

Frequently Asked Questions and Fact Sheet

20 November 2015

Who needs to be registered under the National Law?

Purpose

This fact sheet provides guidance about who needs to be registered as a chiropractor under the Health Practitioner Regulation National Law, as in force in each state and territory (the National Law). It also provides guidance about non-practising registration.

How the Board defines practice

In their registration standards, National Boards currently use a broad definition of “practice” that covers both clinical and non-clinical work. Practice is defined as:

‘any role, whether remunerated or not, in which the individual uses their 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.’

The National Law

The National Law describes several categories of registration. These categories include:

- **general** registration for practitioners who have met the Board’s requirements for registration and are entitled to practice in Australia with or without conditions on their registration, and
- **limited** registration for practitioners who do not qualify for general registration but who may be registered under specific circumstances, e.g. for overseas qualified chiropractors to undertake teaching or research or to present at or attend a seminar, and
- **non-practising** registration for practitioners who are entitled to general registration but who are not currently practicing in the profession and student registration for individuals who are undertaking an approved qualification.

What do I need to know when considering if I need to be registered?

Each individual practitioner will need to decide whether they should be registered. The following information is provided to assist practitioners to make that decision.

1. The National Law limits the use of certain titles including the title Chiropractor.

Practitioners must be registered if they are:

- a. using the title chiropractor, e.g. advertising themselves as a chiropractor in Australia, or

- b. using a title, name, initial, symbol, word or description that, having regard to the circumstances in which it is taken or used, indicates or could be reasonably understood to indicate, that the person is a chiropractor or is authorised or qualified to practise in a health profession, or
- c. presenting themselves as a registered chiropractor, such as by acting or providing services in such a manner that someone could believe they were a registered chiropractor, or
- d. claiming to be qualified to practice as an chiropractor.

2. Practitioners must be registered if they are undertaking manipulation of the cervical spine.¹

The National Law places restriction on spinal manipulation and a person must not perform manipulation of the cervical spine unless:

- a. the person is registered in an appropriate health profession including chiropractic, or
- b. is registered in an approved program of study or clinical training.

Other issues I should consider

As the primary principle of the National Registration and Accreditation Scheme is the protection of the public, chiropractors should be registered if they have direct clinical contact with patients, provide treatment or opinion about individuals or undertake manipulation of the cervical spine.

For roles beyond direct clinical contact practitioners should be registered when:

- a. their work impacts on the safe and effective delivery of health care to individuals, and/or
- b. they are directing, supervising or advising other health practitioners about the health care of individual(s), and/or
- c. their employer/s professional indemnity insurer requires a person in the role to be registered, and/or
- d. professional peers and the community would expect a person in the role to comply with the Board's registration standards, and/or
- e. they are required to be registered under any law to undertake any specific activity.

Examples

Do course presenters and/or attendees from overseas need to be registered?

Yes, if they are:

- using the title chiropractor, e.g. advertising themselves as a chiropractor, or
- presenting themselves as a registered chiropractor in Australia e.g. by acting or providing services in such a manner that someone could believe they were a registered chiropractor, or
- undertaking manipulation of the cervical spine.

No, if:

- they only use the title chiropractor with words explaining their status in Australia e.g. chiropractor (registered in the United Kingdom - not registered in Australia), chiropractor (qualified in Canada - not registered in Australia).

¹ Manipulation of the cervical spine means moving the joints of the cervical spine beyond a person's usual physiological range of motion using a high velocity, low amplitude thrust.

When should I hold non-practising registration?

This type of registration is open to individuals who are not practising as defined by the Board's definition (described above). It allows a person to remain on the register and to continue to use the protected title 'chiropractor'. Anyone with non-practising registration must not provide chiropractic treatment or opinion about an individual.

Individuals with this type of registration remain subject to the Board's jurisdiction in relation to their professional conduct. They are not required to meet the Board's registration standards in relation to professional indemnity insurance, continuing professional development or recency of practice as these standards specifically exclude those with non-practising registration.

What if I am not sure?

Chiropractors who are not sure if they require registration may still wish to apply for an appropriate form of registration. Applications for registration should be made at least eight weeks in advance of any requirement to be registered so that the application can be considered by the Board before the intended event.

More information on chiropractic registration in Australia is available from the website of the Chiropractic Board of Australia at www.chiropracticboard.gov.au.

If you require further assistance to help you decide whether or not you need to be registered, consult your employer, professional indemnity insurer or other legal adviser.