

**CHIROPRACTORS BOARD
OF
SOUTH AUSTRALIA**

**ANNUAL REPORT
YEAR ENDED 30 JUNE 2001**

CHIROPRACTORS BOARD OF SOUTH AUSTRALIA

The Hon Mr D Brown, MP
Minister for Human Services
GPO Box 2555
ADELAIDE SA 5001

Dear Minister

RE: ANNUAL REPORT YEAR ENDED 30 JUNE 2001

The Chiropractors Board of South Australia hereby submits its report upon the administration of the Chiropractors Act 1991, for the twelve months ended 30 June 2001.

Yours sincerely

Phillip Donato
CHAIRPERSON

Encl.

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APPENDIX I Register of Chiropractors & Osteopaths as at 30 June 2001

APPENDIX II Register of Company Practitioners as at 30 June 2001

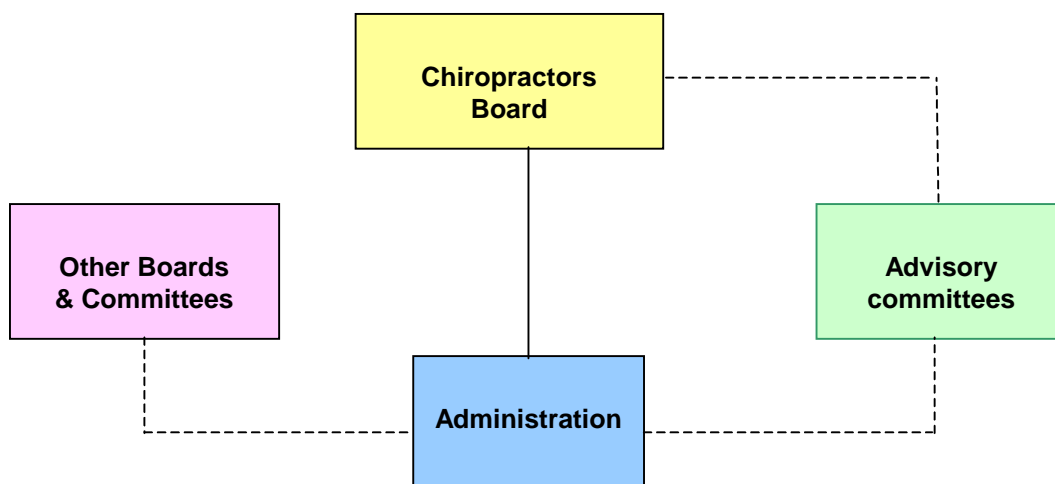
APPENDIX III List of Approved Business Names as at 30 June 2001

1 CHARTER

The Chiropractors Board of South Australia was established by the Chiropractors Act, 1979 which was proclaimed on 27 April 1981. ***The Board continued in existence under the Chiropractors Act 1991, (the Act)*** which was proclaimed on 25 June 1992. The Board is a body corporate and must exercise the powers, authorities, duties and functions imposed on it by the Act.

The Board is the Statutory Authority in South Australia responsible to Parliament for the administration of the Act, which provides for the registration of chiropractors (which includes osteopaths and company practitioners), the regulation of the practice of chiropractic (which includes osteopathy) and for other purposes.

2 STRUCTURE



3 FUNCTIONS OF THE BOARD

The Board is responsible for the protection of the interests of the public through the following functions as set out in Section 15 of the Act:

- (a) the registration and professional discipline of chiropractors;
- (b) exercising a general oversight over the standards of chiropractic practice;
- (c) monitoring the standards of courses of instruction and training available to -
 - (i) those seeking registration as chiropractors; and

- (ii) registered practitioners seeking to maintain and improve their skills in the practice of chiropractic,

and consulting with educational authorities in relation to the establishment, maintenance and improvement of such courses; and

- (d) exercising the other functions assigned to it by or under the Act.

The Board exercises its functions under the Act with a view to achieving and maintaining professional standards of competence and conduct in the practice of chiropractic.

4 BOARD MEMBERSHIP

In accordance with Section 6 of the Chiropractors Act, 1991, the Board consists of seven members appointed by the Governor.

Membership of the Board remained the same during the year. As at 30 June 2001 the Board comprised the following persons:

- (a) ***Three registered chiropractors and one registered osteopath elected in accordance with the Regulations by registered chiropractors -***

Phillip Raymond DONATO B App Sc (Chiropractic) (*Chairperson*)
Appointed 25 June 1992

Annette Joan SHELLEY B App Sc (Chiropractic)
Appointed 13 July 1995

Arcady TURCZYNOWICZ B Sc, M Chiropractic
Appointed 14 March 1996

Amanda Jane HEYES B App Sc (Osteo), Grad Dip (Osteo Paed)
Appointed 16 July 1998

- (b) ***A legal practitioner -***

Caroline Ruth CHRISTIE LLB
Appointed 1 November 1992

- (c) ***A medical practitioner -***

Dennis Reginald FURNISS MB BS
Appointed 24 July 1986

- (d) ***A person appointed to represent the interests of persons receiving chiropractic services -***

Edwin Lindsay CALDER BEM, QPM
Appointed 25 June 1992

Members of the Board are appointed for a term of office not exceeding three years, but are eligible for re-appointment upon the expiration of their term of office.

The term of office of the present members of the Board expires on 15 July 2001.

Pursuant to Section 6 of the Act and Part 2 of the Regulations under the Act, an election was held on 27 April 2001 to elect four (4) chiropractic members to the Board for a 3-year term of office from 15 July 2001.

Four nominations were received and the following persons subsequently elected -

Dr P R Donato
Dr A J Heyes
Dr J K Adams
Dr G J Pladson

Mr E (Ted) Calder, the consumer representative, has tendered his resignation effective on 15 July 2001. In May 1981 Mr Calder was appointed Inspector for the Board and in June 1992 appointed as a Board member. The Board wishes to express its sincere appreciation and thanks to Mr Calder for his highly valued service and contribution to the Board over the last 20 years. Mr Calder greatly assisted the Board in its first 10 years of operation and his legal and investigative knowledge and experience was an asset to the Board in the 1990's whilst a Board member. The Board wishes Mr Calder and his wife, Nancy, all the very best for the future.

5 BOARD & COMMITTEE MEETINGS

The Board met on eleven (11) occasions during the year to conduct regular business and convened on two (2) occasions for a disciplinary inquiry.

Attendances at meetings were as follows:

BOARD		BOARD OF INQUIRY	
Dr P Donato (Chairperson)	11	Ms C Christie (Chair)	2
Ms C Christie	11	Dr A Shelley	2
Mr E Calder	11	Mr E Calder	2
Dr A Turczynowicz	10	Dr D Furniss	2
Dr A Shelley	10	Dr A Turczynowicz	1
Dr D Furniss	9		
Dr A Heyes	9		

The ***Complaints Committee*** comprising the Registrar and Dr A Turczynowicz met when the need arose.

