

Code of Conduct for Unregistered Health Care Workers



Health Complaints
Commissioner
Tasmania

The Code of Conduct for Health Care Workers (Tasmania) is a set of rules that unregistered health care workers must follow when they provide health services.

The purpose of the Code of Conduct is to protect the public. It sets minimum standards of conduct, behaviour and practice that the public can expect from unregistered health care workers. Action can be taken if these standards are not complied with.

As an unregistered health care worker, you have a responsibility to be familiar with the Code of Conduct. You must apply the Code of Conduct when providing health care to your clients.

The Code of Conduct came into effect on 24 June 2026. It is set out in the **Health Complaints (Code of Conduct) Regulations 2026**. This document provides a Plain English version of the Code of Conduct. Unregistered health care workers are encouraged to refer to the detailed information at the end of this document and to the regulations themselves.

What does the Code of Conduct for Unregistered Health Care Workers say?

The full Code of Conduct is at **Appendix A**. As a health care worker, you must familiarise yourself with the Code.

The Code of Conduct sets the minimum standards unregistered health care workers must follow. It informs the public about what they can expect from unregistered health care workers.

For example, the Code of Conduct says that **you must**:

- ✓ provide safe and ethical health care, including by making sure you have the right qualifications, training and experience to provide the care
- ✓ understand your limitations and refer your clients to other competent providers when appropriate
- ✓ accept the right of your clients to make informed choices and obtain the consent of your clients for any treatment you provide
- ✓ minimise harm to your clients, including by taking precautions to control infections
- ✓ take the appropriate actions if something goes wrong
- ✓ cooperate and communicate with other health service providers in the best interests of your clients
- ✓ report to the Health Complaints Commissioner any concerns you have about services being provided by other health service providers
- ✓ keep appropriate records about your consultations with clients, give your clients access to those records and transfer them when requested to do so
- ✓ comply with privacy laws
- ✓ have the appropriate insurance
- ✓ display information about the Code of Conduct and about how to make complaints.





The Code of Conduct also says that as an unregistered health care worker **you must not:**

- ✘ mislead your clients about your products, services or qualifications
- ✘ make false claims about curing serious illnesses such as cancer
- ✘ discourage your clients from seeking or continuing medical treatment
- ✘ put people using your services at risk due to your own physical or mental health issues or medical conditions
- ✘ practise under the influence of drugs or alcohol
- ✘ exploit people financially
- ✘ engage in sexual misconduct, including by having a sexual or close physical or emotional relationship with a client.

Who does the Code of Conduct apply to?

The Code of Conduct applies to unregistered health care workers. Unregistered health care workers are defined in section 3 of the *Health Complaints Act 1995* (Tas) as anyone who provides a health service, or claims they can provide a health service, and who is not required to be registered under Health Practitioner Regulation National Law.

The definition includes anyone who works in a registered profession to provide a particular health service but is providing a different health service. It also applies to anyone who had previously been registered under the National Law but has been de-registered.

The health care worker must follow the Code of Conduct whether they provide the health service on a voluntary basis or they are paid for the service.

The Code of Conduct applies to students of unregistered health professions and also to students of registered health professions who provide a health service that is unrelated to their area of study.

Practising registered health professionals, such as doctors and nurses, have their own, separate codes of conduct they must follow.

What counts as a health service under this Code of Conduct?

The Code of Conduct applies to any health service that is provided to a person, by an unregistered health care worker, for the benefit of their health or that is claimed to be for their health.

This includes a range of services listed in Schedule 1 of the *Health Complaints Act 1995* (Tas). A copy of this list is at **Appendix B**. For example, it includes:

- some medical, pharmaceutical and dental support services
- massage, naturopathy and acupuncture services and other natural or alternative health care services
- services provided at hospitals, health institutions or nursing homes, including support services like administration, laundry, dry cleaning and catering provided at these facilities



- aged care and disability care services, including treatment and accommodation
- health-related laboratory services
- social work, welfare, recreational or leisure services that are provided as part of a health service
- services provided by audiologists, optical dispensers, dietitians, clinical prosthetists, psychotherapists, medical radiation science professionals, podiatrists and therapeutic counsellors
- providing information about health care or health education.

What happens if you breach the Code of Conduct?

As an unregistered health care worker, you must ensure that the Code of Conduct is displayed or made available at the place where you provide the health care service. You must also give information to clients about how they can make a complaint if they believe there has been a breach of the Code of Conduct.

Anyone who believes that an unregistered health care worker has breached the Code of Conduct can complain to the Tasmanian Health Complaints Commissioner. The Commissioner can investigate complaints and take action against unregistered health care workers who have not complied with the Code of Conduct.

During an investigation, the Commissioner may issue an interim order prohibiting the health care worker from providing a health service for a certain period. Following the investigation, the Commissioner may issue a final prohibition order if the practice of the unregistered health care worker is a serious risk to public health and safety. The Commissioner may also put out a public warning statement.

Prohibition orders issued in other states and territories are recognised in Tasmania.

