RANZCO The Royal Australian and New Zealand College of Ophthalmologists

THE MEDICAL EYE SPECIALISTS

30 June 2014

Executive Officer
Medical
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Dear Sir / Madam

AHPRA Consultation – Limited registration standards and draft guideline on short term training in a medical specialty pathway

The Royal Australian and New Zealand College of Ophthalmologists (RANZCO) thanks the Medical Board of Australia for the opportunity to comment on its proposed revised draft registration standards covering limited registration and the new guidelines on short term training in a medical specialty pathway.

RANZCO's mission is to drive improvements in eye health care in Australia, New Zealand and the Asia Pacific Region through continuing exceptional training, education, research and advocacy. Underpinning all of the College's work is a commitment to best patient outcomes, providing contemporary education, training and continuing professional development, evidence-based decision making, collaboration and collegiality. RANZCO also seeks to educate the general public in all matters relating to vision and the health of the human eye and advocates for accessible ophthalmology services for patients.

Registration Standard: Limited registration for postgraduate training or supervised practice

The current standards work acceptably, except relating to the aspect of applicants applying for Specialist Recognition as discussed below. The content and structure of the draft revised registration standard is helpful, clear, relevant and more workable than the current standard. RANZCO has no concern with the draft revised standard being reviewed every five years or earlier if required.

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With respect to content that needs changing or is missing, RANZCO has the following three comments:

1. Clause 10, relating to meeting standards to qualify for this pathway, asks that the applicant '*meet the eligibility criteria of....the Specialist Pathway'.* This is later defined as having been assessed by the appropriate College as being partially or substantially comparable.

   To be so assessed constitutes <u>being</u> on the Specialist Pathway, rather than '*meeting the eligibility requirements of...'.* An applicant reading this clause may consider him/herself to be eligible for if they have an overseas specialist qualification, IELTS certificate etc, and then be confused to read the definition of *eligible* as meaning actually having had initial assessment by the relevant College.

   This point applies similarly to the Standard Pathway, where the applicant has to be actually on or have completed that pathway. The clause should be changed to clarify this.

2. In the section relating to renewal of limited registration, clause 5 states:

   > *…provide evidence that you are satisfactorily progressing towards general or specialist registration. You are exempt from this requirement if you will not apply for more than three renewals of registration*

   It should be a requirement that such evidence comprises or includes a statement from the relevant College to this effect.

3. It is RANZCO's experience that applicants in these positions quite commonly apply for Specialist Recognition during or at/towards the end of their appointment. There appears to be no actual control on this process and indeed taking such positions is often seen as a 'springboard' to Specialist Recognition application.

   Further, an applicant can avoid the requirement of being on the Specialist Pathway by intending not to apply for renewal more than on three annual occasions. Such an applicant can then, surely, change his/her mind and then apply for Specialist Recognition. This can then draw the process out to several years while Specialist Recognition is applied for and processed.

   RANZCO is not particularly concerned whether such applicants then apply for Specialist Recognition. Such a policy relating to use of these positions is for the Board and or the Government. However, if the Board actually intends that S-IMGs occupying these positions

do not use them in this manner, then the draft standards need to be amended along the following lines - If an applicant occupies such a position while not on the Specialist Recognition pathway, they should be precluded from applying for Recognition for a significant period after completing the position, say 24 months.

RANZCO has a further comment in relation to the following clause:

> *11. Provide the results of a pre-employment structured clinical interview (PESCI) with a provider approved by the Board that confirms that you are suitable for the specific position. The Board will decide on a case-by-case basis whether a PESCI is necessary and this will depend on the nature of the position and the level of risk inherent to the position.*

Applicants in these categories have generally been assessed by their employer, who is generally an academic institution, usually a public one. RANZCO would expect this requirement to be applied only in unusual circumstances where there is clear reason to feel that the applicant is not adequately qualified to undertake the position in question.

Registration Standard: Limited registration for area of need

RANZCO has no concern with this draft revised standard being reviewed every five years or earlier if required.

With respect to the workings of the current registration standard, management of Area of Need (AoN) applicants is the most difficult and problematic aspect of the work of RANZCO's S-IMG Committee. The difficulties relate to:

- The manner in which a position is declared an AoN
- The need for RANZCO to conduct the assessment for suitability of an applicant for an AoN position quickly and therefore without the depth of assessment involved in an assessment for Specialist Recognition, which leads to
- A significant possibility that the applicant who satisfies the brief assessment for the AoN position, which may involve a very limited range of clinical activities, then is unable to satisfy the more broad and deep requirements for Specialist Recognition, which leads to
- Conflict with applicants, employers and the community if a doctor has been filling a role for several years and then is found not to be "comparable".

