



Issue 11 August 2005

## Dear Registrant

### New Board Appointments

June 30th saw two new Board Members appointed by the Minister, in order to replace two retiring members, Dr. Sue Heringslake and Ms. Anna Radonic. On behalf of the Board I would like to officially thank both Sue and Anna for their invaluable contribution in a difficult job with little pay and often little thanks. I wish them well in their future endeavors.

One of the new members, Dr. Bruce Ellis App.Sc.(Clin.Sc.)/B.C.Sc., would be familiar to most Victorian chiropractors having been actively involved for many years with RMIT and the CAA. Bruce graduated from RMIT in 1981 and subsequently completed postgraduate studies in chiropractic paediatrics and later gained his Masters degree from Macquarie University 1994. Bruce is a past President of CAA (Vic) and a Life Member of CAARP and has served on various CRBOV committees since 1997 and has been a member of the Education and Standards Committee since 1998, as well, as current Chair of the Examination Sub Committee. Dr. Ellis has been in full-time practice since 1981 and since 1982 has operated a multi-doctor, multi-disciplinary clinic in Gisborne, Victoria.

The other new member is a Lay Member, Esther Alter BEc, LLB, MBA, MAICD who brings a wide range of experience in consumer law and dispute resolution to the Board. As a Member of the Residential Tenancies Tribunal and Small Claims Tribunal, she was involved in conciliating and adjudicating on consumer law matters. Esther has worked in a range of consumer, legal and management roles in state and Commonwealth government. Esther was appointed to the Osteopaths Registration Board of Victoria in December 2001 and since joining the Board, as a consumer member, has been involved in the Board's planning, policy, strategy, regulatory and disciplinary hearing areas. Her professional interests are in the areas of governance, management, service evaluation and organisational development.

I welcome both Esther and Bruce to the Board and look forward to working with them and to utilising their wealth of knowledge and experience.

### Information and Contacts

If you are unsure or require further information on any topic, please contact the Registrar on:

**Telephone (03) 9639 8652**  
**Facsimile (03) 9639 8653**

The Board has a home page on the Internet, the address is:

**[chiroreg.vic.gov.au](http://chiroreg.vic.gov.au)**

### Board Members

Dr John Reggars  
*President*

Dr Amanda Kimpton  
*Vice President*

Dr Robert Cathie D.C.  
*Chiropractor*

Mr Don O'Halloran  
*Lawyer member*

Mr William Burns  
*Non chiropractor*

Ms Esther Alter  
*Non chiropractor*

Dr Bruce Ellis

## **False & Misleading Advertising**

In the March Newsletter I made mention of complaints arising out of practitioners using terminology deemed to engender fear or exaggerating or overstating the seriousness of a patient's condition. Dr. John Kelly, in the June issue of The Australian Chiropractor (1), also makes mention of a number of complaints received by Guild Legal Limited and refers to "a perceived scaremongering tactic utilised by a chiropractor, often to coerce a patient to sign a contractual care agreement."

Dr. Kelly suggests that phrases such as "you'll soon be in a wheelchair", "you'll never work again", "the child will never learn properly" or "your baby will be born deformed" are claims which would be considered scaremongering and this Board would agree with Dr. Kelly.

The article also touches on "Proposed life-threatening outcomes to patients as a consequence of the presence of subluxation." Dr. Kelly points out that he is unaware of any instance in which a patient has died from a subluxation or any literature that supports such a position. This Board agrees with this assertion but unfortunately we have recently received a number of complaints and investigated several advertisements which use terms such as "deadly subluxations" and "subluxations the silent killers".

Regardless of your personal beliefs about the adverse effects on a person's health because of the presence of subluxations these types of statements cannot be substantiated and are potentially viewed by the Board as offence under the Act.

The article also talks about contractual agreements being the cause of many complaints and the need for stronger guidelines in this area. As stated in a earlier Newsletter the Board is closely looking at contracts of care and hopefully I will be able to report on the outcome of our investigations in the next Newsletter.

Finally, Dr. Kelly article finishes on a rather disturbing note with regard to our reputation as a profession. According the article, Readers Digest, in a survey of professions and their perceived trustworthiness, rates chiropractors as 13th on their list, just below bus drivers.

- (1) *The Australian Chiropractor June 2005 Published by the Chiropractors Association of Australia. (National Limited)*

### **Acupuncture & Dry Needling Guidelines**

The Board has recently drafted guidelines for the practice of acupuncture and dry needling and these will soon be posted on the on the Board's Web-site. Chiropractors practicing acupuncture must comply with the regulations set out by the Chinese Medicine Registration Board ([www.cmr.vic.gov.au](http://www.cmr.vic.gov.au)), those of Acupuncture Infection Control Guidelines ([www.cmr.vic.gov.au/registration/acupuncturestandardsofprac.pdf](http://www.cmr.vic.gov.au/registration/acupuncturestandardsofprac.pdf).) as well as those put forward by the Chiropractors Registration Board.

With respect to this Board's guidelines it is expected that those practitioners practicing acupuncture or dry needling do so in line with standards supported by scientific observation. Where there is no such evidence, the standards would be determined by their conformity with ethical standards and common sense.

For those chiropractors who are not endorsed to use the title acupuncturist and who wish to use dry needling it is expected that they are adequately qualified and competent to do so, that they perform the technique safely and that they can provide satisfactory evidence to support those claims.

### **Change of Address**

At this time of the year the Board receives many queries from practitioners regarding the fact that they have not received their Registration Renewal form. In many instances practitioners have moved or changed their postal address without notifying the Board.

It is an offence under the Act not to notify the Board within 14 days of a change of address and that offence carries a penalty of \$1,000.00 .

So please remember if you are intending to change address, please notify the Board within 14 days.

It is also disappointing, that even at this late stage, there are still in excess of 100 Practitioners who have not renewed their registration, or advised the Board that they do not intend to re-register.

Dr. John W. Reggars  
President.

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