There are protections for people who report a potential breach of the Code of the Conduct. Unregistered health care workers must not attempt to retaliate against anyone making a complaint or against anyone else involved in a complaints process.

Code of Conduct for Unregistered Health Care Workers



1 Health care workers to provide services in safe and ethical manner

- 1) A health care worker must provide health services in a safe and ethical manner.
- 2) Without limiting subclause (1), a health care worker:
 - a) must maintain the necessary competence in the worker's area of practice; and
 - b) must not provide health care of a type that is outside the worker's experience or training, or provide services that the worker is not qualified to provide; and
 - c) must only prescribe or recommend treatments or appliances that serve the needs of clients; and
 - d) must recognise the limitations of the treatment the worker can provide and refer clients to other competent health service providers in appropriate circumstances; and
 - e) must:
 - i) recognise the limitations of the treatment the worker can provide to clients in a facility that is not a licensed establishment within the meaning of the *Health Service Establishments Act 2006*; and
 - ii) where relevant, refer clients that require procedures that may only be undertaken at a licensed establishment to such an establishment; and
 - f) must recommend to clients that additional opinions and services be sought, where appropriate; and
 - g) must assist clients to identify other appropriate health care services, if required and practicable; and
 - h) must encourage clients to inform their treating medical practitioner (if any) of the treatments or care being provided; and
 - i) must have a sound understanding of any possible adverse interactions between the therapies and treatments being provided or prescribed by the

health care worker and any other medications or treatments, whether prescribed or not, that the worker is, or should be, aware that a client is taking or receiving, and advise the client of these interactions; and

- j) must provide health services in a manner that is culturally sensitive to the needs of the worker's clients.

2 Health care workers to obtain consent

Before commencing a treatment or service, a health care worker must ensure that consent appropriate to that treatment or service has been obtained and complies with the laws of the jurisdiction.

3 Appropriate conduct in relation to treatment advice

- 1) A health care worker must accept the right of a client to make informed choices in relation to the client's health care.
- 2) A health care worker must not attempt to dissuade a client from seeking or continuing medical treatment.
- 3) A health care worker must communicate and cooperate with colleagues and other health service providers and agencies in the best interests of clients.

4 Health care workers to report concerns about conduct of other health care workers

A health care worker who, in the course of providing treatment or care, forms the reasonable belief that another health care worker has placed or is placing clients at serious risk of harm must refer the matter to the Health Complaints Commissioner.

5 Health care workers to take appropriate action in response to adverse events

- 1) A health care worker must take appropriate and timely measures to minimise harm to clients if an adverse event occurs in the course of providing treatment or care.





- 2) Without limiting subclause (1), a health care worker must:
 - a) ensure that appropriate first aid is available to deal with any adverse event; and
 - b) obtain appropriate emergency assistance in the event of any serious adverse event; and
 - c) promptly disclose the adverse event to the client and take appropriate remedial steps to reduce the risk of recurrence; and
 - d) report the adverse event to the relevant authority, where appropriate.

6 Health care workers to adopt standard precautions for infection control

- 1) A health care worker must adopt standard precautions for the control of infection in the course of providing treatment or care.
- 2) Without limiting subclause (1), a health care worker who carries out skin penetration or another invasive procedure must comply with the *Public Health Act 1997*.

7 Health care workers diagnosed with infectious medical conditions

- 1) A health care worker who has been diagnosed with a medical condition that can be passed on to clients must ensure that the worker practises in a manner that does not put clients at risk.
- 2) Without limiting subclause (1), a health care worker who has been diagnosed with a medical condition that can be passed on to clients must take and follow advice from a suitably qualified registered health practitioner on the necessary steps to be taken to modify the worker's practice to avoid the possibility of transmitting that condition to clients.

8 Health care workers not to make claims to cure certain serious illnesses

- 1) A health care worker must not claim or represent that the worker is qualified, able or willing to cure cancer or other terminal illnesses.

- 2) A health care worker who claims to be able to treat or alleviate the symptoms of cancer or other terminal illnesses must be able to substantiate such claims.

9 Health care workers not to misinform clients

- 1) A health care worker must not engage in any form of misinformation or misrepresentation in relation to the products or services that the worker provides or the qualifications, training or professional affiliations that the worker holds.
- 2) Without limiting subclause (1):
 - a) a health care worker must not use the possession of a particular qualification to mislead or deceive clients or the public as to the worker's competence in an area of practice or ability to provide treatment; and
 - b) a health care worker must provide truthful information as to the worker's qualifications, training or professional affiliations; and
 - c) a health care worker must not make claims either directly to clients or in advertising or promotional materials about the efficacy of treatment or services that the worker provides if those claims cannot be substantiated.

10 Health care workers not to practise under influence of alcohol or unlawful substances

- 1) A health care worker must not provide treatment or care to clients while the health care worker is under the influence of alcohol or unlawful substances.
- 2) A health care worker who is taking prescribed medication must:
 - a) obtain advice from the prescribing registered health practitioner or dispensing pharmacist on the impact of the medication on the worker's ability to practise; and
 - b) refrain from treating or caring for clients in circumstances where the worker's capacity is, or may be, impaired.



