

June 2010

Message from the Director, Sector Workforce

1 July 2010 heralds a new era of health practitioner regulation in Australia, with the commencement of the National Registration and Accreditation Scheme (the national scheme).

This update published by the Victorian Department of Health provides background information on the national scheme, governance framework, legislation, registration and accreditation arrangements, milestones and decisions to date.

I would like to thank those who have worked so hard to assist in the development of the national scheme and its implementation in this state. Particular appreciation is extended to health practitioner registration board directors and staff for their exceptional effort, determination and commitment to ensuring a seamless transition to the national scheme while maintaining the high standards of their Victorian boards' operations. Health Minister Daniel Andrews held a recognition ceremony on 17 June 2010 to acknowledge the Victorian Boards transition to the national scheme and thank them for their significant contribution to the Victorian public (see page 6).

Kim Sykes

Background

For the first time in the history of practitioner regulation in Australia, states and territories will have consistent national registration and accreditation standards for the 10 health professions included in the national scheme as of 1 July 2010. At present there are 66 Acts of Parliament and 88 health practitioner registration boards across the nation. The momentous decision to create a single national registration and accreditation system was made in March 2008 at the Council of Australian Governments (COAG) meeting where an Intergovernmental Agreement (IGA) was signed.

The 10 health professions captured under the national scheme as of 1 July 2010 are chiropractors, dental care practitioners (including dentists, dental hygienists, dental prosthetists and dental therapists), medical practitioners, nurses and midwives, optometrists, osteopaths, pharmacists, physiotherapists, podiatrists, and psychologists. The current jurisdictional statutory health practitioner registration boards for the 10 professions will complete their functions at 30 June 2010 and the national boards of Australia (national boards) will be the responsible agencies from 1 July 2010.

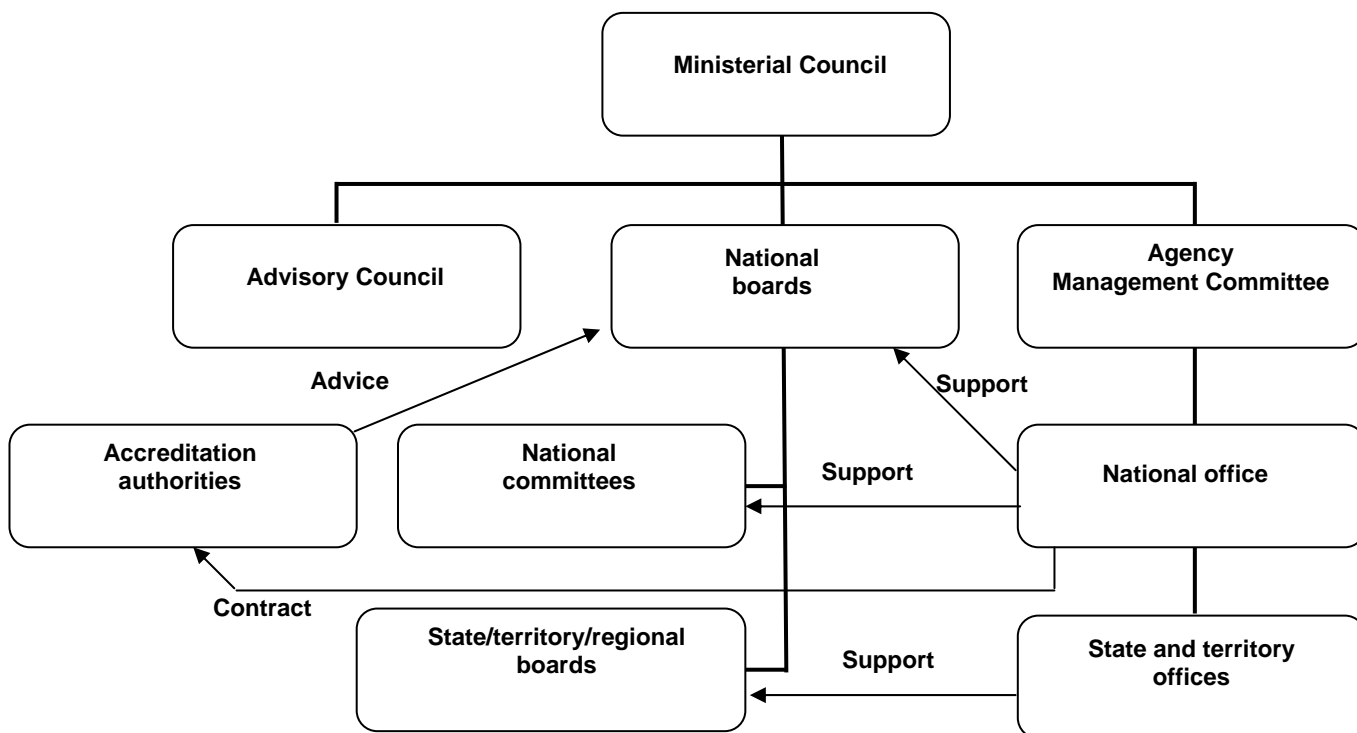
Four additional health professions will join the national scheme on 1 July 2012, including: Aboriginal and Torres Strait Islander health practitioners, Chinese medicine practitioners, medical radiation practitioners and occupational therapists. Chinese medicine and medical radiation practitioners will continue to be regulated under Victorian legislation until 1 July 2012.

