



Public consultation

3 June 2024

Draft revised Registration standard: specialist registration

Summary

The Medical Board of Australia's (the Board) *Registration standard: specialist registration* is being reviewed.

The draft revised standard defines the eligibility and qualification requirements for specialist registration.

The Board is inviting feedback on the draft revised *Registration standard: specialist registration*.

Public consultation is open to **3 July 2024**.

Making a submission

You are invited to provide feedback on the draft revised registration standard.

Please provide written submissions by email, marked: '*Public consultation on the revised Registration standard: specialist registration*' to SIMGPathwaysReview@ahpra.gov.au by close of business on **3 July 2024**.

Publication of submissions

The Board publishes submissions at its discretion. We generally publish submissions on our website in the interests of transparency and to support informed discussion.

Please advise us if you do not want your submission published.

We will not place on our website, or make available to the public, submissions that contain offensive or defamatory comments or which are outside the scope of the subject of the consultation. Before publication, we may remove personally identifying information from submissions, including contact details.

We accept submissions made in confidence. These submissions will not be published on the website or elsewhere. Submissions may be confidential because they include personal experiences or other sensitive information. Any request for access to a confidential submission will be determined in accordance with the Freedom of Information Act 1982 (Cth), which has provisions designed to protect personal information and information given in confidence.

Please let us know if you do not want us to publish your submission or would like us to treat all or part of it as confidential.

Published submissions will include the names of the individuals and/or the organisations that made the submission unless confidentiality is requested.

After public consultation closes, the Board will review and consider all feedback from this consultation before deciding the next steps, which may include submitting the revised standard to the Ministerial Council for approval.

Medical Board of Australia
 Australian Health Practitioner Regulation Agency
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Ahpra and the National Boards regulate these registered health professions: Aboriginal and Torres Strait Islander health practice, Chinese medicine, chiropractic, dental, medical, medical radiation practice, midwifery, nursing, occupational therapy, optometry, osteopathy, paramedicine, pharmacy, physiotherapy, podiatry and psychology.

Background

Under section 13 of the National Law¹, the Ministerial Council decides whether specialist recognition applies to a health profession on the recommendation from a National Board established for the profession. Ministers have decided that specialist registration applies to the medical profession.

Under section 38 of the National Law, the National Boards may develop and recommend registration standards to the Ministerial Council for approval. The National Law requires National Boards to ensure there is wide-ranging consultation on the content of any proposed registration standard, code or guideline.

The Board's current *Registration standard: specialist registration* outlines the requirements for specialist registration. Section 57 of the National Law requires applicants for specialist registration to:

- be qualified for registration in the specialty; and
- have successfully completed:
 - any period of supervised practice in the specialty required by an approved registration standard for the health profession; or
 - any examination or assessment required by an approved registration standard for the health profession to assess the individual's ability to competently and safely practise the specialty;

and

- be a suitable person to hold registration in the health profession; and
- not be disqualified under the National Law or a law of a co-regulatory jurisdiction from applying for registration, or being registered, in the specialty; and
- meet any other requirements for registration stated in an approved registration standard for the specialty.

The current registration standard for specialist registration came into effect on 15 February 2018. The Board is reviewing the standard and has developed a draft revised standard for consultation. Proposed changes to the standard enable the development of a new pathway for specialist registration under existing law.

The Board's current registration standard for specialist registration is available on the Board's [website](#).

The expedited specialist pathway

The only established pathways leading to specialist registration for a specialist international medical graduate (SIMG) are via the specialist pathway under section 58(c) of the National Law or, in the case of SIMGs who are awarded an approved specialist qualification, under section 58(a) of the National Law. The Board is proposing to establish an additional registration pathway (to be known as the expedited specialist pathway) that will lead to specialist registration and will sit alongside the current pathways.

Specialist registration via the expedited specialist pathway relies on the use of section 58(b) of the National Law. It will be available to applicants who have been deemed to hold a qualification which is substantially equivalent or based on similar competencies to an approved specialist qualification for the specialty. The Board, with input from the Australian Medical Council and specialist medical colleges, will develop and publish a list of qualifications that it considers are substantially equivalent or based on similar competencies to an approved specialist qualification for the specialty. The expedited pathway will not require a college assessment of the individual.

¹ The Health Practitioner Regulation National Law, as in force in each state and territory

In developing an expedited pathway and providing a direct route to specialist registration, the Board has considered the findings of the Kruk review² as well as the regulatory approaches taken by health practitioner regulators in countries with comparable health systems. For example, the Medical Council of Ireland has a list of specialist qualifications which are approved for recognition and provide a direct route to specialist registration.

