



Dietitians Board

Te Mana Tohunga Matai Kai

Newsletter to the Profession

APRIL 2008



Barbara Ryan
Chairperson

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A. New Contact Details for the Board

From **Monday 19 May 2008**, the Board will be sharing premises and administration with four other smaller Boards/Councils, at **Level 3, 195-201 Willis Street, Wellington**.

The postal address will remain as **PO Box 10140, Wellington** and the Board's website address is the same: www.dietitiansboard.org.nz. The Registrar's direct dial telephone number will remain as **ph 04 474 0746**.

However the Board's **fax number and email contact** will change. Please use dietitians@dietitiansboard.org.nz from **19 May**.

B. Newsletters

In the future, the Board's preference is to bulk e-mail newsletters. Please always ensure that the Board has at least one current **e-mail address**, otherwise you may miss out on valuable information.

You would normally expect to receive a newsletter three times a year – in January/February, April/May and August/September.

C. Addresses

Section 140(2) of the Health Practitioners Competence Assurance Act 2003 (HPCA Act) states:

- (2) A health practitioner must promptly give the Registrar of the responsible authority written notice of any change in the practitioner's postal address, residential address, and (if applicable) work address.

You are therefore **legally** obliged to inform the Board *in writing*, promptly, of any change of addresses: this may be done by e-mail, but not over the telephone. When you notify the NZDA of changes of address, you must therefore remember to inform the Board also.

D. Annual Practising Certificates (APCs)

1. Every year the Board asks currently practising dietitians, to declare their practice intentions. You must *either* declare in writing that you will be 'Inactive', *or* if you intend to practise dietetics you must apply for your APC by 1 April. If you continue to practise without an APC after 1 April, then you place yourself and your employer at risk.

Please ensure *immediately* that you have either applied for a new APC, or declared in writing that you will be 'Inactive'. If you do the latter, and wish to return to dietetic practice during the year, please contact the Registrar of the Board.

2. Thank you to those who did remember to fill in all the phrases in their APC declaration and signed all appropriate parts of their application. Thank you also to those who remembered to fill in the new category '*ethnicity*' on the APC renewal application form.

E. Prosecution Under Section 7 of the HPCA Act

You may be interested to read the following article received from Dr Marwick, Manager, Workforce, Ministry of Health on 18/2/08, as it is the first prosecution under the HPCA Act (Section 7):

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“The Ministry of Health has successfully brought a prosecution under the Health Practitioners Competence Assurance Act 2003 against an Auckland man claiming to be an optometrist without being properly qualified and registered.

This is the first time the Ministry has brought a prosecution under this Act against an unqualified person claiming to be a registered health professional.

The man, Peter Sang Wook Park, of Pakuranga, pleaded guilty to six representative charges and was today sentenced in the Counties Manukau District Court to fines of \$48,000 and with reparation and other costs the total was over \$60,000.

The six charges represent a pattern of offending extending over a year. They relate to Mr Park’s calling himself an optometrist (a title that only registered practitioners may use), prescribing spectacles and contact lenses (a restricted activity under the Act) and acting in a way calculated to suggest that he was an optometrist.

In sentencing Park, Justice Harvey stated that he considered the offences were too serious for the court to make anything other than a stern response. He noted that there were significant health risks to the public and Mr Park had misrepresented himself to people who relied on his false claims. Justice Harvey said that this case should make it abundantly clear that “quacks” would be dealt with seriously.

Park purported to practise as an optometrist from June 2006 to June 2007. Computer records seized by investigators indicate he conducted over 477 consultations with patients over that time, and Park has since acknowledged that he has no optometry qualifications.

“This man’s actions in holding himself out as an optometrist, conducting eye examinations and prescribing contact lenses and glasses, including to children, misled the public and placed their health at risk,” said the Ministry of Health’s Manager Workforce, Dr John Marwick.

‘Patients who saw the defendant had no way to discern this, and the majority of the offending was conducted by Park with the full knowledge that his actions were unlawful.’

Dr Marwick said this case should serve as a reminder that people falsely claiming to be registered practitioners face serious consequences. He said the Ministry took these matters very seriously and was currently investigating a number of other complaints. Further prosecutions will be brought if necessary to protect the public.”

F. Registrar’s Leave

Please note that the Registrar will be going on a month’s leave and that core business only will be carried out during the period of *20 June-22 July*. The registration and granting of practising certificates for new graduates in particular, will still be processed during this period.

G. The Differences Between the Board and the NZ Dietetic Association

The Board and the NZ Dietetic Association (NZDA) recently wrote articles for the NZDAs ‘News and Views’ outlining the differences between the two organisations, as some dietitians get confused.

As a Responsible Authority, the Board’s role is to protect the public by providing for mechanisms to ensure that dietitians are competent and fit to practise their profession. One of the Board’s prime functions therefore, is to ensure that all dietitians wishing to practise in New Zealand (or to be known as a dietitian), must *by law*, be registered with the Dietitians Board and hold a current practising certificate (*Section 7 of the HPCAA refers*).

The NZDA is your professional association. It exists to support and promote the profession of dietetics.

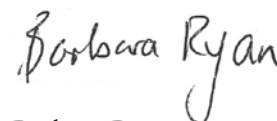
H. New Responsible Authority – Psychotherapy

You may be interested to know that a new Responsible Authority has recently been set up under the HPCA Act to regulate the profession of Psychotherapy. This makes a total of sixteen Responsible (Regulatory) Authorities, who liaise regularly regarding matters of mutual interest.

I. General

1. Manufactured Foods Database: You will note that the Board has agreed to enclose the survey from the Manufactured Foods Database (MFD) with this newsletter.
2. The Ministry of Health appreciated the response of the members of the profession who made a submission on the proposal to create a Health NZ Internet Domain name in the future, as notified to you by e-mail in February.

Best wishes



Barbara Ryan
Chairperson