



**The Members of the Physiotherapists Board (pictured below) were appointed on 6 September 2004 for a term of four years.**



*Back row: Associate Professor Bill Vicenzino (Chairperson), Professor Gwen Jull, Mr Geoff Rowe, Mr Robert Thams, Mr Chris O'Brien, Ms Jane Leow  
Seated: Ms Margaret Sifter, Mrs Glenys Cockfield, Mrs Kathy Grudzinskas (Deputy Chairperson), Mrs Pauline Portier (Assistant Registrar)*

### **CODE OF PRACTICE**

In accordance with the *Health Practitioners (Professional Standards) Act 1999*, the Board has developed a Code of Practice for registrants. The code was developed in consultation with relevant stakeholders, ie the Australian Physiotherapy Association, ACOPRA, University of Queensland, Griffith University, various consumer organisations and other Australian and New Zealand registration boards.

The Code will provide guidance

to registrants on issues that are commonly raised in relation to physiotherapy practice. The Minister for Health has approved the Code, and as required by the Act, will not take effect until notification in the Government Gazette.

As soon as the Code is gazetted, it will be distributed to all registrants.

### **REGENCY OF PRACTICE**

The "Recency of Practice Discussion Paper" was released in February 2005. The Discussion

Paper is the first stage in the consultation process. It is the Board's intention that recency of practice, when defined through this consultation process, will be directly linked to the annual renewal of registration. The *Physiotherapists Registration Act 2001* requires the Board, when deciding an application for renewal of registration, to have regard to the extent the applicant has satisfied "recency of practice requirements" that have been prescribed under a regulation.

Submissions to the Discussion Paper are to be in writing and submitted to the Board by 29 April 2005. The Discussion Paper is available on the Board's website: [www.physioboard.qld.gov.au](http://www.physioboard.qld.gov.au) Any enquiries concerning this project should be directed to Mr K Hudson by email: [hudsonk@healthregboards.qld.gov.au](mailto:hudsonk@healthregboards.qld.gov.au)

## ADVERTISING

Registrants are reminded that all advertising of a professional service must comply with the advertising provisions of the *Physiotherapists Registration Act 2001*. A copy of the Act is available on the website: [www.legislation.qld.gov.au](http://www.legislation.qld.gov.au) If registrants are unsure whether their advertising complies with the Act, they should seek their own legal advice.

## COMPLAINTS

Complaints received by the Board about registrants are dealt with under the *Health Practitioners (Professional Standards) Act 1999*. The following table relates to new complaints received during the 2003-2004 year.

### Case Example

A receptionist employed by a physiotherapist made a complaint to the Board about being asked by the physiotherapist to apply

ultrasound treatment to patients. The receptionist stated that she had, on occasion, applied ultrasound treatment to patients and that she had not received any formal training for this. During the investigation, the physiotherapist stated that she had asked that the receptionist only "take over" applying the treatment while she was taking a telephone call, and this did not happen very often. She also said that the employee did not adjust the settings she just continued the application on the patient without the physiotherapist directly supervising. The investigation found evidence to support the allegations and the Board resolved to appoint a Disciplinary Committee to hear the matter. During the hearing, the physiotherapist stated that it was common practice for non-physiotherapy staff to assist with ultrasound application to patients and that she had asked her indemnity insurance provider about the matter and the response she received suggested it was not a problem in terms of insurance coverage. The physiotherapist stated she was not aware of the APA Physiotherapy Assistants Policy (under review), which prohibited delegating the application of ultrasound to a physiotherapy assistant. After considering the facts and circumstances, the Disciplinary Committee found

that allowing an unqualified person to use ultrasound had the potential to harm the public, and was a ground for disciplinary action. The Committee resolved to caution the physiotherapist and to enter the disciplinary action in the register for a period of one year. The Disciplinary Committee stated that the issues in this matter highlighted the need for a better understanding of the role of physiotherapy assistants within contemporary physiotherapy practice.

## ASSISTANTS IN PHYSIOTHERAPY PRACTICES/SERVICES

The Board is in the final stages of developing a Policy on Assistants in Physiotherapy Practices/Services. As part of the consultation process, the draft policy will be circulated to stakeholders for comment followed by focus group meetings. It is anticipated that the Policy shall be finalised in November/December 2005 at which time it will be circulated to registrants.