The Chairperson attended a meeting of joint stakeholders (Accreditation Steering Committee) held in Melbourne, Victoria, on 31 March 2001, to look at establishing a single accreditation body for the chiropractic profession in Australia and New Zealand.

In June 2001 in Brisbane, Queensland, the Chairperson also attended a meeting of the Joint Education Committee of participating Registration Boards and a meeting of Registration Boards to discuss the assessment process for overseas trained persons.

The Chairperson and Registrar met with the Medical and Physiotherapists Boards during the year to discuss standards for spinal manipulation.

The Board formed a joint **Professional Practice and Conduct Committee** comprising representatives of the Board and the Chiropractors Association of Australia (South Australia) to look at preparing guidelines for the profession on record keeping and frequency of practice. The Committee met on three (3) occasions and comprised the following persons -

BOARD	Dr P Donato
	Ms C Christie
	Dr A Shelley
	Mr E Calder
	Mr P Martin
CAA (SA)	Dr A Kerr
	Dr Andrian Turczynowicz

The Chairperson and Registrar represented the Board at the Australasian Conference of Chiropractors and Osteopaths Registration Boards held in Christchurch, New Zealand, on 20 July 2000.

The Chairperson met with the Chairpersons of the Psychological and Occupational Therapists Boards and the Council of Occupational Therapists Registration Boards (Australia and New Zealand) Inc (COTRB) on 21 August 2000 and 26 March 2001 to discuss matters of mutual interest and concern.

6 ADMINISTRATION

Pursuant to Section 14 of the Act the following staff continued to be employed by the Board:

❖ Peter John Martin, JP	Registrar/Chief Executive Officer
❖ Alison Bryant, JP	Secretary/Executive Assistant
❖ Liz Spagnoletti	Accounting Officer

No officer or employee of the Board is a Public Service employee.

Salaries, accommodation outgoings and most other administrative costs were shared with the Psychological and Occupational Therapists Registration Boards and the Council of Occupational Therapists Registration Boards (Australia and New Zealand) Inc (COTRB). The Board's share of these costs was 32% with the Board taking responsibility for the employment of staff and provision of office accommodation, furniture and equipment.

The staff are responsible to the Board, two other Registration Boards (including Committees) and a National Council for providing the following services:

- administrative and secretarial support

- maintaining up to date Registers and information
- all accounting and computing requirements
- personnel/management services
- property management
- policy formulation
- legislative review
- investigation of complaints under the Act
- assisting members of the public and profession about registration and policy matters

Office hours are Monday - Friday 9 am - 5 pm, closed 12 noon - 1 pm.

The Crown Solicitor provides the Board with legal services and Quark Technologies provides the Board with investigative services.

The Registrar is authorised by the Board to exercise the powers of an inspector pursuant to the provisions of the Act.

7 WEB SITE

The Board has established a comprehensive web site at the address "www.regauth.com/cbsa".

The Act and Regulations, application forms, annual report and the Board's guideline booklets can be downloaded from this site.

Any person who does not have access to the Internet can contact the office of the Board to obtain these documents (except for the Act and Regulations).

The Board has also established a Register search facility on the web site which contains languages spoken (other than English) by registered chiropractors and osteopaths. No addresses or phone numbers are published.

The web site is updated regularly and has many links to other associated web sites.

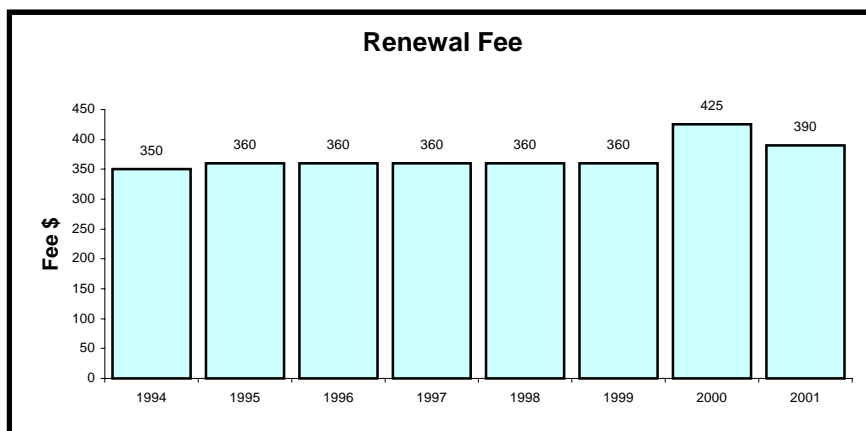
8 REGISTRATION FEES

Registration fees remained the same during the year. As at 30 June 2001 the fees were as follows:

(1)	Application for Registration Fee (GST Exempt) <i>(first \$125 is non refundable)</i>	\$
(a)	Natural persons granted registration	
	(i) between December & June	450
	(ii) between July & November	230
	(iii) but for persons in their first year of practice immediately following graduation -	
	▪ between December & June	250
	▪ between July & November	125
	(iv) in a limited capacity for a period not exceeding one month	150
(b)	Companies granted registration	
	(i) between January & June	450
	(ii) between July & December	250
(2)	Application for Renewal of Registration Fee (GST Exempt)	
(a)	Natural Persons	
	(i) persons under 70 years of age	390
	(ii) persons 70 years of age and over	120
(b)	Companies	390

Registration, once granted, remains in force until the end of the calendar year except when registration for natural persons is granted in December, the registration will be effective until the end of the next calendar year.

The following bar chart shows the increase in the annual renewal fee since 1994 for natural persons under 70 years of age.



Registration fees are increased when necessary to cover increases in operating expenditure.

It is a policy of the Government that the Board be financially self-supporting.

9 ADMINISTRATIVE FEES

The Board has approved the following schedule of administrative fees:

(GST exempt unless indicated)	\$
Inspection of Register and/or Copy of Extract from Register	20
Duplicate Certificate of Registration	20
Letter of Good Standing	20
Letter of Current Registration	10
New or Additional Qualifications on Register (each)	10
Copy of Register	60
▪ Postal address labels/per label	50c + GST
▪ Non profit organisations/per label	30c + GST
Annual Report	20 + GST
Code of Professional Conduct & Practice	5 + GST
Guidelines on Registration	5 + GST
Information Statement - FOI	5 + GST
Draft Company Constitution	50 + GST
Photocopying (per page)	50c + GST

These fees do not apply to any application for registration or renewal of registration.

10 GOODS & SERVICES TAX (GST)

In accordance with Determination 2000 made under Section 81-5 of A New Tax System (Goods & Services Tax) Act 1999, the following fees of the Board are exempt -

- Registration and renewal fee
- Entering new qualifications on the Register
- Duplicate Registration Certificate
- Preparation of Statements verifying registration
- Inspection of Register and extracts from Register

Fees charged which are not GST exempt include photocopying, Board publications and postal address labels.

