

COMMISSION OF INQUIRY NO. 1 OF 2005  
MEDICAL BOARD OF QUEENSLAND

This is the annexure marked "**MDG-20**" mentioned and referred to in the Statement of **MICHAEL STEVEN DEMY-GEROE** dated this 17<sup>th</sup> day of May 2005.



## **MEDICAL BOARD OF QUEENSLAND**

### *Policy for Special Purpose Registration*

#### **1 INTRODUCTION**

- 1.1 Division 10 of the *Medical Practitioners Registration Act 2001* provides for various categories of special purpose registration under which the Board may register a person subject to such conditions as the Board considers necessary or desirable for the applicant to competently and safely undertake the desired special purpose activity;
- 1.2 Qualifications obtained from medical schools accredited by the Australian Medical Council (AMC) entitle a person to apply for general registration. The AMC has only accredited Australian and New Zealand medical schools and consequently, only such graduates and holders of the AMC certificate are entitled to general registration. The special purpose categories are available then to graduates of all non accredited institutions, who are qualified for registration in any of the special purpose categories of registration contained in the Act;
- 1.3 The following are the categories which are set out under Sections 132-138 of the Act:-
- |     |  |
|-----|--|
| 132 | Postgraduate study or training                             |
| 133 | Supervised training to prepare for clinical examination    |
| 134 | Medical teaching or research                               |
| 135 | Practice in area of need                                   |
| 136 | Study or training to obtain a qualification in a specialty |
| 137 | Practice in the public interest                            |
| 138 | Practice in general practice                               |

#### **2 ELIGIBILITY**

- 2.1 A graduate from a non accredited institution may be considered for special purpose registration in a particular category. Basic registration requirements are common to all categories and are described below. The special requirements for any particular category are set out separately. Special purpose registration is not an alternative to qualifying for general registration and is only available for a defined period not exceeding 12 months, which may however be renewed;
- 2.2 A person who no longer meets the requirements for a particular category of registration as a result of changed circumstances or who is no longer able to undertake the permitted special purpose activity (e.g. loss of position, expiry of visa), ceases to be eligible for registration and must notify the Board immediately.

### **3 BASIC REGISTRATION REQUIREMENTS**

#### **3.1 Application**

##### **General**

- (i) applicants for registration must submit all required documents to the Medical Board at least six weeks prior to the required date of registration to allow the Board's Registration Advisory Committee to assess the application. Only in exceptional circumstances can registrations be effected in a shorter time frame, and then only if the Board considers that the circumstances warrant urgent attention being given to a particular application. It is the responsibility of the employing authority and the individual applicant to ensure that sufficient time is allowed for assessment and approval procedures.

##### **Specific Requirements**

- (i) completion of the approved application form for registration as a medical practitioner (Form M1);
- (ii) payment of the prescribed application and registration fees;
- (iii) passport sized photograph signed by the applicant;
- (iv) certified copies of all medical degrees, together with certified translations of any such document if written in a language other than English;
- (v) a Certificate of Good Standing from all registration authorities where the applicant is currently registered;
- (vi) a detailed curriculum vitae;
- (vii) completion of a satisfactory interview with a member of the Medical Board or a person authorized in that respect by the Board;

#### **3.2 Approval**

- (i) all applications will be placed before the Board's Registration Advisory Committee in the first instance at the monthly meeting following receipt of the application, for consideration and recommendation to the Board;
- (ii) the Committee's recommendation will be considered by the full Board at its next meeting at which time the Board will make a determination on the application;

- (iii) in accordance with Section 45 of the *Medical Practitioners Registration Act 2001*, in considering an application for registration as a medical practitioner in Queensland, the Board must have regard to the applicant's fitness to practice. This may include:-
- the applicant's mental and physical health;
  - the applicant's command of the English language;
  - the applicant's criminal history;
  - any history of conditions, suspension or cancellation of registration;
  - the nature and extent of experience since qualification;
  - any other issue relevant to determining the applicant's ability to competently and safely practice.
- (iv) written advice of the Board's determination on the application will be conveyed to the applicant and the sponsoring body (where applicable).

### 3.3 Refusal of application

- (i) Where the Board determines to refuse a person's application for special purpose registration the Board will issue an information notice stating the decision and reasons and setting out the appeal avenue.

