

Communiqué: Chinese Medicine Board of Australia Meeting with professional associations September 2021

The third annual meeting of the Chinese Medicine Board of Australia (the Board) with the Chinese medicine professional associations was held via video conference on 23 September 2021.

The Board considers that regular exchange of information with the professional associations is an essential component of its communication and engagement strategy. It is expected that such meetings will further strengthen constructive relationships with the Board's key stakeholders to assist the Board to deliver its regulatory outcomes in an engaging, effective and efficient manner. In addition, such meetings also provide an opportunity to share information and to explore issues/matters of mutual interest and respond in a respectful, collaborative and proactive way.

In attendance were:

Professional Association representatives:

Australian Acupuncture and Chinese Medicine Association (AACMA)	Ms Waveny Holland Mr Paul Stadhams
Australian Natural Therapists Association (ANTA)	Dr Mark Shoring Mr Tino D'Angelo
Australian Traditional Medicine Society (ATMS)	Mr Peter Berryman Ms Donna Eddy
Chinese Medicine and Acupuncture Society of Australia Ltd (CMASA)	Dr Harry Yu Wu Dr Guoqing Wei
Chinese Medicine Industry Council (CMIC)	Dr Max Ma Mr Gary Wu
Federation of Chinese Medicine and Acupuncture Societies of Australia (FCMA)	Hon. Prof. Tzi Chaing Lin Dr Sherman Gu

Chinese Medicine Board of Australia representatives:

Professor Danforn Lim (CMBA Chair and practitioner member)

Ms Sophy Athan (CMBA Community member and PPCC Chair)

Mr David Brereton (CMBA Community member and RNC Chair)

Ms Bing Tian (CMBA practitioner member)

Ms Dina Tsiopelas (CMBA practitioner member)

Australian Health Practitioner Regulation Agency (Ahpra):

Ms Sylvia Sanders, Executive Officer, CMBA
Ms Lesley Havers, Board Support, Ahpra

Ms Kristin Wuruki, Project Officer, Aboriginal and Torres Strait Islander Health Strategy Unit, Ahpra (For Agenda Item 2.4)

Ms Margaret Grant, Specialist Accreditation Advisor, Ahpra (For Agenda item 2.5)

Ms Rajneet Arora, Senior Project Officer, Accreditation Ahpra (For Agenda Item 2.5)

1. Welcome by the Chair

All members were welcomed to the meeting.

1.1 Acknowledgement of traditional custodians

Professor Lim acknowledged the traditional custodians of the lands from where participants attended the meeting and paid respects to Elders past and present and emerging.

2. The items raised by the Board

2.1 Introduction to the new Board and role of the Board

Five new members, including a new Chair were appointed to the Chinese Medicine Board of Australia (the Board) in February 2021. The Board's functions are dictated by the National Law and these functions must be undertaken with the objective of the National Scheme in mind.

2.2 Update on Board activities

Activities of the Board in 2021 include:

- Work with the CAHO to provide information on regulation and registration of the Chinese Medicine profession and update to the allied health professions listed on the CAHO website.
- Work with local state and territory health departments to seek clarification on the application of COVID-19 restrictions to the Chinese medicine profession.
- Two recent statements regarding COVID-19 vaccinations including information on the Board's expectations of practitioners regarding COVID-19 vaccination and information for the public on where to seek information about COVID-19 vaccination.

2.3. Endorsement for registration and access to scheduled medicines

With the recent decision from the TGA on a submission by the profession for an adjustment to the Standard for the Uniform Scheduling of Medicines and Poisons access to scheduled medicines remains an issue for the profession.

Section 94 of the National Law provides a process for endorsement of registration for access to scheduled medicines under the National Law. However, an endorsement of registration provides an indication that a practitioner is qualified to deal with scheduled medicine or a class of scheduled medicines, but it does not authorise a practitioner to do so. Authorisation to access scheduled medicines is provided for by the SUSMP and the drugs and poisons regulations of state and territory governments.

Further discussion among the peer associations and societies will be required as to the best way forward on this issue. The Board may assist the professional associations in an advisory capacity in these discussions when there is a need to clarify the regulatory standards of the Chinese medicine practitioners.

2.4. Continuing professional development

The National Board has agreed a flexible approach to CPD will be applied to declarations at renewal in 2021, recognising that some practitioners may have had difficulty in fully meeting their CPD plan due to the impacts of COVID-19 restrictions. Given the importance of CPD and the increasing availability of flexible and COVID-safe options, at this stage practitioners will be expected to fully meet CPD requirements in the future and when renewing in 2022.

