



Chinese Medicine Board of Australia

27 July 2012

Guidelines for Patient Records: Explanatory Statement from the Board

Background

In November 2011 the Chinese Medicine Board of Australia (the Board) released a consultation draft guideline on patient records. Apart from eliciting general feedback, the Board specifically asked:

- Whether patient records should be mandated to be in English or whether there should be a principle statement that in general, records should be kept in English

Chinese medicine practitioners must create and maintain clinical records that serve the best interests of patients and that contribute to the safety and continuity of their Chinese medicine care. An adequate record of every patient consultation is an essential part of competent Chinese medicine practice.

That the Board should mandate that patient records must be kept in English was supported by eight submissions – mainly from outside the Chinese medicine profession. Five submissions made no comment on this and one submission stated that patient record guidelines are not required at all. There was substantial support for a staged approach, in the context of “grandparenting” which applies under the *Health Practitioner Regulation National Law Act* as in force in each state and territory (the National Law) from 1 July 2012 to 30 June 2015.

The main argument for English-only records was patient safety, however, the Board also noted that:

- allowing the record to be in a language other than English may either enhance or detract from the patient's ability to understand the record, depending on the patient's circumstances
- dialects are not relevant to the written Chinese language
- Chinese medicine records generally need to be read and interpreted by another Chinese medicine practitioner even when in English
- if records are required to evaluate performance, conduct or health complaints other practitioners will be available to assist
- the concern that translations may create scope for misinterpretation is readily addressed by the use of properly qualified translators and checking of the original records by native speakers

Decision

At this early stage of registration for Chinese medicine the Board has decided that that the emphasis should be on accuracy of patient records in the interest of public safety. As per this guideline the Board is focussed on the need to set standards and improve the general quality and content of patient records. After careful consideration of:

- patient safety issues

- the purpose of patient records
- the context of grandparenting
- that registrants are encouraged to keep records in English.

the Board has included in the final guideline that:

“It is the Board’s preference that records be kept in English. Given the primary purpose of the record to create a comprehensive and accurate record, the Board accepts, however, that in some circumstances it may be preferable to use a different language. This will only apply to practitioners registered per grandparenting provisions. This will also be an important professional judgment made by the practitioner and the Board notes that if a practitioner has submitted evidence or a statement that they meet the CMBA English Language Standard, there is an expectation that their patient records will be in English.

Where records are maintained in a language other than English, should a copy of a patient’s records be requested by the patient, or required by the Board or an authorised third party, it is the responsibility of the Chinese medicine practitioner to provide at their own expense an English translation of the patient’s records or cover the cost of this service

The Board intends to revise this position in three years time.”

The Board has also:

- Clarified the differing requirements for initial and progress notes.
- Added that information critical to patient safety, such as herbal names should be recorded in the most competent language (e.g. English, Chinese, Latin, other).
- Added that identifying details of the patient, including name, contact details, gender, emergency contact and date of birth and patient’s parent or guardian where applicable be kept in English

The final guideline is now published at www.chinesemedicineboard.gov.au/Codes-Guidelines.aspx