

M131

29 June 2005

«Person»
«JobTitle»
«Organisation»
«Address1»
«Address2»
«City» «State» «PostalCode»

Dear «salutation»

Re: Area of need certification

As you are aware, Queensland Health has suspended the processing of area of need certification as a consequence of certain interim findings of the Commission of Inquiry into Bundaberg Hospital, which were released on 10 June 2005. The Medical Board is limited under the legislation to approving initial or renewal applications for special purpose (area of need) registrations only in circumstances where an area of need has been certified by the Minister (or delegate).

Queensland Health's decision of course impacts upon the Board's ability to approve fresh registration applications for area of need positions as well as renewal applications from existing registrants. The Board has therefore decided on the following arrangements to ensure continuity for existing area of need registrants and that new applications are able to remain pending, while a new area of need policy is developed.

New Area of Need Applications

With regard to fresh area of need applications, the absence of an area of need certification would represent a fundamental documentation deficiency. This would result in a Section 46(1)(b) notice being directed to the applicant, requiring submission of the outstanding document, i.e. the area of need certification, within a reasonable set time. Failure to comply with the notice would result in the application being taken to be withdrawn.

Applicants lodging new area of need applications will be allowed up to 3 months to finalise their applications, and Section 46(1)(b) notices will be issued accordingly. Such applicants will not however be in a position to commence practise in the activity for which registration was sought until the application is finalized and Board approval given.

Applicants who are in fact planning to undertake formal training programs, such as registrar training, might consider Section 132 (postgraduate training) as the appropriate category, in preference to Section 135 (area of need). Similarly, any area of need applicants who have passed the MCQ component of the AMC exams would be eligible for the Section 133 (supervised training) category, which would also be more appropriate. There is no impediment

for the Board to approve registration applications in categories other than the area of need category.

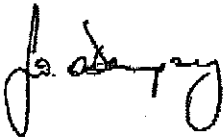
Renewal of Area of Need Registrations

The renewal process for special purpose registrants requires that registrants be notified at least 60 days prior to the expiry date for the registration, and that an application for renewal must be received from the registrant before the expiry date. In considering a renewal application, the Board may take into account matters to which it may have regard in deciding an initial application for special purpose registration. A fresh area of need certification is one of the documents necessary for Section 135 renewal applications.

In accordance with Section 73 of the *Medical Practitioners Registration Act 2001* as applied by Section 144, a special purpose registration for which an application for renewal has been received, is taken to continue in force while the application is being considered. A renewal application for which an area of need has not been certified will attract a Section 74(1)(b) notice requiring lodgment of the outstanding document within 3 months. The registrant would therefore be able to continue in the permitted activity for the further reasonable period of time allowed by the Board in which the outstanding document must be submitted.

I hope the above clarifies the position for you. Should you have any further questions regarding these interim arrangements, please contact Mrs Robyn Scholl, Senior Assessment Officer on (07) 3234 0013.

Yours sincerely



Jim O'Dempsey
Executive Officer