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Generally the structure of the draft revised standards is helpful, but content changes are suggested as follows:

1. **Three renewals of AoN registration** -

   The draft guidelines state, in part:

   > ***During the registration period***
   > *You are required to ...*
   > 1. *working towards meeting the requirements for general or specialist registration if you intend to apply for more than three renewals of registration.*
   >
   > ***When you apply for renewal***
   > *When you apply to renew your limited registration, you must...*
   > *5. Provide evidence that you are satisfactorily progressing towards meeting the requirements for general or specialist registration. You are exempt from this requirement if you will not apply for more than three renewals of registration, and…*

   Under earlier advice and guidelines, RANZCO was strongly encouraged to require applicants for AoN positions to make a concurrent application for Specialist Recognition. RANZCO now does this routinely and feels that it is a good approach, emphasising to the applicants that the two pathways are specific, distinct, and different.

   These guidelines now appear to envisage applicants for AoN positions who are not expected to make any move towards Specialist Recognition, but occupy the position for 3 years or less and then leave the AoN position. While this approach may suit the occasional applicant who intends to return overseas or practice elsewhere, it allows two key irregularities:

   a. an applicant, perhaps even one who has not been successful in a Specialist Pathway application, may undertake a series of AoN positions up to three years each, never becoming a recognised specialist. In earlier years there were such “outliers”, but it is clearly undesirable to have such unrecognised doctors conducting specialist practice, even when limited.

   b. Secondly, a doctor may be in an AoN position for two to three years without starting on the Specialist Pathway, and then change his/her mind and apply. This will have extended the period of practice under the AoN position and potentially end up with

several years of practice in a community before possibly failing to satisfy the Specialist Pathway requirements, with the attendant difficulties referred to above.

RANZCO would thus strongly prefer that applicants for AoN positions be required to apply concurrently for Specialist Recognition. In the rare occasions where the applicant specifically intends not to proceed to Specialist Recognition, he or she should be precluded from applying for Specialist Recognition for a significant period (say 24 months) after leaving the AoN position.

2. Conditions for failure to renew AoN recognition

The draft standards provide that:

> ***Refusal to renew limited registration***
> *The Board may refuse to renew your registration if:*
> 1. *you are no longer in the position for which registration was granted by the Board*
> 2. *you do not comply with the Board approved supervised practice plan and the Board's requirements for supervision*
> 3. *you do not comply with the Board's registration standard for continuing professional development*
> 4. *significant or multiple deficiencies are identified in your practice, by the Board, or*
> 5. *the area in which you are applying to practise is no longer deemed an area of need by the responsible Minister for Health or delegate.*

There should be a clause added stating that renewal will be refused if the applicant is unable to provide a certification from the relevant College that he/she is proceeding along the Specialist Pathway. The clause may include exemption for those not renewing for more than 3 years, but RANZCO would prefer removal of this exemption as discussed above.

RANZCO has the following three further comments:

1. Supervision plan and supervisors

The section on '*Meeting the Standard'* provides in section 9e for:

> *A supervision plan, prepared in accordance with the Board's guidelines for the supervision of international medical graduates. The supervision plan includes details about the supervisor/s and will describe how supervision will be provided to ensure safe practice. It will also include written confirmation from the proposed supervisor that they agree to provide supervision and to comply with supervision obligations as required by the Board, and…*

Such a supervisor and plan must be provided by the employer, and the supervisor must be accredited and guided by the Board. RANZCO is unable to provide such supervision because of:

- Availability of suitable supervisors
- Questions of access to the applicant's practice
- Questions of conflict of interest in practitioners in neighbouring practices, amongst other issues.

2. Declaration of a position as being Area of Need

RANZCO recognises that the process of declaration of an AoN is not a specific part of these draft standards. However, this whole section relies for its legitimacy on having a valid and preferably uniform structure for such declarations.

At present, there is no uniform process. In some states it appears that the only requirement for such a declaration is that a prospective employer makes a request for the declaration, and indeed such declarations have been made in the centre of state capital cities. Some (essentially one) states do undergo a more thorough assessment to test the validity of the employer's request.

In this context, one of the main criteria used is that the employer has advertised the position for a period and has been unable to fill it with a local applicant. While this may reflect unavailability of local applicants, it may also be that the position carries with it remuneration and conditions which are well below reasonable Australian standards, and it is only those unaware of those standards who will accept the position.

