

Chiropractic Board Newsletter

TO ALL PRACTISING CHIROPRACTORS

The NZ Chiropractic Board takes this opportunity to update practising chiropractors on current issues.

January 2006

Payments for chiropractors Annual Practising Certificates

Chiropractors are reminded that accounts for 2006/07 Annual Practising Certificates accompany this Newsletter. This is a *'First and Final'* notice for payment and members of the profession intending to practise during the 2006/07 are asked to ensure that their payment is received at the Board's office by mid March 2006 to ensure they receive their APC before 1 April 2006.

To ensure accounts are sent to the correct address, chiropractors are asked to check their mailing address on the Board's website www.chiropracticboard.org.nz and advise the office by email if the information is not correct.

Please note that it is Board policy to advise ACC, NRL, H&DC and the Chiropractors Association of the names of chiropractors who have not paid for their APC by 1 April each financial year.

Chiropractors should note that ACC have become concerned about this issue and have issued the following notice on the matter:

Reminder

Recently ACC has discovered that a small number of providers have allowed their Annual Practice Certificates to lapse without renewal. Please remember that all ACC providers must have a valid Annual Practising Certificate in order to treat any ACC claimant. This is in accordance with IPRC Act 2001 and the HPCA Act 2003.

ACC requires all practitioners to present evidence of their renewed certificate to the Provider Registration Unit prior to, or upon the expiry of their current practicing certificate. ACC is unable to advise any provider that their practice certificate is due to expire.

Please understand that any provider who does not have a valid practice certificate for any reason is not eligible to invoice ACC for service costs. Nor can a claimant seek reimbursement from ACC if they pay the provider in lieu of this. Where a provider has invoiced ACC without holding a valid practice certificate ACC may seek to recover all or part of those service costs.

Thanks for your co-operation.

First time APC payments

At its December 2005 meeting, the Board confirmed the fee payable for an Annual Practising Certificate (APC) by chiropractors registering for the first time in New Zealand on or after 1 October each year will be \$400.

Returning to Work

If you have not been practising within 3 years immediately preceding your application for an Annual Practising Certificate (APC) the Board may want you to provide evidence of your competence. Please email the Board's office for more information on how to obtain a current APC if you have not practised in New Zealand for some time. The Board's email address is karl.bale@regboards.co.nz.

You must practice in accordance with your scope of practice and any conditions that the Board has ordered for you. The scope and any conditions will be placed on your annual practising certificate for you to refer to. You may be required to participate in a Board set or recognised competence programme to hold an Annual Practising Certificate.

The provisions of the Act provide that the Board may at any time review your competence in any way it sees fit. The Board can suspend your APC or include conditions on your scope of practice if the Board considers that you pose a risk of serious harm to the public by continuing to practice.

You must inform the Board Registrar of any change in your postal address, residential address and if applicable work address.

For more information on the HPCA, chiropractors should review the details set out on the Board's website www.chiropracticboard.org.nz.

EVT – Notification to ACC of those qualified to deliver EVT treatment

The Board will be regulating a list of practitioners who are qualified to receive payment from ACC for extra-vertebral (EVT) work.

ACC have decided that those chiropractors who received adequate EVT under-graduate training or have completed, to a similar standard, post-graduate courses in EVT, will be able to diagnose and treat EVT. The NZCA conducted a very exhaustive appraisal of all the chiropractic training institutions and compared those chiropractors who returned their graduation information to them. The result is an "EVT Certified" list of those qualified for ACC reimbursement. This does not affect the way you work now or have been working over the years. The only difference is being paid by ACC for EVT diagnosed problems. If anyone feels they should be on the "EVT Certified" list and are not please contact the Board and a committee of Drs Steve Morse and Clive Hill will examine your case. New registrants will be assessed the same way. To check your current EVT status click "chiropractic board register" on the Board's website www.chiropracticboard.org.nz and check the qualifications box.

The Board wishes to acknowledge the work done for the profession by the NZCA and especially by Dr Morse.

Address reminder

One of the problems the Board experiences every year is the fact that some chiropractors change their mailing address but fail to advise the Board, as they are obliged to do under the provisions of the Health Practitioners Competence Assurance Act. This has led to some individuals practicing without an annual practicing certificate, thereby endangering ACC payments and exposing themselves to the possibility of prosecution for practicing illegally.

The Board encourages changes of address to be notified by fax to (04) 472 2350, or be emailed to chiropractic@regboards.co.nz. The Board also encourages Chiropractors to advise the Board of their email address.