While not approved for specialist registration, the Medical Council of New Zealand publishes a list of qualifications accepted for locum specialists. Several overseas specialist medical colleges, such as The College of Family Physicians of Canada and the Irish College of General Practitioners, also recognise specialist training from countries such as Australia and the United Kingdom and publish lists to this effect.

The expedited pathway aligns with these approaches and will speed up the registration process for SIMGs with specific specialist qualifications, by enabling them to apply directly for specialist registration without the need for a college assessment of the individual. Applicants will be required to undertake a period of supervised practice in the specialty and a comprehensive orientation to the Australian healthcare system, which includes cultural safety training. This will ensure that only practitioners who are suitably trained and qualified to practise in a competent and ethical manner receive registration.

Proposed changes to the current registration standard³

The current standard defines the requirements that all applicants must meet to be eligible for specialist registration. The Board is proposing to make substantial changes to the current standard to enable the implementation of the new pathway and clearly set out the requirements that applicants must meet. The changes include:

- **Background**

The background information has been removed as it does not provide information about the requirements of the standard and content is duplicated in other sections of the standard.

- **Requirements**

A new 'requirements' section has been added which provides specific references to sections 57 and 58 of the National Law. This section aims to enable an individual to understand clearly whether they meet the requirements for specialist registration. It:

- sets out the specific requirements that an individual must meet in order to be granted specialist registration
- describes each pathway to specialist registration according to the type of the qualification that an individual may hold
- clarifies what competency requirements must be met for an individual to be eligible for specialist registration (as per section 57(1)(b) of the National Law)
- makes clear that there are additional mandatory registration standards that must also be met.

- **What must I do?**

This section has been simplified to help applicants complete their application. It lists all requirements an individual must meet when applying for specialist registration, regardless of whether they hold current general registration or specialist registration in another specialty, or both. The flexibility to waive some of the documentation requirements has been retained if these documents have been previously provided to the Board.

² Findings from the Final Report of the Independent Review of Health Practitioner Regulatory Settings, led by Ms Robyn Kruk AO

³ The Board's current registration standard is available at <https://www.medicalboard.gov.au/Registration-Standards.aspx>

The current requirements for renewal of specialist registration have been revised and a new paragraph inserted to describe the possible consequences of non-compliance with any conditions imposed.

- **What happens if I don't meet this standard?**

This section has been moved and simplified to improve readability.

- **Period of specialist registration**

This section has had minor editorial changes.

- **More information**

The content of this section has been significantly revised to remove information that is not necessary in the standard. The deleted information is either covered in other sections of the revised specialist registration standard, addressed by another registration standard, guideline or other document, or does not inform the requirements for specialist registration.

The remaining sections have been re-worded for clarity.

Collectively, the proposed changes to the standard aim to improve readability and clarify how individuals may qualify for specialist registration under section 58 of the National Law and meet the specific eligibility criteria.

No changes have been made to the existing registration requirements such as the current approved qualifications, English language skills, proof of identity and criminal history checks.

Options considered by the Board

The Board has considered two options for consultation.

Option one – rely on the existing standard

Under this option, the current standard would remain unchanged. While the expedited specialist registration pathway could be implemented under the current standard, the additional requirements the Board deems necessary to support safe practice, such as requiring a period of supervised practice, are not clearly defined.

Option two – revise the existing standard

Under option two, the Board would update the current standard to support the implementation of an expedited specialist registration pathway and make the suitability and eligibility requirements for specialist registration clearer. The Board would also review other elements of the standard to ensure it remains relevant and fit for purpose.

Preferred option

The Board prefers option two and has drafted a revised registration standard for consultation.

Potential benefits of the preferred option

The benefits of a revised standard are that it will:

- be written in plain English and be easy to read and understand
- provide assurance to an applicant that they are eligible for specialist registration if they meet the requirements set out in the registration standard
- support protection of the public by ensuring that only practitioners who are suitably trained and qualified and are competent to practise in a safe and ethical manner are granted specialist registration

- potentially increase patients' access to specialist medical services, by enabling swifter granting of specialist registration to individuals with a qualification that is substantially equivalent or based on similar competencies to an approved specialist qualification for the specialty.

Estimated impacts of the draft revised standard

Stakeholders, including SIMGs, specialist medical colleges, employers, patients and consumers will be affected by the proposed changes to the standard and the implementation of a new pathway leading to specialist registration. The estimated impacts of the draft revised standard on each identified stakeholder are outlined below:

Applicants

The proposed changes to the registration standard aim to make it easier to read and clearer for applicants to understand which pathway to specialist registration they are eligible to apply for. Applicants who are eligible for the expedited pathway will be able to apply directly to the Board for specialist registration. This is expected to save some applicants time and money, reduce the number of agencies applicants deal with and improve their overall experience of applying for specialist registration.

