
News Bulletin

Dental Technicians and Dental Prosthetists Board of Queensland

January 2002

COMMENTS

The most important issue in this Newsletter is the new legislation that is about to be introduced. *The "Dental Technicians and Dental Prosthetists Registration Act 2001"* was passed by Parliament on 12 May 2001 and is expected to commence on 1 May 2002. This new legislation will have considerable impact on the way you run your business (e.g. Recency of Practice, mandatory continuing education to maintain registration, significantly altered complaints handling procedures) and the manner in which the Board functions.

All health Registration Boards are under financial pressure as they are fully self-funding under the existing legislation as well as under the new legislation. For those Registration Boards, which have a relatively small number of registrants, this is a daunting proposition as eligible expenses include legal costs, accommodation costs, and the cost of the secretariat.

The ultimate level of fees depends on negotiations with Government. The Board is currently carrying out a review of expenses, but it would appear that there is likely to be an increase in the Annual Registration Fee equal to the standard CPI increase. All Registration Boards were required to enter into a Service Agreement with the Registrar for 2000-2001. This proved to be a reasonable success in terms of maintaining the Board's financial position.

The "Review of the Restrictions on the Practice of Dentistry" was released for comment earlier this year. Some of the recommendations in this review were considered to be misleading and based on unsubstantiated facts and figures and the Dental Technicians and Dental Prosthetists Board of Queensland submitted a proposal outlining our fears on the potential deregulation of Dental Technicians. At the time of publication of this Newsletter there has been no response.

EDUCATION

Southbank TAFE has informed the Board that the next Oral Health Certificate course will be available from 16-18 Feb 2002. This is a very important course and is available to all registered Dental Technicians and Dental Prosthetists. Dental Prosthetists who successfully undertake this course will no longer be required to have the condition "*production by a patient of an Oral Health Certificate from a dentist or medical practitioner for the supply and fitting of a partial artificial denture*", placed on their registration.

Continuing education will become a compulsory part of our registration from 2002 and with that in mind it will be on the Board's agenda for the next few months. More information will be available about the format and requirements from your Association.

Representatives from Southbank TAFE and the University of Queensland, Dental School, delivered a presentation to the Board at our September meeting on a suite of courses for Dental Technicians and Dental Prosthetists. Griffith University has also provided a written proposal to the Board for education of Dental Technicians and Dental Prosthetists. The Board intends setting up an Education Committee in the next few months to handle matters relating to education.

ANNUAL CERTIFICATE OF REGISTRATION

Currently registered Dental Technicians and Dental Prosthetists receive a Certificate of Registration with the year clearly printed upon it. The Board intends to continue to issue such a Certificate on a yearly basis for registrants to display. This will help verify the currency of registration of Dental Technicians and Dental Prosthetists. Since 2000 each Dental Prosthetist receives a Certificate of Registration quoting full registration only if they have completed the Oral Health Certificate course currently being provided by Southbank TAFE. All other registrations have the condition, as mentioned above, noted on the Certificate.

REGISTERS

As at 30 June 2001, there were 646 names on the Dental Technicians Register and 146 names on the Dental Prosthetists Register.

An analysis of the registration database is printed in the 2000-2001 Dental Technicians and Dental Prosthetists Board of Queensland Annual Report. Copies of the Report will be available on the Board's Website early in the new year.

REGISTRATION

Provision of dental technical work by non-registered persons

The *Dental Technicians and Dental Prosthetists Act 1991* ("the Act") - Part 4 - "Performance of Dental Technical Work and Provision of Dental Prosthetic Services" restricts the authority to practice dental technical work and/or provide dental prosthetic services to registered persons.

Section 33(4) of the Act states:

A person must not employ another person—

- (a) To perform dental technical work unless that other person is registered as a dental technician or dental prosthetist, or is a dentist; or*
- (b) To provide a dental prosthetic service, unless that other person is registered as a dental prosthetist or is a dentist.*

Maximum penalty—4 penalty units.

“Dental technical work” means making, altering, adjusting, repairing or maintaining—

- (a) Artificial dentures; or*
- (b) Mouthguards; or*
- (c) Restorative or corrective dental appliances.*

For the purposes of this Act—

- (a) An individual is taken to have performed dental technical work, or provided a dental prosthetic service, if the work is performed, or the service is provided, by an employee or agent employed or engaged by the person in the course of a business carried on by the person; and*
- (b) A company is taken to have performed dental technical work, or provided a dental prosthetic service, if the work is performed, or the service is provided, by an employee or agent employed or engaged by the company to perform the work or provide the service.*

At present, a penalty unit is \$75.00.

The consequences are that only dental technicians, dental prosthetists and dentists may perform any dental aspect of dental technology. Non-registered persons must only perform clerical and non-technical duties such as cleaning.

The Board again reminds all persons, including those who have recently completed their training, who perform dental technical work and/or provide dental prosthetic services as defined in Part 1 of the Act, that they are required to be registered with this Board.

