

Policy

Subject: Assessment of Overseas Trained Doctors and Overseas Trained Specialists in Australia and New Zealand
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THE AUSTRALIAN SYSTEM

The Australian Medical Council (AMC) only recognises basic medical degrees from universities that it accredits. Currently those universities are only located in Australia and New Zealand. All other medical practitioners require formal assessment under either College or AMC processes which will be detailed subsequently in this policy.

There are different pathways available for overseas trained doctors depending on whether they have only basic medical qualifications or specialised medical qualifications. Those doctors with only basic medical qualifications are known as Overseas Trained Doctors (OTD). Those with additional qualifications are known as Overseas Trained Specialists (OTS). In July 2014 full responsibility for the application and assessment process for Overseas Trained Specialists was transferred from the AMC to the specialist colleges.

1. Overseas Trained Doctors

Overseas Trained Doctors (OTDs) are those doctors who do not have additional specialist qualifications in Pathology recognised in their country of origin.

The College supports the AMC's guidelines and comparability statements when determining eligibility for acceptance of overseas trained medical practitioners into its training programs. i.e. a doctor is considered to not have specialist qualifications if he/she requires more than two years of supervised assessment before being eligible for Fellowship of a specialist college.

Any OTD requiring more than two years supervised time before being eligible to sit for the Fellowship must first pass the AMC examination process and fulfil the English proficiency and testing requirements, before being accepted on the training program as a full Trainee.

2. General Issues for Overseas Trained Specialists

Overseas Trained Specialists are those overseas trained doctors who are recognised as specialist Pathologists in their country of origin and require no more than two years of supervised assessment in order to attain the Australasian Fellowship.

This Policy reflects and will be implemented in conjunction with *Guide to the Specialist Pathway 2014 – Medical Board of Australia and the Recency of Practice Registration Standard of the Board*. <http://www.medicalboard.gov.au/>

There are two processes in Australia for the assessment of Overseas Trained Specialists seeking Medical Registration to practise in Australia:

- 1 Assessment by the Royal College of Pathologists of Australasia (RCPA) on comparability of the OTS with that of an Australian trained specialist.

2 Assessment under Area of Need (AON) provisions.

There are a number of variations between the requirements for general OTS Assessment and AON Assessments.

In essence the OTS process assesses an overseas trained specialist's qualifications for work in Australia in any location, while an AON Assessment assesses the doctors' qualifications for a particular position following the declaration of a geographical location as an Area of Need by the State or Territory jurisdiction. Because of these variations there are minor differences in the process of assessment but essentially they are the same.

One of the differences relates to the application to the RCPA. In the case of the general OTS this is done by the applicant and all correspondence is with the applicant. In the case of the AON the application is generally made in conjunction with the employer who is sponsoring the AON position.

2.1 Overseas Trained Specialist Assessment

Specialist colleges assess the comparability of Overseas Trained Specialists (OTSs) wishing to practice in the Australian environment with the standard required of an Australasian trained specialist. The Board of Education and Assessment makes an independent assessment following interview by, and on the advice of, the Overseas Trained Specialist Assessment Subcommittee as described below.

This procedure is based on principles agreed between the Committee of Presidents of Medical Colleges (CPMC), the (AMC) and the Australian Health Practitioner Regulation Agency (AHPRA). Applicants granted registration under the scheme will not be eligible to practise in any other field of medicine in Australia without meeting other requirements laid down by the AMC. Formal assessment of applicants will be the same as that offered to other candidates for Fellowship, and applicants who successfully meet the requirements of the Board of Education and Assessment will be offered Fellowship of the RCPA and, if taken up, will enjoy all rights and privileges to which other Fellows are entitled.

2.2 Assessment of Area of Need Positions

An Area of Need post in pathology is a position for which the employer is unable to recruit locally registered specialists, as a result of which local health services are adversely affected.

RCPA's Area of Need process is in accordance with that documented by the AMC and State and Regional Health Authorities.

This involves working with employers and state and regional health authorities to recognise a position as an Area of Need post, advise on the appropriateness of the post to provide sustainable pathology services, assess the suitability of applicants to the post, determine the suitability of pathologists supervision and facilitate the provision of pathology services in areas of need. An applicant holding Area of Need registration may also apply directly to the Specialist Medical College pathway for Overseas Trained Specialists (OTSs).

