

## Response template for the public consultation on the proposed change to the protected title for the podiatry speciality of podiatric surgery

September 2024

This response template is the preferred way to submit your feedback to the public consultation on the Podiatry Board of Australia's proposed change to the protected title for the podiatry specialty of podiatric surgery.

Please provide any feedback in this document, including your responses to the questions in the text boxes on the following pages. The boxes will expand to accommodate your response. You do not need to respond to a question if you have no comment.

### Making a submission

Please complete this response template and email to [podiatryconsultation@ahpra.gov.au](mailto:podiatryconsultation@ahpra.gov.au).

**Consultation closes on 8 November 2024.**

### Publication of submissions

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### Initial questions

*To help us better understand your situation and the context of your feedback please provide us with some details about you. These details will not be published in any summary of the collated feedback from this consultation.*

#### Question A

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

#### Your answer:

☒ Organisation

Name of organisation: Australasian College of Podiatric Surgeons

Contact

☐ Myself

Name:

Contact email: [Click or tap here to enter text.](#)

#### Question B

If you are completing this submission as an individual, are you:

☐ A registered health practitioner?

Profession: [Click or tap here to enter text.](#)

☐ A member of the public?

☐ Other: [Click or tap here to enter text.](#)

#### Question C

Would you like your submission to be published?

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

☐ Yes, publish my submission **without** my name/ organisation name

☐ No – **do not** publish my submission

## Your responses to the consultation questions

### 1. Do you agree with the proposal to change the protected title for the podiatry specialty of podiatric surgery to 'surgical podiatrist' to make it clear that the practitioner is a specialist podiatrist who performs surgery? Why or why not?

No, we do not agree with the change.

1. "Podiatric surgeon" is suitable given the straightforward linguistic notion that a surgeon is an individual who performs surgery. While one might argue that the alternative term, 'surgical podiatrist,' is also linguistically valid, it is not consistent with other similar terminologies. For instance, we refer to dental surgeons, not surgical dentists. Additionally, this term is not commonly used by the professional bodies or the training institutions that represent these practitioners, and hence, it does not effectively fulfill its descriptive function. This perspective is consistent with Menz's argument presented in his paper titled "Foot" and "surgeon": a tale of two definitions (2010), where he critiques the concept of 'surgical podiatrist' as flawed in differentiation from 'podiatric surgeon'. He continues to explain in a logical manner the adjective 'surgical' can be defined as 'relating to or used in surgery', which infers that the podiatrist is performing surgery, and the noun for someone who performs surgery is, of course, 'surgeon.'

It is also not evident that the use of the term 'podiatric surgeon' implies, or is intended to imply, that the practitioner is medically qualified rather than qualified in podiatry, nor that it is designed to confuse or deceive. Podiatric Surgeon is the most accurate and succinct title given our specialist training, qualification and activity.

2. International precedents support the use of the title "surgeon" for professionals with specialised surgical training, even if they do not hold a traditional medical degree. Maintaining this title for such professionals promotes professional equality and acknowledges the significant contributions to healthcare, ensuring that all skilled and regulated practitioners are recognised and respected for their expertise in their respective surgical domains.

We should be continuing to align with our peers internationally, where in the UK, the Health Professions Council (HPC) clearly acknowledged that the terms 'consultant podiatric surgeon' and 'podiatric surgeon' are used within the National Health Service over the last 24 years, and that podiatric surgeons are employed in that capacity, and currently use the title. The USA have also been using the term Podiatric Surgeon for decades.

3. Avoiding ambiguity is also a consideration. "Surgical Podiatrist" may sound more like a podiatrist who occasionally performs surgery, whereas "Podiatric Surgeon" makes it clear that surgery is a central part of the professional's expertise.

**2. Do you have an alternative suggestion for the protected title? If yes, how would your suggested title achieve the same result as 'surgical podiatrist' in providing greater clarity to consumers?**

Yes, we do have an alternative. Particularly given that Professor Paterson has made it explicitly clear that **"there needs to be a strong justification for restricting the use of title 'surgeon'. The rationale for restricting the use of the term should be to reduce consumer confusion and potential harm, on the basis that this cannot be achieved by less directive means"**

We believe that less directive means have been overlooked and the decision to restrict the use of the title 'surgeon' has been recommended without considering other less directive means to address consumer confusion.

The alternative suggestion is outlined in detail below:

Adding a descriptor such as *specialist podiatrist* after Podiatric Surgeon, as part of an overall patient education campaign is expected to provide the clarity for consumers of healthcare in understanding who it is they are seeing, without down playing the importance of the true role of podiatric surgeons.

The ACPS is open to working collaboratively with the PBA and AHPRA in relation to where, how and when this title descriptor is used within the regulatory framework. The college remains open to discuss this with the board further once the board has considered the responses to the consultation.

The title would appear as: Joe Bloggs **Podiatric Surgeon (Specialist Podiatrist)**.

**Statement of Purpose - Patient Information Campaign**

The purpose behind the development of this literature (in the form of brochures and clarification statements) is to remove any and all public and stakeholder confusion in relation to the title 'Podiatric Surgeon', explicitly outline our training and clearly show that we are not medical doctors. In addition to clear, unambiguous and explicit patient information brochures, the ACPS will also mandate the inclusion of what a Podiatric Surgeon is and isn't in all patient referral pads, patient registration forms and consent to surgery forms. This has been specifically developed to ensure that patients and stakeholders are entirely clear about who they are seeing and who is delivering their care across the full spectrum of the patient's journey.

