

About Osteopathy Australia

Osteopathy Australia is the peak body representing the interests of osteopaths, osteopathy as a profession, and consumer's rights to access osteopathic services. Our core work is liaising with state and federal government and all other statutory agencies, professional bodies, and private industry regarding professional, educational, legislative, and regulatory issues. Most registered osteopaths are members of Osteopathy Australia.

Summary of key recommendations

Osteopathy Australia would like to thank the NSW Government for the opportunity to provide feedback on the Draft Health Practitioner Regulation.

We have noted, *yet again*, that the NSW Government has released a consultation that excludes osteopathy from being listed as a relevant health profession to which the Health Practitioner Regulation National Law (NSW) applies to. We are deeply disappointed that the document is released with such errors, when under the Health Professional Councils Authority an established Osteopathy regulatory body exists, and profession has not been appropriately represented. However, we note that osteopathy and the Osteopathic Council are included in Part 2 of the National Law and Regulatory Impact Statement. We strongly recommend the NSW Government amend earlier sections of the Regulation to include osteopathy.

Omission of osteopathy

We are deeply disappointed to see that osteopaths have been excluded from the initial list of practitioners outlined in the regulation. Osteopaths are university-qualified allied health practitioners regulated by Ahpra. Osteopaths complete either a dual bachelor's or bachelor's and master's qualification covering functions of anatomy, biomechanics, human movement, the musculoskeletal and neurological systems, as well as clinical intervention approaches, which are all underpinned by a biopsychosocial management approach.

This omission is made directly in relation to relevant health practitioners who must abide by infection control standards. In practice osteopaths are met with a range of infection risk for both themselves and their patients, as such they should be included as a profession that must abide to these infection control standards to ensure patient safety is upheld.

Time and time again, in NSW but rarely elsewhere, we are seeing osteopaths being omitted from service lists despite being integral multidisciplinary team members. We urge for the Regulation to be updated to accurately reflect the true complement of practitioners regulated under the National Law.

The scope of practice of an osteopath

Osteopaths are indeed relevant health practitioners registered under the National Law who must comply with infection control guidelines; however, the 'Infection control: summary of NHMRC guidelines for osteopaths' was retired and not replaced by the National Board, Osteopathy Board of Australia.

Osteopaths work with patients in a variety of settings that pose potential infection risks such as those involving direct contact with patient through manual therapy and dry-needling approaches. Patients are often required to lie on a bed or table that must be hygienically covered with a towel. These surfaces require sanitising, and the towel used for each patient must be for single use only to minimise risk of infection.

We strongly recommend referring to the Scope of Practice Review final report¹ and Skills Matrix (once it is available) for an overview of the scope of practice of an osteopath.

Regulatory Impact Statement response

1. Are the infection control standards in Schedule 2 of the Draft Regulation appropriate?

Osteopathy Australia supports the application of Option 2. Providing practitioners with accepted guidelines on infection control practices will assist practitioners in understanding their obligations and provide tangible examples. While it is noted that the Australian Guidelines for the Prevention and Control of Infection in Healthcare (NHMRC guidelines) do not provide mandatory standards, they will still be able to be presented as a set of best practice guidelines and a framework on which non-compliance can be based.

2. Are the record keeping requirements in the Draft Regulation appropriate?

N/A

3. Are the standards for pharmacy premises appropriate?

N/A

4. Are the changes in relation to the composition of the Councils in the Draft Regulation appropriate?

The proposed composition changes of the Councils in the Draft Regulations to remove the requirement of a legal and education member in each council is reasonable. However, while

¹ Department of Health and Aged Care. Unleashing the Potential of our Health Workforce – Scope of Practice Review [Internet]. 2024. Available from: <https://www.health.gov.au/our-work/scope-of-practice-review>



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we can understand the intention of increasing the size of smaller councils from 4 to 6 members, we have concerns about the increased cost that will be passed down to individual practitioners. The osteopathic profession has a low rate of complaints and individual practitioners should not be financially penalised due to regulatory and bureaucratic changes.

We also wish to highlight that NSW is the only state or territory that functions with Councils for each relevant profession. The maintenance of these Councils and a co-regulatory system is costly, which is directly passed on to individual practitioners due to the user-pay NSW system. As such, we question the need for these Councils when it has been demonstrated nationally that regulation is effectively upheld without the need for state-specific Councils or a co-regulatory system.

As successive NSW Governments have maintained a co-regulatory model with its own conduct, performance, and health processes the NSW Government should cover some of that additional cost burden, or greater efficiencies are needed within the Health Care Complaints Commission (HCCC) and the Health Professional Councils bureaucracy. If not, NSW should abolish the co-regulatory model.

Osteopathy Australia would again like to thank the NSW Government for the opportunity for consultation. For any additional information or comments, please get in touch with us by phone at 02 9410 0099 or by email at clinicalpolicy@osteopathy.org.au.