



Chiropractic  
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## Fact Sheet: New reporting obligations

From 1 July 2010 new reporting obligations will apply to all registered health practitioners.

### Mandatory reporting obligation

Section 140 of the National Law requires that a registered health practitioner must notify the Board if, in the course of practising their profession, they form a reasonable belief that another registered health practitioner has behaved in a way that constitutes 'notifiable conduct'.

Notifiable conduct is defined as when a practitioner has:

1. practised the profession while intoxicated by alcohol or drugs, or
2. engaged in sexual misconduct in connection with their profession, or
3. placed the public at risk of substantial harm in their practice because they have an impairment, or
4. placed the public at risk of harm during their practice because of a significant departure from professional standards.

After 1 July 2010, registered health practitioners will be required to report to their National Board any registered student who, because of impairment, places the public at substantial risk of harm during their clinical training.

A number of exemptions from these mandatory notification obligations are set out in section 140 of the National Law. Each Board has also consulted on draft Guidelines to help practitioners understand their obligations under the National Law. The final Guidelines will be published on the website when they have been finalised. Practitioners should be aware of their mandatory reporting responsibilities.

Any registered practitioner who fails to report notifiable conduct on the part of another registered health practitioner may be the subject of disciplinary action by their National Board.

### Annual statement obligations

Practitioners who apply to renew their registration each year must provide an annual statement to the National Board, under Section 109 of the National Law. The annual statement requires the practitioner to make certain declarations, providing detail to the Board about:

- whether the practitioner has an impairment
- whether the practitioner has met the Board's recency of practice standard
- whether the practitioner has completed the continuing professional development requirements set out in the Board's standard

- whether the practitioner has complied with the Board’s requirements in relation to professional indemnity insurance
- any criminal charges, convictions or findings of guilt against the practitioner during the previous registration period
- whether the practitioner’s practice rights or billing privileges have been withdrawn or restricted during the previous registration period
- whether the practitioner has been the subject of any complaints to other bodies and
- any other information required under a registration standard.

These requirements will be set out in the registration renewal application.

### Reporting obligations during the year

New reporting obligations will apply to all registered health practitioners during the registration period from 1 July 2010.

Section 130 of the National Law requires a registered health practitioner to report to the relevant National Board, within 7 days, if any of the following events has occurred:

- the practitioner is charged with an offence punishable by 12 months imprisonment or more
- the practitioner is convicted of an offence punishable by imprisonment
- the practitioner is no longer covered by professional indemnity insurance that complies with the Board’s standard
- the practitioner’s practice rights at a hospital or other health facility have been withdrawn or restricted due to the practitioner’s health, conduct or performance
- the practitioner’s Medicare billing privileges are withdrawn or restricted
- the practitioner’s right to prescribe or otherwise use scheduled medicines is cancelled or restricted
- the practitioner’s registration under the law of another country is cancelled, suspended, or made subject to a condition or restriction.

Section 131 of the National Law requires a registered health practitioner to write to the relevant National Board, within 30 days to notify of:

- a change in the practitioner’s principal place of practice
- a change in the practitioner’s address for correspondence from the Board
- a change in the practitioner’s name.

‘Principal place of practice’ is defined under the National Law as the address declared by the practitioner to be the address at which the practitioner is predominantly practising the profession. If the practitioner is not practising, or not practising predominantly at one address, then the practitioner’s principal place of residence will be used.

The suburb and postcode of this address will be published on the online Register.

20 April 2010