While the documentation requirements and arrangements for processing AON applications are broadly similar to those for the processing of applications through the general OTS pathway, there are some differences that arise because of the need to accommodate accelerated processing of AON applications.

2.2.1 Objectives of Area of Need Assessment

The objectives of RCPA's Area of Need process are:

- To confirm that an Area of Need post meets minimum standards to deliver safe pathology services.
- To facilitate the provision of suitably trained pathologists to work in identified areas of need.
- To assess the standard and suitability of an applicant for the job description of the specific Area of Need post.
- To fast track appointments in area of need posts in pathology.
- To follow through to assessment for specialist recognition, those applicants who are overseas trained specialists.

2.2.2 Defining an Area of Need Post

The establishment of a post in pathology for Area of Need status is a workforce issue and should be addressed by health authorities, local communities, the AMA and the RCPA.

An Area of Need post is intended to meet identified pathology service needs for which no RCPA Fellow or Australian specialist can be appointed, and as such is generally intended as a limited-term provision.

Employers who have difficulties in filling a post should review their management strategies to address:

- Minimum standards for the delivery of safe pathology services in accordance with NATA/RCPA requirements.
- Salary packages that appropriately remunerate for the pathology services required having regard to the location of the post.
- Working hours that do not compromise safety because of fatigue.
- Opportunities for appointees to undertake continuing education and professional development.
- Requirements for oversight and supervision where appropriate. The purpose of oversight is to provide advice and support, and the purpose of supervision is to provide advice, support and direct assistance in certain circumstances.
- Other human resource issues such as accommodation and work environment.

If the above issues are not adequately addressed, there may be some difficulty in filling the position.

2.2.3 RCPA support for the declaration of a post for Area of Need status:

- Minimum standards for the delivery of safe pathology services in accordance with NATA/RCPA requirements is a minimum requirement.

Other criteria to be considered:

- The post has been difficult to fill, despite nationwide advertising and attention to the conditions of service outlined in 2.2 above.
- The distance from the nearest facility with pathology services is excessive and alternative coverage and telepathology services are not appropriate.
- Outreach services from regional hospitals/private laboratories are not available or appropriate.
- Oversight, and where appropriate, direct supervision arrangements are available or can be organised.

2.2.4 The employer of a declared Area of Need post is required to provide:

- A detailed position description and selection criteria for the post and an outline as to how the applicant is matched against the position description and selection criteria.
- A brief description of how it can provide oversight and supervision, and support for further education and self development. RCPA is willing to assist in these services.
- A statement affirming that it has addressed all the issues noted in 2.2.
- An indication to be provided as to whether the applicant will be providing services that will need to attract Medicare rebates.

3 Process for Assessment of Overseas Trained Specialist and Area of Need Applicants

All overseas trained specialists requiring either general OTS or AON assessment apply directly to the College. Area of Need applicants will be fast tracked by the College. Both categories of candidate are required to request from the Educational Commission for Foreign Medical Graduates (ECFMG)/AMC verification of their primary and specialist medical qualifications prior to applying to the College.

3.1 Assessment

In the case of both a general OTS assessment, and of a designated AON Assessment, the applicant completes the College application form and sends it directly to the College with the documentation as listed on the Checklist accompanying the application form. If the documentation is not considered adequate the College emails the applicant and an incomplete application fee may be payable.

The College will not interview unless the applicant has certified documentation confirming their competence in English. The English test results must have been achieved within two years of the lodging of the application.

For AON applicants additional documentation is required as outlined in 2.2.4 above.

3.1.1 Overseas Trained Specialist Assessment Subcommittee (the Subcommittee)

The applicant's documentation is assessed initially by discipline representatives and the Chair of the Subcommittee.

For general OTS Assessment, if the applicant is not eligible to be classified as an OTS (i.e. they would be required to undertake more than 2 years additional assessment), the applicant is notified as quickly as possible and the information is uploaded to the AMC portal. If the applicant appears eligible or if it is not able to be determined, an interview is arranged.

