



ALLIED HEALTH PROFESSIONS ACT 2016

(ACT 774)

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BACKGROUND

- ❑ Roughly >30,000 Allied Health Practitioners remain **outside** of any **regulatory** framework.
- ❑ **Safe and Quality** practice ?
- ❑ Academic qualification ?
- ❑ What is their **competencies** ?
- ❑ **Scope of practice not standardized.**
- ❑ No avenue for **complaints on sub-standard practice.**
- ❑ **Addressing Liberalization & Globalization.**

BACKGROUND

Other legislation (all healthcare professions)

- **Australia : Health Practitioner Regulation National Act (2010)**
- **New Zealand : Health Practitioners Competence Assurance Act (2003)**

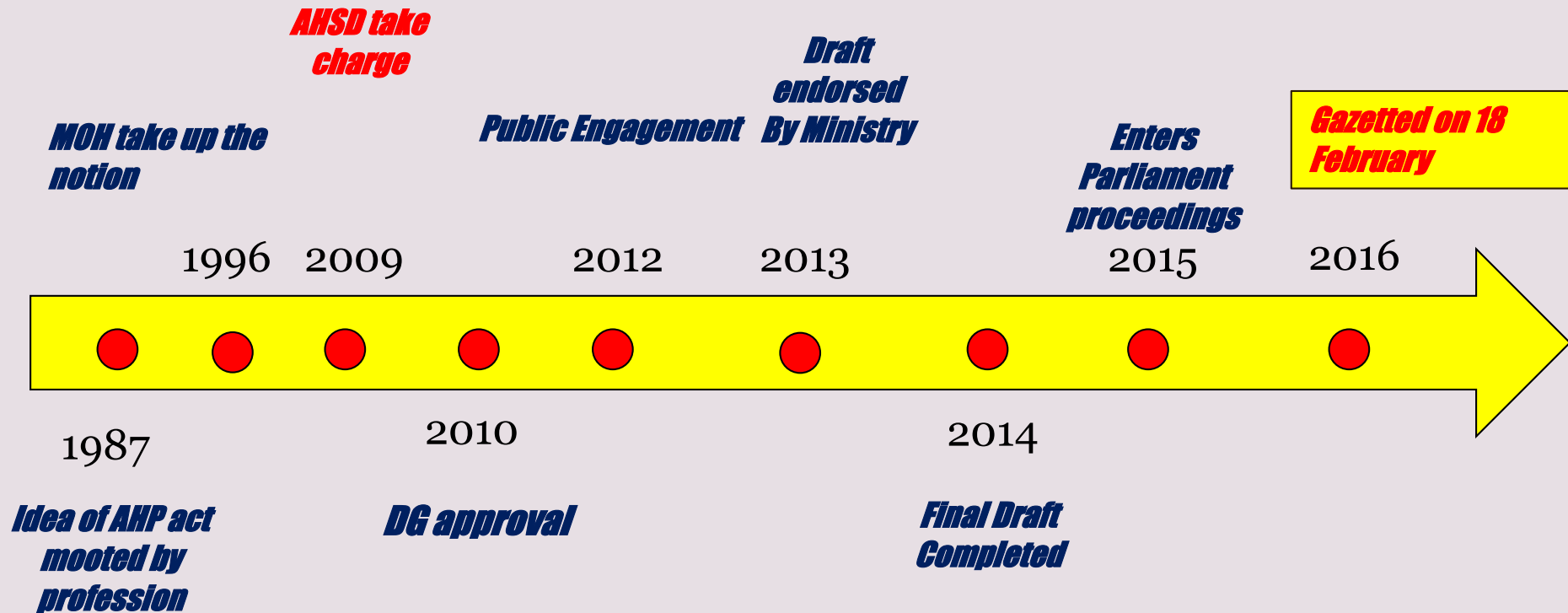
Other legislation (few healthcare professions)

- **United Kingdom : Health Professions Order (2001)**
- **Singapore : Allied Health Professions Act (2011)**

