



31 May 2010

The Hon John Hill MP
Chair, Australian Health Workforce Ministerial Council
Minister for Health
GPO Box 2555
ADELAIDE SA 5001

Dear Minister

Proposals for Ministerial Council approval

I am pleased to submit the attached proposals from the Medical Board of Australia on registration standards for:

1. limited registration for teaching or research and
2. limited registration in the public interest.

The proposed registration standards are submitted for the approval of the Ministerial Council.

The proposals for registration standards are submitted in line with schedule 7, clause 30 of the *Health Practitioner Regulation National Law Act 2009* (Qld) (the National Law), for approval of the Ministerial Council under sections 12 of the National Law.

The proposals have been subject to wide-ranging consultation as required in relation to registration standards by section 40 of the National Law, and comments have been received from a range of stakeholders. The feedback to the Board has been constructive and has shaped the final registration standards.

I advise that the development of the proposals has been consistent with the Australian Health Practitioner Regulation Agency's *Procedures for Development of Registration Standards* which the Agency has issued under section 20(1)(a) of the *Health Practitioner Regulation (Administrative Arrangements) National Law Act 2008* (Qld).

I also advise that the Board has decided to proceed with consultation on:

1. registration standard for the supervised training requirements of Australian Medical Council certificate holders (standard pathway) for eligibility for general registration and
2. supervised practice guidelines for limited registration.

The Board looks forward to receiving the approval of the Ministerial Council of the proposed registration standards under section 12 of the National Law.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Joanna Flynn', with a large, stylized flourish at the end.

Dr Joanna Flynn
Chair
Medical Board of Australia



Proposals to the Australian Health Workforce Ministerial Council on registration standards

Date of submission: 31 May 2010

Medical Board of Australia

Limited registration for teaching or research

Summary

The Medical Board of Australia has established this standard under section 69 of the *Health Practitioner Regulation National Law Act 2009 (Qld)* ('the National Law'), and in accordance with section 38(2) of that Act. It applies to international medical graduates (IMGs) who do not qualify for general or specialist registration.

This standard sets out the requirements that an applicant for registration must meet in order to be granted limited registration for teaching or research, under section 69 of the National Law.

Medical practitioners who are granted limited registration for teaching or research may undertake some supervised clinical practice that is relevant to the teaching or research activities for which they have been registered. In order to be eligible for this type of registration, their predominant work-related activity must be teaching or research.

Limited registration for teaching or research is not a suitable type of registration for medical practitioners who are working towards gaining specialist or general registration. These medical practitioners should apply for limited registration for postgraduate training or supervised practice, or limited registration for area of need, via one of the three recognised pathways to registration.

All practitioners granted limited registration for teaching or research must comply with the requirements for registration set out in this standard, including:

- compliance with a supervision plan if they are undertaking any clinical practice
- compliance with a professional development plan
- authorising and facilitating the provision of regular reports from their supervisors to the Board regarding their safety and competence to practise
- satisfactory performance in the teaching or research position and in any clinical practice undertaken.

These requirements are established under this standard to ensure safe and competent practice for the period of limited registration.

The Board will be including the requirements of limited registration on the National Register pursuant to section 225(p) of the National Law.

Scope of application

This standard applies to international medical graduates (IMGs) applying for limited registration for teaching or research, under section 69 of the National Law, or for renewal of limited registration for teaching or research, under Part 7 Division 9 of the National Law.

Requirements

For initial registration

General requirements:

1. Presentation in person to a Board office or authorised delegate with proof of identity (100 points of identity) — a list of permitted documents is available on the Board's website at the following address:

www.medicalboard.gov.au.

Applicants are required to provide certified documentation identifying changes of name when the name of the applicant is different to the name on the primary degree in medicine and surgery and/or the name used with

previous registration authorities.

2. Evidence of having been awarded a primary degree in medicine and surgery, after completing an approved course of study at a medical school listed in the current International Medical Education Directory (IMED) (online only) of the Foundation for Advancement of International Medical Education and Research, or other publications approved by the Australian Medical Council. An approved course of study means that the applicant must be able to demonstrate that they have completed a medical curriculum of at least four academic years, leading to an entitlement to registration in the country issuing the degree to practise clinical medicine.