A period of supervised training in Australia prior to applying to the College for OTS or AON assessment may contribute to years of previous training that are accepted when assessing the need for further top up assessment

In the case of applicants who have qualified in certain countries interviews may be arranged as a matter of course. However, all applications will be individually reviewed. These countries are the UK, Ireland, Canada, South Africa and those qualified through the American Boards.

For AON applicants if the applicant is not suitable for the specified position, this allows the employer to be notified as quickly as possible. If the applicant appears suitable, an interview is arranged.

3.1.2 Interview

The interview is held at a location determined by the College and an interview panel will be convened from the Subcommittee as required, keeping in mind the need to process applications within 8 weeks. The panel will consist of at least three people, including the Chairman of the Subcommittee or a Fellow nominated by him/her, and the Subcommittee member representing the discipline of the applicant's choice. The third member of the panel may be a Fellow in the discipline who is not on the Subcommittee. The panel members will be selected from a number of different jurisdictions. Members of the interviewing panel should ordinarily be on the Panel of Examiners for the Board of Education and Assessment. For all applications the interview panel will normally consist of members from a different jurisdiction from where the position is located. Members of the Subcommittee on initial review of the documentation, may advise the Chair of the Subcommittee of any specific areas for clarification.

The interview follows the format set out in the *Interview Protocol for Overseas Trained Specialists and Area of Need Applicants*. The interview is not an examination, but serves three purposes:

- It gives the panel the opportunity to explore the applicant's experience and suitability for the position in question. Interviewers will peruse the documents provided by the applicant to ensure that the required information is present and that any points of uncertainty are clarified (such as the exact nature of work undertaken in the applicant's training posts and subsequent experience). They will assess the level of training and experience attained by the applicant and make a recommendation about suitability for the specified position.
- It allows the panel to determine what, if any, further training or experience is required to achieve comparability with training undertaken by specialist pathologists in Australia. This determination may lead to a recommendation to the employer that the applicant may be suitable for a position other than that specified (eg. senior medical officer rather than consultant).

- It gives the applicant an opportunity to ask questions about the practice of pathology in Australia, as well as the implications of undertaking an Area of Need post. Interviewers will ensure that the applicant is made fully aware of the advantages of proceeding to Fellowship.

3.1.3 Report of the Interview

The interview panel may make one of four possible assessments:

(a) Training and experience NOT comparable to that of a Fellow of the RCPA (OTS) or not suitable for the specified position (AON).

For general OTS applicants, if the applicant's experience and training are considered insufficient, (i.e. the applicant would be required to undertake more than two years additional assessment) the application will be rejected and a Report 1 completed and sent to the candidate and uploaded to the AMC portal. On request reasons for rejection will be provided.

For AON applicants if the applicant's experience and training are considered insufficient, the application will be rejected. Reasons for rejection will be given.

(b) Training and experience considered partially comparable to that of a Fellow of the RCPA and therefore suitable for the specified position.

For general OTS applicants if the applicant has suitable postgraduate qualifications and has successfully completed a period of supervised training considered to be comparable to the training of Fellows of the College, the OTS will be eligible to undertake those assessments determined by the Board of Education and Assessment to be necessary to confirm comparability and for attainment of Fellowship of the College. The Board of Education and Assessment will apply the same criteria in assessing which assessments are necessary as apply to all other applicants who are part of the training scheme of the College. If successful in the assessment, the applicant will be eligible for admission to Fellowship of the College.

For AON applicants if the applicant is assessed as having had comparable training, experience and similar examinations to an FRCPA, it is likely that the Subcommittee will support the appointment to an Area of Need position. In addition the applicant is provided with a training and examination determination for progressing to Fellowship. This is encouraged but is not mandatory.

(c) Training and experience partially comparable similar to that of a Fellow of the RCPA but further "acclimatisation"/experience/assessment in the Australian environment is warranted.

For general OTS applicants, if the applicant has substantial training, qualifications and experience in pathology, has only demonstrated partial comparability to that which is expected of trainees who have successfully completed the RCPA training programme, he/she will be eligible to enter a scheme or process to "top up" knowledge of up to two years leading to assessment for Fellowship. Exemptions from part of the examination requirements may be granted by the Board of Education and Assessment on the basis of the applicant's prior training and experience. All such applicants must work in positions in laboratories accredited by the RCPA and will need some form of medical registration (including limited or provisional registration), The College is not responsible for finding positions or funding for these candidates.

