




Speech By
Rob Molhoek

MEMBER FOR SOUTHPORT

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HEALTH PRACTITIONER REGULATION NATIONAL LAW (SURGEONS) AMENDMENT BILL

 **Mr MOLHOEK** (Southport—LNP) (12.19 pm): I rise today to speak on the Health Practitioner Regulation National Law (Surgeons) Amendment Bill. Queensland, as the host jurisdiction for the national law, holds a unique responsibility, one that this bill seeks to enhance. To give a brief overview, the bill's primary amendments to the Health Practitioner Regulation National Law Act 2009 are two-fold: to protect the title 'surgeon', strengthening the regulation of cosmetic surgery across our nation; and to refine and clarify the decision-making authority of tribunals after examining matters concerning registered health practitioners.

As deputy chair of the Health and Environment Committee it was my privilege to witness the deliberations and recommendations of the committee and to hear significant evidence from those many organisations that attended our public hearings on Monday, 22 May of this year. During the day we heard evidence from the Royal Australasian College of Surgeons, the Council of Procedural Specialists, the Australian Society of Plastic Surgeons and the Australian Medical Association. We also heard from the Australian College of Rural and Remote Medicine, the Australian and New Zealand Association for Oral and Maxillofacial Surgeons, the Australian Orthopaedic Association and, of course, Ahpra. Throughout the course of the day there were many concerns raised, but overall I think all of us are convinced that the recommendations as proposed in this legislation fulsomely and comprehensively cover most of the concerns.

There was a broad concern amongst patients around the uncertainty and flexibility of the use of the title 'surgeon' and an increasing prevalence of practitioners referring to themselves as a surgeon without proper accreditation. This has somewhat muddied the waters for those who do serve in this distinguished field and this situation is particularly pronounced in the field of cosmetic surgery, a domain that has witnessed its fair share of controversies over the years. I note that some of the other members of the committee who do not have the privilege of living on the Gold Coast were quick to make suggestions that there is perhaps a higher proportion of cosmetic surgeons on the Gold Coast than other parts of the state. I note that there are no cosmetic surgeons in Riverway Drive in Townsville—yet.

We have heard so many terms thrown around over the years in respect of cosmetic surgery and sadly there are practitioners who give the profession a bad name. We have heard people use words like dodgy, reckless, dangerous and cosmetic cowboys. We have even seen a growth in the number of fly-in fly-out cosmetic surgeons who seek to profiteer from procedures that are less than reasonable. I want to bring to the attention of the House the submission from Maurice Blackburn Lawyers which I feel sums up quite adequately the broader concern—

Cosmetic medicine and surgery occupy a unique position within the healthcare profession. Normally, medical or surgical treatment is provided in the context of some illness, injury or disease. By contrast, cosmetic surgery or treatment is generally non-essential, motivated by aesthetics and instigated by the patient. More than any other area of medicine, it is a commercial

arrangement usually carried out in a 'for profit' environment and this dramatically changes the dynamic and the relationship between doctor and patient. The interpretation of what constitutes adequate consent and after-care under these circumstances, is wildly different from those that apply in other forms of surgery.

The term 'surgeon' carries enormous weight in the community and assumptions are invariably made about the expertise of the person using it. To allow people who have not undergone the appropriate training to use it is misleading, undermines informed consent and does nothing to protect the public.

At the heart of this legislation is a recognition that in protecting the title of surgeon we also protect the public from unnecessary harm.

During the course of our deliberations and during the public hearing we heard evidence that suggested there are some 200,000 cosmetic procedures per annum in Australia, which further highlights the need for this industry to be better and more adequately regulated. We received submissions from the Australian College of Rural and Remote Medicine. They raised some legitimate concerns. There are a significant number of rural health specialists and qualified general practitioners in rural, remote and regional Queensland who undertake and perform various surgical procedures. The concern that the Australian College of Rural and Remote Medicine raised was that the title restrictions proposed in the legislation could lead to competent and qualified practitioners in rural and remote areas being discouraged from providing critical surgical services and that the people in these locations who already face significant barriers to accessing this care will have their access restricted even further. The committee acknowledged their concerns in its report and also raised those concerns with some of the other parties that appeared at our hearing. I think all of us were fairly satisfied that those practitioners referred to, in particular in rural and remote Queensland, would not be unfairly disadvantaged.

The member for Surfers Paradise will be pleased to hear that there was an acknowledgement that oral surgeons or dentists may still carry that title. Having said that, I am not so sure I would want Mr Langbroek to be performing oral surgery on me.

Mr DEPUTY SPEAKER (Mr Hart): Member for Southport, I draw you back to the bill.

Ms Bates interjected.

Mr MOLHOEK: I take the interjection from the member for Mudgeeraba. My comment was not so much a matter of wanting to offend the member for Surfers Paradise, but rather point out that it has been a while since he has practised oral surgery as he has been the member for Surfers Paradise for some time—and a great member he is.

I also want to reference the response to a question we posed as a committee to the Department of Health and further questions to Ahpra around trying to understand how many surgeons there are. There are 26,731 medical practitioners registered in Queensland. Of those, 17,209 hold specialist registration in an approved speciality. There are 1,293 practitioners registered in the medical speciality of surgery; 454 are registered in obstetrics and gynaecology; and 195 are registered in the medical speciality of ophthalmology. There is only one podiatric surgeon registered in Queensland and some 5,312 dentists, of which seven are registered in the speciality of oral surgery. I note that in the breakdown of those registrations there are only 47 who are registered as specialists in oral and maxillofacial surgery and a further 81 who have specialist registration in plastic surgery. To reinforce the concerns that the committee considered, if you are considering cosmetic surgery you want to make sure that the person you go to see has suitable qualifications and the right services available to support you if things do not go well.