



## Communiqué

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The February 2015 meeting of the Chiropractic Board of Australia (the Board) was held on 20 February 2015 at the Australian Health Practitioner Regulation Agency (AHPRA) National Office in Melbourne. This communiqué highlights the important issues from this meeting.

At each meeting, the Board considers a wide range of issues, many of which are routine and are not included in this communiqué.

The 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.

### **Australia Day Honours for Board Chair**

The Board congratulated Chiropractic Board of Australia Chair, Dr Wayne Minter, for being recognised with a Member (AM) of the Order of Australia in this year's Australia Day Honours.

Dr Minter's award recognised his significant service to chiropractic health through educational programs, clinical practice standards and patient management.

Dr Minter has been in private practice since 1981 and was appointed Board Chair in 2014. His ongoing commitment to post-professional education has helped the Board support the profession's transition to meeting the registration requirements of the National Registration and Accreditation Scheme (the National Scheme), particularly in relation to continuing professional development.

Dr Minter has served both the profession and academic institutions in many other capacities including being a member of the New South Wales Chiropractors' Registration Board, member of the Chiropractic Council of NSW, adjunct professor at Murdoch University's School of Chiropractic and Sports Science, and chiropractic adviser to the Australian Government Department of Veterans' Affairs.

### **AHPRA and National Boards strengthen drug screening**

AHPRA and National Boards will introduce hair testing for all practitioners with substance-related impairment.

Mandatory hair testing will be routine for all registered health practitioners with substance-related impairment, under a screening protocol to be introduced by AHPRA) and the National Boards.

Under the protocol, all health practitioners who have restrictions on their registration linked to past substance abuse will have routine hair testing in addition to urine testing.

Routine hair testing helps provide comprehensive information about the use – over time – of a wide range of drugs (not just based on the practitioner's drug taking history).

National Boards will continue to make decisions about individual practitioners with impairment case by case, based on testing standards set out in the protocol. This includes:

- nationally consistent threshold limits, so all pathology providers conducting the tests use consistent testing baselines (e.g. will report all positive alcohol readings over 30pg/mg in hair)

- agreed 'critical events' – in addition to positive test results - requiring action and follow up (e.g. unexplained delayed screening tests or results, failure to attend screening, diluted or unsuitable samples etc.)
- agreed triggers for National Boards to consider disciplinary action (e.g. positive test results, non-compliance with screening requirements etc.).

The drug screening protocol is part of a wider, national strategy to effectively manage compliance and monitoring across the National Scheme. The strategy has been progressively implemented from July 2014.

More information is available on the [Board's website](#).

### Standards compliance audit

All health practitioners registered under the Health Practitioner Regulation National Law, as in force in each state and territory (the National Law), are required to comply with a range of registration standards. These standards were developed after wide-ranging consultation and have been approved by the Australian Health Workforce Ministerial Council.

There are three standards that practitioners must comply with that are relevant to this audit; professional indemnity insurance, recency of practice and continuing professional development. Last year the National Board participated in its second audit of registration standard compliance. In the coming months AHPRA will again be randomly selecting some chiropractors to undertake an audit of their compliance with the National Board's registration standards.

An information pack was sent to those selected for the audit. Additional information is available under *Registration* on the AHPRA website at [www.ahpra.gov.au](http://www.ahpra.gov.au).

### International criminal history checks

AHPRA and the National Boards have now aligned their international criminal history checks with domestic history checks and aims to be fair and reasonable for practitioners. It also provides the Australian community with greater assurance by implementing additional safeguards to manage risks to the public from someone's international criminal history.

#### How does it work?

The new approach requires [certain applicants and practitioners](#) to apply for an international criminal history check from an AHPRA approved supplier. The supplier will provide the international criminal history check report to the applicant and directly to AHPRA.

Balancing the feedback received during extensive [consultations](#) with the requirements and objectives of the National Law, AHPRA and the National Boards will pilot this approach and evaluate its effectiveness after 12 months, ensuring that it will:

- not impact on registration fees for applicants not requiring an international criminal history check, and
- require evidence from applicants who need an international criminal history check that they have applied for the check when they submit their registration application.

Applicants for registration and registered practitioners will not be granted final registration until the international criminal history report has been considered. The exceptions to the adapted procedure are:

- applications made under the Trans-Tasman Mutual Recognition arrangements, where the National Law is not applicable, and
- applications where a 'workforce imperative' (e.g. would result in an essential health service not being provided) is identified.

These applications will follow an alternate process, in which the international criminal history report will be considered, after registration has been granted. This is anticipated to be a relatively small, low-risk group of practitioners and this solution will address any specific work-force issues.

More information is available in a [media release](#) and in the *Registration* section on the AHPRA website.

## Notifications

Notifications (concerns or complaints) can be made about a health practitioner's [health, conduct or performance](#). Anyone can raise a notification by contacting AHPRA, unless the concern or complaint is about an incident in [New South Wales or Queensland](#). In NSW the notifications process is managed by the Health Care Complaints Commission (HCCC) and in Queensland, complaints are received by the Office of the Health Ombudsman (OHO).

The powers of the National Boards and AHPRA are set down in the National Law<sup>1</sup>. Responding to notifications about the health, conduct or performance of health practitioners is one of the most important parts of our role in the National Scheme.

Keeping the public safe is the goal that guides the way we deal with each notification we receive. When we look at notifications, we consider whether the practitioner has failed to meet the standards set by the Board; and consider what needs to happen to make sure that the practitioner is aware of what has gone wrong and learns from this, so the same problem doesn't happen again. The Boards also consider if they need to limit the practitioner's registration in some way to keep the public safe.

There is a consistent process for managing notifications, but there is no uniform response as every notification is different. The fact that a notification has been made does not automatically affect a practitioner's ability to practise unless the notification indicates there is [a serious risk to public safety](#).

Further information on notification outcomes and hearing decisions is available on the [AHPRA website](#).

## 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 information or help with questions about your registration please send an [online enquiry form](#) or contact AHPRA on 1300 419 495.

## Dr Wayne Minter AM

Chiropractor

Chair

Chiropractic Board of Australia

20 February 2015

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