



HEALTH PROFESSIONS LICENSING AUTHORITY

TITLE: Area of Need Practitioner Approval – Policy, Procedure, Guidelines & Flowcharts

EFFECTIVE DATE:

14 May 2004

UPDATED:

24 October 2005 23 January 2006 8 December 2008

BOARD:

MEDICAL BOARD OF THE NORTHERN TERRITORY

PURPOSE

The policy, procedure, guidelines and flowcharts have been developed to provide guidance:

- To the Board and the Health Practitioners Licensing Authority in providing a consistent approach to the management of the Area of Need (AoN) process;
- To Employers / Sponsors seeking approval for an International Medical Graduates (IMG) to work in an Area of Need position; and
- IMG seeking conditional registration to work in an Area of Need locality.

SUPPORTING POLICIES and GUIDELINES

This policy should be read in conjunction with the Boards current Entitlement to Registration Policy; English Language Requirements for International Medical Graduates Policy; Application for Area of Need Approval – Employer; Application for Registration Area of Need - Medical Practitioners; Competent Authority and Standard Pathway Information; International Medical Graduate Evidence of Progress Guidelines (pre January 2008 and post January 2008); and RACGP-NRP Categories (relevant to General Practice only).

DEFINITION

An Area of Need position is a vacancy occurring within any sector of the Northern Territory Health Service, whether public or private, which cannot be filled by a Medical Practitioner with a qualification providing either entitlement to full registration or entitlement to work in the nominated area of medical specialty.

AREA OF NEED DETERMINATION

The Minister for Health, on the recommendation of the Medical Board, has determined various localities to be Areas of Need ie: public hospitals; private hospitals; rural health services, and private practices. From time to time the Board may review the Area of Need status and make recommendations to the Minister.

AREA OF NEED POLICY

The *Health Practitioners Act 2004* (the Act) allows the Medical Board of the Northern Territory (the Board) to grant conditional registration to fill an unmet Area of Need (AoN), to an international medical graduate (IMG), (also commonly referred to as overseas trained doctor or OTD) who is not otherwise eligible to apply for registration. Conditional registration will be granted, if the Board is satisfied that the IMG is in the public interest or meets a community need.

Requests for AoN conditional registration can only be considered when the employment locality has been granted AoN status by the Minister.

Employers with Area of Need status must continue to make reasonable attempts to attract an Australian qualified medical practitioner to the nominated position.

All IMGs issued AoN Conditional Registration must achieve an Australian Medical qualification recognised by the Board within five (5) years from the date of first registration in any Australian jurisdiction. The Board may grant an exemption from this requirement in exceptional circumstances.

AREA OF NEED PROCEDURE & GUIDELINES

This document is designed to assist recruiters, employers of International Medical Graduates (IMGs) and IMGs to understand requirements and processes associated with Area of Need applications, approvals and monitoring.

- *Please Note: An Australian qualified medical practitioners has either: a medical degree: completed in an Australian or New Zealand University accredited by the Australian Medical Council (AMC); or has completed the AMC Certificate; or holds Fellowship of the relevant Australian College.*

PATHWAYS

The following Pathways apply as of the dates specified below. IMGs must provide evidence of entitlement to conditional registration to follow one of the following Board approved pathways:

1. COMPETENT AUTHORITY (commenced 1 January 2008)
2. STANDARD (commenced 1 July 2008)
3. SPECIALIST

Competent Authority and Standard Pathways are pathways to the AMC Certificate and therefore, full Registration.

The Specialist Pathway is a pathway for overseas trained specialists who is seeking fellowship of a nominated Australian specialist medical college and Specialist-In-Training (an IMG who is a specialist-in-training in any country other than Australia) and seeking to advance skills and knowledge as part of the specialist training.

IMGs who have held registration continuously from a date earlier than 1 July 2008 may elect to pursue one of the above listed pathways by contacting the Board for further information.

1. Applicants Seeking To Work In A General Practice Area Of Need Locality Only

Applicants seeking to work in General Practice who have relevant qualifications and experience must follow one of the pathways listed above (refer to the attached flowchart for guidance). However, those seeking full registration in addition to General Practice Fellowship, must follow either the Competent or Standard Pathway (as applicable).

IMGs seeking employment in Area of Need General Practice localities are required to provide evidence of suitability to work in this area of medical practice. This may be by qualifying as an RACGP-NRP Category one or two candidate, or providing evidence of eligibility for either the Standard or Competent Authority Pathway and successful completion of the Pre Employment Structured Clinical Interview.

RACGP-NRP Category 1 & 2 IMGs must have one the following qualifications and experience to be exempt from undertaking the IMG PAC clinical interview and may apply for AoN registration directly with the Board. These applicants must apply to the RACGP for assessment of qualifications and experience to determine equivalency to the Fellowship RACGP and / or requirements to complete this Fellowship Pathway.

