

Fact sheet

21 March 2022

Regulating paramedicine: Employer obligations under the National Law

On 1 December 2018, paramedicine becomes a regulated profession under the [Health Practitioner Regulation National Law](#) (National Law) and the title 'paramedic' and 'paramedicine' will become protected by law (s113). Only people registered with the Paramedicine Board of Australia (the Board) will be able to lawfully call themselves a paramedic.¹ From this date it will also be an offence for employers to employ people as a 'paramedic' or otherwise hold someone out as a 'paramedic' who are not registered with the Board (s116).

Additional information can be found in the Boards fact sheet [Fact Sheet: What is a registered paramedic ?](#).

Paramedic as a protected title

Title protection is an important way the National Law protects the public. It ensures that only people who are suitably trained and qualified to practise the profession, and who have met national standards for registration, are able to call themselves a paramedic.

Section 113 also requires that, for an offence to have occurred under the National Law, the title must be used in a way that could be reasonably expected to induce a belief that a person is registered in the paramedicine profession.

Additionally, a person is prohibited from using any title, name, initial, symbol, word or description that in the circumstances could reasonably be understood that a person is a registered paramedic when they are not. Additionally, employers must not claim another person is registered as a paramedic when they are not (s116).

Use of the title 'paramedic' in a business name

Use of the title 'paramedic' in a business name and/or associated insignia (such as on a vehicle) alone is unlikely to amount to a breach of the National Law. However, businesses, educators or organisations providing paramedicine services such as jurisdictional ambulance services, paramedic services, health services and private industries will need to ensure that anyone employed or carrying out the duties of a 'paramedic' is suitably qualified, trained and registered with the Board.

For example, a business name with the word 'paramedic' in it, may provide non-emergency patient transport to both public and private hospitals, diagnostic facilities and private individuals. While the use of the title 'paramedic' in a business name located on the side of a vehicle may not be a breach of the National Law, it is important to ensure that persons who are not registered with the Board in such a vehicle do not hold themselves out as being registered when attending those sites, and that those who are employed as, and carrying out the duties of a paramedic are suitably qualified, trained and registered with the Board.

¹ There were temporary exemptions for those who have applied for registration prior to 1 December 2018 until their application is decided or who are eligible for the limited period of exemption that applies until 28 February 2019.

Clear labelling on uniforms (for example uniform branding with the words 'Ambulance Officer', 'Driver' or 'Emergency care personnel' instead of 'Paramedic') along with clear communication by employers and employees, can all help to ensure the public is not confused in these types of circumstances.

Penalties for breaches

Penalties for breaches of the National law in relation to these provisions range from up to \$30,000 per offence for individuals and \$60,000 per offence in the case of corporate entities.

Before employing a health practitioner, always check the register

It's your job as an employer to check the practitioner is registered when you employ them. Before you offer someone a job, make sure they are registered.

The online register of practitioners has accurate, up-to-date information about the registration status of all registered health practitioners in Australia.

If the practitioner's name appears on the register, they are registered and can practise within the scope of their registration in accordance with any conditions or undertakings that apply. This is even the case when their registration expiry date may have passed, as long as they appear on the register.

When registered, a practitioner appears on the online register the same day. There is no gap between being granted registration and appearing on the online register.

If a practitioner's name does not appear on the register, they are not registered to practise in Australia.

The online register is the only accurate and up-to-date source of information on someone's registration – you should not rely on a hardcopy or printout of a register entry, or a certificate of registration.

If you have any questions, contact Ahpra on 1300 419 495.

Once they are employed, you need to stay up to date with any changes to their registration

As an employer, you should ensure your health practitioner employees are registered and practising within any restrictions on their registration that might apply.

All registered health practitioners are required to renew their registration on an annual basis.

In addition, restrictions can be placed on the registration of a practitioner to protect the public. Conditions can be placed on a practitioner's registration for disciplinary reasons; for example because a National Board has found that a practitioner has departed from accepted professional standards. Conditions can also be placed on a practitioner's registration for reasons that are not disciplinary, such as for a practitioner who is returning to practice after a break.

Information about any restrictions are published on the online register in most circumstances. The registration details of registered health practitioners in Australia are available on the online register of practitioners.

If you need to check the registration status of many practitioners at once, there are tools to help you, including a free bulk check service (up to 50,000 practitioners at a time) and the Practitioner Information Exchange. The Practitioner Information Exchange allows employers to create alerts when an employee's registration status changes.

More information on the Practitioner information exchange can be found [here](#).

During their employment you must make sure you meet your mandatory notification obligations

If you, as an employer, believe a practitioner might pose a risk to the public because of their behaviour or health, you may have a legal obligation to report it.

This is true even if you have taken other steps to prevent it happening again (such as through performance managing the practitioner) or the practitioner leaves the job.

Notifiable conduct is when a practitioner has:

- practised the profession while intoxicated by alcohol or drugs
- engaged in sexual misconduct in connection with their profession
- placed the public at risk of substantial harm because they have an impairment, or
- placed the public at risk of harm because of a significant departure from professional standards

If you fail to make a mandatory notification about notifiable conduct, Ahpra has a legal obligation to advise your state or territory health minister.

Detailed support and guidance on mandatory notifications and notifiable conduct can be found on the Ahpra [mandatory notifications page](#).