



Communiqué

April 2017 meeting of the Dental Board of Australia

The 84th meeting of the Dental Board of Australia (the Board) was held on Friday 28 April 2017 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.

Responsible advertising of health services: Practitioners reminded about their legal obligations

Registered health practitioners are reminded to **check, correct** and **comply** with their professional and legal advertising obligations.

The National Boards and AHPRA have published a strategy for the National Registration and Accreditation Scheme (National Scheme) to help keep health service consumers safe from misleading advertising.

The [Advertising compliance and enforcement strategy for the National Scheme](#) explains how National Boards and AHPRA will manage advertising complaints and compliance, including the regulatory powers available to deal with breaches of the National Law.¹

Practitioners have a professional and legal obligation to advertise responsibly and support members of the community to make informed choices about their healthcare. The National Law limits how regulated health services² can be advertised.

When preparing advertising, you should always ensure that your advertising is not false, misleading or deceptive in any way. You are encouraged to use the resources available on AHPRA's website to **check** and, if necessary, **correct** your advertising to ensure you **comply** with National Law requirements.

This strategy builds on the previous education and enforcement work from National Boards and AHPRA and will be supported by publishing new materials in the coming weeks to help health practitioners understand their advertising obligations.

Under the National Law, a regulated health service or a business providing a regulated health service must not advertise in a way that:

- is false, misleading or deceptive
- uses gifts, discounts or inducements without explaining the terms and conditions of the offer
- uses a testimonial or a purported testimonial
- creates an unreasonable expectation of beneficial treatment, and/or

¹ The Health Practitioner Regulation National Law, as in force in each state and territory.

² A 'regulated health service' is a service provided by, or usually provided by, a health practitioner, as defined in the National Law. The advertising provisions of the National Law cover the advertising of a regulated health service, or the advertising of a business that provides a regulated health service.

- directly or indirectly encourages the indiscriminate or unnecessary use of regulated health services.

There are also restrictions on advertising in a way that identifies a health practitioner as a specialist when they do not hold registration as a specialist or as an endorsed practitioner in a health profession.

More information, including the strategy and examples of unacceptable statements in advertising, is available on the *Advertising resources* section of the [AHPRA website](#).

AHPRA's regulatory role means it may need to take action for non-compliant advertising. If you are unsure about whether or not your advertising complies with the National Law you should seek advice from your:

- professional association
- insurer, and/or
- an independent legal adviser.

Specialist registration in forensic odontology – new program approved

The Board has approved a new [program of study](#) – the Royal College of Pathologists of Australasia's Fellowship of the Faculty of Oral and Maxillofacial Pathology (Fellowship in Forensic Odontology program).

Since the start of the National Scheme there has been no approved program of study leading to specialist registration in forensic odontology.

As a result of this approval, the [Qualification equivalence pathway](#) for specialist registration is now available for applicants who hold a qualification not approved by the Board (such as an overseas qualification) in forensic odontology speciality.

Update on the review of the Code of Conduct

The Code of Conduct for the dental profession is also used by ten other National Boards (Aboriginal and Torres Strait Islander Health Practice, Chinese Medicine, Chiropractic, Medical Radiation Practice, Occupational Therapy, Optometry, Osteopathy, Pharmacy, Physiotherapy and Podiatry) with some minor profession-specific changes for some Boards.

The Code is a regulatory document that provides an overarching guide to support and inform good practice and to assist practitioners, Boards, employers, health care users and other stakeholders to understand what good practice involves. It seeks to assist and support practitioners to deliver safe and effective health services within an ethical framework.

As the Code was last published in March 2014 the Board has started a scheduled review that will draw on best available research and data and involve additional stakeholder consultation and engagement. The Board is working with other National Boards which use the Code on the review.

The review is still at an early research phase. However, the Board is already considering how it can maximise opportunities for input when the consultation stage of the review starts. In addition to public consultation the Board intends use its website and other social media to inform the profession of how it can contribute to the review. The Board will highlight opportunities to be involved in the review in its communiqué and newsletters.

Further information

The Board publishes a range of information for dentists on its website at www.dentalboard.gov.au. For more information about registration, notifications or other matters relevant to the National Scheme also refer to information published on www.ahpra.gov.au or send an [online enquiry form](#) or contact AHPRA on 1300 419 495.

Follow AHPRA on social media

Connect with AHPRA on [Facebook](#), [Twitter](#) or [LinkedIn](#) to receive information about important topics for your profession and participate in the discussion.



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.

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Chair, Dental Board of Australia
3 May 2017