

ALLIED HEALTH PROFESSIONS ACT 2016 (ACT 774)

Selamat Datang

**BAHAGIAN
SAINS KESIHATAN BERSEKUTU**
KEMENTERIAN KESIHATAN MALAYSIA

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7 APRIL 2018 (SATURDAY)

Outline

- **Allied Health Profession Act 2016 (Act 774)**

 - what**

 - why**

 - who**

 - when**

 - where**

- **Code of Ethics & Professional Conduct**

- **Disciplinary Proceedings**

- **Implications (Impact)**

- **Summary**

WHAT

This Act was cited as Allied Health Professions Act 2016 (Act 774)
Gazetted on 18th February 2016

WHY :

Provisions of the Act to provide:

- To establish Malaysian Allied Health Professions Council;
- To register of persons practising as allied health practitioners;
- To regulate the practice of Allied Health Professions;

WHO :

23 Professions as specified in the Second Schedule:

- ❖ **Ahli Terapi Radiasi (Radiation Therapist)**
- ❖ **Jururadiografi Diagnostik (Diagnostic Radiographer)**

WHEN :

Expected to be enforce by end of 2018 or 2019

WHERE:

All healthcare facilities which included public sector, private sector and universities (teaching institution)

CODE OF ETHICS AND PROFESSIONAL CONDUCT (COE&COPC) – ALLIED HEALTH PROFESSIONS (AHP) MALAYSIA

PURPOSE

- To serve as standards on ethics and practices of AHP providing services to client and society
- Maintaining high standards of professionalism and personal conduct, enhancing the practices and advancing allied health sciences
- To serve as a reference when the Council investigate cases of misconduct for registered AHP

COE & COPC

1.0 Responsible for safeguarding the interests of clients

Registered practitioners shall responsible for :

- Any judgements, decisions and actions while on duty.
- Providing professional service without prejudice.
- Maintain the safety and wellbeing of clients.
- Duty-bound to inform the Council of any information or evidence relating to any deterioration in health, behaviour and competency of self or another practitioner which can negatively affect the safety of clients

2.0 Respect the service user's confidentiality of information

Registered practitioners shall responsible for :

- The confidentiality of the information or record related to service, and used only for the purpose of the service except for the requirement of the law
- Ensure that only authorized individuals are granted access to the information or records .

COE & COPC continue....

3.0 Respect privacy and the rights of clients

Registered practitioners shall :

- Respect the rights of clients to either accept or decline the provided services
- Respect the clients decision to obtain second opinion
- Involve the clients and carer in decision-making process regarding to services rendered where appropriate

4.0 Integrity and professionalism in practice

Registered practitioners shall :

- Be honest and trustworthy about qualifications, skills and experiences
- Maintain a professional relationship with clients and carer
- Immediately inform the Council in the event of an involvement or being convicted of criminal offence or received a conditional discharge for an offense
- Be professional and co-operate in all investigations pertaining to their conduct or that of other practitioners

COE &COPC continue....

5.0 Enhance knowledge, skills and competency

Registered practitioners shall :

- Responsible for enhancing knowledge, skills and competency within the scope of practice through continuous professional development (CPD).

6.0 Communicate effectively

Registered practitioners shall :

- Communicate appropriately and effectively to the clients or carer
- Provide relevant information to other persons involved in the care, treatment or any other services rendered to clients (if applicable)
- Use all forms of communication appropriately and with responsibility, including the use of social media

COE & COPC continue....

7.0 Delegate tasks appropriately

Registered practitioners shall :

- Delegate tasks to other registered practitioners and justify such action
- Ensure that the delegated practitioners are competent to perform the task effectively and safely
- Responsible for all decisions made by the delegated practitioners

8.0 Obtain consent before delivering the service

Registered practitioners shall :

- Obtain consent from clients or carers (if clients is incapable) before services are delivered
- Ensure that the clients understands the need, risk and outcome of the services provided before consent is obtained; except in the event of an emergency situation

COE & COPC continue....

9.0 Keep records of services delivered

Registered practitioners shall :

- Keep the information in a complete, clear and accurate manner after the service is delivered
- Secure all records to prevent loss, damage or access by any unauthorised individuals
- Not allowed to alter, obliterate or destroy any information that has been recorded

10.0 Manage Risks

Registered practitioners shall :

- Take all reasonable steps to reduce the risk of harm to the clients and public
- Take appropriate action when their physical or mental health affects the professional performance and pose risk of harm to the clients or other healthcare professionals

COE & COPC continue....

