

## Communiqué

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### April 2017 meeting of the Occupational Therapy Board of Australia

The Occupational Therapy Board of Australia (the Board) is established under the Health Practitioner Regulation National Law, as in force in each state and territory (the National Law).

The Board meets face-to-face each month to consider and decide on any matters related to its regulatory functions within the National Registration and Accreditation Scheme (the National Scheme).

This communiqué aims to inform stakeholders of the work of the Board.

#### **Revised competency standards development project**

Public consultation on the revised draft competency standards closed on 30 March 2017.

The Board has started analysing the submissions and determining how best to incorporate the feedback that has been received. The Board has been pleased to note that the feedback has been largely consistent as to the changes that need to be made and looks forward to finalising the revised competency standards over the coming months, and will share information with the profession as it develops.

#### **Code of Conduct review**

The Code of Conduct for occupational therapy profession is also used by ten other National Boards (Aboriginal and Torres Strait Islander Health Practice, Chinese Medicine, Chiropractic, Dental, Medical Radiation Practice, Optometry, Osteopathy, Pharmacy, Physiotherapy and Podiatry) with some minor profession-specific changes for some Boards.

The Code is a regulatory document that provides an overarching guide to support and inform good practice and to assist practitioners, Boards, employers, health care users and other stakeholders to understand what good practice involves. It seeks to assist and support practitioners to deliver safe and effective health services within an ethical framework.

As the Code was last published in March 2014 the Board has started a scheduled review that will draw on best available research and data and involve additional stakeholder consultation and engagement. The Board is working with other National Boards which use the Code on the review.

The review is still at an early research phase. However, the Board is already considering how it can maximise opportunities for input when the consultation stage of the review starts. In addition to public consultation the Board intends use its website and other social media to inform the profession of how it can contribute to the review. The Board will highlight opportunities to be involved in the review in its communiqué and newsletters.

#### **Meeting with the Occupational Therapy Council (Australia and New Zealand) Ltd**

This month I had the opportunity to meet with the Directors of the Occupational Therapy Council (Australia and New Zealand) Ltd (OTC). This was an opportunity to discuss common issues and matters of mutual interest in relation to the accreditation processes and the assessment of overseas trained practitioners. The discussions are strongly valued by the Board, and they continue to highlight opportunities for greater collaboration between both the Board and the OTC.

## Approved programs of study

The Board has re-approved the accreditation of two programs of study offered at the University of Queensland:

- Bachelor of Occupational Therapy Honours
- Master of Occupational Therapy Studies

These programs are approved programs for first professional registration as an occupational therapist in Australia until 31 December 2021.

This decision was based on advice received from the [Occupational Therapy Council \(Australia and New Zealand\)](#).

## Audit of registration standards

The Board would like to remind practitioners that it will be conduct random audits into compliance with the following mandatory registration standards:

- continuing professional development
- recency of practice
- professional indemnity insurance arrangements, and
- criminal history.

If you are selected for audit, you will receive an audit notice in the mail from AHPRA. This will include a checklist that outlines what supporting documentation you will be required to submit in order to demonstrate that you have met the standard(s) being audited. Further details about the audit process can be found on the [Board's website](#).

## Responsible advertising of health services: Practitioners reminded about their legal obligations

Registered health practitioners are reminded to **check**, **correct** and **comply** with their professional and legal advertising obligations.

The National Boards and AHPRA have published a strategy for the National Scheme to help keep health service consumers safe from misleading advertising.

The [Advertising compliance and enforcement strategy for the National Scheme](#) explains how National Boards and AHPRA will manage advertising complaints and compliance, including the regulatory powers available to deal with breaches of the National Law.<sup>1</sup>

Practitioners have a professional and legal obligation to advertise responsibly and support members of the community to make informed choices about their healthcare. The National Law limits how regulated health services<sup>2</sup> can be advertised.

When preparing advertising, you should always ensure that your advertising is not false, misleading or deceptive in any way. You are encouraged to use the resources available on AHPRA's website to **check** and, if necessary, **correct** your advertising to ensure you **comply** with National Law requirements.

This strategy builds on the previous education and enforcement work from National Boards and AHPRA and will be supported by publishing new materials in the coming weeks to help health practitioners understand their advertising obligations.

Under the National Law, a regulated health service or a business providing a regulated health service must not advertise in a way that is false, misleading or deceptive

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<sup>1</sup> The Health Practitioner Regulation National Law, as in force in each state and territory.

<sup>2</sup> A 'regulated health service' is a service provided by, or usually provided by, a health practitioner, as defined in the National Law. The advertising provisions of the National Law cover the advertising of a regulated health service, or the advertising of a business that provides a regulated health service.

- uses gifts, discounts or inducements without explaining the terms and conditions of the offer
- uses a testimonial or a purported testimonial
- creates an unreasonable expectation of beneficial treatment, and/or
- directly or indirectly encourages the indiscriminate or unnecessary use of regulated health services.

There are also restrictions on advertising in a way that identifies a health practitioner as a specialist when they do not hold registration as a specialist or as an endorsed practitioner in a health profession.

More information, including the strategy and examples of unacceptable statements in advertising, is available on the *Advertising resources* section of the [AHPRA website](#).

AHPRA's regulatory role means it may need to take action for non-compliant advertising. If you are unsure about whether or not your advertising complies with the National Law you should seek advice from your:

- professional association
- insurer, and/or
- an independent legal adviser.

### Are your contact details up-to-date?

It is important your contact details are up-to-date to receive renewal reminders from AHPRA and information from the Board. You can check your details via the [Login icon](#) at the top right of the AHPRA website. Email accounts need to be set to receive communications from AHPRA and the Board to avoid misdirection to an account junk box.

### Follow AHPRA on social media

Connect with AHPRA on [Facebook](#), [Twitter](#) or [LinkedIn](#) to receive information about important topics for your profession and participate in the discussion.



### Keeping in touch with the Board

The Board publishes a range of information about registration and its expectations of practitioners on its website at [www.occupationaltherapyboard.gov.au](http://www.occupationaltherapyboard.gov.au) or [www.ahpra.gov.au](http://www.ahpra.gov.au). Practitioners are encouraged to refer to the site for news and updates on policy and guidelines affecting their profession.

### Julie Brayshaw

Chair  
Occupational Therapy Board of Australia  
2 May 2017