Specialist medical colleges

The proposed changes to the standard are expected to impact on college SIMG assessment processes by redirecting some applicants for specialist registration directly to the Board. While this approach has always been available in the National Law, the registration standard provides a clear pathway for applicants.

The proposed changes to the standard will establish an alternative, expedited pathway to specialist registration that does not require an individual to hold or be eligible for college fellowship. Individual applicants will be free to seek college fellowship once they have been granted specialist registration, and colleges will retain their standing as CPD homes and as sources of collegiality and other membership benefits.

The proposed standard is unlikely to impact college assessment of the majority of applicants whose qualifications are 'relevant'.

Employers

The Kruk review highlighted that all states and territories are experiencing health workforce shortages which contribute to longer patient wait times and heavy staff workloads. Providing some specialist medical practitioners with a direct route to specialist registration and reducing known barriers and delays in the registration process may increase Australia's appeal as a destination in a competitive international market for medical specialists. This may make it easier for employers to fill vacancies. The short-term supervision requirements for SIMGs in the expedited pathway may affect employers, however these requirements are expected to be offset by increased health services provided by supervised SIMGs.

Patient and consumers

The Board's patient and consumer health and safety impact statement is included at attachment C.

Scope of this consultation

The Board's current registration standard defines the requirements for granting specialist registration. The proposed changes support the existing pathways to specialist registration and also create a path (which has always been available in the National Law) for a safe, expedited pathway to specialist registration for a select group of applicants. This consultation is focused on the proposed changes to the registration standard, as the regulatory tool that supports these reforms.

Questions for consideration

The Board is inviting general comments on the draft revised specialist registration standard as well as responses to the following questions:

1. Is the content and structure of the draft revised specialist registration standard helpful, clear, relevant and workable?
2. Is there any content that needs to be changed, added or deleted in the draft revised specialist registration standard?
3. Are there any impacts for patients and consumers, particularly vulnerable members of the community, that have not been considered in the draft revised specialist registration standard?
4. Are there any impacts for Aboriginal and Torres Strait Islander Peoples that have not been considered in the draft revised specialist registration standard?
5. Are there any other regulatory impacts or costs that have not been identified that the Board needs to consider?
6. Do you have any other comments on the draft revised specialist registration standard?

Attachments

Attachment A: Draft revised Registration standard: specialist registration

Attachment B: The Board's statement of assessment against Ahpra's *Procedures for the development of registration standards, codes and guidelines*

Attachment C: National Boards' Patient and Consumer Health and Safety Impact Statement

The Board's current registration standard for specialist registration is available on the Board's [website](#).



Attachment A

Draft revised Registration standard: specialist registration

Effective date: <<date>>

Summary

This registration standard sets out the eligibility requirements of the Medical Board of Australia (the Board) for specialist registration as a medical practitioner.

Does this standard apply to me?

This standard applies to individuals who are applying for specialist registration or are applying to renew their specialist registration.

Requirements

The eligibility and qualification requirements for specialist registration are outlined by sections 57 and 58 of the National Law. Specialist registration is only available in specialties that have been approved by the Ministerial Council.

Eligibility for specialist registration

Under section 57 of the National Law, you are eligible for specialist registration if you:

- a. are qualified for registration in the specialty; and
- b. have successfully completed –
 - i. any period of supervised practice in the specialty required by an approved registration standard for the health profession; or
 - ii. any examination or assessment required by an approved registration standard for the health profession to assess the individual's ability to competently and safely practise the specialty;
 and
- c. are a suitable person to hold registration in the health profession; and
- d. are not disqualified under this Law or a law of a co-regulatory jurisdiction from applying for registration, or being registered, in the specialty; and
- e. meet any other requirements for registration stated in an approved registration standard.

Qualifications for specialist registration

Under section 58 of the National Law, you are qualified for specialist registration, if you:

- a. hold an approved qualification for the specialty**

Approved qualifications are obtained by completing an Australian Medical Council accredited program of study for the profession. The Board approves the accredited program of study as providing a qualification for the purposes of specialist registration.

