

Responses from the Australian Health Practitioner Regulation Agency (AHPRA)

What is the intent of applying the advertising conditions to good faith discussions about the vaccine? What penalties apply?

The advertising provisions of the National Law apply to all advertising of regulated health services provided by, or usually provided by, a health practitioner. It is an offence under the National Law to advertise a regulated health service (including via social media) in a way that is false, misleading or deceptive.

While National Boards encourage robust debate, health practitioners are expected to use their professional judgement and the best available evidence when providing information about public health issues such as COVID-19 and vaccination.

Any promotion of anti-vaccination statements or health advice which contradicts the best available scientific evidence or seeks to actively undermine the national immunisation campaign is not supported by National Boards and may be in breach of the codes of conduct.

National Boards consider the need to take action in response to reports of breaches of their standards, codes and guidelines on a case-by-case basis.

Isn't this part of the code more intended to cover commercial sponsors to stop them getting key opinion leaders to endorse products for the public?

The Codes of conduct or equivalent describe what National Boards expect of registered health practitioners in any context, including the expected standard of ethical and professional conduct. Codes of conduct should be read in full as they set out principles which apply to a broad range of circumstances and practice.

For example, in *Good medical practice: A code of conduct for doctors in Australia*, the section on individual practitioner's own health explains that good medical practice involves making sure that you are immunised against relevant communicable diseases. The section on working within the healthcare system explains that doctors have a responsibility to promote the health of the community through disease prevention and control, education and screening. It further explains that good medical practice involves participating in efforts to promote the health of the community and being aware of your obligations in disease prevention, screening and reporting notifiable diseases.

Does it apply to academics and researchers who may also be registered doctors?

All registered practitioners have a responsibility to comply with their professions' codes and standards.

If so, isn't this an interpretation of the act which suppresses freedom of academic discussion?

No. The National Boards encourage robust debate among registered health practitioners, including those practising in academic and research contexts. Registered health practitioners are expected to use their professional judgement and the best available evidence when providing information about public health issues such as COVID-19 and vaccination.

Does it apply to registered doctors who regularly appear in the media and are recognised as commentators?

Yes, it applied to all registered practitioners. When advocating for community and population health, health practitioners must use their expertise and influence to protect and advance the health and wellbeing of individuals as well as communities and broader populations.

How is this different from doctors synthesising the scientific literature for their patients which they do all the time?

Please see above.

Can a doctor say publicly that COVID vaccination is a good thing?

Yes.

While you say that doctors should refer to the Government's website, that is not necessarily across the latest research.

The statement includes references to government websites as authoritative sources for information about vaccination programs and public health responses. National Boards regulate individual practitioners and not health services or state and territory health departments. Queries about COVID-19 vaccination programs should be directed to the Commonwealth, state and territory governments which are responsible for these programs.

Removing evidence-based commentary could bias coverage towards anti vaxxers. Does this bother you?

The position statement encourages evidence-based commentary as critical to public health debate. It applies to all registered health practitioners and recognises their important role and influence within the health system.

We encourage health practitioners to use their professional judgement and the best available evidence when providing information about public health issues such as COVID-19 and vaccination.

What penalties apply to doctors giving the wrong information in a consultation?

National Boards consider the need to take action in response to reports of breaches of their standards and guidelines on a case-by-case basis.