

HEALTH, CHIROPRACTIC PROFESSION, WORKERS COMPENSATION

1361. Hon Jim Scott to the Minister for Housing and Works representing the Minister for Consumer and Employment Protection
- (1) Have any associations representing the chiropractic profession expressed concern to this Minister, or preceding Ministers, regarding restraint of trade with relation to workers compensation?
 - (2) Is the Minister aware of a landmark US District Court decision (*Wilk v AMA*), which was upheld on appeal, where the AMA was found guilty of violating the *Sherman Act*, which made illegal every combination or conspiracy to restrain trade?
 - (3) Is the Minister aware that during the *Wilk v AMA* trial a conspiracy to first contain and eventually eliminate the chiropractic profession was exposed?
 - (4) Is the Minister aware that the conspiracy was based upon a set of recommendations known as the Iowa Plan?
 - (5) Is the Minister aware that one element of the Iowa Plan is to restrict workers compensation beneficiaries access to chiropractors?
 - (6) Does the current WorkCover legislation in WA impose a medical gatekeeper between an injured worker and a chiropractor?
 - (7) If yes, have any members of the chiropractic profession protested to this Minister, or preceding Ministers, that the imposition of a medical gatekeeper between an injured worker and a chiropractor serves to obstruct or deny trade?

Hon NICK GRIFFITHS replied:

- (1) No concerns have been expressed to me regarding chiropractors and restraint of trade since I have been Minister.
- (2)-(5) While not personally aware of this case, I have received a brief outline on its findings from my department.
- (6) The Workers' Compensation & Rehabilitation Act allows for a worker to have the reasonable cost of chiropractic treatment reimbursed. While an injured worker does not require a referral from a medical practitioner to obtain this benefit, the worker does require a certificate from a medical practitioner to make a claim against his employer.
- (7) See answer to question (6).