



# Massage Association of Australia Ltd

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## CODE OF CONDUCT FOR UNREGISTERED HEALTH PRACTITIONERS (GENERAL MEMBERS) NEW SOUTH WALES

All MAA General Members must display this Code of Conduct and the information for clients about how a complaint may be made to the Health Care Complaints Commission (HCCC).

All MAA General Members must also display their Qualifications and MAA Membership Certificates. All of these documents must be displayed in a position and manner that makes them easily visible and accessible to a person entering the relevant premises.

### Definitions:

In this code of conduct:

**health practitioner** and **health service** have the same meaning as in the *Health Care Complaints Act 1993*.

**Note.** The *Health Care Complaints Act 1993* defines those terms as follows:

**health practitioner** means a natural person who provides a health service (whether or not the person is registered under the Health Practitioner Regulation National Law).

### Application of code of conduct

This code of conduct applies to the provision of health services by:

(a) health practitioners (MAA General Members) who are not subject to the scheme for registration under the Health Practitioner Regulation National Law (including de-registered health practitioners), and

(b) health practitioners who are registered under the Health Practitioner Regulation National Law who provide health services that are unrelated to their registration.

**Note.** Health practitioners (including MAA General Members) may be subject to other requirements relating to the provision of health services to which this Code applies, including, for example, requirements imposed by Part 2A of the Act and the regulations under the Act relating to skin penetration procedures.

## **1. Health practitioners to provide services in safe and ethical manner**

- (1) A MAA General Member will provide health services in a safe and ethical manner.
- (2) Without limiting subclause (1), MAA General Members will comply with the following principles:
  - (a) maintain the necessary competence in his or her field of practice,
  - (b) not provide health care of a type that is outside his or her experience or training,
    - (b1) a MAA General Member will not provide services that he or she is not qualified to provide,
    - (b2) a MAA General Member will not use his or her possession of particular qualifications to mislead or deceive his or her clients as to his or her competence in his or her field of practice or ability to provide treatment,
  - (c) prescribe only treatments or appliances that serve the needs of the client,
  - (d) recognise the limitations of the treatment he or she can provide and refer clients to other competent health practitioners in appropriate circumstances,
  - (e) recommend to his or her clients that additional opinions and services be sought, where appropriate,
  - (f) assist his or her clients to find other appropriate health care professionals, if required and practicable,
  - (g) encourage his or her clients to inform their treating medical practitioner (if any) of the treatments they are receiving,
  - (h) have a sound understanding of any adverse interactions between the therapies and treatments he or she provides or prescribes and any other medications or treatments, whether prescribed or not, that the health practitioner is aware the client is taking or receiving,
  - (i) ensure that appropriate first aid is available to deal with any misadventure during a client consultation,
  - (j) obtain appropriate emergency assistance (for example, from the Ambulance Service) in the event of any serious misadventure during a client consultation.

## **2. Health practitioners diagnosed with infectious medical condition**

- (1) A MAA General Member who has been diagnosed with a medical condition that can be passed on to clients will ensure that he or she practises in a manner that does not put clients at risk.
- (2) Without limiting subclause (1), a MAA General Member who has been diagnosed with a medical condition that can be passed on to clients should take and follow advice from an appropriate medical practitioner on the steps to be taken to modify his or her practice to avoid the possibility of transmitting that condition to clients.

### **3. Health practitioners not to make claims to cure certain serious illnesses**

(1) A MAA General Member will not hold himself or herself out as qualified, able or willing to cure cancer and other terminal illnesses.

(2) A MAA General Member may make a claim as to his or her ability or willingness to treat or alleviate the symptoms of those illnesses if that claim can be substantiated.

### **4. Health practitioners to adopt standard precautions for infection control**

(1) A MAA General Member will adopt standard precautions for the control of infection in his or her practice.

(2) Without limiting subclause (1), a MAA General Member who carries out a skin penetration procedure within the meaning of section 51 (3) of the Act must comply with the relevant regulations under the Act in relation to the carrying out of the procedure.

