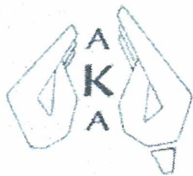


**THE PROMOTION OF FALSE OR MISLEADING HEALTH-
RELATED INFORMATION OR PRACTICES**

Organisation: The Australian Kinesiology Association
Name: Name Suppressed
Date Received: 10/12/2013

Partially Confidential



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9 December 2013

Committee on the Health Care Complaints Commission
NSW Parliament

Dear Sir/Madam,

As the peak industry body in Kinesiology, we would like to respond to the INQUIRY INTO THE PROMOTION OF FALSE OR MISLEADING HEALTH-RELATED INFORMATION OR PRACTICES TERMS OF REFERENCE.

Many of our members have written to us, concerned about the emails being circulated regarding this inquiry and how it may impact upon their profession and livelihood. The Australian Kinesiology Association is an organisation that began over 30 years ago and is the peak industry body in Kinesiology in Australia. We would like to take this opportunity to allay any concerns about the kinesiology industry and comment on how the AKA works in regulating the industry to ensure it meets its 'duty of care'.

We ask that you consider the following points:

- Kinesiology is a non-invasive energetic healing science that works with the body's innate healing intelligence to restore balance and health within the individual.
- Kinesiology practitioners seeking membership with the AKA must meet a high standard of training before they are accepted and recognised as AKA registered practitioners.
- The AKA is the industry group chosen by Community Services and Health Industry Skills Council (CS&HISC) regarding qualifications for the Kinesiology health training package and is currently working with CS&HISC on revising and upgrading content for same.
- The AKA has clear guidelines for practitioner scope of practice through its "Code of Ethics", "Code of Practice", and "Code of Conduct". We provide annual reminders to practitioner members who must review these standards/guidelines as a membership requirement through the renewal process.
- Practitioners must undertake 'Continuing Practitioner Education' annually to maintain their registration, thus ensuring their skills, knowledge and experience are up to date and relevant in an environment that is ever changing in regards to social, economic and legislative expectations.
- AKA member practitioners must work within a clear scope whereby they do not 'Diagnose', 'Prescribe' or 'Dispense' unless they have the appropriate qualifications to do so.
- Practitioners advise clients to seek care from a primary health care provider in relation to diagnosis and also to communicate accordingly about the kinesiology balancing.
- Practitioners are encouraged to work within a mutually supportive environment for the best interests of the client. This includes referring to qualified medical, allied and complementary health providers as appropriate.

- The AKA has a clear complaints policy to deal with any issues that arise between practitioner and client. In the event that the AKA is not able to assist in resolving the issue, clients are referred to other bodies as appropriate e.g., the Office of the Health Commissioner, ACCC, Consumer Affairs, Aust Skills Quality Authority, other professional industry bodies.
- AKA has an Evidence Based Research Group sub-committee specifically created to work with meeting government expectations regarding validation of the modality.
- AKA has a Course Accreditation Board (CAB), which has been running continuously since its development nearly 20 years ago. The CAB accredits course training to ensure that curriculum meets industry standards. All practitioner members must have completed study accredited by the CAB. For those who have trained through government accredited RTO's that are not also AKA accredited, graduates must undergo a thorough assessment process with our 'Advanced' Kinesiologists before they will be considered eligible for membership.
- AKA actively polices the standards of our industry through the CAB, thereby contributing to the regulation of practitioner standards within the industry.
- AKA uses electronic and print media to keep members up to date on important issues that affect our industry.

At this point we would like to bring to the commission's attention to the statement made in the media release dated 29 November that states:

"...Nor will it inquire about the many legitimate discussions and studies taking place within the science and medical community about appropriate health treatments, along with the diversity of health options available."

The immediate question this statement raises is whether this means that the commission believes that complementary health practitioners cannot and should not be involved in discussions and studies on health. This statement, rather than allaying fears, has caused major concern about what the HCCC powers will include and whether or not they will adversely affect not only the livelihood and professional standing of complementary therapies, but also people's right to choose the type of health care that suits them. There are thousands of 'non-medical' practitioners who contribute enormously to the health and wellbeing of the community in general and we would hope that the commission includes complementary health practitioners (CHP) within this statement. Otherwise, it implies that CHP discussions and studies are not 'legitimate' and this does certainly not reflect the understanding, needs and wishes of a very large part of the community. People who seek the services of complementary health practitioners take responsibility for their own health and wellbeing and do not contribute to an already over stressed public health system. Therefore, we trust that this statement will be corrected in order to allay not only the fears of the complementary health fraternity but the public as well. CHPs do not represent themselves as medical practitioners. As long as a practitioner adheres to their clearly defined scope of practice/training, then offering health related information is well within their capabilities. The Industry/Professional Body is an important stakeholder in this regulatory process, alongside education providers and government bodies.

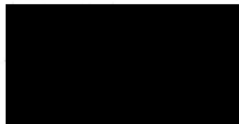
In closing, the AKA reiterates that AKA practitioners have met the minimum standards of training and are competent in their field. We view Kinesiology and also other complementary health modalities as a system of health care working in partnership with the mainstream medical model, rather than against it. The AKA believes that Kinesiology not only lessens the stress on the health care system but also contributes to the health and wellbeing of the nation.

The AKA aims to ensure that anyone calling themselves a 'Kinesiologist' is registered with a professional and credible industry body that is consistently active in regulating the industry whilst supporting its members and the public. Therefore, it is extremely important that as the peak Kinesiology industry association, the AKA is able to continue in its capacity to ensure that our modality retains its credibility, professionalism and effectiveness whilst meeting its obligations in duty of care.

We trust that you will take the above information into consideration during the inquiry as it demonstrates the vital role the AKA plays as the peak industry body in Kinesiology. It is extremely important that the AKA is able to continue in its capacity to ensure that our modality retains its credibility, professionalism and effectiveness whilst meeting its obligations in duty of care.

Should you have any further queries, please do not hesitate to contact me.

Yours Faithfully,

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Chair of the AKA
on behalf of the National Committee.