



Chiropractors Board of Queensland

February 2008

R E G I S T R A N T S U P D A T E

From the Chair

I hope that you have all returned to practice invigorated after a happy and restful holiday season. The Board had a busy 2007 with regular meetings, the annual Combined Registration Boards meeting, planning and disciplinary matters as well as COAG issues.

Included with this newsletter are details of Continuing Professional Development (CPD) that the Board is planning to present for registrants this year. Following our survey last year, which was very well supported, we have used the results to influence the planning of CPD that the Board will make available to registrants. A report on the results of the survey will be included with the next newsletter.

A matter that I would like to highlight is the possibility of *practising unregistered*. It is a legal requirement that the Board, via the Office of Health Practitioner Registration Boards (OHPRB), is notified of any change of address of a registrant within 21 days. **Failure to do so may result in a registrant not receiving their renewal notice which may result in the registrant becoming unregistered.**

Chiropractors who continue to practise while unregistered are not only in breach of the *Chiropractors Registration Act 2001* and subject to disciplinary proceedings, they are also potentially committing other offences. If a person is practising unregistered, and their patients are claiming health fund rebates, then fraud has been committed and the practitioner may be subject to civil proceedings.

Also, practising while unregistered invalidates malpractice insurance - if a patient you treated when unregistered was to make a claim against you, you would have no insurance and, potentially, could be bankrupted, losing everything.

So please ensure you notify the Board of any change of address and that you renew your registration in the renewal period.

I would like to take this opportunity to wish all registrants a successful and prosperous 2008.

Mark McEwan
Chairman

Draft recency of practice policy (at renewal)

The Chiropractors Board is now in the final stage of completing its recency of practice policy. The Board would like to thank all those who participated in the two rounds of consultation undertaken to develop this policy.

All 12 Boards administered by the OHPRB are expecting to refer their final policies to the government early in 2008 for conversion into regulations that bring recency of practice into operation. It is the Boards' expectation that these regulations will take effect for the renewal period in 2008.

The Board will not be able to release its final recency of practice policy until the government has been fully briefed on its contents. Until this time, the Board strongly advises registrants to ensure that they comply with the requirements as set out in the *Recency of Practice Draft Policy* of October 2006, (available on the Board's website: www.chiroboard.qld.gov.au), with particular emphasis on the 'recent practice' and continuing professional development requirements.

Chiropractic Anatomy Seminar

The Board will be conducting a chiropractic anatomy seminar for registrants on Saturday and Sunday, 8 and 9 March 2008 at the University of Queensland (UQ). The seminar will be planned to alternate two groups between lecture and practice rooms, covering structural and neurological anatomical topics, with wet lab facilities available. Orthopaedic surgeon Dr Paul Licina will be presenting.

It is proposed that this will be an annual event that will also be held at regional centres in the future.

Registration forms with contact details will be forwarded to registrants shortly and will also be available on the Board's website. As numbers will be limited to 50 in total, registrants are advised to book early.

Update on the proposed National Registration and Accreditation Scheme

Representatives from various health professional registration boards have continued to consult with the COAG Health Working Group on the proposed national registration and accreditation scheme.

The scheme which involves nine professions (chiropractors, dental care, medicine, nursing, optometry, osteopathy, pharmacy, physiotherapy and psychology) was expected to be established by 1 July 2008. However, protracted consultations, the fact that the InterGovernment Agreement between the States has not been signed and the federal election has significantly delayed the establishing of the scheme. It is now not expected to occur until at least July 2009, possibly later, with full implementation by 2012.

The Board will continue to inform registrants of the progress of this proposal.