**Note.** The Act defines ***skin penetration procedure*** as any procedure (whether medical or not) that involves skin penetration (such as acupuncture, tattooing, ear piercing or hair removal), and includes any procedure declared by the regulations to be a skin penetration procedure, but does not include:

(a) any procedure carried out by a health practitioner registered under the Health Practitioner Regulation National Law, or by a person acting under the direction or supervision of a registered health practitioner, in the course of providing a health service, or

(b) any procedure declared by the regulations not to be a skin penetration procedure.

### **5. Appropriate conduct in relation to treatment advice**

(1) A MAA General Member will not attempt to dissuade clients from seeking or continuing with treatment by a registered medical practitioner.

(2) A MAA General Member will accept the right of his or her clients to make informed choices in relation to their health care.

(3) A MAA General Member will communicate and co-operate with colleagues and other health care practitioners and agencies in the best interests of their clients.

(4) A MAA General Member who has serious concerns about the treatment provided to any of his or her clients by another health practitioner will refer the matter to the MAA Office and the Health Care Complaints Commission.

## **6. Health practitioners not to practise under influence of alcohol or drugs**

(1) A MAA General Member will not practise under the influence of alcohol or unlawful drugs.

(2) A MAA General Member who is taking prescribed medication will obtain advice from the prescribing health practitioner on the impact of the medication on his or her ability to practice and must refrain from treating clients in circumstances where his or her ability is or may be impaired.

## **7. Health practitioners not to practise with certain physical or mental conditions**

A MAA General Member will not practise while suffering from a physical or mental impairment, disability, condition or disorder (including an addiction to alcohol or a drug, whether or not prescribed) that detrimentally affects, or is likely to detrimentally affect, his or her ability to practise or that places clients at risk of harm.

## **8. Health practitioners not to financially exploit clients**

(1) A MAA General Member will not accept financial inducements or gifts for referring clients to other health practitioners or to the suppliers of medications or therapeutic goods or devices.

(2) A MAA General Member will not offer financial inducements or gifts in return for client referrals from other health practitioners.

(3) A MAA General Member will not provide services and treatments to clients unless they are designed to maintain or improve the clients' health or wellbeing.

## **9. Health practitioners required to have clinical basis for treatments**

A MAA General Member will not diagnose or treat an illness or condition without an adequate clinical basis.

## **10. Health practitioners not to misinform their clients**

(1) A MAA General Member will not engage in any form of misinformation or misrepresentation in relation to the products or services he or she provides or as to his or her qualifications, training or professional affiliations.

(2) A MAA General Member will provide truthful information as to his or her qualifications, training or professional affiliations if asked about those matters by a client.

(3) A MAA General Member will not make claims, either directly or in advertising or promotional material, about the efficacy of treatment or services provided if those claims cannot be substantiated.

## **11. Health practitioners not to engage in sexual or improper personal relationship with client**

(1) A MAA General Member will not engage in a sexual or other close personal relationship with a client.

(2) Before engaging in a sexual or other close personal relationship with a former client, a MAA General Member will ensure that a suitable period of time has elapsed since the conclusion of their therapeutic relationship.

## **12. Health practitioners to comply with relevant privacy laws**

A MAA General Member will comply with the relevant legislation of the State or the Commonwealth relating to his or her clients' health information, including the *Privacy Act 1988* of the Commonwealth and the *Health Records and Information Privacy Act 2002*.

## **13. Health practitioners to keep appropriate records**

A MAA General Member will maintain accurate, legible and contemporaneous clinical records for each client consultation.

## **14. Health practitioners to keep appropriate insurance**

A MAA General Member will ensure that appropriate indemnity insurance arrangements are in place in relation to his or her practice.

## **15. Certain health practitioners to display code and other information**

(1) A MAA General Member will display a copy of each of the following documents at all premises where the MAA General Member carries on his or her practice:

(a) this code of conduct,

(b) a document that gives information about the way in which clients may make a complaint to the Health Care Complaints Commission, being a document in a form approved by the Director-General.

