Scope of Practice

How to practice within your modality in Australia
Scope of Practice

- It is important to understand what the **legal** and **ethical** requirements are to practice within your modality. This also facilitates an understanding as to what to expect from a visit to a practitioner. For these purposes, the following modalities are covered:

  - Nutritional Medicine
  - Naturopathy
  - Western Herbal Medicine
  - Acupuncture
  - Musculoskeletal Therapy
  - Homeopathy
Scope of Practice

- The Natural Therapies profession has long promoted a body of ethical principles developed to guide practitioner’s conduct in their professional practice.

- There is a recognised responsibility to the patients, colleagues, the profession, and society.

- It is not a legal requirement to necessarily follow all the guidelines outlined by a professional association, however it is a condition of membership. The setting and enforcing of the standards of ethical behavior is the responsibility of an association, and the member must practice within these standards and guidelines.
Scope of Practice

• Why do we need a Code of Professional Ethics?
  
  • Defend Public Health and Safety
  
  • Support the Quality of Practice
  
  • Promote Informed Healthcare Choices
  
• This sets the minimum standard for all aspects of conduct and practice, and maintains a high professional standard

• It also helps to ‘weed out’ unethical and inappropriately qualified practitioners
Scope of Practice

• It is imperative we demonstrate an understanding and appreciation of the ethical and legislative requirements relevant to the modality practiced

• **Legal**: Privacy and confidentiality, client access to records, informed consent by the client, duty of care, negligence, OH&S (Occupational Health & Safety) and infection control - their application and relevance to clinical practice

• **Ethics**: Standards of behaviour subscribed to by joining a professional association

• **Morals**: Personal standards of acceptable behaviour
Code of Ethics

• Code of Professional Ethics, between the practitioner and the patient includes:
  • Patient Care
  • Patient Exploitation
  • Patient Records
  • Practitioner – Patient Relationship
  • Financial Considerations
  • Clinical Research
  • Teaching in the Clinical Environment
  • The Dying Patient
Code of Ethics

- Code of Professional Ethics, between the *practitioner* and the *profession* includes:
  
  - Professional Conduct
  - Reporting Unethical Colleagues
  - Referral to Other Health Service Professionals

- See specific examples in the following slides:
Code of Ethics

Patient Care

• Practice only in the modality in which the qualification is held (for example, a Naturopath would not administer Acupuncture)

• Consider first the health and wellbeing of a patient

• Do no harm (physical or emotional)

• Treat the patient with compassion and respect

• If treating a child, ensure a legal guardian is present

• Encourage the patient to understand their responsibility, communicate openly

• Practice according to the principle of informed consent
Code of Ethics

Patient Care

• Maintain current Professional Indemnity Insurance
• Maintain current First Aid Certificate
• Continue lifelong self-education
• Recognise professional limitations, refer where appropriate
• When referring, ensure the practitioner has the appropriate qualifications

Patient Exploitation

• The practitioner cannot exploit the patient in any manner for any reason
• No sexual or romantic activity with the patient, or the patient’s parent/guardian
## Code of Ethics

<table>
<thead>
<tr>
<th>Patient Records</th>
<th>Maintain patient confidentiality at all times. The only exceptions to this are:</th>
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<tbody>
<tr>
<td></td>
<td>With the explicit consent of the patient</td>
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<tr>
<td></td>
<td>Where required by law</td>
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<td></td>
<td>Where there is a serious risk to the patient, or another person</td>
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<td></td>
<td>Where part of approved research</td>
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<tr>
<td></td>
<td>• Maintain accurate, complete and up-to-date clinical records</td>
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<td></td>
<td>• Protect and maintain the confidentiality and security of patient records, and retain records for the duration as required by law</td>
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<td></td>
<td>• If the patient asks, provide copies of records</td>
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<table>
<thead>
<tr>
<th>Practitioner – Patient Relationship</th>
<th>• Respect patient’s right to freely choose a practitioner</th>
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<td>• No discrimination, inform if a judgment or religious belief prevents recommendation of treatment</td>
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<td></td>
<td>• Recognise the right to decline to continue a therapeutic relationship</td>
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</table>
# Code of Ethics

