

**OPTOMETRISTS
ASSOCIATION AUSTRALIA**

**SUBMISSION TO THE PRODUCTIVITY COMMISSION REVIEW OF
MUTUAL RECOGNITION FROM OPTOMETRISTS ASSOCIATION AUSTRALIA**

APRIL 2003

Introduction

Optometrists Association Australia makes this submission to the Review of Mutual Recognition being conducted by the Productivity Commission in response to a request from the Commission.

The Association's comments are restricted to mutual recognition as it relates to the Trans-Tasman Mutual Recognition Arrangements (TTMRA).

Optometrists Association Australia

Optometrists Association Australia (OAA) is a non-profit organisation registered under the terms of the Victorian Companies Act. It is a federation of the six State optometric associations and has been in existence since 1904.

Briefly paraphrased the objects of Optometrists Association Australia as laid down in its Memorandum and Articles of Association are:

- to support the profession of optometry
- to improve and advance the knowledge and expertise of optometrists and prospective optometrists
- to advance standards of practice; to foster research into vision
- to impose rules of professional conduct, and
- to represent generally the views and interests of the profession of optometry.

Approximately ninety per cent of practising optometrists in Australia are members of Optometrists Association Australia.

Registration in Australia and New Zealand

The practice of optometry is regulated in all States and Territories of Australia and in New Zealand. Registration to practise optometry is required under the legislation in each jurisdiction.

Eligibility for registration requires completion of an accredited optometry course in Australia or New Zealand or demonstration of competency through completion of competency examinations conducted on behalf of the boards.

TTMRA allow optometrists registered in one country to be come registered in the other country.

Support for the Trans-Tasman Mutual Recognition Arrangements

The profession of optometry has invested considerable effort in making the Trans-Tasman Mutual Recognition Arrangements as they affect the profession, work as effectively as possible.

There is considerable interaction between the profession in Australia and the profession in New Zealand aimed at standardisation of registration requirements, content of educational programs and the role of optometrists in each country. Many meetings are held at least annually including meetings of all registration authorities in Australia and New Zealand, heads of the optometry schools and professional associations.

Optometrists Association Australia believes that the arrangements have contributed to raising standards in each country through promotion of exchange of information and have simplified registration procedures in the two countries and facilitated the movement of professionals between the two countries. We believe that the arrangements as they impact on optometry have proven to be successful in all but one area that is addressed below.

Development of Competency Standards

The Australian Government through the National Office of Overseas Skills Recognition in 1992 funded a project to establish entry-level competency standards for the profession of optometry and in 1994 funded a project to develop an examination procedure to test these competencies. The projects involved consultation of exceptional proportions, involving registration boards, educators, leaders of the profession, optometrists in private practice, related professions and many other groups and individuals in both Australia and New Zealand.

The Australian Government contributed almost \$200,000 to the project. In addition, the Optometrists Association Australia expenditure on labour and expenses amounted to tens of thousands of dollars.

Subsequently, all registration authorities in the States and Territories of Australia and in New Zealand accepted the competencies as the basis for registration. It was agreed, following years of negotiation, that the Australian and New Zealand optometry courses should be assessed against the standard of the competencies while all applicants for registration with overseas qualifications would be required to sit an examination.

An organisation called the Optometry Council of Australia and New Zealand was established to accredit optometry schools against the competency standards and to conduct competency examinations for overseas-trained optometrists wishing to practise in Australia.

All boards of optometric registration throughout Australia and New Zealand use the Optometry Council's advice in determining whether an overseas-trained optometrist is eligible for registration. The one serious problem has been with optometrists holding membership of the British College of Optometrists.

Problem

The New Zealand Government has altered the New Zealand Optometrists Registration Act to allow members of the British College of Optometrists to be registered in New Zealand without examination. The decision provides a back-door entry for UK registered optometrists who wish to practise in Australia but want to avoid a test of their competency to register in Australia. Optometrists with membership of the British College of Optometrists who want to practise in Australia register in New Zealand and then obtain registration in Australia by virtue of TTMRA.

The New Zealand decision undermines all the work that was done to achieve a consensus on how best to provide adequate protection to the public and to be fair to applicants for registration. The New Zealand decision to accept membership of the British College of Optometrists for registration means that if TTMRA are applied to optometry, the work done to date will be invalidated and legislation recently enacted in Australia will have been pointless and, more importantly, informed opinion on the standards required for public safety will have been ignored.

No optometric registration board, no head of optometry school, no professional association in any jurisdiction in Australia or New Zealand regards UK registration as suitable for automatic registration in Australia or New Zealand. Among the reasons for this are:

- (a) The UK optometric course is of three-year duration while those in Australia and New Zealand are of four-year duration and going to five years.
- (b) Optometrists from other countries in Europe and elsewhere with lower standard qualifications may be registered in the UK under special arrangements with the European Union. Accepting UK optometric qualifications puts the public at risk because the responsibilities optometrists assume and the expectations that the public has of optometrists in Australia and New Zealand are higher than those in most other countries.
- (c) The British College of Optometrists sets its own standards with no consideration of the needs of the registration authorities in Australia and New Zealand. The standards may be inappropriate for local needs and can change without reference to Australian and New Zealand authorities.