(2) Copies of those documents will be displayed in a position and manner that makes them easily visible to clients entering the relevant premises.

**All MAA General Members must display this  
NOTICE TO CLIENTS  
in a position and manner that makes it easily visible and accessible to a person entering or  
leaving the relevant premises.**

## **CONCERNED ABOUT YOUR HEALTH CARE?**



The Code of Conduct for unregistered health practitioners sets out what you can expect from your provider. If you are concerned about the health service that was provided to you or your next of kin, talk to the practitioner immediately. In most cases the health service provider will try to resolve them.

If you are not satisfied with the provider's response, contact the Inquiry Service of the Health Care Complaints Commission on (02) 9219 7444 or toll free on 1800 043 159 for a confidential discussion. If your complaint is about sexual or physical assault or relates to the immediate health or safety of a person, you should contact the Commission immediately.

### **What is the Health Care Complaints Commission?**

The Health Care Complaints Commission is an independent body dealing with complaints about health services to protect the public health and safety.

### **Service in other languages**

The Commission uses interpreting services to assist people whose first language is not English. If you need an interpreter, please contact the Translating and Interpreting Service (TIS National) on 131 450 and ask to be connected to the Health Care Complaints Commission on 1800 043 159 (9.00 am to 5.00 pm Monday to Friday).

### **More information**

For more information about the Health Care Complaints Commission, please visit the website [www.hccc.nsw.gov.au](http://www.hccc.nsw.gov.au).

### **Contact the Health Care Complaints Commission**

Office address: Level 13, 323 Castlereagh Street, SYDNEY NSW 2000

Post address: Locked Mail Bag 18, STRAWBERRY HILLS NSW 2012

Telephone: (02) 9219 7444

Toll Free in NSW: 1800 043 159

Fax: (02) 9281 4585

E-mail: [hccc@hccc.nsw.gov.au](mailto:hccc@hccc.nsw.gov.au)

People using telephone typewriters please call (02) 9219 7555

Traditional Chinese - 中文繁體字

## 關注你的醫療衛生護理？

非註冊醫療衛生從業員操守守則訂明你對服務提供者可以有些甚麼期望。  
如果你對為你或你的親人提供的醫療衛生服務有疑問，可立刻向該醫療衛生從業員提出。在大部份情況下，該人員會嘗試解決問題。  
如果你對該人員的回應不滿意，可聯絡 Health Care Complaints Commission (醫療衛生護理投訴委員會) 的諮詢服務部，安排保密商談。電話號碼 (02) 9219 7444 或免費電話 1800 043 159。如果你的投訴是關於性侵犯、傷人或個人即時的健康或安全的，應立刻聯絡委員會。



## Health Care Complaints Commission 是甚麼？

Health Care Complaints Commission (醫療衛生護理投訴委員會) 是獨立的組織，處理關於衛生服務的投訴，保護公眾的健康和安全。

## 其他語言的服務

委員會使用傳譯服務幫助第一語言不是英語的人士。如果你需要傳譯員，請聯絡翻譯及傳譯服務處 (TIS National)，電話 131 450，然後要求接通 Health Care Complaints Commission，電話 1800 043 159 (星期一至星期五上午 9.00 到下午 5.00)。

## 其他資訊

查詢關於 Health Care Complaints Commission 的其他資訊，請瀏覽 [www.hccc.nsw.gov.au](http://www.hccc.nsw.gov.au)。

## 聯絡 Health Care Complaints Commission

辦公室地址：Level 13, 323 Castlereagh Street, SYDNEY NSW 2000

郵政地址：Locked Mail Bag 18, STRAWBERRY HILLS NSW 2012

電話：(02) 9219 7444

新州免費電話：1800 043 159

傳真：(02) 9281 4585

電子郵件：[hccc@hccc.nsw.gov.au](mailto:hccc@hccc.nsw.gov.au)

使用電話打字機人士請致電 (02) 9219 7555

## 자신이 받는 보건 서비스에 대해 우려 사항이 있습니까?



미등록 보건 종사자들에게 해당되는 본 행동 강령은 해당 시술자들로부터 어떤 것을 기대할 수 있는지 명시해 놓은 것입니다. 본인이나 가족이 받은 보건 서비스에 우려 사항이 있으면 시술자에게 즉시 상담하십시오. 대부분의 경우에 보건 서비스 시술자가 그러한 사항을 해결하고자 노력할 것입니다.

