

Chiropractors Registration Boards of Australasia

Submission to the Senate Community Affairs Committee Inquiry
into the National Registration and Accreditation Scheme for
Doctors and Other Health Workers

Prepared by the Working Party of the Australasian Conference of Chiropractic Registration
Boards
for the Chiropractors Registration Boards of Australia
4th May 2009

Background.

Australasian Conference of Chiropractic Registration Boards (ACCRB) is a non corporate entity that represents the chiropractic registration boards in Australia and New Zealand.

The Chiropractors Registration Boards believe that any change to the current structure of the Boards must ensure that the quality of health services provided by the chiropractic profession in Australia is not jeopardized and that the cost of accessing professional health care to the consumer is not increased.

The Chiropractors Registration Boards have to date actively engaged in the current proposals for the National Registration and Accreditation system. We have participated and responded to all consultation papers. We believe that there are areas where the proposed system can be enhanced and that there are deficiencies that can be addressed; and that there is potential to simplify the whole process.

Overview.

The Chiropractors Registration Boards supports the establishment of profession specific national Boards which deal with high level policy issues regarding registration and accreditation and continues to support:

- National Registration,
- National Standards of Practice,
- National Accreditation,
- Nationalised or consistent disciplinary procedures for each Professional Group and,
- Some consistency of approach in disciplinary matters between Professions in each State or Territory.

Discussion.

While the underlying objectives adopted by COAG in 2006 have real merit, the Chiropractors and Osteopaths Registration Boards believe that the scheme which is presently being developed is not in the best interests of either the professions or the public because:

- the scope for economies of scale appear to be limited by the structures contained in the Scheme (compared to current Board administrative structure);
- It is likely that the costs and needs of the larger professions will impact negatively on the efficient operations of existing smaller state Boards;
- the complex proposals being put forward are apparently uncosted and provide no detail of the probable financial impact;
- it is likely that the level of commitment of practitioners to contribute their time and expertise on a pro bono basis is likely to decrease as the bureaucracy takes over. Currently most board, and board committee members give generously of their time and receive minimal or no recompense for it.

Concerns.

The Chiropractors Registration Boards details the following specific concerns with the current proposed scheme.

1. The budget is to be nominally set by the National Board but will be in effect be determined by the costs assigned to the particular profession by the Australian Health Professions Registration Authority (AHPRA). The number and location of committees to be established to undertake delegated functions from the national boards will depend on budget constraints.
2. As the regulator of a profession with a small presence in the ACT, Northern Territory and Tasmania The Chiropractors Registration Boards have concerns about the future representation of these professions and the potential threat to public safety as a consequence.
3. There is no guarantee that there will be any representation from these three jurisdictions on the Chiropractic Board of Australia.
4. There is no guarantee that there will be committees of the chiropractic professions in these three states, nor that there will be any representation from each of these three states on any regional committees (conduct/ impairment/ competence) that may be established.
5. The members of the Chiropractors Registration Boards are concerned that they will be required to continue to operate effectively in an environment of total uncertainty regarding the future structure in each state and the ongoing role of both the Board and the administrative support
6. An administrative office is to be established in each State and Territory which will handle local registration issues, enquiries and complaints and provide support to any local committees that are established. This office will deal with all 10 professions which are part of the scheme. The proposed staffing strategy for the state administrative offices indicates that positions will effectively be filled by staff presently employed with the Nursing Board and Medical Council

The Chiropractors Registration Boards have concerns about the dominance of the larger professions (particularly nursing) in such a structure and the lack of profession specific knowledge to the detriment of the smaller professions (chiropractic, osteopathy, psychology, dentistry, dental prosthetists, optometrists, podiatrists, physiotherapy).

7. While the proposed scheme guarantees the ongoing services of support staff for the nursing and medical professions no such guarantee has been provided to the contractors currently providing support services to the smaller professions.
8. The Boards for the smaller professions in Tasmania have utilised the services of contractors for decades. This has ensured a range of skills and excellent staffing levels which enable them to meet their objectives as defined in the various Acts under which they are established.
 - Six of ten boards in Tasmania use contractors (five boards use the same company).
 - This situation is in place elsewhere in Australia; however the proposed staffing strategy has clearly excluded the use of this type of arrangement.

The Boards rely on their support staff for this knowledge and expertise and indeed any Committees appointed by the new National Boards will require similar support.

9. The Chiropractors Registration Boards face a real risk of losing the services and expertise of contract staff between now and 30 June 2010 as they seek alternative employment which offers ongoing security. There are examples of this in South Australia, Victoria, and Tasmania.
10. The planned “single state and territory administrative structures” to cover all 10 professions will require significant technology and staffing to ensure that the practitioner and public receive appropriate service in relation to the particular profession concerned.
 - The many and sometimes complex issues which arise within each profession require significant profession-specific knowledge at the local level.
 - The retention of institutional knowledge and experienced staff for the smaller professions is vital. There is a danger these professions may be pushed to the sidelines.

