

## **Response to the Discussion Paper**

### **“Review of the Health Act 1958: A New Legislative Framework for Public Health in Victoria”**

**November 2004**

## **Introductory Comment**

Physiotherapists are healthcare professionals concerned with the assessment, treatment and prevention of dysfunction and impairment of movement in clients of all ages and within a wide range of contexts<sup>1</sup>. In their role in promoting health to prevent illness, injury and disability, physiotherapists play a part in contributing to public health issues.

The role of the Physiotherapists Registration Board of Victoria (“PRBV”) is to protect the public by providing for the registration of physiotherapists and investigations into the professional conduct and fitness to practice of registered physiotherapists. The Board’s role extends to monitoring and ensuring the standards of practice, including those that involve a public health focus.

## **Responses to Specific Questions**

The comments by the PRBV are limited to issues raised in Section 3 of the Discussion Paper.

- 3.1 The PRBV recommends that the revised Act be titled “*Public Health Act*” as this title better reflects the purpose, role and objectives of the Act. The Act is concerned with the health of consumers and the community and it is desirable that the title captivates this mission.
- 3.2 The PRBV has identified the issue of health inequities in the community. The PRBV is particularly concerned that certain segments of the community do not have adequate knowledge of the health services available to them; are unable to access health services and/or do not know of their rights of access to public health services; and, do not know of the avenues available by which they may lodge a complaint relating to the service or behaviors of health professionals or organisations. According the PRBV strongly supports the proposal that the new Act contain clauses to sanction the importance of public health and health promotion. Methods by which the Act may do this include:
  - ❖ incorporating the public health issues identified in the State Disability Plan in this legislation, thereby enhancing and ensuring through legislation, that the public health needs of the community members with a disability are met;

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<sup>1</sup> Australian Physiotherapy Competency Standards, P3

- ❖ ensuring that the new Act has a responsibility of health service providers to promote and inform the community of the health services, locations, accessibility and avenues for consumers to lodge complaints. Such an information responsibility should address the issues concerning people of culturally diverse backgrounds including multilingual communication and people who live in rural and remote areas. Means by which this information may be enhanced include central multilingual and toll-free telephone information, advice and question answering centres. The PRBV would welcome information and support to ensure the community is more informed of the existence of the Board and the ways by which the Board can assist health consumers;
- ❖ ensuring that all health services make available to consumers information relating to their rights, including the existence and services of the Health Services Commissioner;
- ❖ ensuring that all health services are only offered in premises that meet all legislative requirements and comply with local government requirements<sup>2</sup>; and,
- ❖ ensuring that all health services are only offered in environments that respect and meet the desires of people from culturally diverse backgrounds.

3.3 The PRBV believes that the new Act should recognise the importance of promoting public health, by ensuring that the intended purpose of the Act encompasses requirements for both educative and preventative strategies for non-communicable conditions. The PRBV believes the new Act should contain provisions specifying guiding principles. The PRBV endorses, in particular, the following suggested principles, particularly in the area of education and prevention of non-communicable diseases, including inadequate physical activity, obesity etc:

- ❖ principle of evidence-based decision making;
- ❖ principle of accountability;
- ❖ principle of preventing unnecessary encroachment on individual rights; and
- ❖ principle of recognising that the promotion and protection of public health is a collaborative and inter sectoral effort.

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<sup>2</sup> This principle will enforce the objectives proposed in the State Disability Plan relating to access of health service premises and facilities, including examination tables, reception counters, bathroom facilities etc, by people with disabilities.