



Draft consultation paper

Proposed standards for limited registration

Limited registration for teaching and research

Limited registration in the public interest

If you wish to provide comments on this draft paper, please provide written comments in electronic form, at chiroboardconsultation@ahpra.gov.au by close of business on

25 November 2011.

Registration standard

Proposed standard for limited registration for teaching and research
Proposed standard for limited registration in the public interest

Summary

This consultation paper seeks feedback on revised draft registration standards for:

- limited registration for teaching and research and
- limited registration in the public interest.

Limited means limited in scope and/or time.

The draft registration standards set out the requirements that would apply to each type of registration. Following public consultation, the Board will finalise the registration standards, taking into account the consultation comments, and submit the final standards to the Australian Health Workforce Ministerial Council (the Ministerial Council) for approval.

Information about the fees for limited registration is published on the Board's website at www.chiropracticboard.gov.au under *Fees*.

Background

Since 1 July 2010, the Chiropractic Board of Australia (the Board) has been responsible for the registration and regulation of chiropractors under the *Health Practitioner Regulation National Law Act* (the National Law), as in force in each state and territory. The National Law is available at the Board's website at www.chiropracticboard.gov.au under *Legislation and Publications*.

Registration standards

Section 38 of the National Law empowers the Board to develop and recommend to the Ministerial Council registration standards about issues relevant to the eligibility of individuals for registration in the chiropractic profession or the suitability of individuals to competently and safely practise the profession.

The Board has developed and consulted on a range of registration standards previously that have now been approved by the Ministerial Council. The approved standards are published at www.chiropracticboard.gov.au under *Registration Standards*.

The Board has drafted registration standards for limited registration for teaching and research and limited registration in the public interest.

The National Law requires the Board to undertake wide-ranging consultation on proposed registration standards.

A link to the National Law is available at www.ahpra.gov.au under *Legislation and Publications*.

Overview of issues

This is a revised version of a consultation document originally provided for consultation late in 2010. Much of the feedback from that round of consultation has been incorporated into this draft registration standard. In developing this consultation document, the Board has taken into account the characteristics of the chiropractic profession and has been mindful of the approaches to limited registration that have been developed by other National Boards. The Board is conscious of the importance of consistency with other National Boards where relevant and has indicated when it considers that a different approach is appropriate; for example, because of differences between professions.

Limited registration in the public interest

The Board does not anticipate large numbers of applications for this type of limited registration. The Board has taken into account current workforce and employment patterns in the chiropractic profession. The draft registration standard gives some examples of when the Board considers limited registration may be in the public interest, but is not intended to be exhaustive. There may be other situations when limited registration in the public interest is important. The Board will assess these applications on a case-by case-basis, taking into account the objectives and guiding principles of the National Law. The Board is interested in feedback on this approach.

Limited registration for teaching or research

The Board does not anticipate large numbers of applications for this type of limited registration, but acknowledges that input to the intellectual capital of the profession by overseas experts and overseas researchers is important to the development and advancement of the profession. This type of registration is for internationally-qualified chiropractors who are not qualified for general registration in Australia because they do not hold a qualification in a program of study approved by the Board, but who have a chiropractic qualification that is relevant to, and suitable for, a teaching or research position to which their application relates and who meet the other requirements of the Board. All such positions will be subject to supervision requirements. Clinical practice opportunities beyond the supervised teaching or research positions approved are, at present, not contemplated by the Board.

Submissions

The Chiropractic Board of Australia is seeking feedback on the draft registration standards for limited registration for teaching and research and limited registration in the public interest.

Please provide written submissions by email, marked "Mandatory Registration Standards" to chiroboardconsultation@ahpra.gov.au by close of business on **25 November 2011**. Submissions by post should be addressed to the Executive Officer, Chiropractic Board of Australia, AHPRA, GPO Box 9958, Melbourne, 3001.

The Board will publish all submissions on its website at www.chiropracticboard.gov.au to encourage discussion and inform the community and stakeholders, unless requested otherwise.

The Board will not place on its website, or make available to the public, submissions that contain offensive or defamatory comments or those which are outside the scope of the reference. Before publication, the



Board will remove personally-identifying information from submissions such as addresses and telephone numbers.

The views expressed in the submissions are those of the individuals or organisations who submit them and their publication does not imply any acceptance of, or agreement with, these views by the Board.

