of quality health care in the Northern Territory.

I strongly encourage all Optometrists to develop an understanding of the *Health Practitioners Act* and familiarise themselves with the Board's policies and guidelines.

I hope this Newsletter provides assistance and guidance in your day-to-day practice as well as an understanding of the current and potential changes in regulation of Optometrists in Australia. Please contact the Board if you have items of interest you would like the Board to address in Newsletters.

Best Wishes
Bill Robertson (Chair)

POLICIES AND GUIDELINES

The following policies have been changed or developed in the last financial year:

- Entitlement to Registration Policy
- Authorisation to practice in a restricted practice area –Ocular Therapeutics
- Ocular Therapeutic Protocol for Therapeutic Authorised Optometrists
- Ocular Therapeutic Formulary

SCHEDULED BOARD MEETING DATES

Please note that applications for registration and other information that is to be considered at a Board meeting must be received no less than two weeks prior to the scheduled meeting date.

The Board cannot guarantee that documents received after this date will be addressed at the next scheduled meeting. Late documents will be assessed for the level of urgency. Should your matter be urgent please contact the Board as soon as possible.

Remaining meeting dates currently scheduled for 2008:

28 August
27 November

COAG - NATIONAL REGISTRATION & ACCREDITATION

Notification has been received from the Commonwealth regarding the signing of Intergovernmental Agreement that establishes the national registration and accreditation scheme for the health professions, which is to commence on 1 July 2010.

As previously advised the new arrangements will achieve national regulation and accreditation of the following nine professional groups:

Optometrist; Chiropractors; Dental (Dentists, Dental Specialists, Dental Hygienists, Dental Therapists, Prosthetists); Medical Practitioners; Nurses & Midwives; Osteopaths; Pharmacists; Physiotherapists, and Psychologists.

At this point in time it is projected that Occupational Therapists, Aboriginal Health Workers and Radiographers will continue to be regulated under current Northern Territory legislation.

OPTOMETRIST BOARD OF THE NORTHERN TERRITORY
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In 2007, the Chairs of the Northern Territory Regulatory Boards forwarded a number of submissions to the COAG Health Working Group and the NT Government. The Optometrist Board, through the Health Practitioner Registration Board Chairs, provided input into the proposed model by written submissions to the Health Working Group.

The Board awaits further information from COAG in relation to progressing this issue.

OCULAR THERAPEUTICS

The *Poisons and Dangerous Drugs Amendment Act* (PADDA) authorises optometrists to sell or supply Schedule 2, 3, or 4 ocular therapeutic substances. This enables the Board to authorise and set conditions and restrictions for optometrists possessing, using, prescribing and selling substances for the treatment of eye conditions.

The Optometrist Board has approved an Ocular Therapeutic Formulary that consists of a list of commonly used diagnostic substances which all registered optometrists are authorised to hold and use and a restricted list which only therapeutically authorised practitioners can use.

There are currently 7 optometrists in the NT who are therapeutically authorised practitioners. Therapeutically authorised practitioners are required to maintain prescribing records and report their prescribing to the Board quarterly. The reports are reviewed by a Therapeutics Advisory Committee, responsible for recommending to the Board any amendments to the formulary required by changes to standard treatment regimes. The Committee met in late December 2007 and in June 2008 and plan to meet every 6 months. The Committee members include:

- Mr Bill Robertson, Board representative;
- Ms Asha Mahasuria, a therapeutically qualified optometrist;
- Dr Tim Henderson, ophthalmology;
- Mr Andrew Crowhurst, pharmacist; and
- Dr Tony Brownjohn, general practitioner.

Please contact the Optometrist Board for further information regarding Ocular Therapeutics.

NON-PRESCRIPTIVE COSMETIC CONTACT LENSES

The Commonwealth issued a media release in February 2007 with a warning about the dangers associated with wearing non-prescriptive contact lenses without receiving the appropriate fitting and care instructions.

Whether corrective or not, improper use of contact lenses, can cause permanent damage to the eyes. Contact lenses are not suitable for all people and expert instruction in their care and use is essential to prevent infection and permanent eye injury that can lead to blindness. Instances of serious complications including blindness caused by improper use of non-prescriptive contact lenses have been reported both in Australia and overseas.

Two pharmacies and one beauty salon were brought to the attention of the Board for supplying non-prescriptive contact lenses. The Board has written to the businesses outlining the Board's concerns of the risks associated with these products.

MANDATORY REPORTING

The role and scope of child protection activity is primarily prescribed by the principal child protection Acts in each Australian jurisdiction.