The national scheme will reduce red tape, provide greater safeguards for the community and provide for a more flexible, responsive and sustainable health system. There will be one national fee, one set of registration and professional standards and one registration process for each profession across Australia.

Governance framework

The governance framework underpinning the national scheme involves:

- The Australian Health Workforce Ministerial Council (the Ministerial Council)
- An independent Australian Health Workforce Advisory Council (AHWAC)
- The Australian Health Practitioner Regulation Agency (the National Agency)
- The Australian Health Practitioner Regulation Agency Management Committee (the Agency Management Committee)
- National profession specific boards
- State / territory / regional boards.



Australian Health Workforce Ministerial Council

The Ministerial Council is comprised of Health Ministers from the Commonwealth, states and territories. The Ministerial Council is responsible for approving legislation to put to governments, providing policy direction and appointing members to the national boards and the Agency Management Committee.

Australian Health Workforce Advisory Council

AHWAC charter provides support to the Australian Health Ministers' Conference by advising on strategic issues relating to the coordination of health services across the nation and, operating as a national forum for planning, information sharing and innovation.

Australian Health Practitioner Regulation Agency Management Committee

The Agency Management Committee is responsible for administering resources of the national scheme to ensure efficiency, maintaining the national registers and ensuring the national scheme operates consistently

within legislation and directions of the Ministerial Council.

In March 2009, the Ministerial Council appointed five members to the Agency Management Committee: Mr Peter Allen as Chair (Under Secretary of former Department of Human Services), Mr Michael Gorton AM, Professor Genevieve Gray, Professor Constantine Michael AO, and Associate Professor Merrilyn Walton.

Australian Health Practitioner Regulation Agency

The National Agency is responsible for carrying out the administration responsibilities of the national boards. The national boards engage the services of the National Agency to deliver the day-to-day functions for which the national boards are ultimately responsible. The CEO of the National Agency is Mr Martin Fletcher.

National boards

The roles of the national boards include developing registration standards, codes and guidelines for the relevant health profession, determining registration requirements or endorsements, approving accreditation programs of study and overseeing the receipt, assessment and investigation of complaints and establishing local and national committees as required.

State / territory / regional boards

State, territory and regional boards will manage local registration and complaint matters and act on tasks delegated by the relevant national board. Three national boards have announced that they will have state or territory boards in each state or territory. These are Medicine, Nursing and Midwifery and Physiotherapy. Dental and Psychology national boards will have multi-jurisdictional regional boards (for example Victoria, ACT and Tasmania will comprise one regional board). The remaining national boards have decided not to have state and territory Boards. Under the national scheme the respective state and territory Health Ministers will have a role in agreeing persons for appointment to the state or territory board of the national board.

