

Ahpra Protocol

Practice Limitations

This protocol applies to restrictions imposed or accepted from **16 September 2024**

Australian Health Practitioner Regulation Agency
National Boards

GPO Box 9958 Melbourne VIC 3001 [Ahpra.gov.au](https://www.ahpra.gov.au) 1300 419 495

Ahpra and the National Boards regulate these registered health professions: Aboriginal and Torres Strait Islander health practice, Chinese medicine, chiropractic, dental, medical, medical radiation practice, midwifery, nursing, occupational therapy, optometry, osteopathy, paramedicine, pharmacy, physiotherapy, podiatry and psychology.

Ahpra Protocol: Practice limitations

Overview

This Ahpra Protocol *Practice limitations* (the Protocol) sets out the requirements that apply to practitioners with a registration restriction for restricted [practice](#) and restricted [patient contact](#). We monitor compliance with this restriction to protect patient safety.

You will receive a monitoring plan that details contact information, due dates and the information you will need to provide to show that you are complying with your restrictions. The plan will be updated as you complete the requirements. Read your monitoring plan in conjunction with the Protocol/s.

The Ahpra website and [Register of practitioners](#) is located at <https://www.ahpra.gov.au>. Monitoring and compliance information is available under the Registration section. The online Protocols and forms are available from the [National Restrictions Library 2.0](#) section of the monitoring and compliance web page.



In this Protocol:

'Restriction' and 'Restrictions' refers to:

- conditions and undertakings on your registration that are related to the requirements of this specific Protocol

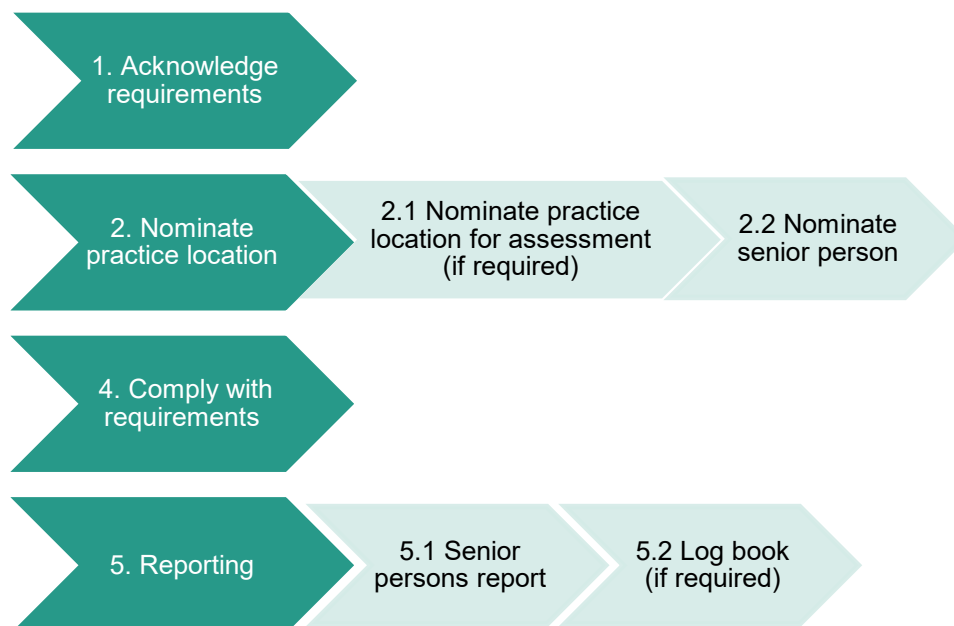
'We' 'us' and 'our' refers to:

- the Australian Health Practitioner Regulation Agency (Ahpra),
- the Board for the health profession you're registered for.

The Protocol includes:

- individually numbered paragraphs and sub-paragraphs to help you navigate the requirements.
- highlighted requirements that you must follow using this symbol: ▲
- clarifying information and advice from us to help you follow the requirements, using this symbol: ⓘ
- terms that we define in specific ways. The first time we use one of these terms, we've hyperlinked these to their [definitions](#) for your reference

There are five main requirements of the Protocol



Requirements


1. Acknowledge the requirements

1.1 Practitioner Acknowledgement


- 1.1.1 You must acknowledge the requirements of the restriction on your registration, and the *Ahpra Protocol: Practice limitations* (the Protocol) within 3 calendar days of the restriction start date.
- 1.1.2 Complete the [Form \[HPA.2.17\]](#): Practice Limitations - Practitioner Acknowledgement Form.

2. Nominate practice location

2.1 Nomination of a practice location


- 2.1.1 You **must not practise** until we publish the approved practice locations in the online [Register of practitioners](#). 

