



Australian College of Nurse Practitioners response to:

AHPRA & Nursing and Midwifery Board of Australia

- Regulation of health practitioners who perform and who advertise nonsurgical cosmetic procedures

Contact:

Policy Advisor

Australian College of Nurse Practitioners

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22 February 2024

[REDACTED]  
Project & Policy Administrator  
Strategy and Policy  
Nursing and Midwifery Board of Australia

By email: AhpraConsultation@ahpra.gov.au

Dear [REDACTED] AHPRA Consultation Team,

Thank you for the opportunity to respond to the 'Regulation of health practitioners who perform and who advertise nonsurgical cosmetic procedures' consultation.

The Australian College of Nurse Practitioners (ACNP) is the national peak organisation for Nurse Practitioners, advancing nursing practice and consumer access to health care. A key focus for the role and scope of practice development for Nurse Practitioners is on unmet needs within the community and increasing access to health care.

#### Initial questions:

To help us better understand your situation and the context of your feedback, please provide us with some details about you.

##### Question A

**Are you completing this submission on behalf of an organisation or as an individual?**

☐ Organisation

Name of organisation: Australian College of Nurse Practitioners

Contact email: [REDACTED]

##### Question D

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Do you give permission for your submission to be published?

☐ Yes, publish my submission **with** my name/organisation name

## Guidelines for nurses who perform non-surgical cosmetic procedures

### Consultation questions:

The Nursing and Midwifery Board of Australia (the NMBA) is developing draft nurses practice guidelines at Attachment A of the consultation paper to enable the terminology in the guidelines to be nuanced for nurses, and to delineate the separate roles and scope of enrolled nurses, registered nurses and nurse practitioners in the non-surgical cosmetic procedures sector.

#### Question 1:

Is the guidance in the draft nurses practice guidelines appropriate? Why/Why not?

Your answer:

The guidance in the draft nurses practice guidelines for the non-surgical cosmetic procedures sector is appropriate. The guidelines are necessary to ensure that nurses, including enrolled nurses, registered nurses, and nurse practitioners, have clear and specific guidance on their roles and scope of practice in this area.

#### Question 2:

Does the guidance in the draft nurses practice guidelines sufficiently inform nurses about the NMBA's expectations of nurses (including enrolled nurses (EN), registered nurses (RN) and nurse practitioners (NP)) who perform non-surgical cosmetic procedures in Australia? If yes, how? If no, what needs to be changed?

Your answer:

Yes, the terminology used in the guidelines is essential to accurately reflect the different responsibilities and capabilities of each type of nurse in the context of non-surgical cosmetic procedures.

#### Question 3:

Does the guidance in the draft nurses practice guidelines sufficiently inform the public about the NMBA's expectations of nurses (including enrolled nurses (ENs), registered nurses (RNs) and nurse practitioners (NPs) who perform non-surgical cosmetic procedures in Australia?

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Your answer:

Yes, agree

Question 4:

In section 4.2, the draft nurses practice guidelines propose that 'the registered nurse and/or the nurse practitioner must consider the clinical appropriateness of the cosmetic procedure for a person who is under the age of 18 years. The NMBA considers that botulinum toxin and dermal fillers should not be prescribed for persons under the age of 18 for cosmetic purposes.'

Is this information clear? If not, why not?

Your answer:

Please note the use of botulinum toxin in instances of medical indication, such as release of muscle spasm or migraine.

Question 5:

Is there anything further you believe should be included in section 4?

Your answer:

The ACNP applauds the acknowledgment and deliberate contemplation of the role and significance of nurse practitioners within the draft guidelines.

Question 6:

In section 8.1, the draft nurses practice guidelines propose 'the RN/NP is responsible for ensuring that any other person/s participating in the person's care or treatment have appropriate education, training and competence, and is adequately supervised as required'.

Is this a reasonable requirement? If yes, why? If not, why not?

Your answer:

Section 8.1 states the responsibility of the Registered Nurse (RN) and Nurse Practitioner (NP) to ensure that individuals involved in a patient's care possess appropriate education, training, competence, and supervision as necessary. However, we recommend the inclusion of clarification on this responsibility extending to all registered health practitioners, including medical practitioners.

