

Message from the Chair

Welcome to the first *Registrant update* for 2015 from the Physiotherapy Board of Australia (the Board).

Electronic survey of physiotherapists

On behalf of the Board, I invite all physiotherapists to complete the attached electronic survey.

The survey aims to improve the Board's understanding of registrants' knowledge and awareness of obligations under the National Law.¹ By collecting such information, the Board will be better informed to develop guidance for physiotherapists if and where it is needed.

The survey:

- is not connected in any way to your registration as a physiotherapist
- is not a test and the Board doesn't expect you to study for it, and
- is completely anonymous and cannot be traced back to you.

Click [here](#) to complete the survey.

When you click on this link, you will be taken to the survey on a third party website, hosted by SurveyMonkey. The survey is being conducted by the Australian Continuous Improvement Group on behalf of the Physiotherapy Board of Australia. The information collected through the survey will be used by Australian Continuous Improvement Group to provide advice to the Board. The information will be handled in accordance with the Privacy Policies of SurveyMonkey accessible [here](#) (and the Australian Continuous Improvement Group, accessible upon request to michelle@acig.com.au).

Continuing professional development (CPD) for physiotherapists

The Board's [CPD registration standard](#) requires you to maintain a portfolio documenting at least 20 hours of CPD annually that contributes to maintaining and improving your competence to practise. Examples of CPD activities constituting the 20 hours are described in the [Guidelines for CPD](#). These activities must directly contribute to maintaining or improving your competence in your individual scope of practice. 'Practice' is defined broadly in the standard.

You must complete at least 20 hours of CPD even if you take a break from practice in any year. Only physiotherapy students and physiotherapists with a registration category of 'non-practising' are exempt from the requirements of the Board's CPD registration standard.

Each year at renewal, physiotherapists are asked to make a declaration that they have met the Board's CPD registration standard in the previous year. If you declare that you have not met the standard in the previous year, you may be subject to action by the Board. This may include a condition being placed on your registration to complete additional CPD hours in the following year.

Auditing of practitioners for compliance with registration standards has become business as usual for the Board. If you are selected

for audit for compliance with the CPD registration standard, you must provide evidence that you have completed at least 20 hours of CPD in the previous period and that the CPD aligns with your chosen scope of practice. A sample CPD portfolio for recording evidence is provided in the appendices to the CPD guidelines

Physiotherapist prescribing

In the November edition, I wrote about the pathway to prescribing by physiotherapists and particularly, the valuable opportunity I had at the recent APA symposium in Cairns to engage with the profession on the Board's role in recognising competence to prescribe scheduled medicines under the National Law.

We are continuing to develop a case as to why it is in the best interests of the public to enable physiotherapist prescribing of scheduled medicines. The Board is engaging with the APA, its accreditation authority, the Australian Physiotherapy Council, and other key stakeholders from the profession to develop this case.

If we are successful in our application to the Australian Health Workforce Ministerial Council for approval to endorse the registration of physiotherapists for scheduled medicines under the National Law, the role of the Board in regulating physiotherapist prescribing includes:

- approving accreditation standards and programs of study for prescribing practice
- considering applications for registration with an endorsement for scheduled medicines, and
- setting and monitoring the compliance of endorsed physiotherapists with registration standards, codes and guidelines.

We will consult widely with physiotherapists, government and the community to assist in building the case for physiotherapist prescribing.

Annual report for 2013/14

In November 2014, AHPRA and the National Boards published the 2013/14 [annual report](#) on the National Registration and Accreditation Scheme (the National Scheme), providing a comprehensive record of the operations of the Scheme for the 12 months ending 30 June 2014. You may find this information interesting, particularly when comparing physiotherapy with the other registered health professions, in terms of the numbers and types of notifications (complaints).

Also, for the first time, profession-specific reports have also been published. The physiotherapy-specific report can be found on our website under [News](#).

Paul Shinkfield

Chair, Physiotherapy Board of Australia



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

Student presentation on registration requirements

The Board has published a [presentation](#) for use by education providers and other interested parties to help explain registration requirements for physiotherapists under the National Law. [The Powerpoint presentation is free to download from the Board's website](#), and is ideally suited to students nearing completion of their studies who are preparing for their careers as registered physiotherapists in Australia.

Use of titles

Under the National Law, there is no specialist registration for physiotherapy. It is therefore not legal for a physiotherapist to call themselves a specialist, out of the context of recognised qualifications.

It is acceptable to use qualifications, including in advertising, when accompanied by wording that includes those credentials or recognised qualifications.

The Board recognises the established history of specialised physiotherapy practice, achieved through recognised higher education through the Australian College of Physiotherapy.

Recognised qualifications

This recognised higher education relies on two sequential tiers of titling.

Tier 2 titling:

- requires that the physiotherapist must meet the [Australian Physiotherapy Association \(APA\)](#) requirements for inclusion in an APA clinical group (Tier 2), and
- leads to the right to use an APA Physiotherapist title (e.g. APA Sports Physiotherapist).

Tier 3 titling:

- can only be achieved after first attaining Tier 2 titling through the APA
- is granted through the [Australian College of Physiotherapy](#) (Tier 3 titling), and
- leads to a description of an area of expertise, in the context of a recognised qualification.