BACKGROUND

NO	Profession	Act & Regulation	Regulatory Body	Certification
1	MEDICAL OFFICER	MEDICAL ACT 1971 (ACT 50)	MALAYSIAN MEDICAL COUNCIL	REGISTRATION & ANNUAL PRACTISING CERTIFICATE
2	DENTIST	DENTIST 1971 (ACT 51)	MALAYSIAN DENTAL COUNCIL	
3	NURSES	NURSES ACT 1950 (ACT 14)	MALAYSIA NURSING BOARD	
4	MIDWIFE	MIDWIFE ACT 1966 (ACT 436)	MALAYSIAN MIDWIFE MALAYSIA	
5	PHARMACIST	REGISTRATION OF PHARMACISTS ACT 1951 (ACT 371)	MALAYSIAN PHARMACY BOARD	
6	ASSISTANT MEDICAL OFFICER	MEDICAL ASSISTANT ACT (REGISTRATION) 1977 (ACT 180)	MALAYSIAN ASSISTANT MEDICAL OFFICER BOARD	
7	OPTOMETRIST & OPTICIAN	OPTICAL ACT 1991 (ACT 469)	MALAYSIA OPTICAL COUNCIL	
8	ALLIED HEALTH PROFESSIONS	ALLIED HEALTH PROFESSIONS ACT 2016 (ACT 774)	MALAYSIAN ALLIED HEALTH PROFESSION COUNCIL	

CHRONOLOGICAL TIMELINE



ALLIED HEALTH PROFESSION ACT 2016



LAWS OF MALAYSIA

Act 774

ALLIED HEALTH PROFESSIONS ACT 2016

46 Sections

2 Schedules

Date of publications in Gazette :
18 February 2016

Purpose of the Act :

To ensure all allied health practitioners (Schd 2 & Sec 11) are regulated within their scope of practice

8 PART

- I PRELIMINARY
- II THE MALAYSIAN ALLIED HEALTH PROFESSIONS COUNCIL
- III ALLIED HEALTH PROFESSION
- IV REGISTRATION
- V DISCIPLINARY PROCEEDINGS
- VI OFFENCES
- VII ENFORCEMENT
- VIII GENERAL

23 Professions

Date of Enforcement :
Coming soon...

ALLIED HEALTH PROFESSION

Profession of allied health

- means any profession which has a *direct* or an *indirect effect* on patient care, or on the health of an individual or the population

Allied Health Profession

- mean the profession of allied health specified in the Second Schedule and any activity relating to allied health prescribed by regulations under section 11

SECOND SCHEDULE

1. *Audiologist*
2. *Clinical Psychologist*
3. *Clinical Scientist (Biochemist)*
4. *Clinical Scientist (Biomedical Scientist)*
5. *Clinical Scientist (Embryologists)*
6. *Clinical Scientist (Medical Geneticist)*
7. *Clinical Scientist (Microbiologist)*
8. *Dental Technologist*
9. *Diagnostic Radiographer*
10. *Dietitian*
11. *Entomologist (Public Health)*

12. *Environmental Health Officer*
13. *Forensic Science Officer*
14. *Food Service Officer (Healthcare)*
15. *Health Education Officer*
16. *Medical Laboratory Technologist*
17. *Medical Physicist*
18. *Medical Social Officer*
19. *Nutritionist*
20. *Occupational Therapist*
21. *Physiotherapist*
22. *Radiation Therapist*
23. *Speech-Language Therapist*



MALAYSIAN ALLIED HEALTH PROFESSIONS COUNCIL MAHPC

FUNCTIONS OF COUNCIL

**MAHPC
(Sec 4)**

- 1 to **register** and **issue certificates** to registered practitioners
- 2 to **determine** the appropriate **qualifications** of Allied Health Professions
- 3 to **determine** the necessary **prerequisite requirements** of Allied Health Professions
- 4 to **regulate** the **practice** of Allied Health Professions
- 5 to **regulate** the **ethics** and **professional conduct** of registered practitioners
- 6 to **supervise** matters relating to Allied Health Professions which includes **training, competency** and **professional development**
- 7 to do such other things as may be required or permitted to do under this Act

AHP COUNCIL - MEMBERSHIP

Position	Membership	No	Note
Chairman	Director General, MOH	1	-
Deputy Chairman	Director of Allied Health Sciences Division, MOH	1	Registrar
Secretary	Registered Practitioner (MOH Officer)	1	
Registered Practitioner represented each profession as in Second Schedule, from Public or Private sector or an Institution of Higher Learning.		23	Appointed by Minister of Health
TOTAL		26	

- The number of members of the council appointed from the public sector shall be more than the number of members of the council from the private sectors or an institution of higher learning at any one time.
- Where a profession of allied health is added to the second schedule or an activity is prescribed under section II, the minister shall appoint any person having the qualification and experience as first member.

