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# Chiropractors Board of Queensland

Newsletter No. 1 November 2002

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## Membership of the Board

His Excellency, the Governor, acting by and with the advice of the Executive Council and under the provisions of the *Chiropractors Registration Act 2001*, has appointed the following members to the Chiropractors Board of Queensland for a term of ending on 10 April 2006:

### Six Registrant Members

Dr John G Worrall	B App Sc (Chiro)	<b>[Chairperson]</b>
Dr Daryl R Ansell	B Sc, B App Sc (Chiro)	<b>[Deputy Chairperson]</b>
Dr Jo-Anne M Maire	DC, M Phil (Sc)	
Dr Bruce A Rock	M Chiro Sc	
Dr Steven Griffith	B App Sc (Chiro)	
Dr Mark TW McEwan	B App Sc (Chiro)	

### (b) Two Public Members

Dawn Grassick	Grad Dip Sc Commun, B Sc
Sherry Scott	

### (c) One Lawyer

Amanda Karpeles	BA, LLB
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## Chairperson's Address

With the introduction of the new *Chiropractors Registration Act 2001*, the Chiropractors and Osteopaths Board of Queensland formally separated into profession specific Registration Boards on 1 May 2002.

There has been some major changes within the legislation and I suggest that all chiropractors obtain a copy of the new legislation in order to familiarise themselves with the new provisions and responsibilities. A copy of the legislation can be downloaded from [www.legislation.qld.gov.au](http://www.legislation.qld.gov.au).

I would like to thank Dr Mark Pickford for his efforts as Chairperson of the Chiropractors and Osteopaths Board, during a time of great change. The legislative changes and the impending separation of the Board created many difficulties and uncertainties for the Board, which Dr Pickford had to cope with. During his term he was able to guide the Board with a clarity of focus.

The Board would also like to acknowledge Professor Ray Golding for a career advising and supporting the profession, which spans some thirty years. The contribution of Prof Golding dates from the Pre-registration period and predates many of our dates of graduation. His contributions will be missed.

As Chairperson, I am very pleased with the makeup of the current Board and the state is well served by an enthusiastic and experienced group of practitioners and dedicated and experienced lay members.

Dr John G Worrall, Chiropractor  
B App Sc (Chiro)  
**Chairperson**  
**Chiropractors and Osteopaths Board of Queensland**



## New Registration Dates

The *Chiropractors Registration Act 2001* commenced operation on 1 May 2002. Not only did the new legislation establish the Chiropractors Registration Board of Queensland, it has changed the registration period from a calendar year to a financial year.

Your current period of registration is extended until 31 January 2003, even though the Annual Practising Certificate you were issued at the beginning of 2002 states 31 December 2002.

To bring payments in line with the financial year timeframe, this payment is for a **six month period only**. The Annual Registration Certificate you receive with this Newsletter will state that you are registered until 30 June 2003.

In April 2003, you will receive a further application for renewal of registration, which will be for the 2003 – 2004 Financial Year.

***You must pay the Annual Registration Fee stated on the April 2003 application, prior to 14 June 2003, to remain registered.***

If your name is removed from the Register for non-payment of fees, you will be required to restore your name, which attracts additional costs. You will also be unable to practise as a chiropractor until your name is restored to the Register.

If you have any queries regarding the above, please contact the Office.



## New Legislation

The *Chiropractors Registration Act 2001* commenced operation on 1 May 2002. Not only did the new legislation establish the Chiropractors Registration Board of Queensland as separate legal entity, it also presented the Board with a far wider range of powers and responsibilities.

### ***1. Advertising***

One of the major changes within the new legislation is the relaxing of the advertising provisions in line with National Competition Policy, therefore allowing practitioners to advertise more freely (please be advised that restrictions do still apply and therefore familiarising with the legislation will be beneficial).

The Board would also like to advise that it's office staff is not in a position to provide you with a legal opinion regarding legislative requirements, (eg Is my proposed advertising acceptable? etc) and if you require such advice, you should contact your solicitor.

