

Area of Need Policy Guideline

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Area of Need Policy Guideline

1. Policy Statement

The Area of Need (AoN) Program was established to help provide general practice and specialist medical services to South Australian locations with limited access to healthcare services. The AoN Program provides employers with the ability to recruit a suitably qualified International Medical Graduate (IMG) to a vacant medical practitioner position, when difficulty is experienced recruiting unrestricted medical practitioners with general or specialist registration.

The AoN Policy Guideline describes the:

- application process to determine AoN status;
- required supporting documentation as evidence;
- process to assess AoN applications; and
- obligations of employers when recruiting IMGs.

The AoN Program is intended to provide temporary assistance to locations and services across South Australia that have been experiencing medical practitioner service shortages. Employer priorities, however, should remain to attract and recruit Australian citizen/permanent resident medical practitioners who hold general or specialist registration with the Australian Health Practitioners Regulation Agency (AHPRA).

AoN is assessed at the state level, and the Chief Medical Officer has delegation to approve the AoN status. AoN approvals are for IMGs who are on/or applying for their Limited Registration with AHPRA (medical registration).

AoN is approved only for a person taking up a specific position. Whole practices or areas cannot be declared AoN.

1.1 Scope

The AoN Policy Guideline explains the application process for approving an AoN determination in South Australia and stipulates the mandatory criteria for AoN applications. The Policy Guideline applies to both public and private medical practitioner vacancies.

1.2 Principles

Section 67 of the Health Practitioner Regulation National Law (South Australia) Act 2010 stipulates that an IMG may apply for Limited registration with AHPRA to practice in a health profession in an AoN as determined by the Chief Medical Officer of South Australia who has been delegated this authority by the Minister for Health and Wellbeing.

AoN declarations are available only for International Medical Graduates (IMGs) applying for their Limited registration with AHPRA.

Refer to the AHPRA website for further information about Limited registration.

2. Roles and Responsibilities

SA Health, Chief Medical Officer

The Chief Medical Officer has the delegation to approve AoN declarations. The Chief Medical Officer has delegation of the Australian Health Practitioner Regulation Agency under the repealed Law and is appointed to the National Agency under this Law as outlined in the Health Practitioner Regulation National Law (SA) Act 2010.

SA Health, South Australian Medical Education & Training (SA MET) Unit

The Project Officer – Medical Workforce employed within the SA MET Unit will assess, maintain and process AoN applications in accordance with this policy.

The Project Officer – Medical Workforce will report regularly to the Chief Medical Officer on any applications of concern and will produce reports as required.

Australian Health Practitioner Regulation Agency (AHPRA) & South Australian Board of the Medical Board of Australia

The South Australian Board of the Medical Board of Australia and AHPRA consider and grant limited registration to appropriately qualified IMGs who do not qualify for general, provisional or specialist registration, to practise in an AoN position.

Australian Medical Council (AMC)

The AMC facilitates assessment pathways administration and national examinations for IMGs who wish to practise medicine in Australia.

3. Policy Requirements

3.1 Detail

The AoN Program supports health service providers experiencing a medical workforce shortage and can demonstrate that they have been unable to recruit an Australian-trained medical practitioner to the vacant position. The Program was established to help provide general practice and specialist medical services to South Australian locations with limited access to such services.

The Medical Board of Australia can grant Limited registration to a suitable IMG to be employed into a declared AoN position under the Health Practitioner Regulation National Law (SA) Act 2010. All other registration requirements as outlined by the Medical Board of Australia must also be met.

3.2 Area of Need Criteria

AoN applications must be supported with evidence and will be assessed against the AoN criteria.

The AoN application must include evidence of:

- Position vacancy advertising as evidence of labour market testing
- Evidence of a need
- Position details and description
- Health service support (if applicable)

3.2.1 Position vacancy advertising as evidence of labour market testing

All AoN applications must provide documented evidence of labour market testing. The advertising evidence will demonstrate there have been genuine attempts to recruit Australian-trained medical practitioners to the position.

