



New Zealand  
 Medical Radiation  
 Technologists Board  
*Te Poari Ringa Hangarua Iraruke*

MRTB  
 NEWS

NEWSLETTER OF THE NEW ZEALAND MEDICAL RADIATION TECHNOLOGISTS BOARD

## **FROM THE CHAIR**

*Firstly on behalf of the Board, I would like to acknowledge and thank the medical imaging and radiation therapy profession during the difficult period of preparing for COVID 19 while still ensuring the safe delivery of your essential services during lockdown and the alert levels.*

*The Board also recognises that throughout the course of the pandemic, practitioners may have had difficulty accessing the usual CPD channels. This recognition is reflected in the decision not to undertake a CPD audit for the 2021 year. The requirements for the 1 April 2020 to 31 March 2023 trimester remain the same but if a practitioner is unable to complete the required 60 CPD over the duration of the trimester the Board will exercise leniency. Further information about this is outlined below.*

*The online examination as a pathway to registration for MIT and RT overseas-trained practitioners is continuing with measures put in place to ensure the safety of the practitioners and examiners. The online exam for NMT, SON and MRI is still progressing. The Board should have further updates on the progress in the coming months.*

*In terms of Board business, work on the Naming of Practitioners Policy is almost complete, with this document expected to be published soon. The Board would like to thank all those who participated in the consultation phase.*

*The MRTB staff have now returned to the office at 22 Panama Street. The staff continue to be available through all communication avenues.*

**Beryl Kelly**

**MRTB Chair**

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### **YOUR RESPONSIBILITY**

*Once you are registered, you have a legal requirement to notify the Board of any changes to your residential, postal or work address within one month of the change. You can do this by logging into "My Profile" on the website.*

### **BOARD'S RESPONSIBILITY**

*The primary responsibility of the Board is to protect the health and safety of the New Zealand public by ensuring practitioners registered with the Board are competent and fit to practise.*

## *Continuing Professional Development (CPD)*

The Board recognises that throughout the course of the COVID-19 pandemic, practitioners are likely to have had difficulties accessing the usual channels and methods to undertake learning and development activities to meet their CPD requirements.

In recognition of the reduced opportunities for CPD during 2020, the Board has agreed not to undertake a CPD audit in 2021. The requirements for the 1 April 2020 to 31 March 2023 trimester remain the same but if a practitioner is unable to complete the required 60 CPD over the duration of the trimester the Board will exercise leniency. The first audit for the 1 April 2020 to 31 March 2023 trimester will be in 2022.

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### *2020 CPD Audit*

The 2020 audit for the 1 April 2017 to 31 March 2020 trimester is underway. We would like to thank those practitioners who have already submitted their portfolios and congratulate them on the standard of their submissions.

Practitioners selected for the 2020 audit need to email their documentation to the Board by **Monday 3 August 2020**.

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### *Fees*

The Board has agreed there will be no fee increase for in 2021/22. For current fees please refer to the fee schedule.

There has been a change to the APC fees charged for practitioners returning to the workforce. In previous years, a practitioner returning to work after a break e.g. parental leave was required to pay the full APC. Starting this year, if a practitioner returns to work on or after 1 October a reduced fee will apply. Practitioners who are on parental leave are encouraged to delay renewing their APC until a week before they return to work.

# ***Health Practitioners Disciplinary Tribunal Hearing***

**MRT 19/463P – Mr Rejinold Victor Adolf**

## **Charge**

On 10 March 2020 the Health Practitioners Disciplinary Tribunal heard two charges of professional misconduct under section 100(1)(b) of the Health Practitioners Act that the alleged conduct of Mr Rejinold Victor Adolf registered medical radiation technologist (the MRT) was likely to bring discredit to the Medical Radiation Technologist profession.

The Charges alleged that the MRT:

Charge 1: Behaved in an inappropriate and/or sexually inappropriate manner towards a 19 year old female cleaner who worked at the MRT's hospital by:

- Asking questions and making comments that made the cleaner uncomfortable; and/or
- When the cleaner was cleaning in the room he had been sleeping in ("the room"), asking the cleaner to give him a massage; and/or
- Shutting the door to the room with the cleaner inside the room with him; and/or
- Nudging the cleaner so she ended up sitting on the bed; and/or
- Telling the cleaner to remove her jacket and lie down on the bed on her tummy so he could give her a massage; and/or
- Barring the cleaner's attempts to leave the room; and/or
- As she tried to leave, grabbing her, and/or pulling her into him and/or hugging her; and/or
- Asking the cleaner for her phone number; and/or
- Trying to kiss the cleaner on the forehead.

And/or

Charge 2: Raised his voice and/or yelled at the cleaner and told her to do her job and/or otherwise acted in an intimidating manner towards her.

## **Jurisdiction**

The Charges initially alleged that the behavior of the MRT amounted to professional misconduct under both section 100(1)(a) or (b) of the Act. However, the Tribunal following submissions from both parties determined it did not have jurisdiction to hear the Charge in relation to 100(1)(a) malpractice or negligence in relation to the MRT's scope of practice.

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## Finding

The background facts and circumstances of when the alleged incident occurred were largely agreed. There was no issue about the date and place or identity of the MRT in relation to the incident that took place. The first Charge was based on the evidence of the cleaner and the second Charge was based on the evidence of the MRT. The MRT denied the alleged behavior in Charge 1 and the cleaner denied the allegation in Charge 2.

In a reserved decision, the Tribunal accepted the evidence of the cleaner as a credible account of the incident. Cumulatively the particulars of Charge 1 amounted to professional misconduct and warranted disciplinary sanction. The Tribunal did not accept the MRT's evidence that he raised his voice and/or yelled at the cleaner and dismissed Charge 2.

## Penalty

In a separate penalty Decision dated 19 May 2020 the Tribunal ordered the MRT:

- be censured;
- practise under various conditions should the practitioner recommence practice in New Zealand;
- be fined \$5,000;
- pay a contribution of \$18,000 amounting to 30% of the costs of and incidental to the hearing;

The Tribunal dismissed the practitioner's application for permanent name suppression and recommended to the New Zealand Medical Radiation Technologists Board that it makes a copy of the Tribunal's decision available to the Medical Radiation Practice Board of Australia.

The Tribunal directed publication of its decision and a summary.

The full decision relating to the case can be found on the Tribunal website at:

<https://www.hpdt.org.nz/Charge-Details?file=MRT19/463P>

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