For AON applicants if the applicant has substantial training, qualifications and experience in pathology, but has only demonstrated partial

comparability (particularly if they require top up assessment) to that which is expected of trainees having successfully completed the RCPA training program it is unlikely the applicant would be recommended for an area of need position as a specialist, although the College may support their employment in a registrar position.

(d) Training and experience deemed to be substantially comparable to that of a Fellow of the RCPA.

Certain qualifications for pathology will be deemed by the Board of Education and Assessment to be substantially comparable to those that Fellows of the RCPA have undertaken. In this circumstance for both OTS and Area of Need applications the applicant will be granted approval to work as a specialist pathologist and if they wish to apply for Fellowship after a suitable period of peer review, they may be granted a Fellowship of the College. (See Policy 2/2009, Award of FRCPA to Overseas Trained Specialists via Peer Review)

(e) No assessment of training comparability to that of a Fellow of the RCPA is possible on the basis of an interview alone.

The interview panel may be unable to reach a conclusion about the comparability of the training of the applicant based on the information available and the interview dealing with duration and content of training. In this circumstance the College would not recommend appointment to the Area of Need position.

3.1.4 Assessment by Chief Examiner

For general OTS applicants the individual panellists' copies of the completed *Interview Protocol for Overseas Trained Specialists and Area of Need Applicants*, and the completed *Summary and Recommendations Overseas Trained Specialist* are forwarded to the Chief Examiner or their delegate who review all the material and provide a training and examination determination to the Subcommittee if the applicant wishes to pursue fellowship.

For AON applicants the documentation from the employer, the individual panellists' copies of the completed *Interview Protocol for Overseas Trained Specialists and Area of Need Applicants*, and the completed *Summary and Recommendations Area of Need* are forwarded to the Chief Examiner or their delegate who review all the material and provide a training and examination determination which details the requirements if the applicant chooses to pursue fellowship.

The Chief Examiner will also state if the applicant is suitable for the AON position.

3.1.5 Final Review by the College

For all applicants the results of the assessment, including the training and examination determination and AON determination where relevant are reviewed by the Registrar of the Board of Education and Assessment. The information is uploaded to the AMC portal and the College informs the applicant of the outcome.

3.2 The Medical Board of Australia Registration

3.3.1 For all applicants the assessment made by the College is uploaded to the AMC portal to which the Australian Health Practitioner Agency (AHPRA¹) also has access. The Medical Board considers the assessment and makes the decision to

¹ AHPRA is the administrative department within the Medical Board of Australia with responsibility for medical registration.

grant registration in accordance with the provisions of the relevant Act(s). It is the responsibility of the applicant to liaise with AHPRA.

3.3.2 For AON applicants registration will be linked to regular assessment and monitoring by the College (see 4 below).

4. Ongoing Action for AON Applicants

In accordance with RCPA Policy No. 11/2002: Supervision of Training, a supervisor will be nominated for the applicant.

Following commencement in an Area of Need position the College will:

1. undertake assessment of the applicant after 3 months
2. if any deficiencies are identified at the initial assessment, follow up as required
3. undertake assessment of the applicant after 12 months and report to the employer and AHPRA.

Assessment process

Each assessment will comprise:

1. completion of Area of Need Ongoing Assessment form, to be forwarded to the College at least two weeks prior to the teleconference date
2. discussion by teleconference between the original interview team and the applicant regarding progress
3. discussion by teleconference between the original interview team and the nominated supervisor. Where concerns are evident, such discussion will include a proposal for remediation of noted deficiencies.
4. The Registrar of the Board of Education and Assessment reviews the AON Supervisor's Report. The Report is provided to the employer and the relevant AHPRA office and will outline if there is satisfactory progress or any deficiencies for remediation and the course of action proposed.

If any major deficiencies are notified by the College, the relevant AHPRA Office may alter conditions of registration (if deficiencies are not significant) or withdraw the registration if deficiencies are considered significant or constitute a danger to the community.

