Health Professionals Registration: Medical officers, nurses, midwives and other health professionals

Policy Number: B14 (QH-POL-147)

Publication date: March 2016

Purpose: To outline the requirements relating to mandatory professional registration and memberships.

Application: This policy applies to all health professionals employed or contracted to work for Queensland Health in roles when professional registration or eligibility for membership of a professional association is a mandatory requirement of the position.

Delegation: The ‘delegate’ is as listed in the relevant Department of Health Human Resource (HR) Delegations Manual or Hospital and Health Services Human Resource (HR) Delegations Manual, as amended from time to time.

Legislative or other authority:
- Health Practitioner Regulation National Law Act 2009
- Hospital and Health Boards Act 2011
- Public Sector Ethics Act 1994
- Public Service Act 2008

Related policy or documents:
- Code of Conduct for the Queensland Public Service
- Recruitment and Selection HR Policy B1 (QH-POL-212)
- Discipline HR Policy E10 (QH-POL-124)
- Suspension of Employees HR Policy E14 (QH-POL-400)

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1 Reference to registration/membership

Reference to ‘registration’ throughout this policy refers to professional registration with a national health practitioner board.

Reference to ‘membership’ throughout this policy refers to eligibility for membership of the professional association relevant to the employee’s health profession.

2 Requirement to hold registration/membership

Professional registration/membership is the minimum mandatory condition of employment in certain health professional positions within Queensland Health.

A health professional must hold a sufficient level of registration to enable them to:

• commence employment with Queensland Health
• perform the full duties and responsibilities of their substantive role and
• legally practice their profession in their substantive role.

For unregulated/self-regulated health professions, a health professional must hold membership of the professional body as required for the profession to enable them to:

• commence employment with Queensland Health
• perform the full duties and responsibilities of their substantive role.

3 Practice while registration is being renewed

Section 107(2) of the Health Practitioner Regulation National Law Act 2009 provides that an application for renewal of the health professional’s registration must be made not later than one month after the practitioner’s period of registration ends.

Health professionals are able to practice while their registration renewal application is being processed, even if the renewal process extends past their registration expiry date. Health professionals remain registered for one month after their registration expiry date and can continue to practice during this time unless they no longer appear on the Register of Practitioners.

4 Submissions about proposed refusal or imposition of condition

Under Section 111 of the Health Practitioner Regulation National Law Act 2009, a health professional has the opportunity to make a submission to their National Board within 30 days if the Board is proposing to either refuse to renew their registration, or to renew their registration subject to a new condition. While this process is occurring, the practitioner remains registered and able to continue practicing their profession.

5 Responsibilities of health professionals

It is the responsibility of the individual health professional to ensure they hold and maintain current registration from the appropriate registration board, or membership of the relevant professional association, throughout their employment with Queensland Health, and practice within their scope of registration.
An employee engaged in a role with Queensland Health where registration or membership is a mandatory requirement of the role, is responsible for ensuring their registration or membership continues during periods of extended leave, including leave with and/or without pay (e.g. parental leave), secondments, acting or higher duties arrangements, or extended breaks between casual engagements.

A registered health professional must immediately advise their manager/clinician manager when the status of their professional registration with the registration board or membership of the professional association changes.

A change to the status of the health professional’s registration includes, but is not limited to:

- suspension
- conditions
- restrictions
- undertakings.

Health professionals making submissions to their National Board regarding a proposed refusal or imposition of condition upon registration renewal are to keep their managers/clinician managers informed throughout the process.

6 Role of managers/clinician managers

Managers/clinician managers are responsible for verifying the registration or membership of each health professional in their area of work (including for contracted/agency staff).

A local manager/clinician manager may obtain proof of current health practitioner registration at any time by viewing the Australian Health Practitioner Regulation Agency (AHPRA) Register of Practitioners.

The medical superintendent is responsible for ensuring that all medical practitioners employed in their area are appropriately registered at all times.

Prior to an employee commencing duties as a health professional, either as a new appointment, through a transfer, secondment, or returning after a period of extended leave, the manager/clinician manager must verify that the employee’s registration is current and the registration is appropriate for the role to be performed (refer Recruitment and Selection HR Policy B1).

Managers/clinician managers must ensure health professionals practice within the scope of their registration. Further, they are to ensure rostering or work directives do not place health professionals, especially junior health professionals, in situations that may result in them practicing outside the scope of their registration.

When managers/clinician managers are advised that the status of a health professional’s registration has changed, for example through suspension, conditions, restrictions or undertakings, they are to:

- obtain specific details of the altered registration
- carefully consider the implications of the altered registration on service delivery
- take appropriate interim action to ensure the health professional does not practice outside the scope of their registration
- consider whether the employee can continue to work in their substantive position or whether further action is required
- consult their local HR unit for advice.
Managers/clinician managers are to monitor the progress of health professionals’ submissions regarding proposed refusal or imposition of condition upon registration renewal and provide any appropriate support in these situations.

Managers are to also refer to Attachment One of this policy in reference to their responsibilities in the registration audit process.