### **2. 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 pay their Annual Registration Fee and have their name removed from the Register.

### **3. Recency of Practice**

Not only has the registration period changed, legislation has also introduced recency of practice for renewal of registration.

You should note that the recency of practice provisions will not be implemented until they are prescribed in the *Chiropractors Registration Regulation 2002*. This is not expected before late 2003.



## **Council on Chiropractic Education Australasia Inc**

The former Chiropractors and Osteopaths Board of Queensland has, for several years, been instrumental in progressing the issue of the establishment of a National Council for the Chiropractic Profession.

On 27 February 2002 this was finally realised with the Incorporation of the Council on Chiropractic Education Australasia Inc (CCEA). The CCEA became operational on 25 August 2002 following its Inaugural Meeting in Hobart.

Dr Phillip Donato was elected as Chairperson, Professor Peter Drake Deputy Chairperson and Dr John Worrall Treasurer. Dr Paul Searle and Dr Tom Molyneux were also elected as part of the Executive Committee.

Dr Donato is Chairperson of the Chiropractors Board of South Australia, Professor Drake is current President of the Australasian Council on Chiropractic Education, Dr Searle is a long serving member of the Chiropractors and Osteopaths Board of Tasmania and Dr Molyneux is an instrumental part of the chiropractic program offered by the Royal Melbourne Institute of Technology University.

Composition of the Council makes provision for representatives from each of the registration authorities in Australia and New Zealand, the Chiropractor's Association of Australia (National), the New Zealand Chiropractors' Association, the educational institutions and expert lay persons. It is believed the membership contains a balance of professional, institutional, lay specialists and regulatory representatives each with expertise in matters pertaining to Council.

The CCEA will have a number of roles including the accreditation of chiropractic undergraduate programs and or the recommendation for accreditation of undergraduate programs in Australia and New Zealand; the assessment of overseas trained chiropractors wishing to migrate and practice chiropractic in Australia; and on-going competency standards.

The establishment of this Council brings Australian and New Zealand chiropractic interests in line with the other health professions, which have each had a National Council to undertake these roles.

Importantly the formation of the CCEA also relieves our institutions of the duplication of accreditation, formerly existing within the auspices of the JEC and ACCE.

The Chiropractors Board would like to thank all the stakeholders who have had input into the process of establishing the CCEA.

Further details and information can be accessed through Mrs Debby Ramsay, CCEA Executive Officer, at the following email [ccea\\_inc@bigpond.com.au](mailto:ccea_inc@bigpond.com.au).



### **Registration of Overseas Trained Chiropractors**

At the recently held Australasian Conference of Chiropractors Registration Boards the issue of registration of overseas trained chiropractors was raised.

The Registration Boards, for the protection of the public, are charged with the responsibility of ensuring that all practitioners applying for registration are competent to practise. All Boards in attendance supported, in principle, the need for Registration Boards to examine all overseas trained practitioners before granting registration.

The Queensland Board has now implemented this Policy and any overseas trained practitioner, whether applying for migration, work visa or sponsorship, must successfully complete a competency examination. The examinations in relation to migration and visa, at present, will be undertaken by the Royal Melbourne Institute of Technology University's Chiropractic Department, with examinations being held on a quarterly basis.

Examination for sponsorship will be undertaken by the Board and relevant documentation and processes are currently being developed.

The Board considers this to be a necessary step towards ensuring that all chiropractors who wish to practise in Queensland are competent to do so.

The Board does not see this as a step to hinder the entrance to Queensland of overseas trained practitioners, rather as an avenue of ensuring that the public are in safe and competent hands, so employers need to keep in mind when offering employment to overseas trained chiropractors, that an examination will be required and therefore it may take a little time before the chiropractor can be registered.



### **Rules of Practice**

Section 374 of the *Health Practitioners (Professional Standards) Act 1999* states that the Board may formulate a Rules of Practice to provide guidance to its registrants as to appropriate professional conduct or practice. The Board is in the process of formulating these Rules, which will need final approval from the Minister for Health before the Board will be able to provide a copy to all registrants.