3. Evidence of application for primary source verification of medical qualifications from the Educational Commission for Foreign Medical Graduates International Credentials Service (EICS). The Board may take action under Part 8 of the National Law if the practitioner's medical qualifications are not verified. The New South Wales Medical Council may take action under the relevant law in that jurisdiction.

4. Evidence of successful completion of a period of internship or comparable, in accordance with guidelines issued from time to time by the Board.

5. Evidence of English language skills that meets the Board's English language registration standard.

6. Evidence of work practice history that meets the Board's recency of practice registration standard. This must include a resume that describes the applicant's full practice history and any specific clinical training undertaken. Any gaps and/or overlaps in practice history from the date of qualification to the present must be included and explained.

7. Details of registration history including certificates of good standing/registration status from each registration authority with which the applicant has been registered in the previous ten years (supplied where possible directly to the Board from the relevant registration authority).

8. Sponsoring employer's written confirmation of offer of employment.

9. Statement from the sponsoring employer including:

(a) employer contact details

(b) position description including key selection criteria addressing responsibilities, qualifications and experience required. This should also contain details of the teaching or research activities and any clinical practice that will be undertaken

(c) name, qualifications and contact details of the proposed clinical supervisor/s if it is proposed that clinical practice is undertaken

(d) details of a supervision plan if it is proposed that clinical practice is undertaken. This supervision plan should be prepared in accordance with any supervised practice guidelines issued from time to time by the Board, providing details of supervisor/s and how supervision will be provided to ensure the medical practitioner's ongoing professional development and safe practice

(e) details of a professional development plan that is relevant to the teaching or research activities and any clinical practice of the medical practitioner.

10. Written confirmation from the proposed supervisor (if relevant) that they agree to provide supervision and to comply with supervision obligations as required by the Board.

11. Satisfactory completion of a criminal history check undertaken by the Board that meets the Board's criminal history registration standard.

12. Confirmation that the applicant will comply with the Board's professional indemnity insurance registration standard.

13. Any other information the Board requires under section 80 in order to determine whether the applicant is a suitable person to hold limited registration.

Requirements on limited registration for teaching or research

The Board establishes requirements on the medical registration of all limited registrants. The requirements relate to the requirement for the registrant to:

- comply with the supervision plan approved by the Board, if the registrant is undertaking clinical practice
- comply with the professional development plan approved by the Board
- ensure that supervisors provide regular reports to the Board regarding the registrant's safety and competence to practise, if the registrant undertakes clinical practice
- perform satisfactorily in the position for teaching or research and in any clinical activities undertaken
- restrict their practice to the approved position/s.

If a practitioner with limited registration for teaching or research does not maintain their employment in the designated position, they are unable to comply with the requirements on their practice and therefore cannot practise medicine.

The Board will grant limited registration for teaching or research for a period of up to 12 months.

The Board will be including the requirements of limited registration on the National Register pursuant to section 225(p) of the National Law.

Limited registration for teaching or research is not a suitable category of registration for medical practitioners who are working towards gaining specialist or general registration. These medical practitioners should apply for either limited registration for postgraduate training or supervised practice, or limited registration for area of need via one of the three pathways to registration – competent authority pathway, standard pathway or specialist pathway.

Requirements for renewal of registration

1. Renewal of limited registration for teaching or research will be subject to the practitioner meeting the following requirements:

- (a) completion of an annual renewal form in accordance with section 107 of the National Law including an annual statement in accordance with section 109
- (b) demonstrated compliance with any conditions or requirements on registration
- (c) satisfactory performance in the position
- (d) any additional investigation, information, examination or assessment required by the Board in accordance with section 80 of the National Law.

The Board will not renew limited registration more than three times. However, a new application for limited registration can be made.

2. The Board may **refuse to renew** the practitioner's registration if:

- (a) the practitioner's employment ceases or is terminated; or
- (b) the practitioner fails to comply with supervision requirements, if they are undertaking clinical practice; or
- (c) the practitioner fails to comply with the professional development plan; or
- (d) during assessment or supervision, deficiencies are identified in the practitioner's practice that the Board considers are significant.

Applications for variation in changed circumstances

If a practitioner has a significant change in circumstances, such as a change in the teaching role or research that will be undertaken, they must submit a new application for limited registration. However, practitioners can apply to the Board for a variation if there is a minor change to their circumstances, such as a change in their

supervisor.

When making an application for a variation, the Board requires details of the change of circumstances from the sponsoring employer and confirmation from the registrant that they agree to the change in circumstances. Supporting documentation of the change must be submitted.