## RENEWAL OF REGISTRATION

Registrants are required to apply for renewal of registration prior to 30 June each year by completing the Application for Renewal of Registration Form and paying the prescribed fee. The renewal of registration fee for 2005-2006 has been increased by CPI from \$125.00 to \$128.00. The notice is also available on the Board's website: [www.physioboard.qld.gov.au](http://www.physioboard.qld.gov.au)

**REMINDER: Registrants must complete the mandatory disclosure on the renewal of registration form stating whether they suffer from any**

Source of Complaint/ Information	Number of Complaints Received 2003/2004	Nature of Complaints
Consumer or consumer's representative	2	1 x Unprofessional/unethical action 1 x Excessively painful treatment
Other Entity	2	1 x Unprofessional/unethical action 1 x Standard of Care
Referred by Health Rights Commission	0	11 July 2005
Other Information	0	
<b>TOTAL</b>	<b>4</b>	



ongoing medical condition, of which they are aware, or know or ought reasonably to know adversely affects their ability to competently and safely practise the profession. If such a condition is notified to the Board, registration is renewed, but the Board may deal with the matter under Part 7 of the *Health Practitioners (Professional Standards) Act 1999*.

### **IMPLICATION OF PRACTISING WITHOUT REGISTRATION**

A physiotherapist who fails to pay the renewal fee and continues to practise is, in accordance with the legislation, “holding out” and/or “claiming” to be a physiotherapist and therefore is in breach of section 121 of the *Physiotherapists Registration Act 2001*. Section 121 relates to the use of a “restricted title”.

The titles “Physiotherapist” and “Physical Therapist” are restricted titles under the Act and a person must be registered to use the titles.

If a person does use a restricted title without being registered, they are in breach of section 121 of the Act and, if prosecuted, a maximum penalty of \$75,000 may be imposed.

### **LIMITED/TEMPORARY REGISTRATION FOR LOCUMS OR WORKING HOLIDAY MAKERS**

The Board explored the possibility of a category of registration to allow physiotherapists who wish to practise in Queensland for limited periods of time. As Limited/Temporary registration is available in some other States of Australia,

the Board considered that if such a category were available in Queensland, it would bring some relief to the workforce problems being experienced. The Board sought independent legal advice and had extensive discussions with the Legislative Projects Unit of Queensland Health to determine whether it was possible under the *Physiotherapists Registration Act 2001* to introduce such a category of registration. It has been determined that such a category of registration cannot be legislatively supported.

### **AUSTRALIAN COUNCIL OF PHYSIOTHERAPY REGULATING AUTHORITIES (ACOPRA) LTD**

The Board contributes to the funding of ACOPRA whose primary role is to facilitate a consistent national approach by registration authorities to physiotherapy registration and competency standards.

A review of the Australian Physiotherapy Competency Standards (APCS) is being conducted. When the review is completed, the Standards shall be known as The Australian Standards for Physiotherapy.

In late 2003 the Practice Standards Committee was convened to undertake a major review of the APCS. These standards describe the qualities of physiotherapists at the entry point to clinical practice. They have a number of uses which include:

- Guiding the development of curriculum and clinical placements by Schools of Physiotherapy;

- Providing a basis on which to evaluate applications from overseas trained physiotherapists wishing to be registered to practise in Australia; and
- Facilitating the accreditation of physiotherapy entry level programs.

A call for submissions was distributed to stakeholders including the Physiotherapists Board of Queensland in mid-2004. Responses were collated and used to inform an Expression of Interest to tender for the consultation phase of the project. Contract negotiations are now underway with Nova Public Policy who have been selected to undertake this important work.

Registrants in Queensland are strongly encouraged to contribute to focus groups which will be held over the ensuing months. Your input is vital to ensure that you and the public will continue to benefit from working with colleagues who are trained in contemporary physiotherapy practice.

