

GUYANA
BILL No. of 2009
ALLIED HEALTH PROFESSIONS BILL 2009

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ALLIED HEALTH PROFESSIONS BILL 2009

A BILL Intituled

AN ACT to provide for registration of members of allied health professions supplementary to the medical profession, regulation of practice of allied health professions and allied health services, to provide for maintenance of professional standards for allied health professions and health services and to make provisions for training of members of those professions and services and for related purposes.

A.D. 2009. Enacted by the Parliament of Guyana:

CHAPTER I PRELIMINARY

- Short title. **1.** This Act may be cited as the Allied Health Professions Act 2009.
- Interpretation. **2.** In this Act-
- (a) "Council" means the Allied Health Professions Council established under section 3;
 - (b) "Minister" means the Minister responsible for Health;
 - (c) "allied health professional" means a person whose name appears on the Register and is for the time being allowed to practice as such;
 - (d) "allied health profession" means any profession specified in the First Schedule;
 - (e) "allied health services" means such services as are performed by members of an allied health profession specified in the First Schedule;
 - (f) "prescribed" means prescribed by regulations made by the Council with the approval of the Minister.;
 - (g) "Register" means the Register of Allied Health Professionals kept and maintained by the Council under section 17 (2);
 - (h) "Secretary" means the person for the time being performing the functions of Secretary to the Council.
- First Schedule.
- First Schedule.

CHAPTER II

ESTABLISHMENT OF ALLIED HEALTH PROFESSIONS COUNCIL

- Establishment of Allied Health Professions Council. **3.** (1) The Minister may, by Order, establish a Council to be known as the Allied Health Professions Council for the purposes of this Act.
- (2) The Council shall be a body corporate.
- Composition of Council. **4.** (1) The Council shall consist of the following eleven members, namely-
- First Schedule. (a) the Chief Medical Officer who shall be an *ex officio* member of the Council;
- (b) two allied health professionals from among the allied health professions listed in the First Schedule appointed by the Minister;
- First Schedule. (c) six members, being allied health professionals, appointed by the Minister on the recommendation of organisations representing allied health professions listed in the First Schedule;
- (d) two persons from among consumer organisations who are not allied health professionals appointed by the Minister.
- (2) Where a sufficient number of persons representing organisations referred to in subsection (1) (c) are not available for appointment, the Minister shall appoint any health professional instead.
- Tenure of members of Council. **5.** (1) The members of the Council, other than the Chief Medical Officer, shall hold office for two years, but shall be eligible for re-appointment.
- (2) Notwithstanding subsection (1), no member of the Council other than the Chief Medical Officer shall hold office for more than two consecutive terms, but such member shall be eligible for re-appointment after the expiration of one year of ceasing to become a member.
- Vacancies, etc., not to invalidate proceedings of Council. **6.** (1) Subject to a quorum, no act or proceeding of the Council shall be invalid merely by reason of any-
- (a) vacancy in, or defect in the constitution of the Council; or
- (b) defect in the appointment of a person acting as a member of the Council; or
- (c) irregularity in the procedure of the Council not affecting the merits of the case.

(2) Any vacancy in the Council other than that of the Chief Medical Officer shall be filled by a member who shall, subject to the provisions of this Act, hold the office as such for the remainder of the period of the vacancy.

Chairperson of Council. 7. The Minister may nominate a member of the Council to act as the Chairperson of the first constituted Council, initially for a period of two years.

Procedure by Council. 8. (1) The Council shall elect from among the members, a Chairperson and a Deputy Chairperson for a term of two years and each person shall be eligible for re-election.

(2) The Deputy Chairperson, in the absence of the Chairperson, shall preside over a meeting of the Council.

(3) In the absence of the Chairperson and the Deputy Chairperson, the Council shall elect any other member present to preside over a meeting of the Council.

(4) A member of the Council shall not attend a meeting of the Council or take part in any deliberation in respect of any matter in which he has direct or indirect pecuniary or other interest.

(5) The Council shall take a decision on the basis of a majority and the quorum of a meeting shall be five members.

(6) The Council shall regulate its own procedure.

(7) The Chairman and other members of the Council shall be entitled to such fees or allowances as may be determined by the Council with the approval of the Minister.

Resignation of Chairperson and members of Council. 9. (1) The Chairperson of the Council may resign by writing under his hand addressed to the Minister and from the date of acceptance of the resignation, he shall cease to be the Chairperson of the Council.

