

We are Chiropractic, we are



Chiropractic Australia Submission
on the Revised Regulatory
Principles for the National Scheme



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Executive Summary

Chiropractic Australia welcomes the opportunity to provide a submission on the Revised Regulatory Principles for the National Scheme.

Introduction to Chiropractic Australia

Chiropractic Australia is a not-for-profit professional association advocating evidence-based treatment and inter-professional cooperation to foster community health through high quality, patient-centred care. Established in 2015, Chiropractic Australia has followed a reform agenda to improve chiropractic care quality and availability through education and advocacy. It is important to note that chiropractic is not a specific technique or intervention. Chiropractors are healthcare providers, and like other registered health professionals, chiropractors use patient health information to make clinical decisions and deliver tailored care plans to patients. Chiropractors typically offer multimodal treatments that may include a range of interventions, as well as referral to other healthcare providers. Chiropractors are trusted health providers in the Australian community and have long been a widely used health care provider to manage musculoskeletal conditions. Details on Chiropractic Australia and our policies can be found at the following web address -

<https://chiropracticaustralia.org.au/>

Proposed Changes

Current preamble	Proposed preamble	Rationale
These regulatory principles underpin the work of the Boards and AHPRA in regulating Australia's health practitioners, in the public interest. They shape our thinking about regulatory decision-making and have been designed to encourage a responsive, risk-based approach to regulation across all professions.	These regulatory principles underpin the work of the National Boards and Ahpra in regulating Australia's health practitioners, in the public interest. They shape our thinking about regulatory decision-making and have been designed to encourage a responsive, risk-based approach to regulation across all professions. The regulatory principles consider community expectations and reflect ministerial directions.	The preamble serves as an introduction. The preamble has been strengthened with reference to community expectations and ministerial policy directions.

Current principle	Proposed principle	Rationale
1. The Boards and AHPRA administer and comply with the Health Practitioner Regulation National Law, as in force in each state and territory. The scope of our work is defined by the National Law.	The National Boards and AHPRA administer and comply with the Health Practitioner Regulation National Law, as in force in each state and territory. The scope of our work is defined by the National Law.	Minor editorial change. Chiropractic Australia supports this change
2. While we balance all the objectives of the National Registration and Accreditation Scheme, our primary consideration is to protect the public.	Public protection is our paramount objective in the National Registration and Accreditation Scheme. We act to support safe, professional practice and the safety and quality of health services provided by registered health practitioners.	Principle two rewritten to reflect mandate for Ahpra and National Boards to prioritise public protection in the work of the National Scheme. Reordered this principle from three and moved to two. Chiropractic Australia supports this change
3. We protect the health and safety of the public by ensuring that only health practitioners who are suitably trained and qualified to practise in a competent and ethical manner are registered.		No change to principle. Reordered this principle from two and moved to three.
When we are considering an application for registration, or when we become aware of concerns about a health practitioner, we protect the public by taking timely and necessary action under the National Law.		Removed this principle from the regulatory principles. The key theme has been referenced elsewhere. Timely has been incorporated into principle four which covers the spectrum of regulatory decision-making. Chiropractic Australia supports this change
4. In all areas of our work we: <ul style="list-style-type: none"> identify the risks that we are obliged to respond to assess the likelihood and possible consequences of the risks, and respond in ways that are proportionate and manage risks so we can adequately protect the public. 	In all our work we: <ul style="list-style-type: none"> identify the risks that we need to respond to assess the likelihood and possible consequences of the risks respond in ways that are proportionate and manage risks so we can adequately protect the public, and 	Minor editorial changes. Chiropractic Australia supports this change

