



Members of the Board

| Registrant Members | Public Members |
|---|--|
| Dr Mark McEwan <i>Chairperson</i> | Ms Dawn Grassick |
| Dr Robert Bailey <i>Deputy Chairperson</i> | Ms Sherri Scott <i>Legal Representative</i> |
| Dr Daryl Ansell | Mr Timothy Hancock |
| Dr Ailsa Patterson | |
| Dr Patrick Shwaluk | |
| Dr Richard Singer | |

From the Chairperson

First, I would like to express the newly constituted Board's sincere thanks to outgoing members, Dr John Worrall (Chairperson), Dr Stephen Griffith, Dr Bruce Walker and Ms Amanda Karpeles for the time, effort and leadership afforded to the previous Board during its term of office.

Second, I would like to welcome new Board members, Mr Timothy Hancock, Drs Ailsa Patterson, Patrick Shwaluk and Richard Singer and welcome continuing Board members, Drs Robert Bailey and Daryl Ansell, Ms Dawn Grassick and Ms Sherri Scott. I believe the new Board has a great balance of experience and viewpoints which will benefit the profession.

In this newsletter I would like to concentrate on two areas that occupy a tremendous amount of Board time and are the focus of most of the complaints received - namely advertising and contracts of care.

I trust you will find this newsletter to be informative and a useful resource.

Dr Mark McEwan

Chairperson

Resource pack

Included with this newsletter is the Board's newly developed resource pack. This resource pack provides guidance on aspects of practice in Queensland and will be provided to all applicants on registration. It includes:

- practice guidelines for Queensland registered chiropractors (read below);
- statement on sexual relations between health practitioners and their patients;
- advertising guidelines;
- guidelines for public place marketing and spinal screenings; and

- an information brochure on the Board's Health Assessment and Monitoring Program.

Practice guidelines

During 2004-05 the Board undertook the mammoth task of formulating practice guidelines for the profession. The Board's draft document was released in 2005 for comment and generated a number of very constructive comments.

The Board made some minor amendments to the draft document and formally adopted its Practice Guidelines for Queensland Registered Chiropractors in April 2006.

The Board will consider these Guidelines when dealing with complaints and investigations, so it is advisable for all practitioners to have a working knowledge of the Board's expectations.

Recency of practice

Shortly, the Board expects to release its draft recency of practice policy for comment in a second round of consultation with the profession. The first stage began in February 2005 with the release of the Board's recency of practice discussion paper.

Many submissions were received, collated and submitted for Board consideration, forming the basis of the draft recency of practice policy.

The draft policy will be posted on the Board's website so it is available to the public and profession and a copy will be sent directly to those who submitted responses to the discussion paper.

All interested parties are encouraged to make a submission on the draft policy. Details of how and when to provide comments will be included and registrants are encouraged to periodically check the Board's website, www.chiroboard.qld.gov.au for release of the draft policy.

On conclusion of the second round of consultation, the Board will finalise and approve the draft before requesting the Queensland Health Legislative Projects Unit develop the policy into regulation.

Council on Chiropractic Education Australasia / overseas trained chiropractors

The Board is a full member of the Council on Chiropractic Education Australasia, which assesses the competency of chiropractors trained outside Australia and New Zealand.

Practice owners considering employing

chiropractors trained outside Australia and New Zealand should be aware that the competency of these chiropractors must be assessed before applying for registration.

Competency assessments, held at Macquarie University, Sydney and the Royal Melbourne Institute of Technology, are scheduled each year in:

- February (Sydney);
- May (Melbourne);
- July (Sydney); and
- November (Melbourne).

To learn more about assessments, visit the Council on Chiropractic Education Australasia's website www.ccea.com.au.

Implications of practising without registration

A chiropractor who fails to pay the renewal fee is, in accordance with legislation, "holding out" and/or "claiming" to be a chiropractor and is in breach of the *Chiropractors Registration Act 2001*. The title "chiropractor" is a restricted title under the Act and a person must be registered to use the title. The maximum penalty for using a restricted title is a \$75,000.00.

The Act provides for persons performing spinal manipulation without registration, stating:

- (1) A person who is not a registrant, medical practitioner, osteopath or physiotherapist must not, in the course of providing a health service, perform spinal manipulation on a person.

Maximum penalty 1000 penalty units (\$75,000.00).

- (2) This section does not prohibit spinal manipulation on a person by a student, under the immediate personal supervision of a registrant, medical practitioner, osteopath or physiotherapist, in the course of the student's training and instruction for a qualification as a chiropractor, medical practitioner, osteopath or physiotherapist.

- (3) In this section -

osteopath means a person registered under the *Osteopaths Registration Act 2001*.

physiotherapist means a person registered under the *Physiotherapists Registration Act 2001*.

spinal manipulation means the high velocity application of force to a person's body that affects a joint, or group of joints, of the person's spinal column.

Advertising

Registrants are reminded that all advertising of a professional service must comply with the advertising provisions of the *Chiropractors Registration Act 2001*. A copy of the Act is available at www.legislation.qld.gov.au.