**Mandatory Clarification Statements and Title Descriptor**

Patient registration and consent to surgery forms

**I understand** that a podiatric surgeon is a registered specialist podiatrist who is trained in the diagnosis and treatment of foot and ankle disorders by both surgical and non-surgical methods and is not a medical practitioner (medical doctor).

Referral pads

A podiatric surgeon is a registered specialist podiatrist who is trained in the diagnosis and treatment of foot and ankle disorders by both surgical and non-surgical methods and is not a medical practitioner (medical doctor).

#### Title Descriptor

#### **Podiatric Surgeon (Specialist Podiatrist)**

Measures to provide transparency and clarity to consumers of healthcare include ensuring that podiatric surgeons provide full disclosure to patients as part of the pre consultation and consenting processes. This disclosure is to include information brochures provided by podiatric surgeons. Additional discussions during the consultation, ensuring that patients are well-informed and confident in their choices moving forward.

It appears that the focus groups were not a true representation of consumer understanding. This seems to be illustrated by Professor Patterson from the following excerpts:

- When Professor Paterson asked the consumer focus groups what it meant if someone called themselves a podiatric surgeon, most participants said they would assume the practitioner was a medical practitioner and had been to medical school. Participants in the focus groups stated that the most important part of the title is the word 'surgeon.'

However, in the very next paragraph and by contrast, Professor Paterson goes on to say:

*On the other hand, patients who were referred to a podiatric surgeon by a podiatrist reported understanding that they were seeing a well-qualified practitioner who "specialises in ankles and feet".*

The issues raised around the title 'podiatric surgeon' do not relate to the standard of care provided by the podiatric surgeon. Rather, they relate to clarity and transparency for the consumer about the type of practitioner they are seeing, and the type of training the practitioner has completed. This is important information to allow a consumer to make an informed decision about who will provide their care.

*And therefore, if we revert back to professor Paterson's earlier statement "The rationale for restricting the use of the term should be to reduce consumer confusion and potential harm, on the basis that this cannot be achieved by less directive means"*

Then, the ACPS as an organisation, through mandated consent and patient registration statements, title descriptors, patient information brochures and a broader public information campaign have offered a viable solution to reduce consumer confusion by less directive means.

Professor Paterson's impression from interviews with podiatric surgeons is that most explain their qualifications to patients – that they are not a medical practitioner but have specialist training in podiatric surgery. *"In my meetings with patients who had consulted a podiatric surgeon, they confirmed that they had received a satisfactory explanation of the*

*practitioner's qualifications and experience. However, that is clearly not a universal experience."*

This can be made more universal with the proposed plan outlined above. The ACPS also stands ready to undertake a broader media campaign, with or without Government agencies, using the above materials to ensure there is wider dissemination of who podiatric surgeons are, how they are trained, what they practice and how they differ from medical doctors.

We think its important to highlight that the above suggestion is being made in light of the findings and suggestions made by Queensland Parliament's Health and Environment Committee when considering the Health Practitioner Regulation National Law (Surgeons) Amendment Bill 2023. This was highlighted in Professor Paterson's review:

**"Restriction on the use of the title 'surgeon' was considered extensively during the consultations undertaken in 2021, 2022 and 2023 on the Surgeons Bill. Although 'podiatric surgeon' was out of scope, the appropriateness of this protected title was raised by several stakeholders in submissions to Queensland Parliament's Health and Environment Committee. Health ministers gave extensive consideration to this issue but were not persuaded of the need to restrict the use of the title 'surgeon', noting that 'oral surgeon' and 'podiatric surgeon' are specialist titles recognised in the National Law for suitably qualified dentists and podiatrists"**

### 3. What are the potential impacts for consumers of the proposed change in title?

1. We are concerned that any change in title that falls short of 'Podiatric Surgeon' would undermine the seriousness of our work, posing more significant risks to patient safety than any error in confusion of title. Reducing the title could lead patients to underestimate the complexity and seriousness of the surgeries performed, potentially resulting in them not taking the necessary post operative or follow-up care seriously. This misperception could lead to dangerous outcomes, making it crucial to maintain a title that fully reflects the critical nature of our profession.
2. Additionally, using the title "surgeon" helps in setting clear expectations for patients. It communicates that the individual has met rigorous standards of training and competency in their specific field, ensuring public trust and confidence in their abilities. By recognising specialist podiatrist with surgical training as professionals as surgeons, the healthcare system validates our role and underscores the critical contributions to patient care.
3. If the title change is perceived as a downgrade by consumers, it could erode public confidence in the profession, impacting patient willingness to seek care.
4. If the new title leads to misunderstandings, it could inadvertently limit patient access to care, as some may seek out traditional "surgeons" instead.

5. Consumers may encounter further confusion if other non-medical practitioners, such as Dental and Oral Surgeons, are allowed to continue using the title 'surgeon' while other suitably qualified practitioners are not.

#### **4. What are the potential impacts, including potential costs, for podiatric surgeons of the proposed change in title?**

##### **1. Rebranding Costs**

- Marketing Materials: Updating websites, business cards, brochures, referral pads and signage to reflect the new title can incur significant costs.
- Public Education: Developing campaigns to inform patients and the public about the new title may require funding and considerable time for outreach efforts.

##### **2. Administrative Expenses**

- Legal Fees: If the title change requires legal adjustments or new registrations, there could be costs associated with consulting legal experts.
- Regulatory Compliance: Updating documentation with regulatory bodies may incur administrative costs.