QUALIFIED & COMPETENT AHP

REGISTRATION & PRACTISING CERTIFICATE

- MINIMUM REQUIREMENT
- ACCREDITATION & ACADEMIC QUALIFICATION
- TRAINING

PROFESSIONAL PRACTICE STANDARD

- CODE OF ETHICS & PROFESSIONAL CONDUCT
- PRACTICE GUIDELINES
- STANDARD COMPETENCIES

CONTINUING PRACTISING

- CONTINUING PROFESSIONAL DEVELOPMENT/PROGRAMMES

PROFESSIONAL CONDUCT

- COMPLAINTS INVESTIGATIONS
- DISCIPLINARY INQUIRY
- DISCIPLINARY ACTION
- OFFENCES

REGULATIONS

MALAYSIAN ALLIED HEALTH PROFESSION COUNCIL

ALLIED HEALTH PROFESSION ACT
ACT 774

MINISTRY OF HEALTH & PARLIAMENT OF MALAYSIA

REGULATORY FRAMEWORK

REGISTRATION

- Qualification
- Training
- Experience

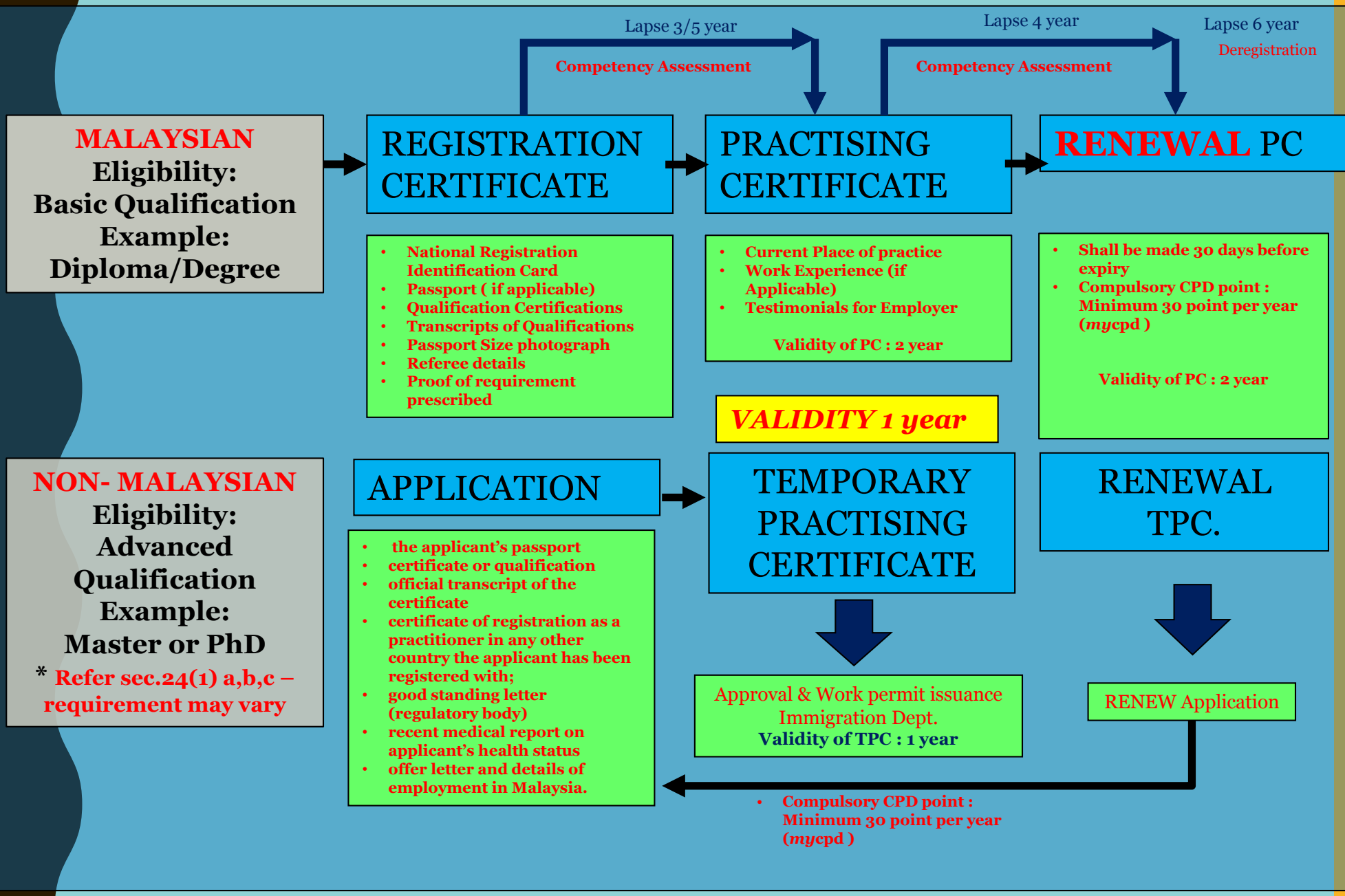
REGULATED PRACTISE

- Code of ethics & Code of Professional Conduct
- Scope of Practice
- Practice Guidelines