The Board publishes a list of approved qualifications for specialist registration at www.medicalboard.gov.au

b. hold another qualification the Board considers to be substantially equivalent, or based on similar competencies to an approved qualification for the specialty

The Board publishes a list of qualifications that it has assessed to be substantially equivalent or based on similar competencies to an approved specialist qualification at www.medicalboard.gov.au

c. hold a qualification relevant to a recognised specialty and have successfully completed an examination or other assessment required by the Board for the purpose of registration in the specialty

If you are not qualified under a. or b. above, you can qualify for specialist registration if you hold a qualification relevant to the specialty **and** have successfully completed an examination or assessment required by the Board. You will not be qualified for specialist registration until you have successfully completed the required examination or assessment. You may be eligible for an alternative type of registration such as limited registration that will allow you to complete the required examination or assessment.

d. hold a qualification that qualified you for specialist registration (however described) under the National Law or the corresponding prior Act and you were previously registered under the National Law or the corresponding prior Act on the basis of holding that qualification for the specialty.

If you were qualified and previously held specialist registration under the National Law or under a corresponding prior Law, you are qualified for specialist registration.

Competency requirements for specialist registration

To satisfy the requirements of section 57(1)(b) of the National Law, you will have successfully completed:

- six months of satisfactory supervised practice approved by the Board in the specialty within Australia, or
- an examination or assessment approved by the Board, to assess your ability to competently and safely practise the specialty.

Other requirements for specialist registration

Under section 57(1)(e) of the National Law, you will:

- meet the requirements of the following approved registration standards:
 - English language skills
 - recency of practice
 - professional indemnity insurance
 - criminal history, and
 - continuing professional development
- have successfully completed a Board approved orientation to the Australian healthcare system and cultural safety education.

The Board has published further guidance on eligibility for specialist registration at www.medicalboard.gov.au

What must I do?

When you apply for specialist registration

Under section 77 of the National Law, the Board requires applications for specialist registration to be accompanied by:

1. evidence that you are eligible for specialist registration
2. evidence that you are qualified for specialist registration by:
 - a. being awarded an approved qualification for the specialty, or
 - b. holding a qualification that the Board considers to be substantially equivalent, or based on similar competencies to an approved qualification for the specialty, or
 - c. holding a qualification other than that which is referred under a. and b. above, that is relevant to a recognised specialty and evidence that you have successfully completed an examination, period of supervised practice or other assessment required by the Board for the purpose of registration in the specialty, or
 - d. holding a qualification that qualified you for specialist registration (however described) and previous registration under the National Law or the corresponding prior Act on the basis of holding that qualification for the specialty.
3. evidence you meet the requirements in the Board's approved registration standards for:
 - a. English language skills
 - b. recency of practice
 - c. professional indemnity insurance
 - d. criminal history, and
 - e. continuing professional development
4. proof of meeting the identity requirements as published on the Board or Ahpra websites
5. evidence that you have applied for, or have the results of, primary source verification of all your medical qualifications from an authority(ies) approved by the Board
6. evidence of having been awarded a primary degree in medicine and surgery, after completing a course of study at a medical school listed in publications approved by the AMC and/or Board. A course of study means that you must be able to demonstrate that you have completed a medical curriculum leading to an entitlement to registration in the country issuing the degree to practise clinical medicine
7. a curriculum vitae that meets the Ahpra standard format
8. evidence of your registration history as a health practitioner. If you are currently registered or have previously been registered overseas as a health practitioner, you must arrange for a Certificate of Registration Status or Certificate of Good Standing to be sent directly to Ahpra from each registration authority you have been registered with in the previous 10 years. The certificates must be provided in accordance with the Board's and Ahpra's published requirements
9. evidence that you have undertaken a Board approved orientation to the Australian healthcare system
10. evidence that you have successfully completed any required period of supervised practice in the specialty
11. evidence that you have completed any additional requirements that the Board considers to be necessary to practise the specialty.

Documents submitted in support of an application for specialist registration must comply with the requirements for certifying and translating documents as published on the Board or Ahpra websites.

If you have previously been, or are currently registered in a health profession, in Australia under the National Scheme and have therefore provided information to a Board previously, some of the documentation requirements in this standard may be waived.

The Board may require you to provide further information consistent with section 80 of the National Law, to determine your eligibility and suitability for specialist registration.

When you apply for renewal of specialist registration

When you apply to renew your specialist registration, you must:

1. complete a renewal of registration application that includes the annual renewal statement in accordance with the provisions of section 109 of the National Law
2. demonstrate satisfactory compliance with any conditions or undertakings imposed on your registration
3. provide the Board with any further information it requires, which may include undergoing an investigation, examination or assessment consistent with section 80 of the National Law, to decide your application for renewal of specialist registration.

If your registration is subject to conditions that require you to successfully complete a period of supervised practice in Australia, the Board may decide to refuse your application for renewal of specialist registration if your performance is deemed to be below the level expected, or you are unable to successfully complete the period of supervised practice within the required timeframe.

