

9 April 2020

Calling for Clarity – Essential Healthcare

Provide equal access to trusted health practitioners to reduce medical and hospital burden.

We call on the New South Wales government to clarify its approach to permitted healthcare providers.

We know that **healthcare providers help ease the pressure on our hospital system and medical practitioners.** This is particularly important at this crucial time.

In fact, on 26th March 2020, the Commonwealth Principal Medical Advisor advised a broad range of allied health professions “government encourages healthcare workers to continue working, to help ease the pressure on our hospital system.”¹

What is NSW’s Current Approach?

NSW’s current approach to “essential healthcare services” is complex. It is unclear which healthcare providers are permitted to operate or required to close.

The clear carve-out on your website for chemists, doctors, medical centres, hospitals, pathology and physiotherapy has only made the situation more difficult to understand. Non-listed healthcare providers are now querying whether they can remain open. In addition, different NSW agencies (eg health and police) seem to be applying distinct interpretations of the directions and we are hearing of police closing legitimate healthcare premises.

The result is confused healthcare providers in NSW. Some providers have pre-emptively closed their businesses, to avoid issues with the police. Other providers want to continue to treat their patients’ healthcare issues, and assist easing the burden on hospitals and medical practitioners, particularly at a time when elective surgery is postponed. Across the State, healthcare providers are feeling anxious about whether they can continue to treat patients.

¹ “where you don’t need a face-to-face consultation, government encourages audiovisual consultations.”

Unfortunately, this is exacerbated by the widespread confusion around Australia within the healthcare sector. This is because different States and Territories have adopted varying interpretations of essential healthcare services.

NSW citizens rely on their healthcare providers to help them ease the burden of chronic conditions and pain. But with the latest NSW government actions and announcements, numerous healthcare providers don't know if they are required to cease practice.

Just last week, Victoria reversed its position on allied health and expanded its list of permitted allied healthcare providers to myotherapy, therapeutic and remedial massage, and other allied health providers.

Background

On 24 March 2020, the Prime Minister announced the prohibition of all beauty and personal care service spas and massage parlours.

On 30 March 2020, the NSW Minister for Health and Medical Research issued an [Order](#) that prohibits business premises that are spas, nail salons, beauty salons, waxing salons, tanning salons, tattoo parlours or massage parlours.

The NSW Minister for Health advised us by email on 1 April that the issue falls within the administration of the Federal Minister for Health and he therefore declined to make a ruling. This would imply that myotherapy (and remedial massage) are permitted to continue operating.

However, a few days later, this [webpage](#) appeared, which implies that the only healthcare services permitted to be open may be chemists, doctors, medical centres, hospitals, pathology and physiotherapy.

At the same time, we understand that some health premises are being shut down by NSW police.

The responses of all Australian State and Territory governments are summarised at Attachment 1.

What are the Results of NSW's Confusing Website?

Right now, around Australia, many healthcare providers want to play their role helping our country through the Covid-19 pandemic. Healthcare providers can help reduce demand on overburdened hospitals and medical services.

However, unclear announcements are confusing healthcare providers. This is resulting in healthcare providers shutting their doors and turning away patients, rather than risk police fining their patients and practices.

Unfortunately, the NSW website is only increasing confusion among healthcare providers:

- the specific reference to the chemists, doctors, medical centres, hospitals, pathology and physiotherapy has healthcare providers asking if ONLY those professions are permitted to practice;
- creating an even more fragmented approach to healthcare across Australia, where people in one State can access appropriate healthcare treatments prohibited to people in their neighbouring State or town;

- healthcare providers are not insured if they practice contrary to a government direction – given the clear listing of some providers on your website, other healthcare providers are asking if they are permitted to practice;
- it creates a disadvantage for the health outcomes of NSW citizens –with access to trusted healthcare providers limited while they work out whether they are permitted to practice;
- a number of small and micro-businesses and their employees are without income;
- NSW small and micro-business operators and employees who close their businesses to be “on the safe side” struggle to access Covid assistance without a formal government announcement that specifically mentions their industry/ies;
- we are receiving distraught phone calls from members, who simply don’t understand why government advice is so confusing and why one day they can treat patients and the next day they cannot treat patients, when other parts of Australia can continue to practice; and
- patients with chronic healthcare issues who have built a relationship of trust and understanding with their preferred healthcare provider over long periods of time suddenly do not know where to turn for appropriate assistance during a national healthcare crisis - let us hope that this does not result in unnecessary hospitalisations.

