National Regulation of Australian Sonographers

Introducing the national regulation of sonographers by the Australian Health Practitioner Regulation Agency (AHPRA) Medical Radiation Practice Board of Australia (MRPBA) is vital to assure the health and safety of the hundreds of thousands of people accessing medical diagnostic ultrasound services every week in Australia.

Key points

- The public health and safety are at risk from the activities of the sonography profession and failures of the existing system.
- There is currently no system in place to enforce national competency and quality of ultrasound standards, no recency of practice requirements, and no central complaints process available to patients.
- The national regulation of sonographers by adding them to the list of professions regulated by the Medical Radiation Practice Board of Australia is the most practical and cost-effective solution for mitigating the risks posed by the activities of the sonography profession.
- This change only applies to the medical sonographer profession. It will not apply to other professions which use ultrasound in their scope of practice.

National sonographer regulation under the Medical Radiation Practice Board of Australia is expected to provide:

- Nationally consistent safeguards that assure patient safety and care.
- A clear and effective central complaint handling process for patients.
- An enforceable measure of the quality of ultrasound examinations provided by sonographers.
- Enforceable standards of practice and conduct that set the minimum expectations of a sonographer’s practice.
- Reduced red-tape with a single and complete regulatory system for all sonographers.

This change is the most practical and cost-effective solution for sonographer regulation, as:

- 30% of sonographers are dual qualified and already registered with the Medical Radiation Practice Board of Australia. This recommendation brings all diagnostic imaging professions together and assures patient safety while at the same time reducing unnecessary and inefficient administrative mechanisms currently in place.
- All alternative solutions to regulation through the Australian Health Practitioner Regulation Agency require legislative change; are more costly and less practical, or are simply ineffective.
- There are existing sonographer competency, education and accreditation frameworks that can be used for this proposed change.

This recommendation has the support of the Medical Radiation Practice Board, as well as the wider diagnostic imaging industry and other key health stakeholders.
Sonographer Regulation
Frequently Asked Questions

**Question:** Will sonographer regulation impact how I use ultrasound?

**Answer:** NO

Sonographer regulation will only apply to the medical sonographer profession.

It will not apply to other professions which use ultrasound in their scope of practice.

**Question:** Will regulation result in sonographers having Medicare provider numbers?

**Answer:** NO

National regulation is about profession regulation and has nothing to do with Medicare claiming or provider numbers.

Sonographers will be added to the Medical Radiation Practice Board of Australia, like radiographers and other medical imaging professions. The current professions regulated under this board have not accessed or pursued their own Medicare provider number.

**Question:** Will sonographer regulation change how sonographer provided ultrasound examinations are reported?

**Answer:** NO

Regulation of Australian sonographers, either under AHPRA or another system, will not impact how sonographers provide ultrasound examinations. For example, the outcomes of the sonographer’s examination will continue to be reported through a medical practitioner.

We are aware that in some countries, such as the UK, some sonographers can directly report the outcomes of their examinations to the patient and referring practitioner. In Australia, this would be referred to as an extended scope of practice, and is entirely separate to the issue of regulation. When assessing the model for regulation of sonographers in Australia, the analysis and proposed model must reflect how the majority of sonographers currently practice, across the whole sonographer workforce.

Furthermore, AHPRA regulation of sonographers is not expected to impact Medicare claiming. The Medicare Benefits Schedule provisions are set by and operate under different arrangements and purpose than those for professional regulation.
Question: Aren’t sonographer already regulated by the Australian Sonographer Accreditation Registry?

Answer: NO

The Australian Sonographer Accreditation Registry (ASAR):

▪ does not have safeguards in place to protect patients and does not have the ability or authority to enforce practice standards or a code of conduct on sonographers

▪ does not receive complaints about sonographers or assess recency of practice

▪ rules only apply for medical ultrasound examinations that receive Medicare funding.

On its website, the Australian Sonographer Accreditation Registry makes a point to state that it is not a registration board. It maintains a register of sonographers that have completed a recognised course of training. This list is then provided to Medicare so that these sonographers can provide ultrasound examinations under Medicare.

The Australian Sonographer Accreditation Registry doesn’t have any power to impose practice conditions or sanctions on a sonographer, and cannot remove a sonographer from the register due to poor practice standards or professional misconduct.

