

## Communiqué

### 25 May 2011: 19th meeting of the Medical Board of Australia

The Medical Board of Australia (the Board) is established under the *Health Practitioner Regulation National Law Act* (the National Law) as in force in each state and territory.

At the May meeting the Board considered a range of matters including the Senate inquiry into the Australian Health Practitioner Regulation Agency (AHPRA), accreditation matters and a range of issues related to the registration of medical practitioners.

### Senate Inquiry into the administration of health practitioner registration by the Australian Health Practitioner Regulation Agency

The Board noted that the Senate Finance and Public Administration References Committee is holding an inquiry into the transition to the National Registration and Accreditation Scheme. The inquiry is about the administration of health practitioner registration by AHPRA, and related matters. The terms of reference of the inquiry and submissions made can be found at [www.aph.gov.au/](http://www.aph.gov.au/).

Peter Allan, Chair of the Agency Management Committee, Martin Fletcher, CEO of AHPRA and I appeared as witnesses at the hearing. AHPRA acknowledged that there have been some significant start-up issues. Many of the issues of concern raised in submissions have now been resolved. The fundamentals of the National Registration and Accreditation Scheme are sound and many administrative improvements are underway.

The Senate Committee had not reported its findings at the time of the Board meeting.

### Renewal of registration

Around 13,000 medical practitioners, most of whom have Queensland as their principal place of practice, are due to renew their registration by 30 June 2011. There is an intensive campaign to support the renewal process. This includes sending reminder emails and letters to individual practitioners. All practitioners are encouraged to provide AHPRA with an email address to allow for easy, efficient and direct communication.

Medical practitioners whose registration expires on 30 June 2011 will renew for 15 months and their registration will be valid until 30 September 2012. Because of the extended period of registration, the renewal fee is \$813. This is based on the national renewal fee of \$650 for the 2010/2011 year, varied pro-rata to cover the 15-month period of registration.

Medical practitioners are encouraged to renew their registration before the expiry date. Under the National Law, medical practitioners who do not renew registration within one month of their registration expiry date must be removed from the Register of Medical Practitioners. Their registration will lapse and they will not be able to practise medicine in Australia until a new application for registration is approved.

The Board was advised that so far, more than one third of practitioners had renewed their registration, well before the expiry date.

## Policy: Use of chaperones following allegations of sexual misconduct

The Board treats allegations of sexual misconduct seriously. In dealing with a practitioner about whom there has been an allegation of sexual misconduct, the Board must consider whether the information it has is sufficiently robust and serious to warrant taking immediate action to protect the public. The procedures around taking immediate action are defined in the National Law. The Board published information about taking immediate action in the first edition of the Medical Board Update, available at [www.medicalboard.gov.au](http://www.medicalboard.gov.au).

Immediate action can include suspending a practitioner's registration, imposing conditions or accepting undertakings. When serious allegations are made further investigation is almost always warranted to determine whether there is sufficient evidence to refer the matter to a performance and professional standards panel or tribunal. A panel or tribunal will ultimately determine whether or not the practitioner has engaged in unprofessional conduct or professional misconduct and whether further action needs to be taken to protect the public.

The Board considered a draft policy that proposes that a chaperone may be an appropriate interim, protective measure to allow the practitioner to continue to practise while such allegations are investigated. When finalised, the policy will provide guidance to state and territory Boards on the use of chaperones in these circumstances and promote a consistent approach across all states and territories. The Board will consult internally on this policy.

## Granting limited registration to practitioners who have not completed an internship

There is a small number of Australians who complete medical courses outside Australia or New Zealand. While these practitioners may be Australian citizens, under the National Law they are overseas trained practitioners. If they wish to practise long-term in Australia, they are required to complete the Australian Medical Council examinations to gain a qualification for general registration. Alternatively, if they have undergone specialist training overseas, the relevant Australian college can assess their comparability to an Australian qualified specialist and they may be eligible for specialist registration.

The Board has been approached by a number of medical graduates who completed their medical course overseas but did not undertake an internship. As they are not eligible for general or specialist registration, they are only eligible to apply for limited registration if they wish to practise in Australia. The registration standards for limited registration require the applicant to provide evidence of successful completion of a period of internship or comparable, in accordance with guidelines issued from time to time by the Board.