The Practice Standards Committee has the following membership:

- Mrs Kathy Grudzinskas (Qld), Chairperson and Queensland Board nominee
- Ms Sue Jones (WA), APA Nominee
- Ms Cathy Nall (Vic), Heads of Schools nominee
- Mr Ian Rutherford (WA), co-opted expert
- Mr Patrick Maher (NT), ACOPRA Council nominee
- Ms Margaret Grant (ACT), ACOPRA Executive Officer.

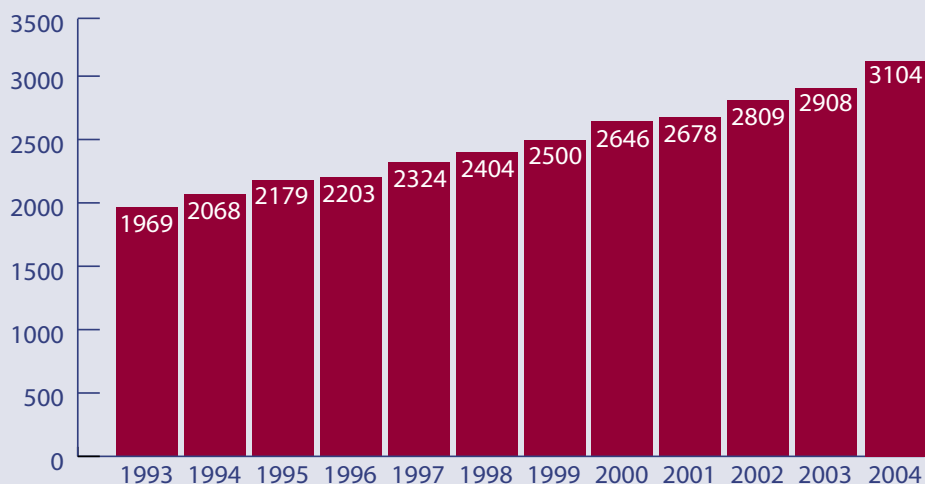


## GROWTH IN REGISTRANT NUMBERS

The net increase in registrant numbers is the product of significant numbers of additions to and deletions from the Register during the year.

During the year the Board approved 215 applications for registration. Of these, 76 (approximately 35%) were granted registration in Queensland under mutual recognition. Of these 76

registrants, 68 lodged registration notices pursuant to the provisions of the *Mutual Recognition (Queensland) Act 1992* on the basis of holding current registration as Physiotherapists in other Australian States or Territories; while 8 persons lodged registration notices pursuant to the provisions of the *Trans-Tasman Mutual Recognition (Queensland) Act 1999* on the basis of holding current registration as Physiotherapists in New Zealand.



## FREQUENTLY ASKED QUESTIONS

Q: As a physiotherapist, am I allowed to do acupuncture or dry-needle techniques?

A: Acupuncture or dry-needle techniques are not restricted practices. If physiotherapists perform these types of techniques, they should be competent to do so and should be aware of the provisions of the *Public Health (Infection Control for Personal Appearance Services) Act 2003*, which covers skin penetration.

Q: Do I need a First Aid Certificate?

A: Having a First Aid Certificate is not a requirement under the *Physiotherapists Registration Act 2001*. It is a work-place issue

and the physiotherapist should check with his/her employer.

Q: Do I need a "Blue Card" if I am treating children?

A: Practitioners are encouraged to direct enquiries relating to the requirement for a "Blue Card" to the Commission for Children and Young People and Child Guardian on phone: 1800 688 275 or website: [www.childcomm.qld.gov.au](http://www.childcomm.qld.gov.au)

Q: Am I required to have Professional Indemnity Insurance?

A: Professional Indemnity Insurance is not a legislative requirement, however the Board recommends that all physiotherapists should hold professional indemnity insurance.



Physiotherapists Board  
of Queensland

## OFFICE CONTACTS

The Office of Health Practitioner Registration Boards (OHPRB) is open to the public between 9.00 am and 4.00 pm Monday to Friday and is located at:

**Level 19, Forestry House  
160 Mary Street  
BRISBANE QLD 4000**

**Executive Officer:**  
Mr J O'Dempsey

**Deputy Registrar:**  
Mr G Connell

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[www.physioboard.qld.gov.au](http://www.physioboard.qld.gov.au)

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