



## Communiqué

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### December 2018 meeting of the Dental Board of Australia

The 103<sup>rd</sup> meeting of the Dental Board of Australia (the Board) was held on Friday 14 December 2018 at the National Office of the Australian Health Practitioner Regulation Agency (AHPRA).

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.

#### Update on Scope of practice changes

To provide additional support on the scope of practice changes, in early October, the Board issued a 'special edition' [newsletter](#) to all registered dental practitioners which detailed the outcomes of the Board's scope of practice review.

Further engagement has occurred with Australian Dental Association (ADA) following the completion of the review due to their ongoing concerns and to clarify the intention of the proposed revised registration standard.

This was an opportunity for the Board to further explain that removing these unnecessary regulatory barriers, including the structured professional relationship, maintains the balance between protecting the public while facilitating access to services in accordance with the public interest.

Some misconceptions still remain about process which the Board wishes to clarify.

#### Seeking approval from Ministerial Council

Since the completion of the review, the Board has started the process of seeking approval for the proposed registration standard. This is the standard next step for consideration of any change to a registration standard.

Seeking approval from the [COAG Health Council](#) requires additional time. This enables the proposed registration standard to be submitted to, and considered by, the Jurisdictional Advisory Committee and the Australian Health Ministers' Advisory Council, before the proposed registration standard is considered by Health Ministers.

The Board would like to reassure practitioners that this is a normal step to take. The Board's approach to this is consistent with the requirements of the National Law and is in-line with the Government's approval cycle for National Board registration standards.

#### Consultation process

The Board has reassured registered dental practitioners and stakeholders it consulted widely with, and received submissions from, both the profession and the community about the proposed changes.

The Board's consultation approach was consistent with the published procedure for the *Consultation process of National Boards* and in-line with our obligations under the National Law.

The Board again would like to assure practitioners and stakeholders that all the feedback provided by at each phase of consultation was considered and the views of ADA and its members were taken into account when approving the final version of the registration standard submitted to COAG Health Council.

### **Publication of submissions**

Among the submissions received, over 400 submissions used an ADA template and included examples of lived experiences. These examples were intended to demonstrate the perceived risk of an adverse or unfavourable outcome to a patient in the event a structured professional relationship was not in place.

These submissions also contained personal information that gave rise to significant privacy concerns and therefore the Board has not published those individual submissions on its website. The Board has published a summary to provide insight into the dominate issues raised by this group of submissions.

Submissions can be viewed on the Board's website under [Past consultations](#).

### **Our commitment**

The Board is reiterating it's commitment to work with registered dental practitioners including dentists and other key stakeholders to implement the changes once a decision has been made by Health Ministers.

### **Regulatory action**

A tribunal has found that disqualified dentist, Mr Randeep Singh Dhillon, has engaged in professional misconduct after being found guilty of fraud while he was a practising dental practitioner.

The Board referred the matter to the State Administrative Tribunal of Western Australia (the tribunal) after Mr Dhillon was convicted on 17 February 2017 in the District Court of Western Australia on three counts of fraud.

The fraud related to a business loan for the purchase of dental equipment which Mr Dhillon entered into with a finance company, Investec Professional Finance Pty Ltd (Investec), which he defrauded of a total of \$80,469.27. The offences were serious and premeditated. They involved serious and sustained dishonesty and a significant sum of money was involved.

As well as the conviction Mr Dhillon was sentenced to 18 months imprisonment suspended for 12 months. The tribunal heard that Mr Dhillon had also failed to give the Board notice within seven days of being charged with the offence, as is required of registered health practitioners.

The tribunal had already considered a previous referral from the Board about Mr Dhillon that resulted in his disqualification from practising as dental practitioner for two years and six months by the tribunal on [25 January 2017](#). That disqualification period will end on 26 July 2019.

During the hearing the Board alleged that Mr Dhillon's actions encompassed a range of conduct issues, from his failure to disclose criminal charges to the Board, to conviction on three counts of serious and premeditated fraud committed in the context of obtaining loans purportedly for the purchase of equipment for his dental practice.

The Board put forward that the public are entitled to expect that registered dental practitioners make the registration disclosures required of them under the National Law and act with scrupulous honesty in all aspects of their practice and conduct, including in their commercial dealings.

Taking this in to consideration, the tribunal found Mr Dhillon guilty of two findings of professional misconduct, disqualified him for a further three years and prohibited him from using title 'doctor' or providing any health service until he is returned to the register. The tribunal also ordered him to pay the Board's costs of \$45,000.

