



## Communiqué

The July meeting of the Chiropractic Board of Australia (the Board) was held on 19 July 2013 at the AHPRA Queensland Office in Brisbane.

This communiqué highlights the important issues from this meeting.

The National Board publishes this communiqué on its website and emails it to a broad range of stakeholders. Please forward it on to colleagues and employees who may be interested in the work of the National Board.

### Standards, guidelines and codes

The Board continues its work in conducting the routine, three-year review of its registration standards and supporting codes and guidelines in conjunction with other National Boards. Work is well underway on reviewing registration standards for continuing professional development, professional indemnity insurance and recency of practice. The National Board will be consulting on these progressively over the coming months.

### Health Profession Agreement

The Board has approved the Health Profession Agreement with the Australian Health Practitioner Regulation Agency (AHPRA) to provide its support services for the 2013/2014 financial year. This new agreement includes a range of updated performance and reporting criteria. In the interests of transparency and accountability, we will again publish on our websites the 2013 Health Profession Agreement that details the services that AHPRA will provide to the National Board.

### Advertising and promotional material

The National Law requires the Board to set professional standards for the chiropractic profession and gives the Board the power to hold practitioners to account against those standards.

The Board is becoming increasingly concerned that some chiropractors are continuing to promote, display and provide material to their patients – online and in their practices - that is not consistent with the standards set out in the Board's '*Code of conduct for chiropractors*', and the '*Guidelines for the advertising of regulated health services*'.

The Code of conduct requires chiropractors to practise in an evidence informed (evidence-based) context. This means integrating the best available evidence with the expertise to make clinical decisions that reflect the practice standards of the profession as well as patient values and preferences. The code also requires chiropractors to provide balanced, unbiased information to their patients. Chiropractic care must be patient centred and in the patient's interests.

The Board reminds chiropractors that the compliance with the code:

- removing from their premises and websites any display, promotional or advertising material that is not consistent with the requirements of the code
- only making treatment claims that are supported by a reasonable evidence base, and
- providing only advice or care that is in the patient's best interests. This means not giving misleading or unbalanced advice to patients.

Providing or promoting anti-vaccination material is not consistent with the public health obligations of practitioners set out in the *Code of conduct for chiropractors*. Chiropractors must not display or promote information about vaccination/immunisation as this is not within the usual area of practice for a chiropractor. To comply with the Code, information, advertising or promotional material of this sort should be removed from all clinic areas and from websites immediately.

**Chiropractic Board of Australia**

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The role of the Chiropractic Board of Australia is to protect the public and the Board urges anyone with any concerns about the activities of individual registered chiropractors to bring these to the Board.

### Continuing Professional Development: update on audit of approved courses

In October 2010, the Board allocated responsibility for assessing and approving CPD courses to two external assessing authorities: the Chiropractors' Association of Australia (National) Limited (CAAN) and the Chiropractic and Osteopathic College of Australasia (COCA). The Board assigned this role to the associations as they were previously approved to do so by the Commonwealth Department of Veterans' Affairs.

The Board approved the criteria that CAAN and COCA use to assess formal learning activities, to establish a consistent and robust assessment framework. These aim to ensure that CPD activities "contribute to the maintenance and development of clinical competencies ... and clinical practice with the expectation that these activities will contribute to minimising risk, improving patient safety and health outcomes."

CPD is designed to maintain currency of knowledge and skills relating to practise of the profession. Before the introduction of the National Scheme, participating in CPD was not routine practice across the profession. The National Scheme now requires all practitioners to participate in CPD. In developing criteria for external bodies to use to assess CPD courses, the Board aimed to link CPD to the regulatory standards framework.

The National Board is currently auditing CPD activities that have been approved by the professional associations for formal learning hours. This audit, which is ongoing, has revealed a small number of courses that were not consistent with the professional standards set by the National Board. The Board has removed these programs from its list of approved programs, until they have been revised to be consistent with the National Board's standards.

The audit of CPD programs is ongoing. The National Board appreciates the support and co-operation of COCA and the CAA for assessing CPD activities to ensure consistency with the Board's standards, as part of this audit.

As part of its routine, three-year review of the CPD registration standard and accompanying guidelines, the Board will review and clarify the criteria used to assess formal learning activities. The Board looks forward to feedback from the profession and the community when these are published for consultation later in 2013.

### Audit of Registration Standards

The National Law requires practitioners to meet registration standards set by the Board, and to declare their compliance with these standards when they renew their registration each year. The Board has been working with AHPRA since late 2012, to develop a process to audit practitioner compliance with the Board's registration standards for CPD, recency of practice, professional indemnity insurance and criminal history.

The Board has now received the final report of the recent pilot audit of compliance with the Board's registration standards.

Overall, 87% of practitioners who participated in the audit were found to have met the Board's standards. A few practitioners chose to withdraw their registration and the balance of practitioners who were found on audit to have not complied with the standards were referred to the National Board. In protecting the public, the Board has the power to decide if these practitioners' registration should be limited in some way, to require the practitioner to give an undertaking to do or to not do something in relation to their practice, or to refer the practitioner to a disciplinary pathway under Part 8 of the National Law. A report of the audit will be published on [AHPRA's website](#) in the near future.

The National Board is very pleased with the outcome of this audit process and has agreed for a regular random audit of chiropractor's compliance with the National Board's registration standards to take place.

## ARC notifications research project

The National Board noted that a joint research project between AHPRA, the University of Sydney, the Health Professional Councils Authority of NSW and the Health Care Complaints Commission has commenced. This project will analyse different processes of complaint handling with a view to determining best practice.

## Legal matters

The Victorian Civil and Administrative Tribunal has backed the Chiropractic Board of Australia's commitment to protect the public and cancelled the registration of chiropractor Dr Malcolm Hooper. The Board prosecuted the case against Dr Hooper in the tribunal for three years, in one of the most protracted legal actions in health practitioner regulation in Australia.

The VCAT determination will be published on the austlii website shortly. The [Board's media statement](#) on this issue is published on the Board's website under News.

## Conclusion

The National Board publishes a range of information about registration and the National Board's expectations of practitioners on its website at [www.chiropracticboard.gov.au](http://www.chiropracticboard.gov.au) or [www.ahpra.gov.au](http://www.ahpra.gov.au).

For more detail or with questions about your registration please send an [online enquiry form](#) or contact AHRPA on 1300 419 495.

## Dr Phillip Donato

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*8 August 2013*