



Hearing Services Amendment Rules of Conduct 2007 (No. 1)

Hearing Services Administration Act 1997

I, CHRISTOPHER PYNE, Minister for Ageing, make these Rules under subsection 17 (1) of the *Hearing Services Administration Act 1997*.

Dated 26 June 2007

CHRISTOPHER PYNE
Minister for Ageing

1 Name of Rules

These Rules are the *Hearing Services Amendment Rules of Conduct 2007 (No. 1)*.

2 Commencement

These Rules commence on 1 July 2007.

3 Amendment of *Hearing Services Rules of Conduct 2005*

Schedule 1 amends the *Hearing Services Rules of Conduct 2005*.

Schedule 1 Amendments

(section 3)

[1] **Subrule 4 (1), definition of *Clinical Standards***

omit

[2] **Subrule 4 (1), after definition of *complex client***

insert

direct supervision means supervision by a supervisor who is physically present 'at the elbow' of the person being supervised.

[3] **Subrule 4 (1), after definition of *Office***

insert

on-site supervision means supervision by a supervisor who is on the same premises at the relevant time and is available to help the person being supervised or the voucher-holder concerned.

outcomes document means the document, *Hearing Rehabilitation Outcomes for Voucher-Holders*, in the form issued by the Office on 1 July 2007.

[4] **Subrule 4 (6)**

omit

[5] **Rule 8**

substitute

8 Supervision of Provisional Audiologists providing hearing services

- (1) A contracted service provider must ensure that a Provisional Audiologist provides, for the contracted service provider, hearing services to voucher-holders only the supervision of a Qualified Practitioner (Audiologist) in accordance with this rule.
- (2) For approval as a Qualified Practitioner (Audiologist) under rule 26, and subject to subrule (4), the Provisional Audiologist must:
 - (a) practice under the supervision of a Qualified Practitioner (Audiologist) for at least 12 months; and

- (b) comply with the supervisory requirements of any approved professional body of which he or she is a member.

Note The 12-month supervision may be undertaken full-time or in an equivalent period part-time: see subrule 4 (2).

- (3) For subrule (2), if the Provisional Audiologist is not a member of an approved professional body, he or she must complete at least 12 months on-site supervision by a Qualified Practitioner (Audiologist).

Note The 12-month supervision may be undertaken full-time or in an equivalent period part-time: see subrule 4 (2).

- (4) If a Provisional Audiologist has trained as an audiologist in a country other than Australia, an approved professional body of which he or she is a member may determine the minimum period of on-site supervision.

[6] Rule 9

substitute

9 Supervision of Provisional Audiometrists providing hearing services

- (1) A contracted service provider must ensure that a Provisional Audiometrist provides, for a contracted service provider, hearing services to voucher-holders only under the supervision of a qualified practitioner in accordance with this rule.
- (2) For approval as a Qualified Practitioner (Audiometrist) under rule 27, and subject to subrule (5), the Provisional Audiometrist must:
- (a) practice under the supervision of a qualified practitioner for at least 2 years; and
 - (b) comply with the supervisory requirements of any approved professional body of which he or she is a member.

Note The 2-year supervision may be undertaken full-time or in an equivalent period part-time: see subrule 4 (2).

- (3) For subrule (2), the supervisory requirements must include at least 12 months on-site supervision by a qualified practitioner.

Note The 12-month supervision may be undertaken full-time or in an equivalent period part-time: see subrule 4 (2).

- (4) For subrule (2), if a Provisional Audiometrist is not a member of an approved professional body, a contracted service provider must ensure that a Provisional Audiometrist provides, for the contracted service provider, hearing services to voucher-holders only if arrangements are in force under which:
- (a) the Provisional Audiometrist will provide at least 8 hours each month of hearing services under direct supervision by a qualified practitioner; and

- (b) all other hearing services the Provisional Audiometrist provides, for the contracted service provider, are under on-site supervision by a qualified practitioner.
- (5) If a Provisional Audiometrist has trained as an audiometrist in a country other than Australia, an approved professional body of which he or she is a member may determine the minimum period of on-site supervision.

[7] Rule 10

substitute

10 Supervision of Student Audiometrists providing hearing services

- (1) A contracted service provider must ensure that a Student Audiometrist provides, for or on behalf of the contracted service provider, hearing services for voucher-holders only if the Student Audiometrist has completed a 6-month orientation phase of general industry experience.