The position must have been advertised:

- for a minimum of three months, with at least one attempt being made within the last four weeks.
- within 12 months of the AoN application being received by SA Health.
- both in South Australia, and nationally, with at least one attempt having been in an appropriate medical college publication or website (for example, SEEK, My Career, RACGP).

Documented advertising evidence means copies of each advertisement. All advertising must show the:

1. position title;
2. name and location of the practice;
3. incumbent's required qualifications, skills and expected duties;
4. remuneration range and other benefits of the position; remuneration must be in dollar value not percentage based (for example \$120,000 or \$150,000 - \$250,000)
5. where and when the advertisement was published (open and close dates); if advertising is for 30 days from 01 August then the closing date will be 30 August and will be considered one month of advertising.

The employer/authorised agent must keep a copy of all advertising when it has been published.

Invoices and/or copies of booking forms are not acceptable pieces of evidence and will be rejected if provided.

Advertising explicitly referring to 'Area of Need doctors', or similar wording that can limit the available pool of applicants in any way, will not be considered as adequate forms of labour market testing and will not satisfy the criteria.

Contact Area of Need by email at Health.AreaofNeed@sa.gov.au for before advertising to ensure that criteria are met.

3.2.2 Evidence of need

Information must be provided to SA Health to explain and describe:

1. the reason for the vacancy;
2. the size and profile of the health service/practice;
3. whether or not health services are accessible to patients;
4. the effect on service delivery and the community if the position is left vacant;
5. the effect on public health services if the position is left vacant.

The supporting documentation listed above can be included within the AoN application form as narrative or provided as a separate attachment for example, as a practice profile document.

3.2.3 Position details and description

The position details must be supported by a job description that includes information about the working conditions, hours and the total remuneration of the position. The job description must be current and be included as an attachment with the AoN application form.

A position description that is missing information, as described previously, will be rejected.

3.2.4 Health service support (if applicable)

The following additional letters of support are required to support an AoN application if the position is either a:

- Procedural GP;
- Medical specialist.

The letter of support must be signed by the Chief Executive Officer, Managing Director or equivalent employing person, and must clearly indicate whether or not support is provided for the IMG to be employed into the position.

3.3 Area of Need Applications

AoN applications are to be completed by the employer/authorised agent. There are four AoN application forms:

- Area of Need – new application
- Area of Need – extension application
- Area of Need – modification location application
- Area of Need - appeal

The employer/authorised agent will be advised of the application outcome when the AoN assessment is completed and, if it is successful, the employer/authorised agent will be provided with an AoN letter.

The employer/authorised agent must provide a copy of the AoN letter to AHPRA.

3.3.1 Area of Need - new application

The application supporting evidence, as described in criteria 3.2, must be submitted with the AoN new application.

An approved AoN expiry date will not exceed three years, and is dated at the end of the month (that is, three years from the date of the signed approval letter). The AoN expiry date will be in line with the Limited registration expiry date where the practitioner has current Limited registration with AHPRA.

The worksite location(s) where the practitioner will be employed must be identified in full on the application form. Full details of all sites must be included if the practitioner is required to work in more than one site. Any changes at any time must be advised to the AoN; an updated support letter will be provided to the employer/agent who in turn must provide a copy to AHPRA.

3.3.2 Area of Need – extension application

The employer/authorised agent may apply for an extension if the practitioner has not progressed from Limited registration to General or Specialist registration within the initial three year period.

Applications for extensions should be received by the SA MET Unit 90 days before the current AoN letter expires. It is the employers/authorised agents responsibility to ensure this deadline is met.

A position having been successful previously in obtaining AoN status will not guarantee that a request to extend the position will be approved.

The AoN extension expiry date will not exceed 12 months (one year). The new date will be 12 months from the expiry date in the current letter.

The National Law states that Limited registration may not be renewed more than three times. A medical practitioner who wishes to continue practising after three Limited registration renewals needs to make a new application for registration. Refer to the [AHPRA website](#) for further information.