SAFE & COMPETENT PRACTITIONERS

- Continuing Professional Development
- Disciplinary Process

REGISTRATION FRAMEWORK



REGISTRATION AS AN EXPERT

Any registered practitioner may apply to be registered as an expert

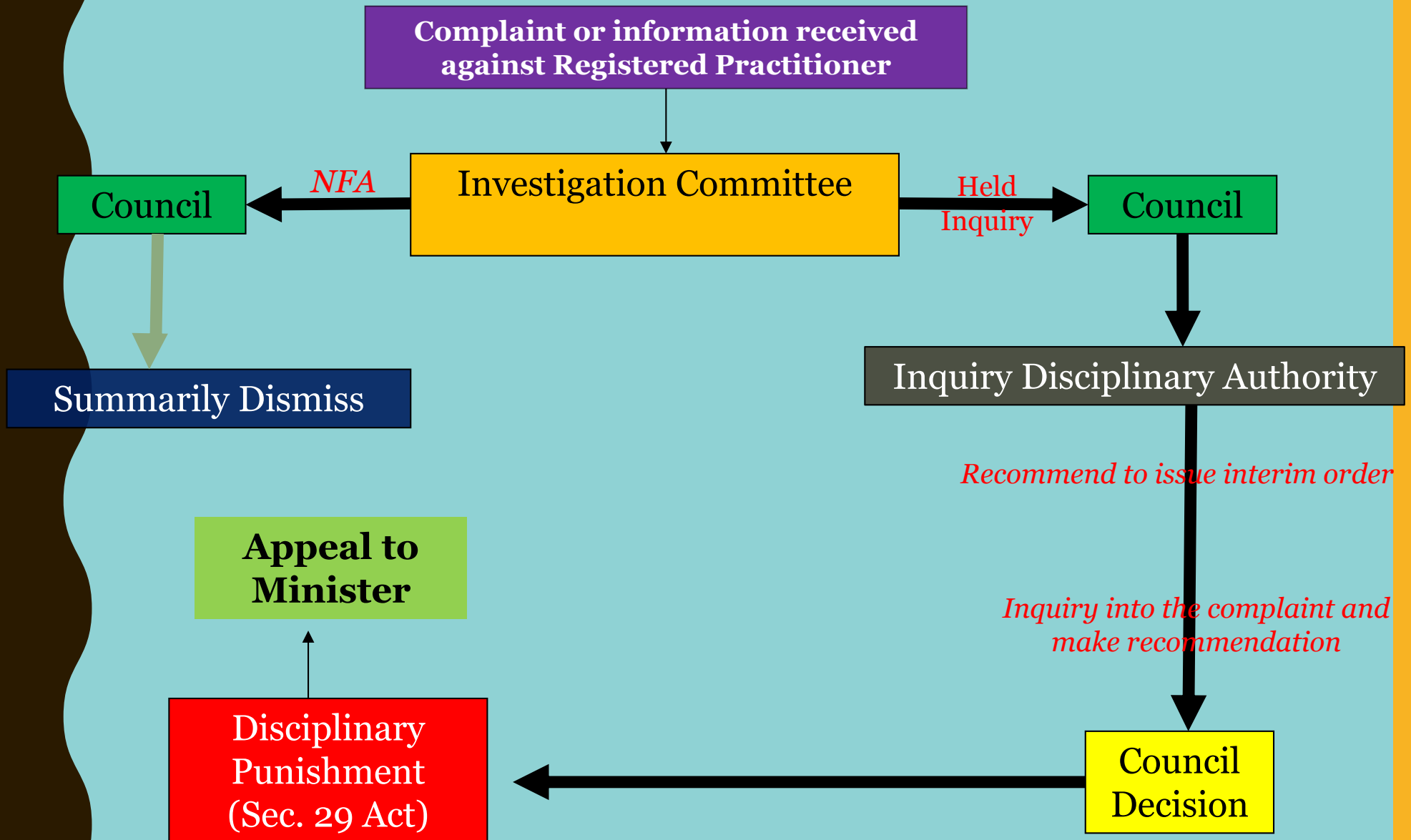
SEC. 21

- he has attended **specialized training** relating to his Allied Health Profession in a recognised training institution as may be determined by the Council;
