

Health Professions Registration Act 2005

What are the key reforms?

The *Health Professions Registration Act 2005* came into operation on 1 July 2007. Its key reforms include:

- Repeal of 11 separate Acts and associated regulations (and certain provisions of the *Health Act 1958* and the *Health Medical Radiation Technologists Regulations*) that previously applied to the registered health professions in Victoria, and their replacement with the *Health Professions Registration Act 2005* ('the Act').
- Continuation of 11 existing registration boards and the establishment of the **Medical Radiation Practitioners Board of Victoria**.
- **Transfer of responsibility for the conduct of hearings** into matters of serious unprofessional conduct from the registration boards to the Victorian Civil and Administrative Tribunal ('VCAT').
- **New rights to prescribe restricted medicines** for suitably trained podiatrists and streamlined administrative processes for approving drugs prescribed by suitably qualified optometrists and nurse practitioners.
- Enabling **orthoptists employed in certain settings to prescribe spectacles** without a referral from an eye doctor or an optometrist.
- **Strengthened powers for the Minister** to:
 - Approve **board-issued codes and guidelines** prior to their release, where these guidelines address qualifications requirements for registration, supervision arrangements and matters of scope of practice.
 - Appoint **up to half the members of boards from non-practitioner candidates**.
 - **Appoint non-practitioners to office-bearing positions**, but only where it is considered necessary for the good operation of the board.
 - Approve **changes to qualifications requirements** for registration that may have a substantial and adverse impact on the recruitment or supply of health practitioners to the workforce.
- Changed **complaints handling and disciplinary processes**, to improve boards' accountability and flexibility, including the establishment of:

- Powers for the board to settle a complaint 'by consent', involving the practitioner and the complainant (notifier).
- Legislated requirements to provide to complainants **written reasons for decisions**.
- A statutory **merits review for complainants** who are aggrieved by a board decision not to investigate their complaint, to close their complaint following investigation, or to forward their complaint to a Professional Standards Panel of the board following the investigation rather than to VCAT for hearing.
- A power to delegate to an **Investigations Committee** of the board statutory functions to consider complaints, appoint investigators and make decisions following an investigation.
- **Clarification of the regulation of midwives**, that is, power for the board to endorse a division 1 registered nurse to use the title 'midwife', and power to grant specific (rather than general registration) to midwives who graduate from direct entry midwifery courses and to limit their scope of practice to midwifery only.

For further information

<http://www.health.vic.gov.au/pracreg/index.htm>