##### **3. Impact on Patient Trust and Retention**

- Patient Confusion: Changes in title might confuse existing and potential patients, leading to a decline in patient retention and new patient acquisition.
- Marketing Impact: Reduced trust could necessitate additional marketing efforts to reassure patients about the quality of care.

##### **4. Insurance and Reimbursement Issues**

- Claims Processing: Adjustments in title could complicate claims with insurers, leading to delays and potential loss of revenue during the transition period.
- Negotiation with Insurers: Podiatric surgeons may need to renegotiate contracts with insurers, which could lead to reduced reimbursements or increased administrative burden.

##### **5. Training and Education Costs**

- Curriculum Changes: If the title change necessitates updates in educational programs, there could be costs associated with curriculum redesign and implementation.
- Continued Education: Practitioners may need additional training to align with the new title's implications, incurring further costs.

##### **6. Professional Identity and Morale**

- Impact on Workforce: Changes in professional identity could affect job satisfaction and morale among practitioners, potentially leading to higher turnover rates.
- Professional Relationships: Adjustments in how podiatric surgeons are perceived by other healthcare professionals could strain interdisciplinary collaboration.

#### 7. Legal and Liability Considerations

- Liability Issues: A change in title might raise questions about the scope of practice, leading to potential liability concerns or increased malpractice insurance costs.

#### 8. Operational Adjustments

- Staff Training: Staff may need training to understand and communicate the changes effectively to patients, leading to additional costs.

#### 9. Time and Resource Allocation

- Management Resources: Significant time and effort may be required to implement the changes, diverting focus from patient care and practice growth.

#### 10. Registrar retention and recruitment

- Current and potential podiatric surgical trainees may lose interest in continuing or entering the profession on account of the lack of professional recognition (in the form of title attainment) following completion. This would have a devastating impact upon the profession and is counter to Professor Paterson's assertion that the profession should be positioned to flourish, not flounder.

### **5. Are there any unintended consequences the Board might not have considered in relation to the proposed change of title?**

1. Changing the title will lead to further decreased competitiveness within healthcare settings, and provide an unfair competitive advantage and monopolistic market conditions for orthopaedic surgeons. This is despite the review finding that no changes in podiatric surgeons' scope of practice are necessary and the work that we undertake is largely the same.
2. As a consequence of point 1 above, as a result of this unfair competitive advantage, a Podiatric Surgeon's income may be significantly impacted with the likely loss of tens of thousands of dollars annually.
3. Changing title also unfairly results in collective punishment when, as identified by Professor Paterson, the majority were not responsible for the higher notifications as highlighted by the direct quotes below.

*"Concerningly, 66% of the notifications received about podiatric surgeons over that period relate to nine podiatric surgeons who were each the subject of three or more notifications"*



AND;

*“I am satisfied that a significant proportion of notifications about podiatric surgeons were prompted by orthopaedic surgeons who reviewed the patient following podiatric surgery”*

4. Importantly, it should also be stressed that the review found that one of the key elements of the title surgeon revolves around “social prestige”, which carries with it ‘symbolic capital’ and gives privilege to one group, which in turn will have an anti-competitive effect. Indeed, this is further re-enforced by Professor Paterson’s following assertion:

*“Any notification, especially about the standard of clinical care, needs to be assessed carefully by a regulator. However, it is a notable feature of the notifications about podiatric surgeons that **many come from or have been triggered by another group of health practitioners – orthopaedic surgeons – who perform similar work and are competitors. The hostility and professional rivalry between podiatric surgeons and orthopaedic surgeons is longstanding and well documented**”.*

5. There is no published evidence to suggest that title change will make Podiatric Surgeons any safer than they already are. This may result in legal action from one or many Podiatric Surgeons particularly given the recommendation by the PBA was on the back of a few focus groups. Relying solely on focus groups to make recommendations can be problematic because the insights gathered are often based on small, non-representative samples and may reflect subjective opinions rather than broad, evidence-based trends. Focus groups are also susceptible to groupthink, where participants may conform to dominant views, leading to skewed results.

The ACPS believes that utilising more structured research methods, such as surveys should have been performed by the PBA to help ensure that their recommendations were well-grounded and reliable.

Please find attached a powerpoint document titled Public Perception of Podiatric Surgeons- Survey on Awareness, Acceptance, and Communication Strategies. Findings from our recent study, conducted with 1,002 participants, which examined public awareness and understanding of the role of podiatric surgeons. This study provides valuable insights into how our profession is perceived and the impact of targeted communications on improving public clarity about podiatric surgery.

6. Public Confusion: Given that Podiatric Surgeons have been using the title ‘Podiatric Surgeon’ for many decades that took effect 1 July 2010 (14 years of which were after approval by the Health Minister in 2010), patients and stakeholders alike may not understand the new title (or even be led into think it is an entirely new profession), leading to misunderstandings about the qualifications and expertise of practitioners.

The other titles suggested by orthopaedic surgeons such as 'podiatric technician' & 'podiatry proceduralist' are clearly designed to be derogatory and are rather obviously unlikely to lessen public confusion. Once again Professor Paterson does make it clear that there is a '*need for proportionality in the regulatory responses*' in light of '*outright hostility from orthopaedic surgeons*'.