Note During this 6-month period the Student Audiometrist is not to provide hearing services to voucher-holders, even subject to supervision.

- (2) A contracted service provider must ensure that a Student Audiometrist who has completed the 6-month orientation phase of general industry experience required by subrule (1) gains, over at least 6 months from the commencement of his or her employment, at least 200 hours of clinical practice, in a variety of hearing services, under the direct supervision of a qualified practitioner.
- (3) If a Student Audiometrist has complied with subrule (2) but has not successfully completed the NSW Technical and Further Education Certificate IV in Audiometry or an equivalent approved course, he or she may provide hearing services to voucher-holders, for a contract service provider, subject to:
 - (a) on-site supervision by a qualified practitioner; and
 - (b) the provision of a minimum of 16 hours per month of hearing services under the direct supervision of a qualified practitioner.
- (4) A Student Audiometrist must, within 4 years after registration as a Student Audiometrist:
 - (a) gain the 200 hours of clinical practice mentioned in subrule (2); and
 - (b) successfully complete the NSW Technical and Further Education Certificate IV Audiometry or an equivalent approved course, mentioned in subrule (3).
- (5) The Minister may waive the requirement in subrule (1) if he or she is satisfied that the Student Audiometrist has provided satisfactory evidence of having completed a 6-month orientation phase of general industry experience prior to being registered as a Student Audiometrist.

[8] Paragraph 14 (1) (e)

omit

Clinical Standards.

insert

outcomes document.

[9] Subrule 15 (2), before definition of *informed consent*

insert

guardian includes a person nominated by the voucher-holder for this rule.

[10] Rule 16

substitute

16 Referral of certain assessment tests

A contracted service provider must ensure that, if the assessment of a hearing test conducted by a Qualified Practitioner (Audiometrist) results in a voucher-holder being classed as a non-routine client within the meaning of the outcomes document, the results are referred to a Qualified Practitioner (Audiologist) for interpretation and any necessary further assessment.

[11] Subparagraph 22 (1) (a) (ii)

omit

Clinical Standards;

insert

outcomes document;

[12] Rule 25

omit

This rule does

insert

These Rules do

[13] Paragraph 26 (3) (c)

substitute

- (c) the applicant is an employee of a contracted service provider, or an employee of an entity that has applied for accreditation under section 5 of the *Hearing Service Providers Accreditation Scheme 1997*;

[14] Subrule 26 (3), note 1

omit

Overseas-trained persons must be members of an approved professional body.

[15] Paragraph 26 (4) (b)

omit

12 months; and

insert

12 months subject to on-site supervision by a Qualified Practitioner (Audiologist); and

[16] Paragraph 26 (4) (c)

omit

supervision.

insert

supervision; and

[17] Subrule 26 (4), after paragraph (c)

insert

(d) the applicant has passed any examinations set by the advisory committee.

[18] Subrule 26 (5)

substitute

(5) An applicant that has trained as an audiologist in a country other than Australia must be a member of an approved professional body.

[19] Paragraph 27 (3) (a)

substitute

(a) the applicant is an employee of a contracted service provider, or an employee of an entity that has applied for accreditation under section 5 of the *Hearing Service Providers Accreditation Scheme 1997*; and

[20] Paragraph 27 (3) (c)

substitute

(c) the applicant has complied with the requirements for a Provisional Audiometrist under rule 9 within 4 years after being registered as a Provisional Audiometrist; and

[21] Subrule 27 (3), note

omit

If there is an approved professional body, overseas-trained persons must be members of the approved professional body.

[22] Paragraph 27 (4) (b)

omit

supervision.

insert

supervision; and

[23] After paragraph 27 (4) (b)

insert

(c) the applicant has passed any examinations set by the advisory committee.

[24] Subrule 27 (5), including the note

substitute

(5) An applicant who has trained as an audiometrist in a country other than Australia must be a member of an approved professional body.

[25] Subrule 27 (6)

omit

[26] Subrule 27 (7)

omit

and subrule (6)

[27] Subrule 27 (8)

omit

[28] Subrule 28 (3)

substitute

(3) Subrule (3A) applies to a person who:

(a) has been allocated a qualified practitioner number; and

- (b) within the previous 24 months, has not received certification required under paragraph 26 (3) (b), 26 (4) (c), 27 (3) (e) or 27 (4) (b) by an approved professional body or by the advisory committee.
- (3A) The person must not:
 - (a) provide clinical hearing services to voucher-holders other than under the on-site supervision of another qualified practitioner; or
 - (b) supervise a Provisional Audiologist, Provisional Audiometrist, or Student Audiometrist providing clinical hearing services to voucher-holders.
- (3B) An approved professional body or the advisory committee may be satisfied as to the matters mentioned in paragraph (3) (b) upon a person providing evidence of satisfactory completion of approved continuing professional education requirements.
- (3C) The Minister may exempt the person from compliance with subrule (3A).