5. Appeals

The mechanisms already available for the College and Medical Boards will be utilised to resolve appeals by applicants for Area of Need positions.

6. Promotion of Rural Pathology Services

- 6.1 Recruitment of overseas trained pathologists to Areas of Need should be a temporary solution. RCPA is committed to work with rural communities, health authorities, and Colleges to redress the maldistribution of specialists.
- 6.2 RCPA fosters outreach programs whereby pathologists from larger regional hospitals or practices serve small remote hospitals or practices on a regular basis. Such visiting pathologists may provide oversight to Area of Need appointees.

7. Applicant Requirements for a Medicare Provider Number

- 7.1 If the applicant does not need a Medicare Provider Number no further action is required.

7.2 If the applicant requires a Medicare Provider Number the applicant must apply for to the Department of Human Services

8. Patient Safety

In any case where patient safety concerns arise in the course of peer review or training, the matter must be brought promptly to the attention of the senior management of the employing institution and reported to the RCPA CEO or Deputy CEO. The CEO or Deputy CEO will confer with the employer to implement remedial measures where appropriate and determine if reporting to the applicable medical registration authority or regulator is required.

ASSESSMENT IN NEW ZEALAND

This Policy reflects and should be implemented in conjunction with the *Policy on Registration within a Vocational Scope of Practice for Overseas Trained Doctors*, Medical Council of New Zealand 2011.

This pathway is only for assessment of doctors who have completed their vocational training overseas. Registration will not be granted to enable a doctor to participate in a vocational training program.

All overseas trained doctors applying for registration within a vocational scope of practice must be intending to practise in New Zealand.

The Medical Council of New Zealand (MCNZ) will assess the eligibility of doctors who have qualifications, training and experience as specialists overseas for registration within a vocational scope of practice.

The MCNZ has to ensure its processes are fair, reasonable and timely.

To qualify for vocational registration the doctor must:

- Hold the prescribed qualification (ie a combination of qualifications, training and experience) that is assessed as being *equivalent to* or *as satisfactory as* the relevant approved qualification;
- be fit for registration (HPCAA, s16);
- be competent to practise medicine within the vocational scope for which he or she has applied for;
- meet Council's policy on English language requirements;
- complete a period of practice in a provisional scope of practice (if applicable);
- complete any assessment requirements within a provisional vocational period; and
- be competent to practise independently and unsupervised.

Rationale

- The Medical Council is responsible for protecting the health and safety of members of the public by providing mechanisms to ensure that doctors are competent and fit to practise medicine in New Zealand (section 3).
- Overseas trained doctors registered within a vocational scope must demonstrate that their qualifications, training and experience are comparable to that of a New Zealand trained doctor working and registered within that same scope of practice.

Procedures

1. The Medical Council has developed a pathway to assess the eligibility of overseas trained specialists who have completed their vocational training and have appropriate qualifications, training and experience for registration within a vocational scope of practice. The pathway enables an applicant to be registered within a vocational scope of practice via a *Supervision pathway* or an *Assessment pathway*.
2. Applications must be made in a recognised vocational scope, requirements for which are listed on the Medical Council website.
3. The Medical Council and the College have developed a process where applicants are assessed by the RCPA Subcommittee on their suitability for vocational registration in New Zealand. The Medical Council will do an initial paper assessment if the applicant is applying from overseas. If the doctor is considered to be suitable to continue in the vocational registration pathway, he or she will be required to attend an interview with the College
4. The purpose of the interview and assessment process is to verify the identity and documentation of the applicant and ascertain if they are eligible for:
 - Registration in a provisional scope of practice via the supervision pathway – this requires the IMG have:
 - qualifications, training and experience *equivalent to* that of the prescribed qualification, which is the New Zealand or Australasian Fellowship, Diploma or Certificate qualification;
 - the necessary fitness and competencies for provisional registration; and
 - the ability to achieve registration in a vocational scope of practice within 18 months of obtaining registration in a provisional vocational scope.

