

## Fact Sheet

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24 May 2013

### Being a registered chiropractor

Being a registered chiropractor entails a number of both professional and statutory obligations.

These obligations can arise from:

- the chiropractor's education and training
- the Health Practitioner Regulation National Law (National Law) as in force in each state and territory
- the registration standards developed by the Chiropractic Board of Australia (National Board) and approved by Ministers under the National Law, and
- the conduct and performance obligations that exist for chiropractors.

Guidance on the standards and conduct and performance for chiropractors are provided by the National Board in the codes, guidelines, fact sheets and FAQs published by the Board. The *Code of conduct for chiropractors* is a particularly important resource for practitioners in understanding their professional obligations.

#### Education and training

The National Board endorses the *Standards for first professional chiropractic programs* and *Competency based standards for entry level chiropractors* as maintained by the Council on Chiropractic Education Australasia (CCEA), which is the independent accreditation body for chiropractic. These accreditation standards reflect the undergraduate training of chiropractors in Australia and the standards against which overseas trained practitioners are assessed.

The purpose of chiropractors' professional education is to prepare them as a primary contact health care provider. As a portal of entry to the health delivery system, the chiropractor must be well educated to diagnose, to care for the human body in health and disease, and to consult with, or refer to, other health care providers when appropriate for the best interest of the patient.

The expected performance of a chiropractor as a primary contact health care practitioner includes being able to:

- receive patients directly without referral
- competently generate a differential diagnosis of the complaints presented by patients
- to acquire and critically appraise scientific and clinical knowledge
- understand and apply fundamental scientific/medical information in the management of individual patients within the context of their competency, and
- to consult with and/or refer to other health care providers as appropriate.

Registered chiropractors are obligated to practice within the context of the skills and competencies they received from their education and training; and to develop as professionals by undertaking further education and continuing professional development as required by the National Board's registration standards.

## National Law

The obligations of being a registered chiropractor are laid out in the National Law, and it is important that practitioners understand and fulfil those obligations.

Under s 113 of the National Law, practitioners who wish to use the title 'chiropractor' in any form and/or practice as a chiropractor must obtain registration and renew that registration with the National Board each year. All chiropractors must renew their registration before 30 November each year.

It is a practitioner's responsibility to ensure that their registration is current at all times. Failure to maintain current registration may result in prosecution under the National Law and a fine of up to \$30,000 for an individual or \$60,000 for a corporate entity.

Under s130 of the National law, practitioners are required to advise the National Board in writing within seven days if:

- they are charged with an offence that is punishable by 12 months imprisonment or more
- they are convicted of or the subject of a finding of guilt for an offence punishable by imprisonment
- they no longer have appropriate professional indemnity insurance in place
- their right to practise at any facility is withdrawn due to health, conduct or performance issues
- their billing privileges are withdrawn by Medicare
- a complaint is made about them to one of the listed entities, including Medicare and other state and commonwealth bodies having a function in relation to the provision of services by chiropractors, or
- their registration here or in another country is suspended, cancelled or made subject to restrictions.

Under s131 of the National Law, practitioners are required to advise the National Board in writing within 30 days if there is a change to their:

- principle place of practice
- address, and/or
- name.

The National Law also requires the National Board to develop and implement certain registration standards for the chiropractic profession. These standards set out certain requirements for the profession.

## Registration standards

The National Board has developed registration standards that have been approved by the Ministerial Council.

All chiropractors registered under the national registration scheme must comply with the registration standards relevant to them. These standards are reviewed approximately every three years.

A short summary of the standards is included below. The full standards can be accessed at [www.chiropracticboard.gov.au](http://www.chiropracticboard.gov.au).

## Continuing professional development (CPD)

### Chiropractic Board of Australia

After 1 July 2010, registered chiropractors have to complete continuing professional development (CPD) in accordance with the National Board's registration standard.

Under section 128 of the National Law, all registered chiropractors (except for those who hold non-practising or student registration) are required to undertake continuing professional development (CPD) to meet the requirements of the registration standard set by the Chiropractic Board of Australia. The Board has also issued guidelines on CPD.

Under the registration standard, all practising chiropractors must complete at least 25 hours of CPD per annual registration period. At least 50 per cent of these hours (12.5 hours) must be 'formal' learning activities. The balance may be 'informal' learning activities as specified in the standard and accompanying guideline.

All practitioners must hold a current senior first aid (Level 2) certificate or equivalent.

All registered chiropractors are required to make a declaration about their compliance with CPD requirements with their annual registration renewal. Practitioners must retain proof that they have complied with the CPD requirements for each period of renewal of registration.

AHPRA will conduct audits of practitioners on behalf of the Boards to ensure they have complied with the CPD and other registration standards. Audits of compliance with CPD requirements began in October 2012 and will continue every renewal period.

### **Recency of practice**

Requirements apply to registered chiropractors under the national scheme, to ensure they maintain recency of practice. All registered chiropractors should be familiar with the requirements of the Board's *Recency of practice registration standard* which is published on the website.

The registration standard applies to all applicants for initial registration or renewal of registration as a chiropractor, but does not apply to students.

The standard requires that all practising chiropractors undertake a minimum of 1,000 hours of practice in the preceding five years. Compliance with the standard must be declared when applying for initial registration or renewal of registration.