11 Health care workers with certain mental or physical impairment

- 1) A health care worker must not provide treatment or care to clients while the health care worker is suffering from a physical or mental impairment, disability, condition or disorder (including an addiction to alcohol or a drug, whether or not prescribed) that places or is likely to place clients at risk of harm.
- 2) Without limiting subclause (1), if a health care worker has a mental or physical impairment that could place clients at risk, the health care worker must seek advice from a suitably qualified registered health practitioner to determine whether, and in what ways, the worker should modify the worker's practice, including stopping practice if necessary.

12 Health care workers not to financially exploit clients

- 1) A health care worker must not financially exploit clients.
- 2) Without limiting subclause (1):
 - a) a health care worker must only provide services or treatments to clients that are designed to maintain or improve clients' health or wellbeing; and
 - b) a health care worker must not accept or offer financial inducements or gifts as a part of client referral arrangements with other health care workers; and
 - c) a health care worker must not ask clients to give, lend or bequeath money or gifts that will benefit the health care worker directly or indirectly.

13 Health care workers not to engage in sexual misconduct

- 1) A health care worker must not engage in behaviour of a sexual or close personal nature with a client.
- 2) A health care worker must not engage in a sexual or other inappropriate close personal, physical or emotional relationship with a client.
- 3) A health care worker must ensure that a reasonable period of time has elapsed since the conclusion of the therapeutic

relationship before engaging in a sexual relationship with a client.

14 Health care workers to comply with relevant privacy laws

A health care worker must comply with the relevant privacy laws that apply to clients' health information, including but not limited to the *Privacy Act 1988* of the Commonwealth and the *Personal Information Protection Act 2004*.

15 Health care workers to maintain appropriate records

- 1) A health care worker must maintain accurate, legible and up-to-date health records for each client consultation and ensure that those records are held securely and are not subject to unauthorised access.
- 2) A health care worker must take necessary steps to facilitate a client's access to information contained in the client's health records if requested.
- 3) A health care worker must facilitate the transfer of a client's health record in a timely manner when requested to do so by the client or the client's legal representative.

16 Health care workers to be covered by appropriate insurance

A health care worker must ensure that appropriate indemnity insurance arrangements are in place in relation to the worker's practice.

17 Health care workers to display code and other information

- 1) A health care worker must ensure that a copy of each of the following documents is displayed or made available at all premises at which the health care worker carries on the worker's practice:
 - a) this code of conduct;
 - b) a document that gives information about the way in which clients may make a complaint to the Health Complaints Commissioner.
- 2) Copies of these documents must be displayed or made available in a manner that makes them easily visible or accessible to clients.

Health services covered by the Code of Conduct for Unregistered Health Care Workers



The Code of Conduct applies to unregistered health care workers when they provide a health service to a person. This includes a range of the services listed in Schedule 1 of the Act.

Schedule 1 of the *Health Complaints Act 1995* (Tas)

Part 1 – Services that are health services

1. A service provided at a hospital, health institution or nursing home.
2. A medical, dental, pharmaceutical, mental health, community health, environmental health or specialized health service or a service related to such a service.
3. A service provided for the care, treatment or accommodation of persons who are aged or have a physical disability or mental dysfunction.
4. A laboratory service provided in support of a health service.
5. A laundry, dry cleaning, catering or other support service provided to a hospital, health institution, nursing home or premises for the care, treatment or accommodation of persons who are aged or have a physical disability or mental dysfunction, if the service affects the care or treatment of a patient or a resident.
6. A social work, welfare, recreational or leisure service, if provided as part of a health service.
7. An ambulance service.
8. Any other service provided by a provider for, or purportedly for, the care or treatment of another person.
9. A service provided by an audiologist, audiometrist, optical dispenser, dietitian, prosthetist, dental prosthetist, psychotherapist, medical radiation science professional, podiatrist, therapeutic counsellor or any other service of a professional or technical nature provided for, or purportedly for, the care or treatment of another person or in support of a health service.
10. A service provided by a practitioner of massage, naturopathy or acupuncture or in another natural or alternative health care or diagnostic field.
11. The provision of information relating to the promotion or provision of health care or to health education.
12. A service provided at a hospital or health institution for the temporary storage of human remains as defined in the *Burial and Cremation Act 2002*.
13. Any other service provided by a person registered by a registration board.

Part 2 – Services that are not health services

14. The provision of an opinion or the making of a decision for the purposes of a claim under the *Workers Rehabilitation and Compensation Act 1988*.
15. The provision of an opinion or the making of a decision for the purposes of, or in relation to, an application made to the Asbestos Compensation Commissioner, or the Tasmanian Civil and Administrative Tribunal, under the *Asbestos-Related Diseases (Occupational Exposure) Compensation Act 2011*.

