

Regulation for Speech Pathologists in Australia 2024-2025

Regulation supports the protection of the public through promoting a safe and professional health workforce, and making sure health risks are managed to prevent serious harm to health consumers.

Regulation of the speech pathology profession has evolved significantly over time with many changes at the commonwealth, state, territory, and organisational level.

This guide is designed to provide an understanding of the current statutory requirements for speech pathologists to practice in Australia, and to clarify the appropriate terms that should be used in position descriptions.

Overview of statutory regulation

The National Registration and Accreditation Scheme

Speech pathology falls outside the scope of the National Registration and Accreditation Scheme (NRAS) which currently regulates 16 health professions.

This means there's currently no 'registration' for speech pathologists. Employers should avoid using the term 'registration' in speech pathology position descriptions to reduce confusion.

The National Code of Conduct for Health Care Workers

As speech pathology falls outside the scope of the NRAS, statutory regulation of speech pathologists falls under the National Code of Conduct for Health Care Workers (the National Code).

The National Code aims to strengthen regulation of health professionals not regulated by the NRAS by introducing consistent legislation in all Australian states and territories that sets minimum standards of conduct.

Each state and territory has established a statutory authority with the responsibility to implement the National Code by receiving complaints, undertaking investigations, and issuing prohibition orders when necessary. There is no registration system under the National Code.

Employers should ask in position descriptions that speech pathologists:

- comply with the National Code, and
- not have any interim prohibition order, or prohibition order, by a statutory authority responsible for enforcing the National Code in any state or territory.

Employers should check that there is no interim prohibition order or prohibition order that prohibits a speech pathologist from providing a health service. Refer to the appropriate authority in your state or territory below for a copy of the National Code and information on enforcement of the National Code:



Australian Capital Territory

The ACT Human Rights Commission

www.hrc.act.gov.au/health



New South Wales

The Health Care Complaints Commission

www.hccc.nsw.gov.au/



Northern Territory

The Health and Community Services Complaints Commission

www.hcsccl.nt.gov.au/



Queensland

Office of the Health Ombudsman

www.oho.qld.gov.au/



South Australia

The Office of the Health and Community Services Complaints Commissioner

www.hcsccl.sa.gov.au/



Tasmania

Health Complaints Commissioner Tasmania

www.healthcomplaints.tas.gov.au/



Victoria

Health Complaints Commissioner

www.hcc.vic.gov.au/



Western Australia

Health and Disability Services Complaints Office

www.hadscow.a.gov.au

Medicare, Department of Veteran Affairs, and NDIS Requirements

Some government bodies use Certified Practising Speech Pathologist (CPSP) status with Speech Pathology Australia to determine eligibility for payment of government rebates.

Employers that are a registered NDIS provider, and/or require speech pathologists to have a Medicare Provider Number for Medicare, Department of Veteran Affairs, and/or private health insurance rebates should ask in position descriptions that speech pathologists:

- have, or be willing to obtain, CPSP status with Speech Pathology Australia.

Employers should check that a speech pathologist has CPSP status prior to claiming Medicare, Department of Veteran Affairs, private health insurance, and/or NDIS rebates.

Summary

To practise as a speech pathologist in Australia, speech pathologists must:

- comply with the National Code, and
- not have any interim prohibition order, or prohibition order by a statutory authority responsible for enforcing the National Code in any state or territory.

For services to be eligible for Medicare, Department of Veteran Affairs, NDIS (registered providers only), or private health insurance rebates, speech pathologists must:

- have CPSP status with Speech Pathology Australia.

Overview of self-regulation

Qualifications

There is no statutory accreditation authority or committee which is responsible for accrediting speech pathology programs of study.

Speech Pathology Australia (SPA), a national professional organisation, offers accreditation of speech pathology programs of study. Bachelor and graduate-entry master programs are accredited for 'entry' into the profession. The accreditation status of a degree program is included on the person's Australian Higher Education Graduation Statement (AHEGS).