If the Board considers that the variation is significant, it will require the registrant to submit a new application.

Definitions

Supervision plan means a plan that sets out the arrangements or proposed arrangements for clinical supervision of the medical practice of the applicant for registration or registered practitioner.

Review

This standard will commence on 1 July 2010. The Board will review this standard at least every three years.

Medical Board of Australia

Limited registration in public interest

Summary

The Medical Board of Australia has established this standard under section 68 of the *Health Practitioner Regulation National Law Act 2009 (Qld)* ('the National Law'), and in accordance with section 38(2) of that Act. It applies to international medical graduates (IMGs) who do not qualify for general or specialist registration.

This standard sets out the requirements that an applicant for registration must meet in order to be granted limited registration to practise as a medical practitioner, in the public interest, under section 68 of the National Law.

The Board will determine whether it is in the public interest to register a medical practitioner but in general, will only register a medical practitioner for a limited time and/or for a limited scope. Examples of where it might be in the public interest to register a medical practitioner includes an unexpected situation where a natural disaster has occurred or a pandemic has been declared or for an expert to demonstrate a procedure or participate in a workshop.

Limited registration in the public interest is not an alternative for limited registration for area of need.

Limited registration in the public interest is not a suitable type of registration for medical practitioners who are working towards gaining specialist or general registration. These medical practitioners should apply for limited registration for postgraduate training or supervised practice, or limited registration for area of need, via one of the three pathways to registration.

All practitioners granted limited registration in the public interest must comply with the requirements for registration set out in this standard, including:

For registration up to and including four weeks:

- clinical supervision - all clinical contact will be under the supervision or oversight of a medical practitioner with general and/or specialist registration who will take on the responsibility for the care of patients of the practitioner with limited registration in the public interest when he or she is no longer practising in Australia

For registration more than four weeks

- compliance with a supervision plan and
- compliance with a professional development plan

For all registrants:

- satisfactory performance in the position
- authorising and facilitating the provision of regular reports from their supervisors to the Board regarding their safety and competence to practise

These requirements are established under this standard to ensure safe and competent practice for the period of limited registration.

The Board will be including the requirements of limited registration on the National Register pursuant to section 225(p) of the National Law.

Scope of application

Medical Board of Australia: Proposals for Ministerial Council approval (31 May 2010)
Limited registration for teaching and research
Limited registration in the public interest

This standard applies to international medical graduates (IMGs) applying for limited registration in public interest, under section 68 of the National Law, or for renewal of limited registration in public interest, under Part 7 Division 9 of the National Law.

This standard does not apply to medical practitioners with limited registration (public interest-occasional practice) granted over the transitional period pursuant to section 273 of the National Law.

Requirements

For initial registration

General requirements:

1. Presentation in person to a Board office or authorised delegate with proof of identity (100 points of identity) — a list of permitted documents is available on the Board's website at the following address:

www.medicalboard.gov.au.

Applicants are required to provide certified documentation identifying changes of name when the name of the applicant is different to the name on the primary degree in medicine and surgery and/or the name used with previous registration authorities.

2. Evidence of having been awarded a primary degree in medicine and surgery, after completing an approved course of study at a medical school listed in the current International Medical Education Directory (IMED) (online only) of the Foundation for Advancement of International Medical Education and Research, or other publications approved by the Australian Medical Council. An approved course of study means that the applicant must be able to demonstrate that they have completed a medical curriculum of at least four academic years, leading to an entitlement to registration in the country issuing the degree to practise clinical medicine.

3. Evidence of application for primary source verification of medical qualifications from the Educational Commission for Foreign Medical Graduates International Credentials Service (EICS). The Board may take action under Part 8 of the National Law if the practitioner's medical qualifications are not verified. The New South Wales Medical Council may take action under the relevant law in that jurisdiction.

4. Evidence of successful completion of a period of internship or comparable, in accordance with guidelines issued from time to time by the Board.

5. Evidence of English language skills that meets the Board's English language registration standard.

6. Evidence of work practice history that meets the Board's recency of practice registration standard. This must include a resume that describes the applicant's full practice history and any specific clinical training, teaching and research undertaken. Any gaps and/or overlaps in practice history from the date of qualification to the present must be included and explained.