A chiropractor who does not satisfy the standard, or who has had lengthy absences from practice, will be required to demonstrate their current competency to the Board to maintain their registration as a chiropractor.

### **Professional indemnity insurance (PII)**

Under section 129 of the National Law, a registered chiropractor may not practise the profession unless they hold or are covered by professional indemnity insurance that meets the minimum terms and conditions of the Board, as set out in the Board's *Professional indemnity insurance registration standard* published on the website.

The registration standard applies to all applicants and all registered chiropractors, and includes the requirement that chiropractors with non-practising registration ensure they have adequate run-off cover. The standard does not apply to registered students who will normally be covered by the insurance policies of their educational institution.

All registered chiropractors will be required to declare their compliance with PII standard when applying for registration or annual renewal and must produce evidence of their PII policy when requested to do so by the Board. The Board will conduct periodic audits to determine compliance with the standard.

## Criminal history

The Chiropractic Board of Australia has the power to check an applicant's criminal history before deciding on an application for renewal of registration, or at any time during the registration period.

The Board's Criminal history registration standard sets out how the Board will assess information about a registered chiropractor or an applicant for registration, which has been obtained through a criminal history check. The standard is published on the National Board's website.

All chiropractors will be required, at annual renewal and at any time during the registration period (section 130) to advise the Board of any charges for offences punishable by 12 months imprisonment or more, and any convictions or findings of guilt for offences punishable by imprisonment.

The Board may obtain a criminal history check to confirm a statement made by a practitioner at annual renewal, or as part of an audit to check statements made.

## Advertising

A practitioner is ultimately responsible for any material deemed to be advertising that relates to them or their practice of the profession.

Some practitioners purchase advertising, website and marketing packages in good faith that do not comply with either the requirements of the *Chiropractic guidelines for the advertising of regulated health services* and/or the National Law. Nevertheless they are still responsible for this advertising.

Regardless of any offerings or advice by advertising providers, neither the Board nor AHPRA can approve or vet advertising material. It is the sole responsibility of the practitioners to ensure that their advertising is compliant.

The National Law expressly prohibits certain sorts of advertising, including: false or misleading advertising; offering gifts, discounts or inducements without disclosure of terms and conditions; using testimonials; creating an unreasonable expectation of beneficial treatment and encouraging the indiscriminate or unnecessary use of health services.

The Chiropractic guidelines for the advertising of regulated health services can be found at [www.chiropracticboard.gov.au/Codes-Guidelines.aspx](http://www.chiropracticboard.gov.au/Codes-Guidelines.aspx)

## Conduct and performance

The *Code of conduct for chiropractors* describes the generic professional values and qualities a health practitioner should demonstrate in the conduct of their profession. Most of these apply equally to all health practitioners.

Practitioners have a duty to make the care of patients their first concern and to practise safely and effectively. They must be ethical and trustworthy. Patients trust health practitioners because they believe that, in addition to being competent, health practitioners will not take advantage of them and will display qualities such as integrity, truthfulness, dependability and compassion. Patients also rely on health practitioners to protect their confidentiality.

Practitioners are required in their clinical activities to practice within an evidence based framework. An 'evidence based framework is the integration of the best available evidence with professional expertise to make decisions, in conjunction with a consideration of patient preference, values and circumstances.

As with advertising matters, practitioners bear the ultimate responsibility for any activities they undertake as part of performing their professional duties. Practitioners who attend conferences and seminars that contain presentations and advice from overseas presenters should be conscious that the standards of practice and professional performance requirements in Australia may differ from those overseas. Therefore practitioners

should carefully review and analyse the content and material from such presenters and interpret it in the context of the requirements of a registered chiropractor in Australia.

Practitioners generally will seek counsel from their undergraduate training, clinical experience, peer reviewed literature and the guidance offered by the Board in determining acceptable standards for their professional performance and professional conduct.

The *Code of conduct for chiropractors* can be found at [www.chiropracticboard.gov.au/Codes-Guidelines.aspx](http://www.chiropracticboard.gov.au/Codes-Guidelines.aspx)

## Definitions

### **Evidence based context**

Evidence based context is the integration of the best available evidence with professional expertise to make decisions, in conjunction with patient preference, values and circumstances.

### For more information

- Visit [www.chiropracticboard.gov.au](http://www.chiropracticboard.gov.au) for information about the requirements for becoming a registered chiropractor
- Visit [www.ahpra.gov.au](http://www.ahpra.gov.au) for additional information, or lodge an online enquiry form under the *Contact us* tab
- A searchable list of approved courses and qualifications is accessible from the *Education* tab on the AHPRA website. Please also refer to CCEA's website for more information about its accreditation functions and the assessment of overseas trained chiropractors. ([www.ccea.com.au](http://www.ccea.com.au))
- For registration enquiries: 1300 419 495 (within Australia) +61 3 8708 9001 (overseas callers)
- If people have concerns about the conduct, health or performance of a chiropractor they can make a notification by following the 'Make a notification' link from the Board's homepage. All notifications received will be assessed by the Board and be dealt with according to the disciplinary processes and provisions defined in the Health Practitioner Regulation National Law Act 2009 (National Law).
- For media enquiries: (03) 8708 9200