

Media Release



Suite 503, Level 5, 69 Christie Street
St Leonards NSW 2065
Tel +61 2 9437 0495
Fax +61 2 9437 9609
[1300 027 277](tel:1300027277)
aestheticplasticsurgeons.org.au

19 February 2020

Unregistered Health Practitioner Banned from Treating Patients

The Australasian Society of Aesthetic Plastic Surgeons (ASAPS) President, Dr Naveen Somia, has today congratulated the NSW Health Care Complaints Commission (HCCC) for banning an unregistered health practitioner from treating more patients.

Dr Somia said that medical practitioners have a primary duty of care not to harm patients.

"This duty extends to not advertising a restricted medical service using fake and fabricated titles nor using false and misleading information that can confuse the patient," Dr Somia said.

According to the report from the NSW HCCC, "*Ms Liya Rong, an **unregistered health practitioner**, was providing acupuncture treatment to patients. The complaint alleged that Ms Rong provided treatment to Patient A that resulted in an injury of a left pneumothorax (collapsed lung), which required hospitalisation. The complaint raised serious concerns that Ms Rong was not competent or sufficiently qualified to practice acupuncture.*"

The investigation determined Ms Rong had breached the Code of Conduct for Unregistered Health Practitioners under Schedule 3 of the *Public Health Regulation 2012* in respect of:

- failing to provide health services in a safe and ethical manner (Clause 3(1)) by:
 - failing to maintain the necessary competence in her field of practice (Clause 3(2)(a))
 - providing health care of a type that is outside her experience or training (Clause 3(2)(b))
 - providing health services that she is not qualified to provide (Clause 3(2)(c))
 - failing to recognise the limitations of the treatment she could provide and referring the patient to other competent health practitioners (Clause 3(2)(f))
- holding herself out as qualified as an acupuncturist when she was not (Clause 5(1))
- not maintaining accurate, legible and contemporaneous clinical records for the client consultation (Clause 15)
- not having appropriate indemnity insurance arrangements in place in relation to her practice.

Dr Somia said this case highlights that when the NSW HCCC acts, patient safety can be protected.

"In the cosmetic surgery space, we have numerous examples of doctors who hold themselves out as qualified surgeons by using a fabricated title that implies that they are specialist surgeons.

"This false and misleading advertising confuses patients, risks patient safety and breaches the law.

"What we need is stricter enforcement of the rules and more significant penalties for breaking the rules. Change is desperately needed now to drive the unscrupulous operators out and put an end to dangerous practices.

"Limiting the use of the title Surgeon to only those registered as Surgeons by the Australian Health Practitioner Regulation Agency (AHPRA) would protect patient safety by providing a clearer indication of the registered Surgeons in Australia," Dr Somia said.

Ends

Media contact: Julia Power, National PR and Marketing Manager, 0414 276 990