(2) A member of the Council may at any time resign from the Council in writing addressed to the Chairperson and from the date of acceptance of the resignation, he shall cease to be a member of the Council.

(3) Notwithstanding anything contained in this Act, the Minister may at any time revoke the appointment of the Chairperson or any member of the Council:

Provided that the Minister shall give the Chairperson or member an opportunity of being heard and shall also consult the respective organisation in the case of a member appointed under section 4 (1) (c) prior to such revocation.

- Disqualifications.
- 10.** No person shall be a member of the Council if he-
- (a) is, or becomes, of unsound mind or is so declared by a competent court;
 - (b) is, or has been, convicted of an offence, which in the opinion of the Minister, involves moral turpitude;
 - (c) is, or at any time has been, adjudicated as an insolvent;
 - (d) ceases to be a registered allied health professional in the case of a person referred to in section 4 (1) (b) or (c).

- Committees of Council.
- 11.** The Council may-
- (a) appoint committees comprising members of the Council and of the medical or health professionals for the purpose of carrying out its functions.
 - (b) delegate to the committees any functions as it considers necessary.

- Functions of Council.
- 12.** (1) The Council shall-
- (a) prescribe the qualifications that are necessary for persons to be registered as allied health professionals;
 - (b) maintain a list of registered allied health professionals;
 - (c) implement an annual licensing procedure and maintain a list of licensed allied health professionals;
 - (d) promote continuing health related education and training so as to enhance the skills and proficiencies of allied health professionals;
 - (e) advise the Minister, where necessary, on any matter relating or incidental to-

- (i) the performance of the specified allied health services in Guyana; and
 - (ii) the maintenance of high standards of those services; and
- (f) undertake such other functions as may be assigned to it by the Minister from time to time.

(2) As soon as practicable after the beginning of each year, the Council shall submit to the Minister a report of its activities for the preceding year.

Powers of Council.

13. The Council shall have the power to-

- (a) issue a certificate of registration to a person who holds the necessary qualifications to be a registered allied health professional;
- (b) record the names and details of persons who hold the necessary qualifications as registered allied health professionals in the Register;
- (c) manage the processing of annual licensing of health professionals who are eligible to practise upon any terms as may be prescribed;
- (d) maintain a Register of Licensed Practitioners;
- (e) suspend or revoke the registration, refuse to grant, suspend or revoke the annual licence and remove the names and details of persons who have become disqualified to be registered or to practise in an allied health profession or allied health service;
- (f) issue any notice, order, direction or requisition generally or for a specified purpose to a person practising in an allied health profession or an allied health service;
- (g) charge fees for any services rendered under this Act; and
- (h) publish the following Lists before the end of February each year:
 - (i) List of currently registered allied Health Professionals;
 - (ii) List of currently registered allied Health Professionals who are licensed to practice for that year;
- (i) exercise any other powers as may be assigned to it by the Minister for the maintenance of professional standards in allied health professions and allied health services.

CHAPTER III
REGISTRATION AND LICENSING OF ALLIED HEALTH
PROFESSIONALS

14. Subject to the provisions of this Act, any person who satisfies the Council that he is able to read, write, speak and understand English language and who—

Registration of allied health professional.

- (a) holds a degree, diploma, membership, licence, certificate or other status or form of recognition by a university, institution, college or body empowered to provide training in any allied health profession and shows evidence of satisfactory completion of qualification and training in that profession; and
- (b) is a fit and proper person to practice as an allied health professional in Guyana,

shall, upon submission of the sworn declaration in Form 1 in the Second Schedule and payment of the prescribed fee, be entitled, with the approval of the Council, to be registered as an allied health professional to practise any allied health service listed in the First Schedule.

Form 1
Second Schedule.

15. (1) Notwithstanding anything contained in section 14, a person who -

First Schedule.

- (a) holds a degree, diploma, membership, licence, certificate or other status or form of recognition by a university, institution, college or body empowered to provide training in any allied health profession and shows evidence of satisfactory completion of qualification and training in that profession; and
- (b) has been engaged in the performance of an allied health profession or allied health service in Guyana for not less than ten years immediately preceding the date of commencement of this Act,

Transitional provisions.

shall be entitled to be registered as an allied health professional in any allied health service listed in the First Schedule on an application by the person subject to the other provisions of this Act and other conditions as may be imposed by the Council.

First Schedule.

(2) An application for registration under subsection (1) shall be made to the Secretary in the form and manner as may be determined by the Council.