- UK - Holders of Certificate of the Joint Committee on Postgraduate Training for General Practice (JCPTGP) both membership of the college (MRCGP);
- CANADA - Holders of the Certificate in Family Practice from the College of Family Physicians (CFPC)
- IRELAND - Holders Irish College of General Practitioners (ICGP) and membership of the college (MICGP);
- USA - Certificate of the American Board of Family Practice;
- SOUTH AFRICA - Master of Family Medicine, South Africa; Master of Prax Medicine, South Africa; and Membership of the College of Family Practitioners; Holders of registration as a Family Physician with the Health Professions Council of South Africa;
- SINGAPORE - Master of Medicine (Family Medicine) from the National University;
- BELGIUM, Specialist Certificate in General Practice / Family Medicine;
- NETHERLANDS, Certificate of Specific Training for General Practice;
- DENMARK, Specialist Certificate in Family Medicine;
- NORWAY, Certificate of Specific Training for General Medical Practice; or
- SWEDEN, Certificate of Specific Training for General Practice.

All other applicants for General Practice Area of Need positions must be able to demonstrate:

1. Relevant postgraduate qualifications and / or more than five years of equivalent full time GP experience; or
2. Relevant medical practice experience of more than five years post graduate duration; and
3. Successful completion of the Pre- Employment Structured Clinical Interview (NTPESCI) (previously known as the International Medical Graduate Pre-registration Assessment Committee (IMG PAC)). The outcome of the assessment performed at the interview will be forwarded directly to the Board and taken into consideration as part of the application from the IMG.

*** refer to the General Practice Network Northern Territory (GPNNT) website (refer workforce programs) for further information in relation to NTPESCI assessments. www.gpnnt.org.au*

2. AREA IF NEED – EMPLOYER APPLICATION

The applications must be made in the format provided by the Board and be accompanied by all required documentation, before the Board can make a determination on the applications.

Employing agencies and sponsors seeking to nominate an IMG to work in an AoN locality are required to complete the application form in the format provided by the Board, which must include:

- 2.1 Evidence that demonstrates that a genuine attempt has been made to attract an Australian qualified medical practitioner to the vacant position within the previous 6 months. Evidence should include but is not limited to:
 - details of the remuneration package (which should be at least comparable to that offered to Australian qualified medical practitioners);
 - the employment offer, including duration, position title and conditions of employment; and

- any advertising conducted (including in relevant medical publications, dates of advertising, number of times advertised in the preceding 6 months).
- 2.2 Details of applications to fill the vacancy received from Australian qualified medical practitioner(s). If applicants include any Australian qualified medical practitioner(s), Employing Agencies or Sponsors are to state why they were not employed to fill the vacancy.
 - 2.3 Position description completed in the format provided by the Board (detailing working hours and performance expectations of the employer).
 - 2.4 Confirmation that the relevant Australian Medical College has assessed suitability of the IMG against the position description (**AoN Specialist positions only**).
 - 2.5 Confirmation that the IMG meets the Board's English language requirements.
 - 2.6 A comprehensive Supervision / Learning Plan (*in the format provided by the Board*) that includes orientation to the Australian health care environment and induction to the workplace.
 - 2.7 An undertaking to ensure the IMG will be supported to be compliant to the conditions applying to the registration and to notify the Board of issues associated with performance or competence and of any change in employment or supervision arrangements.

3. AON APPLICATION - MEDICAL PRACTITIONER

The applications must be made in the format provided by the Board and be accompanied by all required documentation, before the Board can make a determination on the applications.

- 3.1. The information supporting the application must satisfy the Board that the applicant is suitable to practice in the position / environment for which they are being recruited. An incomplete application cannot be processed.
- 3.2 Documentation required is listed on the 'Application for Area of Need Registration' form and must include but is not limited to:
 - *If the applicant is currently or has been registered to work in an Area of Need position anywhere in Australia a copy of a supervision report written in the last 6 months or at the time of completion of supervised practice and by the approved supervisor, must accompany the application;*
 - Details of suitability to fill the position including a comprehensive Curriculum Vitae, which is signed by the applicant as an accurate record of their experience and qualifications. The document must include, but is not limited to completion of a post-graduate intern year, details all post graduate employment, lists professional development and provides no less than two referees, one of whom must be from the current / last place of employment;
 - *Evidence of Advanced Standing through the Australian Medical Council (AMC) (IMGs eligible for the Competent Authority Pathway to the AMC Certificate only); or*
 - *Evidence of successful completion of the AMC–MCQ (IMGs eligible for the Standard Pathway to the AMC Certificate only); or*
 - *Evidence of assessment of specialist qualifications via the AMC (overseas trained specialist only); or*
 - *Evidence of assessment of overseas specialist qualifications and experience, (via the AMC) that determines suitability to meet a nominated Area of Need Specialist position; and*
 - Any other evidence the Board requires.

4. SUPERVISION

The Employment Agency or Sponsor must satisfy the Board that it has sufficient resources to adequately supervise, support learning, undertake assessments of progress, provide orientation

and induction, and ensure the conditional registrant is compliant with the conditions applying to the registration. The document should be provided in the format provided by the Board.

1. SUPERVISION REPORTS

- 1.1 Frequency of reporting is at the Boards discretion.
- 5.2 The Supervisor must provide a copy of all supervision reports to the IMG and the IMG must be afforded the opportunity to provide a response to the report. The report IMG's response must be forwarded to the Board.