The Board also accepts submissions made in confidence. These submissions will not be published on the website or elsewhere. Submissions may be confidential because they include personal or other sensitive information. Any request for access to a confidential submission will be determined in accordance with the *Freedom of Information Act 1982* (Cth), which has provisions designed to protect personal information and information given in confidence.

Please let us know if you do not want us to publish your submission, or want us to treat all or part of it as confidential. In the absence of such a request, submissions will be published on the Board's website.

Interested parties are invited to make submissions on this proposal for consideration before the Board submits the proposed registration standards to the Ministerial Council. The closing date for submissions is close of business on **25 November 2011**.

Consultation Draft



Registration standards

Proposed standard for limited registration for teaching and research

Proposed standard for limited registration in the public interest

The Board's statement of assessment against AHPRA's procedures for development of registration standards

The Australian Health Practitioner Regulation Agency (AHPRA) has Procedures for the Development of Registration Standards (the AHPRA procedures) published at www.ahpra.gov.au.

Following is the assessment by the Chiropractic Board of Australia of its proposed mandatory registration standards against the three elements outlined in the AHPRA procedures.

The proposed registration standards take into account the objectives and guiding principles of the National Law (section 3).

Board assessment

The Board considers that its proposed registration standards regarding for limited registration for teaching and research and limited registration in the public interest meet the objectives and guiding principles of the National Law.

In particular, the proposed registration standards will provide for the protection of the public by ensuring that only health practitioners who are suitably trained and qualified to practise in a competent and ethical manner are registered; by enabling the continuous development of a flexible, responsive, and sustainable Australian health workforce; and by supporting the National Scheme to operate in a transparent, accountable, efficient, effective and fair way.

With respect to the proposed registration standard for limited registration in the public interest, the Board has taken into account the current chiropractic workforce and employment patterns in the chiropractic profession. The draft registration standard gives some examples of when the Board considers limited registration may be in the public interest, but is not intended to be exhaustive. There may be other situations when limited registration in the public interest is important. The Board will assess these applications on a case-by-case basis, taking into account the objectives and guiding principles of the National Law.

With respect to the proposed registration standard for limited registration for teaching or research, the Board acknowledges that input into the intellectual capital of the profession by overseas experts and overseas researchers is important in the development and advancement of the profession. This type of registration will provide a pathway for internationally-qualified chiropractors who are not qualified for general registration in Australia because they do not hold a qualification in a program of study approved by the Board, but who have a chiropractic qualification that is relevant to, and suitable for the teaching or research position to which the application relates and who meet the other requirements of the Board. All such positions will be subject to supervision requirements. Clinical practice opportunities beyond the approved supervised teaching or research position are, at present, not contemplated by the Board as there is a need currently for chiropractors to meet the entry-level requirements before engaging with the public.

The proposed registration standards meet the consultation requirements of the National Law.

Board assessment

The National Law requires wide-ranging consultation on proposed registration standards. The National Law also requires the Board to consult with other boards on matters of shared interest.

The Board is ensuring that there is public exposure of its proposals and the opportunity for public comment by undertaking a six-week public consultation process. This process includes the publication of the consultation paper and draft registration standards on the website. The Board has already drawn this paper to the attention of the 13 other National Boards, AHPRA, governments and the accreditation body for the chiropractic profession and now submits it to the profession and the broader public for review and comment.

The Board will take into account the comments it receives when finalising its draft standards for submission to the Ministerial Council for approval.

The proposed registration standards take into account the COAG principles for best practice regulation

Board assessment

In developing the draft proposed registration standards on limited registration for teaching and research and limited registration in the public interest for consultation, the Board has taken into account the Council of Australian Governments (COAG) Principles for Best Practice Regulation.

As an overall statement, the Board has taken care not to propose unnecessary regulatory burdens that would create unjustified costs for the profession or the community. The Board believes the proposed standards impose a regulatory burden commensurate with the risks associated with the practice of chiropractic by chiropractors and that their approach is in the public interest.

The draft standards proposed by the Board specifically addresses the four COAG principles as follows:

- a) The Board considered whether its proposed registration standards may result in an unnecessary restriction of competition among health practitioners, and concluded that while the standard sets requirements for limited registration, it is necessary to ensure that only practitioners who are suitably trained and qualified to practise in a competent and ethical manner are registered.
- b) The Board considered whether its proposed registration standards could result in an unnecessary restriction of consumer choice. Rather than restricting consumer choice, the draft standards are consumer driven and will enable overseas chiropractors who meet the registration requirements to practise in Australia with appropriate supervision.
- c) The Board considered that the overall costs of the draft registration standards to members of the public and/or registrants and/or governments and concluded that the costs are appropriate when offset against the benefits that these standards contribute to delivering.
- d) The Board has procedures in place to ensure that the standards remain relevant and in the public interest over time. The standards will be reviewed within three years of their commencement,



including assessment against the objectives and guiding principles in the National Law and the COAG principles for best practice regulation.