(3) The Council may require a person referred to in subsection (1) to undergo any training or subject that person to any test or examination in all or any of the subjects relating to the qualification or training possessed by him within such time as may be fixed by it.

(4) Where the Council proposes to subject an applicant to a test or examination under subsection (3), it shall, as soon as practicable, cause the applicant to be notified of its decision.

(5) For the purpose of any test or examination under subsection (3), the Council shall appoint a Board of Examiners, consisting of not less than two and not more than three registered active allied health professionals of not less than ten years experience in the relevant allied health profession.

(6) The test or examination under subsection (3) shall be conducted in the manner and on receipt of such fee as may be prescribed.

(7) Where the Board of Examiners reports to the Council that a candidate has been unsuccessful in a test or examination under this section, he shall not, unless the Board so recommends, be permitted to present himself for further test or examination until the expiration for six months from the date of the first examination.

(8) A person who is unsuccessful in a test or examination under this section shall, before being permitted to present himself for further examination, comply with further conditions as the Council may impose, including the payment of further fee as it may determine.

(9) The Board of Examiners shall, as soon as practicable after the test or examination, report its findings to the Council.

(10) For the purposes of registration under this section, the Council may impose general or special conditions and restrictions as it may deem fit considering the nature of allied health profession or health service the person may perform.

(11) The Council shall publish annually the list of registered allied health professionals in the Gazette and in daily newspapers.

16. (1) A person who fulfills the qualifications referred to in section 14 or 15 may apply to the Council for a certificate of registration as a health professional in the manner and on payment of the fee as may be prescribed.

Certificate of registration of an allied health professional. (2) The Secretary shall issue every registered allied health professional a certificate of registration in Form 2 in the Second Schedule.

Form 2
Second Schedule.

Annual registration of licenced allied health professionals. 17. (1) Where the Council is satisfied that an applicant for an annual licence to practise as an allied health professional fulfills the requirements under this Act, including continuing professional education credits specified by it, the Secretary shall issue him a licence, in Form 3 in the Second Schedule, to practise on an annual basis on payment of the fee as may be prescribed.

Form 3
Second Schedule.

Form 4
Second Schedule. (2) The Council shall publish, keep and maintain the Register in Form 4 in the Second Schedule in which the Secretary shall cause to be entered the name and other particulars of every person licensed to practise as an allied health professional in the allied health service.

(3) The annual Register shall at all reasonable times be open to inspection at the office of the Council by an allied health professional, the general public or any other person authorised by the Minister.

(4) The annual licence may be renewed on payment of the fee prescribed and on satisfaction of the conditions as may be prescribed.

Registration in respect of higher or additional qualification. 18. Where an allied health professional possesses or obtains a qualification approved by the Council higher than or additional to that in respect of which he is to be or has been registered, his name shall be registered in respect of that higher or additional qualification without any payment of fee.

Publication of registration. 19. The Council shall cause to be published in the Gazette upon registration, the name, address, registration number and other details of the allied health professional and the details of the allied health profession and allied health service for which that person has been registered and a copy of the Gazette shall be conclusive proof of evidence of registration of the allied health professional in respect of that health profession and health service.

Copy of registration certificate and annual licence to be displayed. 20. The allied health professional shall display a copy of the certificate of registration and annual licence in any conspicuous place within the premises of his practice and shall be available for inspection to any officer of the Council or any patient or his agent on request.

CHAPTER IV

DISCIPLINARY PROCEEDINGS BY COUNCIL

Disciplinary
proceedings
Council.

by **21.** Where the Council is satisfied that an allied health professional who-

- (a) is convicted of an offence outside Guyana which if committed in Guyana would be punishable on indictment;
- (b) is convicted of an offence referred to in paragraph (a) in Guyana; or
- (c) is guilty of professional misconduct or malpractice in Guyana or in any other country,

it may initiate disciplinary proceedings against him upon a complaint or on its own motion.

Penalty by Council.

22. In any proceeding under section 21, if the Council is satisfied that the allied health professional has committed an offence or is guilty of professional misconduct or malpractice and it is expedient and in the interest of public health to take appropriate action, it may –

- (a) censure him;
- (b) suspend his licence to practice for a period of time to be determined by the Council but not less than one year; or
- (c) remove his name from the Register for a period to be determined by the Council but not less than one year,

in addition to any fine that may be imposed on him:

Provided that the allied health professional shall be afforded an opportunity of being heard before any action is taken against him.

