

# Review of Australia's regulatory settings relating to health practitioner registration and skills and qualifications recognition

## Terms of Reference

### Background

On 30 September 2022, National Cabinet announced an independently-led, rapid review of the regulatory settings relating to health practitioner registration and qualification recognition for overseas trained health professionals and international students who have studied in Australia. These regulatory settings will be compared to those for Australian trained health professionals to ensure that unreasonable additional requirements or standards are not being applied to overseas trained professionals.

Health Ministers from each state and territory and the Commonwealth oversee the National Registration and Accreditation Scheme (the National Scheme) under the Health Practitioner Regulation National Law (the National Law), adopted by each state and territory. The National Scheme is designed to protect public safety by ensuring that all regulated health professionals are registered against consistent, high-quality, national professional standards. The Objectives of the National Law include the facilitation of rigorous and responsive assessment of overseas trained practitioners and access to services provided by health practitioners in accordance with public interest.<sup>1</sup> The Australian Health Practitioner Regulation Agency (Ahpra) works in partnership with 15 National Boards to implement the National Scheme, managing the registration and renewal processes for local and overseas qualified health practitioners, in accordance with the National Law.

The Review is independent from, but complementary to, the work National Cabinet has asked Ahpra to undertake. The Review links with the work of the Health Workforce Taskforce commissioned by the Health Ministers' Meeting, the Improving Care Pathways Taskforce commissioned by National Cabinet and the objectives and outcomes from the Jobs and Skills Summit.

### Purpose

Australia is facing a shortage of key healthcare workers, which has been heightened by the COVID-19 pandemic and is expected to continue as Australia's population ages.

To ensure that hospitals and the health system can meet demand and deliver high-quality and timely health services, National Cabinet recognises that Australia needs to supplement, in the short to medium term, the domestically trained health workforce with skilled health practitioners from overseas.

To achieve this in a highly competitive global market, our regulatory settings need to be fit for purpose, comparable to similar countries and not impose unnecessary barriers or compliance costs on migrants and employers, while preserving patient safety standards.

### Scope

The Review will deliver short-term recommendations for actions which can be implemented within 12 months to ease skills shortages in key health professions, including nursing and midwifery, medicine, psychology, pharmacy, paramedicine, occupational therapy, and any others identified as part of the Review.

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<sup>1</sup> *Health Practitioner Regulation National Law Act 2009*, Section 3 (2), [www.legislation.qld.gov.au/view/whole/html/inforce/current/act-2009-045](http://www.legislation.qld.gov.au/view/whole/html/inforce/current/act-2009-045)

This Review will include consideration of:

- streamlining existing competent authority pathways to registration and extending these to more health professions
- streamlining and integrating with other processes that impact on the workforce, such as visa application processes, credentialing processes and Medicare provider number application processes
- the costs of training and qualification for international health workers.

The Review will also include consideration of regulatory settings in comparable overseas jurisdictions to identify best practice and opportunities for Australia to streamline and strengthen processes and settings and support global worker mobility.

The Review will report back to National Cabinet with initial recommendations for agreement in early 2023 and deliver final recommendations by mid-2023.

### Key principles

The Review will be informed by the following key principles:

1. Australia's health practitioner registration and skills and qualification regulatory system should require overseas trained and domestically trained health professionals to meet the same standards.
2. Any requirements should be commensurate with risks, optimally managed and imposed in the least complex way.
3. Quality and safety standards designed to protect patients must be maintained, without unnecessarily restricting health workforce supply.
4. Regulatory settings should signal Australia as an attractive destination for internationally qualified health practitioners and not discourage recruitment and retention of global talent.
5. Migration should not be used as a substitute for developing and employing a domestically-trained workforce.

### Review Lead and consultation

The Review will be led by an eminent individual with relevant experience in health and regulatory policy. The Reviewer Lead will be supported by a secretariat of officials from the Australian Government Department of Health and Aged Care and the Australian Government Department of Finance.

The Review is strongly supported by state and territory governments, which are responsible for the legislative framework for health practitioner regulation, and each government will provide appropriate support to ensure the success of the Review.

The Review will consult Ahpra and regularly update and seek input from states and territories through the Health Ministers' Meeting, First Secretaries Group, Health Chief Executives Forum and First Deputies Group.

The Review will engage with a broad range of other relevant stakeholders to ensure recommendations are practical, implementable and can deliver the health workforce Australia needs to ensure high-quality and timely health services. The Review Lead may also seek independent advice and analysis on any matter within the Review scope, and may consider convening an advisory panel of experts and/or holding public consultations for this purpose.