

THE PROMOTION OF FALSE OR MISLEADING HEALTH-RELATED INFORMATION OR PRACTICES

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The Esoteric School of Accreditation

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Committee on the Health Care Complaints Commission
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NSW Parliamentary Committee Inquiry into the Health Care Complaints Commission

Dear Sirs,

We welcome the NSW Parliamentary Inquiry into the NSW Health Care Complaints Commission (HCCC) and health related information and practices. We fully support the Committee's purview in this area and offer our full support.

The focus of the Terms of Reference of the Inquiry is on:

- a) the provision of false and misleading health related information or practices that could cause public mistrust or anxiety towards accepted medical practice;
- b) the dissemination of information that encourages individuals or the public to unsafely refuse preventative health measures, medical treatments or cures;
- c) the promotion of health-related activities and/or provision of treatment that departs from accepted medical practice which may be harmful to individual or public health;
- d) the adequacy of the powers of the NSW HCCC to investigate such organisations or individuals;
- e) the capacity, appropriateness, and effectiveness of the NSW HCCC to take enforcement action against such organisations or individuals; and
- f) any other related matter.

In this submission, we address each of the above points in turn.

A. False and misleading information and practices that could cause mistrust or anxiety towards accepted medical practice

Health is an overall matter. There are many modalities and therapies on offer today, and increasingly are being demanded by a population that is experiencing escalating disease and illness, stress, exhaustion and pressure. The need for a health system that is comprehensive, safe and effective, is also growing.

The Esoteric Practitioners Association (EPA) considers that it is vital that health information and practices be offered in a context that is fully supportive of conventional medicine. Any practice or information that causes mistrust or anxiety towards accepted medical practice is not truly supportive of health.

In addition, highly regarded medical specialists and general practitioners are also recognising the strain on the medical system from a rise in complexity of cases, the increase in the number of multi-morbidity cases, and the severity of disease and illness affecting a wider range of ages, and higher number of people, than previously.¹ We are experiencing a medical system under strain and a population facing increasingly serious health problems with a more than 1 in 3 lifetime risk of cancer.²



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The EPA considers that there is a sharp distinction between alternate and complementary medicine, and recommends strongly the complementary approach. Complementary medicine works with conventional medicine, whilst alternative therapies pose as an alternate. The EPA considers that it is of critical importance that patients see medical specialists wherever needed, and avail themselves of the expertise, efficiency and wisdom that conventional medicine can bring. There is also great room for support of the patient alongside that treatment, to assist the patient in a way that complements the medical treatment being given.

To cut off the availability of such support would be contra to the patient's wellbeing, and also contra to what the public itself is demanding, in terms of a comprehensive approach to their health (as seen by the increase in public demand for other modalities and therapies). In short, we cannot stop the tide, clearly expressed in the increased interest by the public in complementary therapies, however, we can and certainly should encourage people to explore sound and professional complementary treatments that support conventional medicine and work together with it.

- B. The dissemination of information that encourages individuals or the public to unsafely refuse preventative health measures, medical treatments or cures

The EPA considers that sound practices and information that support conventional medicine are critical to a patient's overall wellbeing. EPA practitioners are fully supportive of conventional medical treatment.

The EPA encourages patients to see their doctors and carry out all medical treatments, and take all prescribed medications as given by their doctors. EPA accredited modalities then provide much needed support. For instance, many cancer patients have benefitted from the support offered by EPA accredited modalities alongside their chemotherapy or radiotherapy. Although it can be difficult, with some very unpleasant side effects for many patients, chemotherapy is necessary and in certain cancers the medical profession has witnessed significant results in the reduction or elimination of cancer through the use of chemotherapy. At the same time, such treatment can be difficult and EPA practitioners have found that providing support alongside medical treatment can offer great benefit to a patient. Testimonials from such patients are available upon request, speaking most highly of the encouragement from EPA practitioners that the patient see their doctor and adhere strictly to the medical treatment prescribed by their doctor, and showing their appreciation of the support for their body through complementary modalities, whilst undergoing medical treatment.

Developed over its thousands of years' history, conventional medicine offers a wealth of expertise, specialised knowledge and honed skill to patients, and the ability of conventional medicine to respond quickly and appropriately, especially in cases of emergency, is no less than amazing and it is sobering to imagine the health of the population without all that conventional medicine provides. There also is no doubt that modalities and support alongside conventional medical treatment are also very needed. This is the EPA's approach.

