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Message from the Chair

Welcome to the March 2017 issue of the newsletter of the Chiropractic Board of Australia (the National Board).

In this issue, we highlight some essential matters for chiropractors, including Board activities around the theme of professionalism, reminding practitioners of their continuing professional development (CPD) obligations, an update in relation to advertising matters and a reminder about the importance of ensuring that declarations made by chiropractors when renewing registration are not misleading or incorrect.

I also want to draw your attention to an extract of findings from a NSW Professional Standards Committee Inquiry (Medical) regarding a false declaration about CPD made when registering. In this case, the committee found the actions amounted to a conduct/disciplinary issue. The practitioner was found to be guilty of unsatisfactory professional conduct under the National Law¹ and was reprimanded.

Included in the reasons for its decision, the committee determined:

Even though Dr X did not act wilfully for the purpose of his own gain, he did deliberately, knowingly and repeatedly provided false information to the Board. The doctor's conduct contravenes the Board's Code of Professional Conduct in that it demonstrates a lack of honesty. The Committee considers that the doctor's conduct is not in accordance with what reasonable professional people would do or expect in the circumstances. It demonstrates a lack of probity, honesty and proactive compliance and acquiescence which are rightly expected of a practitioner in his or her dealings with the registration authority.

We strongly encourage all registered chiropractors to

take care in ensuring that all information provided to the Board is accurate.

As always, I encourage you to continue to keep in touch with the Board's work through regularly accessing our website and your feedback is welcomed.

Dr Wayne Minter AM

Chiropractor
Chair, Chiropractic Board of Australia

NSW chiropractor fined and convicted

The Board has repeatedly advised practitioners about their obligations in relation to advertising chiropractic health services under the National Law. On 15 February 2017 Dr Hance Limboro, a New South Wales chiropractor, was convicted at the Downing Centre local court in Sydney after pleading guilty to 13 charges of breaching the advertising provisions of the National Law.

Dr Limboro was fined \$29,500 by the court and was ordered to pay \$3,000 of legal costs. The Board reiterates that practitioners must not advertise chiropractic health services in such a way that they contravene the provisions of the National Law as it is not in the public interest. Practitioners who choose not to heed the warnings and advice from the Board and AHPRA may also find themselves the subject of prosecution and/or disciplinary action.

Begin planning your CPD now

Now that it is early in the registration year, it is a good idea to begin planning your CPD. Not only does this avoid the end-of-year rush, it also helps you get the most from your continued professional development (CPD).

Research shows that the effectiveness of CPD is enhanced when motivated practitioners undertake relevant activities that can be incorporated into their clinical practice. Reflecting upon your learning needs, developing a plan of activities that need to be done and engaging in further reflection on those activities once they are completed are key elements of any CPD plan to help you achieve maximum benefit from your CPD.

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

You must complete at least 25 hours of appropriate CPD, at least half of which must be formal learning activities. These activities must be consistent with the ethical and professional standards published by the Board, must reflect the competencies that chiropractors are required to develop and maintain, must be evidence-based and they must seek to improve patient safety and health outcomes.

Formal learning activities need to be assessed either by each person doing the activity or by a recognised body. More guidance on formal learning activities can be found in the CPD guidelines published by the Board. We recommend that you review these guidelines carefully when carrying out individual formal learning assessments, and that the assessment and supporting materials are retained in a portfolio.

If you choose to do your own assessment of an activity in the expectation that it conforms with the Formal Learning Activity criteria detailed in the registration standard and guidelines, you must complete a thorough review of the activity. This entails applying the assessment tool attached as Appendix 3 to the [CPD guidelines](#). Although this can be time-consuming, the hours taken to complete this assessment cannot be claimed as CPD.

Remember that when doing formal learning assessments the number of hours relevant to the requirements of a formal learning activity as identified by the assessment are the hours that should be claimed as formal learning activities – not the total number of hours spent on that particular learning activity and the assessment of that activity.

Changing and maintaining practice

The Board's recency of practice registration standard requires you to maintain recency in your area of practice. To do so you must have completed either 150 hours in the previous year or 450 hours over the previous three years with no absence from practice of greater than two years.

