Policy

Guideline

Area of Need Policy Guideline

Summary

The Area of Need (AON) program was established to assist in the provision of general practice and specialist medical services to locations in South Australia that have limited access to such services. A sponsoring employer needs to have identified an International Medical Graduate (IMG) that they wish to employ into a position. If a position is declared an AON, then the Medical Board of Australia (MBA) can grant limited registration to a suitable IMG into that position under the Health Practitioner Regulation National Law (SA) Act 2010.

Keywords

Area of Need, AON, Districts of Workforce Shortage, IMGs, Limited Registration, Medical Workforce, Chief Medical Officer, SA MET Unit, Policy Guideline

Policy history

Is this a new policy? Y
Does this policy amend or update an existing policy? N
Does this policy replace an existing policy? N
If so, which policies?

Applies to

Public and Private employers of overseas trained medical practitioners

Staff impact

Medical, Human Resources

EPAS Compatible

Yes

Registered with Divisional Policy Contact Officer

Yes

Policy doc. Reference No.

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Version control and change history

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Area of Need Policy Guideline

1. Objective

The Area of Need (AON) Program was established to assist in the provision of general practice and specialist medical services to locations in South Australia that have limited access to such services. The AON Program provides employers who are experiencing difficulty recruiting unrestricted medical practitioners with general or specialist registration the ability to recruit a suitably qualified International Medical Graduate (IMG) to a vacant medical practitioner position.

The AON Policy Guideline aims to outline the:
- application process for the determination of AON status;
- required supporting documentation evidence;
- assessment of AON applications;
- 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. The priority for employers 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).

2. 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.

3. 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 practise 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 Ageing.

4. Detail

The AON Program supports health service providers who are experiencing a medical workforce shortage and who can demonstrate that they have been unable to recruit an Australian-trained medical practitioner to the vacant position. The Program was established to assist in the provision of general practice and specialist medical services to locations in South Australia that have limited access to such services.

If a position is declared an AON, the Medical Board of Australia can grant limited registration to a suitable IMG to be employed into the position under the Health Practitioner Regulation National Law (SA) Act 2010, and provided they meet all other registration requirements required by the Medical Board of Australia.
The following criteria must be demonstrated by the requesting body to meet the requirements to apply for a position to be deemed AON:

- a genuine vacancy exists; and
- the provision of medical services would fall below an acceptable level if the vacancy was not filled; and
- the market has been reasonably tested. This means that:
  - the South Australian medical community needs to have had the vacancy brought to its attention (e.g. state, national and/or relevant specialty advertising);
  - the position has conditions of employment that an appropriate qualified Australian trained medical practitioner would reasonably accept; and
  - SA Health must be satisfied that there is no appropriately qualified Australian-trained medical practitioner to appoint to the position.

4.1 Area of Need Assessment Criteria

Applications for AON must meet all of the assessment criteria before determination will be considered. The assessment criteria are applicable to all new applications and include:

- Position details
- Evidence of need
- Evidence of labour market testing
- Health service support (if applicable)

4.2 Supporting Documentation

The assessment criterion is to be supported by evidence along with the AON application form provided to SA Health.

4.2.1 Position details

There must be an identified position which is supported by a job description that includes information about the working hours and the salary of the position. The job description must be included as an attachment with the AON application form.

4.2.2 Evidence of need

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

- The reason for the vacancy;
- the size and profile of the health service/practice;
- whether other health services accessible to patients;
- the impact on service delivery and the community should the position be left vacant;
- the impact on public health services if the position is left vacant.

The above supporting documentation can be included within the AON application form or provided as an attachment.
4.2.4 Evidence of labour market testing

All AON applications are to include evidence of labour market testing, which demonstrates genuine attempts to recruit Australian-trained medical practitioners to the position. The position must have been advertised for a total of three months, with at least one attempt being made within the last four weeks.

Advertising must take place both state-wide and nationally, with one at least one attempt having been in an appropriate medical college publication or website.

The AON application form requires the following information, with supporting documentation provided as attachments:

- Where the position was/is being advertised; and
- dates advertised.