## 4 **GUIDELINES FOR SPECIFIC CATEGORIES**

### 4.1 Section 132

#### **Postgraduate/Study or Training**

- (1) The purpose of registration under this section is to enable a person to undertake postgraduate study or training, in medicine, approved by the board.
- (2) A person is qualified for special purpose registration to undertake postgraduate study or training in medicine if the person has a medical qualification but is not qualified for general registration under section 44.
- (3) In deciding whether to approve the study or training and register a person as a special purpose registrant under this section, the board may have regard to—
  - (a) the nature, content and duration of the study or training; and
  - (b) the relevance of the person's existing qualifications and experience to the study or training.

- 4.1.1 An application under this category may be made by any person who is a graduate of a non accredited overseas medical school, and who is not entitled to general registration;
- 4.1.2 The applicant should be enrolled or approved to undertake a bona fide defined training program which would result in the gaining of additional or enhanced skills that might be utilised by the applicant in his/her occupation upon return to the home country. Australian resident applicants who are accredited by a specialist college or society as a trainee in a specialty field of medicine may be registered under this category;
- 4.1.3 Normally, applications will only be considered if the medical practitioner is sponsored by a tertiary teaching hospital (see possible exceptions under 4.1.7 and 4.1.9);
- 4.1.4 The sponsor must submit to the Board for approval, prior to the application for registration, the following:-
- (a) the name and qualifications of the nominated supervisor;
  - (b) full details of the training program or course structure;
  - (c) the anticipated duration of the program or course;
  - (d) an undertaking to provide reports on the registrant, as required by the Board (generally yearly, or at the end of the training program);
- 4.1.5 Where a postgraduate training Fellowship is offered, the Board will require the sponsor to provide the following details, to enable the Board to recognise the Fellowship:
- (a) full details of the course structure;
  - (b) the names of the nominated supervisors;
  - (c) whether limited private practice is intended to provide part of the funding;
  - (d) whether the Fellowship is recognised by the relevant College or Specialist Society;
  - (e) an undertaking that a report will be provided at the end of the Fellowship by the sponsor of Fellowship;
- 4.1.6 The training program must be submitted at the time of lodgement of the application for registration under Section 132;
- 4.1.7 Where the training program is in a specialty sub-discipline with limited patient load at the public hospital, a case for expanding the training program to private hospital experience will be considered as a part of the initial application for registration;
- 4.1.8 Changes to an approved training program after the initial approval will only be considered if requested by a sponsoring public hospital due to changes in staffing or circumstances at the original training hospital;

- 4.1.9 A private specialist or group of specialists working in a specialty sub-discipline may submit a training program for consideration if there are special circumstances;
- 4.1.10 The Board must be satisfied that the applicant has the appropriate training and qualifications which make him/her suitable for, and will allow the applicant to benefit from, the proposed training program;
- 4.1.11 This category of registration is not appropriate for candidates of the Australian Medical Council (AMC) examination who have been offered a training position to prepare for the examination;
- 4.1.12 Registration is renewable annually, up to a maximum of four years, or for the period of an accredited College or Specialist Society training program - subject to the continuing approval of the Board. A progress report on the previous period of training and a fresh training program must be submitted with any application for renewal of registration.

#### 4.2 Section 133

##### **Supervised training to prepare for clinical examinations**

- (1) The purpose of registration under this section is to enable a person to undertake supervised training, approved by the board, to prepare for the clinical examination in the practice of the profession conducted by the Australian Medical Council.
  - (2) A person is qualified for special purpose registration to undertake supervised training if the person has been accepted by the council as a candidate for the examination.
  - (3) In deciding whether to approve the training and register a person as a special purpose registrant under this section, the board may have regard to –
    - (a) the nature, content and duration of the training; and
    - (b) the nature of the supervision of the training.
- 4.2.1 Registration in this category is to enable registrants to gain experience and training which would assist them to pass the Australian Medical Council (AMC) examination process. Registration will not be granted where it is clear that the position to be occupied is a pure service position.
- 4.2.2 Special purpose registration under Section 133 will generally only be granted to persons who have achieved the minimum standard of the MCQ examination, and who are candidates for the AMC clinical examination. Such training would usually be undertaken in a public hospital which is accredited by the Medical Board for the purpose of providing education and training to interns or, in limited circumstances, a private medical practice accredited for general practice training by the Royal Australian College of General Practitioners;