7. Confirmation that the applicant will meet the Board's professional indemnity insurance registration standard.

8. Details of registration history including certificates of good standing/registration status from each registration authority with which the applicant has been registered in the previous ten years (supplied where possible directly to the Board from the relevant registration authority).

9. Sponsoring employer's written confirmation of offer of employment or sponsor's written confirmation of clinical activities that will be undertaken.

10. Statement from the sponsoring employer or sponsor (if not employed) including:

(a) employer/sponsor contact details

(b) position description including key selection criteria addressing clinical responsibilities, qualifications and experience required. In the case of a medical practitioner that will demonstrate a procedure or participate in a workshop, details of the clinical activities the practitioner will be undertaking, the location/s of clinical activities

and the organisation that will auspice any demonstration or workshop.

(c) name, qualifications and contact details of the proposed clinical supervisor/s.

(d) for registration of more than four weeks, details of a supervision plan, prepared in accordance with any supervised practice guidelines issued from time to time by the Board, providing details of supervisor/s and how supervision will be provided to ensure the medical practitioner's ongoing professional development and safe practice.

e) for registration of more than four weeks, details of a professional development plan that is relevant to the clinical practice of the medical practitioner.

11. Written confirmation from the proposed supervisor that they agree to provide supervision and to comply with supervision obligations as required by the Board.

12. Details as to why it is in the public interest to register the practitioner.

13. Satisfactory completion of a criminal history check undertaken by the Board that meets the Board's criminal history registration standard.

14. Any other information the Board requires under section 80 in order to determine whether the applicant is a suitable person to hold limited registration.

Limited registration in the public interest is not a suitable category of registration for medical practitioners who are working towards gaining specialist or general registration. These medical practitioners should apply for either limited registration for postgraduate training or supervised practice, or limited registration for area of need via one of the three pathways to registration – competent authority pathway, standard pathway or specialist pathway.

Requirements on limited registration in the public interest

The Board establishes requirements on the medical registration of all limited registrants. Registrants are required to:

- comply with the supervision plan approved by the Board
- comply with the professional development plan approved by the Board (practice more than four weeks)
- ensure that supervisors provide regular reports to the Board regarding the registrant's safety and competence to practise
- perform satisfactorily in the position in the public interest
- restrict their practice to the approved position.

If a practitioner with limited registration in the public interest does not maintain their employment or clinical engagement in the designated position, they are unable to comply with the requirements on their practice and therefore cannot practise medicine.

While the Board may grant limited registration for public interest for a period of up to 12 months, it would be usual that the period of registration is limited for the duration of the public interest circumstances.

The Board will be including the requirements of limited registration on the National Register pursuant to section 225(p) of the National Law.

Requirements for renewal of registration

Given the short-term nature of limited registration in the public interest, it is unlikely that renewal of registration will be necessary. If the public interest circumstances continue and the practitioner makes an application for renewal of registration, the following are requirements:

(a) demonstration that there is an ongoing public interest to register the practitioner

(b) completion of an annual renewal form in accordance with section 107 of the National Law including an annual statement in accordance with section 109

(c) demonstrated compliance with any conditions or requirements on registration

(d) satisfactory performance in the position

(e) any additional investigation, information, examination or assessment required by the Board in accordance with section 80 of the National Law.

The Board will not renew limited registration more than three times. However, a new application for limited registration can be made.

2. The Board may **refuse to renew** the practitioner's registration if:

(a) it is no longer in the public interest to register the practitioner

(b) the practitioner's employment/clinical engagement ceases or is terminated; or

(c) the practitioner fails to comply with supervision requirements; or

(d) the practitioner fails to comply with the professional development plan

(e) during assessment or supervision, deficiencies are identified in the practitioner's practice that the Board considers are significant.

Applications for variation in changed circumstances

If a practitioner's circumstances change substantially, they must submit a new application for limited registration. However, practitioners can apply to the Board for a variation if there is a minor change to their circumstances, such as a change in their supervisor.

When making an application for a variation, the Board requires details of the change of circumstances from the sponsoring employer/sponsor and confirmation from the registrant that they agree to the change in circumstances. Supporting documentation of the change must be submitted.

If the Board considers that the variation is significant, it will require the registrant to submit a new application.

Definitions

Supervision plan means a plan that sets out the arrangements or proposed arrangements for clinical supervision of the medical practice of the applicant for registration or registered practitioner.

Review

This standard will commence on 1 July 2010. The Board will review this standard at least every three years.