

## Communiqué

### Medical Board of Australia meeting: 22 February 2012

The Medical Board of Australia (the Board) is established under the *Health Practitioner Regulation National Law Act* (the National Law) as in force in each state and territory.

#### Consultation on the definition of practice

The Medical Board, together with six other Boards recently consulted on the definition of practice. A consultation paper was prepared and is available on the Board's website at [www.medicalboard.gov.au](http://www.medicalboard.gov.au) under 'News'. Submissions received for all the professions are published on the website of the Australian Health Practitioner Regulation Agency (AHPRA) at [www.ahpra.gov.au](http://www.ahpra.gov.au).

The current definition of 'practice' as defined in a number of the Board's registration standards is:

***Practice** means any role, whether remunerated or not, in which the individual uses their skills and knowledge as a health practitioner in their profession. For the purposes of this registration standard, practice is not restricted to the provision of direct clinical care. It also includes using professional knowledge in a direct non-clinical relationship with clients, working in management, administration, education, research, advisory, regulatory or policy development roles, and any other roles that impact on safe, effective delivery of services in the profession.*

This definition is broad and covers a range of activities that fall outside of the traditional direct doctor-patient relationship. The Board understands that the current definition of practice has impacted on practitioners who wish to teach undergraduate or postgraduate students and on practitioners who assess medical students or medical practitioners.

More than 60 submissions were received in the consultation, many from medical stakeholders. The Board considered all the submissions and noted that there was a wide range of views expressed about the definition of practice. Some submissions advocated that no change be made to the standard, others that it required comprehensive change.

The Board is now finalising its approach to this issue and will publish the outcome of the consultation process this month.

#### Referral from the Ministerial Council: Cosmetic Medical and Surgical Procedures – A National Framework

The Board received a referral from the Australian Health Workforce Ministerial Council (Ministerial Council). The Australian Health Ministers' Conference (AHMC) recently endorsed a report titled *Cosmetic Medical and Surgical Procedures – A National Framework*. The report was developed in response to a request from AHMC to investigate a national approach to regulating cosmetic surgery.

The report can be accessed at [http://www.health.nsw.gov.au/pubs/2012/cosmetic\\_surgery.html](http://www.health.nsw.gov.au/pubs/2012/cosmetic_surgery.html)

The report contains a number of key recommendations directed to the Medical Board about medical practitioners who perform cosmetic medical and surgical procedures. These include that the Board:

- includes specific provisions relating to undertaking cosmetic medical and surgical procedures in supplementary guidelines to its code 'Good Medical Practice'. The working party that prepared the report has drafted supplementary guidelines and the Board has agreed to consult on these guidelines. They will be released for consultation shortly

- collaborate with medical colleges and professional associations to review the minimum training and accreditation standards for medical practitioners performing cosmetic medical and surgical procedures. The Board noted that the Australian Medical Council (AMC) is currently assessing whether the area of practice of cosmetic medicine and surgery should be recognised as a medical specialty. The Board will await advice from the AMC
- monitor compliance with its advertising guidelines, particularly in relation to cosmetic medical and surgical practice and in relation to the offering of gifts and inducements or time-limited discounts. The Board will seek advice from AHPRA on the monitoring of the advertising guidelines and will ask for data on notifications in relation to advertising of cosmetic medical and surgical procedures. The Board will take any action necessary to protect the public as a result of this analysis.

### Registration standard – granting general registration on completion of intern training

The Board has undertaken two rounds of consultation on a registration standard for granting general registration on completion of the intern year. The feedback from the consultation is published on the Board's website at [www.medicalboard.gov.au](http://www.medicalboard.gov.au) under 'news'. Junior doctors, the AMA, specialist colleges, the confederation of postgraduate medical education councils and individuals have contributed to this round of consultation.

Many of the issues raised by stakeholders, such as mandatory educational requirements and supervisor requirements are not addressed by the registration standard but will be addressed through other mechanisms, including through the development of learning objectives, assessment instruments and the accreditation of intern positions.

The Board confirmed that this registration standard is a short-term measure to set the minimum requirements for a national framework for the intern year. The Board reviews its registration standards every three years (or earlier if necessary) and there will be scope for more substantial changes in future if that is necessary. However, the Board understands that it is important to provide junior doctors in the first postgraduate year, and those who supervise and train them, with some certainty of requirements for the internship under the National Scheme.

The Board will be revising the draft standard to take into consideration the feedback from stakeholders. It will then submit the revised standard to the Ministerial Council for approval.

### Endorsement of registration for acupuncture

From 1 July 2012, medical practitioners who wish to use the title 'acupuncturist' must be registered by the Chinese Medicine Board of Australia or have their registration endorsed for acupuncture by the Medical Board of Australia. Under the National Law, it is not an offence for practitioners to perform acupuncture as long as they do not breach the provisions in the National Law around the use of the title 'acupuncturist'.

The Board has in place a process to endorse for acupuncture the registration of medical practitioners if they have an approved qualification. Qualifications are approved as a result of the transitional arrangements in the National Law. Further information on the current process to endorse registration for acupuncture can be found on the Board website at 'FAQ and Facts Sheets'.

The Board considered a registration standard for endorsement for acupuncture which includes provision to 'grandfather' practitioners who do not have an approved qualification but who have been practising acupuncture and who have been undertaking continuing professional development in acupuncture.

The Board will be consulting on the draft registration standard for endorsement for acupuncture and invites stakeholders to provide feedback.

**Dr Joanna Flynn AM**  
Chair, Medical Board of Australia

6 March 2012