Advertising

Registrants are reminded that advertising should comply with the following advertising provisions in the *Chiropractors Registration Act 2001*:

A person must not advertise a professional service, or a business providing professional services, in a way that –

- a. is false, misleading or deceptive or is likely to be misleading or deceptive; or
- b. offers a discount, gift or other inducement to attract a person to use the service or the business, unless the advertisement also states the terms of the offer; or
- c. refers to, uses or cites actual or purported endorsements or testimonials about the service or business, or a registrant; or
- d. is disparaging of –
 - i. a professional service provided by another person; or
 - ii. a business providing professional services, or
 - iii. a registrant.

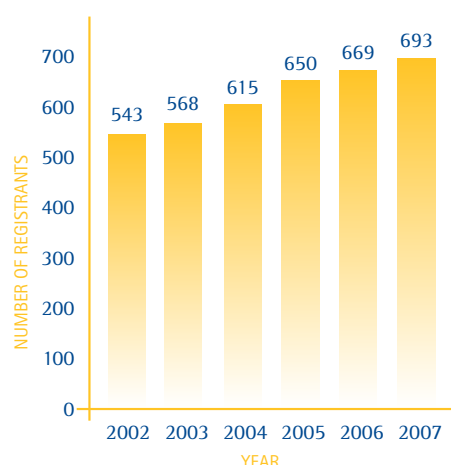
Registrants should seek their own legal advice if they are unsure whether their advertising complies with the legislation.

Registration statistics as at 30 June 2007

During the 2006-07 year, 73 new registrations were processed by the Board and another 21 former registrants were restored to the Register.

Of the 73 new registrants, 32 (approximately 44%) were processed under the *Mutual Recognition (Queensland) Act 1992* on the basis of holding current registration as a chiropractor in another Australian State or Territory. During the reporting year the Board received one notice under mutual recognition from a person holding current registration as a chiropractor in New Zealand.

The following bar chart illustrates the growth since 2003 in the number of registered chiropractors at 30 June each year.



An analysis of the registration database as at 30 June 2007 provides the following information.

- 71.6% of registrants were male
- 28.4% of registrants were female
- 67% of registrants gave their addresses on the Register as within south east Queensland (postcodes 4000 to 4399 and 4500 to 4581), comprising 21% within Brisbane and 46% elsewhere in south east Queensland
- 18% of registrants had Queensland addresses outside south east Queensland
- 15% of registrants had addresses outside Queensland.

Age grouping	% of registrants
Under 25 years	2%
25 – 34 years	29%
35 – 44 years	27%
45 – 54 years	19%
55 years and over	23%
Total	100%

Complaints received during 2006-2007

Nine complaints were received during 2006-2007 under the *Chiropractors Registration Act 2001*:

- Five complaints concerned possible breaches of the Act arising from advertising by unregistered persons. All matters were closed after the Board wrote to the person concerned advising them of the requirements of the Act and requesting that they desist from conduct in breach of the Act.
- Two complaints concerned possible unregistered practice. The Board appointed an inspector to conduct further investigations into the matter and the investigation was ongoing at the end of the reporting year.



- One complaint concerned an allegation that an unregistered person had performed spinal manipulations on patients. The Board appointed an inspector to conduct further investigations into the matter and the investigation was ongoing at the end of the reporting year.
- One complaint concerned unregistered practice arising from a previously registered chiropractor continuing to practice after failing to renew his registration. The matter was investigated and, following the chiropractor's re-registration, the Board decided to appoint a disciplinary committee to conduct a hearing in the next reporting year.

Thirteen new complaints were received under the *Professional Standards Act* in 2006-2007. The following table outlines the source and nature of the complaints and information received. The data in this table includes complaints as well as other information received, as a Board can determine to investigate a matter on the basis of information received which is not in the form of a complaint.

