

DEPARTMENT OF HEALTH

NO. 714

21 JULY 2017

ALLIED HEALTH PROFESSIONS ACT, 1982

**REGULATIONS RELATING SPECIFICALLY TO CHIROPRACTIC AND OSTEOPATHY
PROFESSIONS**

The Minister of Health intends, under section 38(1)(i) and (l) of the Allied Health Professions Act, 1982 (Act No.63 of 1982), and after consultation with the Allied Health Professions Council, to make the Regulations in the Schedule.

Interested persons are invited to submit substantiated comments or representations in writing on the proposed amendments to the Regulations, to the Director-General: Health, Private Bag X 828, Pretoria, 0001 (for the attention of the Director: Public Entities Governance, Ms M Mushwana, MushwM@health.gov.za), within one month of the date of publication of this notice.

SCHEDULE

Definitions

1. In this Schedule—

"medical device" means any instrument, appliance, material, machine, apparatus, implant or diagnostic reagent -

(a) used or purporting to be suitable for use or manufactured or sold for use in -

- (i) the diagnosis, treatment, mitigation, modification, monitoring or prevention of disease, abnormal physical or mental states or the symptoms thereof; or
- (ii) restoring, correcting or modifying any somatic or psychic or organic function; or
- (iii) the diagnosis or prevention of pregnancy, and which does not achieve its purpose through chemical, pharmacological, immunological or metabolic

means in or on the human body but which may be assisted in its function by such means; or

- (b) declared by the Minister by notice in the *Gazette* to be a medical device, and includes any part or an accessory of a medical device;

"medicine" means any substance or mixture of substances used or purporting to be suitable for use or manufactured or sold for use in-

- (a) the diagnosis, treatment, mitigation, modification or prevention of disease, abnormal physical or mental state or the symptoms thereof in man; or
- (b) restoring, correcting or modifying any somatic or psychic or organic function in man,

and includes any veterinary medicine;

"Regulations of 1982" means the Regulations made under section 38 of the Act, as published under Government Notice No. R. 2610 of 03 December 1982 and amended by: Government Notice No. R. 870 of 29 April 1983, Government Notice No. R. 1196 of 10 June 1983, Government Notice No. R. 1745 of 12 August 1983, Government Notice No. R. 2322 of 26 October 1984, Government Notice No. R. 2712 of 14 December 1984, Government Notice No. R. 1083 of 17 May 1985, Government Notice No. R. 2394 of 21 November 1986, Government Notice No. R. 1622 of 31 July 1987, Government Notice No. R. 2366 of 23 October 1987, Government Notice No. R. 629 of 31 March 1988, Government Notice No. R. 2439 of 2 December 1988, Government Notice No. R. 2855 of 7 December 1990, Government Notice No. R. 3089 of 20 December 1991, Government Notice No. R. 2900 of 16 October 1992, Government Notice No. R. 203 of 4 February 1994, Government Notice No. R. 1700 of 25 October 1996; and as repealed, in part (Chapters 1,2,3,4,5,6,7,9,10,12 and 15), by Government Notice No. R. 127 of 12 February 2001;

"Regulations of 2001" means the Regulations published under Government Notice No. R. 127 of 12 February 2001 made under section 38 of the Allied Health Professions Act, 1982 (Act No. 63 of 1982); and

"substance" means anything which, whether used alone or in combination in either its original or natural state or in compounded, manipulated or prepared from, constitutes a medicine or form part of a medicine or which is a basic or starting substance;

"the Act" means the Allied Health Professions Act, 1982 (Act No. 63 of 1982).

Purpose and application

2. (1) The purpose of these regulations is to consolidate the Regulations of 1982 and the Regulations of 2001 into a single set of regulations pertaining to the chiropractic and osteopathic professions.

(2) These regulations apply only to the chiropractic and osteopathic professions.

