

# DENTAL COUNCIL

*Te Kaunihera Tiaki Niho*

· DENTISTRY · DENTAL HYGIENE · CLINICAL DENTAL TECHNOLOGY · DENTAL TECHNOLOGY · DENTAL THERAPY ·

AHPRA  
G.P.O. Box 9958  
Melbourne VIC 3001  
[Practice.consultation@ahpra.gov.au](mailto:Practice.consultation@ahpra.gov.au)

2 December 2011

Dear Sir/Madam

## **Feedback on Public Consultation Paper on the Definition of “Practice” (October 2011)**

We are pleased to have the opportunity to provide feedback to the Australian Health Practitioner Regulation Agency on its consultation paper on the definition of practice.

The Dental Council is the regulatory authority in New Zealand appointed under the Health Practitioners Competence Assurance Act 2003 with responsibility for the registration and oversight of practitioners of the professions of dentistry, dental hygiene, clinical dental technology, dental technology, and dental therapy.

### **New Zealand Law**

The Health Practitioners Competency Assurance Act 2003 (the Act) regulates some 20 health professions in New Zealand. Its principal purpose as stated in section 3(1) is “*to protect the health and safety of members of the public by providing for mechanisms to ensure that health practitioners are competent and fit to practise their professions.*”

The Act does not contain a comprehensive single definition of the term “practice”. However, there are a group of definitions in the Act that together provide a broad meaning of “practice”.

The terms **practise a profession** or **practice**, are defined in section 5 of the Act to mean “*to perform services that fall within the description of a health profession*”. The term **health profession** is defined to mean “*the practice of a profession in respect of which an authority is appointed by or under this Act*”, and the phrase **health service** is defined to mean “*a service provided for the purpose of assessing, improving, protecting, or managing the physical or mental health of individuals or groups of individuals.*”

## Scopes of Practice

Under section 11 of the Act a regulatory authority is required to specify **scopes of practice** for the health profession/s it oversees. A scope of practice describes the health service/s that a practitioner is permitted to perform, and thereby provides a practical definition of “practice” for a particular health profession scope. Health practitioners are registered within a scope of practice, and must not practice outside that scope of practice (section 8 of the Act).

## Dental Council Policy

The practice of dentistry is defined in Dental Council policy and delineated in the scopes of practice for each registered oral health profession (carrying on the practice of dentistry). The policy definition of the practice of dentistry is:

The maintenance of health through the assessment, diagnosis, management, treatment and prevention of any disease, disorder or condition of the orofacial complex and associated structures within the scope of the practitioner’s approved education, training and competence. Practice in this context goes wider than clinical dentistry to include:

- a) reporting or giving advice in a dental capacity; and*
  - b) teaching, research and management roles*
- given that such roles use the knowledge and skills attained through undertaking a dental qualification and that such roles influence clinical practice and public safety.*

\* See attachment- *Policy on the Registration of Dental Advisors, Managers, Teachers and researchers under the HPCA Act 2003 (August 2004)*

The “Detailed Scope of Practice for General Dental Practice” provides:

The Dental Council of New Zealand defines the practice of dentistry as the maintenance of health through the assessment, diagnosis, management, treatment and prevention of any disease, disorder or condition of the orofacial complex and associated structures within the scope of the practitioner’s approved education, training and competence.

The detail of what this involves is itemised in the scope definition. The scope definition goes further to provide:

Practice in this context goes wider than clinical dentistry to include teaching, research, and management, given that such roles influence clinical practice and public safety.

In New Zealand, therefore, it is the scopes of practice that provide a reasonably detailed definition of “practice” in specific health professions.

## Trans-Tasman Mutual Recognition

The Trans-Tasman Mutual Recognition (TTMR) Act 1997 recognises Australian and New Zealand professional registration standards as equivalent and underscores greater regulatory policy coordination in Australia and New Zealand.

In New Zealand, a qualified dentist engaged in an advisory, reporting, teaching, research or management role **is** engaged in dental practice **if** the role impacts on clinical practice and public safety. In that case, the dental practitioner is required to be registered (in an individual non clinical scope of practice if not engaged in direct clinical practice) and hold an annual practicing certificate.

## Summary

- New Zealand law does not provide a single definition of “practice”.
- The law does provide for the regulating authorities to determine scopes of practice for each profession, and these specific scopes define “practice” for particular health professions.
- The Dental Council has defined the practice of dentistry as being wider than clinical dentistry to include roles that use the knowledge and skills attained through undertaking a dental qualification and **influence clinical practice and public safety**. Those in such roles (impacting on clinical practice and public safety) must be registered in an individual non clinical scope of practice if not engaged in direct clinical practice.

We are happy to discuss any aspect of this submission with the AHPRA, should it wish.

Yours sincerely



Marie Warner  
Chief Executive

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## **Policy on the Registration of Dental Advisors, Managers, Teachers and Researchers under the HPCA Act 2003**

Approved by Council: August 2004  
Repeated approval: December 2004

### ***Introduction***

The Dental Council has approved the following policy on the registration of dental advisors, managers, teachers and researchers under the HPCA 2003.

### ***Legislation***

Under Section 8 (1) of the HPCA Act 2003 oral health practitioners must be registered and hold an annual practising certificate in order to practise dentistry

### ***Definition of the Practice of Dentistry***

The Dental Council defines the practice of dentistry as the maintenance of health through the assessment, diagnosis, management, treatment and prevention of any disease, disorder or condition of the orofacial complex and associated structures within the scope of the practitioner's approved education, training and competence. Practice in this context goes wider than clinical dentistry to include:

- a) reporting or giving advice in a dental capacity; and
  - b) teaching, research and management roles
- given that such roles use the knowledge and skills attained through undertaking a dental qualification and that such roles influence clinical practice and public safety.

### ***Practice of dentistry delineated in scopes of practice***

The practice of dentistry as carried out by dentists, dental specialists, dental therapists, dental hygienists, dental auxiliaries, dental technicians and clinical dental technicians is set out in the scopes of practice which have been delineated under the HPCA Act 2003 for each registered group.

### ***Requirement to be registered and hold an APC if practising dentistry***

Oral health practitioners who are engaged in dental advisory, reporting, teaching, research or management roles which impact on clinical practice and public safety are required:

- a) to be registered (in an individual non clinical scope of practice if not engaged in direct clinical practice)
- b) to hold an Annual Practising Certificate
- c) to engage in recertification activities relevant to the role they are undertaking

Persons with dental qualifications who are engaged in advisory, reporting, teaching, research or management roles and who consider they are not engaged in dental practice (as defined in the wider context above) are not required to be registered.

Applicants for registration who are engaged in advisory, reporting, teaching, research or management roles which do not fall within the practice of dentistry (as defined in the wider context above) are unlikely to meet the HPCA requirements for registration

### ***Registration***