7. Loss of Trust: If the title change is perceived as a downgrade, it could erode public confidence in the profession, impacting patient willingness to seek care.
8. Insurance and Reimbursement Issues: Changes in titles may complicate insurance premiums, claims and reimbursements, as insurers may not recognise or understand the new designation and/or be unwilling to insure 'surgical podiatrists'. This, again, may result in a significant financial burden on individuals within the profession.
9. Impact on Professional Identity: Practitioners may feel that their professional identity is diminished, which could significantly affect morale and job satisfaction.
10. Interdisciplinary Relations: The change could impact how podiatric surgeons are viewed by other medical professionals, potentially leading to friction or confusion in collaborative care settings.
11. Legal Implications: The change could raise questions about the scope of practice and liability and have a direct impact on indemnity insurance premiums and claims.
12. Academic and Training Impacts: The change may affect educational programs and training pathways, requiring adjustments in curricula and certification processes.
13. Restricting the title from one non-medically qualified group of health professions and allowing others, such as Dental and Oral Surgeon, to continue using it represents a gross injustice and promotes inequality within the healthcare system.

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#### Question A

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

#### Your answer:

☒ Organisation

Name of organisation: Ahpra, Community Advisory Council

Contact email: [Click or tap here to enter text.](#)

#### Question B

If you are completing this submission as an individual, are you:

☐ A registered health practitioner?

Profession: [Click or tap here to enter text.](#)

☐ A member of the public?

☐ Other: [Click or tap here to enter text.](#)

#### Question C

Would you like your submission to be published?

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

☐ Yes, publish my submission **without** my name/ organisation name

☐ No – **do not** publish my submission

## Your responses to the consultation questions

### 1. Do you agree with the proposal to change the protected title for the podiatry specialty of podiatric surgery to 'surgical podiatrist' to make it clear that the practitioner is a specialist podiatrist who performs surgery? Why or why not?

Yes. The proposed change of title provides greater clarity to consumers and other stakeholders than the existing term of podiatric surgeon. The benefits outlined in the consultation paper supporting the change are clearly outlined.

I believe the proposed change of title will be effective in helping the public better seek and identify adequately qualified podiatric professionals. This significant step will abate the need to better regulate the practices of inadequately qualified practitioners and eliminate unnecessary risk and dangers promoting the safety of the community.

### 2. Do you have an alternative suggestion for the protected title? If yes, how would your suggested title achieve the same result as 'surgical podiatrist' in providing greater clarity to consumers?

The proposed title 'surgical podiatrist' is straightforward and specific for the purpose and is a step in the right direction.

However, it may be the case that consumers will continue to assume that a surgical podiatrist has undertaken specialist medical training given the reference to surgery in the title which is most often associated with medical (or dental) clinicians.

Would the term '*specialist podiatrist*' remove the confusion related to the title? The term specialist suggests the practitioner has undertaken additional and specialist training and provides treatment beyond that provided by podiatrists with general registration.

Is it a requirement that consumers are referred to a surgical podiatrist by a registered podiatrist or medical practitioner? If so, the referring practitioner will have the opportunity to discuss treatment options and explain the surgical role of the specialist podiatrist removing the confusion. Consistent consumer information developed by the board could be used in this process to ensure all aspects leading to confusion and consumer complaints are addressed.

If consumers can access a surgical podiatrist without a referral, the specialist podiatrist is best placed to outline their qualifications, training and treatment options (including alternate surgery by a medical practitioner) in advertising material and in discussion with the consumer to enable them to make an informed decision about their treatment.

If this does not occur currently, further regulation/ guidance regarding this issue may be required. The recent requirements regarding the information practitioners undertaking cosmetic surgery must discuss with their patients may be a useful reference point.

Will the proposed change in title entirely address the higher rate of complaints received for podiatric surgeons? Are other changes required regarding training institutions and the accreditation authority to address skill issues?

### 3. What are the potential impacts for consumers of the proposed change in title?

The potential impacts listed in the consultation paper are clear and comprehensive.

As identified in the response to question (2) it seems possible that consumer confusion regarding the qualifications/ training and treatment provided by podiatric surgeons will continue unless there are measures implemented to ensure consistent information is disclosed/ provided to consumers to enable consumers to make informed decisions regarding their treatment.

**4. What are the potential impacts, including potential costs, for podiatric surgeons of the proposed change in title?**

There may be some costs involved with updating marketing and printing – signage, brochures, websites, etc. Other impacts are identified in the consultation paper.

**5. Are there any unintended consequences the Board might not have considered in relation to the proposed change of title?**

See response to (2) above.

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#### Question A

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

#### Your answer:

☒ Organisation

Name of organisation: Australian and New Zealand Association of Oral and Maxillofacial Surgeons

Contact email: [REDACTED]

☒ Myself

Name: Belinda Mellowes

Contact email: [REDACTED]

#### Question B

If you are completing this submission as an individual, are you:

☐ A registered health practitioner?

Profession: [Click or tap here to enter text.](#)

☐ A member of the public?

☐ Other: [Click or tap here to enter text.](#)

#### Question C

Would you like your submission to be published?