**Definitions:**

<table>
<thead>
<tr>
<th>Health professionals who are required to be registered</th>
<th>Health professionals include, but are not limited to:</th>
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<tr>
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<td>• medical and dental practitioners, including employees and those under a procurement contract such as visiting medical officers, visiting general dental practitioners, visiting oral surgeons and other visiting dental specialists</td>
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<td>• enrolled nurses, registered nurses and midwives</td>
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<td>• chiropractors</td>
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<td>• medical radiation technologists</td>
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<td>• occupational therapists</td>
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<td>• optometrists</td>
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<td>• osteopaths</td>
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<td>• pharmacists</td>
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<td>• physiotherapists</td>
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<td>• podiatrists</td>
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<td>• psychologists.</td>
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| Medical superintendent | Includes executive director of medical services (EDMS) and director of medical services (DMS). |

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<tr>
<th>Verify</th>
<th>For registration:</th>
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<td></td>
<td>viewing the health professional’s registration details on the public access online register (i.e. the minimum mandatory verification); and</td>
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<td>checking the details contained within, including:</td>
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<td>- sighting the original or a certified copy of a health professional’s registration certificate;</td>
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<td></td>
<td>- ensuring the name on the registration certificate/public access register is the same as other documentation in possession of Queensland Health</td>
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<td>- confirming that the registration is current and appropriate for the position and/or roles to be performed</td>
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<td>- identifying any endorsements and/or limitations placed on the health professional’s right to practice.</td>
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For membership:

• ensuring the health professional has attained the required qualification standards or other pre-requisites required for membership eligibility of the relevant professional association

• where the health professional is a member of the professional organisation:

  - sighting the original or a certified copy of a health professional’s professional association membership card/letter/certificate;
  - ensuring the name on the membership document is the same as other documentation in possession of Queensland Health.
### History:

<table>
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<tr>
<th>Date</th>
<th>Updates</th>
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<tr>
<td>March 2016</td>
<td>- Policy:</td>
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<tr>
<td></td>
<td>- formatted as part of the HR Policy review</td>
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<td></td>
<td>- amended to update naming conventions</td>
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<td>- extended application across Queensland Health</td>
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<td>- amended to include reference to professional memberships</td>
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<td>- updated the verification and escalation processes</td>
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<tr>
<td>October 2014</td>
<td>- Policy formatted as part of the HR Policy Simplification project.</td>
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<td>- Policy amended to:</td>
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<td>- update references and naming conventions</td>
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<td>- update processes related to the <em>Health Practitioner Regulation National Law Act 2009</em></td>
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<td>- update the verification and escalation processes.</td>
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<tr>
<td>November 2009</td>
<td>- Amended to include responsibilities of medical superintendents in section 7.1.</td>
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<tr>
<td>July 2008</td>
<td>- Amended to reflect <em>Public Service Act 2008</em>.</td>
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<tr>
<td>June 2008</td>
<td>- Policy amended in response to feedback from stakeholders throughout Queensland Health.</td>
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<tr>
<td>November 2007</td>
<td>- New policy approved by Executive Management Team.</td>
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<tr>
<td>Previous</td>
<td>- IRM 1.17 Health Professionals Registration – Medical Officers, Nurses and other Health Professionals.</td>
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Attachment One – Application

The following information is provided as the minimum mandatory standard practice, procedure or process to enable satisfactory compliance with this Queensland Health HR policy.

Local guidelines/procedures may be developed to facilitate implementation of this policy. Any local guidelines/procedures must be consistent with this policy and standard practice and ensure employee entitlements continue to be met.

1. Recruitment, selection and placement

For all health professional positions in Queensland Health where professional registration is required to legally practice in that profession, the requirement of registration must be a mandatory requirement in the role description, the procurement contract and/or the agency arrangement. When required, the role description is to identify whether specialist registration is also a mandated requirement for appointment.

Recruitment and selection exercises are to include processes that verify a candidate’s registration or eligibility for membership of a professional association, prior to appointment. For information on these processes refer to the definitions section of this policy and the Recruitment and Selection HR Policy B1.

With respect to transfers and secondments, the primary responsibility for verifying and ensuring the appropriateness of the registration/membership of health professionals transferred or seconded from one facility to another rests with the receiving facility.

2. Changes to registration

When Queensland Health receives information that the status of a health professional’s registration has changed, including but not limited to suspension, conditions, restrictions or undertakings, the manager/clinician manager must consider the nature of the change and determine whether any restrictions on the employee’s registration can be reasonably accommodated within the work area.

The manager/clinician manager may liaise with the health professional’s case manager at the Office of the Health Ombudsman (OHO) or AHPRA to identify the specific restrictions imposed and seek advice regarding how the employer may accommodate any restrictions. When a health professional’s registration details have been suppressed, i.e. not included on the public register, therefore preventing verification, AHPRA may require the health professional’s consent before information can be released to Queensland Health.

In situations where the restrictions of a health professional’s registration are not able to be accommodated, the manager/clinician manager is to contact their local HR Unit to discuss the options available for managing the health professional’s ongoing employment.