The Board would urge all practitioners to read these Rules of Practice carefully when distributed, to keep them on hand in their practice and to adhere to them as they may be used by the Board's Disciplinary Committee, Solicitors, Professional Conduct Review Panel or Health Practitioners Tribunal in determining whether a practitioner has breached his/her professional conduct as a chiropractor in Queensland.

The Board does not expect to have these Rules of Practice finalised until late 2003.



### **Professional Indemnity Insurance**

Recently the Board has received the following queries regarding Professional Indemnity Insurance:

- Will Professional Indemnity Insurance cover a practitioner whilst attending a professional conference?
- Will Professional Indemnity Insurance cover a practitioner making an emergency house call?

- Why isn't the possession of Professional Indemnity Insurance a mandatory requirement of registration in Queensland?

Information provided to the Board indicates that the answer to the first two questions is "yes". A practitioner is insured for the *practise* of his/her profession and this would include attendance at professional conferences and house visits. Such insurance would not be restricted to the practitioner's actual, stipulated place(s) of practice. There should be no problem as long as the practitioner is making the house call as part of his/her ordinary practice.

Moreover, it is also possible to obtain specialised insurance to cover lecturing and/or demonstrating at a professional conference, however the issue of public liability should also be considered at a conference.

Practitioners are advised to check with their individual professional indemnity insurer to ascertain whether the above is correct.

The reason why the possession of such insurance is not mandatory in Queensland is because such a requirement would transfer the ultimate registration power to the insurance industry. Applicants for registration may find they cannot obtain professional indemnity insurance and therefore cannot be registered.

The Board would like to strongly recommend, even though the possession of Professional Indemnity Insurance is not mandatory, that all practitioners obtain and maintain Professional Indemnity Insurance, both for their own sake as well as clients.



## Change of Details on the Register

The Board would like to advise that changes of details on the Register, such as address or name, must be made in writing. This could be by mail, fax or email.

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 of Deed Poll Document.

If the address you have provided for inclusion on the Register is your residential address, it will not be disclosed upon inspection of the Register by a member of the public, unless you advise the Board that you do not wish your residential address to be confidential (Section 194 of *Chiropractors Registration Act 2001*).

This does not apply if the address you have provided to the Board for inclusion on the Register is not your residential address.



## 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*.



## Complaints

Unfortunately, today we live in an extremely 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.

The Board, over the past 12 months, has received an increasing number of complaints from patients who are dissatisfied with their chiropractic treatment. These complaints include:

- not receiving treatment on a first visit;
- treatment that is considered, in their opinion, to be unsatisfactory;
- misinterpretation of information provided.

The Board is also receiving an increasing number of complaints regarding “pre-payment schedules”. The substance of these complaints include:

- Patients stating they feel “compelled”, and sometimes “pressured”, to sign up for such programs;
- Patients stating that the information being provided to them in some cases is “scaring them” into signing up;
- Patients stating they are not receiving adequate “refunds” in relation to “unused” treatments;
- excessive recommendations for care

While the Board respects each chiropractor’s right to run their business in the fashion they see fit, the Board’s main role is the protection of the public.

The Board is of the opinion that the patient should electively decide to seek treatment.

Electively deciding to seek treatment does not include feeling “pressured” or “scared”.



### **Interstate Registration Board Contact Details**

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



### **Board Office Contact Details**

Executive Officer – Mr Jim O’Dempsey  
(07) 3225 2512

Assistant Registrar - Mrs Debby Ramsay  
(07) 3225 2509

Registrations Officer – Ms Katrina McGee  
(07) 3225 2516

Administrative Officer – Ms Stephanie Rowe  
(07) 3225 2517

Facsimilie (07) 3225 2527

Website - [www.chiroboard.qld.gov.au](http://www.chiroboard.qld.gov.au)

Email-  
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