Supporting documentation indicates that evidence is to be provided to confirm the advertising attempts, which can be copies of advertisements and/or invoices.

All advertising should show the position title, name and location of practice, incumbent's required qualifications, skills and expected duties, remuneration range and other benefits of the position.

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.

4.2.5 Health Service Support

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

- Procedural GP; or
- medical specialist.

The letter of support must be signed by the Chief Executive Officer, Managing Director or equivalent employing person, and must clearly detail whether support is provided for the IMG to be employed into the position.

4.3 Timeframe for assessment

Provided all required information is submitted with the application, applications will be processed within 10 workings days. Incomplete applications will not be assessed and will only be processed once all required information is submitted. The responsibility for addressing all criteria and providing the required information rests with the applicant.

On completion of the assessment process, applicants will be advised of the outcome, and if successful will be provided an AON support letter from the Chief Medical Officer. The letter is personalised and unique to the employing IMG into the specific position.

It is the responsibility of the applicant to advise AHPRA of the AON approval for the IMG, and to provide them with a copy of the support letter.
The AON Program is intended to be a temporary solution for general practices to address medical practitioner shortages. It is the responsibility of the employer to ensure that IMGs appointed into a position deemed an AON are provided with safe working environment and equitable conditions. SA Health reserves the right to withdraw an AON declaration should evidence of unfair or unsatisfactory working conditions be identified.

5. Roles and Responsibilities

SA Health, Chief Medical Officer
The Chief Medical Officer has the delegation to approve AON declarations.

SA Health, South Australian Medical Education & Training (SA MET) Unit
The Project Officer – Medical Workforce employed within the SA MET Unit is responsible for assessing, maintaining and processing AON applications in accordance with this policy.

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 are responsible for considering and granting 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 is responsible for facilitating the administration of assessment pathways and national examinations for IMGs who wish to practise medicine in Australia.

6. Reporting

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

7. EPAS

AON approved positions within SA Health will require the IMG to undertake appropriate EPAS training and use the system as relevant to their employing facility.
8. National Safety and Quality Health Service Standards

The Australian Commission on Safety and Quality in Health Care has developed 10 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.

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9. Other

N/A

10. Risk Management

The AON evaluation process will contribute to identifying any risks and conducted in conjunction with the AON assessment process that will highlight any concerns. Any risks or concerns will be appropriately escalated and actioned by the Chief Medical Officer & Chief Public Health Officer.

11. Evaluation

The Project Officer - Medical Workforce will:

- Conduct routine audits of all applications received;
- maintain a record of unapproved applications and identify non-compliance, as a result of non-adherence with this policy;
- provide feedback to applicants on non-compliance issues; and
- provide advice to applicants and relevant stakeholders regarding the AON process and wider interrelated procedures in relations to AON and District of Workforce Shortage.
12. Definitions

In the context of this document:

**Area of Need (AON)** – is determined by SA Health’s Chief Medical Officer & Chief Public Health 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.

**District of Workforce Shortage (DWS)** – is determined by the Commonwealth Department of Health and relates to a geographical area of Australia in which the population’s needs for healthcare are not being met. The need for medical services is deemed to have not been met if a district has less access to medical services than the national average. This is determined by the Commonwealth Department of Health using Australian Bureau of Statistic data and the latest Medicare billing statistics.

For general practice positions, the locator map on the DoctorConnect website (www.doctorconnect.gov.au) shows areas within South Australia are considered to be DWS.

DWS queries, particularly around exemptions, can be emailed through 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 has not gained specialty qualifications from an AMC Professional Medical College in Australasia.

**Limited Registration for Area of Need** – 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.

13. Associated Policy Directives / Policy Guidelines

N/A

14. References, Resources and Related Documents


SA Health, Area of Need Application Form, http://www.sahealth.sa.gov.au/wps/wcm/connect/18f479804749d2f7a0f5b9406dbd6d83/Area+of+Need+Application+Form.pdf?MOD=AJPERES&CACHEID=18f479804749d2f7a0f5b9406dbd6d83