**Question 7:**

In section 16.1, the draft nurses practice guidelines propose 'that RNs first practise for a minimum of one-year full-time equivalent post initial registration, to consolidate the foundational skills and knowledge as an RN in a general or specialist area of nursing practice (not in the area of non-surgical cosmetic procedures). RNs who perform non-surgical cosmetic procedures are required to undertake detailed assessment and planning of care, have complex anatomical and physiology knowledge as well as decision-making relating to pharmacodynamics and pharmacokinetics'.

Is the guidance proposed a reasonable requirement? If not, why not?

Your answer:

Strongly agree

**Question 8:**

Is there any further detail that needs to be included in the draft nurses practice guidelines to ensure public safety? If yes, please provide details.

Your answer:

There is some inconsistency with using abbreviations, especially 'NP' in these documents. For example: in paragraph 2.4, the full term 'nurse practitioner' is used, compared with paragraph 3.1 where the use of the NP abbreviation is applied.

We recommend avoiding the use of the abbreviation of 'nurse practitioner to NP to provide consistency. We recommend use of the full title in all instances.

**Guidelines for registered health practitioners who perform non-surgical cosmetic procedures.**

**Consultation questions:**

**The proposed draft shared practice guidelines (at Attachment B of the consultation paper) will apply to all registered health practitioners, except for medical practitioners (who are already subject to the Medical Board of Australia's (the MBA) Guidelines for registered medical practitioners who perform cosmetic surgery and procedures) and nurses (who will be required to comply with the draft Guidelines for nurses who perform non-surgical cosmetic procedures, if approved).**

**Question 9:**

Is the guidance in the draft shared practice guidelines appropriate? Why/why not?

Your answer:

Yes, agreed

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Question 10:

Does the guidance in the draft shared practice guidelines sufficiently inform registered health practitioners about National Boards' expectations when performing non-surgical cosmetic procedures in Australia? Yes/No. If no, what needs to be changed?

Your answer:

Yes, agreed

Question 11:

Is the guidance in the draft shared practice guidelines useful for the public to understand National Boards' expectations of registered health practitioners who perform non-surgical cosmetic procedures in Australia? Yes/No. If no, what would be more helpful?

Your answer:

Yes, agreed

Question 12:

Is there anything you believe should be added to or removed from the definition of 'non-surgical cosmetic procedures' as it currently appears in the draft shared practice guidelines?

What changes do you propose and why?

Your answer:

None recommended

Question 13:

The draft shared practice guidelines propose a set of consistent requirements for practitioners practising in this sector.

Do you think it's appropriate for consistent requirements to apply to all practitioners practising in this sector regardless of their profession? Or do you think there are variations, additions or exclusions required for a particular profession or professions?

What changes do you propose and why?

Your answer:

The guidelines are consistent

**Question 14:**

While it is acknowledged that many people who seek non-surgical cosmetic procedures do not have an underlying psychological condition such as body dysmorphic disorder (BDD), the Medical Board of Australia's practice guidelines and the Nursing and Midwifery Board of Australia's proposed guidelines require medical practitioners and nurses who perform the cosmetic procedure or prescribe the cosmetic injectable, to assess their patients for underlying psychological conditions, such as BDD.

Is this a reasonable requirement of other registered health practitioners performing cosmetic procedures as well? If yes, why? If not, why not?

**Your answer:**

Section 2 Assessment of patient suitability is appropriate. The inclusion of the assessment of patient suitability in the draft guidelines is appropriate as it reflects a person-centered approach to care, aligns with ethical principles, and acknowledges the psychological issues for some individuals seeking cosmetic procedures.

**Question 15:**

Is there any further detail that needs to be included in the draft shared practice guidelines to ensure public safety? If yes, please provide details.

**Your answer:**

No further detail

**Guidelines for registered health practitioners who advertise non-surgical cosmetic procedures**

**Consultation questions:**

**The proposed draft advertising guidelines (at Attachment C of the consultation paper) will apply to all registered health practitioners who advertise non-surgical cosmetic procedures.**

**Question 16:**

Is the guidance in the draft advertising guidelines appropriate? Why/why not?