Grant to the NZCC

At its June meeting the Board agreed to a request from the NZCC to provide financial support for the development and presentation of a continuing professional development programme to bring those chiropractors who do not hold a qualification in EVT up to the standard required to "EVT certified" status.

The course leads to the award of a Certificate of Proficiency in Chiropractic Management of Extremities from the NZCC and is organised around a series of four 12.5 hour seminars supported by an on-line course management system which provides preparatory and follow-up work for each seminar. Total learning time is estimated at 100 hours.

Spinal Screening Committee

Chiropractors are advised that the Board has established a Spinal Screening Committee to determine protocols for screening potential patients.

The Board feels that the development of clear guidelines for this activity is important, and the Committee is to be comprised of nominees from NZCA, Hamblin Trust, NZCC and the Board. A lay representative will also be appointed.

Practitioners should be aware that spinal screening (including but not limited to examining posture, utilising diagnostic procedures such as thermography or surface EMG) forms part of the Scope of Practice for chiropractors, and therefore only registered chiropractors who hold a current APC are entitled to conduct spinal screening examinations. In the case of undergraduate chiropractic students, screening may only be conducted under the direct supervision of a registered chiropractor who holds a current APC.

Prior to the conclusion of the Committee's deliberations, practitioners are requested to become familiar with the Code of Ethics and Standards of Practice and ensure that all procedures meet or exceed these standards.

Professional Conduct Committee – call for nominations

The Board is establishing a Professional Competence Committee to review complaints against chiropractors made by members of the public. This Committee is required to address the issues of professional discipline which arise out of the Health Practitioner Competence Assurance Act.

It is intended that the Committee will be comprised of chiropractors and laypersons who are able to spend the time becoming familiar with the disciplinary requirements of the Act, and provide a consistent approach to the cases referred to it.

Chiropractors or lay-persons interested in being involved in this semi judicial role should send their CV to the Board Registrar at karl.bale@regboards.co.nz.

Qualifications for delivering acupuncture treatment

The Board has been advised by ACC that in order to receive payment for procedures where acupuncture is used exclusively, chiropractors are required to hold either the NZRA or NZASA qualifications.

This does not preclude chiropractors from using acupuncture techniques in their work, but should they do so they will need to be able to demonstrate NZRA or NZASA qualifications in order to claim ACC payment.

Please note that ACC has advised that homeopathy is not accepted for ACC payment when used exclusively.

Attendance at WFC Conference in Sydney

In June the Board travelled to Sydney to hold its regular meeting in conjunction with the WFC World Congress. The meeting was an opportunity for Board members to meet with members of the Council of Chiropractic Education Australasia, and senior chiropractors from around the world. In addition Board members were able to attend conference sessions and familiarise themselves with the latest developments in chiropractic. It was also an opportunity for lay members of the Board to become more familiar with aspects of the profession.

Arising from the visit, the Board has become a corporate member of WFC, and has access to the resources of that organisation, particularly to its research facilities into chiropractic world best practice.

Finding of Professional Misconduct – Dr Douglas Guy Blackburn

The Chiropractic Board has imposed a fine of \$5,000.00 (being 50% of the maximum prescribed by Section 32(2)(d) of the Chiropractors Act 1982 (the Act) on Dr Douglas Guy Blackburn. The Board also ordered that Dr Blackburn be censured pursuant to section 32(2)(e) of the Act.

Dr Blackburn is required to pay 35% of the Board's actual costs and expenses.

The Board found that the actions of Dr Blackburn amounted to professional misconduct. The charges related to the following:

1. Dr Blackburn required a patient to pay a lump sum up front payment for a 12 month treatment programme for a spinal condition in circumstances where a pre-determined treatment programme of that nature was not warranted.
2. When treating the patient Dr Blackburn failed to have in place any reasonable system or policy for the refund any part of the lump sum up front payment, and failed to refund to the patient in a timely manner that part of the lump sum up front payment which represented the value of treatments she no longer required.
3. When treating the patient Dr Blackburn failed to take a comprehensive view of her condition and present her with treatment options and payment options.
4. When treating the patient Dr Blackburn failed to keep adequate notes and failed to record subjective and objective findings and to follow up courses of action and recommendations.

The Board found that Dr Blackburn's conduct clearly departed from acceptable professional standards and that it was a deliberate departure or at the least such serious negligence as to portray an indifference to and an abuse of the privileges which accompany registration as a chiropractor.

Dr Blackburn is appealing the decision of the Board.

Contacting the Chiropractic Board

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By email karl.bale@regboards.co.nz Website www.chiropracticboard.org.nz Registrar Mr Karl Bale