Although the Board sends out annual reminders for payment of the Annual Registration Fee, **it is the responsibility of registrants to maintain current registration.**

It is also a requirement of the Act that a **registrant** must inform the Board of any change of name or change in the particulars on the Register (e.g. address) within 30 days from that change.

Employers are also reminded of their obligation under the Act to ensure that **BEFORE** any person is employed to perform dental technical work or to provide dental prosthetic services, that the person is appropriately registered, and that not to do so would risk prosecution.

The Board is obliged to take action when a complaint is made about a dental technician or dental prosthetist. Over the past years the board has successfully prosecuted several people in relation to illegal activity involving unregistered dental technicians or dental prosthetists.

Unfortunately with every successful prosecution there are significant legal expenses. Although fines imposed are paid to the Board the fines are usually far less than the legal expenses involved. Total costs amount to some thousands of dollars each year. The ultimate cost is borne by everyone who pays their registration.

The message is clear - if you practice within the profession and wish to avoid prosecution, **YOU MUST BE REGISTERED**. For employers, this includes sighting each year a **CURRENT CERTIFICATE OF REGISTRATION** as proof that existing employees have paid the Annual Registration Fee required to remain registered.

The Board appeals to the industry to protect itself against the erosion of skills and to promote high standards by ensuring that only registered persons practice within the profession.

PROVISIONAL REGISTRATION

The Board wishes to inform all registrants, particularly employers, that upon receiving a complete application for registration, the Board can if requested, authorise provisional registration speedily via the telephone, thereby facilitating the immediate employment of a Dental Technician or Dental Prosthetist when that is desirable.

RECENCY OF PRACTICE

The new Act has additional sections not covered by the existing legislation. One of the most innovative is Division 4 "Recency of Practice Requirements". This section outlines mandatory continuing education as a requirement for renewal of registration. In previous years some registrants have been able to avoid paying fees for years by claiming they have not been working in the profession and been able to re-enter by paying a renewal fee without paying past registration fees. This will end with the new legislation in May 2002.

If you do not register for a period of three years, you may have to go back to an education establishment to bring you up to the level of the current graduates. If the period is less than three years, then you will have to prove first of all, that you have the equivalent skills of the latest graduates in Queensland. If you have practiced during the last 3 years and have the relevant qualifications you will still be required to be assessed by the Board before being eligible for re-registration. This will have significant effect on all registrants in the middle of 2002. It is very important that you maintain continuous registration.

The change over to the new legislation in 2002 will bring some complications due to the Registration Year being changed from a calendar year to a financial year. When you receive this Newsletter you will also receive your usual account for Registration Fees for the period from 1 Jan 2002 to Dec 31 2002. You will as usual have until 30 April 2002 to pay those fees. Once the new Act commences, you will receive a new account for the period from 1 Jan 2003 to 30 June 2003; this account will have to be paid by the 30 June 2003. This fee for this 6 month period will be adjusted accordingly.

Those of you who have paid their registration by the due date will be on the Register and you will receive an invitation to renew current registration. If you require renewal of registration after that date (1 May 2002) you will be subject to the new legislation and all those who have not been previously registered or have not paid the current account will be required to apply for re-registration, which may involve the sitting of an examination or the undertaking of a bridging course or similar to gain renewal of registration.

It is important that you pay on time.

Now is the time to go out and buy a copy of the new legislation that regulates your profession. Please note that the Dental Technicians and Dental Prosthetists Regulation 2001 has not yet been finalized. This will be available in the first half of 2002.

Acts of Parliament involving your profession either directly or indirectly

Now available from GoPrint (Ph. 3246 3399 or 1800 679 778).

Dental Technicians and Dental Prosthetists Act 1991, By-law and Regulation

Dental Technicians and Dental Prosthetists Registration Act 2001

Health Practitioner Registration Boards (Administration) Act 1999

Health Practitioners (Professional Standards) Act 1999

Mutual Recognition Act Queensland 1992

Trans-Tasman Mutual Recognition (Queensland) Act 1999

Health Practitioners (Special Events Exemption) Act 1998

Health Rights Commission Act 1991

Health Act 1937

ATO – GST

It would appear that we have come a full circle with the GST and the Australian Taxation Office. Please see the ATO web site for further information.

CONFERENCE OF REGULATING AUTHORITIES (CORA)

Members of the Board attended the annual Conference of Regulating Authorities in March 2001 in Canberra. Both professions were well represented at this Conference, with Board members being included on several working parties established by CORA. CORA is investigating the possibility of becoming an incorporated body (Council) rather than a Conference. This would provide CORA with more standing both in the profession and within Government circles.

FITTING OF SNOREX DEVICES

From information the Board has received regarding the fitting of the snorex device, the Board advises on evidence given to it, that:

- the fitting of any snoring devices should not be undertaken by persons other than a dentist,
- the criteria being that benefits for dentists are payable but requires a written referral from a respiratory physician before the benefit is paid;
- a high percentage of patients treated with snoring devices experience side effects.

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In reply to health funds seeking clarification on this matter , we have had to advise that at this present time legislation does not permit dental prosthetists to fit the snorex appliance.