- Publication decision. of **23.** The Secretary shall, as soon as practicable, cause to be published in the Gazette, the decision of the Council under section 22.
- Surrender of certificate of registration and annual licence. **24.** Where the name of an allied health professional is suspended or removed from the Register under section 22, the Council shall, in writing, require him to surrender his certificate of registration and annual licence to practise.
- Restoration of name in the Register. **25.** (1) An allied health professional whose name has been removed from the Register under section 22 may apply for restoration of his name in the Register after the expiration of one year from the date of the removal and on such penalty as may be imposed by the Council.
- (2) An application for restoration shall be treated as an application under section 14 or 15, as the case may be, and the provisions of sections 16 and 17 shall apply in relation to the restoration.
- (3) Notwithstanding subsection (1), the Council may, at any time on its own motion for reasons recorded in writing, restore the name to the Register removed under section 22.
- Appeal. **26.** Any person dissatisfied with any order or decision of the Council may appeal to the Minister within thirty days from the date of receipt of the order or decision.
- Power of Minister to suspend decision or order of Council. **27.** The Minister may direct that the impugned order or decision of the Council be suspended pending a final decision on an appeal under section 26.

CHAPTER V

OFFENCES

- Offences. **28.** (1) Any person-
- (a) who practices an allied health profession and allied health service mentioned in the First Schedule without the certificate of registration and annual licence under this Act intentionally or recklessly-
- (i) uses any name, title or other description implying or calculated to imply that he is recognised by law to practise any health profession and health service;
- (ii) assumes or uses any suffix or prefix to his name

indicative of any occupational designation relating to the practice of any allied health profession and allied health service;

- (iii) advertises or holds himself out as a person authorised or qualified to practise any allied health profession and allied health service;
- (iv) engages in the practice of any allied health profession and allied health service;
- (v) claims to be registered under this Act or holds himself out as being registered under this Act;
- (vi) claims to be licensed to practice any health profession in any health service;
- (vii) carries out any act which is required to be carried out by a registered allied health professional by or under this Act; or

(b) who fails to display his certificate of registration and licence which he is required to display under this Act,

shall be guilty of an offence and be liable on summary conviction, in the case of a first offence, to a fine of one hundred and fifty thousand dollars and imprisonment for nine months, and in the case of every continuing offence, to an additional fine which may extend to five hundred thousand dollars on every occasion and to imprisonment for twelve months.

General penalty.

29. Whoever, in any case in which a penalty is not expressly provided by this Act, fails to comply with any notice, order, direction or requisition issued under any provision of this Act or otherwise contravenes any of the provisions of this Act, shall be liable, on summary conviction, to a fine of fifty thousand dollars, and, in the case of every continuing failure or contravention, to an additional fine of one hundred thousand dollars on every occasion.

Possession or control of health profession appliance, etc.

30. (1) Subject to subsection (3), no person shall possess or control any appliance or equipment or other device used or intended to be used for practising an allied health profession and allied health service unless he is registered as an allied health professional under this Act.

(2) For the purpose of subsection (1), any express or implied possession or control of any appliance or equipment or other device by a person shall be *prima facie* evidence of practising an allied health profession and allied health service.

(3) Nothing under subsection (1) shall apply to the possession or control of any appliance or equipment normally used by an allied health professional or other device by a person who is –

(a) a dealer, manufacturer, importer or seller;

No. 16 of 1991.
No. 16 of 1996.
No. 19 of 1978.

(b) registered under the Medical Practitioner Act, the Dental Registration Act or the Medex Act 1978;

(c) acting under the instructions of a person registered under the Acts referred to in paragraph (b);

(d) otherwise permitted by the Council to possess such appliance or equipment or other device.

Fine for failure to obtain registration certificate.

31. A court trying an offence under section 29 shall impose on the person a fine of ten thousand dollars for each day of failure to obtain a certificate of registration or annual licence in addition to any other punishment provided under this Act and shall order that the amount of fine be paid to the Council.

Search and seizure.

32. Any magistrate who is satisfied, by proof upon oath, that there is reasonable ground for believing that there is, in any building, ship, carriage, box, receptacle or place, any appliance, equipment or other device which will afford evidence as to the commission of an offence under this Act, he may issue a warrant under his hand authorising any member of the police force named in the warrant to enter and search the building or premises and to seize such appliance, equipment or other device and the provisions of the Summary Jurisdiction (Procedure) Act shall apply in relation to a search warrant issued under this section.

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CHAPTER VI

MISCELLANEOUS

Allied health service performed by a person in training.