This requirement is fairly straightforward for most practitioners who are engaging in clinical practice. However, it can become challenging if you are working in non-clinical practice, i.e. your practice of the profession does not involve a direct relationship to delivery of clinical services to patients.

The standard states that a practitioner who meets the recency requirements in clinical practice is recent for all forms of practice however, this is not true for non-clinical practice.. You have an ethical and professional responsibility as set out in the *Code of conduct for chiropractors* to ensure that you are competent in any activities you carry out in the practice of your profession. Therefore, if you have not had sufficient clinical practice hours you should not be attempting or continuing to engage in clinical practice.

If the above situation applies to you, you are required under the standard and the *Code of conduct* to make a submission to the Board to identify and determine what pathways are appropriate for you to return to clinical practice while ensuring the health and safety of the public is adequately protected. As circumstances will be different from case to case, each matter must be considered on its own merits.

Practitioners who are absent from clinical practice for between two and five years due to insufficient hours of clinical practice will usually be required to complete a period of supervised practice, the length and nature of which is determined on their individual circumstances.

Practitioners who are absent from clinical practice for five or more years will usually be required to undergo some form of examination or assessment to ensure that their knowledge and skills are adequate and up-to-date.

Making declarations

The message from the Chair in the November 2016 newsletter reminded practitioners that making misleading or false declarations upon renewal are a very serious matter and may result in disciplinary action and/or affect practitioners' ability to be registered. This reminder is timely as AHPRA will shortly begin, on behalf of the Board, its annual audit of compliance with particular registration standards.

Mandatory registration standards are subject to audit as they ensure the protection of the public. These standards include:

- continuing professional development
- recency of practice
- criminal history, and
- professional indemnity insurance arrangements.

You must strictly comply with these standards and honestly declare if you are not compliant. The Board is concerned when practitioners do not comply with these basic and essential requirements and particularly so when they falsely declare as well.

Professionalism

Last year the Board and the Council on Chiropractic Education Australasia Ltd (CCEA) jointly hosted a forum on the topic of professionalism. Professionalism incorporates a number of key attributes including: adherence to ethical principles; effective interactions with patients and their families and friends; effective interactions with others in the health system; reliability; and ongoing development of oneself, others and broader organisations.¹

Professor Charlotte Rees was the keynote speaker for the day. Professor Rees is Director of Curriculum (Medicine) and Director of Health Professions Education and Education Research in the Faculty of Medicine, Nursing and Health Sciences at Monash University. For over 10 years she has developed a program of research about patient-centred professionalism in health education. Her presentation (informed by her research in the between and medicine, nursing, physiotherapy, pharmacy and dentistry professions) focused on how professionalism is taught and learnt in the context of formal, informal, and hidden curricula² and the conflicts between these.

1 A hidden curriculum refers to the unwritten, unofficial, and often unintended lessons, values, and perspectives that students learn in an educational institution/system

2 Reference: Wilkinson, T. J., Wade, W. B., & Knock, L. D. (2009). A blueprint to assess professionalism: results of a systematic review. *Academic Medicine*, 84(5), 551-558.

The second presentation of the day was delivered by Board member Dr Anna Ryan. Dr Ryan presented on professionalism in a regulatory context and highlighted the role of the Chiropractic Board of Australia in education, assessment and remediation of professionalism. To support chiropractor knowledge of professionalism and its importance to patient care, this presentation is now available as a [vodcast on the Board's website](#).

An informative presentation on outcome-focused standards (and the implication of this approach for development of new accreditation standards in chiropractic) was delivered by Ms Theanne Walters from the Australian Medical Council, and Ms Kylie Woolcock and Dr Stefan Pallister from CCEA.

The afternoon session was largely made up of group work focused on education, assessment and remediation of professionalism issues along the continuum of education, from undergraduate education through to professional practice. The involvement and expertise of our diverse group of stakeholders, representing universities, associations and regulatory authorities in Australia and New Zealand, was called on to explore current practices and challenges in these areas, and to start generating ideas about future possibilities.

