



Communiqué

June 2017 meeting of the Chiropractic Board of Australia

The Chiropractic Board of Australia (the Board) is established under the Health Practitioner Regulation National Law, as in force in each state and territory (the National Law).

The Board meets each month to consider and decide on any matters related to its regulatory function in the National Registration and Accreditation Scheme (the National Scheme).

This communiqué aims to inform stakeholders of the work of the Board. Please forward it on to colleagues and employees who may be interested in its content.

The June 2017 meeting was held face to face in the Australian Health Practitioner Regulation Agency (AHPRA) National Office, Melbourne.

AHPRA and Board hold 'commercially predatory exploitative' chiropractor to account

The Board has successfully brought disciplinary proceedings against a suspended South Australian chiropractor, Mr Robert Marin, with the South Australian Health Practitioners Tribunal (the tribunal) finding his behaviour was 'commercially predatory' and 'exploitative'.

The Board and AHPRA investigated seven notifications about Mr Marin's clinical practice concerning five chiropractic patients and two massage clients and a further seven notifications about his provision of a weight loss program. The investigation also examined Mr Marin's use of CCTV in his clinic and routine screening x-rays for 14 children under the age of 12.

In its complaint to the tribunal, the Board alleged that Mr Marin:

- failed to carry out adequate clinical assessments
- indiscriminately used plain film x-ray, including for the children, and without clinical justification
- used x-rays and heart rate variability tests for weight loss patients as a platform to exaggerate the severity of a patient's condition and promote the need for long term treatment
- exerted pressure to enter into treatment or the weight loss program with a substantial pre-payment arrangement for his financial benefit
- provided a service, and products in the case of weight loss patients, which lacked professionalism and individual care and attention, and
- permitted the CCTV camera in the x-ray room to operate when patients were undressing for x-rays, with the footage then being stored.

The tribunal found Mr Marin's conduct was substantially below the standard expected of a registered chiropractor and that he is not a fit and proper person to hold registration. It noted that he had been previously disciplined in 2008 and yet repeated similar conduct and breached undertakings he had given to the Board and upheld a decision by the Board to take immediate action to suspend Mr Marin registration in June 2015.

Read the full media release on the *News* section of the Boards website at: www.chiropracticboard.gov.au.

New advertising information available for practitioners

The Board noted that new advertising information is now available on the AHPRA website to help chiropractors **check** and **correct** their advertising so they **comply** with legal requirements.

It includes:

- examples of non-compliant advertising by registered health practitioners and changes that would help it to comply with the National Law¹.
- information about AHPRA's process for managing advertising complaints, and
- a summary of advertising guidelines.

Chiropractors are responsible for their advertising and must be able to substantiate any claims made that their treatments benefit patients. If in doubt about a claim, chiropractors should leave it out of their advertising.

More about advertising requirements is in the *Advertising resources* section of the AHPRA website at www.ahpra.gov.au.

Follow AHPRA on social media

Connect with AHPRA on [Facebook](#), [Twitter](#) or [LinkedIn](#) to receive information about important topics for your profession and participate in the discussion.



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 or 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

June 2017

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