

ATMS APPEARS AT NSW PARLIAMENTARY INQUIRY INTO UNREGISTERED PRACTITIONERS

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On 6 May 1998, the NSW Parliamentary Joint Committee on the Health Care Complaints Commission (the Committee) resolved to conduct an inquiry. The terms of reference of the Inquiry involved four main issues:

- Do existing mechanisms offer consumers an effective means of dealing with their complaints against unregistered health practitioners?
- Do the provisions of the *Health Care Complaints Act 1993*, relating to unregistered health practitioners, require amendment?
- Is there scope for strengthening of self-regulation in unregistered fields of health care?
- Is further statutory regulation of unregistered health care required?

The Committee consisted of:

- John Mills (Chair)
- James Anderson
- Marie Andrews (Vice-Chair)
- Marie Ficarra
- Jeff Hunter
- Peter Macdonald
- Stan Neilly
- Bill Rixon
- The Hon. Dr Brian Pezzutti
- The Hon. John Johnson
- The Hon. Dr Arthur Chesterfield-Evans.

The Inquiry resulted from concerns of Health Care Complaints Commissioner, Merrilyn Walton, that section 7 of the *Health Care Complaints Act* gives legal authority to the Commission to investigate allegations against unregistered health service providers, but the

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Act fails to allow for disciplinary action against unregistered providers, even if found guilty.

In 1997/98, the Health Care Complaints Commission received 54 complaints against unregistered health practitioners compared to 1,000 complaints against registered health practitioners. Of the 54 complaints, only 17 involved natural therapists ie 3 complaints against traditional Chinese medicine practitioners and 14 complaints against naturopaths, herbalists, homoeopaths, massage therapists, Reiki practitioners and iridologists.

ATMS made a submission to the Committee. In response to the submission, the Committee invited ATMS to give evidence before its Public Hearing on 24 September 1998 at Parliament House in Sydney. Raymond Khoury gave evidence on behalf of ATMS.

The Committee asked questions about the ATMS complaints procedure ie how was it developed, the nature of complaints, action taken against members and what happens to expelled members.

The Committee then enquired about the relationship between the Health Care Complaints Commission and ATMS ie is ATMS aware of complaints that go to the Commission, does ATMS refer complaints to the Commission, was there any value in ATMS and the Commission developing liaison and if so, how could this mechanism be achieved?

The Committee praised the ATMS complaint handling mechanism, and sought advice on how the Health Care Complaints Commission could assist ATMS. The Committee requested a copy of the *ATMS Annual Report* and the *ATMS Member's Handbook*.

The Committee asked about the ATMS accreditation process and the strategies used to recruit members. The Committee praised the ATMS self-regulatory model and wanted to know more about it.

When the Inquiry findings are released, a report will be posted on the ATMS website (www.atms.com.au/news.htm) and published in the *Journal of the Australian Traditional-Medicine Society*. ❖