Legislation

A common legislative process has been adopted to implement the national scheme. The process consisted of three stages, referred to as Bill A, B and C. The first stage, Bill A, *Health Practitioner Regulation (Administrative Arrangements) National Law Act 2008* received Royal Assent in Queensland Parliament on 25 November 2008 and sets out the structural framework of the national scheme.

A year following the initial milestone, the *Health Practitioner Regulation National Law Act 2009* (National Law), Bill B, passed in Queensland Parliament. Bill B sets out the mechanical provisions of the national scheme such as the essential powers and functions of the boards with respect to registration, accreditation, complaints and discipline, privacy and information sharing and arrangements for specialists.

The final stage to enact the national scheme required each state and territory to pass and adopt the National Law. The legislative architecture in Victoria divided Bill C into two parts. The first part, the *Health Practitioner Regulation National Law (Victoria) Act 2009* applies the Queensland legislation (Bill B) as a law of Victoria and received Royal Assent on 8 December 2009. The second part, the *Statute Law Amendment (National Health Practitioner Regulation) Act 2010* received Royal Assent on 25 March 2010 and incorporates necessary transitional and consequential amendments to the Victorian legislation, allows for effective operation of the national scheme and provides an ongoing regulatory framework under the *Health Professions Registration Act 2005* (the HPR Act) for Chinese medicine and medical radiation practitioners until they join the national scheme on 1 July 2012.

In addition to Victoria, other jurisdictions who have adopted the National Law include the Australian Capital Territory, New South Wales, Northern Territory, Tasmania and Queensland. South Australian and Western Australian legislation is still in process.

Under the IGA the licensing of pharmacy premises and pharmacy ownership restrictions are not covered

therefore these matters will continue to be the responsibility of the states and territories.

On 22 June 2010, (following a consultation process that commenced in July 2009), the *Pharmacy Regulation Bill 2010* (to establish the Victorian Pharmacy Authority (VPA) and provide for the future regulation of pharmacies) passed in the Legislative Council of the Victorian Parliament. The VPA will take over the role of regulating pharmacies previously performed by the Pharmacy Board of Victoria under the HPR Act.

National registration and accreditation standards

A series of consultation papers on registration and accreditation standards were released in late 2008 and early 2009. In June 2009, the Ministerial Council issued an exposure draft of Bill B which set out the administrative arrangements for the national scheme. National, state and territory consultation forums were held in June and July 2009 with over 1,000 consumers, practitioners and regulatory bodies attending. The National Registration and Accreditation Implementation Project (NRAIP) team reviewed over 650 submissions in total. NRAIP was appointed by the Australian Health Ministers' Conference to manage the national scheme.

The national boards established in August last year, have developed registration standards, endorsements, codes and guidelines. Those registration standards which have been approved by the Ministerial Council are available from respective board's websites.

Types of registration

Different types of registration and endorsement categories will apply to practitioners in each profession. The different registration types are:

- General registration
- Specialist registration (13 specialities in dentistry, 23 specialities in medicine and one speciality in podiatry)
- Limited registration (postgraduate training or supervised practice, area of need, teaching or research, in the public interest)
- Provisional registration
- Non-practising registration
- Student registration.