Consultation Draft

Registration standard

Limited registration for teaching or research

Authority

This registration standard has been developed by the Chiropractic Board of Australia (the Board) under section 39 of the *Health Practitioner Regulation National Law Act* (the National Law) as in force in each state and territory. The relevant sections of the National Law are at *Attachment A* of this registration standard.

Summary of the registration standard

The Board has developed this registration standard to set out the initial and ongoing requirements that a registrant must meet to be granted and/or to renew limited registration to fill a teaching or research position at a higher education institution or research entity, under section 69 of the National Law.

Application of the registration standard

This type of limited registration is for internationally-qualified chiropractors who are not qualified for general registration in Australia because they do not hold a qualification in a program of study approved by the Board, but who have a chiropractic qualification that is relevant to, and suitable for, the teaching or research position to which their application relates and who meet the other requirements of the Board.

This registration standard does not apply to Australian chiropractors who have a qualification in a program of study approved by the Board, chiropractors from New Zealand who qualify for general registration in Australia via trans-Tasman mutual recognition, or those overseas-trained chiropractors who have passed an assessment of the Council on Chiropractic Education Australasia (CCEA) under section 53(c) of the National Law.

This type of registration is suitable for overseas-qualified chiropractors who intend to fill a teaching or research position and use the title 'chiropractor'.

General requirements

All chiropractors granted limited registration for teaching or research must comply with the requirements set out in this registration standard, including:

- complying with the supervision requirements
- authorising and facilitating the provision of regular reports from their supervisor/s to the Board regarding their safety and competence for registration
- performing satisfactorily in the teaching or research position
- not engaging in clinical practice and
- not engaging in teaching of clinical skills or in supervision of students in relation to clinical skills or in a clinical setting.

These requirements are established under this registration standard to ensure safe and competent practice for the period of limited registration.

The Board may vary these requirements in exceptional circumstances.

Please note: to teach clinical skills or to engage in supervision of students in relation to clinical skills or in a clinical setting, the CCEA's *Standards for First Professional Chiropractic Programs* require that a chiropractor must have general registration and comply with CCEA requirements (see www.ccea.com.au/publications).

National Law requirements

The requirements of the Board to register a person under section 69 *Limited registration for teaching or research* are:

1. compliance with the requirements of section 65 of the National Law on eligibility for limited registration
2. chiropractic qualifications determined by the Board to be relevant and suitable for the teaching or research employment position
3. evidence of compliance with the Board's registration standard on English language skills
4. evidence of work practice history that meets the Board's registration standard on recency of practice
5. details of registration history, including certificates of good standing/registration status from each registration authority with which the applicant has been registered in the previous five years (supplied, where possible, directly to the Board from the relevant registration authority)
6. written confirmation and detail of:
 - a. the employer/sponsoring organisation, including contact details
 - b. the position description
 - c. the name, qualifications and contact details of the proposed clinical supervisor and
 - d. the details of a supervision plan as set out in *Attachment B: Roles and responsibilities of the supervisor and supervision plan* in this registration standard
7. written confirmation from the proposed supervisor that he or she agrees to provide supervision and to comply with the Board's requirements for supervision, including implementing the supervision plan
8. satisfactory completion of a criminal record check that meets the Board's registration standard on criminal history

9. confirmation that the applicant will meet the requirements of the Board's registration standard on professional indemnity insurance
10. any other information the Board requires under section 70 of the National Law to determine whether the practitioner is a suitable person to hold limited registration and
11. a declaration that the individual is not disqualified under the National Law or a law of a co-regulatory jurisdiction from applying for this type of registration.

Compliance requirements

An applicant for limited registration for teaching or research must:

- agree to work only in the position under supervision and to provide a detailed supervision plan before the commencement of employment
- with the supervisor's written agreement, to provide a report every six months to the Board (or as otherwise determined by the Board)
- comply with the supervision plan approved by the Board
- comply with the Board's registration standard on continuing professional development on a pro rata basis (if total registration period exceeds four weeks)
- ensure that supervisors provide regular reports about the registrant's safety and competence to practise
- perform satisfactorily in the position or activities specified in his or her application and
- restrict his or her practice to the position or activities specified in the application.