6. BOARD ASSESSMENT OF AoN APPLICATIONS

The Registrations Manager will forward complete applications to the Board or its delegate for assessment of entitlement to registration.

- 6.1 IMG suitable for an AoN position.
If the Board is satisfied that the IMG meets the requirement of section 20 (4), that the employer is able to adequately support the IMG to meet the conditions of registration and that it is in the public interest, or meets a community need, conditional registration will be granted for a period not exceeding 12 months.
- 6.2 Conditional Registration, if granted conditional registration to work in a nominated area of need locality, the IMG will be issued a practising certificate, which authorises the IMG to practise in the Northern Territory in a Board approved position only and specifies the following:
 - The date on which the registration expires; and
 - The conditions to which the IMG must be compliant.
- 6.3 IMG not suitable for AoN position.
Should the Board consider that an IMG does not meet the requirements of s20 (4) of the Act, it will notify the relevant employment agencies or sponsor and the IMG that the IMG is unsuitable and provide the rationale for its decision.

7. CONDITIONAL REGISTRATION

- 7.1 The Employment Agencies or Sponsors are to indicate the length of time for which the IMG will be required.
- 7.2 The IMG and employer must notify the Board in advance if the employment is to be terminated or changed in any other way.
- 7.3 If granted, conditional registration is usually for the maximum period allowed of twelve months from the date the Board granted conditional registration.
- 7.4 The Board will issue a licence, which specifies the conditions to which the IMG must be compliant. Conditions may include, but may not be limited to the following:
 - Specific locality(ies) of practice;
 - Name of the supervisor(s);
 - To meet specific education/training/practice requirements;
 - To achieve a Board recognised Australian medical qualification; and
 - The requirement to provide satisfactory supervisor's reports.

8. RENEWAL OF CONDITIONAL REGISTRATION

The application for renewal of AoN conditional registration must be made each year prior to the date specified on the annual practising certificate and be accompanied by evidence of compliance to the conditions of the registration. (*Refer 'IMG Evidence of Progress Guidelines'*). *Such evidence of compliance may include but is not limited to:*

- 8.1 Continued employment in the AoN position;

- 8.2 IMGs following the Specialist Pathway must provide evidence of progress towards completion of the relevant Fellowship.
- 8.3 Specialist-In-Training IMGs must provide evidence of satisfactory progress in accordance with the relevant college's requirements.
- 8.4 A detailed Supervisor's Report (if included in the conditions applying to the registration,) in the format provided by the Board and written in the previous 3 months must be provided when applying for renewal of registration or review of the conditions applying to the registration or at any other time requested by the Board.
- 8.5 IMGs who held registration in the Northern Territory prior to the implementation of the Competent Authority and Standard Pathways in 2008, must demonstrate significant progress or completion towards meeting all conditions of their registration, within 5 years from the date first registered in Australia, unless extenuating circumstances apply and the Board has approved another date.
- 8.6 IMGs who are required to qualify for either the Competent Authority Pathway (commencement date 1 January 2008), or the Standard Pathway (Commenced 1 July 2008), to achieving the AMC Certificate, or the Specialist Pathway, must demonstrate compliance with the requirements of the relevant pathway and conditions applying to their registration.

9. REVIEW OF CONDITIONS OF REGISTRATION

Pursuant to section 30 of the *Health Practitioners Act*, the IMG may make a submission to the Board to vary his/her conditions. Submissions may be made at intervals of not less than 12 months. The Board of its own motion may at any time review the registration of the IMG.

The Board must give notice to the IMG of any conditions varied and of the IMG's right of appeal.

If the variation of conditions includes a change of location, the submission must be accompanied by AoN Approval forms from both the Employing Agency or Sponsor and the IMG; a recent supervisor's report for the preceding period and a supervision plan for the new location.

10. UNSATISFACTORY PROGRESS/PERFORMANCE

Evidence of unsatisfactory supervision reports or progress towards a Board approved Australian medical qualification may indicate that the IMG is in contravention of the condition(s) of his/her registration. The Board may take action as outlined in this document and in accordance with the *Health Practitioners Act*.

The Board may determine to do one or more of the following:

- Review the registration pursuant to section 30 and vary the conditions of the registration;
- Pursuant to section 55(2), make an own motion complaint and conduct an investigation;
- Pursuant to section 86 conduct a performance assessment; or
- Not renew the registration as the IMG.

11. EMPLOYER NOTICE OF MISCONDUCT OR INCOMPETENCE

Section 117 of the Act requires that should a person who employs a health practitioner terminates or suspends the health practitioner's employment because of alleged or actual misconduct or incompetence to practise, the person must provide a written report of the circumstances of the termination or suspension to the relevant Board and to the health practitioner. Failure to do so attracts a significant financial penalty.

INTERNATIONAL MEDICAL GRADUATE FLOWCHART OF THE PATHWAYS TO FULL REGISTRATION – HOSPITAL AND SPECIALIST AREA OF NEED POSITIONS