Current principle	Proposed principle	Rationale
<p>This does not only apply to the way in which we manage individual practitioners but in all of our regulatory decision-making, including in the development of standards, policies, codes and guidelines.</p>	<ul style="list-style-type: none"> take timely and necessary action under the National Law. <p>This applies to all our regulatory decision-making, the development of standards, policies, codes and guidelines as well as the way we regulate individual practitioners.</p>	<p>Chiropractic Australia supports this change</p>
<p>5. When we take action about practitioners, we use the minimum regulatory force to manage the risk posed by their practice, to protect the public. Our actions are designed to protect the public and not to punish practitioners. While our actions are not intended to punish, we acknowledge that practitioners will sometimes feel that our actions are punitive.</p>	<p>When we learn about concerns regarding practitioners, we apply the necessary regulatory response to manage the identified risk posed by their practice, to protect the public.</p> <p>Our responses consider the potential impact of their conduct on the public including vulnerable people in the community and Aboriginal and Torres Strait Islander Peoples.</p>	<p>This principle has been rewritten to reflect the need to consider the potential impact of the practitioner's conduct on the public, including vulnerable people within the community and Aboriginal and Torres Strait Islander Peoples.</p> <p>A footnote has been included in the principles which picks up those vulnerable communities identified in Policy Direction 2019-1.</p> <p>Also changed minimum to necessary and force to response to reflect overall intent of the policy directions. The use of 'necessary' aims to support the capacity to take the regulatory action needed. 'Response' is contemporary terminology and ensures consistency across all principles.</p> <p>Chiropractic Australia supports this change</p>
<p>6. Community confidence in health practitioner regulation is important. Our response to risk considers the need to uphold professional standards and maintain public confidence in the regulated health professions.</p>	<p>The primary purpose of our regulatory response is to protect the public and improve the standard of practice of registered health practitioners. Our responses are designed to not punish practitioners. When deciding on regulatory responses we:</p> <ul style="list-style-type: none"> give at least equal weight to the expectations of the public as well as professional peers consider the importance of maintaining community confidence in regulated health professions, and 	<p>This principle has been rewritten to reflect intent of Policy Direction 2019-01 relating to community confidence, equal weight to the expectations of the public as well as professional peers and the need for effective deterrence.</p> <p>Chiropractic Australia supports this change</p>

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	<ul style="list-style-type: none">consider the need to effectively deter other practitioners from engaging in similar conduct.	
7. We work with our stakeholders, including the public and professional associations to achieve good and protective outcomes. We do not represent the health professions or health practitioners. However, we will work with practitioners and their representatives to achieve outcomes that protect the public.	We work with our stakeholders, including patient safety bodies, healthcare consumer bodies and professional associations, to protect the public. We do not represent the health professions, health practitioners or consumers. However, we work with practitioners and their representatives and consumers to achieve outcomes that protect the public.	Minor changes that reflect intent of both policy directions. Chiropractic Australia supports this change

Questions for consideration

The National Boards and Ahpra are inviting feedback on the following questions:

- 1. Do the draft revised regulatory principles reflect the policy directions issued by CoAG Health Council? If not, how could the principles be improved?**

Yes, they do.

- 2. Do the draft revised regulatory principles support Ahpra and the National Boards regulatory decision-making? If not, how could they be improved?**

Yes, they do.

- 3. Is the content of the draft revised regulatory principles helpful, clear and relevant?**

Yes, they are.

- 4. Is there any content that needs to be changed, added or deleted in the draft revised regulatory principles?**

No.

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5. Please add any other comments or suggestions for the draft revised regulatory principles.

Chiropractic Australia fully supports the proposed revisions to the regulatory principles for the National Scheme. We agree that the two policy directions the CoAG Health Council issued have been met and that they ensure that the principles reflect the aim of protecting the public, assuring patient safety, and advancing the safety and quality of health services.

The improved emphasis on protecting the public, and particularly vulnerable people within the community, is a substantial change and appropriately reflects the community's expectations of both the government, the regulator and health care service providers. The changes also highlight the need to actively discourage and deter other health practitioners from participating in similar conduct.

The focus on addressing and meeting the broader community's expectations is also paramount and now is appropriately emphasised and balanced against professional peer and peak body expectations. The associated deterrents should be balanced. Any sanctions regarding professional misconduct against a registered health practitioner should primarily focus on protecting public safety, and this is reflected in the proposed changes to the regulatory principles.

Chiropractic Australia again thanks Ahpra and the National Boards for the opportunity to contribute to the consultation process.