The worksite location(s) where the practitioner will be employed must be identified in full on the application form. Full details of all sites must be included in the AoN application and identified as either the primary location or additional location(s) if the practitioner is required to work in more than one site. The SA MET Unit must be advised if the location

status changes at any time. An updated letter will be provided to the employer/authorised agent. The employer/authorised agent must forward the updated letter to AHPRA.

The employer/authorised agent seeking extension of an AoN must provide the following information:

1. a copy of the previous AoN approval letter;
2. a copy of the AHPRA registration details confirming that the practitioner has Limited registration; the extension expiry date will be in line with the AHPRA expiry date;
3. full details of primary and additional locations; advise if work site locations have changed since the previous application;
4. a copy of a current (12 months) position description that must include the remuneration range and other benefits of the position; remuneration must be in dollar value not percentage based. (for example, \$150,000 or \$150,000 - \$250,000); and
5. copies of exam result statements, with evidence of registration to sit future exams (if applicable).

3.3.3 Area of Need – modification location application

AoN status attaches to a specific position and cannot be transferred to another person, position or location. Requests for minor modifications (for example, change in practice name or change of practice address within the location) will be considered.

Modification requests for new locations or removal of locations must include a Request for Modification/Location form from the employer/authorised agent. The request must include:

- Previous AoN approval letter
- Full details of the site(s) to be removed or included (that is, the name of practice/hospital/site, full address.
- The name and location of the primary site.

The employer/authorised agent must forward the approved AoN letter confirming modification of location(s) to AHPRA.

3.4 Timeframe for assessment

AoN applications will be processed within 10 working days, provided all necessary information was submitted with the application. Incomplete applications will be processed only once all required information is submitted, as described in sections 3.2, 3.3 and 3.4 respectively. The employer/authorised agent must address all criteria and provide the required information.

Incomplete applications are kept open for a maximum of 10 days from the date the application is received, so that the employer/authorised agent can provide required missing information. The application will be closed if the required information is not received within the 10 day limit. All documentation will need to be resubmitted as a new application after the 10-day period has expired.

The employer/authorised agent will be advised of the outcome after the assessment is completed. An AoN support letter will be sent to successful applicants from the Chief Medical Officer. The letter is personalised and unique confirming employment of an IMG into the specific position.

The employer/authorised agent must advise AHPRA of the AoN approval for the IMG, and provide them with a copy of the support letter.

3.5 Area of Need Application for Appeal

Employers/authorised agents may appeal the decision if they have been unsuccessful in obtaining an AoN approval for a position. The appeal must be lodged within 28 days of the date of the decision.

Appeals are to be submitted in writing to Health:AreaofNeed@sa.gov.au and address each section of the AoN application describing why the AoN application criteria have not been met. Describe the grounds for appeal and ensure the appeal addresses all the AoN Policy Guidelines requirements before submission.

The appeal will be reviewed by the Appeals Committee which will comprise of three members not involved in the initial assessment or decision making process of the original AoN application.

The review will be processed within 28 business days from receipt of the appeal application. The sponsoring employer/authorised agent will be advised of the outcome in writing.

The decision made by the Committee will be final.

3.6 Distribution Priority Area (DPA) and District of Workforce Shortage (DWS)

The Commonwealth Department of Health introduced on 1 July 2019 the health workforce Distribution Priority Area (DPA) classification system that replaces District of Workforce Shortage (DWS) for General Practitioners (GPs) and Bonded Doctors.

International medical graduates who are GPs need to work in an area classified DPA to access Medicare under section 19AB of Australia's Health Insurance Act 1973.

The DWS classification is used for areas that have poor access to specialist medical practitioners.

The DPA and DWS are determined by the Commonwealth Department of Health and relate to a geographical area of Australia where the population's needs for healthcare are not being met. This unmet need is determined by the Commonwealth Department of Health using Australian Bureau of Statistics data and the latest Medicare billing statistics.

The locator map on the DoctorConnect website (www.doctorconnect.gov.au) shows areas that are considered to be DPA and DWS for general practice positions.

