

Sonia Smit

9 October 2011

Executive Officer, Chinese Medicine Board of Australia

AHPRA

GPO Box 9958,

Melbourne VIC 3001

Dear Executive Officer,

**RE: Grandparenting registration standard: Transitional Arrangements for Qualifications.**

The proposal of CMBA regarding the grandparenting scheme unfairly disadvantages practitioners currently holding an Advanced Diploma. CMBA is proposing to retrospectively impose a time from the end of 2007, obviously without the possibility of having notified enrolled students, that a bachelor degree or higher be required for registration on July 2012. Students graduating with an Ad Dip after 2007 will not qualify, nor be covered by the recency of practice clause as they will not have five years practice. In contrast to the Victorian board which recognized sub-degree programs until three years after the end of grandparenting (ie. Six years after registration commenced). An Adv Dip TCM completed after 2007 is currently recognised by all the professional bodies (ANTA, AMTS, AACMA, FCMA) and AUSTUDY and VET-FEE HELP approved by the Federal Government. They are covered by Public Indemnity Insurers without question. No evidence was shown as to why the standards of the Ad Dip are deemed unacceptable after 2007. It is unfair to subject practitioners and students residing in the rest of Australia, to more stringent standards than were applied in Victoria.

Where the purpose of a grandparenting standard is to “ensure that practitioners legitimately practicing the profession are not unjustly disadvantaged” it must also consider students legitimately studying, as there was no national authority able to notify students post 2007 of upcoming changes. The proposed legislation will affect many hundreds of students and recent graduates and cause great hardship to many who have spent years of study and incurred great expense obtaining these Advanced Diplomas and setting up new business.

The criteria for proving competence for Chinese herbal medicine registration, if unchanged, will result in hundreds of existing legitimate Chinese medicine practitioners suddenly being unable to legally provide Chinese herbal medicine services. Public confidence in the industry will be ruined and most of those practitioners will find their clients will not return; their reputation destroyed.

There has already been a precedent for hardship and inconvenience caused by the Australian Health Practitioner Regulation Agency ("AHPRA") arising from the first round of National Registration Accreditation of Health Practitioners, which occurred earlier this year. The Senate Inquiry into the Administration of Health Practitioner Registration by the AHPRA dated 3 June 2011, commented in chapter 4, adversely on the poor administrative function of AHPRA as follows:

“4.53 The committee is of the view that the exposure of practitioners to loss of income and financial risk due the inability of the national health practitioner registration authority, AHPRA, to adequately perform its functions, is deplorable.

4.54 The committee notes the estimated financial impact for six months of this debacle exceeds \$0.5 million in labour, and is concerned that there do not appear to have been any support systems put in place for those practitioners and service providers who suffered loss of income.

4.55 The committee is very concerned that on top of the financial risk already faced by many practitioners, practitioners are also facing substantially increased registration fees. The committee notes the impact that this may have on academic staff and the consequent possible implications for the training of practitioners.

4.56 The committee particularly notes comments by the AMA and agrees that any shortcomings in the projected budget for the NRAS should not be recovered through increases in registration fees.”

AHPRA, through the CMBA, will cause even greater hardship to students and practitioners of TCM by implementing a policy which is both unjust and unfair. It will certainly open the door to a collective legal challenge by the substantial number of practitioners and students affected by the issue.

### **Recommendations**

I recommend that the CMBA acknowledges the current status of students and practitioners of TCM in Australian States and Territories other than Victoria, and that it removes the dividing line between pre- and post-2007 Advanced Diploma qualifications. The CMBA should make known its intended changes in qualification standards and provide 5 years from 1 July 2012 (the date of commencement of national registration) for implementation of these changes to allow time for a smooth transition.

Yours sincerely,

Sonia Smit (BSc(Hons), Adv Dip TCM)