11 REGISTRATION STATISTICS - NATURAL PERSONS & COMPANIES

(a) *Register of Chiropractors*

(i) *Natural Persons* (Refer Appendix I)

The Register contains the following information:

- Registration number.
- Whether the person holds Limited (L), Provisional (P) or Deemed (D) registration. Should none of these symbols appear the person holds full registration.
- Date of initial registration.
- Surname.
- Initials.
- A description field describing a registrant as a Chiropractor (C), Osteopath (O), or both (CO), depending on a person's qualifications.
- Postal address.

Number currently registered (30 June 2001) **281**

Comprising:

Full registration		279	
Limited		1	
Provisional		1	281
Chiropractors	78%	219	
Chiropractors & Osteopaths	20%	55	
Osteopaths	2%	7	281
Males	76%	213	
Females	24%	68	281
Number residing in South Australia		248	
Including: Practising	242		
Not Practising	6		
Number presently Interstate		19	
Number presently Overseas		14	281

(ii) *Companies* (Refer Appendix II)

Number currently registered (30 June 2001) 43

(b) **Registration Movement in 2000/2001**

	<i>Natural Persons</i>	<i>Companies</i>
Number registered as at 30 June 2000	258	39
* New registrations (556,558-589,591-596,598-599,602)/(44-47)	42	4
Re-registrations	11	-
Registrations lapsed - non payment of fees etc	-18	-
- limited registration	-11	-
** Deceased	-1	-
Number registered as at 30 June 2001	281	43

* Of the 42 new registrations of natural persons 27 were male and 15 were female; and

- 12 were graduates from the RMIT University;
- 11 were graduates from the USA (Palmer 6, Life 2, Logan 2, Western States 1);
- 7 were graduates from Macquarie University;
- 7 were graduates from the UK (BSO 4, ESO 1, AECC 2);
- 4 were graduates from Canada (Canadian Memorial);
- 1 was a graduate from New Zealand.

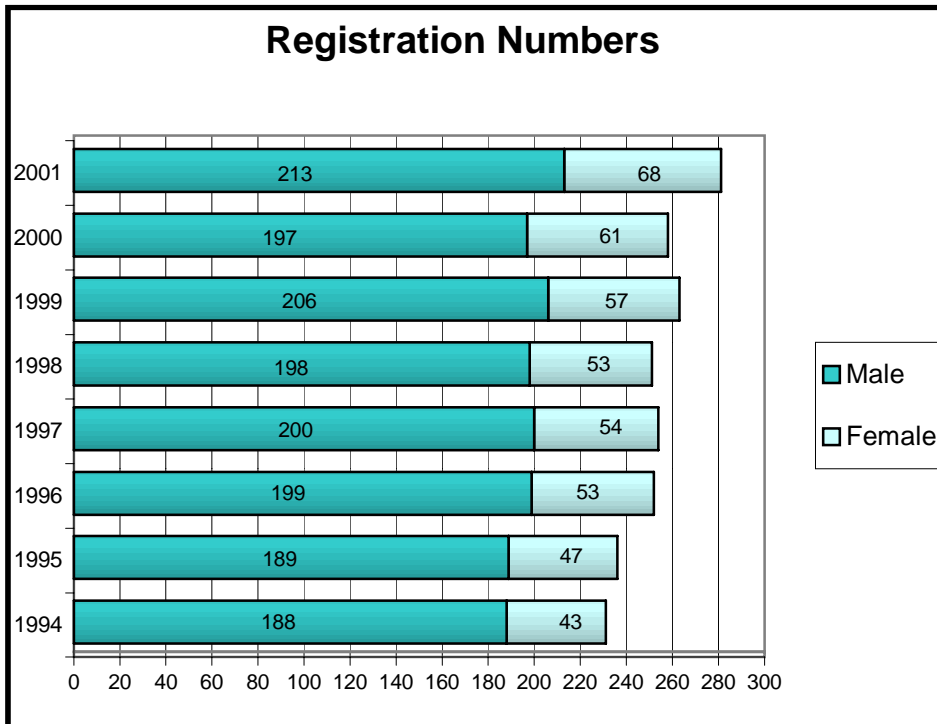
** The Board extends its condolences to the family of Dr Ronda Wallis.

(c) **Current Registration Numbers Since Commencement of Act**(i) *Natural Persons*

30 June 1981	49	30 June 1992	237
30 June 1982	169	30 June 1993	229
30 June 1983	180	30 June 1994	231
30 June 1984	189	30 June 1995	236
30 June 1985	205	30 June 1996	252
30 June 1986	206	30 June 1997	254
30 June 1987	209	30 June 1998	251
30 June 1988	212	30 June 1999	263
30 June 1989	211	30 June 2000	258
30 June 1990	226	30 June 2001	281
30 June 1991	231		

The following area chart shows the number of males and females and the total number of active registrants since 1994.

Note: Since the original Act was proclaimed in April 1981, a total of 598 chiropractors have



been initially registered.

(ii) *Companies*

30 June 1993	11	30 June 1998	33
30 June 1994	20	30 June 1999	39
30 June 1995	23	30 June 2000	39
30 June 1996	25	30 June 2001	43
30 June 1997	29		

12 PUBLICATIONS

The Board has produced the following publications for the information of practitioners and members of the public:

- ***Code of Professional Conduct & Practice***
Revised June 2001
- ***Guidelines on Registration***
Revised May 2000

- ***Chiropractic & Osteopathic Services - Your Rights as a Patient***
February 1998
- ***Guidelines Regarding Complaints Against Registered Chiropractors***
February 1998

A new registrant is provided with this information together with the following:

- Certificate of Registration
- Certificate of Current Registration
- Chiropractors Act 1991 & Regulations
- Annual Report
- National Uniform Code of Professional Conduct

Most of the above documentation is available for viewing or downloading from the Board's web site (www.regauth.com/cbsa).

As a result of a number of complaints received about practitioners insisting that patients enter into a contract of care (corrective care plans) the Board formed a joint Professional Practice and Conduct Committee (refer Item 5) to look at preparing guidelines for the profession on record keeping and frequency and duration of care. These guidelines were adopted by the Board after consultation with the Chiropractors Association of Australia (South Australia) and the revised Code of Conduct will be circulated to the profession in July 2001.

It early 2002 the Board intends to publish its own Newsletter which will be circulated to the profession and interested parties.

13 BUSINESS NAMES (Refer Appendix III)

Pursuant to Section 19 of the Regulations under the Act, a registered practitioner must not practice under a name (whether a company name or a business name) unless that name has first been approved by the Board. Penalty Division 11 fine.

During the year the Board approved a total of 7 business names. As at 30 June 2001 the number of names approved was 194.

Business names must not in any way be false, misleading or deceptive and must aptly describe the practice as one which carries on the profession of chiropractic.