A sonographer can only be removed from the register if they do not pay their annual fee or they do not meet the continuous professional development requirements (60 hours across three years).

Question: What does AHPRA do?

Answer:

The Australian Health Practitioner Regulation Agency (AHPRA) works with the National Boards to regulate Australia’s registered health practitioners, setting standards and policies that all registered health practitioners must meet.

The Medical Radiation Practitioners Board of Australia (MRPBA) is one of 15 National Boards; and is responsible for regulating Medical Radiation Practitioners.

AHPRA’s main functions include:

▪ Assisting in the development of professional standards

▪ Managing registration and renewal processes, in partnerships with Boards

▪ Managing complaints and concerns raised about practitioners

▪ Monitoring and auditing practitioners against registration requirements

▪ Assisting with education accreditation standards and publishing a national register of practitioners.

For more information on the role of AHPRA, click here.

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Question: Why can't the ASA just regulate sonographers?

Answer:

When the peak body of a profession, such as the ASA, regulates that profession it is referred to as ‘self-regulation’. Self-regulation is not a good option for Australian sonographers as there are already various entities that provide parts of regulation. Such as ASAR providing course accreditation and health complaints commissions able to receive complaints about a sonographer’s conduct.

If the ASA were to provide a ‘self-regulation’ function, it would be in addition to the various and patch systems already in place, further confusing the complex and incomplete arrangements that apply for Australian sonographers.

Self-regulation also has its limitations, with membership and compliance with standards being purely voluntary. Not only would this system not capture all sonographers, but it also provides little authority to enforce standards of practice and conduct, outside of expelling members.

In contrast, regulation under MRPBA would include all sonographers, and bring all diagnostic imaging professionals together under one system with 30% of sonographers already registered with MRPBA as a medical radiation practitioner. It is also significantly more cost-effective as it already has the authority and functions in place to enforce national standards, manage complaints and assess recency of practice.

Question: Aren't sonographers already regulated under the National Code of Conduct for Health Care Workers?

Answer:

In 2015, Australian health ministers agreed to implement the National Code of Conduct for Health Care Workers (the National Code) to apply to all healthcare professions not regulated under the AHPRA. It was intended to provide a mechanism to protect patients receiving health services from professions not regulated under the AHPRA, such as dieticians and massage therapists.

Under the National Code patients can lodge complaints against a sonographer through the State or Territory health complaints commissioner. However, this arrangement is only currently in effect in half of Australia’s States and Territories, and it has been introduced slightly differently where it is in place.

The National Code compounds the complexity and confusion around the varied arrangements in place for sonographer complaints. This is especially true if the sonographer also maintains registration under AHPRA, such as a radiographer, nurse or physiotherapist. This confusion has resulted in cases where a complaint has taken over a year to be resolved, which is a poor outcome for the patient and very stressful for the sonographer.

Importantly, the National Code primarily focuses on conduct. Any requirements that do relate to practice are generic and fail to include sufficient detail to make them measurable, making them very difficult to enforce. While the Code enables prohibition orders to be issued, this is only applicable for an unquestionable serious offence. The Code contains little provision to enforce improvements for lessor serious breaches, such as requiring additional training or supervision to bring a professional back up to standard.
Question: How many sonographers are there in Australia?
Answer:
Currently, there are more than 6,300 accredited medical sonographers and over 1,000 student sonographers in Australia.

Question: Why do sonographers need to be regulated when radiologists review and report on the scans?
Answer:
Medical diagnostic ultrasound examinations performed by a sonographer are highly operator dependent.

Sonographers play a vital role in the provision of quality ultrasound services and often work autonomously to capture medical images under the supervision of a radiologist or sonologist. As radiologists, you rely on the individual sonographer undertaking the examination to identify and capture quality images or identify pathologies and provide accurate and timely information.

Failure by a sonographer – such as failure to view the entire structure or recognise that something is not normal – may mean diagnostic information is missed, and your report may not be accurate.

