

6 October 2011

Executive Officer
Occupational Therapy Board of Australia
AHPRA
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By email to otboardconsultation@ahpra.gov.au

To whom it may concern

Mandatory registration standards – Occupational Therapy Board of Australia

Thank you for the opportunity to comment on the consultation draft of the proposed mandatory registration standards for occupational therapists. The Health Quality and Complaints Commission (HQCC) supports the registration of the profession and the setting of the associated registration standards as an important means of protecting the public and contributing to the delivery of safe, high-quality healthcare.

About us

The HQCC is an independent statutory body dedicated to improving the safety and quality of healthcare in Queensland. To prevent patient harm and improve healthcare quality we:

- manage healthcare complaints
- investigate serious and systemic issues and recommend quality improvement
- monitor, review and report on healthcare quality
- identify healthcare risks and recommend actions
- share information about healthcare safety and quality
- promote healthcare rights.

Continuing professional development

- We support continuing professional development as a requirement of health practitioner registration, but have no specific comments about this standard.

Criminal history

Consistency of criminal history checks

- We note that under section 79 of the *Australian Health Practitioner Regulation National Law Act 2009* (the Act), a National Board may obtain a written report about the criminal history of the applicant from CrimTrac, a police commissioner or an entity in a jurisdiction outside Australia that has access to records about the criminal history of persons in that jurisdiction. We are concerned that use of the word 'may', as well as the three options provided in the Act could introduce unnecessary variation in the way criminal history checking is conducted, and that this could be addressed by the standard. We suggest that criminal history checks should be consistent for all registered health practitioners and include searches of the records of all state and federal police services and the Australian National Child Offender Register, if they do not already do so. More information about the process for criminal history checking should be

included in the standard or otherwise made publicly available, for example on the website of the Australian Health Practitioner Regulation Agency.

International criminal history checks

- While the Act specifies that a report about criminal history may be received from an entity in a jurisdiction outside Australia, we appreciate there may be difficulties associated with obtaining thorough and accurate details of international criminal history. We note that applicants for registration are required to declare if they have a criminal history as part of the application process. We would encourage the board to ensure this declaration clearly relates to criminal history in Australia and overseas, and to require such a declaration on renewal of registration as well as initial application, if this is not already the case.

Internet search of criminal history

- We are also aware of an instance in which information about a health practitioner's criminal history in a country outside of Australia was readily identified via the internet. The Board may wish to consider conducting internet searches on health practitioners applying for registration and renewal.

English language skills

Definition of supervision

- The standard appears to lack a clear definition of 'supervision' and we suggest that some guidance be provided, either in the standard or elsewhere, to ensure consistency and quality of this process (e.g. What level of seniority must a supervisor have? When is a supervisor required to be physically present?).

Professional indemnity insurance

- We support professional indemnity insurance as a requirement of health practitioner registration, but have no specific comments about this standard.

Recency of practice

- We support recency of practice as a requirement of health practitioner registration, but have no specific comments about this standard.

General comment

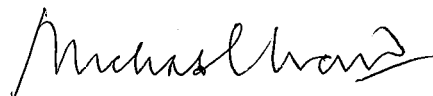
Documented evidence

- Throughout the standards, we suggest practitioners be consistently required to provide *documented evidence* where appropriate.

Should you have any questions about our submission, please contact us on (07) 3120 5999, or by email (quality.improvement@hgcc.qld.gov.au), post or fax.

We wish you well with the consultation process and look forward to the finalisation of the standards and the commencement of the registration of the profession.

Yours sincerely



Professor Michael Ward
Commissioner