

## Media Statement

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### AHPRA prosecutes former doctor

**13 May 2016**

The Australian Health Practitioner Regulation Agency (AHPRA), on behalf of the Medical Board of Australia (the Board), has successfully prosecuted a former doctor for holding herself out as a registered medical practitioner.

Ms Cynthia Weinstein, the owner and practice manager of CDC Clinics, located in Armadale, Victoria, pleaded guilty in the Melbourne Magistrates' Court to a charge of recklessly holding herself out as a registered medical practitioner between 8 November 2014 and 22 October 2015, under section 116(1)(c) of the Health Practitioner Regulation National Law, as in force in each state and territory (the National Law). Ms Weinstein's company, CDC Clinics Pty Ltd, pleaded guilty to a charge of holding Ms Weinstein out as a registered medical practitioner in respect of 22 October 2015, under section 116(2)(c) of the National Law.

The magistrate found the charges against Ms Weinstein and her company to be proven. The Court adjourned the proceeding for a period of two and a half years and released Ms Weinstein on the basis that she provide an undertaking to be of good behaviour for the duration of the adjournment. Ms Weinstein was also ordered to pay a fine of \$10,000 and prosecution costs of \$35,000.

The magistrate sentenced Ms Weinstein without a conviction. Since surrendering her registration in 2010, Ms Weinstein has retrained as a lawyer and is seeking to be admitted to the legal profession. The magistrate decided a conviction may have a negative impact on her chances of success.

The magistrate found that the monetary penalty imposed on Ms Weinstein was significant, that requiring Ms Weinstein to give an undertaking to be of good behavior would protect the public and address issues of both general and specific deterrence.

CDC Clinics Pty Ltd was convicted and ordered to pay a fine of \$15,000.

Claiming to be a registered health practitioner when not registered and claiming that another person is a registered health practitioner when they are not, are both offences under the National Law. The law allows for penalties for falsely using protected titles or holding yourself out to be a registered practitioner when you are not. Certain practices are also restricted to individuals with necessary qualifications or registration under the National Law.

The current registration status of all of Australia's 637,000 registered health practitioners is published on the [register of practitioners](#). If a person's name does not appear on the register, they are not registered to practise in a regulated health profession in Australia.<sup>1</sup>

Anyone who is concerned about the practice of an individual or organisation can [make a complaint](#) to AHPRA.

The Medical Board of Australia (the Board) has recently issued [guidelines](#) for medical practitioners who perform cosmetic medical and surgical procedures.

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<sup>1</sup> In a very small number of cases, the details of a registered health practitioner may not appear on the register because of personal safety issues. If you have any questions, contact AHPRA on 1300 419 495.

The guidelines, which take effect on 1 October 2016, will help keep patients safe, without imposing an unreasonable regulatory burden on practitioners.

#### **For more information**

- For media enquiries: (03) 8708 9200
- Read more here on the [Guidelines for registered medical practitioners who perform cosmetic medical and surgical procedures](#).
- Lodge an [online enquiry form](#)
- For registration enquiries: 1300 419 495 (within Australia) +61 3 9275 9009 (overseas callers)