| Financial Considerations | • Place an appropriate value on professional services regarding fees  
|                         | • Ensure current schedule of fees is displayed  
|                         | • Place professional duties and responsibilities to the patient above commercial interests |
| Clinical Research       | • Accept responsibility to advance disciplines by participating in properly and ethically developed research involving human participants |
| Teaching in the Clinical Environment | • If teaching, honour the obligation to pass on professional knowledge and skills to colleagues and students  
|                         | • Refrain from exploiting students or colleagues under supervision |
| The Dying Patient       | • Respect the patient’s autonomy regarding the management of their medical condition including the refusal of treatment  
|                         | • Recognise the needs for physical, psychological, emotional, and spiritual support for the patient, the family and other carers. |
# Code of Ethics

| Professional Conduct | • Building a professional reputation based on integrity and ability  
|                       | • Maintain a safe and hygienic practice environment  
|                       | • Recognising personal conduct can affect personal and professional reputation  
|                       | • Accept responsibility for personal psychological and physical well-being, as this may impact professional ability  
|                       | • Not treating a patient if judgment is in anyway impaired  
|                       | • Keeping up-to-date on professional knowledge  
|                       | • Ensuring that any therapeutics are examined through professional channels  
|                       | • Difference in face-to-face consultations versus telecommunications |
| Reporting Unethical Colleagues | • Reporting suspected unethical or unprofessional conduct by a colleague |
| Referral to Other Health Service Professionals | • Refer to another health service professional if the patient will benefit  
|                                                               | • Gain the patient’s consent before referring or sharing any information  
|                                                               | • Advise a patient with a notifiable disease to seek immediate medical attention  
|                                                               | • Advise if they have a transmittable disease |
Association Membership

• Once we graduate, we can then join as a full member of an *accredited association*.

• This is essential, and ensures:
  • We practice by a *code of ethics*
  • We meet the minimum level of education
  • We have the required indemnity insurance to practice, which protects ourselves, and our clients (should something go wrong)
  • We are recognised professionals within our industry
  • We are able to register with health funds. Health fund rebates may be available to clients (depending on the modality and fund)
  • We keep up-to-date regarding education in our modalities via **CPE** points (**Continuing Professional Education**)
Association Membership

- There are numerous professional associations in Australia. Some examples of these follow:

  - **ANTA** – Australian Natural Therapists Association
    - **Therapies recognised:** Acupuncture, Aromatherapy, Ayurvedic Medicine, Chinese Herbal Medicine, Chiropractic/Osteopathy, Counselling, Homeopathy, Myotherapy, Musculoskeletal Therapy, Naturopathy, Nutrition, Oriental Remedial Therapy, Remedial Massage Therapy, Shiatsu, Traditional Chinese Medicine, Western Herbal Medicine

  - **NSA** – Nutrition Society of Australia
    - **Therapies recognised:** Nutrition
Association Membership

  **Therapies recognised:** Naturopathy, Herbal Medicine

- **ANPA** – Australian Naturopathic Practitioners Association [http://www.anpa.asn.au/](http://www.anpa.asn.au/)
  **Therapies recognised:** Naturopathy

- **AACMA** – Australian Acupuncture and Chinese Medicine Association

  **Therapies recognised:** Acupuncture, Chinese Herbal Medicine, TCM Remedial Massage
Association Membership

  **Therapies recognised:** *Remedial Massage, Massage Therapy Practice, Myotherapy*

• **AHA** – Australian Homeopathic Association [http://www.homeopathyoz.org/](http://www.homeopathyoz.org/)
  **Therapies recognised:** *Homeopathy*

  **Therapies recognised:** *Massage Therapy, Acupuncture, Clinical Hypnotherapy, Counselling, Herbal Medicine, Homeopaths, Kinesiology, Naturopathy, Nutrition, Aromatherapy, Homeopathy, Musculoskeletal Therapy, Reflexology*
Scope and Standards of Practice

• Each association asks its members to practice by a code of ethics. As an example, below is the ‘Scope and Standards of Practice’ provided by ANTA:

• The scope and standards of practice were developed by the Australian Natural Therapists Association to:
  • establish guidelines for the delivery of quality health care services to the public
  • defend public health and safety
  • protect the public interest
  • promote informed health care choices

(ANTA, 2011)
Code of Ethics

• In addition, the Code of Ethics states *the practitioner shall*:

