



## Communiqué

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### February 2018 meeting of the Dental Board of Australia

The 93<sup>rd</sup> meeting of the Dental Board of Australia (the Board) was held on Friday 23 February 2018 at the National Office of the Australian Health Practitioner Regulation Agency (AHPRA) in Melbourne.

This communiqué highlights key discussions and considerations from the Board's meeting as well as other important information.

We publish this communiqué on our website and email it to a broad range of stakeholders. We encourage you to distribute it to colleagues and interested parties, including in the organisation you work in.

#### Visit from Dental Council (New Zealand)

At their meeting the Board was joined by the Chair and CEO of the Dental Council of New Zealand (DCNZ). The relationship with the DCNZ is an important one for the Board as both bodies share the common interest of regulating dental practitioners on either side of the Tasman.

The Board and DCNZ each have their own respective legislation that they function under. They support different mechanisms to register practitioners.

The DCNZ approves scope of practice for the different divisions of the dental professions and recognises qualifications that allow practitioners to practice in this scope. The Board registers practitioners who it has determined are suitably trained and qualified to practise in a competent and ethical manner. This allows registrants to use the relevant protected title for the profession.

Both the Board and DCNZ have obligations under Trans-Tasman mutual recognition arrangements so it is in the interests of both bodies to collaborate where possible to ensure that the standards expected of practitioners applying for registration in each country are aligned.

#### Recognition of oral health therapy

On 1 November 2017, the DCNZ scope of practice for oral health therapy (OHT) came into effect. Subsequently, the New Zealand government approved the DCNZ's application to recognise oral health therapy as a profession, and on 18 January 2018, oral health therapy was formally recognised as a profession in New Zealand.

The Board has considered how this change is interpreted under the *Trans-Tasman Mutual Recognition Act 1997* and is satisfied that the activities carried out by a New Zealand OHT are substantially equivalent to an Australian OHT.

Accordingly, OHT who are registered to practise in New Zealand are eligible to apply for general registration under Trans-Tasman mutual recognition (this applies irrespective of where training was completed). The updated application form will be published shortly.

#### Workshop on notifications with dental leaders

Senior leaders from the Board, Australian Health Practitioner Regulation Agency (AHPRA), Dental Hygienists Association of Australia (DHAA), Australian Dental Prosthetists Association (ADPA) and Australian Dental and Oral Health Therapists Association (ADOHTA) met on 16 February 2018.

The workshop focused on building a joint understanding of how notifications (complaints) are managed in the National Registration and Accreditation Scheme (the National Scheme). A joint communiqué of the meeting will be published on the Board's website in due course.

The Board was represented by Chair Dr John Lockwood AM, Ms Jenny Bishop, practitioner member, Mrs Susan Aldenhoven AM, practitioner member, Mr Paul House, practitioner member, Dr Murray Thomas, practitioner member, Dr Sajeev Koshy, practitioner member, Ms Kim Jones, community member and Mr Robin Brown, community member.

### Upcoming public consultation

The Board will soon start public consultation and call for submissions on its proposed revised *Scope of practice registration standard* and *Guidelines for scope of practice*.

Consultation is an important part of the Board's engagement with dental practitioners, members of the public and other stakeholders. Feedback received is highly valued and informs the Board's development of registration standards, codes and guidelines.

To read new and past consultation papers go to the Board's website under the [News](#) tab.

### Management of tongue ties by dental practitioners

Recently the Board was made aware of concerns relating to dental practitioners involved in the treatment of tongue ties<sup>1</sup> and the subsequent use of surgical procedures, such as frenotomies, on infants to treat these conditions.

The Board would like to remind all dental practitioners of their obligations as a registered practitioner under the National Law<sup>2</sup>.

The Board describes its requirements of dental practitioners in its registration standards, codes and guidelines published on the Board's [website](#). These documents do not refer to specific clinical areas of practice as they need to apply to all dental practitioners across a range of clinical settings to meet the needs of patients. The Board expects dental practitioners to practise within this regulatory framework at all times including when treating tongue ties.

Of particular importance:

- The [Scope of practice registration standard](#) describes the Board's requirements of all dental practitioners to practise within the scope of their education, training and competence.
- The associated [Guidelines for scope of practice](#) include a broad definition of dentistry. Dental practitioners need to practise within this definition.
- Anyone practising the treatment of tongue ties must be able to demonstrate they have the necessary training, qualifications and competence to be able to do so safely.
- The [Code of conduct](#) describes the Board's expectations of what constitutes good practice. Dental practitioners have a duty to make the care of patients their first concern and to practise safely and effectively at all times.
- Treatment for tongue ties should only be used if it can be justified. Informed consent, including financial consent, must be obtained and the risks associated with the treatment, explained to the patient, and documented.
- Dental practitioners need to be particularly aware of the patient's expectations about treatment for tongue ties. Dental practitioners must communicate effectively with the patient to ensure that they are meeting this standard and that the patient's expectations are reasonable.
- Any person, including businesses, advertising the treatment of tongue ties must comply with the requirements of the National Law when advertising a regulated health service.
- The Board and AHPRA have [published information](#) to help dentists better understand their advertising obligations, including further information on advertising therapeutic claims.
- This information does not replace the Board's [Guidelines for advertising regulated health services](#) which should be dental practitioners' first point of reference to understanding their obligations. The

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<sup>1</sup> Anklyglossia or tongue tie can be described as a congenital birth defect whereby there is partial or complete fusion of the tongue to the floor of the mouth or the lingual frenulum may be short, tight and thick.