If a practitioner with limited registration in teaching or research does not maintain employment in the teaching or research position, he or she is unable to comply with the requirements on registration and can no longer practise chiropractic.

A chiropractor registered under this type of limited registration is **not** able to undertake clinical practice. Those candidates wishing to engage in clinical practice should apply for general registration.

Relevant and suitable qualification

The applicant must have evidence of being awarded a chiropractic qualification as recognised and listed by the Councils on Chiropractic Education International and/or as determined to be relevant and suitable by the Board in the circumstances. To assist its consideration, the Board may require a desktop assessment by the Board's accreditation authority, the Council on Chiropractic Education Australasia.

The Board reserves the right to review and make determinations on individual applications under its powers in the National Law. The Board must be satisfied that the applicant's qualifications are suitable for the teaching or research employment position and that public safety is ensured.

Supervision and supervision plan

Attachment B: Roles and responsibilities of the supervisor and supervision plan sets out the requirements of the supervisor and the details required in the supervision plan. A chiropractor granted limited registration for teaching or research must comply with the supervision plan approved by the Board at the time of granting registration.

The supervisor must agree in writing to provide reports every six months to the Board (or as otherwise determined by the Board) as a part of the initial application for limited registration. The supervisor must provide these reports on the chiropractor's competence to ensure that the chiropractor can continue to be registered with limited registration. The reports must be sent to the Board as required by the Board-approved supervision plan as approved at the time of granting limited registration. If the supervisor does not provide reports as required by the supervision plan, the Board may withdraw the limited registration.

Renewal of limited registration

Renewal of limited registration for teaching and research will be subject to the practitioner meeting the following requirements:

- a. completion of an annual renewal form and annual statement as required by the National Law
- b. demonstrated compliance with any conditions or requirements on registration
- c. satisfactory performance in the relevant position
- d. any additional investigation, information, examination or assessment required by the Board in accordance with section 80 of the National Law and
- e. for registration of more than four weeks, compliance with the Board's registration standard on continuing professional development on a pro rata basis, calculated on the period of registration.

Limited registration is granted for a period no more than 12 months and may be renewed three times only, as set out by section 72 of the National Law. If limited registration has been renewed three times, a chiropractor seeking limited registration may submit a new application for limited registration which will need to meet the requirements set by the Board at that time.

Refusal to renew

In addition to the provisions of the National Law, the Board may refuse to renew a chiropractor's registration if:

- the chiropractor's employment related to limited registration ceases or is terminated or
- the chiropractor fails to comply with supervision requirements or
- reports every six months have not been provided to the Board or
- the chiropractor cannot demonstrate compliance with any conditions or requirements on the limited registration or
- there is demonstrated unsatisfactory performance in the teaching or research position based on the supervision reports or other information received by the Board or

- the chiropractor has not met any other requirements of the Board.

The Board may also refuse renewal for any of the reasons specified in section 112 of the National Law.

Application

- Applicants seeking registration under section 69 of the National Law must make a written application to the Board using the limited registration for teaching or research as a chiropractor application form available at www.chiropracticboard.gov.au under *Forms*, together with supporting documents.
- It is recommended that applicants submit their application with supporting documentation, at least two months before commencement of the employment position, to ensure time for the application to be assessed.
- Applicants may request that the registration pre-dates their commencement of employment by up to one month.
- The Board requires details of the employment position, including details signed by the applicant, supervisor and the employer outlining:
 - who will supervise the applicant in his or her work
 - the supervision plan
 - where the applicant will be employed and a detailed job description, including the scope of practice of the teaching or research role and
 - the period of employment.
- The Board may request any additional details necessary to consider the application for registration.

Applications for variation in changed circumstances

If a chiropractor registered with limited registration for teaching or research has a significant change in circumstances, such as a change in the teaching or research role, the chiropractor must submit a new application for limited registration. However, chiropractors can apply to the Board for a variation if there is a minor change to their circumstances, such as a change in supervisor.

When making an application for a variation, the Board requires details of the change of circumstances from the sponsoring employer and confirmation from the chiropractor and the supervisor that each agrees to the change in circumstances. Supporting documentation of the change must be submitted. If the Board considers that the variation is significant, it will require the chiropractor to submit a new application.

Conditions on the register

Chiropractors granted limited registration for teaching and research should note that the registration is granted for a particular purpose and for a limited time. The terms of the limited registration will be noted on the national register of chiropractors and any practice outside those terms is **not permitted**.