11.0 Comply with ethics and regulations related to advertisements.

Registered practitioners shall :

- Comply with any written law, regulations and guidelines on advertisements set by the Council as stipulated in section 32 of the Allied Health Professions Act (Act 774).
- Personal Data Protection Act 2010

12.0 Compliance with laws and policies of professional practice

Registered practitioners shall :

- Keeping abreast with the latest developments regarding policies, directives, guidelines and circulars related to the profession
- Reporting to the Council or the appropriate authorities if another registered practitioner is found to be in breach of all applicable laws, regulations, standards or policies

DISCIPLINARY PROCEEDINGS: Section (25) to Section (29)

Disciplinary Authority of Council over registered practitioner:

- Been convicted of an offence under this Act
- Been convicted by a court in Malaysia or elsewhere of any offence involving corruption, fraud, dishonesty or moral turpitude or any other offence punishable with imprisonment, whether in itself only or in addition to or in lieu of a fine, for more than 2 years
- His/Her qualification withdrawn or cancelled by the awarding authority through which it was acquired or by which is awarded
- Been prohibited from practising an AHP in any place outside Malaysia
- Been alleged to have committed serious professional misconduct as stipulated in the COE and any other guidelines and directives issued by the Council
- Obtained registration under this Act by fraud or misrepresentation

Disciplinary Punishment from the Council :

Section (29) (1)

- Removed the name of registered practitioner from the Register
- Suspended the registered practitioner from the Register for such period that Council thinks fit
- Order the registered practitioner to be reprimand

Section (29) (2)

- Make orders as the Council thinks fit with regard to the payment of the costs of the Registrar, any cost of complainant and any costs awarded may be recovered as a civil debt

IMPLICATION AFTER ENFORCEMENT OF THE ACT :

Any person who :

- ❖ Not registered and practice as a registered practitioner commits an offence and shall on conviction be liable to a fine not exceeding RM50 K or 2 years imprisonment or both. (Section 35 (1))
- ❖ Employ a person who not registered practitioner commits an offence and shall on conviction be liable to a fine not exceeding RM100 K or 2 year imprisonment or both. (section 36)
- ❖ Make any false claim advertisement commits an offence and shall on conviction be liable to a fine not exceeding RM10 K or 6 months imprisonment or both (Section 32 (1))
- ❖ Forge, alter and counterfeit certificate commits an offence and shall on conviction be liable to a fine not exceeding RM50 K or 2 years imprisonment or both (Section 34 (1))

SUMMARY

Establishment of the Act 774

- ❖ To register and regulate Allied Health Professionals
- ❖ Ensure 'Right person for the right job'

Code of Ethics & Professional Conduct

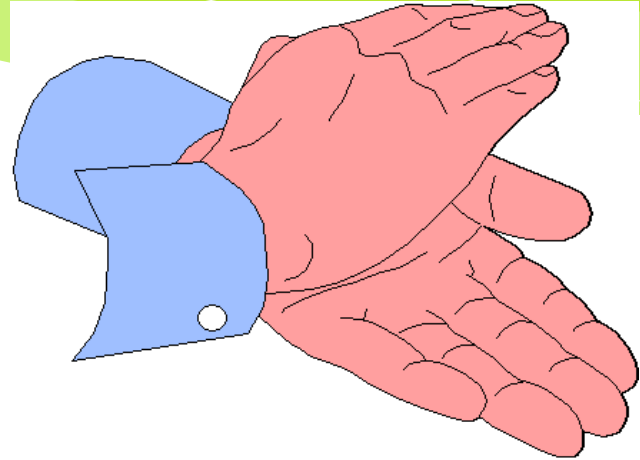
- ❖ To protect the public and the reputation of the professionals.
- ❖ Consists of all the obligations that professionals must respect when carrying out their duties.
- ❖ The core values of the profession and the behaviour which should be adopted is a code of professional conduct.
- ❖ Any AHP members that breach their code of ethics incur disciplinary actions that can range from a warning or reprimand to dismissal or expulsion from their professional order.



LAWS OF MALAYSIA

Act 774

ALLIED HEALTH PROFESSIONS ACT 2016



Thank You