What happens if I don't meet this standard?

The National Law establishes possible consequences if you don't meet this standard, including that:

1. the Board can impose a condition or conditions on your registration or can refuse your application for registration or renewal of registration, if you do not meet a requirement in an approved registration standard for the profession (sections 82, 83 and 112 of the National Law), and
2. the Board or an authority in a co-regulatory jurisdiction may take action against you under Part 8 of the National Law if you breach any of the requirements of this registration standard or any of the Board's standards, codes or guidelines health, performance or conduct action and registration standards, codes or guidelines may be used as evidence of what constitutes appropriate professional conduct or practice for the health profession (section 41 of the National Law).

Period of specialist registration

Specialist registration may be granted for a maximum period of 12 months. All registrants will be required to apply to renew their specialist registration annually. All specialist registrations will have a common end date of 30 September each year. The Board will initially grant specialist registration for the period until 30 September.

More information

Register of medical practitioners and Specialists register

The names of medical practitioners with general and specialist registration are published on both the *Register of medical practitioners* and the *Specialists register*. If you hold specialist registration only, your name is only recorded on the *Specialists register*.

You may opt to surrender your specialist registration if:

1. you hold general and specialist registration and are no longer practising in the specialty
2. you hold specialist registration in more than one specialty and are no longer practising in one or more specialties.

Limited scope of practice

If you hold specialist registration only, you will have a limited scope of practice compared with a medical practitioner who has both general and specialist registration.

The scope of practice of a medical practitioner who has specialist registration only is limited to their specialty.

The Board may impose conditions on the registration of a specialist that restrict scope of practice to a specified area of practice within a recognised specialty or field of specialty practice. The conditions will appear on the *Specialists register*.

Authority

This registration standard was approved by the Ministerial Council on <<date>>.

Registration standards are developed under section 38 of the National Law and are subject to wide-ranging consultation.

Definitions

Approved qualification means a qualification obtained by completing an approved program of study for the profession. As per section 58(a) of the National Law, the approved qualification for specialist registration is fellowship of a specialist medical college accredited by the AMC. Approved qualifications for general and specialist registration are published on the Board's website at www.medicalboard.gov.au.

National Law means the Health Practitioner Regulation National Law, as in force in each state and territory.

National Scheme means the National Registration and Accreditation Scheme.

Specialist medical college means a college:

1. whose program of study has been accredited by the Board's accreditation authority, the Australian Medical Council, and
2. whose resultant qualification has been approved by the Board as providing a qualification for the purposes of specialist registration.

Review

This standard will be reviewed at least every five years.

Last reviewed: <<date>>

This standard replaces the previously published registration standard dated 15 February 2018.



Attachment B

The Board's statement of assessment against *Ahpra's Procedures for the development of registration standards, codes and guidelines*

The Australian Health Practitioner Regulation Agency (Ahpra) has *Procedures for the development of registration standards, codes and guidelines* (the Ahpra procedures) which are available at:

www.ahpra.gov.au/Resources/Procedures

Section 25 of the Health Practitioner Regulation National Law as in force in each state and territory (the National Law) requires Ahpra to establish procedures for the purpose of ensuring that the National Registration and Accreditation Scheme (the National Scheme) operates in accordance with good regulatory practice.

The Board's current registration standard for specialist registration came into effect on 15 February 2018 and is due for review. In keeping with good regulatory practice, the Board is reviewing the standard. Health Ministers have identified the establishment of an expedited registration pathway for specialist international medical graduates as a high priority. The proposed changes to the standard enable the development of a safe new pathway for specialist registration.

The development of an expedited pathway, supported by revisions to the specialist registration standard, is in response to recommendation 9 of the final report in the *Independent Review of Australia's Regulatory Setting Relating to Overseas Health Practitioners*. The independent reviewer, Robyn Kruk AO, undertook extensive public consultation as part of the review, which sought to ensure that our regulatory settings for the registration and recognition of qualifications of internationally qualified health practitioners are fit for purpose. Health Ministers have tasked the Medical Board of Australia and Ahpra with implementing this pathway by October 2024.

Below is the Medical Board of Australia's assessment of its proposal for the draft revised specialist registration standard to be adopted, against the three elements outlined in the Ahpra procedures.

1. **The proposal takes into account the objectives and guiding principles in the National Law (sections 3 and 3A) and draws on available evidence, including regulatory approaches by health practitioner regulators in countries with comparable health systems**

National Board assessment

The Board considers that the draft revised specialist registration standard meets the objectives and guiding principles of the National Law as it would:

1. continue to provide for the high-quality education and training of specialist medical practitioners
2. facilitate the rigorous and responsive assessment of specialist international medical graduates
3. support protection of the public by ensuring that only practitioners who are suitably trained and qualified and are competent to practise in a safe and ethical manner are granted specialist registration
4. potentially increase patients' access to specialist medical services by enabling swifter granting of specialist registration to individuals with a qualification that is substantially equivalent or based on similar competencies to an approved specialist qualification for the specialty.