시술자의 조치가 만족스럽지 못할 경우 아래 연락처를 이용하여 Health Care Complaints Commission (보건 민원 심의회)의 문의 서비스로 연락하시면 비밀이 보장되는 상담 서비스를 받으실 수 있습니다. (02) 9219 7444 번, 또는 무료 전화 1800 043 159 번. 민원 내용이 성적, 또는 물리적 폭행이나, 개인의 건강 및 안전에 직접적으로 관련된 문제일 경우에는 위원회에 즉시 연락해야 합니다.

### Health Care Complaints Commission란 무엇인가?

Health Care Complaints Commission (보건 민원 심의회)는 공중의 보건과 안전을 보호하기 위해 보건 서비스 관련 불만 사항을 다루는 독립 기관입니다.

### 기타 언어 지원 서비스

심의회에서는 모국어가 영어가 아닌 사람들을 지원하기 위하여 통역 서비스를 이용하고 있습니다. 통역 지원이 필요하시면 통번역 서비스 (TIS National), 131 450 번으로 전화하여 Health Care Complaints Commission, 전화 1800 043 159 번 (월요일에서 금요일까지 오전 9시부터 오후 5시까지 근무)으로 연결 지원을 요청하십시오.

### 상세 정보

Health Care Complaints Commission 에 관한 상세 정보는 웹사이트 [www.hccc.nsw.gov.au](http://www.hccc.nsw.gov.au) 에서 확인하실 수 있습니다.

### Health Care Complaints Commission 연락처

사무실 주소: Level 13, 323 Castlereagh Street, SYDNEY NSW 2000,

우편 주소: Locked Mail Bag 18, STRAWBERRY HILLS NSW 2012

전화: (02) 9219 7444

또는 뉴 사우스 웨일즈 주 내 무료 전화 1800 043 159 번

팩스: (02) 9281 4585

이메일 주소: [hccc@hccc.nsw.gov.au](mailto:hccc@hccc.nsw.gov.au)

청각장애자용 전화 사용자는 다음 전화 번호를 이용하시기 바랍니다: (02) 9219 7555



## Vietnamese / Tiếng Việt Nam

### **LO NGẠI VỀ VIỆC CHĂM SÓC SỨC KHỎE CHO MÌNH?**



**HEALTH CARE  
COMPLAINTS  
COMMISSION**

Qui Tắc Hành Sử dành cho nhân viên trị liệu y khoa không đáng bạ đề ra những gì quý vị có thể kỳ vọng nơi cơ sở cung cấp dịch vụ. Nếu quý vị cảm thấy lo ngại về dịch vụ y khoa dành cho mình hay người thân, hãy nói chuyện với nhân viên trị liệu ngay. Trong đa số trường hợp, cơ sở cung cấp dịch vụ y tế này sẽ tìm cách giải quyết vấn đề.

Nếu không hài lòng với đáp ứng của cơ sở cung cấp dịch vụ, quý vị hãy liên lạc với Inquiry Service (Dịch Vụ Giải Đáp Thắc Mắc) của Health Care Complaints Commission (Ủy Hội Đặc Trách Khiếu Nại Về Việc Chăm Sóc Sức Khỏe) qua số (02) 9219 7444 hay số điện thoại miễn phí 1800 043 159 để thảo luận kín đáo. Nếu khiếu nại của quý vị thuộc về chuyên xâm phạm tính dục hay hành hung hoặc có liên quan đến sức khỏe hay sự an toàn cấp thời của một người nào, quý vị nên liên lạc ngay với Ủy Hội.