Or

 - Registration in a provisional scope of practice via the assessment pathway – this requires the IMG to have
 - the qualifications, training and experience *as satisfactory as* that of a prescribed qualification, which is the New Zealand or Australasian Fellowship, Diploma or Certificate qualification;
 - the necessary fitness and competencies for provisional vocational registration; and
 - the ability to achieve registration in a vocational scope of practice within 18 months of obtaining registration in a provisional vocational scope.
5. The College will advise the Medical Council on the doctor's suitability for registration within a vocational scope, and will recommend whether the Supervision pathway or the Assessment pathway is most appropriate for the applicant.
6. The Medical Council will then assess the advice and recommendation received from the College and if in agreement will grant the applicant provisional registration within a vocational scope of practice (supervision), or provisional vocational registration within a vocational scope of practice (assessment).
7. Assuming the initial advice from the College indicates that the IMG is suitable for provisional registration pending interview, the IMG needs to arrange suitable employment and apply for approval of the position and the supervisor.
8. Provisional vocational registration is only to be granted once the doctor has attended the registration interview and their employment and nominated supervisor approved by the College and Medical Council.

9. If an applicant has not been assessed for general medical competence, he or she will be authorised to practise only within a limited vocational scope, and will be subject to conditions imposed by the Medical Council under section 22 of the HPCA Act. The conditions are noted on the IMG's practising certificate.
10. The Medical Council may disagree with the College's advice and decline the IMGs application for registration in a vocational scope of practice.
11. The Medical Council of New Zealand is able to use discretion to accept or reject the College's advice. In using its discretion Medical Council will document the specific reasons why the decision was made and must ensure its decisions are not:
 - made for an improper purpose
 - made without taking into account relevant matters
 - influenced by factual error
 - made without regard to the particular merits of the case and by rigidly applying predetermined policy
 - made under the dictation of someone else, and
 - invalidly delegated
12. If or when the Medical Council of New Zealand proposes to decline the application or put conditions on the applicant's registration (other than conditions under Section 20) the applicant must be informed of the grounds on which the proposal is made, must be given copies of information on which Council relied in coming to that decision, and must be given the opportunity to make written submissions and be heard either personally or by a representative (Section 34(5)).
13. If conditions are imposed or registration declined an appeal may be made to the District Court (Section 116 of the Act).
14. Advice given to applicants following a decision of Medical Council of New Zealand is valid for a period of two years from date of the letter of advice from the Medical Council of New Zealand.
15. All eligible overseas trained doctors (other than Australian graduates who are deemed to be eligible for vocational registration without further assessment) will be granted provisional vocational registration to practice as follows:
 - Supervision Pathway Applicants – must complete
 - a minimum of 12 months supervised practice; and
 - enrol in the College's CPD programme.
 - Assessment Pathway Applicants – must complete
 - 12- 18 months supervised assessment; and
 - enrol in the College's CPD programme; and/or complete any other assessment requirements recommended by the College.
16. On satisfactory completion of the required supervisory period, all assessments, and the doctor has shown he or she is competent and suitable for independent, unsupervised practice, the Medical Council will authorise a change of registration from provisional vocational scope to full vocational registration in a specific scope.
17. If the doctor fails to satisfy the conditions on his or her supervised practice required by Council to ensure competence in a vocational scope and/or the other assessments required by the College and Medical Council, the Registrar will refer the doctor's application for an Annual Practising Certificate (APC) to the Council under section 27(1)(b) of the Act. The Council may:
 - extend registration within a provisional vocational scope for a further period, or
 - propose to either place restrictions on, or decline to issue the doctor's APC under section 28, and give the doctor an opportunity to make written

submissions and be heard by Council, and then make a decision whether to issue the APC.

18. Fees: New Zealand Applicants pay the fees subscribed by the MCNZ for the assessment. The MCNZ reimburses the College for costs associated with their advisory role. The College invoices the MCNZ directly for payment of the appropriate fees in accordance with the number and complexity of applications received.

Related documentation

Terms of Reference: Overseas Trained Specialist Assessment Subcommittee

Policy No. 2/2001 for Assessment of Qualifications for Area of Need Positions

Policy No. 11/2002: Supervision of Training

Application Procedures and Requirements for Specialist Assessment, AMC 2010

Policy on Registration within a Vocational Scope of Practice for Overseas Trained Doctors, Medical Council of New Zealand 2004.

Websites of AMC/AHPRA, MCNZ, State and Regional Health Departments