Registrants unsure if advertising is compliant should seek independent legal advice. **The Board's staff is not in a position to provide such legal advice.**

The Board continues to receive numerous complaints in relation to advertising which is a drain on the Board's (your) resources.

The Board requests that registrants consider legal/ethical ramifications and the image of the profession presented in personal advertising before committing to advertising or marketing programmes.

The Board has formed a sub-committee to develop guidelines on advertising, which once adopted, will be provided to all registrants.

Contracts and frequency of care

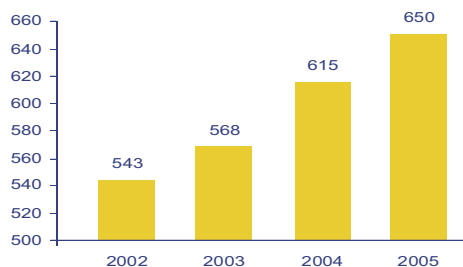
The most common complaint to the Board relates to frequency of care and usually an associated contract. All registrants should refer to the Board's Practice Guidelines, which are available on the Board's website, so any recommendation made to a patient is totally supportable.

If a recommendation is not supportable and a complaint is lodged in relation to practice style, the registrant is very likely to end up in court facing Board prosecution.

Registrants who have a contract with a patient who wishes to discontinue care should consider any response wisely or risk a complaint.

Growth in registrant numbers

As reported in the Board's *2004-2005 Annual Report*, the profession is slowly growing in Queensland. The following bar graph shows the increase in registrant numbers since the Board's inception in April 2002.



The net change in registrant numbers over the past year is due to significant numbers of additions to and deletions from the Register. During the year, 23 former registrants were restored to the Register and 71 new registrations were processed by the Board.

Of the 71 new registrations, 52 (approximately 73%) were processed under mutual recognition legislation. Of these 52 mutual recognition registrants, 50 lodged registration notices under the *Mutual Recognition (Queensland) Act 1992* as holding current registration as a chiropractor in another Australian State or Territory; while two persons lodged registration notices under the *Trans-Tasman Mutual Recognition (Queensland) Act 2003* as holding current registration as a chiropractor in New Zealand.

An analysis of the registration database at 30 June 2005 provided the following information:

Gender of Queensland chiropractors

71% were male; 29% were female.

Age groupings

| Age grouping | % of registrants |
|-------------------|------------------|
| Under 25 years | 1% |
| 25 - 34 years | 32% |
| 35 - 44 years | 23% |
| 45 - 54 years | 21% |
| 55 years and over | 23% |
| Total | 100% |

Geographical distribution

- 66% of registrants had addresses on the Register within south east Queensland (postcodes 4000 to 4571), being 22% in Brisbane and 44% elsewhere in south east Queensland.
- 21% of registrants had Queensland addresses outside south east Queensland.
- 13% of registrants had addresses outside Queensland.

The geographical statistics are based on an analysis of postcode addresses of registrants as shown on the Register. In some cases, the Register address differs from the practice address of a registrant. Registrants with addresses outside Queensland have chosen to retain Queensland registration even though, in most cases, they do not practise their profession in Queensland currently.

Mandatory notifications to the Board

Registrants are required by the *Chiropractors Registration Act 2001* to notify the Board:

- change of address (within 21 days);
- change of name (within 21 days);
- withdrawal or cancellation of the qualification relied upon for registration (within 21 days);
- a business name providing professional services if the business name is other than the registrant's own name (within 14 days);

- conviction of an indictable offence (within 30 days);
- being a party to proceedings in court claiming damages or compensation for alleged negligence in the practice of the profession and in which either a judgment has been delivered or there has been a settlement of the proceedings or part of the proceedings (within 30 days); and
- if registered under a corresponding law (interstate or overseas) and registration, licence or certification under that law is affected by disciplinary action or is otherwise cancelled, suspended or made subject to a condition or an undertaking (within 30 days).

Practising interstate or to New Zealand

Registrants planning to move and/or practise interstate or to New Zealand must contact the Board in the relevant jurisdiction for information on applying for registration via mutual recognition (if within Australia) or trans-Tasman mutual recognition (New Zealand). Contact details for interstate and New Zealand Registration Boards can be found on the Board's website, www.chiroboard.qld.gov.au.

OFFICE CONTACTS

Physical Address

The Office of Health Practitioner Registration Boards is open to the public between 9.00am and 4.00pm Monday to Friday (except Public Holidays) and is located at:

Level 19, Forestry House
160 Mary Street
BRISBANE QLD 4000.

The Office is also closed between 9.00am and 12.00pm on the last Thursday of each Month for staff training.

Electronic Access

Phone : 07 3225 2532
Fax : 07 3225 2527
Email : chiropractic@healthregboards.qld.gov.au
Website : www.chiroboard.qld.gov.au.

Other Board Services

Professional Standards Unit (complaints and investigations): 07 3234 0187

Health Assessment and Monitoring: 07 3234 0183

Correspondence

Executive Officer
Chiropractors Board of Queensland
GPO Box 2438
BRISBANE QLD 4001