Acceptable use

The use of Tier 2 titles (e.g. APA Sports Physiotherapist) is exempt from prosecution under section 118 of the National Law (claims about specialist registration), **only** when used to highlight an area of practice for which the physiotherapist has received this qualification from the APA.

Acceptable Tier 2 example: Mr J Brown, APA Sports Physiotherapist.

Acceptable Tier 3 example: Ms P Smith, Specialist Musculoskeletal Physiotherapist (as awarded by the Australian College of Physiotherapists in 2008).

Unacceptable use

It is not acceptable to take or use Tier 2 titles when the physiotherapist knowingly or recklessly uses or takes the title in a way that indicates they are a specialist health practitioner, or authorised or qualified to practise in a recognised speciality. For example, when the physiotherapist also indicates that they 'specialise' in the area of practice or a specific aspect. See section 7.4 of the Board's *Guidelines for advertising regulated health services* ([advertising guidelines](#)) for more information.

Example: Mr R Jones, specialist sports physiotherapist.

The law on the use of titles

The National Law regulates the use of certain titles. Misuse of a protected title is an offence under this law.

The National Law allows for and protects specialist titles and endorsements (an endorsement on a practitioner's registration indicates that the practitioner is qualified to engage, for example, in a wider scope of practice than other registrants).

A registered health practitioner who does not hold specialist registration may not use the title 'specialist', or through advertising or other means, present themselves to the public as holding specialist registration in a health profession.

More on the use of titles is detailed in the [Board's advertising guidelines](#). There is specific advice for physiotherapists about the use of qualifications in advertising. See [Appendix 5 of the guidelines](#).

Update on binational physiotherapy practice thresholds

The Physiotherapy Board of Australia and the Physiotherapy Board of New Zealand are working together to establish shared practice threshold statements that describe the requirements of entry-level practice for the physiotherapy profession in the two countries.

New Zealand and Australia share a unique relationship via the Trans-Tasman Mutual Recognition Arrangement (TTMRA). Under the TTMRA, physiotherapists registered to practise in New Zealand are entitled to become registered to practise in Australia, and vice versa, without the need for further testing or examination.

The proposed physiotherapy practice thresholds, which describe entry-level competence for the physiotherapy profession, will confirm the necessary registration requirements of physiotherapists in one country, based on registration in the other. New threshold statements will replace the existing Australian Standards for Physiotherapy and the Physiotherapy Competencies for Physiotherapy Practice in New Zealand.

After extensive and broad-ranging consultation, the practice threshold statements will shortly be finalised and published for use.

Tribunal decisions

Physiotherapist permanently disqualified for professional misconduct

Mr Bharath Devadas – permanently disqualified from applying for registration as a physiotherapist.

On 5 December 2014, the Board published an addendum to its original media release, as follows.

The tribunal handed down its reasons for its decision on 10 October 2014, finding unanimously that Mr Devadas' conduct constituted professional misconduct. The tribunal recognised that the victim suffered greatly as a result of this crime, and that her anguish was compounded by a criminal trial, which was needed because Mr Devadas did not admit guilt.

The tribunal permanently disqualified Mr Devadas from registration because his conduct was so serious and inconsistent with what is expected of a physiotherapist.

The reasons for the decision are on the [AustLII website](#).

Original media release, 16 July 2014

The [South Australian Health Practitioners Tribunal](#) has ordered that physiotherapist Mr Bharath Devadas be permanently disqualified from applying for registration as a physiotherapist in Australia.

The Physiotherapy Board of Australia prosecuted its case against Mr Devadas in the tribunal, after he was convicted of rape in late 2012. When he was charged in 2011 and pending the tribunal hearing, the SA Board of the Physiotherapy Board of Australia had restricted Mr Devadas' registration and prevented him from consulting with female patients.

Mr Devadas failed to appear at the tribunal hearing on 11 July 2014, and the tribunal ordered that the matter proceed *ex parte*.

The tribunal ordered the:

- victim's name be suppressed from publication
- respondent be reprimanded in the strongest terms
- respondent be disqualified from applying for registration as a physiotherapist on a permanent basis
- respondent be prohibited from providing physiotherapy services on a permanent basis, and
- respondent contribute to the complainant's costs of and incidental to the within proceedings.

National Scheme news

New approach to international criminal history checks

As of 4 February 2015, National Boards and AHPRA have implemented a new procedure for checking international criminal history to provide greater public protection. This new approach requires certain applicants and practitioners to apply for an international criminal history check from an AHPRA-approved supplier. This approach aligns our international criminal history checks (IHC) with our domestic history checks and aims to be fair and reasonable for practitioners. It also provides the Australian community with greater assurance by implementing additional safeguards to manage risks to the public from someone's international criminal history.

This approach was first announced in November last year, giving prospective applicants three months' notice of the change, and time to understand the new requirements before they take effect.

The new process for checking international criminal history aims to strike a balance between public safety and regulatory burden for practitioners.

For more information, please read the [media release](#) on the Board's website.

For more information

- Visit the [Board's website](#) for the mandatory registration standards, codes, guidelines and FAQ.
- Lodge an [online enquiry form](#).
- For registration enquiries, call 1300 419 495 (from within Australia) or +61 3 8708 9001 (for overseas callers).
- Address mail correspondence to: Mr Paul Shinkfield, Chair, Physiotherapy Board of Australia, GPO Box 9958, Melbourne, VIC 3001.

