

15 March 2011

The Executive Officer
Dental Board of Australia
Email: dentalboardconsultation@ahpra.gov.au

Proposed Registration Standards:

Section 66 – Limited registration for postgraduate training or supervised practice

Section 68 – Limited registration in public interest

Section 69 – Limited registration for teaching or research

Thank you for your call for submissions and the opportunity to comment on the proposed registration standards.

The Australian Dental Association Queensland Branch (ADAQ) is the professional association representing dentists in Queensland and is the State branch of the Australian Dental Association Inc.

ADAQ makes the following comments relate to Section 68 and Section 69.

Section 68 Limited Registration in public interest of the National Law allows the Board to register dental practitioners, who are not qualified for general registration, for a short term in the public interest. The Board has developed the Standard to set out the requirements a dental practitioner must meet in order to be granted limited registration in the public interest under section 68 of the National Law.

Examples of where it might be in the public interest to register a dental practitioner include: an unexpected situation where a natural disaster has occurred; for an expert to demonstrate a clinical procedure or participate in a workshop.

Section 69 Limited Registration for teaching or research of the National Law, allows the Board to register dental practitioners to fill teaching or research positions. The Standard sets out the requirements for the Board to register dental practitioners under section 69 of the National Law with overseas qualifications who are not qualified for general registration.

The Standard sets out both the initial and ongoing requirements of Limited registration for teaching or research.

In commenting on these Sections, the following information is also referenced in relation to persons who may be involved in teaching at undergraduate and postgraduate levels for both formal training programs and for continuing professional development events.

Recent information provided by Tanya Vogt (Executive Officer, Dental Board of Australia) in relation to the ADA 2011 Congress, would suggest that the following would apply to any Continuing Professional Development (CPD) event in relation to Section 68 of the Act.

Speakers at the CPD events are captured by the definition of 'practising' under the national scheme and are required to be registered. This requirement is not a new requirement. It is something which existed in many jurisdictions prior to 1 July 2010.

The current form and process of application is onerous, however the Dental Board of Australia (DBA) must comply with the requirements of the National Law and the DBA's mandate of protection of the public.

1. *The CPD provider should supply a list of names of the dentists speaking/presenting at the CPD event – who require Limited registration in the public interest (i.e. those not on the DBA National Register).*
2. *A Statutory Declaration that the CPD Provider:*
 - *has checked the veracity of the undergraduate and postgraduate (if a specialist dentist) qualifications and the work history of each of the above dentists*
 - *is satisfied of the proof of identity of each of the above dentists*
 - *has verified the registration of each of the above dentists in the locale in which they currently are registered and have received a letter of good standing in relation to the dentist from that locale*
 - *is satisfied that the individual dentist (or the CPD provider) has adequate professional indemnity insurance for the practice they are to undertake in Australia during the period of registration.*
3. *The CPD provider should provide the details required in Section G and Part B of ALPI-20 (see attached) - as a whole and submit one response on behalf of all of the applicants.*
4. *The dentists complete the following questions of the ALPI-20, but do not need to attach any of the verifying documents:*
 - *1-15*
 - *17-18*
 - *23-31*
 - *Read Section H*
 - *Section J*

When Limited registration in the public interest is granted, the dentist must only practice under the supervision of another dentist registered by the DBA. Section G of the application form requires a dentist to be nominated as supervisor. The dentists registered under Limited registration in the public interest, will have the following condition placed on their registration Limited registration is granted under section 68 of the Health Practitioner Regulation National Law Act from dd/mm/yyyy to dd/mm/yyyy in the public interest for the purpose of demonstrating/presenting XXXXXX at the XXX CPD event at XXX location. Practice outside these parameters is not permitted.

The main points that require clarification and explanation relate to the requirement to provide limited registration to any person who presents information, as dental education, within Australia.

The first issue is the definition of 'Dental Education' as 'the practise of dentistry'.

Is all dental education the practise dentistry or does it only relate to formal education programs?

Are all Continuing Professional Development programs and courses considered dental education?

Eg: ADA, University and RACDS run events for practitioners
Specialist Society and Study Club meetings and events
Industry organised meetings and lecture programs
On-line educational programs
Videos, CDs and DVDs with educational information.

The definition of CPD provided by the DBA is: "Continuing professional development is the means by which members of the profession maintain, improve and broaden their knowledge, expertise and competence, and develop the personal and professional qualities required throughout their professional lives."

Currently the DBA does not define what is appropriate or acceptable CPD for practitioners other than through the following guidelines

- *For an activity to be recognised as clinically or scientifically based, it must relate to the scientific, clinical or technical aspects of oral health care. Activities about infection control, cardiopulmonary resuscitation (CPR) or patient recordkeeping, for instance, would be classified as clinical/scientific, as would topics relating to oral health or particular dental procedures such as endodontics, caries treatment, crown preparations and so on. Nonscientific activities are those that are indirectly related to but supportive of dental care and include practice management or dentolegal responsibilities. Subjects that relate to a dental practitioner's financial wellbeing (such as marketing or personal finance) would not be considered relevant. The activities need to contribute to the maintenance and enhancement of a dental practitioner's knowledge, skills and performance of oral health care.*
- *CPD activities should not be confused with courses that are approved specifically by the Board for the purpose of extending the scope of practice of dental practitioners. Approval of a CPD activity in a particular area of dentistry does not imply any comparable approval.*

And in relation to CPD providers

Dental practitioners should expect that course providers will conform to the following standards.