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☐ No – **do not** publish my submission



## Your responses to the consultation questions

<b>1. Do you agree with the proposal to change the protected title for the podiatry specialty of podiatric surgery to 'surgical podiatrist' to make it clear that the practitioner is a specialist podiatrist who performs surgery? Why or why not?</b>
<p>Yes. ANZAOMS is very supportive of the proposal to change the protected title for the podiatry specialty of podiatric surgery. Professor Ron Paterson's report and recommendation are amply supported by evidence that it is confusing for patients and consumers to be treated by a practitioner titled 'surgeon' but who is not medically or surgically trained or qualified.</p> <p>ANZAOMS supports the findings that use of the title 'Podiatric Surgeon' by practitioners who do not have medical or surgical training is confusing for patients and administrators, no longer fits within the regulatory framework established by the National Law, is inconsistent with recently strengthened consumer protections for cosmetic surgery and, as a result, ultimately contributes to the erosion of public confidence in the regulatory framework established by the National Law and the safety of health services.</p> <p>However, ANZAOMS does not believe that the title 'Surgical Podiatrist' sufficiently addresses these needs on the basis that the words 'surgeon' and 'surgical' are closely aligned.</p> <p>ANZAOMS would instead recommend a change to a title that unambiguously describes the training and scope of this specialist group and that does not contain the words Surgeon, Surgical or Surgery.</p>
<b>2. Do you have an alternative suggestion for the protected title? If yes, how would your suggested title achieve the same result as 'surgical podiatrist' in providing greater clarity to consumers?</b>
<p>No, we would note however that we would support a change to a title that unambiguously describes the training and scope of this specialist group and does not contain the words Surgeon, Surgery or Surgical.</p>
<b>3. What are the potential impacts for consumers of the proposed change in title?</b>
<p>A significant move towards a title that more accurately reflects the training, qualifications and scope of practice of this group being non medically or surgically qualified. A positive step forward in the removal of ambiguity in the health sector more generally.</p>
<b>4. What are the potential impacts, including potential costs, for podiatric surgeons of the proposed change in title?</b>
<p>The change would necessitate obvious changes in clinicians presentation to the public including updating of websites etc.</p>

**5. Are there any unintended consequences the Board might not have considered in relation to the proposed change of title?**

Not that we are aware of.

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##### Your answer:

☒ Organisation

Name of organisation: Advanced Practicing Podiatrists-High Risk Foot Group

Contact email: [REDACTED]

☐ Myself

Name: [Click or tap here to enter text.](#)

Contact email: [Click or tap here to enter text.](#)

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Profession: Podiatrists

☐ A member of the public?

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☐ Yes, publish my submission **without** my name/ organisation name

☐ No – **do not** publish my submission

## Your responses to the consultation questions

### 1. Do you agree with the proposal to change the protected title for the podiatry specialty of podiatric surgery to 'surgical podiatrist' to make it clear that the practitioner is a specialist podiatrist who performs surgery? Why or why not?

No. The term Podiatric surgeon is used worldwide, and has been in Australia for over 30 years. A change in title will impact trust and perception of the profession. Thirty years ago, the majority of the general public did not understand what a podiatrist was, this has slowly changed with a growing number of practitioners and education initiatives. Providing better public and patient education on the training and scope of podiatric surgeons will have a much better outcome of population health than a title change. A more appropriate strategy is to ensure podiatric surgeons clearly identify the training that they have undertaken.

### 2. Do you have an alternative suggestion for the protected title? If yes, how would your suggested title achieve the same result as 'surgical podiatrist' in providing greater clarity to consumers?

Podiatric Surgeon is the most appropriate title. An alternative could be "Surgeon Podiatrist". This profession provides surgery, the title is much clearer than "Surgical Podiatrist", and clearly indicates that they do operative procedures.

A Surgical Nurse would not be expected to be providing surgical services, but probably just work with people undergoing or post-surgery, whereas a Nurse Surgeon would be expected to be practicing surgery.

### 3. What are the potential impacts for consumers of the proposed change in title?

General Public and Medical Profession Trust and Perception: A proposed change in title might affect how podiatric surgeons are perceived as a profession. The expertise of podiatric surgeons may be questioned and there may be a reduction in the perceived level of specialisation should there be a change in title.

Patient Education: All healthcare providers referring patients to podiatric surgeons will need to devote time educating patients about any name change to avoid misunderstandings and ensure that patients are aware of the qualifications and scope of practice of surgical podiatrists.

Increased Patient Confusion: Having different naming conventions across different registered professions will make navigating the health systems more complicated for patients potentially leading to poorer health outcomes. Will the proposed change in title be extended to include to other non-medically trained professions who use the title "surgeon"? For example, would Dental Surgeons undergo a title change and become Surgical Dentists?

Would a surgical podiatrist perform podiatric surgery or surgical podiatry?

Prior to the profession's name change in the 1970's, many Chiropodists used the title "Surgical Chiropodists" but with no access to local anaesthesia did not perform any surgical procedures.

### 4. What are the potential impacts, including potential costs, for podiatric surgeons of the proposed change in title?

The costs are to the podiatric profession as a whole.

The ACPS would need to register a new business name, as would many podiatric surgeons.

There may also be an impact on referrals, as the new title, being the only of its kind in Australia, would be confusing to referrers.

Insurance and Legal Implications: The proposed title change could pose implications for insurance policies, contracts, and legal documents. Clinicians may incur legal and administrative costs associated with process. Clinicians may not be able to practice until such updates has occurred.

Marketing and Branding: Podiatric surgeons would be required to update their marketing materials, business cards, and other branding elements to reflect any change in title. Costs related to design, printing, and distribution would be required to be absorbed by clinicians.

Educational and Training Programs: Educational institutions and training programs may need to revise their curricula, promotional materials, and accreditation documents to align with the new title. This could involve administrative costs and time.

**5. Are there any unintended consequences the Board might not have considered in relation to the proposed change of title?**

Professional Identity and recognition: The proposed title "surgical podiatrist" will lead to confusion amongst the medical community, general public, patients, and school leavers wanting to enter the profession who are accustomed to the term "podiatric surgeon." This could lead to misunderstandings about the qualifications and scope of practice of these professionals, and undermine the trust, perception and respect for the profession.