14 FREEDOM OF INFORMATION

The Board has published an Information Statement and an Information Summary as required by Section 9 of the Freedom of Information Act 1991. The Information Statement contains advice on structure and functions, effect of functions on members of the public, public participation in policy formulation, kinds of documents held and access arrangements and procedures. The Statement is available from the offices of the Board at a cost of \$5.

Application and processing fees are in accordance with the Freedom of Information (Fees & Charges) Regulations 1991.

No enquiries or applications under the Freedom of Information Act for access to documents in the possession of the Board were made during the year ended 30 June 2001.

15 COMPLAINTS

(a) ***Against Unregistered Persons***

During the year three (3) complaints were dealt with by the Board against persons not registered for breaches of the Act.

These complaints are **summarised** as follows:

(i) **Breach of Section 25 of the Act - Practising Chiropractic Unregistered** (2 complaints)

Allegation

Result of Investigation

Unregistered person adjusting the spine

Complaint unsubstantiated - No further action taken.

Chiropractor practising in SA whilst unregistered

Complaint and summons lodged in Magistrates Court for 78 breaches of Section 25 and 1 breach of Section 27 of the Act.

(ii) **Breach of Section 27 of the Act - Holding out as a Chiropractor** (1 complaint)

Allegation

Result of Investigation

Veterinary Surgeon using terminology "Veterinary Chiropractor", "ChiroVet" And "Animal Chiropractic"

Person warned of serious consequences of breaching the Act - Steps taken by Vet to remedy situation.

(b) ***Against Registered Practitioners***

During the year fourteen (14) complaints were dealt with by the Board against persons registered under the Act for various forms of unprofessional conduct.

These complaints are **summarised** as follows:

(i) **Unprofessional Conduct** (10 complaints)

<u>Allegation</u>	<u>Result of Investigation</u>
Improper sexual contact with 3 female patients and 1 staff member	Inquiry (refer 16(b))
Practitioner failed to keep adequate records/case notes	Inquiry (refer 16(a))
Improper sexual contact with 2 female patients	Complaint lodged by Registrar - Inquiry to be held.
Practitioner abused and harassed staff members	Insufficient evidence to substantiate disciplinary proceedings.
Claim made by practitioner of Curing asthma and allergies	Anonymous complaint was unsubstantiated - No action taken.
Rough treatment by practitioner And clinic was substandard	Clinic inspected - advised to remedy a number of matters.

(ii) **Overservicing / Overcharging** (2 complaints)

<u>Allegation</u>	<u>Result of Investigation</u>
Practitioner overcharged and over serviced 2 patients (Corrective Care Plan involved)	Insufficient evidence - Practitioner advised to adopt a more appropriate and accurate system of accounting.

(iii) **Advertising** (2 complaints)

<u>Allegation</u>	<u>Result of Investigation</u>
Advertising was false and misleading	Matter resolved between parties - No further action.
Advertising was misleading	Practitioner advised to change aspects of advertising.

16 INQUIRIES

The following disciplinary inquiries are **summarised** as follows:

- (a) Following an investigation and a complaint lodged by the Registrar, the Board held an inquiry into the conduct of a registered chiropractor for failing to keep clear and adequate records in relation to six (6) patients.

Pursuant to Section 41 of the Act, the Board found the practitioner guilty of unprofessional conduct and imposed two conditions on the practitioner's registration as follows -

- 1) The practitioner engage with a mentor as recommended by the Board, through the Registrar, in relation to the appropriate and adequate record keeping of treatment of patients.
- 2) The practitioner provide complete patient records each 3 months to a person appointed by the Board, through the Registrar, for audit purposes. The Board will review the audits at the end of a period of 12 months and subject to the Board's satisfaction with the auditor's reports the conditions relating to the mentor and the audits will lapse.

The costs of complying with the above conditions are to be met by the practitioner.

Pursuant to Section 44 of the Act, the Board ordered that the practitioner pay costs in the sum of \$500 to the Registrar of the Board.

- (b)** Following an investigation and complaint lodged by the Registrar, the Board began an inquiry into the conduct of a registered chiropractor for improper sexual contact with three (3) female patients and a female staff member and possession of opium. Criminal proceedings were also pending.

Following legal argument, the Board agreed to adjourn the disciplinary proceedings until the criminal proceedings had been completed, subject to the following:

- 1) Commencing immediately, the practitioner must only see female patients in the presence of an adult female chaperone, who must remain for the whole of the consultation;
- 2) The practitioner must provide a fortnightly log, in a form satisfactory to the Board, listing all female patients seen by him during that time, such log to be signed by the practitioner and the chaperone and provided to the Board by the Tuesday of the week following the end of the fortnightly period;
- 3) The names of the chaperones are to be provided to the Board; and
- 4) Any changes in the chaperones are to be notified to the Board immediately.

Any breach of the conditions set out above would result in the disciplinary proceedings continuing.

17 COMPLAINT & INQUIRY PROCEDURES

Should a member of the public or profession wish to complain about the conduct or practice of a registered chiropractor or osteopath, the appropriate channel is to the Board.

The Board has the statutory responsibility to deal with complaints against chiropractors and osteopaths and the power under the provisions of the Act to impose appropriate penalties.

The Complaints Committee of the Board comprising the Registrar and a professional Board member, conducts preliminary enquiries. Upon completion of the investigation and legal advice from the Crown Solicitors Office the Committee may lay a complaint to the Board or report to the Board on its findings.

The question of whether any particular course of conduct amounts to unprofessional conduct is a matter to be determined by the Board after considering the evidence in each individual case.

Comprehensive complaint guidelines have been published and are available from the offices of the Board or from the Board's web site.

In November 2000 the Board adopted the following policy with respect to the recording of complaints and prosecutions under the Act in the Annual Report.

a) COMPLAINTS AGAINST REGISTERED CHIROPRACTORS / DISCIPLINARY INQUIRIES

i) Unsubstantiated

Only the category of misconduct and Committee/Board findings should be reported, not the content of the complaint or the identity of the practitioner concerned.

ii) Substantiated (penalty of suspension or cancellation)

The allegations, detailed findings of the Board of Inquiry (including penalty) and the name of the practitioner concerned should be reported in the Annual Report.

In both cases above the complainants name (or identity) would not appear in the Annual Report.

b) PROSECUTIONS UNDER THE ACT

i) No Prosecution or Unsuccessful Prosecution

The event is reported, but not the name of the person concerned.

ii) Successful Prosecution

The event, allegations, Court finding (including penalty) and the name of the person should be reported in the Annual Report.

18 PRACTISING UNREGISTERED

It has again come to the attention of the Board that some chiropractors have failed to register or renew their registration and have continued to practise chiropractic in South Australia.

Persons in this category are therefore unregistered and serious consequences may arise.

In accordance with Sections 25, 26 and 27 of the Chiropractors Act, 1991 (*the Act*), it is an offence for unregistered persons to practise chiropractic or advertise or hold out that they are a chiropractor. **Penalty - Maximum \$8,000 fine or 6 months imprisonment.**

An employer may also be held to aid and abet the offence.