Obtaining an accredited speech pathology program of study from SPA is not a statutory requirement for speech pathologists to practice in Australia.

Employers can ask speech pathologists to:

- have an entry-level tertiary qualification in speech pathology, or
- a tertiary qualification in speech pathology accredited by SPA.

Membership

Membership for speech pathologists is offered by SPA. This provides speech pathologists with member benefits and is unrelated to a speech pathologist's ability to practice.

Professional organisation membership cannot be mandated as per the Fair Work Act 2009. Employers should avoid the term 'membership' in speech pathology position descriptions.

Certification

A certification program for speech pathologists is offered by SPA. The certification program sets minimum standards for continuing professional development and practice hours. This program was introduced prior to the legislation of the National Code.

Speech pathologists that meet the requirements of SPA's certification program are 'eligible' for Certified Practising Speech Pathologist (CPSP) status. Speech pathologists that meet the requirements of SPA's certification program and pay an annual fee will receive CPSP status.

It should be noted that in accordance with SPA Policy 10.08:

"The granting of certified speech pathologist status is an indicator that a speech pathologist has represented to Speech Pathology Australia that they have completed certain education and experience and satisfied other requirements. However, certification is not a guarantee or assurance of the competence or ability of any particular speech pathologist. Further, given that Speech Pathology Australia does not examine or assess any applicant for certification, Speech Pathology Australia does not represent or warrant in any manner that a certified speech pathologist is competent in their field(s) of speech pathology practice. Anyone using the services of a person who has been certified under this policy should rely on his or her own independent judgment about these matters."

CPSP status is not required for speech pathologists to practice in Australia, however Medicare, Department of Veteran Affairs, NDIS, and private health insurance rebates require CPSP status for services to be eligible for rebates.

Employers can set their own continuing professional development requirements, or ask speech pathologists to:

- be eligible for Certified Practising Speech Pathologist (CPSP) status with SPA, or
- have Certified Practising Speech Pathologist (CPSP) status with SPA for services to be eligible for rebates.

Overview of Position Descriptions

Appropriate Position Descriptions

Below are examples of appropriate language for position descriptions.

Hospital Position Criteria

- ✓ comply with the National Code
- ✓ not have any interim prohibition order, or prohibition order, by a statutory authority responsible for enforcing the National Code in any state or territory
- ✓ have an entry level tertiary qualification in speech pathology
- ✓ be eligible for Certified Practising Speech Pathologist status with SPA

Private Practice and NDIS Registered Provider Position Criteria

- ✓ comply with the National Code
- ✓ not have any interim prohibition order, or prohibition order by a statutory authority responsible for enforcing the National Code in any state or territory
- ✓ have, or be willing to obtain, Certified Practising Speech Pathologist status with Speech Pathology Australia

Residential Aged Care Position Criteria

- ✓ comply with the National Code
- ✓ not have any interim prohibition order, or prohibition order by a statutory authority responsible for enforcing the National Code in any state or territory
- ✓ have a tertiary qualification in speech pathology accredited by SPA

Incorrect and Misleading Position Descriptions

Below are examples of incorrect and misleading language for position descriptions.

Hospital Position Criteria

- × have a Bachelor of Speech Pathology
- × have registration (or eligibility for registration) with Speech Pathology Australia

This position description fails to mention the National Code or master degree programs, and uses the incorrect term 'registration'.

Private Practice and NDIS Registered Provider Position Criteria

- × have a Master of Speech Pathology
- × be an accredited member of Speech Pathology Australia

This position description fails to mention the National Code or bachelor degree programs, uses the incorrect term 'accredited', and illegally requires membership.

Residential Aged Care Position Criteria

- × have a Master of Speech Pathology
- × Certified Practicing Membership with Speech Pathology Australia

This position description fails to mention the National Code or bachelor degree programs, and illegally requires membership.