- C. The promotion of health related activities and/or provision of treatment that departs from accepted medical practice which may be harmful to the individual or public health

Any practice or activity that harms individual or public health cannot be called a health related activity or treatment. The very premise upon which conventional medicine was founded was, "First do no harm." In all cases, the EPA supports an approach that works with the patient's needs as a whole.

In order to be complementary, health practices must be a support to the patient, whilst they are undergoing any necessary medical treatment. This reflects, once more, the need for complementary practices to work alongside conventional medicine, as is the case with EPA practitioners.



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In the face of increasing rates of illness and disease, such as diabetes (which is Australia's fastest growing chronic disease with one person being diagnosed every five minutes³) the public is demonstrating a call for an increased spectrum of health related services, and people are showing a growing interest in complementary therapies. People clearly want a range of services including those which complement their medical treatment.

The need is for healthcare services that work alongside conventional medicine and support existing medical practices, rather than alternate practices which profess to be a replacement for medical procedures and attention, which the EPA considers is not in the patient's best interest.

D. The adequacy of the powers of the NSW HCCC to investigate such individuals or groups

After due consideration of the existing powers of the NSW HCCC, the EPA considers that the powers of the NSW HCCC are adequate in the area of investigating any individuals or groups that could potentially cause harm, who are promoting false and misleading information or practices, or who are promoting a departure from conventional medicine.

The HCCC may investigate a person and come to the conclusion that he or she has breached the code of conduct of the HCCC and poses a risk to the health or safety of the members of the public. The HCCC's powers of investigation are very much focused on the public wellbeing and the protection of the safety of the public.

In the EPA's view, the HCCC undertakes this role with commitment, thoroughness and a demonstrated regard for the public health. The EPA considers the HCCC's current powers to be needed, and adequate.

E. The capacity, appropriateness and effectiveness of the NSW HCCC to take enforcement action against such organisations or individuals.

The powers of the NSW HCCC to take enforcement action against organisations or individuals are also adequate.

The HCCC has the power to:

- a) Issue an order prohibiting the person from providing health services for a period of time;
- b) Issue an order placing conditions on the provision of health services; and
- c) Provide a warning to the public about the practitioner or his or her services.

The HCCC can issue prohibition orders against an unregistered health service provider. It is an offence for any health service provider to continue to provide a health service in breach of a prohibition order.

In addition, it is an offence for a health practitioner whose registration has been cancelled to provide health services in breach of an order of the relevant tribunal or council. Any health practitioner whose registration has been cancelled and who continues to offer a health service must inform clients about the cancellation before providing that service.

These powers are adequate and appropriate, as the function of a regulator of public health matters in this state.

In addition, the HCCC has issued a code of conduct, which sets out the minimum standards of practice and ethics, which all practitioners must comply with. The Code informs consumers of what they can expect from practitioners and the mechanisms by which they can complain. The Code sets out very important matters for a practitioner to follow, including the need to not cause harm, and the Code must be displayed prominently in the practitioner's area of practice. The HCCC enforces the provisions of the Code to ensure



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they are upkept and, in the EPA's view, the HCCC takes this role very seriously, which is appropriate and a needed part of the provision of safe and thorough healthcare of an ethical and proper standard.

The EPA is fully supportive of the NSW HCCC.

F. Other matters

The EPA is an accrediting body for practitioners of esoteric modalities, which works closely with conventional medicine. In order to be accredited, all practitioners must pass an annual assessment and demonstrate continuing professionalism, integrity and capability to the standard required by the EPA. All EPA practitioners are required to take out mandatory insurance, which is offered through one of Australia's leading insurance brokers in relation to healthcare services. The code of ethics and conduct of the EPA has been described as of the highest standard in healthcare worldwide.

The EPA is the most comprehensive model on this matter where practitioners choose to abide by its code of ethics and conduct and live in a way that is harmless to themselves and others to the best of their ability. This includes choosing to avoid the intake of toxic substances like alcohol, tobacco and non-medicinal drugs. It also requires practitioners to live with self-responsibility and awareness of how their choices impact themselves and those around them.

EPA accredited practitioners work hand in hand with conventional medicine practitioners.

The EPA sets a standard of professionalism and integrity that is exemplary in the healthcare industry, and its respect for and work alongside conventional medicine is an example to all healthcare providers.

We encourage the Commission to focus its inquiry on ensuring that proper practices which respect and work with conventional medicine, are encouraged, as demonstrated by the EPA. We also support the HCCC in its role, to oversee the industry for the safety and wellbeing of patients.

Should the Commission require any further information or assistance, we would be most willing to provide it.

Thank you for the opportunity to comment.

Yours truly,

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on behalf of the EPA Practitioners Committee

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