**ACT Health**

**Policy**

**Area of Need for Vacant Medical Practitioner Positions in the Public and Private Sector**

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| Policy Statement |

ACT Health aims to have an identified process to ensure the jurisdiction has suitably qualified and experienced medical practitioners to meet the needs of the ACT community.

In the first instance, the priority is to recruit Australian trained medical practitioners with unrestricted general or specialist registration. This is reflected in the requirements to obtain Area of Need status.

The term ‘Area of Need’ is used by a number of agencies for purposes relating to the employment of International Medical Graduates (IMGs).

To achieve an Area of Need status, employers need to be experiencing difficulty in recruiting suitably qualified medical practitioners, where the medical position remains unfilled following multiple recruitment attempts. This status provides temporary assistance in filling these positions. Before approving Area of Need applications ACT Health need to determine that all attempts have been made to fill the position with an Australian trained doctor and that Australian trained doctors are not disadvantaged.

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| **Purpose** |

The purpose of this policy is to inform public and private sector employers of the requirements to seek Area of Need status when recruiting International Medical Graduates to medical practitioner vacancies.

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| Scope |

Area of Need applications can be made to ACT Health by public and private employers who have medical practitioner vacancies.

Where recruitment to a vacant position fails to attract a suitable medical practitioner with general or specialist registration the employer can submit an Area of Need Application to ACT Health. An approved Area of Need application allows the employment of an International Medical Graduate (IMG) with limited registration.

The ACT Health delegate may determine if there is an area of need for health services if it is considered there are insufficient health practitioners practising to provide services that meet the needs of people living in the community.

Area of Need status may be granted when a vacant medical position remains unfilled and:

* advertising has failed to attract suitably qualified Australian qualified medical practitioners and
* it can be demonstrated that service delivery is affected and
* Australian qualified medical practitioners are not disadvantaged and
* the vacant position is located in a District of Workforce Shortage (DWS).

For positions that do not require access to a Medicare Provider Number, the vacant position is not required to be located in a District of Workforce Shortage (DWS).

The occupant of a position that is declared an Area of Need is a temporary employee and must not be appointed to a permanent position.

Permanent resident IMGs cannot gain a Medicare Provider Number to work in the ACT unless they have attained Fellowship of the relevant specialist college or be working in an approved 3GA training or workforce program, under Section 19AA of the *Health Insurance Act.*

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| Roles & Responsibilities |

**ACT Health, Deputy Director General**

The Deputy Director General, Strategy and Corporate has the delegation to approve Area of Need status.

**ACT Health, Director General**

The Director General has the delegation to review appeals for Area of Need status.

**ACT Health, Health Policy Unit (HPU)**

The WPPU assess and process applications in accordance with this policy and ACT Health’s SOP on Area of Need for Vacant Medical Practitioner Positions in the Public and Private Sector.

**Australian Health Practitioner Regulation Agency (AHPRA)** in conjunction with the Medical Board of Australia is responsible for considering and granting limited registration to appropriately qualified IMGs who do not qualify for general or specialist registration, to practise in an Area of Need position.

**Australian Medical Council (AMC)** is responsible for facilitating the administration of assessment pathways and national examinations for IMGs who wish to practise medicine in Australia.

**Australian Medical Association (AMA)** is a professional membership organisation for students and medical practitioners. It promotes and protects the professional interests of doctors and the health care needs of patients and the community. As part of the Area of Need process, employers contact the AMA to request a letter of support of the Area of Need application. AMA will conduct their own external consultation, as required, with the relevant specialist colleges.

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| **Evaluation** |

**Outcome Measures**

100% of Area of Need applications for vacant medical practitioner positions, including extensions, comply with this policy and ACT Health’s SOP on Area of Need for Vacant Medical Practitioner Positions in the Public and Private Sector.

