

## Media statement

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19 January 2016

### AHPRA prosecutes former doctor

The Australian Health Practitioner Regulation Agency (AHPRA) is prosecuting a former doctor for claiming to be a registered medical practitioner.

On behalf of the Medical Board of Australia, AHPRA has charged Cynthia Weinstein with 14 counts of claiming to be a registered medical practitioner under section 116(1) of the *Health Practitioner Regulation National Law (Victoria) Act 2009* (National Law) and one count of possessing a schedule 4 poison under section 36B(2) of the *Drugs, Poisons and Controlled Substances Act 1981*.

AHPRA has also charged a company, CDC Clinics Pty Ltd, of which Ms Weinstein is the sole director, with two counts of claiming that Ms Weinstein is a registered medical practitioner under section 116(2) of the National Law.

Cynthia Weinstein is the owner and practice manager of CDC Clinics, located in Armadale, Victoria.

On 22 October 2015, AHPRA executed a search warrant at the CDC Clinics and seized records, computers and other material.

AHPRA alleges that Ms Weinstein was holding herself out as a medical practitioner while unregistered and was in possession of a schedule 4 poison when she was not authorised to do so. AHPRA also alleges that CDC Clinics Pty Ltd was holding Ms Weinstein out as a medical practitioner while she was unregistered.

Charges were laid against Ms Weinstein and CDC Clinics Pty Ltd on 22 December 2015. Neither Ms Weinstein nor CDC Clinics Pty Ltd have yet had a chance to respond to the charges.

The charges against Ms Weinstein and CDC Clinics Pty Ltd will be heard in the Melbourne Magistrates' Court on 20 January 2016.

Claiming to be a registered health practitioner when not registered and claiming that another person is a registered health practitioner when they are not, are both offences under the National Law, as in force in each state and territory.

The current registration status of all of Australia's 637,000 registered health practitioners is published on the [register of practitioners](#). If a person's name does not appear on the register, they are not registered to practise in a regulated health profession in Australia.<sup>1</sup>

### **Title protection, practice protections and advertising**

The National Law protects the public by ensuring that only registered health practitioners who are suitably trained and qualified can use protected titles such as medical practitioner.

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<sup>1</sup> In a very small number of cases, the details of a registered health practitioner may not appear on the register because of personal safety issues. If you have any questions, contact AHPRA on 1300 419 495.

The law allows for penalties for falsely using protected titles or holding yourself out to be a registered practitioner when you are not.

Certain practices are also restricted to individuals with necessary qualifications or registration under the National Law.

A breach of the National Law is a criminal offence and may be prosecuted by AHPRA. The maximum penalties that a court may issue if you are found guilty of an offence under the National Law are:

- for offences under sections 113 to 118 (title and practice protections) – a fine of \$30,000 in the case of an individual or \$60,000 in the case of a body corporate, per offence.
- for offences under section 133 (advertising) – a fine of \$5,000 in the case of an individual or \$10,000 in the case of a body corporate, per offence.

Anyone who is concerned about the practice of an individual or organisation can make a complaint to AHPRA.

AHPRA and the Board will not comment further at this time, because legal processes are continuing.

#### **For more information**

- For media enquiries: (03) 8708 9200
- Lodge an [online enquiry form](#)
- For registration enquiries: 1300 419 495 (within Australia) +61 3 9275 9009 (overseas callers)