Source of complaint/ information	Number of complaints received 2005-06	Nature of complaints
Consumer or consumer's representative	1	1 x administration
Other entity	1	1 x communication– insensitive/rude
Referred by Health Rights Commission (HQCC)	1	1 x diagnosis– incorrect
Other information	10	9 x holding out/ misrepresentation 1 x inappropriate commercial activities
Total	13	

Prosecutions during 2006-2007

The Board prosecuted one case concerning a canine chiropractor using the title 'chiropractor' allegedly in breach of the restricted title provisions of the Registration Act. The Magistrate did not find the defendant had breached the legislation and the matter was dismissed. The Board has subsequently written to the Minister for Health expressing its concern and requesting that the Registration Act be amended in order that the title "chiropractor" be restricted to registrants only.

Health Quality and Complaints Commission Standards

The Health Quality and Complaints Commission (HQCC - formerly the Health Rights Commission) is an independent body dedicated to improving the quality and safety of health services in Queensland.

The HQCC has developed the following standards to assist health service providers understand their responsibilities to improve the quality of health services pursuant to section 20 of the *Health Quality and Complaints Commission Act 2006*:

Review of Hospital-related Deaths

Management of Acute Myocardial Infarction on and Following Discharge

Surgical Safety

Hand Hygiene

Credentialling and Scope of Clinical Practice

Complaints Management

Providers Duty to Improve the Quality of Health Services

Standards were selected after consideration of factors determining the health and well being of users of health services and the processes necessary to protect their health and well-being. The basis of consideration was: burden of disease; severity of impact on users; frequency of occurrence; major process/system failings in patient safeguards; and legislated mandate.

The HQCC has produced a manual about the standards which is available at www.hqcc.qld.gov.au. All registrants need to be aware of these standards and ensure compliance.

Code of Health Rights and Responsibilities consultation draft - have your say!

The HQCC has released a **consultation draft** of a *Code of Health Rights and Responsibilities*.

The consultation draft articulates the rights of health service users. It describes the responsibilities of health service users and health service providers when accessing and providing health services. The consultation draft *Code* aims to foster positive working partnerships between health service users and health service providers and strengthen the important role that health service users play in managing their health.

The HQCC is keen to hear your views on the consultation draft *Code*; in particular:

1. Do you support the need for a *Code of Health Rights and Responsibilities*?
2. How should the *Code* be used?
3. What should be included or deleted from this draft?
4. What do you think should be considered when implementing the *Code*?
5. Other comments.



Consultation closes on Friday 29 February 2008. Please visit the HQCC website www.hqcc.qld.gov.au. Alternatively, you may wish to provide your comments by:

Telephone: (07) 3120 5999
Queensland Toll Free 1800 077 308 (outside Brisbane area)
Fax: (07) 3120 5998
Email: standards@hqcc.qld.gov.au
Mail: Code Consultation, HQCC, Reply Paid, PO Box 3089, Brisbane, Q, 4001

Blue Card

Information regarding the need for a “Blue Card” is available from the Commission for Children and Young People and Child Guardian on:

Website: www.bluecard.qld.gov.au
Freecall: 1800 113 611 (Blue Card Contact Centre)
Email: bluecard@ccypcg.qld.gov.au

Mandatory Notifications to the Board

Registrants are required, by provisions in the *Chiropractors Registration Act 2001*, to notify the Board of the following occurrences:

- 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);
- conviction of an indictable offence (within 30 days);
- if you are a party to proceedings in court claiming damages or compensation for alleged negligence in the practice of the profession and in which either a judgement has been delivered or in respect of which there has been a settlement of the proceedings or part of the proceedings (within 30 days);

- if you are registered under a corresponding law (interstate or overseas) and your 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).

Office contacts

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

Level 8, Forestry House
160 Mary Street
BRISBANE QLD 4000

Executive Officer
Mr J O’Dempsey

Director (Board Support & Advisory Program)
Mr M Demy-Geroe

Principal Coordinator (Board Support & Advisory Program)
Ms Pauline Portier

Telephone: 61 7 3225 2516
Fax: 61 7 3225 2527
Email: chiropractic@healthregboards.qld.gov.au
Website: www.chiroboard.qld.gov.au

Correspondence should be addressed to:

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