Definitions

Clinical practice means performing the duties expected of a chiropractor for a patient in a clinical setting

Employer includes employer, sponsoring body, organisation, institution or an individual

Supervisor means a person, approved by the Board to oversee a registrant under this registration standard, who ensures the compliance of the registrant with all terms and conditions placed upon that registration, including the published codes and guidelines of the Board; the supervisor **will** also be required to ensure the registrant's compliance with an approved supervision plan, including reporting requirements to the Board

Private practice means the context of providing chiropractic services to the public on an independent and self-supporting basis

Practice means any role, whether remunerated or not, in which the individual uses his or her skills and knowledge as a health practitioner in the profession; for the purposes of this registration standard, practice is not restricted to the provision of direct clinical care, it also includes working in a direct nonclinical relationship with clients, working in management, administration, education, research, advisory, regulatory or policy development roles, and any other roles that impact on safe, effective delivery of services in the profession and/or use their professional skills (this is a standard definition used across all National Boards). Any variation in the definition of practice agreed by the Board as part of a wider consultation on this issue will apply to this registration standard.

Supervision plan means a plan that sets out the arrangements or proposed arrangements for supervision of a chiropractor, which is a prerequisite for limited registration for teaching or research

Review

Date of issue: This registration standard will commence on (a date to be advised following approval by the Ministerial Council)

Date of review: This registration standard will be reviewed at least every three years from the date of issue

Last reviewed:

Attachment A: Health Practitioners Regulation National Law Act as in force in each state and territory

General provisions

Division 4 Limited registration

65 Eligibility for limited registration

(1) An individual is eligible for limited registration in a health profession if—

(a) the individual is not qualified for general registration in the profession or specialist registration in a recognised speciality in the profession; and

(b) the individual is qualified under this Division for limited registration; and

(c) the individual is a suitable person to hold limited registration in the profession; and

(d) the individual is not disqualified under this Law or a law of a co-regulatory jurisdiction from applying for registration, or being registered, in the health profession; and

(e) the individual meets any other requirements for registration stated in an approved registration standard for the health profession.

(2) Without limiting subsection (1), the National Board established for the health profession may decide the individual is eligible for registration in the profession by imposing conditions on the registration under section 83.

69 Limited registration for teaching or research

(1) An individual may apply for limited registration in a health profession to enable the individual to fill a teaching or research position.

(2) The individual is qualified for the limited registration applied for if the National Board established for the health profession is satisfied the individual's qualifications are relevant to, and suitable for, the position.

72 Period of limited registration

(1) The period of registration that is to apply to a health practitioner granted limited registration in a health profession is the period (the registration period), not more than 12 months, decided by the National Board established for the profession and published on the Board's website.

(2) If the National Board decides to register a health practitioner in the health profession during a registration period, the registration—

(a) starts when the Board makes the decision; and

(b) expires at the end of the last day of the registration period.

(3) Limited registration may not be renewed more than 3 times.

Note.

If an individual had been granted limited registration in a health profession for a purpose under this Division, had subsequently renewed the registration in the profession for that purpose 3 times and at the end of the period wished to continue holding limited registration in the profession for that purpose, the individual would need to make a new application for limited registration in the profession for that purpose.

Consultation Draft

Attachment B: Roles and responsibilities of the supervisor and supervision plan

1. The nominated supervisor must have appropriate qualifications and experience to supervise a person in the position for which the applicant is seeking limited registration.
2. The supervisor must have consented to act as a supervisor and must be listed on the original application form for limited registration for teaching or research. The supervisor must be able to comply with the requirements of the level of supervision required and have agreed to comply with the reporting requirements of the Board in accordance with the supervision plan.
3. The relationship between supervisor and registrant must be professional. Therefore, persons who have a family or personal relationship with the applicant will not be approved as supervisors.
4. The supervisor must take reasonable steps to ensure that the registrant is practising safely and competently by measures such as direct observation (where it is relevant to the level of supervision), periodic performance review and remediation of identified problems.
5. The supervision plan must detail the level and amount of supervision which the supervisor will provide to the applicant seeking limited registration for teaching or research. It should reflect a balance between the current training, competence and scope of practice of the applicant with the scope of practice and job description of the employment role.
6. The supervisor must notify the Board and employer immediately if there are concerns in relation to the registrant's performance, health or non-compliance with conditions or undertakings (other than minor issues that would be addressed through periodic performance review and remediation). The supervisor must ensure that the registrant is practising in accordance with the job description, the approved employment arrangements and the Board's registration standards, codes and guidelines, and must notify the Board of non-compliance with, or of any proposed changes to, those arrangements.
7. The Board must be advised if the supervisor is no longer able to provide the level of supervision that is required. Advice to the Board is not required if the supervisor takes temporary leave from the supervising role for a period of up to three (3) months. However, the nominated supervisor must arrange for another supervisor with appropriate qualifications and experience to undertake the supervision while the nominated supervisor is on leave.