33. Nothing in this Act shall prevent the performance of any allied health service in any allied health profession by a person in training if those services are performed under the direct supervision and control of -

(a) an allied health professional registered in the relevant allied health profession and allied health service;

No. 16 of 1991.
No. 16 of 1996.

(b) a medical practitioner under the Medical Practitioners Act;

(c) a dental practitioner under the Dental Registration Act.

Fees and revenues of Council.

34. Any expense incurred by the Council in the discharge of its functions under this Act shall be defrayed out of the fees, fines and revenues collected or received by it or out of moneys provided by the National Assembly.

Protection of action taken in good faith.

35. A member of the Council, the Secretary or any person acting under the authority of the Council under this Act shall not be liable to any loss, damage, claim or be subjected to any legal action for anything that is done in good faith.

Power of Minister to amend First Schedule.

36. The Minister may, by Order, amend the First Schedule so as to include or exclude any allied health profession and allied health service for the purpose of regulating it under this Act.

Power to make regulations.

37. (1) The Council may, with the approval of the Minister, make regulations for giving effect to and for carrying out the provisions of this Act, and without prejudice to the generality of the foregoing, the regulations may prescribe -

(a) the qualifications for admission of persons for training in any allied health profession and allied health service;

(b) the fees payable for registration as allied health professionals under this Act and fee payable for annual licence to practice;

(c) the course and programme of training and the curricula of study to be followed in the preparation of persons for registration as allied health professionals in any allied health profession and allied health service;

(d) the manner in which tests or examinations are conducted and other related matters;

(e) the examinations to be passed and other requirements to be satisfied, whether in addition to or as an alternative to the passing of tests or examinations by persons applying for registration as allied health professionals;

(f) the nature of the services which may be rendered by allied health professionals in any allied health profession and allied health service;

(g) the standards of professional conduct, ethics and general fitness to practice any allied health profession and allied health service;

(h) the procedure for disciplinary proceedings in relation to any charge, and the manner in which such proceedings shall be conducted;

(i) the manner and procedure by which establishments and maintenance of centres shall be conducted for the education and training of persons desiring to be trained in any allied health profession and allied health service;

(j) the manner and procedure by which special boards or committees for any allied health profession and allied health service to achieve highest standards of qualifications shall be formed and to determine the functions of members of such boards or committees and any fee payable to the members of such boards or committees; and

(k) any other matter which may be regulated, prescribed or done by regulations.

FIRST SCHEDULE

[S. 2 (d) and (e)]

HEALTH PROFESSIONS AND HEALTH SERVICES

Health Profession	Health profession and health services
<p>1. Acupuncture Therapy</p> <p>Acupuncturist</p>	<p>The practice of acupuncture therapy is the stimulation of “acu-points” (points on or near the surface of the body) by the insertion of needles to prevent or modify the perception of pain or to normalize physiological functions, including pain control for the treatment of certain diseases or dysfunctions of the body, and includes the techniques of electro-acupuncture, cupping and moxibustion.</p> <p>In the course of engaging in the practice of acupuncture therapy as an acupuncturist a person may, subject to terms, conditions and limitations imposed on his certificate of registration, perform or prescribe the use of oriental massage, acupuncture, moxibustion, breathing technique, exercise or nutrition, including the incorporation of drugless substances and herbs as dietary supplements to promote health.</p>
<p>2. Audiology and Speech Language Pathology</p> <p>(a) Audiologist</p> <p>(b) Speech Language Pathologist</p>	<p>The practice of audiology means the practice of conducting measurement, testing and evaluation relating to hearing and vestibular systems, including audiologic and electrophysiological measures, and conducting programs of identification, hearing conservation, habilitation and rehabilitation for the purpose of identifying disorders related to hearing loss, including but not limited to vestibular evaluation, electrophysiological audiometry and cochlear implants. The practice includes the treatment and prevention of auditory dysfunction and to develop, maintain, rehabilitate or augment auditory and communicative functions. Any person offering the above services is an audiologist and subject to terms, conditions and limitations imposed on his certificate of registration, perform the functions outlined above.</p> <p>The practice of speech language pathology means the practice of facilitating development and maintenance of human communication through programs of screening, identifying, assessing and interpreting, diagnosing, habilitating and rehabilitating speech-</p>

