

4 July 2008

Health Workforce Study
Productivity Commission
LB2 Collins Street East
MELBOURNE VIC 8003

Dear Sir

Review of Mutual Recognition Schemes

Reference is made to your letter dated 22 April 2008 requesting submissions concerning the review of the Mutual Recognition Agreement and the Trans Tasman Mutual Recognition Arrangement (TTMRA). The NSW Physiotherapists Registration Board considered this information at its meeting held on 10 June 2008.

The Board advises that there are no issues with the administration process of the mutual recognition schemes. Issues of concern that have arisen for this Board relate to the following matters:

1. Under the mutual recognition arrangements the Board has been obliged to register some overseas qualified physiotherapy graduates that would not have been considered to hold a physiotherapy qualification of equivalent standard to those of Australian graduates. This creates an anomalous situation where applicants for registration who do not satisfy the NSW requirements may be able to obtain registration in another state or territory and then gain registration in this state through mutual recognition provisions with a "lesser" qualification. It could conceivably bring about a situation where the standards of practice set in place by the NSW government are eroded to the 'lowest common denominator'.
2. The NSW Board has experienced difficulties with applicants for registration under the mutual recognition scheme where some interstate physiotherapy registration Boards have not advised registration Boards in other jurisdictions of conditions placed on a physiotherapist's registration. In accordance with mutual recognition legislation *'a person who has deemed registration in the second State may carry on the occupation in the second State as if the deemed registration were substantive registration in the second State subject to any conditions or undertakings*

applying to the person's registration in the first State, unless waived by the local registration authority of the second State under this section....'

The Board's primary responsibility is the protection of the public and public safety. The omission by any Board to notify all jurisdictions of conditions placed on a physiotherapist's registration may pose a significant risk to the public.

3. The NSW Board has been faced with a situation where the conditions placed on a physiotherapist's registration in another state could not be applied in NSW. In this instance, the Board received an application from an overseas qualified physiotherapist undertaking a Masters program in another jurisdiction where they were granted temporary registration (for the purposes of the program) to practise in the one state. The individual then made application for registration in NSW by the mutual recognition process. The conditions of the temporary registration in the first state were quite specific and stipulated that temporary registration to practise was granted for practice in the first state only.

The NSW Physiotherapists Board thanks you for the opportunity to make a submission on this matter and trusts you will consider the issues raised.

Yours faithfully

Sue Hardman
Registrar