



OCCUPATIONAL THERAPISTS BOARD OF THE NORTHERN TERRITORY NEWSLETTER JULY 2008

MEMBERS OF THE BOARD

Ms Margaret Petherick Chair
Ms Mandy Cox Public Member
Ms Terina Saunders
Ms Karen Watson Public Member

BOARD SUPPORT

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

MESSAGE FROM THE CHAIR

Welcome to the first Newsletter for 2008.

This past year has seen many changes in the membership of the Board and I would like to acknowledge the following previous members for their contributions and welcome all our new Board members:

Ms Shirley Preston, who has been a very active Board member for over nine years under both the previous and current legislation. Shirley was the Board's representative on the Council of Occupational Therapists Registration Boards (COTRB) for most of the time she has been a Board member. In this role she was active in the development of a number of key national initiatives including assessment of overseas occupational therapists qualifications, the COTRB Competence Audit and a range of other policies that are consistent in all states and territories that regulate occupational therapists.

Ms Nadine Hinchliff was a Board member for 5 years also under both the current and previous legislation. She was elected as Chair of the Board in November 2005 and strongly promoted professional standards and ethical practice of occupational therapists. Nadine has moved to northern Queensland with her family and by all accounts is enjoying the change.

Ms Beth Walker who is a very experienced community representative, was an active contributor as a public member with this Board for 3 years.

Ms Miriam Kolker has been a Board member for over three years and has been Chair of the Board for over eight months. Miriam has commenced an overseas practice adventure and we wish her well and thank her for her contribution to the Board.

New members appointed by the Minister for Health in the same period are:

Karen Watson was appointed as a public member in June 2007. She resides in Katherine where she works in the administrative area for the Department of Health and Community Services. Karen is focussed on ensuring safe practice and maintaining a public perspective.

Ms Terina Saunders is a long term Territorian, she has practised occupational therapy for over 30 years. Terina served as a Board member under the previous legislation for six years and was appointed under the *Health Practitioners Act* in September 2007. Following appointment to the Board she has been elected as the Board's representative on COTRB.

My name is Margaret Petherick, I have over 30 years experience in urban, rural and remote occupational therapy services and currently work with the Aged and Disability Program in Alice Springs. My appointment to the Board was effective as of November 2007 and I was elected Board Chair 20 May 2008.

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

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

Best Wishes

Ms Margaret Petherick (Chair)

SCHEDULED BOARD MEETING DATES

Please note that documents 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

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assessed for the level of urgency. Should your matter be urgent please contact the Board as soon as possible.

Remaining meeting dates scheduled for 2008:
25 August 24 November

POLICIES AND GUIDELINES

The following policies have been changed, re-endorsed or developed in the last 12 months:

- *Entitlement to Registration Policy*
- *Identification Validation Requirements*
- *Issuance of Certificates of Registration Status*
- *Short term supervision Policy*
- *Stage II Audit Policy (COTRB Policy)*
- *Audit Policy and Competence to Practice Procedure*

COUNCIL OF OCCUPATIONAL THERAPISTS REGISTRATION BOARDS (COTRB)

Membership of COTRB is a nominated representative of each of the following authorities: South Australia, Queensland, Northern Territory and New Zealand Occupational Therapists Boards.

COTRB's agenda has been dominated by discussion relating to whether and when occupational therapists will be considered for national registration and accreditation as per the following article below.

The Australian Government's National Office of Overseas Skills Recognition has approved COTRB as the relevant assessment authority to provide assessment of qualification of overseas education occupational therapists for migration and permanent residency purposes and suitability to practice in Australia.

COTRB continues to experience an increase in the number of overseas trained occupational therapists seeking assessment, the majority of the applicants have completed qualifications in the United Kingdom. 158 overseas trained occupational therapists applied to undertake the Desk Top Audit (Stage 1) assessment process and 24 successfully completed the Practice Audit (Stage 11 assessment) in the last financial year and another 34 are in the process of completing this stage.