#### **Health Care Complaints Commission là gì?**

Health Care Complaints Commission (Ủy Hội Đặc Trách Khiếu Nại Về Việc Chăm Sóc Sức Khỏe) là cơ quan độc lập có nhiệm vụ giải quyết những khiếu nại về dịch vụ y khoa với mục đích bảo vệ sức khỏe và sự an toàn cho công chúng.

#### **Dịch vụ bằng những ngôn ngữ khác**

Ủy Hội sử dụng dịch vụ thông dịch để giúp người nói tiếng mẹ đẻ khác tiếng Anh. Nếu cần thông dịch viên, xin quý vị liên lạc với Dịch Vụ Thông Phiên Dịch (TIS National) qua số 131 450 và yêu cầu họ nối đường dây với Health Care Complaints Commission qua số 1800 043 159 (9 giờ sáng đến 5 giờ chiều Thứ Hai đến Thứ Sáu).

#### **Tìm Hiểu Thêm**

Muốn biết thêm thông tin về Health Care Complaints Commission, xin vào trang mạng [www.hccc.nsw.gov.au](http://www.hccc.nsw.gov.au).

#### **Liên lạc với Health Care Complaints Commission**

Địa Chỉ Văn Phòng: Level 13, 323 Castlereagh Street, SYDNEY NSW 2000  
Địa Chỉ Bưu Chính: Locked Mail Bag 18, STRAWBERRY HILLS NSW 2012

Điện Thoại: (02) 9219 7444 Số điện thoại miễn phí trong tiểu bang NSW 1800 043 159  
Fax: (02) 9281 4585 E-mail (ĐiệnThư): [hccc@hccc.nsw.gov.au](mailto:hccc@hccc.nsw.gov.au)

Người sử dụng điện thoại đánh chữ, xin gọi số (02) 9219 7555

## Prihatin tentang perawatan kesehatan Anda?



Tata Laku untuk praktisi kesehatan yang tidak terdaftar menyatakan apa saja yang dapat Anda harapkan dari penyedia pelayanan Anda. Jika Anda prihatin tentang pelayanan kesehatan yang disediakan bagi Anda atau saudara terdekat Anda, bicaralah dengan praktisi tersebut dengan segera. Dalam kebanyakan hal, penyedia pelayanan kesehatan tersebut akan coba menyelesaikan keprihatinan tersebut.

Jika Anda tidak puas dengan tanggapan penyedia pelayanan tersebut, silakan hubungi Pelayanan Pertanyaan dari Health Care Complaints Commission (Komisi Pengaduan Perawatan Kesehatan) pada nomor (02) 9219 7444 atau bebas pulsa pada nomor 1800 043 159 untuk diskusi yang dijaga kerahasiaannya. Jika aduan Anda tentang serangan seksual atau fisik atau berkenaan dengan kesehatan atau keselamatan langsung seseorang, Anda harus segera menghubungi Komisi.

### Apa itu Health Care Complaints Commission?

Health Care Complaints Commission (Komisi Pengaduan Perawatan Kesehatan) merupakan badan independen yang menangani aduan tentang pelayanan kesehatan demi melindungi kesehatan dan keselamatan masyarakat umum.

### Pelayanan dalam bahasa lain

Komisi menggunakan pelayanan juru bahasa untuk membantu orang yang bahasa pertamanya bukan bahasa Inggris. Jika Anda memerlukan juru bahasa, silakan hubungi Pelayanan Penerjemahan dan Juru Bahasa (TIS National) pada nomor 131 450 dan mintalah disambungkan ke Health Care Complaints Commission pada nomor 1800 043 159 (9.00 pagi sampai 5.00 sore Senin sampai Jumat)

### Informasi Lebih Lanjut

Untuk informasi lebih lanjut tentang Health Care Complaints Commission, kunjungilah situs internet [www.hccc.nsw.gov.au](http://www.hccc.nsw.gov.au).