Registration standard

Limited registration in the public interest

Authority

This registration standard has been developed by the Chiropractic Board of Australia (the Board) under section 68 of the *Health Practitioner Regulation National Law Act* (the National Law) as in force in each state and territory and in accordance with section 38(2) of that National Law.

Summary of the registration standard

The Board has developed this registration standard to set out the requirements that a chiropractor must meet to be granted limited registration to practise as a chiropractor in the public interest, under section 68 of the National Law.

Application of the registration standard

This registration standard applies to chiropractors with international qualifications who do not qualify for general registration in Australia under the National Law.

The Board will determine whether it is in the public interest to register a chiropractor but, in general, will only register a chiropractor under this type of registration for a limited time and/or for a limited scope.

This registration standard does not apply to Australian chiropractors who have a qualification in a program of study approved by the Board, chiropractors from New Zealand who qualify for general registration in Australia via trans-Tasman mutual recognition, or those overseas-trained chiropractors who have passed an assessment of the Council on Chiropractic Education Australasia (CCEA) under section 53(c) of the National Law.

The Board would consider it in the public interest to apply this registration standard to register a chiropractor when:

- there is an unexpected situation where a natural disaster has occurred or
- there is an international event (including sporting events) or
- there is an internationally-recognised expert required to demonstrate or teach a procedure or
- there is an overseas-qualified chiropractor seeking to participate in a workshop/seminar which involves cervical manipulation or which is attended by an overseas-qualified practitioner who wishes to use the title 'chiropractor'.

National Law requirements

All applicants granted limited registration in the public interest must comply with the requirements for registration set out in this registration standard, including:

- 1 compliance with the requirements of section 65 on eligibility for limited registration

- 2 chiropractic qualifications as recognised and listed by the Councils of Chiropractic Education International and/or determined to be relevant and suitable for the purpose of limited registration in the public interest
- 3 evidence of compliance with the Board's registration standard on English language skills
- 4 evidence of work practice history that meets the Board's registration standard on recency of practice
- 5 confirmation that the applicant will meet the requirements of the Board's registration standard on professional indemnity insurance
- 6 details of registration history, including certificates of good standing/registration status from each registration authority with which the applicant has been registered in the previous five years (supplied where possible directly to the Board from the relevant registration authority).
- 7 written confirmation and detail of the:
 - a. employer/sponsoring organisation and/or sponsoring chiropractor, including contact details and
 - b. the position description and/or clinical activities that will be undertaken, including dates and locations and, in the case of a demonstration or workshop, any organisation who is sponsoring the demonstration or workshop
- 8 when registration is required for more than one month, details of a supervision plan approved by the Board explaining how supervision will be provided to ensure the chiropractor's safe practice and details of the registered chiropractor nominated as the supervisor (see *Definitions* and *Attachment B: Roles and responsibilities of the supervisor and supervision plan (where applicable)* in this registration standard)
- 9 when the position involves practice on members of the Australian public rather than demonstrations or participation in a course, agreement to practise only under the supervision of a nominated registered chiropractor approved by the Board and written confirmation from the proposed supervisor that he or she agrees to provide supervision and to comply with reporting requirements (see *Definitions* and *Attachment B: Roles and responsibilities of the supervisor and supervision plan (where applicable)* in this registration standard)
- 10 reasons why it is in the public interest to register the practitioner
- 11 satisfactory completion of a criminal record check that meets the Board's registration standard on criminal history
- 12 any other information the Board requires under section 70 to determine whether the practitioner is a suitable person to hold limited registration and
- 13 a declaration that the individual is not disqualified under the National Law or a law of a co-regulatory jurisdiction from applying for this type of registration.

Period of limited registration

Registration is granted for a maximum period of one month unless there are special circumstances to require limited registration for up to but not exceeding three months. Please see *Renewal of limited registration* in the public interest in this registration standard for more information.

Chiropractic qualification

The applicant must have a chiropractic qualification which is recognised and listed by the Councils of Chiropractic Education International and/or as determined to be relevant and suitable by the Board.