The relevant Northern Territory legislation is the: ***Care and Protection of Children Act 2007***

Division 3 General obligations reporting

1 Reporting obligations

- (1) A person is guilty of an offence if the person:
 - (a) believes, on reasonable grounds, that a child:
 - (i) has been or is likely to be a victim of a sexual offence; or
 - (ii) otherwise has suffered or is likely to suffer harm or exploitation; and
 - (b) does not, as soon as possible after forming that belief, report (orally or in writing) to the CEO or a police officer:
 - (i) that belief; and
 - (ii) any knowledge of the person forming the grounds for that belief; and
 - (iii) any factual circumstances on which that knowledge is based.

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Maximum penalty: 200 penalty units.

2 Protection of person making report

- (1) A person acting in good faith in making a report under section 1(1) is not civilly or criminally liable, or in breach of any professional code of conduct:
 - (a) for making the report; or
 - (b) for disclosing any information in the report.
- (2) In any proceedings before a court, except with the court's leave:
 - (a) the report or evidence of its contents is not admissible; and
 - (b) a person cannot be compelled to give evidence, or to produce a record, about the report or the identity of the maker of the report.
- (3) The leave may be granted only if:
 - (a) the report, evidence or record is of critical importance to the proceedings; and
 - (b) failure to grant the leave would prejudice the proper administration of justice.

KNOW YOUR ACT

Optometrists and 9 other health profession groups are regulated under the *Health Practitioners Act* in the Northern Territory. The purpose of the Act is to ensure public protection.

Annual Practising Certificates (APC) 40(2)

A practising certificate is evidence that until the due date, or the date determined by the Board (a) the health practitioner is authorised to practice in the Territory. **Most APC expire 30 September each year.**

Always keep your APC in a secure place and check it for the following:

- date on which your APC expires;
- accuracy of information on your APC; and
- conditions (if applicable) listed on the APC.

Please contact the Board immediately if the details on your APC are incorrect.

Those practitioners with conditional registration must ensure they are compliant with the conditions, to do otherwise is a breach of the legislation and may lead to a review of registration pursuant to s30 of the *Health Practitioners Act*.

Practising Unlicensed

Practising unlicensed is a breach of Section 101 (1)(b) of the *Health Practitioners Act* and is: a risk to patients and practitioners; may impact on entitlement to Medicare rebates; and may alter indemnification arrangements.

Should you find yourself in this situation, it is in the best interest of your patients, yourself and your employer to rectify the situation immediately.

Please note it is the practitioner's responsibility to ensure that they hold current registration the *Health Practitioners Act* does not have the capacity to provide registration retrospectively.

S46 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 in writing 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:

- 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.

S111 Unconscionable conduct

A person must not, either directly or indirectly, attempt to influence, coerce or otherwise cause a health practitioner to conduct or provide a health service that does not comply with the standards contained in the code applying to the Optometrists.

S117 Employer Notice of Misconduct or Incompetence

If a person who employs a health practitioner terminates or suspends the practitioner's employment because of alleged or actual misconduct or incompetence to practise, the person must provide a written report of the circumstances of the termination or suspension to the Board and to the practitioner.

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S118 Protection from Liability

This section applies to a person who; makes a complaint; provides the Board with information; assists the Board with a preliminary investigation (including an assessment report or opinion); assists or provides information under Part 6; or assists or provides information to the Tribunal. This person is not civilly or criminally liable for an act done by the person in good faith in taking an action referred to above.

**CONDUCT
Performance or Competence
Assessment**

There were no investigations of possible unsatisfactory professional performance and no assessments of competence conducted in this period.

Conduct Statistics

1 July 2006 to 30 June 2007

Total conduct matters considered or otherwise dealt with by the Board	1
New matters notified in this period	1
Part 4 Investigations	0
Tribunal	0
Number of complaints finalised	0
Notifications of possible impairment	0
Monitored impaired practitioners	0

Registration Statistics

As at **30 June 2007** there were a total of 69 registrants.

Annual Renewal of Registration

Renewal of Registration forms are posted to registrants in August annually, forms will also be available from this office or the Board's website. Please note non-receipt of a renewal notice is not an acceptable reason for practising unlicensed. It is important to note that non-receipt of a renewal notice is most often linked to the registrant's failure to notify the Board of a change of address.

Employers are reminded to ensure they have sound processes in place to ensure all optometrists and other regulated health profession employees hold current registration, at the time of commencing employment and by the renewal date each year.

Contact Details

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