In sentencing, the tribunal added that in this case, Mr Dhillon's conduct is so serious and reflective of such a lack of the qualities necessary to be a member of the profession of dentistry, that nothing short of an order preventing him from applying for registration, using the honorific title 'Doctor' or administering any health service would achieve the objective of deterrence and maintenance of the standing of the profession.

The orders are published on the [tribunal website](#).

### Newsletter from the Board

The Board has released its latest newsletter. Read it on the [Newsletters](#) page.

### Do you practise under the name published on the online Register of practitioners?

Governments recently consulted on possible changes to the National Law<sup>[1]</sup>, which would allow the Australian Health Practitioner Regulation Agency (AHPRA) and National Boards to publish on the online [Register of practitioners](#), the names that registered health practitioners use in practice and not just their legal name.

The national online *Register of practitioners* is a vital part of Australia's system of regulating dental practitioners to support patient safety. Each registered health profession publishes registration information about practitioners on the online register. The public and employers can look up the names of all health practitioners who are registered to practise. The register also provides important information about limits or restrictions placed on the way a registered health practitioner is allowed to practise.

The national online register must remain an authoritative and trusted source of information about health practitioners. Consumers rely on it for accurate and up to date information to inform their healthcare decision-making and employers rely on them to validate their employees' registration status.

AHPRA and the Board know dental practitioners practise the profession using a name that is different from their legally recognised name published on the register (an alias).

AHPRA has asked governments to consider changes to the National Law that would enable registered health practitioners to nominate one or more aliases to be recorded on the public register. Governments [recently consulted](#) on this, among a range of other possible amendments to the National Law.

AHPRA believes that recording additional names (or aliases) on the register will help to inform and protect the public, by making it easier to identify a practitioner who may be registered and able to practise but who is not using their legal name.

There are some operational and practical issues that will need to be considered if governments make this change. A clear definition of an 'alias' is required, so practitioners' reporting obligations to AHPRA and the Board are clear. AHPRA and National Boards will need to consider what information practitioners will need to provide about their use of aliases in practice and whether any verification of this will be necessary to protect the validity of the register. Finally, there may be risks of unintended consequences - including whether publishing aliases could be used for commercial gain or benefits that are not related to public information and protection, which is the focus of the National Law.

AHPRA and the Board will keep practitioners and the public informed of any changes to the law and reporting requirements.

### Paramedics: Welcome to the National Scheme!

On Saturday 1 December 2018 the National Scheme reached a milestone with paramedicine becoming the sixteenth regulated health profession.

Reflecting on the milestone, Paramedicine Board of Australia Chair Associate Professor Stephen Gough ASM Gough noted that it was the culmination of many years of debate, deliberation and sustained effort by the paramedic profession to join a national regulatory scheme that has patient safety at its heart.

'While paramedics have always had the patient at the centre of everything they do – showing compassion, understanding and empathy to those they provide care – the past two decades have also seen the profession grow in complexity; paramedics are now working in a range of roles and environments, using sophisticated treatments and technology, to provide world-class services to Australian communities.

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[1] Health Practitioner Regulation National Law, as in force in each state and territory (the National Law).

'Regulating paramedicine under the National Scheme acknowledges the critical role paramedics play in our health system and recognises paramedics as registered health professionals,' Associate Professor Gough said.

1 December 2018 also marks just over two years since the [COAG Health Council](#) announced its intention to regulate the paramedicine profession, with the inaugural National Board appointed in October 2017.

Over this time, stakeholders across the profession, including governments, jurisdictional ambulance services, and private and volunteer organisations, have worked together to make sure that all eligible paramedics are well prepared for regulation.

Since registration opened at the beginning of September 2018, over 17,000 paramedics have applied for registration.

Find out more about paramedicine on the [Paramedicine Board of Australia's website](#).

### **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.

### **Conclusion**

The National Board publishes a range of information about registration and the National Board's expectations of practitioners on its website at [www.dentalboard.gov.au](http://www.dentalboard.gov.au) or [www.ahpra.gov.au](http://www.ahpra.gov.au).

For more information or help with questions about your registration please send an [online enquiry form](#) or contact AHPRA on 1300 419 495.

Dr Murray Thomas  
**Chair, Dental Board of Australia**  
21 December 2018