The ensuing discussion raised many important points about professionalism for our students. University representatives highlighted innovative curricular strategies already being used to educate chiropractic students about professionalism issues. The hidden curriculum was seen as a great challenge, and focus on cross-professional work and building the evidence base around professionalism was seen as an important focus for future work.

Professionalism in a clinical practice setting also raised important points. The challenges of the changing ethical landscape were acknowledged in terms of technological advances (such as social media) and the potential isolation of clinical practice. The concept of evidence-based and proactive regulation was of great interest and the interface between these ideas and continuing professional development was also discussed at length.

The Board thanks all attendees for their valuable contribution to the day and looks forward to further engagement on this important topic, which is fundamental to safe and effective clinical practice.

Chiropractic regulation at work: Protecting the public in 2015/16

A profession-specific annual report summary that looks into the work of the Board over the 12 months to 30 June 2016 has now been published.

The report draws on data from [the 2015/16 annual report](#) by AHPRA and the National Boards.

Information includes the number of applications for registration, outcomes of criminal history checks and segmentation of the registrant base by gender, age and principal place of practice.

Notifications information includes the number of complaints or concerns received, matters open and closed during the year, types of complaint, statutory offence complaints (such as advertising breaches) and matters involving immediate action.

For more information and insights, see the [media release](#) on the Board's website.

Individual annual report summaries for each state and territory, offering insights into how the National Scheme is operating in each jurisdiction, have also been published.

To download these summary reports, or to view the main 2015/16 annual report, [visit our annual report microsite](#).

National Scheme news

AHPRA online portal for complaints or concerns launches

AHPRA has launched a new online portal to the public offering a clearer and simpler process when making a complaint or raising a concern about registered health practitioners and students.

The portal is an additional channel available through the [AHPRA website](#). Alternatively, individuals can still call 1300 419 495 to make a complaint or raise a concern, while a PDF form also remains available for complainants.

The same standard applies to information and evidence regardless of whether the concern is raised online or by email, phone or form. The portal includes the requirement for a complainant to declare that the information provided in a complaint or concern is true and correct to the best of their knowledge.

The online portal guides users to provide information that more readily enables proper assessment of their concerns. Automated correspondence is issued to all users of the portal, including a copy of their complaint or concern and advice that they will be contacted by a member of the AHPRA team within four days.

The portal is supported by website content about the way AHPRA manages complaints or concerns about health practitioners and students. Consultations revealed the term 'notification' is not commonly understood by the broader community. In response the term 'complaint or concern' replaces the term 'notification' in the portal and the website content.

Further enhancements will be made to the portal based on user feedback.

Health workforce dataset released

AHPRA in conjunction with the National Boards is responsible for the national registration process for 14 health professions. A subset of data from this annual registration process, together with data from a workforce survey that is voluntarily completed at the time of registration, forms the National Health Workforce Dataset (NHWDS).

The NHWDS includes demographic and professional practice information for registered health professionals and is de-identified before it can be made publically available.

The NHWDS Allied Health 2015 data has recently been released as a series of fact sheets on each allied health profession, including chiropractic, and on Aboriginal and Torres Strait Islander practitioners across all allied health professions – see the [NHWDS Allied Health Fact Sheets 2015](#). They were published on a new-look website – the [Health Workforce Data website](#) – by the Commonwealth Department of Health.

The fact sheets present information specific to each profession, such as information relating to scope of practice, specialties and endorsements where applicable.

Aggregate data are also accessible via the [Health Workforce Online Data Tool](#).

The data included are generated through Workforce Surveys, which are provided by AHPRA on behalf of the Department of Health to all health professionals as part of their yearly re-registration. Each survey is slightly different and is tailored to obtain data specific to that profession.

You can find the fact sheet on chiropractic on the website under [Publications](#).

Keep in touch with the Board

- [Visit our website](#) for news about the profession and for registration standards, codes, guidelines, policies and fact sheets.
- Lodge an [online enquiry form](#).
- For registration enquiries call 1300 419 495 (from within Australia).
- Address mail correspondence to: Dr Wayne Minter, Chair, Chiropractic Board of Australia, GPO Box 9958, Melbourne VIC 3001.