## Response template for the public consultation on the proposed change to the protected title for the podiatry speciality of podiatric surgery

September 2024

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### Making a submission

Please complete this response template and email to [podiatryconsultation@ahpra.gov.au](mailto:podiatryconsultation@ahpra.gov.au).

**Consultation closes on 8 November 2024.**

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### Initial questions

*To help us better understand your situation and the context of your feedback please provide us with some details about you. These details will not be published in any summary of the collated feedback from this consultation.*

#### Question A

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

#### Your answer:

☒ Organisation

Name of organisation: Australian Council of Podiatry Deans

Contact email: [REDACTED]

☐ Myself

Name: [Click or tap here to enter text.](#)

Contact email: [Click or tap here to enter text.](#)

#### Question B

If you are completing this submission as an individual, are you:

☐ A registered health practitioner?

Profession: [Click or tap here to enter text.](#)

☐ A member of the public?

☐ Other: [Click or tap here to enter text.](#)

#### Question C

Would you like your submission to be published?

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

☐ Yes, publish my submission **without** my name/ organisation name

☐ No – **do not** publish my submission



## Your responses to the consultation questions

### 1. Do you agree with the proposal to change the protected title for the podiatry specialty of podiatric surgery to 'surgical podiatrist' to make it clear that the practitioner is a specialist podiatrist who performs surgery? Why or why not?

As the ACPD, most of our member institutions do not train podiatric surgeons and agree that this issue does not involve education quality of podiatric surgeons. Hence this submission represents the sentiments of some members of ACPD who agreed on a common position. We note that the review had concluded that the training for podiatric surgeons (from the ACPS and UWA) is of sufficient quality and not of concern to the review panel.

The current issue of high notifications amongst a small number of podiatric surgeons reflect poor clinical decision making, rather than poor clinical skills. The public confusion regarding the term 'podiatric surgeons' being medically trained may also be mitigated by better public education and more actions taken to counter incidences of mis-leading advertising to ensure that the public are well informed and safe.

The term surgical podiatrist may be problematic, given that nail surgery is currently within the scope of practice of podiatrists. This may mean that a podiatrist with general registration may technically call themselves a 'surgical podiatrist'. This may cause more confusion to the general public.

### 2. Do you have an alternative suggestion for the protected title? If yes, how would your suggested title achieve the same result as 'surgical podiatrist' in providing greater clarity to consumers?

We note that the term surgical podiatrist may be problematic and believe that with proper public education, the term podiatric surgeon may be retained.

If a change in title is mandated, then the term "Advanced Surgical Podiatrist" could be considered. This allows the differentiation of the more complex foot and ankle surgeries that podiatric surgeons currently perform, from nail surgeries that all podiatrists are trained to perform.

### 3. What are the potential impacts for consumers of the proposed change in title?

We believe in person centred care and the principles of shared responsibilities and decision making. Whilst AHPRA and the podiatry board need to do its utmost to protect the public, it is also the responsibility of the public and patient to find out more about the practitioner they are seeking treatment from. This is regardless of the inclusion of the term 'surgeon' or 'doctor' in the title of the practitioner.

In addition, as mentioned in point 2, the term 'surgical podiatrist' may cause more confusion to the consumer as all podiatrists can perform nail surgery, which can also be considered a surgical procedure.

### 4. What are the potential impacts, including potential costs, for podiatric surgeons of the proposed change in title?

We have no additional comments on this matter.

**5. Are there any unintended consequences the Board might not have considered in relation to the proposed change of title?**

This relates to the proposed term 'surgical podiatrists' as mentioned above. Therefore, we propose

- 1) no change in name, coupled with a better public awareness campaign. Stricter regulation around advertising, and better management of public complaints and podiatric surgeons with multiple notifications, is imperative.
- 2) If a change in name is warranted, then a change to the title "Advanced Surgical Podiatrist" would better describe the increased and more complex scope of practice of a podiatric surgeon, whilst differentiating from nail surgeries that all podiatrists can perform.

## Response template for the public consultation on the proposed change to the protected title for the podiatry speciality of podiatric surgery

September 2024

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### Initial questions

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#### Question A

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

##### Your answer:

☒ Organisation

Name of organisation: Australian Orthopaedic Foot and Ankle Society

Contact email: [REDACTED]

☐ Myself

Name: [Click or tap here to enter text.](#)

Contact email: [Click or tap here to enter text.](#)

#### Question B

If you are completing this submission as an individual, are you:

☐ A registered health practitioner?

Profession: [Click or tap here to enter text.](#)

☐ A member of the public?

☐ Other: [Click or tap here to enter text.](#)

#### Question C

Would you like your submission to be published?

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☐ Yes, publish my submission **without** my name/ organisation name

☐ No – **do not** publish my submission

## Your responses to the consultation questions

### 1. Do you agree with the proposal to change the protected title for the podiatry specialty of podiatric surgery to 'surgical podiatrist' to make it clear that the practitioner is a specialist podiatrist who performs surgery? Why or why not?

We disagree with the proposal to change the protected title to 'surgical podiatrist'

The new title should make it clear to the public that any podiatrist wishing to perform surgery on a patient is not a medically trained surgical specialist.

As such, we strongly argue that the proposed title for podiatrists who operate should avoid the use of the word "Surgeon" and any of its derivatives such as "Surgical" to remove any doubt or confusion.