The Board may require the applicant to obtain a desktop assessment of his or her qualifications from the Board's accreditation authority, the Council on Chiropractic Education Australasia (CCEA) to determine whether the chiropractic qualification is relevant and suitable.

Please note: overseas-qualified chiropractors who have successfully passed a CCEA assessment are qualified for general registration under section 53(c) of the National Law. Limited registration applies to overseas-qualified chiropractors who are not qualified for general registration in Australia.

Applicants must provide evidence of their current registration status or eligibility for registration to practise chiropractic in their home jurisdiction.

The Board reserves the right to review and make determinations on individual applications through its powers under the National Law. The Board must be satisfied that the applicant's qualifications are suitable for the public interest activities proposed to ensure public safety.

Compliance requirements

Registrants with limited registration in the public interest are required to:

- comply with any supervision plan approved by the Board
- ensure that supervisors provide regular reports about the registrant's safety and competence to practise
- perform satisfactorily in the position or clinical activities specified in the application and
- restrict their practice to the position or clinical activities specified in their application.

If a practitioner with limited registration in the public interest does not maintain his or her employment or engagement in the clinical activities specified in the application, he or she is unable to comply with the requirements on practice and can no longer practise chiropractic. A chiropractor registered under this type of limited registration in the public interest is **not** able to undertake private practice of any sort.

Period of limited registration

Limited registration in the public interest is a short-term type of registration and, therefore, will be granted generally for a period of one month unless there are special circumstances to require limited registration for up to, but not exceeding, three months (note the supervision plan requirements).

These requirements are established under this registration standard to ensure safe and competent practice for the period of limited registration.

Renewal of limited registration

Given the short-term nature of limited registration in the public interest, it is unlikely that renewal of registration will be necessary. If the public interest circumstances continue and the practitioner makes an application for renewal of registration, the following are requirements for the application to be considered by the Board:

- a. demonstration of an ongoing public interest to register the practitioner
- b. demonstrated compliance with any conditions or requirements on registration
- c. satisfactory performance in the position and
- d. any additional investigation, information, examination or assessment required by the Board in accordance with section 80 of the National Law.

As provided in section 72(3) of the National Law, limited registration may not be renewed more than three times.

However, the applicant may make a new application for limited registration.

Refusal to renew

The Board may refuse to renew the practitioner's registration if:

- a. it is no longer in the public interest to register the practitioner
- b. the practitioner's employment/sponsorship ceases or is terminated
- c. the practitioner fails to comply with any supervision requirements and/or
- d. during any assessment or supervision, deficiencies are identified in the practitioner's practice that the Board considers significant.

The Board may also refuse renewal for any of the reasons specified in section 112 of the National Law.

Application for variation in changed circumstances

If a practitioner's circumstances change substantially, he or she must submit a new application for limited registration. However, practitioners can apply to the Board for a variation if there is a minor change to their circumstances, such as a change in supervisor.

When making an application for a variation, the Board requires details of the change of circumstances from the sponsoring employer/sponsor and confirmation from the registrant that each agrees to the change in circumstances. Supporting documentation must be submitted.

If the Board considers that the variation is significant, it will require the registrant to submit a new application.

Conditions on the register

Chiropractors granted limited registration in the public interest should note that the registration is granted for a particular purpose and for a limited time. The terms of the limited registration will be noted on the national register of chiropractors and any practice outside those terms is not permitted.

Application

It is recommended that applicants apply to the Board as soon as possible before registration is required to ensure timely assessment of the application.

- Applicants seeking registration under section 68 of the National Law must make a written application to the Board using the limited registration in the public interest as a chiropractor application form available at www.chiropracticboard.gov.au under *Forms*, together with supporting documents.
- It is recommended that applicants submit their application, with supporting documentation, at least two months before the position/requirement commencing, to ensure time for the application to be assessed.
- Applicants may request that the registration pre-dates their commencement of the position that is in the public interest by up to one month.
- The Board requires details of the position, including details signed by the applicant and the sponsor.
- The Board may request any additional details necessary to consider the application for registration.