3. Reporting and audit

Business Reporting, Statewide Operations, Payroll Portfolio undertake various reporting initiatives to ensure all health professionals within Queensland Health are currently registered with AHPRA. These include:

- undertaking daily validation checks to ensure all health professionals within Queensland Health who require professional registration are listed as registered on the public access online register
- issuing fortnightly reports detailing medical officers with registration expiry dates within six weeks
- issuing weekly reports for nursing, midwifery, health practitioners and dental officers with registration expiry dates within two to six weeks and daily reports for employees whose registration expiry date is within one week.
• escalating the names of health practitioners who remain unregistered to the nominated local Queensland Health contact for initial follow-up and response. Where a response is not received within the designated timeframe, the matter will be further escalated to the relevant chief executive.

Managers/clinician managers must also implement strategies to monitor the registration status of health professionals, for example, by referring to publicly available information from practitioner registration boards.

An internal audit program may be implemented that incorporates checks on registration, including checks on compliance with any conditions placed on registration.

4. **Action on receipt of audit report**

This information is in addition to the requirements outlined in clause 6 of the policy.

When the Business Reporting unit report identifies registration has not been renewed at least two weeks prior to the expiry date of the health professional’s registration, the manager/clinician manager should remind the health professional of their obligation to renew their registration and advise of the consequences of non-renewal. This reminder can be provided verbally or in writing. Refer to Attachment Two for an example letter.

If the health professional does not appear on the public register for their profession, the health professional must not practice their profession in a Queensland Health facility. The manager/clinician manager must take appropriate action to ensure the health professional does not practice without current registration.

Managers/clinician managers must advise their local HR Unit of health professionals who do not have current registration.

5. **Health professionals on leave or not contactable**

When the Business Reporting unit report identifies a health professional has not renewed their registration and the health professional is on extended leave and/or cannot be contacted, the manager/clinician manager is to consult with their local HR Unit regarding an appropriate course of action.

The delegate must determine the appropriate action to be taken on a case-by-case basis, depending on the particular circumstances. The manager/clinician manager must also ensure the health professional does not return to work and undertake practice within their profession while they do not have current registration.

6. **Action for unregistered health professionals**

When the health professional does not hold current registration, they are unable to perform their substantive role and the manager/clinician manager is required to direct the health professional not to undertake practice within their profession and not to attend the workplace until the matter is resolved.

The health professional must be asked to provide reasons why they do not hold appropriate registration to enable them to legally practice in their position and perform the full duties of their substantive role. Consideration is to be given to the reasons provided and consultation is to occur with the local HR Unit to determine an appropriate course of action.

If a health professional makes an application for leave to cover the period between expiry of registration and its renewal, the delegate is to consider the request on a case-by-case basis.

Advice and assistance should be sought from the local HR Unit throughout this process and actions taken must be in accordance with the relevant Human Resource delegations manual.
7. Alternative employment

The delegate may give consideration to allow an unregistered health professional or a health professional with registration conditions to work in an alternative role while they do not hold registration that enables the health professional to legally practice in their profession and perform the full duties of their substantive role.

In determining whether this is appropriate, consideration may be given to factors/issues including:

- the nature of the change to the status of the health professional’s registration
- the reason/s why the health professional does not hold registration or has a changed registration status
- the length of time before the health professional will be able to renew or restore their registration.

8. Renewal of registration

If the health professional’s registration is renewed without condition, and registration has been verified, the manager/clinician manager will arrange for the health professional to resume duty with the approval of the appropriate delegate.

9. Contractors/agency staff

The procurement contract with an external service provider is to state that the external service provider has responsibility for verification of the registration of independent contractors, agency staff and other non-employees who are contracted to work as a health professional.

Health professionals who are not Queensland Health employees must provide evidence of current registration if requested.

When an independent contractor or agency staff member is not able to provide evidence of current registration, the health professional is to be directed to immediately cease all duties under the contract and leave Queensland Health premises. The external service provider is to be immediately notified.
Employee Name  
Employee Address

Dear Mr/Ms/Dr <Last name>

I refer to your employment as a <position> with the <HHS/division/CBU>.

It is a mandatory requirement of your position that you maintain current professional registration with the appropriate registration body at a sufficient level to enable you to legally practice in your position and perform the full duties of your substantive role.

Records show your <registration > is due to expire on <date> and you have not as yet renewed your registration.

You are reminded it is your responsibility to hold and maintain current registration and to produce evidence that you are registered if requested by your employer. If you do not continue to maintain current registration you may not be able to perform the duties of your position.

Should you not renew your registration by the registration expiry date you may not be able to attend work and, as a result, may not be paid.

Any application for authorised leave during a period when you are not registered is at the discretion of the appropriate delegate.

Employee Assistance offers a confidential counselling service which is free of charge to all employees of Queensland Health for up to six sessions per calendar year. Access to this service is by self-referral. Optum can be contacted directly for an appointment or assistance on telephone 1800 604 640 (toll free) or online at https://www.livewell.optum.com/member/default.asp.

Further information on employee assistance can be found at http://qheps.health.qld.gov.au/eap.

Should you have any queries in relation to the information contained in this letter please contact <name, position> on telephone <number>.

Yours sincerely

Delegate
Date