

## Note from the Chair

I'd like to take this opportunity to wish everyone all the best for the coming festive season. These past few months have been extremely busy for the Chiropractic Board of Australia (the National Board) in a number of ways. Early next year the National Board will release several of its revised codes and guidelines, including those in relation to the advertising of health services, the code of conduct and social media.

There has been significant media attention in relation to the conduct and professional performance of individual chiropractors. The National Board is committed to its role in protecting the safety of the public. It is important for both practitioners and the public to understand that the Board's role in this area under the National Law<sup>1</sup> is to set and enforce the ethical and professional standards for chiropractors. We will hold practitioners brought to our attention to these standards. In future newsletters we hope to provide more feedback to both practitioners and the public on the issues arising in the notifications process.

Practitioners who are yet to renew their registration must do so before **31 December 2013**. Those who fail to do so will have their names removed from the national register of practitioners. They must cease to practise as a chiropractor immediately and refrain from doing so until their name has been restored to the register. Members of the public can check the registration of individual practitioners on the [AHPRA website](#).

The advertising and marketing content on websites and in the social media continues to be a problem. We hope the enhanced clarity of the new guidance documents due out next year will assist practitioners to

<sup>1</sup> The Health Practitioner Regulation National Law, as in force in each state and territory.

achieve better compliance with the requirements of the National Law and the National Board.

The National Board was pleased to note the Australian Health Workforce Ministerial Council's appointment of Dr Wayne Minter to the Board as a NSW practitioner member. We are excited to have a new member and welcome Dr Minter's experience and expertise.

### Dr Phillip Donato OAM

Chiropractor  
Chair, Chiropractic Board of Australia

## REMINDER: 2013 renewal due now

Chiropractors across Australia were reminded by AHPRA and the National Board that their registration was due for renewal **by 30 November 2013**. If you didn't renew your registration on time, you can still renew until **31 December 2013**, but a late fee will apply. The quickest and easiest way to do this is [online](#).

When applying to renew your registration, you will be asked to make declarations in support of meeting the National Board's registration requirements. It is important that you read the registration standards for recency of practice, continuing professional development, criminal history and professional indemnity insurance before applying online so that you understand the Board's requirements.

If you haven't renewed by 31 December 2013, your registration will lapse. Your name will be removed from the public register. This means you must make a new application for registration and will **not be able to practise** until your application has been finalised.

Chiropractors who do not want to renew their registration to keep practising can simply ignore the reminders from AHPRA or go online to 'opt out' of renewing. Using the 'opt out' service puts a stop to renewal reminders.

An FAQ about renewal is available on the [National Board's website](#).



## Graduate applications now open online

AHPRA is calling for online applications from students who are in their final year of an [approved program of study](#).

Students of chiropractic who will be completing studies at the end of 2013 are urged to apply for registration four to six weeks before completing their course. An email has been sent to individuals on the Student Register urging them to apply early and online by AHPRA on behalf of the National Board.

Applications can also be made by completing a [paper application form](#). All applications, online or in hard copy, require students to post some supporting documents to AHPRA to complete their application. Students of chiropractic are encouraged to read the information on AHPRA's website under [Graduate applications](#).

Graduates must meet the Board's [registration standards](#) and need to be a registered chiropractor before they can start practising. New graduates are registered and eligible to start work as soon as their name is published on the [national register of practitioners](#).

## Social media

As indicated in its September communiqué, the National Board has noted a concerning rise in notifications and related matters being brought to its attention that involve the use of social media such as Facebook, Twitter, etc. Early next year, the Boards in the National Scheme<sup>2</sup> will release guidance in relation to social media to assist practitioners in this area.

In the interim, practitioners should note that the requirements for advertising, as well as professional and ethical conduct, apply to social media just as they do in any other context. We expect that every practitioner should be familiar with and meet the standards set by the National Board. The current version of the *Code of conduct for chiropractors* can be found on the Board's website under [Codes and guidelines](#).