About Myotherapy Association Australia

The Myotherapy Association Australia (MA) is Australia’s only association dedicated solely to the needs of myotherapists and the myotherapy profession. MA is committed to the highest standards of corporate governance and furthering the interests of myotherapists through programs that support, promote, develop, and endorse the myotherapy profession and maintain the highest standards of practice for our members and their clients.

Why Health Practitioner Regulation is not the most Appropriate Definition of Permitted Healthcare Services

Queensland and Tasmania specifically reference the Health Practitioner Regulation National Law in their Directives.

However, the Health Practitioner Regulation National Law only registers a very small number of listed healthcare professions. It does not include many trusted and well-respected healthcare professions, such as: social workers, exercise physiologists, speech pathologists, myotherapists, audiologists, dieticians, orthoptists, orthotists, prosthetists, and remedial massage therapists.

What should be Permitted Healthcare Services?

Around Australia, State and Territory governments have listed non-essential services. They all include “personal care massage”. Many jurisdictions have specifically permitted remedial massage and other allied healthcare services, such as myotherapy.

Another approach, which we understand was originally proposed by the Queensland government, would be to allow Medibank-registered healthcare providers to continue practicing. Essentially, healthcare providers who meet strict criteria can apply to the private health insurers (PHIs) for a provider number. This allows payment of PHI rebates for services performed by that individual provider in a particular location (a

separate provider number is required for each location). Most PHIs follow Medibank in determining who is eligible for a provider number. PHIs have robust fraud detection mechanisms, including de-registering, and referring for prosecution, fraudulent providers.

I have attached an updated table that compares all Australian jurisdictions' treatment of myotherapy.

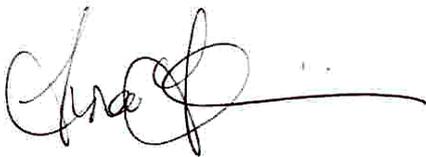
I urge you to either:

- adopt Queensland's original proposal to permit Medibank-registered (PHI-registered) healthcare providers to continue practicing; or
- clarify that myotherapists are permitted to continue practicing in NSW.

I am keen to discuss with you further how myotherapy fits into the NSW's health and medical services, so that we can together work on a fit-for-purpose definition that helps achieve government's goals of reducing unnecessary hospitalisations, where healthcare providers, such as myotherapists, can help patients better manage their health.

Please do not hesitate to contact me on 0410 724 655 if you have any queries.

Sincerely,



Anna Yerondais

Chief Executive Officer

Myotherapy Association Australia

Attachments:

1. **Australian Government Interpretations of Non-Essential Healthcare**
2. **Letter of Support for Soft Tissue Therapy (Similar to Myotherapy) to Continue– [name withheld]**
3. **Letter of Support for Soft Tissue Therapy (Similar to Myotherapy) to Continue– [name withheld]**
4. **Letter of Support for Soft Tissue Therapy (Similar to Myotherapy) to Continue– [name withheld]**
5. **Letter of Support for Soft Tissue Therapy (Similar to Myotherapy) to Continue– [name withheld]**
6. **Letter of Support for Soft Tissue Therapy (Similar to Myotherapy) to Continue– [name withheld]**
7. **Letter of Support for Soft Tissue Therapy (Similar to Myotherapy) to Continue – [name withheld]**

8. Letter of Support for Soft Tissue Therapy (Similar to Myotherapy) to Continue– [name withheld]
9. Letter of Support for Soft Tissue Therapy (Similar to Myotherapy) to Continue– [name withheld]
10. Letter of Support for Myotherapy to Continue – [name withheld]
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19. Letter of Support for Myotherapy to Continue – [name withheld]