**Your answer:**

Strongly agree. The proposed draft advertising guidelines, which will apply to all registered health practitioners who advertise non-surgical cosmetic procedures, are highly appropriate. They provide standardised and ethical advertising practices in the context of non-surgical cosmetic procedures.

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Question 17:

Does the guidance in the draft advertising guidelines sufficiently inform registered health practitioners about National Boards' expectations when advertising non-surgical cosmetic procedures? Yes/No. If no, what needs to be changed?

Your answer:

Yes, agree

Question 18:

Is the guidance in the draft advertising guidelines useful for the public to understand National Boards' expectations of registered health practitioners who advertise non-surgical cosmetic procedures in Australia? Yes/No. If no, what would be more helpful?

Your answer:

Yes agree.

Question 19:

Is there any further detail that needs to be included in the draft advertising guidelines to ensure public safety? If yes, please provide details.

Your answer:

No further details

The definition of 'non-surgical cosmetic procedures' in the draft advertising guidelines includes examples of what are considered non-surgical cosmetic procedures and includes procedures that are restricted to the practice of registered health practitioners as well as procedures that may be performed by people who are not registered health practitioners. This decision was made to promote consistency between the various guidelines which regulate both the practice and advertising of non-surgical cosmetic procedures and cosmetic surgery.

Question 20:

Is the definition of 'non-surgical cosmetic procedures' in the draft advertising guidelines appropriate when setting standards for the advertising of non-surgical cosmetic procedures by regulated health practitioners? Why/why not?

Your answer:

Yes, this definition provides comprehensive regulation and oversight of advertising practices in the context of non-surgical cosmetic procedures.



**Question 21:**

Is there anything you believe should be added to or removed from the definition of 'non-surgical cosmetic procedures' as it currently appears in the draft advertising guidelines?

What changes do you propose?

Your answer:

Nil proposed

**About IV infusion treatments:**

Ahpra and the National Boards are aware of concerns about the advertising of IV infusion treatments and have issued previous statements in relation to this. IV infusions, like non-surgical cosmetic procedures, are invasive procedures with inherent health and safety risks for patients.

While IV infusion treatments are not strictly a non-surgical cosmetic procedure, many advertisers quote their patients as looking or feeling better after an infusion. Ahpra takes the view that there is little or no accepted evidence to support such generalised claims, and that claims about general improvements in health, wellness, anti-ageing or appearance are therefore misleading and in breach of the National Law. As with any regulated health service claims made about the benefits of IV infusions must be accurate and not misleading. This is because consumers are likely to rely on purported scientific claims and be significantly influenced by such claims, when making health care choices.

While these draft guidelines are focused on the advertising of non-surgical cosmetic procedures, we welcome feedback on whether separate guidelines should be developed in relation to the advertising of IV infusion treatments.

**Question 22:**

Do you support the development of separate guidelines in relation to the advertising of IV infusion treatments? Why/why not?

Your answer:

It is important that guidelines in relation to the advertising of IV infusion treatments are developed, and separate guidelines are needed.

IV infusion treatments do not fall under the category of non-surgical cosmetic procedures, however their invasive nature and potential health and safety risks for patients warrant guidelines. This approach will provide a transparent solution focused on patient safety and ethical advertising practices within these related fields.

Separate guidelines will also allow for adjustments specific to different types of treatment in future.

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**Question 23:**

If you support the development of separate guidelines in relation to the advertising of IV infusion treatments, what do you believe should be contained within these guidelines?

**Your answer:**

A strong safety and quality focus, and inclusion of advertising guidelines to prevent promotion of non-evidence-based information and outcomes. Acknowledgement of the range of infusions covered by these guidelines and different types of registered health practitioners involved.

**Question 24:**

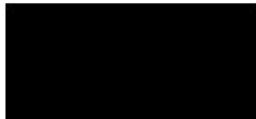
Do you have any other feedback about the draft practice guidelines and draft advertising guidelines for non-surgical cosmetic procedures?

**Your answer:**


The guidelines are exceptional and provide clear guidance.

Thank you again for the opportunity to participate in this important review. We are happy to be contacted to participate further or provide clarification.

Yours sincerely



**Leanne Boase**  
**Chief Executive Officer**

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