Appointments to state office positions must be made at a sufficiently senior level to ensure staff are able to deal with complex issues other than the processing of registration applications. **The current proposal in the staffing strategy does not select on this basis.**

11. Serious complaints are to be referred to a central tribunal in Tasmania. As yet the model and funding for this tribunal has not been clarified
12. The majority of complaints received regarding members of the smaller professions, including the chiropractic profession are managed and resolved by the Boards without proceeding to formal hearings.
 - The Chiropractors Registration Boards are concerned that costs to the professions and ultimately the public will increase as the complaints which are presently well managed by the State Boards escalate to more costly external tribunals.
13. The current proposal for the new national registration boards does not include any regional representation.
 - Fair representation on a new national chiropractic board should allow all constituencies the capacity to participate in the new national registration and accreditation system. The Chiropractors Registration Boards suggest that there be a nominee from each state committee/board on the new national registration board.
 - This is the only way for states and territories to be involved in the national registration system and draws a tangible link between the respective health minister and each registration board.
 - The Chiropractors Registration Boards supports having a 25 to 33 percent consumer presence on the new national board.
14. The Chiropractors Registration Boards believe that it is in the public interest to ensure that spinal manipulation is a restricted practice.
 - The way this is currently achieved varies around Australia. All chiropractic and osteopathic registration boards agreed with the following....

The Chiropractic and Osteopathic Boards support the restriction of spinal manipulation.

The Chiropractic and Osteopathic Boards do not recommend defining the term spinal manipulation in the legislation.

The chiropractic and osteopathic professions have an enviable record of safety in the provision of spinal manipulation.

The Chiropractic Boards empirically have more complaints made about injury from spinal manipulation performed by unregistered practitioners.

Current accredited chiropractic and osteopathy programs at universities in Australia provide graduates with the skills to perform spinal manipulative procedures at the conclusion of 5-6 years of training.

The Chiropractic Boards recommend that only those practitioners registered as chiropractors or osteopaths, or those who can demonstrate an equivalency of competence by postgraduate training be granted the right to use the restricted practice of spinal manipulation.

Consideration should be given for practitioners, who are registered health practitioners who are not chiropractors or osteopaths, to be granted an endorsement on their registration for spinal manipulation if they can demonstrate the competencies above.

15. The Chiropractors Registration Boards are concerned that the proposed new national registration boards will not have financial autonomy. This board believes that the Agency Management Committee should serve the registration boards in meeting their statutory obligations.
16. The new national system is supposed to be fully operational on 1st July 2010. The resources to have 400000 professionals all live in a new system on 1 July 2010 would seem difficult.
17. The Chiropractors Registration Boards see merit in retaining a state committee, consistent in function to the current state boards, for each profession, in each state. This would allow the National Board to delegate many of its functions to respective jurisdictions.
18. The Chiropractors Registration Boards believe that the new national registration system needs to ensure that the accreditation bodies are independent from the national boards and have independence from the Agency Management Committee. There is evidence in the accreditation consultation paper that financial administration/control of the accreditation bodies will be undertaken by the Agency Management Committee.

Recommendations.

The Chiropractors Registration Boards considers that the outcomes being sought by COAG could be achieved at significantly less cost, disruption and threat to public safety, by the following:

- a national registration data base for each profession which should be established and then administered either by an existing state office or a national secretariat;
- the functions of the proposed agency management committee could largely be undertaken by the current staff of each registration board with a small national secretariat.
- the practice of spinal manipulation be restricted to those professions, and registrants who can demonstrate similar competency to chiropractors and osteopaths.

- a formalised National Professional Board for each profession (as proposed), be established and consist of a representative of each Australian jurisdiction and two-three persons who are not registered health practitioners.
- a National Accreditation Body for each profession, with the chiropractic body remaining the Council of Chiropractic Education Australasia Inc.
- a State Board for each profession;
- a co-located State administration for the smaller professions; (not a single entity for all professions in each state)
- profession specific expertise must be available to the public in each jurisdiction through the proposed “one stop shop front”.
- provision be made for the utilisation of staffing and contracted service providers, based on expertise and competence.
- a nominee from each state committee/board on the new national registration board.
- consideration of mirror legislation in each State and territory or
- a “Drivers Licence” model where registration in one jurisdiction is recognised in other jurisdictions.
- retention of independence of accreditation bodies from Registration Boards, Agency Management Committee
- This board recommends that a gradual activation of the functions of the new boards should occur. This board recommends that a gradual activation of the professions within the system should occur (e.g. nursing first followed by ...).

The Chiropractors Registration Boards upon the review of BILL B may offer a further submission to this inquiry.

The Chiropractors Registration Boards thanks the committee of inquiry for the opportunity to provide the above submission. Please contact this ACCRB if you need further information or clarification

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 Australasian Conference of Chiropractic Registration Boards
 On behalf of:
 ACT Chiropractors & Osteopaths Registration Board
 NT Chiropractors & Osteopaths Registration Board
 Queensland Chiropractors Registration Board
 Chiropractors & Osteopaths Registration Board of South Australia
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