

Mon 10/10/2011

Chinese Medicine Board of Australia
AHPRA
GPO Box 9958,
Melbourne VIC 3001

Dear Board members,

Re: Mandatory Registration Standards: Grandparenting transitional arrangements

I am writing to object to the proposed standards relating to Grandparenting Transitional Arrangements.

In the proposed standards, it states that for qualifications obtained after 2007, only Bachelor degree level will be accepted for national registration. It is not clear whether there are any other options available to those of us who obtained/will obtain Advanced Diplomas after this date and for which we would otherwise be automatically accepted by bodies such as ANTA, ATMS, FCMA and with AACMA, accepted based on passing an examination.

I understand the reasons for the Chinese Medicine Board of Australia ("CMBA") not including Advanced Diplomas obtained after 2007, within the grandparenting standard are:

1. Degree level Chinese medicine education/training has been available in Australia now since the early 1990's;
2. The Chinese Medicine Registration Board of **Victoria** ("CMRBV") issued course approval guidelines in 2002 and put all known schools on notice that Advanced Diplomas would not be approved after the end of 2007 **in Victoria**; and
3. No Advanced Diplomas have been approved **in Victoria** for registration purposes since 2008.

The reasoning behind these premises are clearly flawed as:

1. The CMBA are attempting to apply regulations which apply to practitioners in Victoria and which do not apply to anyone outside Victoria.
2. The CMBA are attempting to apply regulations/legislation retrospectively (in proposing that sub degree programs obtained up to several years prior to registration will not be accepted as of registration commencement).
3. The draft standard pertaining to Grandparenting has not met its purpose, as it does not consider any holders of sub degree programs obtained after 2007.
4. In the case of the Victorian registration process, Victorians' received 6 years notice between the date of announcement of the new qualification level until the final date the new qualification level was implemented. The proposed standard gives no notice period, and in fact attempts to apply the new minimum qualification retrospectively. In effect, those applying under the Australian national registration scheme are held to a higher standard than those of Victorians.

In order to comply with the Constitution and in accordance with principles of procedural fairness and natural justice, the CMBA should provide clear notice to all Australians of the change in minimum qualification requirements and allow for the new qualification level to be phased-in, as per the Victorian model where 6 years was provided between announcing the new standard to the final date that the new minimum qualification is implemented.

The impact of this unfair and unjust proposed draft standard is significant for all those affected (anyone who is currently studying for an Advanced Diploma, or anyone who has completed an Advanced Diploma from 2008-2011). Many people have spent thousands of dollars and have invested time into clinic, classes and non-contact study hours. The

ramifications for myself and others are massive, and to inflict these unjust regulations will cause significant hardship and difficulties. I am aware that there has already been significant hardship and inconvenience inflicted upon many health practitioners in the first round of National registration, as per the Senate Inquiry paper into the Administration of Health Practitioners by the AHPRA.

I urge you to please be aware that grandparenting needs to consider all people who are currently operating and studying in the Chinese Medicine profession, and that the CMBA needs to be aware of their legal responsibilities in applying regulations through a national scheme, particularly when there has been a precedent already set for inconvenience and poor administration to the first round of National registration for health practitioners.

Yours faithfully

Nicola R Loizou