### Hubungi Health Care Complaints Commission

Alamat kantor: Level 13, 323 Castlereagh Street, SYDNEY NSW 2000

Alamat pos: Locked Mail Bag 18, STRAWBERRY HILLS NSW 2012

Telepon: (02) 9219 7444

Bebas pulsa di NSW: 1800 043 159

Faks: (02) 9281 4585

Email: [hccc@hccc.nsw.gov.au](mailto:hccc@hccc.nsw.gov.au)

Pengguna mesin tik telepon silakan hubungi (02) 9219 7555

## Important Notes from the NSW Health Complaints Commission

### Information for unregistered health practitioners

#### (MAA General Members)

The Commission has the power to deal with and take action in relation to complaints about unregistered health practitioners, such as naturopaths or massage therapists.

#### What is an unregistered practitioner?

An unregistered practitioner is any health practitioner, who is not required to be registered under Health Practitioner Regulation National Law (NSW), or who provides services that are unrelated to their registration.

A code of conduct for unregistered health practitioners came into effect on 1 August 2008. On 1 July 2010, the Code was amended and now also applies to the previously registered professions of optical dispensers and dental technicians. As of 1 September 2012, minor changes to the Code were made included in Schedule 3 of the Public Health Regulation. The code including the Notice to Display is available in poster format (A3) in English and 10 community languages.

The intention of the code is to set out the minimum practice and ethical standards with which unregistered health service providers are required to comply. The code of conduct informs consumers what they can expect from practitioners and the mechanisms by which they may complain about the conduct of, or services provided by, an unregistered health service provider. The key aspects of the code are that the health practitioner:

- must provide health services in safe and ethical manner
- if diagnosed with an infectious medical condition, must ensure that he or she practises in a manner that does not put clients at risk
- must not make claims to cure certain serious illnesses
- must adopt standard precautions for infection control
- must not dissuade clients from seeking or continuing with treatment by a registered medical practitioner and must accept the rights of their clients to make informed choices in relation to their health care
- must not practise under the influence of alcohol or drugs
- must not practise with certain physical or mental conditions
- must not financially exploit clients
- is required to have an adequate clinical basis for treatments
- must not misinform their clients
- must not engage in a sexual or improper personal relationship with a client
- must comply with relevant privacy laws
- must keep appropriate records
- must keep appropriate insurance
- must display code and other information (with some exceptions)
- must not sell or supply an optical appliance without proper authorisation.

Full list of information is available by going to:

<http://www.hccc.nsw.gov.au/Information/Information-for-unregistered-practitioners/Default>

## Information in a foreign language

<http://www.hccc.nsw.gov.au/Information/Information-in-a-Foreign-Language/Information-in-a-Foreign-Language>

The Commission serves the diverse communities of NSW and offers key information and services in different community languages.

### Contact the Commission in a language other than English

Information on how to contact the [HCCC in 20 languages](#) (PDF 316 KB) can be accessed. People who prefer to contact us in a language other than English can call the [Telephone Interpreter Service \(TIS National\)](#) on 131 450 and asked to be connected to the Commission. The Commission can also arrange for an interpreter to discuss a complaint in person.

### Information about the Commission in other languages

Audio-visual information about what happens with health care complaints and how people can access the Commission's services is [available in AUSLAN](#).

Arabic - العربية اللغة	Italian - Italiano
Traditional Chinese - 中文繁體字	Korean - 한국어
Simplified Chinese - 中文简体字	Macedonian - македонски
Croatian - Hrvatski	Polish - Polski
Filipino - Pilipino	Russian - Русский
French - Français	Serbian - Српски
German - Deutsch	Spanish - Español
Greek - Ελληνικά	Tamil - தமிழ்
Hindi - हिंदी	Turkish - Türkçe
Indonesian / Bahasa Indonesia	Vietnamese / Tiếng Việt Nam