- *They must disclose to participants any monetary or other special interest they may have with any company whose products are discussed in the course. Disclosure must be made in promotional material and in the presentation itself.*
- *The organisation must be prepared to guarantee that the scientific basis of the activity will not be distorted by commercial considerations.*
- *The qualifications and experience of authors must be relevant to the content of the topic discussed within the article. Providers must ensure that authors chosen to write articles are qualified by education and experience to provide instruction in the relevant subject matter.*
- *Activities should address contemporary clinical and professional issues. Scientific and clinical activities should reflect accepted dental practice or be based on critical appraisal of scientific literature.*
- *The content must be evidence-based with no exaggerated claims.*
- *Participants must be cautioned about the potential risks of using limited knowledge when incorporating techniques and procedures into their practices as the particular*

activity may not provide them with supervised clinical experience in the technique or procedure to ensure that participants have attained competence.

- *Embedded advertising and direct commercial links are inappropriate within the educational content and should be avoided.*
- *All distance learning courses must have provision for the answering of enquiries, or for discussion, to enable participants to raise queries and to ensure that the information has been understood.*
- *Test items or other learning documentation activities should be designed to go beyond the simple recall of facts and seek to demonstrate learning with an emphasis on integration and use of knowledge in professional practice.*

Given this information, the next question that must be answered is **whether limited registration applies to all CPD or just courses that are approved specifically by the Board for the purpose of extending the scope of practice of dental practitioners.** If it only applies to specifically approved programs, most cases would be dealt with under Section 69 where an educator is employed by a teaching and/or research institution.

If limited registration does apply to all CPD then it would be assumed that this is covered under Section 68 of the ACT. In this circumstance a number of issues are raised.

If an individual provides education in any aspect of dentistry but does not actually have a registrable dental degree then how can limited registration apply? This happens frequently in many aspects of dental education where non-dental specialists provide the training eg: Microbiologist, Physiologist, Materials Scientist, Anatomical Sciences, etc. If they teach in the domain of dentistry are they considered to be practising dentistry? This may apply to both formal training programs and CPD.

In the case of pre-recorded educational videos, CD's DVDs etc, would the presenters of the material need to be registered before the program is viewed?

Similarly, if an educational program is provided on-line, would the presenters be required to obtain limited registration before presenting the program? Would this be applicable and enforceable if the program is provided by an overseas institution or organisation?

In all these scenarios, the question is also raised as to who would be nominated as the supervising dentist? It would seem impractical to ask a registered dentist to be nominated to supervise an on-line educational program or pre-recorded video program. In addition what specific requirements does a 'supervising' registrant have for a presenter of a CPD program?

The main premise of this submission is that if an overseas trained dentist or dental specialist presents CPD at any venue in Australia, as dental education it is interpreted as the practise of dentistry, even when no patient is involved. International presenters would question the need for this registration if not treating patients or presenting in an approved training program.

This submission suggests that the limited registration requirement should apply to those applicable individuals who teach approved programs of study, or provide education or workshops where there is direct treatment of patients. CPD activities should not be

confused with courses that are approved specifically by the Board for the purpose of extending the scope of practice of dental practitioners.

In relation to Section 68, and the statement regarding limited registration that “This requirement is not a new requirement, it is something which existed in many jurisdictions prior to 1 July 2010” is not an argument for it to continue. One could easily say that it is something that only appeared in some jurisdictions after 1 July 2010 and there was little or no consultation that this was going to be implemented. Dental education in Australia may suffer considerably by the introduction of such bureaucratic intervention which fails to demonstrate either a problem that requires such a fix, or an onerous registration requirement for clinical registration when no clear clinical practice of dentistry is intended or contemplated.

Consideration should be given to allowing approved sponsoring organizations, such as the Australian Dental Association and its affiliated branches and specialist societies, who plan to run CPD events or conferences, to be exempt from the requirements of limited registration for speakers unless they intend to undertake clinical treatment of patients or hold certified training courses. Such sponsoring of organizations would follow the code of conduct specified by the DBA and ADA, and would allow international speakers to present at CPD events (non-treatment of patients) without the requirement for limited dental registration of such internationals.

If the requirement for limited registration under Section 68 of the Act goes ahead unmodified, it will impact on the acceptance of invitations to present CPD by internationally recognised overseas presenters and may deny Australian practitioners access to high quality international dental education.

Yours sincerely

A handwritten signature in black ink that reads "Brad Wright". The signature is written in a cursive style with a long horizontal stroke at the bottom.

**Dr Bradley Wright BDS, LLB (Hons), MBA, G DipLPrac, FFDACLM, FICD, FPFA
President
Australian Dental Association (Queensland Branch)**