Definitions

Practice means any role, whether remunerated or not, in which the individual uses his or her skills and knowledge as a health practitioner in their profession; for the purposes of this registration standard, practice is not restricted to the provision of direct clinical care, it also includes working in a direct nonclinical relationship with clients, working in management, administration, education, research, advisory, regulatory or policy development roles, and any other roles that impact on safe, effective delivery of services in the profession and/or use their professional skills (this is a standard definition used across all National Boards)

Supervision plan means a plan that sets out the arrangements or proposed arrangements for clinical supervision of the chiropractor applying for, or granted, limited registration

Supervisor means a person approved by the Board to oversee a registrant under this registration standard who ensures the compliance of the registrant with all terms and conditions placed upon that registration, including the published codes and guidelines of the Board; the supervisor may also be required to ensure the registrant's compliance with an approved supervision plan, including reporting requirements to the Board

Private practice means the provision of chiropractic services to the public on an independent and self-supporting basis

Clinical practice means performing the duties expected of a chiropractor for a patient in a clinical setting

Review

Date of issue: This registration standard will commence on (a date to be advised following approval by the Ministerial Council)

Date of review: This registration will be reviewed at least every three years from date of issue

Last reviewed:

Consultation Draft

Attachment A: Health Practitioner Regulation National Law Act (the National Law) as in force in each state and territory

General provisions

Division 4 Limited registration

65 Eligibility for limited registration

(1) An individual is eligible for limited registration in a health profession if—

(a) the individual is not qualified for general registration in the profession or specialist registration in a recognised speciality in the profession; and

(b) the individual is qualified under this Division for limited registration; and

(c) the individual is a suitable person to hold limited registration in the profession; and

(d) the individual is not disqualified under this Law or a law of a co-regulatory jurisdiction from applying for registration, or being registered, in the health profession; and

(e) the individual meets any other requirements for registration stated in an approved registration standard for the health profession.

(2) Without limiting subsection (1), the National Board established for the health profession may decide the individual is eligible for registration in the profession by imposing conditions on the registration under section 83.

68 Limited registration in the Public Interest

(1) An individual may apply for limited registration to enable the individual to practise a health profession for a limited time, or for a limited scope, in the public interest.

(2) The individual is qualified for the limited registration applied for if the National Board established for the health profession is satisfied it is in the public interest for an individual with the individual's qualifications and experience to practise the profession for that time or scope

72 Period of limited registration

(1) The period of registration that is to apply to a health practitioner granted limited registration in a health profession is the period (the registration period), not more than 12 months, decided by the National Board established for the profession and published on the Board's website.

(2) If the National Board decides to register a health practitioner in the health profession during a registration period, the registration—

(a) starts when the Board makes the decision; and

(b) expires at the end of the last day of the registration period.

(3) Limited registration may not be renewed more than 3 times.

Note.

If an individual had been granted limited registration in a health profession for a purpose under this Division, had subsequently renewed the registration in the profession for that purpose 3 times and at the end of the period wished to continue holding limited registration in the profession for that purpose, the individual would need to make a new application for limited registration in the profession for that purpose.

Consultation Draft

Attachment B: Roles and responsibilities of the supervisor and supervision plan (where applicable)

1. The nominated supervisor must have appropriate qualifications and experience to supervise a person in the position for which the applicant is seeking limited registration.
2. The supervisor must be a chiropractor with general registration who has consented to act as a supervisor and must be listed on the original application form for limited registration in the public interest. The supervisor must be able to comply with the requirements of the level of supervision required and have agreed to comply with the reporting requirements of the Board in accordance with the supervision plan.
3. The relationship between supervisor and registrant must be professional. Therefore, persons who have a family or personal relationship with the applicant will not be approved as supervisors.
4. The supervisor must take reasonable steps to ensure that the registrant is practising safely and competently by measures such as direct observation (where it is relevant to the level of supervision), periodic performance review and remediation of identified problems.
5. The supervision plan must detail the level and amount of supervision which the supervisor will provide to the applicant seeking limited registration in the public interest. It should be consistent with the scope of the activity for which registration is being sought.
6. The supervisor must notify the Board and employer immediately if there are concerns in relation to the registrant's performance, health or non-compliance with conditions or undertakings (other than minor issues that would be addressed through periodic performance review and remediation). The supervisor must ensure that the registrant is practising in accordance with the job description, the approved employment arrangements and the Board's registration standards, codes and guidelines, and must notify the Board of non-compliance with or of any proposed changes to those arrangements.
7. The Board must be notified if the supervisor is no longer able to provide the level of supervision that is required. A notification to the Board is not required if the supervisor takes temporary leave from their supervising role for a period of up to three (3) months. However, the nominated supervisor must arrange for another supervisor with appropriate qualifications and experience to undertake the supervision while the nominated supervisor is on leave.