- 2.1.2 You must nominate or declare practice locations using the forms listed below.
- 2.1.3 [Form \[HPN.2.17\]](#): Practice Limitations - Nomination of Practice Location Form
- 2.1.4 [Form \[SPA.2.17\]](#): Practice Limitations - Senior Person Acknowledgement Form
- 2.1.5 You must, if requested, provide evidence of how your compliance with the restrictions will be supported.
- 2.1.6 You must, if requested, provide evidence of an offer of employment, contract of employment or role description or the equivalent.

 Your restrictions will state if they require that your nominated practice location(s) need to be assessed for approval before they are published to the National register.
If they do not require approval, they must still be declared on the nomination form listed above and published before you practise".

2.2 Nominate senior person

- 2.2.1 You must provide the details of the senior person at each nominated practice location on the [Form \[HPN.2.17\]](#): Practice Limitations - Nomination of Practice Location Form
- 2.2.2 The nomination of each senior person must be accompanied by an acknowledgement from each nominated person that they are aware we will contact them and exchange information.
- 2.2.3 The senior person must complete the [Form \[SPA.2.17\]](#): Practice Limitations - Senior Person Acknowledgement Form

 The senior person may be the practice principal, practice manager or other person senior by position. This person should generally have oversight of the operational management of the practice and is responsible for managing staff rostering, patient or client billing and patient booking management. Where possible your senior person should be another registered health practitioner.

Senior persons will provide information about the characteristics of nominated practice location(s) such as number of employees, number of other registered health practitioners, details of electronic booking and clinical record keeping systems.

Senior persons will also provide information such as rosters, pay slips, appointment diaries, billing information and the like and may, when requested, provide copies of clinical records, audit logs and the equivalent to provide independent evidence of your compliance.

- 2.2.4 You must provide each nominated senior person a full copy of the restrictions on your registration, and this Protocol

- 2.2.5 You must also provide each nominated senior person(s) the contact details of your Ahpra case officer or team.
- 2.2.6 Your nominee must not have any perceived or actual conflict of interest in undertaking this role.
- 2.2.7 Both you and your nominee must declare any actual, potential, or perceived conflicts of interest. If requested, you must provide information on how you will manage the conflict.
- 2.2.8 If your senior person changes, you must notify your Ahpra case officer in writing within 14 calendar days.

- i** A conflict may arise from being in a collegiate, family, social, financial, employment or treating relationship which could compromise the nominee's judgment, decisions, or actions in performing the role.

We must be confident that the senior person is able to give independent evidence of your compliance and be willing to provide reports to us if they identify concerns with your conduct, or compliance with your restrictions.

We may refuse your nomination of a practice location if there is insufficient evidence that any conflict will be sufficiently managed.

Nominations that don't meet the above requirements may be considered in extenuating circumstances. Nominations not meeting the above requirements usually require longer timeframes for consideration.

- i** **If your restrictions require you to practice at declared practice locations proceed to Section 4 of this Protocol**

3. Assessment of nominated practice location

- i** **This section only applies if your restrictions include the requirement to only practice at approved practice locations.**

If your restrictions require you to only practice at disclosed practice locations, this section does not apply.

3.1 Each nominated practice location must meet the following requirements:

- 3.1.1 The practice location is not your place of residence or the residence of patients,
- 3.1.2 The senior person at the practice location does not have a direct personal relationship with you (for example, a spouse, de facto, sibling or other relative),
- 3.1.3 There is practice management software at the practice location capable of producing the required reports to monitor your compliance, and,
- 3.1.4 Must not otherwise be a location where there will not be, or is unlikely to be oversight, or the ability to provide independent evidence of compliance, ie. there is sufficient oversight or ability to provide independent evidence of compliance.

- i** Practice locations will be assessed for approval based on their suitability to accommodate the requirements of the restrictions and to support effective monitoring of your compliance.

For a practice location to be approved, we must be confident that the senior person is able to give an independent report of your compliance with the restrictions and be willing to provide reports to us if they identify concerns.

Nominations that don't meet the above requirements may be considered in extenuating circumstances. Nominations not meeting the above requirements usually require longer timeframes for consideration.

We may refuse your nomination of a practice location.

4. Publication of a practice location

4.1 Approval and publication of practice locations

4.1.1 When practice locations are published on the National register, you can commence practising.

4.1.2 You must not [practise](#) until we publish the approved [practice locations](#) in the online [Register of practitioners](#).



4.1.3 You must only practice at approved and published practice locations.

4.1.4 You must practise in accordance with the restrictions.

4.1.5 If you cease practising at any of your published practice locations, you must notify your Ahpra case officer within 14 calendar days.

5. Reporting

5.1 Senior persons report



Your nominated senior person may be asked to provide reports to confirm your compliance with your restrictions.

If regular reporting is required, the frequency will be detailed in your Monitoring plan.

Reports may include copies of rosters, pay slips, appointment diaries, billing information and the like and may, on request from Ahpra, include clinical records, audit logs, and the equivalent.