The Board recognises that these recent graduates have found themselves in a difficult position but confirmed that they need to fulfil all the requirements in the registration standard to be eligible for limited registration. The pathway to general registration for them is to complete the AMC certificate and then an approved intern training position. The alternative is for them to undertake an internship before returning to Australia.

## Short-term exemption from the requirement to provide a certificate of advanced standing when applying for registration

The Board noted that each year, a number of UK and Republic of Ireland graduates who are finishing their internships mid-year, apply for positions in Australia that are usually due to begin in early August. The applicants are eligible for limited registration through the competent authority pathway. Further information on the pathways to registration for IMGs can be found at [www.medicalboard.gov.au](http://www.medicalboard.gov.au). The registration standard for limited registration for postgraduate training or supervised practice requires that the applicant provide a Certificate of Advanced Standing issued by the AMC.

Because of the short timeframe between completing an internship in the UK or Republic of Ireland and the proposed start date in Australia, the applicants are unable to provide the Advanced Standing Certificate with their application (the application for registration needs to be submitted two to three months before the proposed start date in Australia).

The Board agreed that limited registration for postgraduate training or supervised practice can be granted to these UK and Republic of Ireland graduates, before their certificate of advanced standing has been issued, if all other registration requirements are met.

## Accreditation function

One of the objectives of the National Law is to facilitate the provision of high quality education and training of health practitioners. The accreditation function is the primary way of achieving this objective. The National Law defines the respective roles of the Board and its appointed accreditation authority, the Australian Medical Council (AMC), in the accreditation of medical schools and medical specialist colleges.

The Board received advice from the AMC on the accreditation of:

1. Bond University School of Medicine
2. University of Sydney School of Medicine

### Bond University School of Medicine

The Board approved the medical course at the Bond University School of Medicine as providing a qualification for the purposes of registration as a medical practitioner until 31 December 2015.

### University of Sydney School of Medicine

The Board approved the medical course at the University of Sydney School of Medicine as providing a qualification for the purposes of registration as a medical practitioner until 31 December 2015.

### Advice on recognition of fields of specialist practice

In 2009 when the Board was consulting on the list of specialties to recommend for approval by the Ministerial Council, the Royal College of Pathologists of Australasia advised the Board that it should include in the list the fields of clinical pathology and genetic pathology. These fields of practice had not previously been recognised and the Board requested the advice of the AMC about whether there was a case to recognise these fields.

The AMC undertook an assessment of the two fields of specialist practice against the following criteria:

- that the proposed area of medicine is well-defined and grounded in widely recognised medical and scientific concepts
- that specialisation in this area of medicine has led to significant and quantifiable improvements in health outcomes
- that the applicant body fills the role of setting, assessing and certifying standards in the discipline, *and* oversees a postgraduate program of training, education and assessment that is likely to comply with AMC accreditation standards
- that members of the applicant body are providing specialist clinical services in the proposed area of medicine that meet an identifiable health need and
- that an application for specialty recognition is in concordance with public health priorities (e.g. relevant to one or more of the national health priorities).

The AMC advised the Board that there is a case to recognise the fields of practice of clinical pathology and genetic pathology. The Board agreed to recommend to the Ministerial Council to recognise these fields of practice within the specialty of pathology.

## Tribute: Dr Mary Cohn

Dr Cohn is a general practitioner who was appointed to the Medical Board of Queensland in 1998 and has been the Chair of the Queensland Board for the past seven years.

Dr Cohn has not sought reappointment to the Queensland Board of the Medical Board of Australia after 1 July 2011, but she will continue to serve on the Medical Board of Australia. The Board commended Dr Cohn on her leadership, wisdom, skill and commitment and acknowledged her outstanding contribution to the Queensland community.

Further information on the work of the Board can be found at [www.medicalboard.gov.au](http://www.medicalboard.gov.au).

**Dr Joanna Flynn**  
**Chair, Medical Board of Australia**

31 May 2011