

Health Practitioner Regulation National Law (Surgeons) Amendment Bill 2023

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Submitted by:	Australian Orthopaedic Association and the Australian Orthopaedic Foot and Ankle Society
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Committee Secretary
Health and Environment Committee
Parliament House
George Street
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To the Committee Secretary,

Submission re: Health Practitioner Regulation National Law (Surgeons) Amendment Bill 2023

The Australian Orthopaedic Association (AOA) is the professional body for orthopaedic surgeons in Australia. The Australian Orthopaedic Foot and Ankle Society (AOFAS) is a subspecialty society of the AOA, consisting of experienced Orthopaedic surgeons with a dedicated focus on the care of foot and ankle conditions. This subspecialty group was created to foster the continuing education and innovation of foot and ankle care to patients around Australia. AOA provides high quality specialist education, training and continuing professional development. AOA is committed to ensuring the highest possible standard of orthopaedic care and is the leading authority in the provision of orthopaedic information to the community.

AOA and AOFAS strongly support the passage of the Health Practitioner Regulation National Law (Surgeons) Amendment Bill 2023 ("the Bill") as a way of strengthening the protection of the public from harm from operations carried out by those who are not surgeons.

To assure consistency and ease of understanding for consumers it is imperative that the definition of surgeon applies uniformly across education and standards of training for all Australian health professionals practicing within surgical disciplines and a single organisation should be responsible for accrediting that education and training.

AOA and AOFAS believe that the Australian Medical Council (AMC) should be that accrediting body.

This clarity should better inform the public on who really is a surgeon.

Expanded scopes of practice by allied Health Professionals have until now allowed the use of the term Surgeon, but in the current confusion of nomenclature, and the absence of AMC certification, the AOA and AOFAS believe that these persons should be referred to as Operative Allied Health Professionals, not Allied Health Profession Surgeons

It does not serve the interests of the public (or of patient safety) to have arrangements whereby a discrete area of a more general specialty such as surgery is covered by a different accreditation standard for education and training.

We are concerned with section 5e of the proposed Bill. The freedom to allow future 'classes' to be free to use the title surgeon is a serious weakness as it allows those without full specialist education and training to adopt use of the title surgeon.

To address this potential weakness, we would suggest that either section 5e (line 32) is changed to read:

e) another class of *AMC accredited surgical specialist* prescribed as a surgical class by regulations made by the Ministerial Council



instead of its current wording

e) another class of *medical practitioner* prescribed as a surgical class by regulations made by the Ministerial Council

This change would ensure that standards of training of “surgeons” would be preserved into the future.

Alternatively, section 5 could be altered so that “AMC accredited surgical specialist” is put in place of “medical practitioner” in section a). Our understanding is that this would mean that sections 5d) and 5e) would be superfluous and could be removed.

In addition, we seek confirmation, that health practitioners outside the field of the medical profession would not be able to take on the title surgeon.

AOA and AOFAS have advocated for over a decade on the harm to members of the community subjected to procedures from operating podiatrists using the term podiatric surgeon. This is a community health problem long overdue to be addressed before more patients are further harmed.

We would urge the Committee to review 5e) and its future implications in order to preserve the positive intent of this important legislation.

Yours sincerely

Chris Morrey



President
AOA

David Lunz



President
AOFAS