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: What changes will sonographer regulation under the Medical Radiation Practice Board of Australia bring?
Answer:

It will provide an effective process for assuring patient health and safety by:

- providing a central complaint handling mechanism for patients
- bringing all diagnostic imaging professions together in one place
- providing enforceable standards of practice that set the minimum expectations of ultrasound examinations performed by sonographers in Australia, including the power to stop sonographers from further practice where professional misconduct has occurred.

Individual sonographers will need to be aware of minor changes, such as; new recency of practice requirements, the requirement for reflective practice in undertaking Continuing Professional Development, and a new national complaint handling process. Notably, 30% of Australian sonographers are already registered with the Medical Radiation Practice Board due to their undergraduate qualification.

Question: How will this benefit me as an employer?
Answer:

As an employer, you will benefit from knowing that all diagnostic imaging professionals operate under the same regulatory framework. You will no longer be required to manage employees under different standards of practice and different complaint handling mechanisms.

You will also benefit from the new recency of practice requirements for sonographers and the centralised complaints handling process, enabling you to have greater certainty over the quality of sonographers you employ.

Question: Will it cost me more?
Answer:

There are no significant changes expected for employers. However, you are likely to benefit from having all diagnostic imaging staff regulated under one system, and having the assurance that all staff have recency of practice and a criminal history check.

Under the Medical Radiation Practice Board, annual registration fees are currently $185. This is an increase from the $110 sonographers currently pay for annual registration under the Australian Sonographer Accreditation Registry (ASAR). However, this increase is only relevant to you as an employer if you pay registration fees as an employee benefit.

If a sonographer is also registered as a radiation practitioner and is currently required to pay annual registration fees to both organisations, regulation under the Medical Radiation Practice Board is expected to result in only one registration fee being payable.
National regulation is also expected to result in ‘sonographer’ becoming a protected title. As such, there may be some transitional arrangements required regarding the use of ‘sonographer’ for employment purposes.

**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).

---

1 Australian Sonographer Accreditation Registry. About ASAR. ASAR’s Role. South Australia. accessed May 2019
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.

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.

Important, 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 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: 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: Does this change the Professional Indemnity Insurance requirements for sonographers?
Answer: NO

Like the Medical Radiation Practice Board of Australia, the National Code of Conduct for Health Care Workers requires sonographers to hold and maintain Professional Indemnity Insurance cover.

Under the Medical Radiation Practice Board, sonographers will be required to declare they have Professional Indemnity Insurance that covers all areas of practice and be able to provide evidence if audited. To work without this insurance, or let it lapse and not notify the Board, is an offence.

Question: Will sonographers have to do more Continuing Professional Development?
Answer: NO.

Requirements under the Medical Radiation Practice Board are largely the same as the Continuing Professional Development requirements for programs approved by the Australian Sonographer Accreditation Registry, which require 60 points over three years.

However, sonographers will be required to complete a logbook, including a level of reflection on activities. Also, minor adjustments may be required in the initial transition including the use of hours versus points; and requirements will likely increase for professionals holding registration in two divisions, such as a sonographer who is also a registered radiographer.

Question: Will this change impact all areas of ultrasound use in health care?
Answer: NO

This regulation change would only apply to the medical sonographer profession. It would not apply to other professions which use ultrasound in their scope of practice.

Question: Are there any changes expected for student sonographers?
Answer:

Currently, student sonographers organise their own registration and pay an annual fee of $110 through the Australian Sonographer Accreditation Registry.

Under the Medical Radiation Practice Board, the education providers are responsible for arranging the registration of all their students. There are currently no fees for medical radiation student registration. Fees for sonographer students are expected to be minimal.
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.