- 4.2.3 Registration will be granted initially for a period of 12 months or for the duration of the training program, whichever is the shorter period. Renewal of registration will be dependent upon the doctor remaining an eligible candidate for the AMC examination, and making progress toward completion of AMC requirements;
- 4.2.4 Medical Superintendents, or Practice Principals, who wish to employ a doctor who is an AMC clinical examination candidate must provide the Board with clear and satisfactory evidence of a properly developed and monitored training program appropriate to the candidate's needs. The program must show that the applicant will receive training in all necessary areas of medicine to assist in preparation for the next clinical exam;
- 4.2.5 A training program must include details of the supervision (including the name and qualifications of the training supervisor) which will be provided to the applicant. The training supervisor must be a person who holds either general registration as a medical practitioner or full specialist registration. Special purpose registration will be granted only if the Board is satisfied that the training program and level of supervision is adequate for training purposes;
- 4.2.6 The training supervisor must submit quarterly reports to the Board on the trainee's progress, if required by the Board;
- 4.2.7 Persons who have been approved registration in this category to undertake training in a private practice setting must not have their names included in practice stationery unless their trainee status/temporary registration is also indicated;
- 4.2.8 Applicants seeking renewal of special purpose registration under Section 133 after expiry of a term, must provide evidence to the Board that they have registered as a candidate for the next available AMC Clinical exam. A progress report on the previous period of training must be submitted with an application for renewal of registration.

The employing hospital or practice must provide an updated program of training and supervision and satisfy the Board that the new program adequately addresses the deficits in the person's knowledge and skills;

- 4.2.9 The Board does not consider this category to be interchangeable with area of need registration (s.135). An application for registration in this category will not be approved by the Board if the registration appears to be for the purpose of filling a staff vacancy or to deal with a medical workforce problem. Registrants under this category may practise only within the limits of the training program. Any proposed remunerated private activities must be separately submitted to the Board for consideration, in all cases where the registrant is undertaking training in a public hospital setting;



4.2.10 A registrant in this category becomes entitled to general registration when the AMC Clinical examination is successfully completed, subject to undertaking any further period of supervised training required by the Board. Such a further period of supervised training will in many cases closely resemble a formal internship program, and would be undertaken in an accredited training hospital. The medical superintendent is however able to determine appropriate training having regard to the registrant's needs. The purpose of post AMC training is to introduce the trainee to the Australian health care system while also providing supervised experience in medical practice. The usual duration of post AMC supervised training will be 12 months which may be reduced by the Board or waived altogether, in recognition of the registrant's previous experience in Australian or equivalent medical practice and reports of service. In cases where a further period of supervised training is required, registration will be continued under Section 58 of the Act.

#### 4.3 Section 134

##### **Medical teaching or research**

- (1) The purpose of registration under this section is to enable a person to engage in medical teaching or research.
- (2) A person is qualified for special purpose registration to engage in medical teaching or research if the person has a medical qualification and experience the board considers suitable for the teaching or research.

4.3.1 The Board uses this section of the Act to register medical practitioners in the following circumstances:-

- (i) Medical practitioners who have been offered a teaching position in Queensland and who, in the course of their primary duties are required to provide clinical management of patients. In this category are medical practitioners who are to be appointed to teach on a temporary and often quite short term basis. An example would be a guest professor or eminent surgeon who might conduct clinical assessments or demonstrate surgical procedures;
- (ii) medical practitioners whose primary role is medical research, but who are required to have clinical involvement with patients as part of their research duties;
- (iii) medical practitioners appointed to academic positions in universities, public hospitals, or similar institutions, who require registration as a prerequisite for taking up the position. The Board expects that these practitioners will in time qualify for continuing registration in another category;

4.3.2 An applicant for registration under Section 134 must have the necessary training and qualifications for the clinical work required by the appointment. Registration cannot be

assumed because a person has been selected or appointed to a position by a Selection Committee. The usual requirements for recognition of qualifications apply, as for all other registration categories;

4.3.3 Applicants must submit a supporting request from an organisation or institution.

#### 4.4 Section 135

##### **Practice in area of need**

- (1) The purpose of registration under this section is to enable a person to practise the profession in an area the Minister has decided, under subsection (3), is an area of need for a medical service.
- (2) A person is qualified for special purpose registration to practise the profession in an area of need if the person has a medical qualification and experience the board considers suitable for practicing the profession in the area.
- (3) The Minister may decide there is an area of need for a medical service if the Minister considers there are insufficient medical practitioners practicing in the State, or a part of the State, to provide the service at a level that meets the needs of people living in the State or the part of the State.
- (4) If the Minister decides there is an area of need for a medical service, the Minister must give the board written notice of the decision.

4.4.1 Registration in this category is generally only available on a temporary basis to graduates of non accredited institutions.