<p>Clinical Psychologist</p>	<p>intellectual, emotional, social and interpersonal functioning.</p> <p>In the course of engaging in the practice of clinical psychology as a <u>clinical psychologist</u> a person may, subject to the terms, conditions and limitations imposed on his certificate of practice, communicate a diagnosis identifying, as the cause of the person's symptoms, a neuropsychological disorder or dysfunction, a psychosis, a neurosis, a personality disorder or dysfunction or a behavioural, mental or developmental disorder, but does not include the prescription of drugs.</p>
<p>6. Dietetics</p> <p>(a) Dietitian or Nutritionist</p> <p>(b) Dietary Technician</p>	<p>The practice of dietetics is the assessment of nutrition and nutritional conditions and the prevention and treatment of nutrition-related disorders by nutritional means.</p> <p>In the course of engaging in the practice of dietetics as a dietitian or a <u>nutritionist</u> a person may, subject to the terms, conditions and limitations imposed on his certificate of practice, perform the following:</p> <ul style="list-style-type: none"> (i) Planning and regulating feeding according to nutritional needs and principles and (ii) The prevention and treatment of nutrition-related disorders by nutritional means. <p>In the course of engaging in the practice of dietetics as a <u>dietary technician</u> a person may, subject to the terms, conditions and limitations imposed on his certificate of practice, engage in the history taking and reviewing of nutritional practices under the direct supervision of a dietitian or a nutritionist.</p>
<p>7. Emergency Services Technology</p> <p>(a) Emergency Services Technician Basic</p> <p>(b) Emergency Services Technician Intermediate</p> <p>(c) Emergency Services Technician Advanced</p>	<p>The practice of emergency services technology is the provision of pre-hospital emergency care and transportation to the ill and injured while operating, employed in, or acting as a volunteer with an ambulance service.</p> <p>In the course of engaging in the practice of Emergency Services as an <u>Emergency Services Technician</u> a person may, subject to the terms, conditions and limitations imposed on his certificate of practice, the person may perform a number of basic life support patient care and transportation skills with an ill or injured person as are prescribed by regulations under this Act.</p>

<p>8. Medical Laboratory Technology</p> <p>(a) Medical Laboratory Technologist or Medical Laboratory Science Practitioner</p> <p>(b) Medical Laboratory Technician</p>	<p>The practice of medical laboratory technology is the performance of laboratory investigations, under prescription, on the human body or on specimens taken from the human body and the evaluation of the technical sufficiency of the investigations and their results or the examinations, with or without prescription, of specimens of food, drugs, cosmetics, water, or any other substances for the purpose of detecting the presence of pathogenic (infectious) organisms or chemical contamination or other toxic substances.</p> <p>In the course of engaging in the practice of medical laboratory technology services as a <u>medical laboratory technologist</u> (medical laboratory science practitioner) or a <u>medical laboratory technician</u> a person may, subject to the terms, conditions and limitations imposed on his certificate of practice, take blood samples from veins or by skin pricking.</p>
<p>9. Occupational Therapy</p> <p>(a) Occupational Therapist</p> <p>(b) Occupational Therapist Assistant</p>	<p>The practice of occupational therapy is the assessment of function and adaptive behaviour and to develop individual and group programs with people affected by illness, injury, developmental disorders, emotional or psychological problems and aging to maintain, rehabilitate or augment their ability to care for themselves and to engage in work, school or leisure.</p> <p>In the course of engaging in the practice of occupational therapy as an <u>occupational therapist</u>, a person may, subject to the terms, conditions and limitations imposed on his certificate of practice, perform any form of activity for the purpose of developing, maintaining, rehabilitating or augmenting function or adaptive behaviour in the areas of self care, productivity and leisure.</p>
<p>10. Opticianry</p> <p>Optician</p>	<p>The practice of opticianry is the provision, fitting and adjustment of subnormal vision devices, contact lenses or eye glasses.</p> <p><u>Optician</u> is a person, offering the above services, and subject to terms, conditions and limitations imposed on his certificate of registration, perform the functions outlined above.</p>
<p>11. Orthopaedic Technology</p>	<p>The practice of Orthopaedic technology involves the Orthopaedic surgeon being assisted in the treatment of patients by the <u>Orthopaedic technologist</u>. It encompasses-</p> <ol style="list-style-type: none"> I. Application, adjustment or removal of casts, splints and braces. II. Adjustment, set up and maintenance of traction configuration.

