



Aboriginal and Torres Strait
Islander Health Practice
Chinese Medicine
Chiropractic
Dental
Medical
Medical Radiation Practice
Nursing and Midwifery
Occupational Therapy
Optometry
Osteopathy
Pharmacy
Physiotherapy
Podiatry
Psychology

Australian Health Practitioner Regulation Agency

Gender-based restriction for sexual misconduct allegation

August 2017

1. The practitioner must not practise as a **#profession#** until approved practice locations are published below:

The following are approved practice locations: [No practice locations approved to date/Insert approved locations]

2. After publication of approved practice locations the practitioner must not have any contact with **#Male/Female#** patients and must only practise at approved practice locations.

For the purposes of this condition, the following definitions apply:

*'Practise' is defined as any role, whether remunerated or not, in which the individual uses their skills and knowledge as a **#profession#** in their profession. It is not restricted to the provision of direct clinical care and includes using the knowledge and skills of a **#profession#** in a direct non-clinical relationship with a client, 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#**.*

'Practice location' means any location where the practitioner practises the profession including any place where the practitioner:

- (a) is self-employed
- (b) shares premises with other registered health practitioners
- (c) is engaged by one or more entities under a contract of employment, contract for services or any other arrangement or agreement
- (d) provides services for or on the behalf of one or more entities, whether in an honorary capacity, as a volunteer or otherwise, whether or not the practitioner receives payment from an entity for the services, or
- (e) provides professional services at the residential premises of a patient.

'Patient' is defined as any individual awaiting, requiring, or receiving the professional services of the practitioner or a registered health practitioner within the same place of practice as the practitioner and any spouse, partner, parent, family member or guardian/carer of this individual.

'Contact with a patient' includes consultation, interview, examination, assessment, prescribing for, advising, or otherwise treating a patient, whether it is in person or on a communication device.

'Male' is defined as any individual whose biological sex is that of a male, as well as all individuals whose gender identity or gender expression is that of a male.

'Female' is defined as any individual whose biological sex is that of a female, as well as all individuals whose gender identity or gender expression is that of a female.

3. The practitioner must comply with the *Gender-based restriction protocol* in force at the date these conditions are imposed and then as amended from time to time.
4. Within **#timeframe#** of notice of these conditions being imposed the practitioner is to provide acknowledgement, on the approved form (**GBR-1**) that:
 - they have read and understood the *Gender-based restriction protocol*

- they are aware that they are not permitted to practise until such time as approved practice locations are published
 - they understand the definition of 'patient', 'practise', 'practice location', 'male', 'female', and 'contact' as detailed in this condition, and
 - they are aware of the actions AHPRA may take for the purposes of monitoring compliance with the gender-based restriction.
5. Within 21 days notice of the imposition of these conditions the Practitioner must provide to AHPRA, on the approved form (HPC), the contact details of a senior person, such as the Director of Medical Services, Director of Nursing, Senior Practice Manager, Senior Manager, Senior Partner, Proprietor, Owner, or equivalent (the senior person) at each a current place of practice. In providing this form, the practitioner acknowledges that:
- a. AHPRA will contact the senior person and provide them with a copy of the conditions on the Practitioners registration or confirm that the senior person has received a copy of the conditions from the Practitioner, and
 - b. The Practitioner will be required to provide the same form:
 - i. within seven days of the commencement of practice at each and every subsequent place of practice, and
 - ii. within seven days of each and every notice of any subsequent alteration of these conditions.
6. All costs associated with compliance with the conditions on their registration are at the Practitioner's own expense.