### 2. Do you have an alternative suggestion for the protected title? If yes, how would your suggested title achieve the same result as 'surgical podiatrist' in providing greater clarity to consumers?

The Australian Orthopaedic Foot and Ankle Society (AOFAS) recommends that a more appropriate term for podiatrists wishing to perform surgery should be '**Operative Podiatrist**'. This term is both an accurate descriptor, and also helps to reduce any confusion by avoiding the use of the terms 'Surgeon' or 'Surgical' which are both generally associated by the public with the medical profession.

Minimising confusion, misunderstanding and providing patients with clarity is an important part of consent for surgical treatment. The frequent use of the title 'Doctor' among podiatrists as well as the descriptors 'Surgeon' or 'Surgical' compounds the confusion as does social media or internet content that often fails to disclose that those using these terms do not possess medical qualifications or accredited specialist surgical training that has been accredited by the Australian Medical Council (AMC).

### 3. What are the potential impacts for consumers of the proposed change in title?

We believe that maintaining standards and minimising harm to the Australian public are important responsibilities of both the AOFAS and the Podiatry Board of Australia, and avoiding the use of misleading titles is an effective means to achieving this. Avoiding the term 'Surgery' or any of its derivatives in those not medically qualified or trained is an essential part of this. A member of the public embarking on treatment for their foot and ankle disorder should clearly understand who has medical training and who has undergone AMC-accredited specialist surgical training.

Informed consent for surgery is a basic tenet of good healthcare, and misinformed patients are unable to properly assess the risks involved in the proposed treatment. Allowing them to fully understand the qualifications of the practitioner undertaking their procedure is critical to this. This can only be enhanced by strengthening the advertising standards of the PBA, proposed in the Independent Review of the Regulation of Podiatric Surgeons, as well as appropriate protected title reform.

Allowing patients to have accurate, high quality information can only enhance the standard of healthcare in Australia, and AOFAS stands together with the PBA to help facilitate this.

**4. What are the potential impacts, including potential costs, for podiatric surgeons of the proposed change in title?**

Those podiatrists undertaking surgery also practice as general podiatrists. As the majority of their practice is in the field of general podiatry, any changes to the title 'podiatric surgeon' will have minimal impact on this. Changing the protected title to 'operative podiatrist' will require changes in signage, stationery and digital platforms. This will have some cost associated with it. Patient and public confidence and safety is well served by these relatively small costs.

**5. Are there any unintended consequences the Board might not have considered in relation to the proposed change of title?**

AOFAS is confident that the PBA considers the interests and welfare of the public as its paramount concern.

AOFAS believes that title reform in this area is much needed and can only be a positive thing, and is keen to support the PBA in this mission. We are confident that changing the title to the clear, unambiguous term of "**Operative Podiatrist**" will help the PBA fulfil its chartered responsibility to protect Australians receiving healthcare.

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September 2024

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### Initial questions

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#### Question A

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

##### Your answer:

☒ Organisation

Name of organisation: The Council of Presidents of Medical Colleges

Contact email: [REDACTED]

☐ Myself

Name: [Click or tap here to enter text.](#)

Contact email: [Click or tap here to enter text.](#)

#### Question B

If you are completing this submission as an individual, are you:

☐ A registered health practitioner?

Profession: [Click or tap here to enter text.](#)

☐ A member of the public?

☒ Other: Peak body for Australia's specialist medical colleges

#### Question C

Would you like your submission to be published?

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

☐ Yes, publish my submission **without** my name/ organisation name

☐ No – **do not** publish my submission



## Your responses to the consultation questions

### 1. Do you agree with the proposal to change the protected title for the podiatry specialty of podiatric surgery to 'surgical podiatrist' to make it clear that the practitioner is a specialist podiatrist who performs surgery? Why or why not?

CPMC does not support the change to the title 'surgical podiatrist.' The use of the term 'surgical' or 'surgeon' is closely associated with those who have undergone extensive medical training through recognised specialist programs. Such titles are rightly reserved for practitioners who have completed comprehensive medical and surgical training.

While podiatric practitioners are highly skilled in their field, their training does not equate to that of medical specialists. The title 'surgical podiatrist' will likely mislead the public, causing confusion and creating the false impression that podiatric practitioners possess the same level of surgical expertise as medically trained surgeons.

### 2. Do you have an alternative suggestion for the protected title? If yes, how would your suggested title achieve the same result as 'surgical podiatrist' in providing greater clarity to consumers?

The CPMC suggests an alternative title such as 'procedural podiatrist' or 'podiatric proceduralist.' These terms more accurately reflect the scope of practice of podiatric practitioners, avoiding the use of 'surgical' while indicating that some procedures, including minor procedural interventions, may be within their purview.

This alternative would offer consumers a clearer distinction between podiatric practitioners and medical surgeons, ensuring that patients do not mistakenly associate podiatric practice with the full scope of surgical care provided by orthopaedic or general surgeons.

### 3. What are the potential impacts for consumers of the proposed change in title?

The proposed change to 'surgical podiatrist' could lead to significant confusion for patients, who may not fully grasp the differences in training between podiatrists and medical surgeons. There is a risk that patients might believe they are receiving care from a professional with qualifications equivalent to those of a Fellow of a Medical College, leading to possible suboptimal outcomes in complex cases requiring a higher level of surgical expertise.

Such misunderstanding could undermine consumer confidence and compromise informed decision-making in the context of healthcare, ultimately affecting patient safety.