<p>Orthopaedic Technologist</p>	<p>III. Assisting the orthopaedic surgeon in the reduction or manipulation of orthopaedic injuries.</p> <p>The Orthopaedic Technologist is a specially trained person, offering the above services and subject to terms and limitations imposed on his certificate of registration, performs the functions outlined above. The Orthopaedic Technologist is trained to assist a Physician who is involved in the musculoskeletal care of patients.</p>
<p>12. Physiotherapy</p> <p>(a) Physiotherapist</p> <p>(b) Physiotherapy Assistant</p>	<p>The practice of physiotherapy is the assessment of physical function and the treatment, rehabilitation and prevention of physical dysfunction, injury or pain, to develop, maintain, rehabilitate or augment function or to relieve pain.</p> <p>In the course of engaging in the practice of physiotherapy by a physiotherapist, a person may, subject to the terms, conditions and limitations imposed on his certificate of practice, practise physiotherapy in accordance with the regulations under this Act.</p>
<p>13. Respiratory Therapy</p> <p>Respiratory Therapist</p>	<p>The practice of respiratory therapy is the provision of oxygen therapy, cardio-respiratory and associated disorders to maintain or restore ventilation.</p> <p>In the course of engaging in the practice of respiratory therapy by a respiratory therapist, a person may, subject to the terms, conditions and limitations imposed on his certificate of practice, practice respiratory therapy in accordance with the regulations under this Act.</p>
<p>14. Radiography</p> <p>(a) Radiographer</p> <p>(b) X-Ray Technician</p>	<p>The practice of radiography is the use of ionizing radiation and the following forms of energy to produce diagnostic images and test results, the evaluation of the technical sufficiency of the images and tests and the therapeutic application of ionizing radiation:</p> <ul style="list-style-type: none"> • Electromagnetism for magnetic resonance imaging • Sound waves for diagnostic ultrasound or lithotripsy <p>In the course of the practice of radiography as a Radiographer, a person may, subject to terms and limitations imposed on his certificate of practice, perform the following-</p> <ol style="list-style-type: none"> I. Operate equipment to carry out routine, contrast and special X-ray examinations. II. Quality control procedures. III. Radiation protection. <p>In the course of practice of radiography as an X-ray Technician, a</p>

<p>(c) Ultra Sound Technologist or Ultra Sound Sonographer</p>	<p>person may, subject to terms and limitations imposed on his certificate of practice, perform the following-</p> <ol style="list-style-type: none"> I. Operate equipment and carry out routine, X-ray examinations. II. Quality control procedures. III. Radiation protection. <p>In the course of practice of ultrasonography, as a Sonographer, a person may, subject to terms and limitations imposed on his certificate of practice, perform the following-</p> <ol style="list-style-type: none"> I. Operate ultrasonic equipment to provide dynamic visual images of organs, tissues or blood flow inside the body. II. Analyse and modify the scan to optimise the information on the images. III. Provide a written summary of the findings to the physician for medical diagnosis.
<p>(d) Nuclear Medicine Technologist</p>	<p>In the course of practice of nuclear medicine as a Nuclear Medicine Technologist, a person may, subject to terms and limitations imposed on his certificate of practice, perform the following-</p> <ol style="list-style-type: none"> I. Administer radio-pharmaceuticals to patients to assist their physiological response. II. Quality control procedure. III. Computer analysis of patient studies. IV. Radiation safety.

SECOND SCHEDULE

FORM 1

(S. 14)

DECLARATION

I, A.B., residing at..... Do hereby declare that I am a member (or as the case may be) of (college, faculty, Board, university, institution or society) on theday of..... and am qualified to practise the allied health profession namely,.....

(Signature)

A.B.

Sworn in before me this theday of.....20....

(Signature)

C.D.

Commissioner of Oaths to Affidavits.

FORM 2
[S. 16 (2)]

ALLIED HEALTH PROFESSIONS COUNCIL
GUYANA

CERTIFICATE OF REGISTRATION
AS ALLIED HEALTH PROFESSIONAL

Registration No.....

It is hereby certified thatresiding
/practising at.....has been duly registered as an allied health
professional and is entitled to practice in Guyana
under the provisions of the Allied Health Professions Act 2009.

.....
Secretary

(Stamp)

FORM 3
[S. 17 (1)]

ALLIED HEALTH PROFESSIONS COUNCIL
GUYANA

ANNUAL LICENCE TO PRACTICE
AS ALLIED HEALTH PROFESSIONAL

Registration No.....

It is hereby certified thatresiding
/practising at.....has been duly registered as an allied health
professional and is entitled to practice in Guyana
under the provisions of the Allied Health Professions Act 2009.