Registration type	Definition
General	General registration is granted to practitioners who have graduated from a Board approved, accredited program of study in the profession and completed any required period of supervised practice or internship as set out in sections 52 and 53 of the National Law.
Specialist	Specialist registration is granted to practitioners who meet the eligibility and qualification requirements set out in sections 57 and 58 of the National Law, and who meet any registration standards issued by the Board.
Limited	Limited registration is granted to practitioners who do not qualify for general or specialist registration, however meet the eligibility and qualification requirements set out in sections 65-70 of the National Law and any registration standards. There are four sub-types of limited registration: postgraduate training or supervised practice, area of need, teaching or research, in the public interest.
Provisional	Provisional registration is for practitioners in a profession who have completed a Board approved, accredited qualification in the profession, but are required to

	undertake a period of supervised practice or internship to be eligible for general registration as set out in sections 62 and 63 of the National Law. Under the national scheme medicine, pharmacy and psychology are the only professions who have internship requirements for general registration.
Non-practising	Non-practising registration is available to practitioners who have previously held general or specialist registration in a profession, but no longer wish to practise the profession during the registration period. The practitioner must meet the eligibility and qualification requirements detailed in section 62 and 63 of the National Law.
Student	<p>Student registration is granted to individuals who are enrolled in an approved program of study that qualifies them for general registration, or individuals undertaking clinical training that has been arranged by an education provider. This does not apply to psychology students who are enrolled in an Australian Psychology Accreditation Council accredited higher degree.</p> <p>Students enrolled in approved programs of study do not need to apply for registration. After enrolling in the program of study, their education provider is required to provide the relevant national board with a list of enrolled students. The national board will then register the student.</p> <p>From 1 July 2010, the national scheme will affect students who are currently registered with a registration board. All students who are currently registered will transition automatically into the national scheme.</p> <p>Students studying in a profession that does not currently register students in Victoria or in other jurisdictions will be registered automatically in March 2011. Students do not need to do anything for now to register with their national board. Also, students are not required to comply with the registration standards for health practitioners (until they apply for and are granted provisional or general registration after graduation).</p>

Mandatory registration

On 1 April 2010, Health Ministers approved a range of mandatory registration standards across the 10 health professions. There are five mandatory registration standards required by health practitioners by the national boards. These are: criminal history; English language; professional indemnity insurance; continuing professional development; and recency of practice.

Endorsements

Under the National Law, national boards can 'endorse' the registration of suitably qualified practitioners. An endorsement of registration recognises that a person has additional qualifications and expertise in an approved area of practice and / or for the administration of scheduled medicines. A summary of different types of endorsements under the National Law is listed below.

The approved endorsements are:

- Scheduled medicines
 - Nursing and Midwifery*
 - Optometry
 - Podiatry
- Nurse practitioner
- Acupuncture
- Approved area of practice
 - Psychology (7)
 - Dentist (1)
 - other future developments.

* Please note that under the National Law there will not be:

- Regulation of nurse immunisers or national recognition of additional qualifications in maternal and child health and mental health.
- Enrolled Nurse endorsement for medicines administration. Current Victorian medication endorsed Division 2 (Enrolled nurses) will appear on the public register with no endorsement noted. In contrast, current Victorian Division 2 nurses that do not hold a medication endorsement will have a 'notation' against their registration on the public register. At this point the Nursing & Midwifery Board of Australia is considering how the various current medication endorsements across Australia will be managed, for example, endorsement for subcutaneous, intramuscular, enteral, topical and intravenous routes.

Codes and guidelines

The national boards have developed codes and guidelines on matters pertaining to mandatory notifications, advertising, conduct, practice and continuing professional development. The submissions to the papers released for public consultation, closed on 7 April 2010. The national boards will publish final codes and guidelines on their websites.

Fees

1. Health practitioners - fees for the 10 professions are under consideration and are expected to be announced shortly.
2. Students - there will be no fee applicable for student registration.

Accreditation

To gain registration as a health practitioner in Australia the individual must hold a qualification that is recognised by the relevant health practitioner board. For Australian trained health practitioners, this requires completing a course that has been accredited by the relevant professional body as well as any applicable post graduate training. For internationally trained health professionals, this means completing an examination or assessment administered by the professional body or having a qualification equivalent to the Australian standard.

Under the national scheme accreditation functions will be undertaken by an external accreditation body or a committee of the board. For nine of the 10 professions Ministers have appointed external accreditation bodies. Accreditation arrangements for the nursing and midwifery profession have been assigned to a reconstituted Australian Nursing and Midwifery Council.