Question: Why is the Australasian Sonographers Association seeking regulation for sonographers through the Medical Radiation Practice Board of Australia?
Answer:
There is a strong need to regulate sonographers in Australia as:

- there is no enforceable statement of the minimum expectations of ultrasound examinations performed by Australian sonographers, putting patients’ health and safety at risk
- where a sonographer fails to produce quality images or identify pathologies, there is currently no enforceable standards of practice to measure the quality of ultrasound examinations provided by sonographers
- complaints handling for sonographers is fragmented and ineffectual. There is a growing list of situations where complaints are raised against a sonographer, the complaint is insufficiently investigated, and the situation becomes a criminal prosecution to be resolved
- other patient safety and quality controls, such as recency of practice requirements, do not currently exist for sonographers.

Securing national regulation by adding sonographers to the existing Medical Radiation Practice Board is the most practical and cost-effective system change. 30% of sonographers are dual qualified and already registered with the Medical Radiation Practice Board of Australia.

This recommendation brings all diagnostic imaging professions together and assures patient safety while at the same time reducing the unnecessary and inefficient administrative mechanisms currently in place.
**Question:** Are you sure that sonographers want to be regulated?

**Answer:** YES

Sonographers in Australia are dedicated to ensuring public health and safety, and for almost a decade have reported their support and desire for national regulation under the Australian Health Practitioner Regulation Agency.

A recent survey by the Australasian Sonographers Association confirmed that the highest advocacy priority for sonographers in Australia is to be regulated by adding sonographers to the existing Medical Radiation Practice Board of Australia.

**Question:** Does the Medical Radiation Practice Board support national regulation by adding sonographers to the list of professions it regulates?

**Answer:** YES

The Medical Radiation Practice Board of Australia supports regulating the sonographer profession, by adding sonographers to the list of professions it regulates. This is the same model as in New Zealand.

Recent changes to the Medical Radiation Practice Board *Professional capabilities for medical radiation practice* (currently in draft) include ultrasound as a potential scope of practice.

Notably, 30% of Australian sonographers are dual qualified and are already registered with the Medical Radiation Practice Board due to their undergraduate qualification.

Historically the MRPBA has supported this. In October 2010, the Council of Registration Boards for Medical Radiation Practitioners (which became the Medical Practice Board of Australia) wrote to the Australian Health Workforce Ministerial Council seeking for sonographers to be one of the professions to be included on the National Register of Medical Radiation Practitioners. In this request, they noted concern about the profession of sonography not being regulated as it is a “fast-growing area that represents a significant public safety risk.”

**Question:** Have sonographers sought to be regulated through the Medical Radiation Practice Board before?

**Answer:** NO

This is the first time the sonographer profession has sought national regulation through the Medical Radiation Practice Board.

When the Australian Health Practitioner Regulation Agency was established in 2010, the sonographer profession sought national regulation with an independent ‘Sonography Board of Australia’. This was not supported.

The sonographer profession now seeks to be added to the list of professions regulated by the Medical Radiation Practice Board, which the Medical Radiation Practice Board and the rest of the medical imaging industry supports.

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Question: How quickly will this happen?
Answer:

Adding a new profession to the Australian Health Practitioner Regulation Agency does not happen quickly. The last profession to be added was included almost ten years after they first applied.

The Council of Australian Governments Health Council has responsibility for the Australian Health Practitioner Regulation Agency, including which professions are regulated under this agency. The Health Ministers of Australian governments (state, territory and federal) make up the Health Council.

For example, the last profession added to the Australian Health Practitioner Regulation Agency were the paramedics. It took almost seven years for the Health Council to consider and agree to add paramedics. Following this decision, the law change occurred within two and a half years to bring this change into effect.

Question: What is being done to get sonographers added to the Medical Radiation Practice Board of Australia?
Answer:

The Australasian Sonographers Association, in partnership with the Australian Sonographer Accreditation Registry and the Australasian Society for Ultrasound in Medicine, is developing an application to the Council of Australian Governments Health Council to include ‘sonographer’ as a described profession to be regulated by the Australian Health Practitioner Regulation Agency Medical Radiation Practice Board of Australia. The application needs to evidence the risks associated with sonography, together with the expected benefits of national regulation.

The Australasian Sonographers Association has been meeting state and federal politicians to discuss the need for national regulation of the sonographer profession. To date, there has been no negative feedback from Health Ministers. However, we need to provide them with data to support the need and evidence of industry support for them to vote ‘yes’ to this change.

We intend to present the draft application to Australia’s chief allied health officers at the end of October 2019 and have the full application considered by all Australian Health Ministers at the Council of Australian Governments Health Council in the first half of 2020.