Your senior person will also provide a report if they have a concern or become aware of a concern regarding your conduct or professional performance.

5.2 Logbook

5.2.1 Compliance with the following requirements is only required if your restrictions require you to maintain a logbook.



5.2.2 You must submit the logbook at least monthly.

5.2.3 The log must be completed in an approved format and at a minimum completed at the end of each day.

5.2.4 The logbook must record at a minimum:

- Date and time of the patient contact
- Location
- Patient full name
- Patient date of birth

5.2.5 You must record any other information as directed.

6. Monitoring

6.1 Monitoring your compliance



We will conduct activities to monitor your compliance with the restrictions.

For the purpose of monitoring the restrictions, we may:

- conduct site visits of approved practice location(s). Visits may include meeting with nominated senior person at one or all approved practice locations. In addition to conducting site visits, we may contact senior persons at any time to discuss your compliance with the restrictions.
- obtain data from Services Australia relating to prescribing and services rendered to patients or clients to monitor any:
 - practice whilst there are no approved practice locations published on the public register and you are prohibited from practising
 - any procedures prohibited by your restrictions
 - any [contact](#) with patients prohibited by your restrictions
 - any practice outside of permitted times
 - any practice that occurred in the absence of a logbook entry when required.
- obtain data from private health insurance companies, the Department of Veteran's affairs and the National Disability Insurance Scheme and other regulators and third parties to monitor any:
 - practice whilst there are no approved practice locations published on the public register and you are prohibited from practising
 - contact with a prohibited patient; and
- request additional information from you or the senior person at each of the approved practice locations including appointment diaries, patient booking schedules, audit logs of electronic booking systems and patient records.

6.1.1 You must if requested, provide written authority for Ahpra to access information from private health insurers, the Department of Veteran's Affairs and the National Disability Insurance Scheme about services rendered and billing.

7. Extensions of time

7.1 Requesting an extension



Extensions of time are generally not permitted.

7.1.1 If you are seeking an extension of time, you must provide a written request.

7.1.2 You must request an extension of time before the applicable due date.

7.1.3 You must provide a proposed timeframe for completion of the requirement when making an extension request.

7.1.4 You must indicate the reason for your request and provide evidence of the basis of the extension.

7.1.5 If you are granted an extension, you must complete the relevant action or requirements within the extended timeframe.



7.2 Change of circumstance

- 7.2.1 You must contact your Ahpra case officer or team as soon as possible if you have had a change in your circumstances or are unable to comply with the requirements for any reason. See your monitoring plan for contact information.

8. Exemptions

i Exemptions may be permitted in very limited circumstances where the restrictions may cause concerns about continuity of care or referral of vulnerable patient groups for ongoing treatment with another registered health practitioner.

Exemptions will only be granted in circumstances where the exemption is limited to the definition of practise and contact to enable transfer of clinical records to another registered health practitioner and/or referral of the patient.

Exemptions will not be granted where you propose to contact a patient directly via correspondence or [telecommunication](#).

We may refuse your request for an exemption.

9. Costs

9.1 Responsibility for costs

- 9.1.1 You are responsible for all costs associated with complying with this restriction and Protocol.

10. Privacy

10.1 Collection of personal information

i We are committed to protecting your personal information.

The ways in which we may collect, use and disclose your information are set out in our [Privacy Policy](#).

The privacy policy and further information regarding [Ahpra's Privacy, Freedom of Information and Information publication scheme](#) is available on Ahpra's website.

Definitions

For the purposes of the restrictions and this Protocol the following terms are defined:

Term	Definition
Contact	Consultation(s), surgeries, procedures, interviews, examinations, treatments, assessments, prescribing for, advising, or otherwise treating a patient directly or indirectly, whether it is in person or on a communication device.
Practise	Any role, whether remunerated or not, in which the individual uses their skills and knowledge in their registered health profession. It is not restricted to the provision of direct clinical care and includes using the knowledge and skills in a direct non-clinical relationship with a client, working in management, administration, education, research, advisory, regulatory or policy development roles and any other roles that impact on safe, effective delivery of services in their registered health profession.

Term	Definition
Practice location	<p>Any location where the practitioner practises the profession including any place where the practitioner:</p> <ul style="list-style-type: none"> a. is self-employed b. shares premises with other registered health practitioners c. is engaged by one or more entities under a contract of employment, contract for services or any other arrangement or agreement d. provides services for or on the behalf of one or more entities, whether in an honorary capacity, as a volunteer or otherwise, whether or not the practitioner receives payment from an entity for the services, or e. provides professional services at the residential premises of a patient.
Patient	<p>Any individual awaiting, requiring, or receiving the professional services of the practitioner.</p>
Telehealth	<p>Consultations that use technology as an alternative to in-person consultations between a patient and a health practitioner. It can include video, internet or telephone consultations, transmitting digital images and/or data, and prescribing medications.</p>