

Newsletter

Telephone : 07 3225 2516
Facsimile : 07 3225 2527
Email : chiropractic@healthregboards.qld.gov.au

Chiropractors Board of Queensland

August 2003

Volume 1

The Board

The Board is established under the provisions of the *Chiropractors Registration Act 2001*. The current Term of Office for Board members expires on 11 April 2006. Board members are appointed by the Minister for Health for a period of four years.

The Board consists of six General Registrant Members, one Consumer Representative, one Public Member and one Lawyer. The current Members are:

John Worrall, Chiropractor - Chairperson;
Daryl Ansell, Chiropractor - Deputy Chairperson;
Steven Griffith, Chiropractor;
Dawn Grassick, Consumer Representative;
Amanda Karpeles. Legal Representative;
Mark McEwan, Chiropractor;
Joanne Maire, Chiropractor;
Bruce Rock, Chiropractor; and
Sherri Scott, Consumer Representative.

The Board meets on the second Monday of each month commencing at 6.30pm. Monthly Board meetings take between 3 and 4 ½ hours.

Objects of the Board

The Board has three main objects which are:

1. To protect the public by ensuring health care is delivered by registrants in a professional, safe and competent way;
2. To uphold the standards of practice within the profession; and
3. To maintain public confidence in the profession.

The Board takes these responsibilities seriously and has recently signed off on its *Strategic Plan 2003—2007*, which sets out its direction in relation to these Objects.

Inside this issue:

The Board	1
Objects of the Board	1
Contact Details for the Board	1
New Legislation	1
Advertising	2
Annual Renewal of Registration	2
Practising Unregistered	2
Change of Registered Details	2
Business Names	2
Complaints	3
Disciplinary Action	4
Interstate Registration Boards	4

New Legislation

The *Chiropractors Registration Act 2001* and the *Chiropractors Registration Regulation 2002* commenced operation on 1 May 2002. As you are aware, this formally separated the former combined Chiropractors and Osteopaths Board of Queensland into separate entities. Not only did the new legislation establish the Chiropractors Registration Board of Queensland as a separate legal entity, it also presented the Board with a far wider range of powers and responsibilities.

Copies of the *Chiropractors Registration Act 2001* and *Chiropractors Registration Regulation 2002* can be accessed and downloaded from www.legislation.qld.gov.au.

Advertising

One of the major changes within the new legislation is the relaxing of the advertising provisions in line with National Competition Policy. This relaxation has allowed practitioners to advertise more freely.

Registrants are advised that restrictions still apply with respect to false, misleading and deceptive advertising as well as the use of testimonials.

The Board suggests that familiarising yourself with the legislation will be beneficial.

Registrants are also advised that they can no longer advertise as a chiropractor and osteopath unless they are also currently registered with the Osteopaths Board of Queensland.

The Board would also like to stress that neither itself, nor staff, are in a position to provide a legal opinion regarding legislative requirements, (eg Is my proposed advertising acceptable? etc). If you require such advice, you should seek independent legal advice.

Annual Renewal of Registration

Registration is renewable each year between May and June. Renewal is no longer an automatic process. Each year Registrants must apply for renewal as well as pay the Annual Registration Fee. The application and payment is requested prior to 14 June each year. If a Registrant fails to apply prior to 30 June each year their name will be removed from the Register. If their name is removed from the Register, they will need to restore if they wish to continue to practise chiropractic in Queensland.

Practising Unregistered

The Board now has far greater powers in relation to persons holding themselves out to be chiropractors whilst unregistered. Penalties in relation to this offence will now carry fines of up to 1,000 penalty units, which equates to \$75,000.00. This could also be applied to persons who fail to apply for renewal and continue to practise after their name has been removed from the Register.

Chiropractors are advised that Professional Indemnity Insurance may also be invalid if they are not currently registered in Queensland.

Clients will also be unable to claim Health Fund Benefits.

Penalties for practising unregistered now carry fines of up to 1000 penalty units, which equates to

\$75,000.00

Change of Registered Details

Don't forget to let the Board know if you are moving address.

The Board would like to advise that changes of details on the Register, such as address or name, must be made in writing. This can be by mail, fax or email. However, if you are requesting that your name be changed on the Register, it will be necessary for you to provide the Board with a **certified** copy of your Marriage Certificate or Deed Poll Document. You will also need to advise the Board whether the address you have provided for inclusion on the Register is your residential address and whether you wish this address to be included on the Public Register.

This information is required to satisfy the provisions of Section 194(2) of *Chiropractors Registration Act 2001*.

Business Names

Section 126 of the *Chiropractors Registration Act 2001* states the following in relation to business names:

- (1) A registrant must, before carrying on a business providing professional services under a business name other than the registrant's own name, give the board notice of the business name.
Maximum penalty - 10 penalty units.
- (2) Subsection (1) applies whether or not the business name is registered under the *Business Names Act 1962*.

To comply with this provision, you are required to provide the Board with a letter stating the following:

1. Your full name;
2. The name of your practice;
3. The address of your practice; and
4. The name of any registrant partners.

The Board will keep these details on file.

Complaints

Today we live in an increasingly litigious society. The public are well aware of their rights with respect to health treatment and also how to complain if they do not receive the treatment they are either expecting, or paying for.

Any chiropractic client, or person on behalf of a chiropractic client, can lodge a complaint with the Board. Complaints must be lodged in writing and include the details of the complaint, times and dates etc. The legislation that governs the Board's complaint handling is the *Health Practitioners (Professional Standards) Act 1999*. A copy of this legislation can be accessed and downloaded from www.legislation.qld.gov.au.

The Board must, upon receipt of a complaint, liaise with representatives of the Health Rights Commission. During this liaison, a determination is made as to which is the best entity to investigate the complaint. If it is determined that the complaint should be investigated by the Health Rights Commission, an appropriate referral is made.

Disciplinary Action

The Board has several options open to it with respect to disciplinary action. Once a complaint is received and the Board has decided to investigate, an Office investigator is appointed. This investigator has no direct relationship with the Board, other than investigating complaints and providing reports.

Once the Board has received a finalised investigation report, it will make one of the following decisions:

1. take no further action;
2. take disciplinary action via correspondence
3. conduct a Board Hearing;
4. refer to a Professional Conduct Review Panel; or
5. refer to the Health Practitioners Tribunal.

There are five levels of disciplinary action open to the Board in relation to complaints.

The range of powers attached to levels 3 to 5 are as follows:

3. The Board has the power to advise, caution or reprimand as well as enter into voluntary undertakings with the relevant chiropractor.
4. The Professional Conduct Review Panel can do all of the above, as well as impose conditions on a chiropractor's registration.
5. The Health Practitioners Tribunal can do all of above, as well as suspend or de-register a chiropractor.

Registration Authorities

Chiropractors and Osteopaths Board of the ACT
(02) 6205 1599

Chiropractors Board of New South Wales
(02) 9219 0206

Chiropractors and Osteopaths Board of the Northern Territory
(08) 8999 4157

Chiropractors Board of South Australia
(08) 8443 9669

Chiropractors and Osteopaths Board of Tasmania
(03) 6224 9666

Chiropractors Board of Victoria
(03) 9639 8652

Chiropractors Board of Western Australia
(08) 9481 0977

Chiropractors Board
of Queensland