In developing an expedited pathway and providing a direct route to specialist registration, the Board has considered the findings of the Kruk review as well as the regulatory approaches taken by health practitioner regulators in countries with comparable health systems. For example, the Medical Council of Ireland has a list of specialist qualifications which are approved for recognition and provide a direct route to specialist registration.

While not approved for specialist registration, the Medical Council of New Zealand also publishes a list of qualifications accepted for locum specialists. Several overseas specialist medical colleges, such as The College of Family Physicians of Canada and the Irish College of General Practitioners, recognise specialist training from countries including Australia and the United Kingdom and publish lists to this effect.

The current specialist registration standard defines the Board's requirements for granting specialist registration to practitioners who have completed training delivered by education providers accredited by the Australian Medical Council (AMC) under the National Law. However, this is only one way in which an individual can qualify for specialist registration. The proposed changes aim to detail all available ways that an individual can qualify for specialist registration under section 58 of the National Law, including via the expedited specialist pathway, which in turn, promotes access to specialist services by potentially increasing the number of specialists in Australia.

The proposed revised standard takes account of the National Scheme's main guiding principle of protecting the public and ensuring public confidence in the safety of services provided by registered health practitioners. It does so by ensuring that only medical practitioners who are suitably trained and qualified to practise in a competent and ethical manner are registered. The proposed standard supports the National Scheme's guiding principle to operate in a transparent, accountable, efficient, effective and fair way. Having a clear and transparent framework for assessing applications for registration in a consistent manner is critical to achieving this.

2. Steps have been taken to achieve greater consistency within the national scheme (for example, by adopting any available template, guidance or good practice approaches used by national scheme bodies), and the consultation requirements of the National Law are met.

National Board assessment

The National Law requires wide-ranging consultation on proposed standards, codes and guidelines, including consulting other National Boards on matters of shared interest. This requirement of the National Law is being met through public consultation and consistency is being achieved through use of standard consultation paper templates and adherence to the Ahpra procedures.

A shorter four week streamlined consultation is being applied, to balance the value of engaging with the public and other stakeholders to understand their perspectives on this proposal, while meeting the timeframes set by Health Ministers for this reform.

The Board's consultation builds on the extensive public consultation that was undertaken as part of the Kruk review, which received 86 submissions, 1700+ survey responses and consulted with 140+ stakeholders. The Board's public process includes the publication of the consultation paper on our website and informing medical practitioners via the Board's electronic newsletter which is sent to more than 95% of registered medical practitioners.

The Board has worked with the Health Chief Executives Forum's Health Workforce Taskforce and key stakeholders to inform the development of an expedited pathway to specialist registration for specialist international medical graduates and propose changes to the specialist registration standard to support the operationalisation of the pathway.

The Board will also invite key stakeholders to comment on the draft registration standard including other National Boards, professional organisations, patient safety organisations, consumer groups and Aboriginal and Torres Strait Islander groups.

- 3. The Board will take into account the feedback it receives when finalising the draft revised registration standard that it may submit to the Ministerial Council for approval. The proposal takes into account the principles set out in the Ahpra procedures**

A. Whether the proposal is the best option for achieving the proposal's stated purpose and protection of the public

National Board assessment

The Board has been tasked to set up a new, faster pathway to specialist registration and considers that its proposal is the best option to achieve this and ensure public protection. The proposed changes to the specialist registration standard support the establishment of a safe, expedited specialist pathway and ensure the standard remains relevant and fit for purpose. The Board is taking the opportunity to propose editorial changes to improve readability and ensure clarity.

The current registration standard sets the requirements that an individual must satisfy under section 58 of the National Law in order to qualify for specialist registration. There are defined pathways to specialist registration which use sections 58(a) and 58(c) of the National Law. However, there is no established process or formal pathway to specialist registration using section 58(b) despite it being a provision of the National Law. The proposed changes formalise this option.

The Board publishes an online *Specialists register* which lists the names and qualifications of specialist medical practitioners and their field of specialty. Only medical practitioners granted specialist registration can use the protected titles associated with their specialist registration. The *Specialists register* enables the public to identify a specialist from a non-specialist medical practitioner. This provides public confidence that a medical practitioner listed on the *Specialists register* has met the education and training requirements regardless of their pathway to gaining specialist registration.