DPA and DWS are not considered in South Australia when assessing an AoN. Other states in Australia will not approve an AoN if it is not in a DPA and DWS area.

DPA and DWS queries, particularly around exemptions, can be emailed to the Commonwealth Department of Health at 19AB@health.gov.au.









4. Implementation and Monitoring

The Project Officer – Medical Workforce will report regularly to the Chief Medical Officer on any applications of concern, and produce reports as required.

5. National Safety and Quality Health Service Standards

The Australian Commission on Safety and Quality in Health Care has developed eight National Safety and Quality Health Service Standards (the Standards).

The Standards provide a nationally consistent and uniform set of measures of safety and quality for application across a wide variety of health care services. They propose evidence-based improvement strategies to deal with gaps between current and best practice outcomes that affect a large number of patients.

							
National Standard 1 Clinical Governance	National Standard 2 Partnering with Consumers	National Standard 3 Preventing & Controlling Healthcare-Associated Infection	National Standard 4 Medication Safety	National Standard 5 Comprehensive Care	National Standard 6 Communicating for Safety	National Standard 7 Blood Management	National Standard 8 Recognising & Responding to Acute Deterioration
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

6. Definitions

In the context of this document:

Area of Need (AoN) – is determined by SA Health’s Chief Medical Officer and relates to a vacant medical position where there is a lack of Australian-trained medical practitioners and where the medical position remains unfilled following multiple recruitment attempts over a period of time. The AoN Program provides temporary assistance in filling these vacant positions and applies to both the public and private sector.

Distribution Priority Area (DPA) – is determined by the Commonwealth Department of Health. The classification identifies locations in Australia with a shortage of medical practitioners. International medical graduates who are GPs need to work in an area classified DPA to access Medicare under section 19AB of Australia’s Health Insurance Act 1973.

Refer to the DoctorConnect website (www.doctorconnect.gov.au) for further information and to access the locator map.

DWS is not considered in South Australia when assessing an AoN. Other states in Australia will not approve an AoN if it is not in a DWS area.

DWS queries, particularly around exemptions, should be emailed to the Commonwealth Department of Health at 19AB@health.gov.au.

International Medical Graduate (IMG) – IMGs are defined as medical practitioners whose primary medical degree has not been obtained from an AMC accredited university, or who have not gained specialty qualifications from an AMC Professional Medical College in Australasia.

Limited Registration for AoN – is a type of registration granted by the Medical Board of Australia for IMGs who do not qualify for general, provisional 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.

7. Associated Policy Directives / Policy Guidelines & Resources

SA Health, Area of Need

<http://www.sahealth.sa.gov.au/wps/wcm/connect/public+content/sa+health+internet/careers+at+sa+health/medical+-+public+and+private+sector+-+area+of+need#main>

SA Health, Area of Need Application Form

SA Health, Area of Need Extension Application Form

SA Health, Area of Need Request for Modification/location form

SA Health, Area of Need Application for Appeal

SA Health, Area of Need Advertising examples

Medical Board of Australia, Limited registration for area of need registration standard

<https://www.medicalboard.gov.au/Registration-Standards.aspx>

Australian Medical Council, Assessment Pathways

<http://www.amc.org.au/assessment/pathways>

Health Workforce Certificate, a requirement for employer sponsored visas

http://www.doctorconnect.gov.au/internet/otd/publishing.nsf/Content/visas_for_GPs

DoctorConnect, for information about Distribution Priority Area (DPA) and District of Workforce Shortage (DWS)

<https://www.health.gov.au/initiatives-and-programs/doctorconnect>

TSS visa (subclass 482) Short-term stream and medium-term stream labour market testing

<https://immi.homeaffairs.gov.au/visas/employing-and-sponsoring-someone/sponsoring-workers/nominating-a-position/labour-market-testing>

8. Document Ownership & History

Document developed by: South Australian Medical Education and Training (SA MET) Unit
Department for Health and Wellbeing

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If so, which policy (title)? N/A

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