### 4. What are the potential impacts, including potential costs, for podiatric surgeons of the proposed change in title?

For podiatric practitioners, the adoption of the title 'surgical podiatrist' might offer an initial perception of enhanced status. However, this will have unintended consequences, including increased scrutiny from both regulatory bodies and patients expecting a level of surgical expertise aligned with medical surgeons. The discrepancy in training may become a source of legal challenges or patient dissatisfaction, leading to reputational and financial consequences.

Additionally, there could be higher indemnity insurance costs for podiatric practitioners, as the title may increase the likelihood of litigation related to misunderstandings about their qualifications.

**5. Are there any unintended consequences the Board might not have considered in relation to the proposed change of title?**

The Board may not have fully considered the legal and regulatory conflicts that could arise from introducing a title that closely mirrors those reserved for medically trained surgeons. The recent passage of section 115A of the Health Practitioner Regulation National Law (Surgeons) Amendment Act 2023 (Qld), which safeguards the title of 'surgeon,' underscores the need to preserve strict definitions of such terms for public safety. This legislation is likely to be extended nationwide, further complicating any efforts to introduce the title 'surgical podiatrist.'

Introducing a title that blurs the lines between medical and non-medical practitioners will again erode public trust in the healthcare system and lead to confusion over professional qualifications.

**14 October 2024**

Australian Health Practitioner Regulation Agency  
[podiatryconsultation@ahpra.gov.au](mailto:podiatryconsultation@ahpra.gov.au)

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**Re: Response to the Proposal to Change the Protected Title for Podiatric Surgery**

The Council of Presidents of Medical Colleges (CPMC) appreciates the opportunity to provide input on the proposal to change the protected title for the specialty of podiatric surgery to 'surgical podiatrist.' While we acknowledge the intention behind this proposal, the CPMC is concerned regarding its implications on patient safety, consumer clarity, and the professional standards of medical practice. Therefore, we do not support this proposed change.

**Background**

The Council of Presidents of Medical Colleges (CPMC) represents Australia's 15 specialist medical colleges, advocating for medical standards and fostering collaboration across medical disciplines. Each college within the CPMC provides rigorous education, training, and accreditation for practitioners, ensuring a consistently high level of care for patients across all medical specialties.

**1. Do you agree with the proposal to change the protected title for the podiatry specialty of podiatric surgery to 'surgical podiatrist'? Why or why not?**

CPMC does not support the change to the title 'surgical podiatrist.' The use of the term 'surgical' or 'surgeon' is closely associated with those who have undergone extensive medical training through recognised specialist programs. Such titles are rightly reserved for practitioners who have completed comprehensive medical and surgical training.

While podiatric practitioners are highly skilled in their field, their training does not equate to that of medical specialists. The title 'surgical podiatrist' will likely mislead the public, causing confusion and creating the false impression that podiatric practitioners possess the same level of surgical expertise as medically trained surgeons.

**2. Do you have an alternative suggestion for the protected title? If yes, how would your suggested title achieve the same result as 'surgical podiatrist' in providing greater clarity to consumers?**

The CPMC suggests an alternative title such as 'procedural podiatrist' or 'podiatric proceduralist.' These terms more accurately reflect the scope of practice of podiatric practitioners, avoiding the use of 'surgical' while indicating that some procedures, including minor procedural interventions, may be within their purview.

This alternative would offer consumers a clearer distinction between podiatric practitioners and medical surgeons, ensuring that patients do not mistakenly associate podiatric practice with the full scope of surgical care provided by orthopaedic or general surgeons.

### **3. What are the potential impacts for consumers of the proposed change in title?**

The proposed change to 'surgical podiatrist' could lead to significant confusion for patients, who may not fully grasp the differences in training between podiatrists and medical surgeons. There is a risk that patients might believe they are receiving care from a professional with qualifications equivalent to those of a Fellow of a Medical College, leading to possible suboptimal outcomes in complex cases requiring a higher level of surgical expertise.

Such misunderstanding could undermine consumer confidence and compromise informed decision-making in the context of healthcare, ultimately affecting patient safety.

### **4. What are the potential impacts, including potential costs, for podiatric surgeons of the proposed change in title?**

For podiatric practitioners, the adoption of the title 'surgical podiatrist' might offer an initial perception of enhanced status. However, this will have unintended consequences, including increased scrutiny from both regulatory bodies and patients expecting a level of surgical expertise aligned with medical surgeons. The discrepancy in training may become a source of legal challenges or patient dissatisfaction, leading to reputational and financial consequences.

Additionally, there could be higher indemnity insurance costs for podiatric practitioners, as the title may increase the likelihood of litigation related to misunderstandings about their qualifications.

### **5. Are there any unintended consequences the Board might not have considered in relation to the proposed change of title?**

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Introducing a title that blurs the lines between medical and non-medical practitioners will again erode public trust in the healthcare system and lead to confusion over professional qualifications.

## **Conclusion**

The CPMC maintains that public safety and professional clarity must remain paramount in decisions regarding protected titles. We respectfully urge the Podiatry Board to reconsider this proposal and adopt a title that better reflects the specific scope of podiatric practice, such as 'procedural podiatrist.'

CPMC remains committed to engaging with the Board and other stakeholders to ensure the highest standard of care for all patients.

Yours sincerely

A handwritten signature in black ink, appearing to read 'S. Jeganathan', with a horizontal line underneath.

A/Prof Sanjay Jeganathan  
Chair  
CPMC