4.4.2 The Act does not provide a definition for area of need. The Minister for Health has endorsed a Queensland Health policy with respect to areas of need which accords with an agreement between the Commonwealth and the State aimed at reducing the number of temporary resident doctors in Australia. The Medical Board must have regard to determinations of areas of need identified pursuant to that policy, and notified to the Board by the Minister (or delegate) in accordance with the provisions of the Act. Area of need certifications relate to an identified medical staffing shortfall not the suitability of a person to fill such a vacancy, which is in all cases a matter for the Board to determine;

4.4.3 In brief, there are two types of area of need:-

- (i) **Geographical area of need.**  
Health services in areas of geographical need are those based in provincial and rural population centres where difficulties are found in recruitment of doctors with general

registration. Usually this type of area of need vacancy will be within the public health system, however bona fide locum and deputising services are also included;

(ii) **Functional area of need**

For selected specialized services where there is significant difficulty in recruitment of doctors with relevant Australian registration;

- 4.4.4 An applicant for registration in this category must be sponsored by a hospital or public health institution, a medical practitioner with general registration, or by a locum/deputising agency;
- 4.4.5 The position must have been determined to be an area of need in accordance with Section 135 of the Act;
- 4.4.6 The qualifications and experience of the medical practitioner should be matched against the requirements of the position, including any pre-requisite skills/experience;
- 4.4.7 The employing authority must complete a position description on the appropriate form at the time of applying for registration under an area of need;
- 4.4.8 The position description must show the geographic situation (exact location if possible), the rurality of the position and the type of practice;
- 4.4.9 Details of the service required should include an indication of the case-mix of the practice and any special pre-requisite skills or experience required;
- 4.4.10 The medical practitioner must complete the appropriate form outlining his/her experience and skills that indicate an ability to safely provide the clinical services expected;
- 4.4.11 Registration under Section 135 will not be granted unless the application confirms that the experience and special skills of the practitioner meet the requirements of the position;
- 4.4.12 Initial registration is for a period of not more than 12 months. A further term of registration may be approved if the Board agrees that the person continues to be suitable for the position. Application for further registration is the responsibility of the registrant;
- 4.4.13 Any further period of registration under Section 135 will require a report on previous service in addition to the new position description and summary of the medical practitioner's experience to meet the position;
- 4.4.14 Applicants must be proficient in the English language;

4.4.15 The primary medical qualification held should be of a standard comparable with that required from a graduate from an AMC accredited medical school;

4.4.16 The standard and extent of further training, experience and examinations passed since graduation will be considered by the Medical Board. In general terms this will include basic training in medicine, surgery and emergency medicine. Overall, the Board assesses the appropriateness of the applicant's training against the requirements of the position to be filled.

For doctors who intend undertaking unsupervised practice outside a hospital, or who must undertake unsupervised country relieving duties, a minimum of two years experience is required since graduation, including ten weeks of Accident and Emergency, otherwise registration will be restricted to supervised hospital service. The Board will consider removing any such restriction upon certification from the Medical Superintendent that the registrant has completed such further training as required and is suitably experienced to undertake the unsupervised activity.

Similar requirements apply for practitioners employed for unsupervised after hours deputising locum services;

4.4.17 The level of supervision associated with the particular position applied for will be considered by the Board. Applications for registration in this category must be accompanied by details of the supervision which will be provided to the applicant;

4.4.18 Registration under Section 135 will not usually be continued for longer than three (3) years;

4.4.19 The Registrant will be expected to have confirmed his/her competency within three (3) years;

Competency will be based on achievements such as:-

- (i) having completed AMC MCQ examinations to allow consideration of registration under Section 133; or
- (ii) having commenced or completed a formal post-graduate training program which would eventually allow registration under Sections 132; or 138; or
- (iii) having achieved general registration by passing the full AMC assessment;

4.4.20 Doctors registered in this category are required to acknowledge in writing that they must pass the AMC examinations in order to be eligible for general registration;

4.4.21 Section 135 registrants are confined to practise within the terms of their conditions. Breaking of any part of the conditions will result in immediate review and possibly cancellation of registration.

#### 4.5 Section 136

##### **Study or training to obtain a qualification in a specialty**

- (1) The purpose of registration under this section is to enable a person to undertake study or training to obtain a qualification, mentioned in section 111(1)(b)(i), in a specialty.
- (2) A person is qualified for special purpose registration to undertake study or training to obtain a qualification mentioned in section 111(1)(b)(i) in a specialty if the person has –
  - (a) a qualification in the specialty, other than a qualification mentioned in section 111(1)(b)(i); and
  - (b) experience in the practice of the specialty.

