



Northern Territory Directive Summary

Introduction

1. The *Northern Territory Chiropractor Workplace Policy (Policy) Act* is in accordance with the COVID-19 Directions (No. 55) 2021: *Directions for mandatory vaccination of workers to attend the workplace* (Directions) under the Public and Environmental Health Act 2011 (NT) (“**the Directions**”).
2. The Policy will commence on 29 November 2021 until the cessation of the public health emergency declaration.
3. The Directions have caused significant hardship for medical practitioners in the Northern Territory.
4. This policy provides a framework for unvaccinated chiropractors to continue to see patients by employing COVID-19 safety measures. These include:
 - a. not treating patients who are ‘specified persons.’ For the purposes of the Policy, ‘specified persons’ refers to patients who meet the criteria outlined in section 11 of the Directions (**‘Policy Part 1’**);
 - b. detailing COVID-19 safe procedures to reduce the spread of COVID-19 (**‘Policy Part 2’**); and
 - c. the use of COVID-19 Rapid Antigen Testing (RAT) as a ‘reasonable alternative’¹ to vaccination (**‘Policy Part 3’**).

Policy Part 1 - Workers not vaccinated against COVID-19 not to treat ‘specified persons.’

- 1.1 Chiropractors who are not vaccinated against COVID-19 should not treat patients who are ‘specified persons’ which includes ‘vulnerable persons’ as defined in section 3 of the Directions.
- 1.2 Chiropractors will not treat ‘specified persons’ as defined below:

¹ COVID-19 Directions (No. 55) 2021: *Directions for mandatory vaccination of workers to attend the workplace* section 12 <<https://www.optometry.org.au/wp-content/uploads/2021/CHO-Directions-No.-55-of-2021-Directions-for-mandatory-vaccination-of-workers-to-attend-the-workplace-SIGNED-3.pdf>>.

Nothing in these Directions prevents a worker who is not vaccinated as specified in directions 6 and 7 or exempt from vaccination under direction 8 from working at a place where the worker, during the course of work:

- (a) is not likely to come into contact with a vulnerable person; and*
- (b) is not likely to come into contact with a person or thing that poses a risk of infection with COVID-19; and*
- (c) is not likely to be exposed to a high risk of infection with COVID-19.*

1.3 Direction 3 of the Directions defines a ‘vulnerable person:’

A person is considered to be vulnerable to infection with COVID-19 if:

- (a) The person is under 12 years of age; or*
- (b) The person cannot be vaccinated with an approved COVID-19 vaccine due to a contraindication to all approved COVID-19 vaccines; or*
- (c) The person is an Aboriginal person; or*
- (d) The person is at risk of severe illness from COVID-19 for medical reasons, such as being on immune suppressive therapy after an organ transplant or having chronic kidney, heart, liver or lung disease.”*

1.4 Policy Part 1 should be read alongside Policy Part 2 and Policy Part 3.

Policy Part 2 - Implementation COVID-19 safe procedures in clinical settings.

2.1 Unvaccinated chiropractors working in a clinical setting should implement clear COVID-19 safe measures.

2.2 COVID-19 safe procedures should include:

- (a) The implementation of a COVID-Safe Plan:²
 - a. A COVID-Safe Plan should include measures such as:
 - i. A detailed plan of action to help prevent the risk of infection of COVID-19 in the workplace;
 - ii. The appropriate PPE and face mask for the workplace;

² For example, see Department of Health, *COVIDSafe Plan* (18 November 2021) <<https://www.coronavirus.vic.gov.au/covid-safe-plan>>.

- iii. How the workplace should prepare for and respond to the possibility of a COVID-19 infection; and
 - iv. How the workplace will meet all the requirements set out in the Directions.
- (b) Ensuring density quotients and social distancing measures are maintained in the workplace; and
- (c) Accurate record-keeping. For example, ensuring the workplace is registered for a QR code and checking that individuals, including employees, are signing in and out when entering and leaving the premises.
- (d) A template to guide the implementation of, and adherence to, these measures can be found here <https://www.coronavirus.vic.gov.au/covidsafe-plan#creating-a-covidsafe-plan>.
- (e) The implementation of COVID-19 Rapid Antigen Testing (RAT) for chiropractors who are not vaccinated against COVID-19 (see Policy Part 3).
- 2.4** When read with Policy Part 1, Policy Part 2 ensures that the risk of COVID-19 infection in a clinical setting is minimal.

Policy Part 3 - The use of COVID-19 Rapid Antigen Testing ('Policy Part 3').

- 3.1** RAT is to be used by all unvaccinated chiropractors in a clinical setting.
- 3.2** Our recommendation is the introduction of RAT testing daily, or at least three times per week, for workers who are not vaccinated against COVID-19.
- 3.3** RAT ensures that those attending the workplace are negative for COVID-19, reducing the risk to both staff and patients.
- 3.4** RAT is a 'reasonable adjustment' for chiropractors who are unvaccinated to use to reduce the risk of transmission of COVID-19 while treating persons who are not 'specified persons.'
- 3.5** RAT has been approved by the Therapeutic Goods Administration ("TGA") in accordance with the Guidance for Implementation and Checklist for Businesses in respect of COVID-19 Rapid Antigen Point of Care Testing and offers a minimum clinical sensitivity and detection COVID-19 virus of greater than 95%.³
- 3.6** Policy Part 3 should be read alongside Policy Part 1 and Policy Part 2 to ensure that the risk of COVID-19 infection in a clinical setting is minimal.

³ Therapeutic Good Association, *COVID-19 rapid antigen self-tests that are approved for use in Australia* (17 November 2021) Australian Government Department of Health <<https://www.tga.gov.au/covid-19-rapid-antigen-self-tests-are-approved-australia>>.

3.7 RAT is currently used alongside or as an alternative to COVID-19 vaccination in various industries in Victoria and New South Wales, including government, agencies, schools, construction. For example, RAT has been approved for use in the emergency department of the Royal Melbourne hospital. These industries have included guidance on use.⁴

⁴ NSW Ministry of Health, *Framework for the Provision of Rapid Antigen Screening for COVID-19 in Clinical and Non-Clinical Settings*, August 2021 <https://www.nsw.gov.au/sites/default/files/2021-08/209659_RAS%20Framework%20and%20Standard%20Operating%20Procedure%20Aug21%20v5.pdf>.