RANZCO feels strongly that it is essential for maintenance of respect for the AoN system, that there be a uniform, informed, and comprehensive system for declaration of AoN positions by state or territory authorities.

3. Assessment by the College for an Area of Need position

The draft standards provide that:

*To be eligible for the **specialist pathway (area of need)**, you must provide:*

a. *verification from the relevant specialist college that has been accredited by the Australian Medical Council that your specialist qualifications have been assessed against the position description for the designated area of need position, and*
b. *a letter of recommendation from the relevant specialist college and confirmation that you are suitable for the specific position, including any recommended limitations on the nature and extent of practice.*

This is the nub of the problem. Assessment for the AoN position is, under earlier guidelines, required to be provided promptly, and more specifically the assessment is specific to the position. Under RANZCO's processes, this is of necessity a paper process.

The AoN position may be quite different to the general conditions of specialist practice, under which Specialist Recognition is assessed. It may be quite circumscribed or sub-specialised in its clinical requirements and is (required to be) under supervision, quite different to the assessment for Specialist Recognition which requires more broad and independent clinical abilities.

As a result of asking two different questions, we often get two different answers, namely that an applicant may be suitable for the limited AoN position and practice in it for several years, but end up being unable to demonstrate comparability in the Specialist Recognition assessment. This not uncommon outcome is clearly going to impose stress and distress on the applicant, the community, and the managing College.

At the very least, there needs to be a very clear understanding on the part of applicants for AoN positions that this does not inevitably lead to Specialist Recognition. It is highly desirable that the current approach (see above) of concurrent AoN and specialist pathway applications be continued. It would be preferable to find some way of resolving the imbalance between these two situations.

Registration Standard: Limited registration for teaching or research

RANZCO has no concern with this draft revised standard being reviewed every five years or earlier if required.

Similar comments apply in this classification as in the others, namely:

1. S-IMGs occupying positions under this classifications should be required to simultaneously apply for recognition as a Specialist, and to provide evidence that they are proceeding

along this pathway for each renewal. If they do not elect to take this path, they should be precluded from applying for specialist recognition for a significant period, say 24 months.

2. Further, evidence of proceeding along a Specialist Recognition pathway should explicitly include a certification from the relevant College to this effect.

Registration Standard: Limited registration in public interest

It is recognised that this classification is expected to be a short term position. However, the guidelines should cover the same possibilities as the other classifications.

Therefore, similarly to the other classifications, it is undesirable that a S-IMG may practice for up to three years without entering into the Specialist Pathway and then, with a change of mind, decide to request further extension of the position and undertake the Specialist Pathway process. This may lead to a situation where the person has practiced for an initial three years, and then a further 2-4 years in a community before a possible failure to be found comparable, a situation undesirable for all concerned.

Thus, if a person is accepted into this classification, he/she should either:

- Simultaneously undertake the Specialist Recognition pathway, or
- Be precluded from applying for Specialist Recognition for a significant period (say 24 months) after finishing his/her limited position.

Notwithstanding the above, in relation to the following clause:

> 1. *provide evidence that you are satisfactorily progressing towards general or specialist registration. You are exempt from this requirement if you will not apply for more than three renewals of registration*

the “evidence” should comprise or include a certification from the relevant College to this effect.

Draft guideline: Short term training in a medical specialty for international medical graduates who are not qualified for general or specialist registration

RANZCO welcomes AHPRA’s efforts in providing additional guidance to international medical graduates who apply to undertake short term training in a medical specialty in Australia.

RANZCO's key concern is international trainees arriving in Australia under the guise of the 'short term pathway' with the intention from the outset to practice as a specialist in Australia for a prolonged duration (i.e. the equivalent of Specialist Recognition). The College opposes any wording in the guideline that could lead to perceptions of an informal and extended parallel training program for these applicants. The policy intention of this program could be made more clear in the guideline by adding a general statement that short term training for international medical graduates is made available for the purposes of enhancing the specialty practice of these individuals *when they return to their training location outside of Australia*. This is an important point currently missing from the guideline.

In relation to Question 6 for stakeholders ('*Is the information the IMG is required to provide to the college sufficient for colleges to advise the Board about the IMG's suitability for the short-term training in a medical specialty pathway?*'), RANZCO recommend a sentence be added at point 4 of the guidelines saying 'the specialty college may ask for additional information from the individual if the information provided is insufficient'. This would assist in the administrative process.

Should you require any further information in relation to this submission please contact Ms Ritu Mohan, RANZCO Policy Officer, at rmohan@ranzco.edu.

Yours sincerely

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