

Mandatory Vaccination Order for Osteopaths

On October 11, the Government announced that it is revising legislation to make COVID-19 vaccination compulsory for 'high risk' workers in the health and disability sectors. The Amendment Order that makes these changes has now been [published here](#).

This Order comes into effect at 11:59pm on October 25, and requires every osteopath to:

- **receive their first vaccine dose before the close of 15 November 2021;** and
- **be fully vaccinated before the close of 1 January 2022.**

Please note these dates are different to those indicated in earlier communications.

Some exemptions will be available; for example, those who cannot be vaccinated for personal health reasons.

Does this Order cover all osteopaths?

Yes. The original announcement referred to the Order covering only some work settings. Cabinet has now decided that all regulated health practitioners, no matter where they work, should be covered by the Order.

Osteopathy is a profession regulated under the Health Practitioners Competence Assurance Act 2003, and so every osteopath is required to receive their vaccinations by the above dates. This includes osteopaths who do not deal directly with patients, clients, or consumers, or who do not practice in face-to-face settings. For example, the Order **does** apply to osteopaths working only via telehealth.

I don't work in a clinical role; does this Order apply to me?

Yes. The Order covers all regulated health practitioners no matter what setting they work in. The Ministry of Health has confirmed that this includes non-clinical roles and areas such as research.

I'm not currently working as an osteopath; does this Order apply to me?

The Osteopathic Council understands that this Order only applies if you are actively practising as an osteopath. For example, if you are currently taking a break from osteopathy and working in another occupation the Order will not cover you **as an osteopath**.

However, osteopathy is not the only profession covered by this and other mandatory vaccination orders. For example, many health and disability care assistants will be covered by the Order, and if you are registered in another regulated health profession then the Order will apply to any work you do in that capacity.

If you are unsure whether or not the Order is likely to apply to you, talk to your employer or professional association, or contact the Ministry of Health.

Do I have to be vaccinated to register or renew my APC?

No. The Osteopathic Council understands that this Order only applies to practising as an osteopath. You may join the Register or renew your registration – subject to the normal requirements – without being vaccinated. However, you will not be able to work as an osteopath.

What if I believe I should be exempted from these requirements?

Some people with serious health conditions may be exempt from this Order. This will require evidence from an appropriate health practitioner. A very limited set of other exemptions also exist. If you believe an exemption applies to you, we recommend that you discuss this with your employer (if applicable) or seek other advice as soon as possible.

What happens if I breach the mandatory vaccination Order?

This Order has legal authority, and the legislation sets down specific penalties for not complying.

Complying with relevant legislation is part of both the Council's code of conduct, and the Capabilities of Osteopathic Practice. Failing to observe this order if it applies to you may therefore be grounds for a formal complaint or referral of a conviction, and lead to disciplinary proceedings under the Health Practitioners Competence Assurance Act 2003.

How is the Osteopathic Council involved in this Order?

This Order has been put in place by the Government, not the Osteopathic Council.

The Council has no role in monitoring osteopaths' vaccination status and is not involved in directly investigating or enforcing compliance with this Order. Doing so is the responsibility of your employer (and/or yourself, if self-employed), the Ministry of Health, and other agencies. However, as noted above, non-compliance with this order may be grounds for a complaint or referral of a conviction to the Council about an osteopath. This would be investigated in the same way as any other complaint or conviction that is referred to the Council.

I'd like to know more about this Order

The full Order in Council is available here:

<https://www.legislation.govt.nz/regulation/public/2021/0094/latest/LMS487853.html>

[Note that the amendments may not have yet been incorporated]

The COVID-19 Response Minister's original press release announcing this order is available at <https://www.beehive.govt.nz/release/mandatory-vaccination-two-workforces>

For further information about how this order might affect your practice or your workplace, talk to your employer. If you are self-employed, you could contact your professional association or seek further independent advice.

For further information about the Order itself, contact the Ministry of Health or see their website at www.health.govt.nz