B. Whether the proposal results in an unnecessary restriction of competition among health practitioners

National Board assessment

The Board considered whether its proposal could result in an unnecessary restriction of competition among registered medical practitioners. The proposed changes to the registration standard would provide alternative qualification options for medical specialists outside of fellowship which are already available under the National Law, introduce an expedited registration pathway and remove some current barriers to registration. The changes are therefore not expected to restrict the current levels of competition among health practitioners and may increase competition.

C. Whether the proposal results in an unnecessary restriction of consumer choice

National Board assessment

The Board considers that the draft revised registration standard will support consumer choice by facilitating access to specialist health services provided by specialist medical practitioners.

D. Whether the overall costs of the proposal to members of the public and/or registrants and/or governments are reasonable in relation to the benefits to be achieved

National Board assessment

The Board has considered the overall potential costs and impacts of the draft revised registration standard to members of the public, medical practitioners and governments. The cost of the proposal to revise the specialist registration standard is minimal and is therefore expected to have minimal impact on members of the public and registrants. However, there are additional costs committed by government in order to respond to the Health Ministers' request that the Board and Ahpra implement an expedited specialist registration pathway.

Costs of assessment for specialists in the expedited pathway are likely to be reduced. The process of assessment and registration is also likely to be shortened enabling income generation and service provision more quickly.

The Board is testing its view with stakeholders that the likely overall impacts and costs are reasonable when compared to the likely benefits of having an expedited pathway that is supported by a revised registration standard.

E. Whether the proposal's requirements are clearly stated using 'plain language' to reduce uncertainty, enable the public to understand the requirements, and enable understanding and compliance by registrants

National Board assessment

The proposed revisions to the registration standard have been written in plain English to help practitioners and the public understand the requirements of the standard. The Board is also proposing changes to the structure of the registration standard to improve readability and clarity, to make the standard easier to understand.

F. Whether the Board has procedures in place to ensure that the proposed registration standard, code or guideline remains relevant and effective over time

National Board assessment

The Board has procedures in place for regularly reviewing standards, codes and guidelines. If approved, the Board will review the revised standard at least every five years, including an assessment against the objectives and guiding principles in the National Law. Scheduling regular reviews is consistent with best practice regulation. However, the Board may review the standard earlier, in response to any issues which arise or new evidence which emerges to ensure the standard's continued relevance, workability and maintenance of public safety standards.



Attachment C

National Boards' Patient and Consumer Health and Safety Impact Statement

3 June 2024

Statement purpose

The National Boards' Patient and Consumer Health and Safety Impact Statement (Statement)⁴ explains the potential impacts of a proposed registration standard, code or guideline on the health and safety of the public, vulnerable members of the community and Aboriginal and Torres Strait Islander Peoples.

The four key components considered in the Statement are:

1. the potential impact of the proposed revisions to the *Registration Standard: Specialist Registration* on the health and safety of patients and consumers, particularly vulnerable members of the community, including approaches to mitigate any potential negative or unintended effects
2. the potential impact of the proposed revisions to the *Registration Standard: Specialist Registration* on the health and safety of Aboriginal and Torres Strait Islander Peoples including approaches to mitigate any potential negative or unintended effects
3. engagement with patients and consumers, particularly vulnerable members of the community, about the proposal
4. engagement with Aboriginal and Torres Strait Islander Peoples about the proposal.

The National Boards' Health and Safety Impact Statement aligns with the [National Scheme's Aboriginal and Torres Strait Islander Health and Cultural Safety Strategy 2020-2025](#), [National Scheme engagement strategy 2020-2025](#), [the National Scheme Strategy 2020-25](#) and reflect key aspects of the revised consultation process in the Ahpra [Procedures for developing registration standards, codes and guidelines and accreditation standards](#).

⁴ This statement has been developed by Ahpra and the National Boards in accordance with section 25(c) and 35(c) of the *Health Practitioner Regulation National Law* as in force in each state and territory (the National Law). Section 25(c) requires AHPRA to establish procedures for ensuring that the National Registration and Accreditation Scheme (the National Scheme) operates in accordance with good regulatory practice. Section 35(c) assigns the National Boards functions to develop or approve standards, codes and guidelines for the health profession including the development of registration standards for approval by the COAG Health Council and that provide guidance to health practitioners registered in the profession. Section 40 of the National Law requires National Boards to ensure that there is wide-ranging consultation during the development of a registration standard, code, or guideline.

Below is our initial assessment of the potential impact of a proposed revision to the registration standard for specialist registration on the health and safety of patients and consumers, particularly vulnerable members of the community, and Aboriginal and Torres Strait Islander Peoples. This statement will be updated after consultation feedback.