Should the Board receive a complaint or discover that a person (qualified or not) is practising chiropractic unregistered it will refer the matter to the Crown Solicitor's Office with a view to prosecution.

The Board may also pursue a disciplinary course of action against a chiropractor for unprofessional conduct.

In normal circumstances an unregistered chiropractor's professional indemnity insurance cover will be void with respect to any claim made during an unregistered period. The Board considers this a very serious consequence because the public may have limited recourse with respect to negligent or incompetent behaviour.

Other serious implications of practising unregistered may include:

- non-payment of fees by health funds, WorkCover Corporation and the Department of Veteran Affairs.
- civil action may be taken against an unregistered person.

The **onus** is on the **chiropractor or osteopath** to renew registration each year by the due date.

Where a person changes address and fails to notify the Board of such change this is not accepted as a satisfactory explanation of failing to renew registration and practising unregistered.

Chiropractors and osteopaths are reminded that it is an offence to fail to notify the Board of a change of residential or professional address within 14 days of that change (Regulation 18 under the Act).

19 LEGISLATION REVIEW

In November 1998 the Competition Policy Review Team circulated an issues paper concerning a review of the Chiropractors Act 1991 and Regulations 1992.

The review was conducted in compliance with an obligation upon the South Australian Government under Clause 5 of the Competition Principles Agreement between the Commonwealth, State and Territory Governments.

In January 1999 a final report was produced by the Review Panel following consultation with interested parties. Many amendments to the legislation were recommended.

In August 2000 Cabinet agreed that these amendments be forwarded to Parliamentary Counsel for drafting.

It is anticipated that a Bill containing these amendments and other amendments in accord with modern trends in legislation will be introduced into the Parliament shortly.

20 PROFESSIONAL INDEMNITY INSURANCE

Practitioners are advised that ***it is an offence under Section 29 of the Act to practise as a chiropractor without holding a minimum level of professional indemnity insurance cover of \$5,000,000*** for any one claim.

The maximum penalty for breaches of this Section is \$8,000.

The Board may consider such conduct to be unprofessional and institute disciplinary proceedings against practitioners who practise chiropractic without the minimum level of cover.

The Board has approved the following insurance companies in accordance with Section 29(1)(a) of the Act:

- ❖ AMP General Insurance Ltd
- ❖ Lloyds of London
- ❖ The Guild Insurance Co Ltd
- ❖ CGU Professional Risks Insurance

21 AUSTRALASIAN CONFERENCE OF CHIROPRACTORS & OSTEOPATHS BOARDS (ACCORB)

The Australasian Conference of Chiropractors & Osteopaths Registration Boards was held in Christchurch, New Zealand, on 29 July 2000, with representation from all State and Territory Registration Boards and New Zealand. Apologies were received from the Victorian and Western Australian Osteopaths Boards.

The Chairperson and Registrar attended the conference on behalf of the Board.

Some of the major issues discussed were:

- Code of Conduct for Board Members
- Future Direction of ACCORB
- Animal Chiropractic
- National Accreditation & Examination / Peak Bodies
- National Register
- National Standards of Practice
- Examination of Overseas Trained Persons
- Sexual Misconduct
- Uniform Registration Standards

Since 1982 the South Australian Board has prepared and maintained a Resolution book of Conference decisions.

A meeting of Registrars was held after the Conference to consider the follow up action and to discuss general administrative issues.

The next ACCORB meeting is planned to be held in Fremantle, Western Australia, on 15 September 2001 with a National Registrars meeting to be held on 16 September 2001.

22 MUTUAL RECOGNITION / TRANS TASMAN MUTUAL RECOGNITION (TTMR)

Under the provisions of the Mutual Recognition (SA) Act, 1993 and the Trans Tasman Mutual Recognition (SA) Act, 1999, a person who holds current registration and is in good standing in another participating jurisdiction of Australia or New Zealand is entitled to be registered to practise as a chiropractor or osteopath in South Australia upon making due application.

Mutual recognition applies between all States/Territories of Australia. TTMR applies between New Zealand and all registered States/Territories of Australia with the exception of Western Australia.

Osteopaths are not registered in New Zealand and thus TTMR does not apply.

Applicants receive a certificate of deemed registration until the Board determines the application (must be within one month of lodgement).

The Board grants substantive registration or registration under the Act on such conditions (if any) imposed by the first registering authority.

Substantive registration may be postponed or refused in cases where, for example, statements made in the application/notice are found to be materially false or misleading.

During the year the Board approved applications for registration and re-registration from thirty (30) persons under the Mutual Recognition Act and one (1) person under the Trans Tasman Mutual Recognition Act.

23 ASSESSMENT OF OVERSEAS QUALIFICATIONS

In January 2001 the Board was approved by the Australian Government's National Office of Overseas Skills Recognition (NOOSR) and gazetted by the Minister of Immigration and Multicultural Affairs as an assessing authority to provide assessment of qualifications of overseas trained (and Australian trained) chiropractors and osteopaths for migration purposes and suitability to practice in Australia.

The assessment process is as follows:

Stage 1 - Desktop Audit

The minimum criteria against which an assessment is made are that applicants:

- Have completed a tertiary level education program leading to an award in chiropractic or osteopathy, that is equivalent to an Australian Bachelor degree (as per NOOSR Country Education Profiles).

Note: Persons with qualifications that cannot be assessed may be referred to NOOSR for an individual educational assessment.

- Are registered, licensed or otherwise officially recognised and in good standing as a chiropractor or osteopath in the country in which they trained or practised and,
- Have English as a first language OR have achieved a pass on an appropriate English language test; either a pass in the Occupational English Test (OET) or an overall score of Band 7 at the academic level of the International English Language Testing System (IELTS).

A modified desktop assessment is available for persons holding recognized Australian or New Zealand qualifications and currently registered and in good standing in Australia or New Zealand. Applicants in this category will not be required to undergo the competency based screening examination.

Stage 2 - Competency Based Screening Examination

Applicants who meet the criteria in Stage 1 are eligible to apply for a competency based screening examination.

This examination will soon be available and will be held in Australia every 3 months.

The examination consists of 4 sections, 2 parts, as follows:

Part 1 - Theoretical

- 1) Written basic competency
- 2) Written clinical competency

Part 2 - Practical

- 1) Clinical simulation - oral
- 2) Objective Structured Clinical Examination (OSCE)

Applicants who obtain a successful pass in this examination are recognised as suitable for migration as a chiropractor or osteopath under the Skilled Migration Category.

A Certificate of Professional Competency will be issued and applicants will be eligible for apply for registration in participating States and Territories of Australia.