2.5 Registration fees 2021-2022

The Board's registration fees were set as part of the Board budget which was finalised in 2021. Registration fees were set in the Board's meeting in May and published in September, following settling the registration fees for practitioners whose principal place of practice is New South Wales. The 2021-2022 registration fees have been held at \$492 for Chinese medicine practitioners and \$403 for practitioners whose principal place of practice is New South Wales. The Board lowered registration fees by 15% in 2020 and has held them at this rate in 2021.

2.6 Board communications

The Board will increase the frequency of published newsletters in 2021/22 and is exploring more engagement strategies to interact with the profession. The professional associations provided information on their requirements for Board communications which the Board will consider.

Individual Board members cannot speak on behalf of the Board without the permission of the Chair. Individual Board members should not be approached with discussion points or issues for the Board.

The Board can be contacted via the details on the Board's website, where individuals may also access a translating or interpreting service if required. Professional associations are welcome to contact the Board's Executive Officer directly.

2.7 Update on the work of the Board Committees

Policy, Planning and Communications Committee (the PPCC)

In line with the functions of the PPCC in the past six months the PPCC have:

- approved and updated the Board's Nomenclature Compendium
- settled draft revised guidelines on Infection Prevention and Control in Acupuncture Practice and Safe Practice in Chinese herbal medicine,
- revised and updated the Board's communication plan, work plan and risk management plan
- approved updates for the Board's website
- created a development plan for Board members, and
- coordinated a communication and engagement workshop for Board members.

Registration and Notification Committee (the RNC)

The RNC has met monthly since Feb 2021. In this time the RNC has:

- Considered and determined 33 applications for registration as a Chinese medicine practitioner
- Concluded 16 notification (complaints) matters
- Considered 5 reports on practitioner's compliance with their registration conditions.
- Of the 16 notification matters finalised the majority involved complaints about clinical care or breaches of the National Law in relation to the use of protected titles in advertising.
- 13 of the notifications were closed with no further action from the Board, two practitioners were issued with cautions and one practitioner had conditions imposed on their registration.

3. Matters referred by the CMBA for consideration by the Professional Associations

3.1 Chinese medicine and COVID-19

There is some data from China that may indicate Chinese medicine assists in the management of some of the mild symptoms of COVID-19, although this data is yet to be subjected to peer reviewed publication.

Practitioners treating COVID-19 patients in terms of symptoms support are expected to practice in line with their own capabilities and competencies and in line with their obligations as registered practitioners.

It is recognised that Chinese medicine treatment is individualised to each patient and offers an individualised treatment protocol because there are different disease patterns and syndromes differentiation, even for the same clinical condition. Caution must be exercised by practitioners in advertising regarding treatment claims given that the successful treatment of one patient may not be replicated in another patient, and there is a real potential for advertising claims to be taken out of context by the public and raise unrealistic expectations. What is deemed acceptable evidence for an advertising

claim is different than the evidence basis for clinical treatment because therapeutic claims in advertising occur without the benefit of an individual clinical consultation where a practitioner and a patient have the opportunity to seek clarification and further information about the particular treatment and their own individual circumstances. Not all patients will have the same results from a treatment and so care must be exercised when advertising a treatment that patients are not misled.

3.3 Information on cancelled and suspended practitioners

Professional associations seeking access to consolidated information on cancelled or suspended practitioners may make a request to access Ahpra's Practitioner Information Exchange.

Information on the Information Exchange is available through Ahpra's [website](#)

Peer associations are welcome to contact the Executive Officer with any queries.

3.4 First aid certificates for practitioners

The Board will provide official correspondence for the professional associations confirming that practitioners who were unable to complete the ongoing CPD requirements for 2020/21 renewal and again for 2021/22 renewal period due to COVID-19 impacts were able to renew their registration and continue to practice.

4. Updates on Ahpra activities

4.1 Cultural safety in the National Scheme

Ms Kristin Wuruki provided an overview of the work of the Aboriginal and Torres Strait Islander Health Strategy Group to deliver on the National Scheme's Aboriginal and Torres Strait Islander Health and Cultural Safety Strategy.

4.2 Regulatory examinations

Ms Margaret Grant and Ms Rajneet Arora provided an overview of the work by the Board to develop and deliver a regulatory examination to support the assessment of applications for general registration from applicants who hold non-Board approved qualifications.

5 Meeting review and future planning

It was agreed that these meetings are useful and informative, noting that while the Board and the professional associations may have different roles, both are united in working towards ensuring the public can safely receive Chinese medicine treatment.

6 Next meeting

To be advised.