



## PHYSIOTHERAPIST BOARD OF THE NORTHERN TERRITORY NEWSLETTER AUGUST 2008

### MEET THE BOARD

Ms Pippa Tessmann	Chair
Mr Michael Kokinos	Member
Ms Heather Malcolm	Member
Mr David Blair	Public Member
Ms Margaret Seccafien	Public Member

### BOARD SUPPORT

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

### 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 Ms Heather Malcolm who was appointed as a practitioner member of the Board by the Minister for Health. Ms Malcolm is employed as a Senior Physiotherapist in a Darwin-based sports medicine practice. Her extensive experience includes work in both public and private sectors and her qualifications include a Master of Health Science.

I would like to thank Ms Karen Underwood for her contributions to the Physiotherapist Board over many years. She has located to another jurisdiction and will be sadly missed by the Northern Territory.

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

I strongly encourage all Physiotherapists 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 Physiotherapists in Australia. Please contact the Board if you have items of interest you would like the Board to address in Newsletters.

Best Wishes  
Pippa Tessmann (Chair)

### POLICIES AND GUIDELINES

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

The Board reviewed the document 'Information for intending applicants with physiotherapy qualifications gained outside Australia.'

The Board officially endorsed the revised (2006) Australian Physiotherapy Council's (APC) Australian Standards for Physiotherapy and re-endorsed its own Guidelines for Professional Conduct, adapted from the Australian Physiotherapy Association's Code of Conduct.

The Board also provided input into the APC Policy relating to Physiotherapy Assistants and Aides.

### BOARD MEETS FOUR TIMES A YEAR

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:

**8 August 2008**

**21 November 2008**

### COAG - NATIONAL REGISTRATION & ACCREDITATION

Notification has been received from the Commonwealth regarding the signing of the 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:

**PHYSIOTHERAPIST BOARD OF THE NORTHERN TERRITORY  
NEWSLETTER AUGUST 2008**

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

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 Physiotherapist 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.

#### **REQUIREMENT TO BE REGISTERED**

There is a requirement in the Northern Territory for Physiotherapists travelling with sports teams or attending workshops in the Northern Territory to be registered with the Northern Territory Physiotherapists Board. An applicant may be eligible for waiver of fees in certain circumstances. Please contact the Board for further information.

Physiotherapists travelling to other States/Territories should check with the relevant Board about registration requirements in that jurisdiction.

#### **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.

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**

Physiotherapists 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.

#### **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.

**PHYSIOTHERAPIST BOARD OF THE NORTHERN TERRITORY**  
**NEWSLETTER AUGUST 2008**

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The *Health Practitioners Act* does not have the capacity to provide registration retrospectively.

**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 Physiotherapists.

**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.

**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.

**Registration Statistics**

As at **30 June 2008** there were a total of 183 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 physiotherapists 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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