<sup>2</sup> The Health Practitioner Regulation National Law, as in force in each state and territory (the National Law).

burden is on dental practitioners to substantiate any claim they make that their treatments benefit patients.

- If a dental practitioner does not understand whether the claims they have made can be substantiated based on acceptable evidence, then they need to remove them from their advertising.

If a dental practitioner's practice was brought into question through a complaint or concern raised with the Board, the practitioner would be expected to demonstrate how they had complied with these obligations.

### **Self-assessment tool to help practitioners and advertisers**

A new self-assessment tool to help practitioners and advertisers check and correct their advertising so it complies with their professional and legal obligations is available online.

The tool is easy to use and asks users to consider a number of questions about their advertising which can help them understand if it is in breach of the National Law. Advertisers' legal obligations are explained in the [Guidelines for advertising regulated health services](#).

The self-assessment tool is the latest in a series of [advertising resources](#) developed by AHPRA and National Boards for health practitioners, healthcare providers and other advertisers of regulated health services to use to help them comply with the law.

Advertising responsibly and within the law supports patients to receive accurate and reliable information about healthcare services that helps them make informed decisions about their healthcare choices.

The [self-assessment tool](#) is available in the *Advertising resources* section on the AHPRA website.

### **Quarterly registration data released**

The Board has released its quarterly registration data. Read the latest report and other statistics on our [Statistics page](#).

### **New research framework launched to improve patient safety**

In January, National Boards and AHPRA published a research framework to help transform health practitioner regulation to improve patient safety.

[A research framework for the National Scheme: Optimising our investment in research](#) sets out the research priorities and principles for National Boards and AHPRA to focus their research efforts.

The framework includes the priority research areas of: defining harms and risks related to the practice of regulated health professions, regulatory taxonomy or classification scheme, risk factors for complaints and/or poor practitioner performance, evidence for standards, codes and/or guidelines, evaluating regulatory interventions, stakeholder satisfaction and engagement, work readiness and workforce capacity and distribution.

It has been published to provide a solid base to facilitate risk-based research and evaluation activities, with a clear focus on translating the outcomes of research into initiatives that will inform regulatory policy development and decision-making to maximise the public benefit.

### **Guide for National Boards on endorsement for scheduled medicines released**

AHPRA has released a guide for National Boards on endorsement for scheduled medicines.

In 2016 the Ministerial Council endorsed the Australian Health Ministers' Advisory Council's *Guidance for National Boards: Applications to the Ministerial Council for approval of endorsements in relation to scheduled medicines under section 14 of the National Law* (the AHMAC Guidance).

The AHMAC Guidance endorsed by the Ministerial Council is available on the AHPRA [website](#).

To support the implementation of the Guidance, AHPRA has published a supporting *Guide for National Boards*. The AHPRA Guide supports National Boards when developing a submission to the Ministerial Council seeking approval of a new or amended endorsement in relation to scheduled medicines under section 14 of the National Law.

The AHPRA Guide may also help National Boards' stakeholders in understanding the complexity and rigor of the process of developing a proposal for endorsement for scheduled medicines for a profession, from concept development to Ministerial Council approval.

The AHPRA Guide is now available together with the AHMAC Guidance on the [Endorsement for scheduled medicines](#) section of the AHPRA website.

### **Update on the first ever National Scheme Aboriginal and Torres Strait Islander health strategy**

AHPRA, the 15 National Boards responsible for regulating the health professions, accreditation authorities and Aboriginal and Torres Strait Islander health sector leaders and organisations have committed to an Aboriginal and Torres Strait Islander health strategy with the vision of: 'Patient safety for Aboriginal and Torres Strait Islander Peoples in Australia's health system is the norm, as defined by Aboriginal and Torres Strait Islander Peoples.'

Associate Professor Gregory Phillips, CEO of ABSTARR Consulting, and Dr Joanna Flynn AM, Chair of the Medical Board of Australia, are co-Chairs of the health strategy group. The Aboriginal and Torres Strait Islander health strategy group publish communiqués of its work. These are available on the [Advisory group page](#) of the AHPRA website.

This work is happening in conjunction with the development of a Reconciliation Action Plan for AHPRA.

The next meeting of the Aboriginal and Torres Strait Islander health strategy group is scheduled for March 2018.

### **Are your contact details up-to-date?**

It is important that your contact details are up-to-date to receive renewal reminders from AHPRA and information from the Board. You can check your details via the [Login icon](#) at the top right of the AHPRA website. Email accounts need to be set to receive communications from AHPRA and the Board to avoid misdirection to an account junk box.

### **Conclusion**

The National Board publishes a range of information about registration and the National Board's expectations of practitioners on its website at [www.dentalboard.gov.au](http://www.dentalboard.gov.au) or [www.ahpra.gov.au](http://www.ahpra.gov.au).

For more information or help with questions about your registration please send an [online enquiry form](#) or contact AHPRA on 1300 419 495.

John Lockwood AM  
**Chair, Dental Board of Australia**  
6 March 2018