## Chiropractic notification case in the media

A recent case involving chiropractic treatment of an infant has attracted considerable media attention over the past few weeks. The National Board and AHPRA have issued a statement in relation to this case which is as follows:

The role of the Chiropractic Board of Australia is to protect the public, including by investigating concerns about individual chiropractors.

As regulators, the Board and AHPRA must act lawfully, consistent with the National Law and within relevant privacy and confidentiality requirements. Under the National Law, AHPRA and the Board are not able to publicly disclose the evidence gathered or reports prepared in investigations into the professional conduct of individual practitioners.

Consistent with the principles of procedural fairness, when AHPRA investigates a matter, it discloses relevant information to the practitioner who is directly involved. Information is also provided to the notifier/s. The specific information provided to each party is governed by privacy principles, confidentiality and consent requirements, the National Law and any other legislation that applies.

The Board and AHPRA are aware that some of the evidence gathered in a recent investigation into the professional conduct of a chiropractor has been publicly released. The information which is now in the public domain is a subset of the information relied on by the Board in making a decision about this case. The Board and AHPRA did not publicly release this information and did not consent to its publication.

In investigating all matters, AHPRA gathers a wide range of evidence and prepares an investigation report for the Board to consider when making its decision.

Evidence gathered in this case included witness statements, a forensic paediatric medical report, a report from a consultant orthopaedic surgeon, the patient's hospital and other health records (including a range of scans), records held by the practitioner, and the report of an independent expert (from the same discipline as the practitioner whose conduct was under investigation).

We are concerned that the release of private health information about an infant raises a number of legal and ethical issues. We are considering what action may be taken as a result.

The legal framework set by governments when making the laws that govern health practitioner regulation in Australia, are designed to protect patients such as this infant and the integrity of investigations.

2 The National Registration and Accreditation Scheme.

We are concerned that public discussion of incomplete information does not serve the public interest. As regulators, the Board and AHPRA must act lawfully and and within relevant confidentiality and privacy provisions. The Board and AHPRA are not able to comment further.

## Anti-vaccination and promotional material

In the last newsletter, the National Board noted the publication of a position statement on the [provision of health information](#) that includes vaccination content. In the following weeks it became clear to the Board that some practitioners were ignoring this advice.

To protect public safety, the Board has:

- ordered practitioners to remove all anti-vaccination material from their websites and clinics
- removed several courses from the list of approved CPD programs, and
- introduced random audits of practitioner compliance with the Board’s registration standards.

The Board noted that the vast majority of practitioners work effectively to provide high quality and patient-centred care. However, it takes a strong view of any practitioner who does not practise within the standards set by the National Board. The Board will hold any practitioner brought to their attention to account against these standards.

The *Code of conduct for chiropractors*, published under [Codes and guidelines](#) on the Board’s website, details the Board’s expectations of the chiropractic profession.

A number of matters have been brought to the attention of the Board in relation to marketing and promotional material that is inconsistent with either the requirements for advertising by registered chiropractors or the professional and ethical standards set by the Board. The Board warns chiropractors about marketing and promotional activities that breach the advertising requirements in the National Law. Specifically, section 133(1)(e) of the National Law specifically rules out directly or indirectly encouraging the ‘indiscriminate or unnecessary use of regulated health services’, which may occur in various voucher and time-limited offer systems.

## Quarterly data update

The latest data about the profession is available. As of June 2013, there are 4,657 chiropractors in Australia, an increase of 20 practitioners since the March data update (published in our June 2013 newsletter).