- he holds a **recognised qualification** awarded by a **recognized training institution**; and
- he has **proven to the satisfaction** of the Council that he is a **fit and proper person** and is of good character

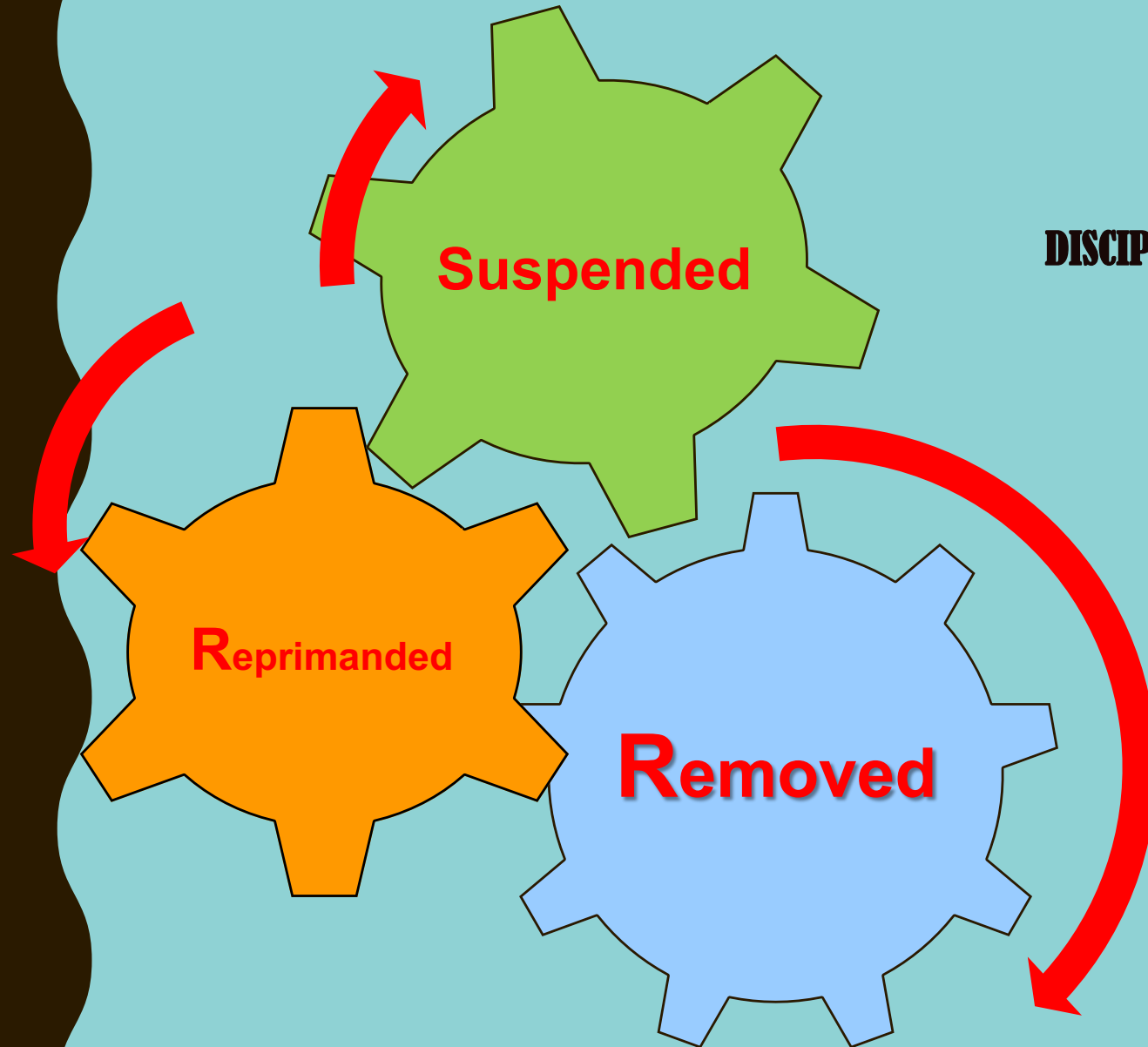
Evaluation Committee for Expert will verify and recommends to Council for Expert Registration