Please refer to COTRB website for further information and to access COTRB's Annual Report: www.cotrb.saboard.com.au

NATIONAL REGISTRATION & ACCREDITATION MODEL

Progress on the development and approval of the Council of Australian Governments (COAG) National Registration and Accreditation model was delayed due to the November 2007 election. The former Prime Ministers decided to undertake further consultation. Key stakeholders have continued to lobby for refinements to the draft model.

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

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. A number of professionals' peak bodies have forwarded submissions in relation to the proposed COAG model.

COMPETENCE TO PRACTISE AUDIT

The Occupational Therapists Board of the Northern Territory have now conducted two Annual Competence to Practise Audits in tandem the Renewal and Restoration of Registration period. A total of 24 registrant names were randomly selected from the Register in August 2007 of these:

21 Registrant made an application for renewal of registration; and
3 Registrant did not seek renewal of registration. Of the 21 who were required to complete the audit process:

- 1 person renewed registration 27/8/2007 but elected to have their name removed from the register 21 October 2007. This registrant was made aware that should she seek registration in the NT in the future she would be required

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to successfully complete the audit prior to being eligible for registration in the NT.

- 16 registrants successfully completed option one; and
- 4 registrants successfully completed option two.

Responses provided strong evidence of participation in continuing professional development activities. Once again a number of respondents submitted additional and detailed information, which was excess to minimum requirements to meet the audit process.

Annual audits will be conducted and evaluated for a number of consecutive years before the effectiveness of this process can be determined. Therefore, the 2008 Audit will be conducted in tandem with this year's renewal of registration period (September 2008) this year.

MANDATORY REPORTING

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

The ***Care and Protection of Children Act 2007*** was passed in the November 2007 Northern Territory Parliamentary sitting. The new Act provides a comprehensive approach that includes:

- Measures to prevent harm and exploitation of children;
- Strengthening of provisions to support families to care for their children;
- Extending the support for young person's leaving the Department of Health and Community Services, Chief Executive Officer's care;
- Provisions to move a child to a safe place;
- The introduction of screening for child related employment;
- The establishment of a Children's Commissioner, broadening the scope of regulated children services; and
- The establishment of Review Teams and a Child Death Review and Prevention Committee.

A planned staged implementation process is underway for the commencement of the different parts of the new Act, with the Children's Commissioner position currently being recruited.

For further information please refer to the government website:

www.nt.gov.au/lant/hansard/hansard.shtml

KNOW YOUR ACT

Occupational Therapists and 10 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 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

In the past year the Board has addressed six incidences of occupational therapists found to be practising unlicensed. Five of the seven practitioners were required to meet with representatives of the Board to explain in person 'why they practised unlicensed'.

On each occasion the Board was reassured that the practitioners left the meeting with an understanding on the gravity of the situation and the risks to themselves, their clients and their employer associated with them practising unlicensed. In addition the registrants' gave a commitment not to practise unlicensed in the future.

Practising unlicensed is a breach of Section 101 (1)(b) of the *Health Practitioners Act* and is: a risk to patients, practitioners and employers. It may impact on your employment status; exclude

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your 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.

It is your responsibility to ensure that you hold current registration. The Board notes that a number of practitioners from a range of professions who have been practising unlicensed have abused staff at the Board's office. This is not only inappropriate and unprofessional, but may lead to a complaint against the practitioner.

Employers are strongly encouraged to ensure they have full proof processes in place to ensure that only registered occupational therapists are in their employ. It is recommended that employers review 'Occupational Therapist' position description and vacancy advertisements to ensure clarity in relation to the requirement to hold current registration in the Northern Territory prior to commencing employment here.

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 to receive the application to renew your registration; keep up with changes to policy; and receive newsletters.

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 applying to the practice of occupational therapists.

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.

CONDUCT STATISTICS

The Board currently has one conduct matter before it. At the same time last year two conduct matters had been addressed in the preceding 12 months.

Registration Statistics

As at **30 June 2008** there were a total of **XXX** occupational therapists on the Register.

Compared with

As at **30 June 2007** there were a total of **124** (of which two held conditional registration) occupational therapists on the Register.

Annual Renewal of Registration

Renewal of Registration forms are posted to registrants in August annually. 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 occupational therapists practitioners 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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