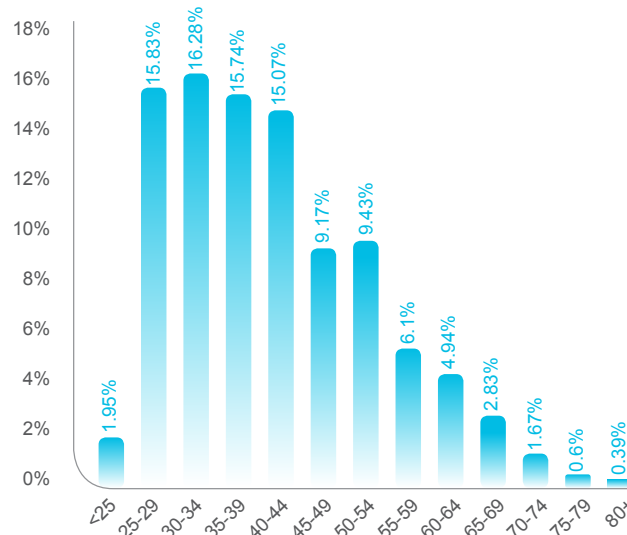
Of these registered practitioners, 255 are non-practising and three practitioners have limited registration.

There are 38 chiropractors endorsed to perform acupuncture, all located in Victoria.

## Chiropractors: State and territory by registration type

State	General	Limited Public interest	Non-practising	Total Count	% By State
ACT	60		1	61	1.31%
NSW	1,507		57	1,564	33.58%
NT	22		1	23	0.49%
QLD	698		26	724	15.55%
SA	346		14	360	7.73%
TAS	47			47	1.01%
VIC	1,173	3	84	1,260	27.06%
WA	512		17	529	11.36%
Not Stated	34		55	89	1.91%
<b>Total</b>	<b>4,399</b>	<b>3</b>	<b>255</b>	<b>4,657</b>	

## Chiropractors: Percentage by age group



For further information, visit the [About>Statistics](#) page on the Board’s website.

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## National Scheme news

### Community Reference Group update

AHPRA and the National Boards have recently established a Community Reference Group, which had its first meeting in June 2013. This is the first time a national group of this kind, with a focus on health practitioner regulation, has been established in Australia.

The group has a number of roles, including providing feedback, information and advice on strategies for building better knowledge in the community about health practitioner regulation, but also advising National Boards and AHPRA on how to better understand, and most importantly, meet, community needs.

Members are listed on the [Community Reference Group Members page](#) and communiqués from the group's meetings are published on the [Communiqués page](#) after each of its meetings.

### Professions Reference Group update

The Professions Reference Group was set up in 2012. It is made up of representatives of the professional associations for the professions included in the National Scheme, with participation from AHPRA's CEO and senior staff. Quarterly meetings provide an opportunity for AHPRA to brief the professions about its work and for the professions to ask questions about emerging issues relevant to regulation. The group also provides expert advice to AHPRA in developing a range of information for practitioners, such as the recently published [notifications guide and fact sheets](#).

By working with the group, AHPRA has also been able to establish a practitioner consultative group, made up of individual practitioners nominated by their professional association who are willing to provide feedback on proposals and systems improvements, to inform change and improve services ahead of large-scale implementation.

### Regulator logos on practitioner websites

Since implementation of the National Scheme, some practitioners have sought permission to reproduce AHPRA's logo or their profession's National Board logo on their business website.

AHPRA and the National Boards have a strict logo use policy and rarely grant permission for their logos to be used by third parties.

The roles of AHPRA and the National Boards in the National Scheme make it inappropriate for either party to endorse, or be perceived to be endorsing, individuals and organisations; their products or services.

Practitioners who have reproduced the AHPRA or a National Board logo on their business website should remove it and consider publishing a text link to [www.ahpra.gov.au](http://www.ahpra.gov.au), advising that their registration to practise can be confirmed by checking the national register of practitioners.

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## Keep in touch with the Board

- Visit our website at [www.chiropracticboard.gov.au](http://www.chiropracticboard.gov.au) for news about the profession and for registration standards, codes, guidelines, policies and fact sheets.
- Lodge an enquiry form via the website by following the [Enquiries](#) link on the bottom of every page.
- For registration enquiries call 1300 419 495 (from within Australia).
- Address mail correspondence to: Dr Phillip Donato, Chair, Chiropractic Board of Australia, GPO Box 9958, Melbourne VIC 3001.