

## Health Practitioner Regulation National Law (Surgeons) Amendment Bill 2023

**Submission No:** 19  
**Submitted by:** Australasian College of Cosmetic Surgery and Medicine  
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**Submitter Comments:**



## Raising Standards – Protecting Patients

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24 May 2023

Committee Secretary  
Health and Environment Committee  
Parliament House  
George Street  
Brisbane Qld 4000  
Via email: [hec@parliament.qld.gov.au](mailto:hec@parliament.qld.gov.au)

Dear Committee Secretary,

### **RE: Health Practitioner Regulation National Law (Surgeons) Amendment Bill 2023**

The Australasian College of Cosmetic Surgery and Medicine (ACCSM, the College) is pleased to provide a submission regarding the Health Practitioner Regulation National Law (Surgeons) Amendment Bill 2023 (the Bill) as proposed and welcomes the opportunity to do so. The College will always support sensible regulation to raise standards and protect patients.

The College is at present the only professional organisation in Australia with a primary focus on the provision of formal training in the discipline of cosmetic surgery. Established in 1998 the College has a two year post graduate programme of formal cosmetic surgery training. It receives into its programme only those practitioners with 5 years post graduate experience and with a minimum of 3 years of surgical training at public teaching hospital registrar level with proven surgical competence. It takes therefore a minimum of 7 years of post-graduate training to complete the College Fellowship in Cosmetic Surgery.

Restriction of the title of “surgeon” is a welcome proposal to assist with protection of patients. Since its proposal in 2018, the college has supported the restriction of the title “surgeon” to practitioners who are *appropriately* qualified. Historically, the appropriate level of surgical training is demonstrated by completion of a surgical training program that has met standards prescribed by the Australian Medical Council (AMC), the independent body that assesses and accredits all levels of medical training in Australia. These programs include the nine surgical subspecialties of the Royal Australian College of Surgeons (RACS), Royal Australian and New Zealand college of Obstetricians and Gynaecologists (RANZCOG) and Royal Australian and New Zealand college of Ophthalmologists (RANZCO). Accordingly, within the Bill, members of these colleges belong to a ‘surgical class’ of recognised medical specialties, thus are permitted to use the title “surgeon” under s115A 5(a), (b) and (c) respectively. The College supports this Section of the Bill.

Cosmetic surgery is not recognised as a medical speciality in Australia and as such its training falls outside of the traditional training programs offered by the specialist medical colleges.



## Raising Standards – Protecting Patients

The ***Independent review of the regulation of medical practitioners who perform cosmetic surgery***<sup>1</sup> (the Review) commissioned by the Medical Board of Australia (MBA) and AHPRA in Nov 2022 raised concerns about the absence of minimal standards for who can call themselves a (cosmetic) ‘surgeon’.

1. Independent Review, p 5, available at: <https://www.ahpra.gov.au/Resources/Cosmetic-surgery-hub/Cosmetic-surgery-review.aspx>

The primary recommendation from the Review was the creation of such standards through Section 98 of National Law, Endorsement of an Area of Practice, specifically for cosmetic surgery. Health ministers approved its implementation in Sept 2022<sup>1</sup>.

Endorsement in cosmetic surgery by AHPRA and the MBA, will for the first time allow patients to clearly identify practitioners who have successfully completed an AMC accredited cosmetic surgery training program. The Accreditation Standards for this program are high and underwent extensive consultation involving working parties and committees represented by all industry stakeholders including the ACCSM, RACS, the Australian Society of Plastic Surgeons (ASPS) and the Australasian Society of Aesthetic Plastic Surgeons (ASAPS) before its publication on 29 March 2023<sup>2</sup>. In an interview with medical journal Medical Republic<sup>3</sup>, ASAPS president Dr Timothy Edwards described the new accreditation standard as “***stringent***” and said he “***doubts any college bar the RACS will be able to fulfill all the requirements.***” Whilst no training programs have been assessed against these new standards yet, there is the future potential for an AMC accredited training program in cosmetic surgery.

To accommodate future changes with new and emerging surgical specialisations and craft groups, the Bill defines a *surgical class* at s115A 5(e) to include “*another class of medical practitioner prescribed as a surgical class by regulations made by the Ministerial Council*”.

This is a transparent and robust process that involves the ministerial council consulting with the relevant national board but also considering the surgical training of the members of the proposed class.

The ACCSM has every faith in the ability of the ministerial council to act in this role.

Endorsement in an Area of Practice under Section 98 of National Law *is regulation made by the Ministerial Council*<sup>1</sup>. S115A 5(e) allows for future AMC accredited and Endorsed medical practitioners to form a new ‘surgical class’ thus be permitted to use the title ‘surgeon’, if this is deemed appropriate by the Ministerial Council and the Medical Board of Australia.

The ACCSM strongly supports this section of the Regulation, as it provides flexibility to deal with emerging and future changes, to the Medical profession and healthcare delivery in Australia. The Bill is consistent with the objectives of the MBA, AHPRA and Health Ministers, to protect the public by clarifying the qualifications and titles of practitioners who perform cosmetic surgery.



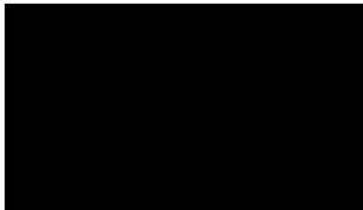
## Raising Standards – Protecting Patients

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The Bill complements the Endorsement model for cosmetic surgery, and the College supports it in its entirety, without exclusions, as part of a wider range of reforms to strengthen the regulation of cosmetic surgery in Australia.

The College remains available for further discussion and contributions as required.

Yours Sincerely



Dr Anoop Rastogi

President

1. Health Ministers Meeting (HMM): statement 2 Sept 2022  
<https://www.health.gov.au/sites/default/files/documents/2022/09/health-ministers-meeting-statement-on-cosmetic-surgery-2-september-2022.pdf>
2. Standards for Assessments and Accreditation of Cosmetic Surgery Programs of Study <https://www.amc.org.au/wp-content/uploads/2023/04/Standards-for-Assessment-and-Accreditation-of-Cosmetic-Surgery-Programs-of-Study-secured-1.pdf>
3. <https://www.medicalrepublic.com.au/tale-of-two-cosmetic-surgery-training-programs/90115>