Even the New Zealand Ministry for Health does not agree with the exception made for UK qualifications. The Ministry for Health has argued (the MBCO mentioned in the quote is the UK qualification required for registration as an optometrist in the UK):

“The MBCO should be omitted from the regulations because the Board does not have the authority or means to accredit that qualification. It would also put in place a consistent approach for determining the competencies of individual applicants for registration. It would mean that all overseas qualified optometrists from countries other than Australia would have to meet the same competencies required of New Zealand and Australian graduates. The MBCO is no longer recognised by the Australian Optometry Boards unless other requirements are met such as passing a competency examination.

“Retention of the MBCO would create an inequity in that those applicants holding the MBCO would be the only applicants in Australasia who would not be required to have a proven standard level of competency to obtain registration. Not all United Kingdom qualified optometrists hold the MBCO, eg. Scottish optometrists and those who graduated prior to 1980. Therefore, MBCO applicants would be privileged in comparison to other United Kingdom optometrists. Retention of the MBCO in New Zealand regulations will provide an avenue for all MBCO qualified applicants to register in New Zealand, and then relying on their registration status gain registration in an Australian State under Trans Tasman Mutual Recognition Act 1997.”

In short, the New Zealand Government will register optometrists applying for registration in New Zealand who are registered in the United Kingdom, contrary to the agreement reached between all optometric representative, education and registration bodies in Australia and New Zealand, and the advice of the New Zealand Opticians Board. This undermines years of work to gain uniformity.

Effect of the Anomaly

Uniformity was sought across all jurisdictions in Australia and New Zealand in order to eliminate problems of mutual recognition. It was agreed that all optometrists seeking registration should, at least, meet the competency standards. Under the agreed arrangements, the optometry schools in New Zealand and Australia must undergo regular accreditation to ensure that the students graduate with skills and knowledge higher than required by the competencies. It was also agreed that all other persons seeking registration as optometrists must demonstrate their competence by passing an examination based on the standards that were considered minimums for public safety.

In effect the New Zealand regulations in context say that everyone except British qualified optometrists must meet the competency standards. Australian and New Zealand trained optometrists must meet the standards, as must optometrists from every country in the world other than the UK. There is no justification for this one exception.

British qualified optometrists who want to practise in Australia have been exploiting this anomaly and avoiding the examinations required in Australia by registering in New Zealand and then obtaining registration in Australia through Trans-Tasman Mutual Recognition.

The abuse of the arrangements has become widespread. New South Wales alone registered over 50 optometrists with New Zealand registration under Trans-Tasman Mutual Recognition in 1999. This number is greater than the number of graduates from the New South Wales school of optometry in that year. We understand that most of these optometrists are in fact from the UK and are registering in New Zealand to avoid examination in Australia. We do not have more recent figures on registrations through this loophole but understand from informal discussions that the numbers continue to be of this order.

There are also reports of European optometrists registering in the UK under relaxed regulations in the European Economic Community, then registering in New Zealand with a view to Australia being the intended destination.

The entry into Australia of overseas optometrists in these numbers is regarded by some as a threat to both the stability of the profession and to standards of practice in Australia and may have a significant impact on Medicare expenditure on optometry. All optometrists' registration boards in Australia and New Zealand have, without success, urged the New Zealand Government to amend the legislation and plug this loophole. We understand that State and Territory Governments in Australia have expressed similar views to the New Zealand Government. The New Zealand Government is on its own in supporting the automatic registration of UK optometrists in New Zealand.

Our concerns about the New Zealand Government's decision to accept British optometric qualifications without examination have not been alleviated by the explanation of the appeals mechanisms available under the TTMRA. It would be beyond the resources of optometrists' boards in Australia to make the necessary appeals and we find it difficult to believe that we would be able to influence the Ministerial Council on a matter such as this.

Efforts to remedy have been unsuccessful

Optometrists Association Australia, the New Zealand Association of Optometrists, heads of schools of optometry in Australia and New Zealand, the Optometry Council and all boards of registration in Australia and New Zealand have made considerable efforts to have the situation remedied without success.

We understand that the matter has been raised at meetings of Health Ministers on more than one occasion. Australian Governments have suggested that they are not happy with the New Zealand arrangements and have asked for rectification. We understand that there had been suggestions made that Australia would remove optometry from the Trans Tasman Mutual Recognition Arrangement if the New Zealand Government did not rectify the situation and the New Zealand Government had agreed to look at the issue.

No action has been taken to date.

Withdrawal of optometry from the TTMRA should be seriously considered unless the Act governing registration of optometrists in New Zealand be amended to require that all non Australian or New Zealand trained optometrists sit the competency examination conducted by the Optometry Council of Australia and New Zealand.