This Licence is valid from..... to.....

Dated this the.....day of.....20....

.....
Secretary

(Stamp)

FORM 4

[S. 17 (2)]

REGISTER OF ALLIED HEALTH PROFESSIONALS

Sl. No.	Full name or alias	Date of birth, Nationality	Address of residence/Place of practice	Qualification/Experience and Languages spoken	Registration Number and date	Details of health profession and health service authorised to practice	Remarks



DR. LESLIE RAMSAMMY
MINISTER OF HEALTH

EXPLANATORY MEMORANDUM

This Bill seeks to provide for registration of members of allied health professions supplementary to the medical profession and for regulation and maintenance of professional standards in those professions.

Clause 1 of the Bill sets out the short title.

Clause 2 explains the words and expressions used in the Bill.

Clause 3 provides for the establishment of the Allied Health Professions Council by an Order of the Minister for the purposes of the proposed Act.

Clause 4 seeks to provide the composition of the Council.

Clause 5 proposes to provide for the tenure of the different members of the Council.

Clause 6 provides that any vacancy, etc., shall not affect the validity of any proceeding of the Council.

Clause 7 spells out how the Chairperson of the first constituted Council shall be nominated.

Clause 8 sets out the procedure with which the Council shall transact its business.

Clause 9 provides for the procedure by which the Chairperson and members of the Council may resign from their office.

Clause 10 sets out the circumstances under which a member of the Council shall be disqualified.

Clause 11 provides for the appointment of committees by the Council and delegation of any of its powers, as it considers necessary.

Clause 12 details the various functions of the Council.

Clause 13 spells out the various powers of the Council.

Clause 14 provides for the registration of allied health professionals.

Clause 15 makes transitional provisions regarding issuance of provisional certificate of registration to practice as allied health professional.

Clause 16 provides for issuance of certificate of registration to practice an allied health profession on fulfillment of qualifications prescribed under the Bill.

Clause 17 provides for an annual registration of licensed allied health professionals.

Clause 18 provides for registration in respect of any higher or additional qualification of a health professional.

Clause 19 provides for the publication of name, address, registration number and other details of the allied health professional in the *Gazette*, upon registration as such.

Clause 20 mandates that a copy of certificate of registration and annual licence shall be displayed in any conspicuous place within the premises of practice of an allied health professional.

Clause 21 makes provision for disciplinary proceedings against an allied health professional by the Council for any misconduct or malpractice.

Clause 22 provides for imposing penalty by the Council on an allied health professional who is guilty of an offence or of any professional misconduct or malpractice.

Clause 23 mandates for publication in the *Gazette* of any decision of the Council, where a penalty is imposed on an allied health professional.

Clause 24 makes provision for surrendering of certificate of registration and annual licence where the name of an allied health professional is removed from the Register of Allied Health Professionals.

Clause 25 seeks to provide for applying for restoration of name in the Register of Allied Health Professionals.

Clause 26 provides for filing appeal by any person who is dissatisfied with any order or decision of the Council.

Clause 27 makes provision for the Minister to suspend any decision of the Council pending an appeal.

Clause 28 seeks to provide for punishment for different offences committed against the provisions of the proposed legislation.

Clause 29 provides for general penalty for offences not otherwise provided for in the Bill.

Clause 30 mandates that no unauthorised persons shall possess or control any appliance or equipment or other device used or intended to be used for practicing an allied health profession and allied health service.

Clause 31 provides that a court trying any offence under section 29 shall also impose fine of ten thousand dollars for each day of failure to obtain a certificate of registration and annual licence in addition to any

Clause 32 provides for search and seizure by an order of a Magistrate, if he is satisfied that any building, etc., is being used for commission of any offence under the proposed legislation.

Clause 33 declares that the proposed legislation shall not prevent any allied health service performed by a person in training under the supervision of an allied registered health professional, a medical practitioner or a dental practitioner.

Clause 34 provides that the expenses incurred by the Allied Health Professions Council shall be defrayed out of its revenue or funds provided by the National Assembly.

Clause 35 makes provision for protection of action taken by a member of the Council, the Secretary or any other person acting under the authority of the Council.

Clause 36 gives power to the Minister to amend the First Schedule to include or exclude any allied health profession and allied health service for the purposes of the proposed legislation.

Clause 37 proposes to provide the Council with the power to make regulations with the approval of the Minister for carrying out the provisions of the proposed legislation.



DR. LESLIE RAMSAMMY
MINISTER OF HEALTH