Medicines for use in chiropractic and osteopathy professions

3. Subject to the Medicines and Related Substances Act, 1965 (Act No. 101 of 1965), a practitioner registered as a chiropractor or osteopath may possess or have under his or her control, prepare, prescribe for, or administer, or dispense to a patient—

- (a) for purposes of his or her practice and within the scope of practice relevant to his or her profession—
 - (i) vitamins, minerals and amino acids that may also be in injectable form, for the purpose of subcutaneous or intramuscular administration only;
 - (ii) pre- and probiotics; or
 - (iii) health supplements; and
- (b) for purposes of treating neuro-musculoskeletal pathology, and subject to the successful completion of the relevant education and training approved by the Council in injectable form, by subcutaneous, intramuscular, periarticular, periosteal, intratendinous or intraligamentous delivery only—
 - (i) sterile water;
 - (ii) isotonic saline solutions;
 - (iii) hypertonic saline solutions;
 - (iv) glucose;
 - (v) dextrose;
 - (vi) other substances or medicines that may be determined by the Council on the recommendation of the professional board from time to time and published in the *Gazette*.
- (c) medicines or substances intended exclusively for application to the skin.

Acts specifically pertaining to chiropractic profession

4. The following are acts specifically pertaining to the chiropractic profession:

- (a) The physical, orthopaedic or neurological examination of any person with or without the taking, reading and interpreting of radiographs, for the purpose of diagnosing any physical defect, illness or deficiency in such person;
- (b) the treatment or prevention of any physical defect, illness or deficiency directly related to spinal, pelvic, spinovisceral, articular or general neuro-musculoskeletal conditions in any person by—
 - (i) chiropractic manipulation or adjustment;
 - (ii) electrophysical modalities;
 - (iii) therapeutic exercises;
 - (iv) hydrotherapy;
 - (v) traction therapy;
 - (vi) thermal therapy;
 - (vii) vibration therapy;
 - (viii) immobilization therapy;
 - (ix) neuromuscular reflex therapy;
 - (x) chiropractic soft tissue manipulative therapy;
 - (xi) myofascial pain therapy;
 - (xii) dry needling;
 - (xiii) acupressure therapy;
 - (xiv) postural or gait analysis and training;
 - (xv) administration of medicines or substances by injection;
 - (xvi) proprioceptive neuromuscular facilitation;
 - (xvii) and by the use of any medical device as may be approved by the professional board; and
- (c) any other act specifically pertaining to the chiropractic profession, based on the education and training of chiropractic practitioners as approved by the Council, from time to time, at the recommendation of the applicable professional board and published in the *gazette*.

Acts specifically pertaining to osteopathy profession

5. The following are acts specifically pertaining to the profession of osteopathy:

- (a) The physical, orthopaedic or neurological examination of any person with or without the reading and interpreting of radiographs, for the purpose of diagnosing any physical defect, illness or deficiency in such person;

- (b) the treatment or prevention of any physical defect, illness or deficiency directly related to spinal, pelvic, spinovisceral, articular and general neuro-musculoskeletal conditions in any person by—
 - (i) osteopathic manipulation or adjustment;
 - (ii) passive joint mobilisation – spinal and peripheral;
 - (iii) osteopathic techniques;
 - (iv) osteopathic cranio-sacral techniques;
 - (v) visceral manipulation;
 - (vi) dry needling;
 - (vii) acupressure therapy;
 - (viii) electrophysical modalities;
 - (ix) thermal therapy;
 - (x) hydrotherapy;
 - (xi) therapeutic exercises;
 - (xii) immobilisation therapy;
 - (xiii) osteopathic soft tissue manipulative therapy;
 - (xiv) myofascial pain therapy;
 - (xv) proprioceptive neuromuscular facilitation;
 - (xvi) postural or gait analysis and training;
 - (xvii) administration of medicines or substances by injection;
 - (xviii) and by the use of any medical device as may be approved by the professional board; and


- (c) any other act specifically pertaining to the profession of an osteopath, based on the education and training of osteopathic practitioners as approved by the Council, from time to time, at the recommendation of the applicable professional board.

Repeal

- 6. (1) Regulations 45 and 49 of the Regulations of 1982 are hereby repealed.
- (2) Regulation 27 of the Regulations of 2001 is hereby repealed.

Short title

7. These regulations are called the Regulations Relating Specifically to Chiropractic and Osteopathy Professions, 2017.



DR. A. MOTSOLEDI, MP

MINISTER OF HEALTH

DATE: 2/6/2017