**Method**

The Health Policy Unit will:

* Conduct routine audits of all applications received
* Maintain a record of unapproved applications and identify non-compliance, as a result of non-adherence with this policy and ACT Health’s SOP on Area of Need for Vacant Medical Practitioner Positions in the Public and Private Sector.
* Provide feedback to applicants on non-compliance issues

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| Related Policies, Procedures, Guidelines and Legislation |

**Legislation**

*Health Practitioner Regulation National Law (ACT)*

*Health Insurance Act 1973*

*Health Professionals Act 2004*

**Policies/Procedures**

ACT Health Recruitment Policy

ACT Health People and Culture (P&C) Delegations Manual

ACT Health Procedure Medicare Provider Number: Application by Senior Medical Practitioners

ACT Health Policy– Appointment and Credentialing

ACT Health Staff Screening and Immunisation Policy

ACT Health Area of Need for Vacant Medical Practitioner Positions in the Public and Private Sector Procedure

**Standards**

Medical Board of Australia – Limited registration for area of need registration standard found at <http://www.medicalboard.gov.au/Registration-Standards.aspx>

Australian Commission on Safety and Quality in Health Care -National Safety and Quality Health Service Standards

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| Definition of Terms |

**Area of Need** status is determined by ACT Health, and relates to a vacant medical position where there is a lack of specific medical practitioners and where the medical position remains unfilled following multiple recruitment attempts over a period of time. This status provides temporary assistance in filling these positions and applies to both the public and private sector.

IMGs who do not have full Fellowship of an Australasian College, and do not qualify for specialist or general registration but have the skills, qualifications and experience considered sufficient to work under supervision will need to work in an Area of Need position. Under Section 67 (5) of the *Health Practitioner Regulation National Law Act 2009,* the responsible State or Territory Minister (or delegate) decides whether an Area of Need exists.

IMGs applying to the Medical Board of Australia for Limited Registration for Area of Need will need to provide an Area of Need approval letter from ACT Health. The Medical Board is responsible for deciding whether an individual applicant is eligible, qualified and suitable for Limited Registration for Area of Need to practice in a particular position and safely meet the particular need for health services.

Before approving Area of Need applications ACT Health need to determine that all attempts have been made to fill the position with an Australian trained doctor and that Australian trained doctors are not disadvantaged. Monitoring of Area of Need position numbers will occur through ACT Health.

**Australian Health Practitioner Regulation Agency (AHPRA)** in partnership with the Medical Board of Australia is responsible for regulating the health professions, including medical practitioners, in the public interest. They are guided by the *Health Practitioner National Regulation Law* and are responsible for implementing the National Registration and Accreditation Scheme.

**Australian Medical Council (AMC)** is an independent national standards body for medical education and training in Australia.

**International Medical Graduate (IMG)** is a term used to refer to medical practitioners whose primary medical degree has not been obtained from an AMC accredited University, or who has not gained specialty qualifications from an AMC Professional College in Australasia.

**Limited registration for Area of Need**

Limited registration for Area of Need is a type of registration granted by the Medical Board of Australia for IMGs who do not qualify for general or specialist registration.

Medical practitioners with this type of registration must comply with the Medical Board of Australia’s *Limited registration for area of need registration standard.*

The Minister for Health in each relevant jurisdiction is responsible for determining whether there is an area of need for health services. The Medical Board of Australia is responsible for deciding whether an individual applicant is eligible, qualified and suitable for Limited registration for area of need, to practise in a particular position.

**District of Workforce Shortage (DWS)** is determined by the Commonwealth Department of Health and relates to a geographical area of Australia in which the population’s needs for healthcare have not been met. The need for medical services is deemed to have not been met if a district has less access to medical services than the national average. This is determined by the Department of Health using Australian Bureau of Statistics data and the latest Medicare billing statistics for a medical specialty. For the specialty of general practice, the locator map on the DoctorConnect website ([www.doctorconnect.gov.au](http://www.doctorconnect.gov.au)) shows which areas within the ACT are currently considered to be a DWS. For a medical specialty other than general practice the DWS status can be obtained by emailing the Australian Government Department of Health at: 19AB@health.gov.au DWS classifications are updated frequently by the Commonwealth Department of Health.

**Medical Board of Australia**

The Medical Board of Australia is supported by the Australian Health Practitioner Regulation Agency. The Board registers medical practitioners, develops standards, codes and guidelines for the profession, investigates notifications and complaints, conducts hearings, approves accreditation standards and accredited courses and assesses IMGs who wish to practise in Australia.

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| Search Terms |

Area of Need, General Practitioners, Medical Specialists, International Medical Graduates

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*Policy Team ONLY to complete the following:*

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| *Date Amended* | *Section Amended* | *Divisional Approval* | *Final Approval* |
| *09/03/2018* | *Search Terms and Attachments* |  |  |
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*This document supersedes the following:*

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| *Document Number* | *Document Name* |
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