The fee schedule is as follows:

Stage 1

a)	Application for Assessment of Qualifications (non refundable)	\$500
b)	Modified Desktop Assessment (non refundable)	\$250

Stage 2

	Application for Competency Based Screening Examination (non refundable)	\$1,500
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The fees are GST free under Section 38-110 of A New Tax System (Goods & Services Tax) Act 1999.

The Board has recommended to the Minister the removal of all prescribed overseas qualifications.

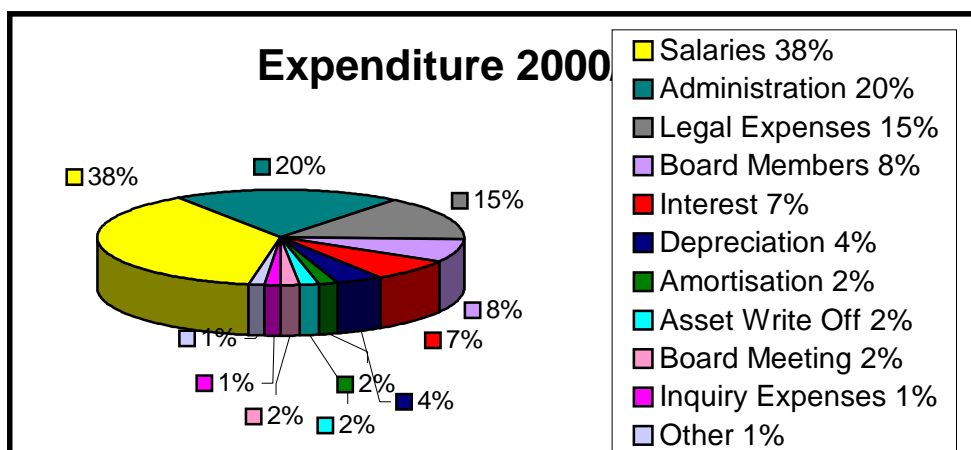
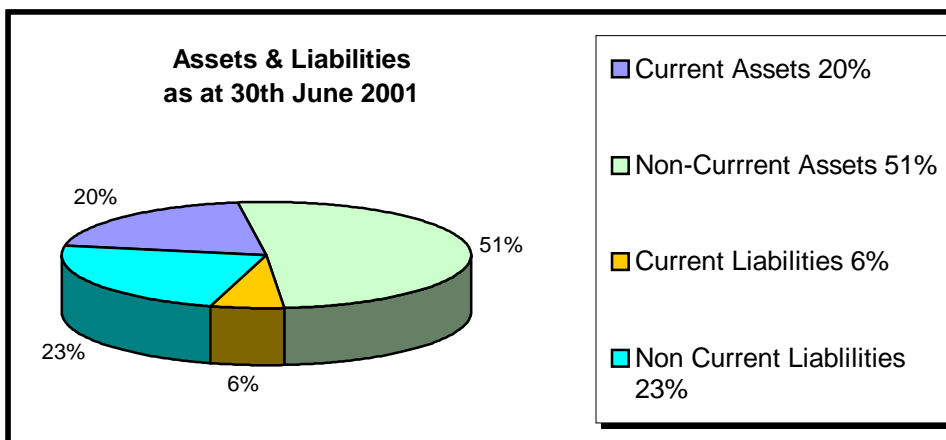
The Registrar attended a NOOSR seminar for professional bodies held in Canberra, Australian Capital Territory, on 9 April 2001.

24 FINANCES

The Board recorded an operating surplus of \$22,078 for the 2000/2001 financial year and as at 30 June 2001 the Board had total equity of \$204,269.

The Board is not considered to be a "controlled entity" for the purposes of inclusion in the whole of Government reporting.

The following pie charts show the assets and liabilities of the Board as at 30 June 2001 and the expenditure of the Board during the 2000/2001 financial year.



The accounts of the Board have been audited and the financial statements for the year ended 30 June 2001, together with accompanying notes and the independent audit report of the Auditor-General appears as follows.

CHIROPRACTORS BOARD OF SOUTH AUSTRALIA

STATEMENT OF FINANCIAL PERFORMANCE FOR YEAR ENDED 30 JUNE 2001

	Note	2001 \$	2000 \$
REVENUES FROM ORDINARY ACTIVITIES			
Registration Fees	3	130,215	128,630
Rent Received	4	16,908	15,348
Computer & Office Equipment Services		6,900	6,000
Interest		4,293	1,877
Insurance Recovery		1,956	0
Costs Awarded	5	500	750
Miscellaneous		490	3,470
		<hr/>	<hr/>
Total Revenues from ordinary activities		161,262	156,075
		<hr/>	<hr/>
EXPENSES FROM ORDINARY ACTIVITIES			
Salaries & Related Expenses		52,486	57,399
Administrative Expenses	6	28,054	24,164
Legal & Investigative Expenses	7	20,570	13,087
Interest on Borrowings	8	10,404	11,672
Board Members Fees	9	11,170	7,512
Depreciation Expenses		5,792	6,224
Amortisation Expenses		2,379	2,379
Asset Write Off		2,226	0
Board & Committee Meeting Expenses		2,134	1,437
Inquiry Expense		2,008	0
Australasian Council on Chiropractic Education		1,345	1,375
Interest - Finance Leases		616	883
		<hr/>	<hr/>
Total Expenses from ordinary activities		139,184	126,132
		<hr/>	<hr/>
NET RESULT		22,078	29,943
		<hr/>	<hr/>
Total changes in equity other than those resulting from transactions with owners as owners		22,078	29,943
		<hr/> <hr/>	<hr/> <hr/>

CHIROPRACTORS BOARD OF SOUTH AUSTRALIA
STATEMENT OF FINANCIAL POSITION AS AT 30 JUNE 2001

		2001	2000
	Note		\$
CURRENT ASSETS			
Investments	15	96,407	94,220
Receivables		1,907	1,356
Cash at Bank and on Hand	15	728	849
Prepayments		329	1,272
		<hr/>	<hr/>
Total Current Assets		99,371	97,697
		<hr/>	<hr/>
NON-CURRENT ASSETS			
Property, Furniture & Equipment	10	248,490	254,839
		<hr/>	<hr/>
Total Non-Current Assets		248,490	254,839
		<hr/>	<hr/>
TOTAL ASSETS		347,861	352,536
CURRENT LIABILITIES			
Borrowings	11	12,327	11,457
Accounts Payable & Accruals		11,162	15,383
Leases	12	3,043	2,747
Employee Entitlements - Annual Leave	13	2,820	2,484
		<hr/>	<hr/>
Total Current Liabilities		29,352	32,071
		<hr/>	<hr/>
NON-CURRENT LIABILITIES			
Borrowings	11	106,235	128,487
Employee Entitlements - Long Service Leave	13	5,950	4,806
Leases	12	1,460	4,503
Accounts Payable & Accruals		595	481
		<hr/>	<hr/>
Total Non-Current Liabilities		114,240	138,277
		<hr/>	<hr/>
TOTAL LIABILITIES		143,592	170,348
		<hr/>	<hr/>
NET ASSETS		204,269	182,188
		<hr/>	<hr/>
EQUITY			
Accumulated Surplus		169,068	139,122
Current Year Surplus		22,078	29,943
Asset Revaluation Reserve		13,123	13,123
		<hr/>	<hr/>
TOTAL EQUITY		204,269	182,188
		<hr/>	<hr/>