Further information

Full details on the registration and accreditation requirements are available from each of the national boards' websites. The national agency has also set up a national registration helpline **1300 088 590**.

Recognition of the health practitioner registration boards



Health Minister Daniel Andrews has recognised the 10 Victorian health practitioner registration boards that will cease to exist on 1 July 2010 following the introduction of the national scheme.

At a ceremony held on Thursday 17 June 2010, Minister Andrews noted the rich history of health practitioner regulation in Victoria (which has existed for over 150 years). He acknowledged the boards' significant contribution to the Victorian public and their efforts in ensuring a smooth transition to the national scheme.

Minister Andrews thanked board members and staff for their achievements and their extraordinary efforts.

Milestones and next steps

26 Mar 2008	COAG signed an Inter-Governmental Agreement.
25 Nov 2008	<i>Health Practitioner Regulation (Administrative Arrangements) National Law Act 2008</i> (Bill A) received Royal Assent in Queensland Parliament.
5 Mar 2009	Appointment of Chair and Members of Agency Management Committee.
12 Jun 2009	Release of exposure draft of Bill B.
19 Jun 2009	National stakeholder consultation forum on exposure draft of Bill B held in Canberra.
7 Jul 2009	Victorian stakeholder consultation forum on exposure draft Bill B.
19 Sep 2009	Inaugural meeting with the national health boards.
3 Nov 2009	<i>Health Practitioner Regulation National Law Act 2009</i> (Bill B) received Royal Assent in Queensland Parliament.
8 Dec 2009	<i>Health Practitioner Regulation National Law (Victoria) Act 2009</i> received Royal Assent on 8 December 2009.
25 Mar 2010	<i>Statute Law Amendment (National Health Practitioner Regulation) Act 2010</i> received Royal Assent in Victorian Parliament.
Mar 2010	National boards released codes and guidelines for public consultation.
1 Apr 2010	National boards received approval from the Ministerial Council on the revised proposals on mandatory registration standards.
Apr 2010	National Agency sent letters to registrants informing them of the national scheme and provided information on registration requirements from 1 July 2010.
May 2010	Department of Health sent letters and guidance list to Victorian health services.
17 June 2010	Minister Andrews held a recognition ceremony for the 10 health practitioner boards transitioning on 1 July 2010.
1 July 2010	National scheme commences.
Mar 2011	Professions that do not currently register students in Victoria or in other jurisdictions will automatically register students in March 2011.
1 July 2012	Aboriginal and Torres Strait Islander health practitioners, Chinese medicine practitioners, medical radiation practitioners and occupational therapists join the national scheme

Contacts

An extensive range of materials such as registration standards, codes, guidelines and information sheets is available from the National Agency, national boards and Department of Health. More information is available from the resources listed below.

Australian Health Practitioner Regulation Agency

G.P.O Box 9958
MELBOURNE 3001

www.ahpra.gov.au

Registration Helpline: **1300 088 590**

National boards of Australia

Correspondence to the national boards can be sent via email to the Chair's email address which is listed on each of board websites (detailed below).

Chiropractic Board of Australia www.chiropracticboard.gov.au

Dental Board of Australia www.dentalboard.gov.au

Medical Board of Australia www.medicalboard.gov.au

Nursing and Midwifery Board of Australia www.nursingmidwiferyboard.gov.au

Optometry Board of Australia www.optometryboard.gov.au

Osteopathy Board of Australia www.osteopathyboard.gov.au

Pharmacy Board of Australia www.pharmacyboard.gov.au

Physiotherapy Board of Australia www.physiotherapyboard.gov.au

Podiatry Board of Australia www.podiatryboard.gov.au

Psychology Board of Australia www.psychologyboard.gov.au

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Feedback on the update

The department's Sector Workforce welcomes feedback or questions in relation to this update. Please email your comments and questions to practitioner.regulation@health.vic.gov.au