[29] After subrule 29 (9)

insert

- (10) A person registered as a Provisional Audiologist must:
 - (a) comply with the requirements for a Provisional Audiologist mentioned in rule 8; and
 - (b) within 2 years after being registered as a Provisional Audiologist, apply to the Minister under rule 26 for approval as a Qualified Practitioner (Audiologist).
- (11) Without limiting the Minister's power to revoke registration, if the person does not comply with subrule (10), the Minister may revoke the person's registration as a Provisional Audiologist.

[30] Subrule 30 (3)

substitute

- (3) The Minister may register an applicant under this rule only if the Minister is satisfied that, if the applicant is a Student Audiometrist:
 - (a) a contracted service provider has certified to the Minister that the Student Audiometrist has complied with paragraph 10 (4) (a); and
 - (b) the Student Audiometrist has complied with paragraph 10 (4) (b); and
 - (c) a contracted service provider has given the Minister a certified copy of the Student Audiometrist's clinical logbook.

Note For clinical logbooks see rule 35.

[31] After subrule 30 (4), including the note*insert*

- (5) A person registered as a Provisional Audiometrist must:
 - (a) comply with the requirements for a Provisional Audiometrist under rule 9; and
 - (b) within 4 years after being registered as a Provisional Audiometrist, apply to the Minister under rule 27 for approval as a Qualified Practitioner (Audiometrist).
- (6) Without limiting the Minister's power to revoke registration, if the person does not comply with subrule (5), the Minister may revoke the person's registration as a Provisional Audiometrist.

[32] After subrule 31 (2)*insert*

- (3) A person registered as a Student Audiometrist must comply with requirements of rule 10.
- (4) Without limiting the Minister's power to revoke registration, if the person does not comply with subrule (3), the Minister may revoke the person's registration as a Student Audiometrist.

[33] Paragraph 32 (3) (c)*substitute*

- (c) to determine the competency of applicants who are not members of an approved professional body, as Qualified Practitioners (Audiologist) or Qualified Practitioners (Audiometrist) under rule 26 or 27; and
- (d) subject to the Act and these Rules, any other function specified in the instrument establishing the committee.

[34] Paragraph 33 (d)*omit*

revoked

insert

revoked, varied, suspended or made subject to conditions

[35] Paragraph 34 (1) (c)

substitute

- (c) if these Rules require the person to be subject to direct supervision or on-site supervision when providing hearing services:
 - (i) the name and qualified practitioner number of each qualified practitioner who has the responsibility for that supervision for the time being; and
 - (ii) if supervision has been provided by more than 1 qualified practitioner — the period each qualified practitioner was responsible for that supervision.

[36] Subrule 36 (1)

omit

revoke

insert

revoke, vary, suspend or impose conditions on

[37] Subrule 36 (2)

omit

revoke

insert

revoke, vary, suspend or impose conditions on

[38] Subrule 36 (4)

substitute

- (4) Before taking any action under subrule (2) (other than paragraph (2) (a)), the Minister must:
 - (a) notify the person of the action that he or she is considering taking, giving appropriate detail of reasons for the proposed action; and
 - (b) allow the person 30 days after receiving the notice to make written submissions about why the proposed action should not occur; and
 - (c) consider those submissions.

[39] Subrule 39A (1)

substitute

- (1) Before providing any hearing services to a person, the contracted service provider must confirm that:
 - (a) the person is a voucher-holder; and

-
- (b) any hearing services required by the voucher-holder have not already been provided under the voucher.

[40] After subrule 44 (4)

insert

- (5) A contracted service provider must not engage in any form of advertising or telemarketing that:
- (a) brings the Australian Government Hearing Services Program into disrepute; or
 - (b) suggests that hearing devices are provided free by the contracted service provider rather than by the Australian Government.

[41] Rule 46

omit

from Australian Hearing Services.

insert

to complex clients.

[42] Rule 46, note

omit