CHIROPRACTORS BOARD OF SOUTH AUSTRALIA
STATEMENT OF CASH FLOWS FOR YEAR ENDED 30 JUNE 2001

	Note	2001	2000 \$
CASH FLOWS FROM OPERATING ACTIVITIES			
Inflows			
Registration Fees		130,215	128,630
Rent Received		16,908	15,348
Computer & Office Equipment Services		6,900	6,000
Interest		4,293	1,877
GST Received from Taxation Authority		3,502	0
GST Collected on Sales		3,203	0
Cost Awarded		1,228	1,122
Other Income		490	3,470
		166,739	156,447
Outflows			
Salaries & Related Expenses		54,623	49,140
Administrative Expenses		27,465	24,656
Legal & Investigative Expenses		21,937	10,087
Board Members Fees		11,170	7,512
Interest on Borrowings		10,598	11,642
GST Paid on Purchases		7,984	0
Board & Committee Meeting Expenses		1,995	1,405
Australasian Council on Chiropractic Education		1,345	1,375
Inquiry Expense		719	0
Interest Finance Lease		616	883
		138,452	106,700
Net cash provided by operating activities	14	28,287	49,747
CASH FLOWS FROM INVESTING ACTIVITIES			
Inflows			
Proceeds from Insurance recovery		1,956	0
Outflows			
Asset Purchases		4,048	1,988
Net cash used in Investing Activities		2,092	1,988
CASH FLOWS FROM FINANCING ACTIVITIES			
Outflows			
Repayments of Borrowings		21,382	11,111
Repayment of Lease Liability		2,747	2,481
Net cash used in Financing Activities		24,129	13,592
NET INCREASE IN CASH HELD		2,066	34,167
CASH AT 1 JULY		95,069	60,902
CASH AT 30 JUNE	15	97,135	95,069

CHIROPRACTORS BOARD OF SOUTH AUSTRALIA

NOTES TO & FORMING PART OF THE FINANCIAL STATEMENTS

1 BOARD OBJECTIVES & FUNDING

The Board exercises its functions under the Chiropractors Act 1991 with a view to achieving and maintaining professional standards of competence and conduct in the practice of chiropractic.

The Board's principal source of funds consists of monies paid by registered chiropractors as registration renewal fees.

2 SIGNIFICANT ACCOUNTING POLICIES

The Financial Statements have been prepared in accordance with Statements of Accounting Concepts, appropriate Australian Accounting Standards, applicable Urgent Issues Group Consensus Views, and in accordance with the Treasurer's Instructions issued pursuant to the Public Finance & Audit Act 1987.

The accounts have been prepared on the basis of historical cost and do not take into account changing money values or, except where stated, current valuation of non-current assets. The accounting policies have been consistently applied unless otherwise stated.

Accounting policies for "Registration Fees", "Non Current Assets" and "Employee Entitlements" appear under those headings.

In accordance with the requirements of UIG Abstract 31 "Accounting for the Goods and Services Tax (GST)", revenue, expenses and assets are recognised net of the amount of GST except that: The amount of GST incurred by the Board as a purchaser that is not recoverable from the Australian Taxation Office is recognised as part of the cost of acquisition of an asset or as part of an item of expense; and receivables and payables are stated with the amount of GST included. The net GST receivable from the Australian Taxation Office has been recognised as a receivable in the Statement of Financial Position.

The Board prepares a Business Activity Statement on behalf of the South Australian Psychological Board and the Occupational Therapists Registration Board of SA under the grouping provisions of the GST legislation.

3 REGISTRATION FEES

As registration fees apply to the registration year, and as no liability arises to refund fees paid in the event of loss or surrender of registration, fees are recognised as income in the year that they are received.

The principal component was as follows -

	2001	2000
Renewal Fees (including companies)	\$114,570	\$120,240

The reduction of income was as a result of a decrease in the renewal fee from \$425 to \$390.

4 RENT RECEIVED

Represents rent received from the South Australian Psychological Board, Occupational Therapists Registration Board of South Australia and the Council of Occupational Therapists Registration Boards (Aust. & NZ) Inc.

5 COSTS AWARDED

Represents costs awarded against a chiropractor found guilty of unprofessional conduct after the holding of a disciplinary inquiry.

6 ADMINISTRATIVE EXPENSES

	2001	2000
	\$	\$
Accommodation Outgoings	7,882	4,047
Conferences	6,049	5,144
Computer and Office Equipment Maintenance	3,042	4,161
Sundries	2,002	1,228
Audit Fees	2,300	1,850
Bank fees and charges	1,476	1,382
Telephone	1,368	1,838
Insurance - Indemnity	1,359	1,262
Postage	1,099	1,234
Assets Under \$300 expensed	725	1,380
Printing	436	356
Stationery	316	282
	<u>28,054</u>	<u>24,164</u>

7 LEGAL & INVESTIGATIVE EXPENSES

Represents actual costs of legal and investigative services provided by the Crown Solicitors Office - \$16,674 and investigation costs from April 2001 provided by Quark Technologies Pty Ltd - \$3,896.

8 INTEREST ON BORROWINGS

Represents interest on the mortgage advanced by Adelaide Bank for the purchase of office accommodation at 16 Norma Street, Mile End.

9 REMUNERATION OF BOARD MEMBERS

Amounts received or receivable by members of the Board for Board and Committee meetings between the following band was -

	2001	2000
	Number of Members	Number of Members
\$0-\$9,999	7	7
The total fees paid to Board members were:	\$11,170	\$7,512

The increase from last year reflects the increase in business activity resulting in longer Board Meetings and more Committee Meetings. The rate of pay for Board Members increased in May 2000 also contributing to the increase in the total remuneration paid.

10A PROPERTY, FURNITURE & EQUIPMENT

Assets are depreciated over their estimated lives using the straight line method of depreciation. The estimated life of all classes of assets, except for land, building and refurbishment, is five years. The land and building will be subject to valuation on a cyclical basis every three years.