DISCIPLINARY PROCEEDINGS

Complaint or information received against Registered Practitioner



DISCIPLINARY PROCEEDINGS



DISCIPLINARY **PUNISHMENT**

SEC. 29 (1)(2)

LIST OF OFFENCES

Offence Type	Penalty and Imprisonment
False Claims @ Misleading (Advertisement)	Fine not exceeding RM10K or to imprisonment for term not exceeding 6 month or both. In case of a continuing offence, further fine not exceeding RM500 for every day or part of a day during which the offences continues after conviction
Unregistered Practitioner	Fine not exceeding RM 50K or to imprisonment for a term not exceeding 2 years or to both
Offences relating to certificate	Fine not exceeding RM50K or to imprisonment for term not exceeding 2 years or both. In case of a continuing offence, further fine not exceeding RM1K for every day or part of a day during which the offences continues after conviction
Impersonating, using or holding out as a registered practitioner	Fine not exceeding RM50K or to imprisonment for term not exceeding 2 years or both. In case of a continuing offence, further fine not exceeding RM1K for every day or part of a day during which the offences continues after conviction
Practising without temporary practising certificate (<i>Only For Non Malaysian Citizen</i>)	Fine not exceeding RM50K or to imprisonment for term not exceeding 2 years or both

LIST OF OFFENCES

Offence Type	Penalty and Imprisonment
Employing a person who is not a registered practitioner	<p>Individual : Fine not exceeding RM50K or to imprisonment for term not exceeding 2 years or both. In case of a continuing offence, further fine not exceeding RM1K for every day or part of a day during which the offences continues after conviction</p> <p>Body Corporate/ Partnership /Society :Fine not exceeding RM100K .In case of a continuing offence, further fine not exceeding RM5K for every day or part of a day during which the offences continues after conviction</p> <p>Body Corporate / Partnership / Society (<i>person responsible / partner/office bearers</i>) : Fine not exceeding RM100K or to imprisonment for term not exceeding 2 years or both. In case of a continuing offence, further fine not exceeding RM5K for every day or part of a day during which the offences continues after conviction</p>
General Offence	<p>Individual : Fine not exceeding RM25K or to imprisonment for term not exceeding 1 years or both. In case of a continuing offence, further fine not exceeding RM50K or imprisonment for term not exceeding 2 years or both.</p> <p>Body Corporate/ Partnership /Society :Fine not exceeding RM50K .In case of a continuing offence, further fine not exceeding RM100K</p>
	<p>Body Corporate / Partnership / Society (<i>person responsible / partner/office bearers</i>) : Fine not exceeding RM50K or to imprisonment for term not exceeding 2 years or both. In case of a continuing offence, further fine not exceeding RM100K or imprisonment not exceeding 5 yearor both.</p>

TRANSITIONAL PROVISIONS

Any person who, on the date of the coming into operation of this Act, is practising any Allied Health Profession or carrying out any activity relating to allied health prescribed under **section 11**, shall, **within twelve months**, or any other period as may be extended by the Council, from the date of the coming into operation of this Act, apply to be registered as an allied health practitioner under **section 17 and 24**.

**GRANDFATHERING
CLAUSE?**



THE END

THANK YOU

Kindly direct all your queries to:

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ALLIED HEALTH SCIENCES DIVISION, MOH