1. Provide health care services consistent with and in accordance with the scope of qualifications and training
2. Consider the health and wellbeing of the patient and have an understanding of the therapeutic nature of the patient and practitioner relationship
3. Treat patients with compassion, respect and have an appreciation of the diversity of human background and cultural values
4. Listen to and identify the concerns of the patient, families and carers
5. Present information accurately and clearly to a patient in accordance with good professional practice
6. Respect the patient’s right to make decisions about their health care
7. Refer patients to other health service practitioners as appropriate
8. Continue self education to maintain currency of health care services

(ANTA, 2011)
Code of Ethics

• Continued…

9. Maintain patient confidentiality in accordance with legal requirements
10. Maintain professional reputation based on integrity and ability
11. Maintain a safe and hygienic practice environment
12. Maintain and keep accurate up-to-date patient records in a secure and confidential manner
13. Abide by the Code of Professional Ethics of the Australian Natural Therapists Association
14. Abide by the Constitution, policies and rules of the Australian Natural Therapists Association
15. Comply with Local, State and Federal laws

(ANTA, 2011)
Registration

• Currently not all modalities are regulated and registered in Australia, several are ‘self regulated’ via association memberships.

• This means anyone with nil or minimum study, may call themselves a ‘herbalist’ for example. Self regulation, at the very least, ensures a specific level of approved education, and standards, with evidence based underpinnings, and association membership.

• Examples of registered modalities:

  • AROH – *Australian Register of Homeopaths* is the national register of accredited homoeopaths in Australia. It is a registered company, created in 1999 to be the national registration body for professional homoeopaths.  [http://www.aroh.com.au/](http://www.aroh.com.au/)
Registration


• Example of developing independent register:

  • **ARONAH** – *The Australian Register of Naturopaths and Herbalists* has been established to provide minimum standards of education and practice for naturopathy and herbal medicine. This register is being developed independently [http://www.aronah.org](http://www.aronah.org)
Qualification and Clinical Practice

- In the following modalities, the acceptable prescriptive advice, based on the qualification listed, would include:
  - Homeopathy
    - Homeopathic Remedies
  - Nutritional Medicine
    - Nutraceuticals
    - Dietary Therapy
    - Lifestyle Therapy
Qualification and Clinical Practice

• Naturopathy
  • Nutraceuticals
  • Herbal Medicine
  • Dietary Therapy
  • Lifestyle Therapy
  • Flower Essences

• Western Herbal Medicine
  • Herbal Medicine
  • Dietary Therapy
  • Lifestyle Therapy
Qualification and Clinical Practice

• **Acupuncture**
  - Chinese Herbal Medicine
  - Acupuncture Therapy
  - Chinese Dietetics
  - Tui Na Therapy

• **Musculoskeletal Therapy** *(manual therapies profession)*
  - Musculoskeletal Therapy (MST)
Clinical Practice

- **TGA** (Therapeutic Goods Administration) approved medicaments should be utilised in clinical practice. This is Australia's regulatory authority for therapeutic goods.

- Infection control should be adhered to at all times

- Adverse reactions should be reported

- Always first do no harm, and always gain consent before commencing any necessary physical contact or treatment.
Referrals

- Referrals, always refer:
  - When in doubt
  - If the patient requests
  - When you suspect a life threatening condition (for example, moderate to severe high blood pressure)
  - When you know that another modality/therapy/practitioner would benefit the patient
Referrals

• Referrals continued:

  • When you need an orthodox diagnosis or opinion from a GP or another practitioner and/or you need to work in conjunction with that practitioner

  • Always take detailed case taking records, including details and copies of any referrals

  • In the case of a medical emergency, follow emergency protocols
Summary

- Scope of Practice
- Code of Ethics
- Association Membership
- Scope and Standards of Practice
- Registration
- Qualification and Clinical Practice
- Referrals
Recommended Readings

• Australian Health Practitioner Regulation Agency, Health Practitioner National Law Act, 2009


• NHMRC, The Regulation of Health Information Privacy in Australia 2004

• Therapeutic Goods Administration, www.tga.gov.au

• Health Records Act 2001, Victoria, Act No. 2/2001

• Weir, M 2011, Complementary Medicine: Ethics and Law, 4th edn, Prometheus Publications, Australia,
  http://www.michaelweir.com.au
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• ARONAH (Australian Register of Naturopaths and Herbalists), viewed 20 September 2011, http://www.aronah.org