	2001	2000
		\$
Land - At Independent Valuation	125,000	125,000
Building & Refurbishment	120,000	120,000
Less Accumulated depreciation on building	8,500	5,500
	<u>111,500</u>	<u>114,500</u>

Computer Hardware - At cost	14,704	14,529	
Less Accumulated depreciation	8,307	7,767	
	<u>6,397</u>	<u>6,762</u>	
Equipment Under Lease	11,894	11,894	
Less Accumulated amortisation	7,137	4,758	
	<u>4,757</u>	<u>7,136</u>	
Office Equipment - At cost	16,832	16,832	
Less Accumulated depreciation	16,355	16,027	
	<u>477</u>	<u>805</u>	
Office Furniture & Fittings - At cost	14,827	14,827	
Less Accumulated depreciation	14,468	14,191	
	<u>359</u>	<u>636</u>	
Total Property, Furniture & Equipment	<u><u>248,490</u></u>	<u><u>254,839</u></u>	

10B MOVEMENTS IN PROPERTY, FURNITURE & EQUIPMENT

	Land	Building Refurbish	Computer Hardware	Leased Equipment	Office Equipment	Office Furn & Fittings	Total
Balance at the beginning of the year	125,000	114,500	6,762	7,136	805	636	254,839
Additions	0	0	4,048	0	0	0	4,048
Disposals	0	0	0	0	0	0	0
Depreciation Expense	0	(3,000)	(2,187)	(2,379)	(328)	(277)	(8,171)
Assets written off	0	0	(2,226)	0	0	0	(2,226)
	<u>125,000</u>	<u>111,500</u>	<u>6,397</u>	<u>4,757</u>	<u>477</u>	<u>359</u>	<u>248,490</u>

11 BORROWINGS

The Board negotiated a loan of \$210 000 over 15 years with Adelaide Bank commencing 14 January 1994. Principal and interest payments at a fixed rate are made on a monthly basis-

	2001	2000
	\$	\$
Borrowings	139,944	151,055
Less Repayments of Principal	21,382	11,111
	<u>118,562</u>	<u>139,944</u>
Amount owing comprises:		
Current Liability (repayable within one year)	12,327	11,457
Non Current Liability (repayable after one year)	106,235	128,487
	<u>118,562</u>	<u>139,944</u>

12 LEASE COMMITMENTS

Commitments in relation to finance leases are payable as follows:

	2001	2000
	\$	\$
Not later than one year	3,364	3,364
Later than one year and not later than five years	1,472	3,364
Later than five years	0	1,472
	<hr/>	<hr/>
Minimum lease payments	4,836	8,200
Deduct future finance payments	333	950
	<hr/>	<hr/>
	4,503	7,250
	<hr/> <hr/>	<hr/> <hr/>
Classified in the Financial Statements as:		
Current	3,043	2,747
Non current	1,460	4,503
	<hr/>	<hr/>
	4,503	7,250
	<hr/> <hr/>	<hr/> <hr/>

13 EMPLOYEE ENTITLEMENTS

As at 30 June 2001, the Board had a long service leave liability of \$5,950. The provision for long service leave has been determined for the Board's employees who have completed seven or more years of service. This policy is consistent with the requirements of AAS 30 "Accounting for Employee Entitlements".

As at 30 June 2001, the Board had an annual leave liability of \$2,820.

These liabilities reflect the net liability after taking into account the employee entitlement liability of the South Australian Psychological Board, Occupational Therapists Registration Board of South Australia and the Council of Occupational Therapists Registration Boards (Aust & NZ) Inc.

14 RECONCILIATION OF OPERATING SURPLUS TO NET CASH PROVIDED BY OPERATING ACTIVITIES

	2001	2000
	\$	\$
Operating Surplus	22,078	29,943
Non cash items		
Depreciation	5,792	6,224
Amortisation	2,379	2,379
Loss on Asset write off	271	0
Changes in Assets and Liabilities		
Increase in Provision for Long Service Leave	1,145	534
Decrease (Increase) in Prepayments	943	(1,272)
Increase in Provision for Annual Leave	336	56
(Decrease) Increase in Accounts Payable & Accruals	(4,106)	11,639
(Increase) Decrease in Receivables	(551)	244
	<hr/>	<hr/>
Net Cash provided by operating Activities	28,287	49,747
	<hr/> <hr/>	<hr/> <hr/>

15 RECONCILIATION OF CASH

For the purposes of the Statement of Cash Flows, cash includes cash on hand and deposits at call with banks. Cash held at 30 June as shown in the Statement of Cash Flows is reconciled to the relevant items in the Statement of Financial Position as follows:

	2001	2000
	\$	\$
Investments	96,407	94,220
Cash at Bank and on hand	728	849
	<hr/>	<hr/>
	97,135	95,069
	<hr/> <hr/>	<hr/> <hr/>

CERTIFICATE BY THE CHAIRPERSON AND ACCOUNTING OFFICER

To the best of our knowledge and belief:

- a. the foregoing Statement of Financial Performance, Statement of Financial Position, Statement of Cash Flows, and notes thereto of the Chiropractors Board of South Australia present fairly, in accordance with Statements of Accounting Concepts, applicable Accounting Standards, Issues Group Consensus Views and the Public Finance and Audit Act 1987, as amended, the financial position of the Board as at 30 June 2001 and the result of its operations and its cash flows for the year then ended; and
- b. internal controls over financial reporting have been effective throughout the year.

P R DONATO
CHAIRPERSON

L M SPAGNOLETTI
ACCOUNTING OFFICER



INDEPENDENT AUDIT REPORT

TO THE CHAIRPERSON, CHIROPRACTORS BOARD OF SOUTH AUSTRALIA

As required by section 31 of the *Public Finance and Audit Act 1987*, I have audited the financial report of the Chiropractors Board of South Australia for the financial year ended 30 June 2001. The financial report comprises:

- A Statement of Financial Performance;
- A Statement of Financial Position;
- A Statement of Cash Flows;
- Notes to and forming part of the Financial Statements;
- Certificate by the Chairperson and the Accounting Officer.

The members of the Chiropractors Board of South Australia are responsible for the financial report. I have conducted an independent audit of the financial report in order to express an opinion on it to the Chairperson.

The audit has been conducted in accordance with the requirements of the *Public Finance and Audit Act 1987* and Australian Auditing Standards to provide reasonable assurance that the financial report is free of material misstatement.

Audit procedures included examination, on a test basis, of evidence supporting the amounts and other disclosures in the financial report and the evaluation of accounting policies and significant accounting estimates. These procedures have been undertaken to form an opinion whether, in all material respects, the financial report is presented fairly in accordance with Treasurer's Instructions promulgated under the provisions of the *Public Finance and Audit Act 1987*, Australian Accounting Standards and other mandatory professional reporting requirements including Urgent Issues Group Consensus Views so as to present a view which is consistent with my understanding of the Chiropractors Board of South Australia's financial position, and performance as represented by the results of its operations and its cash flows.

The audit opinion expressed in this report has been formed on the above basis.

AUDIT OPINION

In my opinion, the financial report presents fairly in accordance with Treasurer's Instructions promulgated under the provisions of the *Public Finance and Audit Act 1987*, applicable Australian Accounting Standards and other mandatory professional reporting requirements, the financial position of the Chiropractors Board of South Australia as at 30 June 2001, the results of its operations and its cash flows for the year then ended.

22 October 2001

K I MacPHERSON
AUDITOR-GENERAL