1. How will this proposal impact on patient and consumer health and safety, particularly vulnerable members of the community? Will the impact be different for vulnerable members?

The Medical Board of Australia (the Board) has carefully considered the impacts that the proposed revisions to the *Registration Standard: Specialist Registration* (the standard) could have on patient and consumer health and safety, particularly vulnerable members of the community. We think the proposed revised standard is the best option for consultation. The proposed changes are expected to strengthen the effectiveness of the standard by ensuring that only practitioners who are suitably trained and qualified to practise in a competent and ethical manner are granted specialist registration.

Our assessment is that there will be no negative impact on the health and safety of patients, clients and consumers, particularly people vulnerable to harm within the community, and Aboriginal and Torres Strait Islander Peoples. The proposed changes promote access of specialist services and considers the importance of Aboriginal and Torres Strait Islander health needs and cultural safety by ensuring all individuals are appropriately orientated to the Australian health care system and complete cultural safety training, if not done so previously. Our engagement through consultation will help us to better understand possible outcomes and meet our responsibilities to protect patient safety and health care quality.

2. How will consultation engage with patients and consumers, particularly vulnerable members of the community?

In line with our **consultation processes**, the Board is undertaking wide-ranging consultation. We will engage with patients and consumers, peak bodies, communities and other relevant organisations to get input and views from vulnerable members of the community.

Our consultation questions specifically ask whether the proposed changes to the standard will impact on patient, client and consumer health and safety, particularly people vulnerable to harm within the community. Responses will help us better understand possible outcomes and address them.

3. What might be the unintended impacts for patients and consumers particularly vulnerable members of the community? How will these be addressed?

The Board has carefully considered what the unintended impacts of the proposed revision to the standard might be, as the **consultation paper** explains. Consulting with relevant organisations and vulnerable members of the community will help us to identify any other potential impacts. We will fully consider and take actions to address any potential negative impacts for patients and consumers that may be raised during consultation particularly for vulnerable members of the community.

4. How will this proposal impact on Aboriginal and Torres Strait Islander Peoples? How will the impact be different for Aboriginal and Torres Strait Islander Peoples compared to non-Aboriginal and Torres Strait Islander Peoples?

The Board has carefully considered any potential impact of the proposed revisions on Aboriginal and Torres Strait Islander Peoples and how this compares to the impact on non-Aboriginal and Torres Strait Islander Peoples. We seek feedback on our preferred option, as outlined in the **consultation paper**. The importance of Aboriginal and Torres Strait Islander health needs has been considered in the development of the new expedited specialist pathway with individuals being required to undertake a comprehensive orientation to the Australian healthcare system which includes cultural safety training.

These changes are reflected in proposed revisions to the registration standard and our assessment is that there will be no negative impact on the health and safety of patients, clients and consumers, and Aboriginal and Torres Strait Islander Peoples and only minor positive impacts. Our engagement through consultation will help us to identify any other potential impacts and meet our responsibilities to protect safety and health care quality for Aboriginal and Torres Strait Islander Peoples.

5. How will consultation about this proposal engage with Aboriginal and Torres Strait Islander Peoples?

The Board is committed to the National Scheme's [Aboriginal and Torres Strait Islander Cultural Health and Safety Strategy 2020-2025](#) which focuses on achieving patient safety for Aboriginal and Torres Strait Islander Peoples as the norm, and the inextricably linked elements of clinical and **cultural safety**.

As part of our usual consultation processes, we have tried to find the best way to meaningfully engage with Aboriginal and Torres Strait Islander Peoples. We will engage our Aboriginal and Torres Strait Islander Health Strategy Unit and are continuing to engage with Aboriginal and Torres Strait Islander organisations and stakeholders including the Australian Indigenous Doctors' Association.

6. What might be the unintended impacts for Aboriginal and Torres Strait Islander Peoples? How will these be addressed?

The Board has carefully considered what the unintended impacts of the revisions to the standard might be, particularly for Aboriginal and Torres Strait Islander Peoples as identified in the **consultation paper**. Continuing to engage with relevant organisations and Aboriginal and Torres Strait Islander Peoples will help us to identify any other potential impacts. We will consider and take actions to address any other potential negative impacts for Aboriginal and Torres Strait Islander Peoples that may be raised during consultation.

7. How will the impact of this proposal be actively monitored and evaluated?

Part of the Board's work in keeping the public safe is ensuring that all the Board's standards, codes and guidelines are regularly reviewed.

In developing the revised standard and in keeping with this, the Board will regularly review the standard to check it is working as intended.