



## Public consultation - Submission

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Your details
<b>Name:</b> Office of the Health Ombudsman
<b>Organisation (if applicable):</b>
<b>Are you making a submission as?</b> <ul style="list-style-type: none"><li>• An organisation</li></ul>
<b>Do you work in the cosmetic surgery/procedures sector?</b> <ul style="list-style-type: none"><li>• No</li></ul>
<b>For medical practitioners, what type of medical registration do you have?</b> <ul style="list-style-type: none"><li>• N/A</li></ul>
<b>Do you give permission to publish your submission?</b> <ul style="list-style-type: none"><li>• Yes, with name</li></ul>

# Feedback on draft Registration standard

This section asks for feedback on the *Draft Registration standard: Endorsement of registration for cosmetic surgery for registered medical practitioners*.

The details of the requirements for endorsement are in the [draft registration standard](#).

## 1. Are the requirements for endorsement appropriate?

The OHO is of the opinion that the requirements for endorsement are appropriate and have a suitable focus on patient safety within the requirements for endorsement.

## 2. Are the requirements for endorsement clear?

The OHO believes that the requirements for endorsement are clear and correctly identify the practitioner's obligations under recency of practice, safety and quality, data collection and continuing professional development.

## 3. Is anything missing?

The OHO believes that the draft registration standards for "Endorsement of registration for cosmetic surgery for registered medical practitioners" identifies all of the requirements for medical practitioners to be recognised as cosmetic surgeons.

# Feedback on draft revised Cosmetic Guidelines

This section asks for feedback on the Board's proposed changes to its 2016 *Guidelines for medical practitioners who perform cosmetic medical and surgical procedures*.

The details of the revised guidance are in the [draft revised Cosmetic Guidelines](#).

## 4. Are the proposed changes to the Cosmetic Guidelines appropriate?

The OHO is of the opinion that the proposed changes to the Cosmetic Guidelines are appropriate and will protect the community from unnecessary procedures and associated harm.

## 5. Does splitting the guidance into sections for major and for minor cosmetic procedures make the guidance clearer?

The OHO believes that splitting the guidance into sections for major and for minor cosmetic procedures makes the guidance clearer and easier to understand, both for medical practitioners and the general public.

The OHO supports the reinforcement that the practitioner is responsible for post procedure care and identification of formal alternative arrangements if the practitioner is unable to be contacted.

When minor cosmetic procedures are undertaken, the OHO is supportive of the clarification that the medical practitioner retains overall responsibility for the patient, even if they are not the health practitioner undertaking the procedure.

## 6. Are the draft Cosmetic Guidelines and the Board's expectations of medical practitioners clear?

The OHO believes that the draft Cosmetic Guidelines and the Board's expectations of medical practitioners are clear and will address the many safety issues within the provision of cosmetic surgery.

The OHO is supportive of the ongoing audit requirements for practitioners providing cosmetic surgery procedures, as this brings this area of health provision into alignment with other areas of medical speciality, ultimately improving service provision and patient safety.

**7. Do you support the requirement for a GP referral for all patients seeking major cosmetic surgery?**

As identified in the consultation's explanatory notes, the current provision of cosmetic surgery services are quite unique in that they are not usually provided within the patients' regular healthcare environment. In our submission to the Independent Review into Cosmetic Surgery, the OHO identified the need for a GP referral for all patients seeking cosmetic surgery and absolutely support this requirement.

**8. Do you support the requirement for major cosmetic surgery to be undertaken in an accredited facility?**

The OHO is supportive of the requirement for major surgery to be undertaken in an accredited facility. The OHO believes that this requirement will improve service provision and patient safety.

**9. Is anything missing?**

The OHO believes that the following areas within the draft cosmetic guidelines are missing or require further clarification:

- Identification of financial gain or "kickbacks" on the use of facility, devices and / or financial products,
- Disclosure of adverse events experienced by the practitioner's patients, including failure rates and complaints, and
- Ongoing surgical audit results (including infection control).

# Feedback on draft Advertising Guidelines

This section asks for feedback on guidelines for advertising cosmetic surgery.

The Board's current *Guidelines for medical practitioners who perform cosmetic medical and surgical procedures* (2016) include a section on 'Advertising and marketing'.

The Board is proposing standalone *Guidelines for medical practitioners who advertise cosmetic surgery* because of the influential role of advertising in the cosmetic surgery sector.

The details of the advertising guidance are in the [draft Advertising Guidelines](#).

## 10. Is the guidance in the draft Advertising Guidelines appropriate?

The OHO is of the opinion that the guidance in the draft Advertising Guidelines are appropriate and have a suitable focus on ensuring that the public are informed of the risks and realistic outcomes of cosmetic surgery.

## 11. Are the draft Advertising Guidelines and the Board's expectations of medical practitioners clear?

The OHO believes that the draft Advertising Guidelines and the Board's expectations of medical practitioners are clear and correctly identify the practitioner's obligations.

The OHO has minor concerns about section 2.3 of the guidelines, that states "*all medical practitioners advertising cosmetic surgery should include clear and unambiguous information about their qualifications and type of medical registration*". The OHO's concerns are that descriptors may be used that could mislead the public, such as "Cosmetic Specialist" or "Cosmetic Practitioner" and believe that only approved descriptors must be used, such as "Plastic and Reconstructive Surgeon" or "Cosmetic Surgeon".

## 12. Is anything missing?

The OHO believes that the draft Advertising Guidelines for "medical practitioners who advertise cosmetic surgery" identifies all of the requirements for medical practitioners to appropriately advertise cosmetic surgery services.

## Additional comments

### 13. Do you have any other comments about cosmetic surgery regulation?

The OHO is supportive of the proposed changes as they reflect most of the recommendations made in our submission to the “Independent review of the regulation of medical practitioners who perform cosmetic surgery”. The OHO would like to reinforce the requirement to educate the community on the proposed changes to facilitate the provision of safe and effective cosmetic surgery health services.