4.5.1 Registration in this category is specifically to permit an overseas trained medical specialist to undertake such further training as is required by the relevant Australian specialist college before final assessment by the college;

4.5.2 Persons who have completed specialist training overseas will be required to undertake a full specialists training program if more than two years further training is required by the college to achieve equivalence with the Australian qualification. Registration in this category is not appropriate in such cases;

4.5.3 Applicants must provide evidence that the further training which they propose to undertake will satisfy the College's requirements;

4.5.4 Registration must be supported by the training hospital, which must submit a request on behalf of the applicant, and by the relevant specialist college;

4.5.5 Registrants must attempt every college assessment for which they are eligible;

4.5.6 Regular reports on the trainee's progress must be submitted to the Board by the supervisor in training, who must hold full specialist registration;

4.5.7 Registration will be approved only for an initial 12 month period. This may however be renewed if supported by the training institution and subject to the trainee's status with the college continuing. A progress report on the previous period of training and a fresh training program must be submitted with any application for renewal of registration.

#### 4.6 Section 137

### **Practice in the public interest**

- (1) The purpose of registration under this section is to enable a person with a qualification in, and experience in the practice of, the profession to practise the profession for a particular purpose.
- (2) A person with a qualification in, and experience in the practice of, the profession is qualified for special purpose registration to practise the profession for a particular purpose if the board is satisfied it would be in the public interest for the person to practise the profession for the purpose.

- 4.6.1 The purpose of registration in this category is primarily to address extraordinary short term circumstances which might restrict the capacity of members of the public to obtain an appropriate standard of medical care;
- 4.6.2 The Board must be satisfied that the applicant's experience and skills are appropriate to the demands of the proposed activity, and that the applicant possesses qualifications which would be comparable to a medical degree obtained from an AMC accredited institution;
- 4.6.3 An applicant for registration in this category must be sponsored by a hospital or public health institution, a medical practitioner with general registration, or by a locum/deputising agency. In all cases where the purpose of the application is to fill a private sector vacancy, full details must be provided regarding attempts made to fill the vacancy, how the vacancy arose, and details of salary or other remuneration previously offered and proposed for the applicant;
- 4.6.4. As the legislation envisages that registration in this category is temporary in nature, the Board considers that registration should not extend beyond such a period of time that is reasonable, having regard to the legislation and the time which might be required to recruit a qualified practitioner, or for the temporary registrant to qualify for general registration or specialist registration under Section 111(2);
- 4.6.5 The Board may grant registration subject to any conditions or limitations consistent with the requirements of the identified public interest.

### 4.7 Section 138

#### **Practice in general practice**

- (1) The purpose of registration under this section is to enable a person to practise medicine in general practice.
- (2) A person is qualified for special purpose registration to practise medicine in general practice if the person has qualifications in the general practice of medicine conferred by the Royal Australian College of General Practitioners or another body prescribed under a regulation.

- 4.7.1 A person holding the prescribed qualification has an entitlement to be registered under this category;
- 4.7.2 Applicants must provide evidence of holding the Fellowship of the Royal Australian College of General Practitioners. No other body has been prescribed under a regulation as competent to award a qualification which will be recognised for the purposes of registration in this category;
- 4.7.3 Registrants in this category may only practise in general practice;
- 4.7.4 Registration is not otherwise limited in duration or geographic location, save that the annual renewal must be applied for to ensure continuity of registration.

**Form 1.**  
**AREA OF NEED POSITION DESCRIPTION**  
 (For Completion by employer)

**Title of Position:**.....

**Site:**  Urban  
 Rural  
 Remote

**Field:**  General practitioner  
 Hospital  
 Specialty

**(Attach Position Description if Available)**

Some requirements of the position	Outline details including pre-requisite skills
General Practice - (provide details of case-mix below)	
Medical	
Surgical	
Obstetrics/Gynaecology	
Anaesthetics	
Emergency	
Mental Health	
Other discipline	
Special Skills Required	
Supervision Available	
Consultant advice available	

**Signed on behalf of employer**.....

**Comment:**



Form 2.

**SUMMARY OF EXPERIENCE SUITABLE TO THE AREA OF NEED**

(For completion by applicant)

Name: .....

Qualification: .....

(Attach full curriculum vitae)



**General Practice**  
**Note: General Practitioner applicants should provide details of experience in the following disciplines; applicants seeking registration in only one discipline need not provide details for others.**

Medical

Surgical

Obstetrics/ Gynaecology

Anaesthetics

Emergency

Mental Health

Other discipline

Experience in independent practice:

Signed:.....

(Medical practitioner)

