

## Consultation document

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9 June 2011

### Draft registration standard and guidelines on limited registration

#### Summary

This consultation paper seeks feedback on a draft registration standard for categories of limited registration and guidelines for limited registration.

The draft registration standard and guidelines set out the requirements that would apply to physiotherapists not eligible for general registration in Australia or where supervision is a requirement for registration. Following public consultation, the Board will finalise the registration standard and limited registration guidelines, taking into account the consultation comments, and submit the final standard to the Australian Health Workforce Ministerial Council (the Ministerial Council) for approval.

#### Background

From 1 July 2010, the Physiotherapy Board of Australia (the Board) has been responsible for the registration and regulation of physiotherapists under the *Health Practitioner Regulation National Law Act* (National Law), as in force in each state and territory.

#### Registration standards and guidelines

Section 38 of the National Law empowers the Board to develop, and recommend to the Ministerial Council, registration standards about issues relevant to the eligibility of individuals for registration in the profession or the suitability of individuals to competently and safely practise the profession.

The Board has developed and consulted on a range of registration standards previously that have now been approved by the Ministerial Council. The approved standards can be accessed at [www.physiotherapyboard.gov.au](http://www.physiotherapyboard.gov.au).

In this instance, the Board has drafted a registration standard on limited registration and reviewed its previously published guidelines for limited registration.

The guidelines for limited registration cover limited registration for postgraduate training or supervised practice, in the public interest and for teaching or research.

The National Law requires the Board to undertake wide-ranging consultation on such proposals. Interested parties are invited to make written submissions on this proposal for consideration before the Board submits the proposal to the Ministerial Council. A link to the National Law is available at [www.ahpra.gov.au](http://www.ahpra.gov.au).

Submissions on the content of this consultation paper will be accepted up until close of business on Monday, 1 August, 2011. You can provide comments on this proposal in electronic form to [chair@physiotherapy.gov.au](mailto:chair@physiotherapy.gov.au); or in hardcopy to The Executive Officer, Physiotherapy Board of Australia, GPO Box 9958, Melbourne Vic 3001.

Your submission will be published on the Board's website unless you request otherwise.

## Registration standard: Consultation draft

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Date: [MinCo approval date]

### Limited registration for postgraduate training or supervised practice

#### Authority

This registration standard has been developed by the Physiotherapy Board of Australia (the Board) under section 38 of the *Health Practitioner Regulation National Law Act* (National Law) as in force in each state and territory.

#### Summary

This registration standard applies to physiotherapists not eligible for general registration in Australia intending to undertake postgraduate training, supervised practice, assessment or examination, such as the clinical part of a postgraduate physiotherapy program or the Australian Physiotherapy Council (APC) assessment process, or for return to physiotherapy practice after an absence.

Conditions include supervision, restricted duration and location of practice.

The Board will include the requirements of limited registration on the National Register pursuant to section 225 of the National Law.

#### Scope of application

This registration standard applies to individuals applying for limited registration for postgraduate training or supervised practice, under section 66 of the National Law, or for renewal of limited registration for postgraduate training or supervised practice, under Part 7 Division 9 section 107 of the National Law.

#### Requirements

All applicants must have completed a qualification that is relevant to and suitable for either the postgraduate training, supervised practice, assessment or examination.

The provision of all information required for an application for limited registration or for a renewal application for limited registration is the responsibility of the applicant. Similarly, it is the responsibility of the registrant to immediately notify the Board of any change of circumstances (such as supervisor or employer).

#### Postgraduate training

1. The individual must be enrolled in an Australian postgraduate physiotherapy program of study and be actively studying full-time or part-time but may not remain registered if a deferral from the program of study is made. Participation in such a program of study does not lead to general registration.

2. Only successful completion of the APC assessment process will enable a physiotherapist trained overseas to apply for general registration.
3. Limited registration for postgraduate training can be granted for up to 12 months.
4. Renewal can be granted up to the end date of a program of study where the period of the program is greater than 12 months.
5. The Board may also renew limited registration when the program provider indicates that a supplementary assessment or if a repeat of a component of the program is required.
6. The education provider must assure the Board that all trainee practice will be under supervision.
7. Limited registration is restricted to undertaking training. However, if the applicant can provide evidence of meeting the Board's registration standards for general registration, an application for working outside the training program, under appropriate supervision (as per the Board's *Supervision guideline*) may be considered by the Board. Such applicants must comply with requirements of *Preparation for the APC clinical assessment where the applicant seeks to practise physiotherapy*, with the exception of holding an APC *Interim Certificate*, as detailed in this registration standard.

#### **Limited registration for supervised practice**

##### *Preparation for the APC clinical assessment where the applicant seeks to practise physiotherapy*

1. The individual must hold a valid APC *Interim Certificate*.
2. The individual must meet all of the Board's registration standards on English language skills, professional indemnity insurance, criminal history, recency of practice and continuing professional development. These registration standards are published on the Board's website at [www.physiotherapyboard.gov.au](http://www.physiotherapyboard.gov.au) under *Registration standards*.
3. Cancellation of an individual's APC *Interim Certificate* will result in a cancellation of the individual's limited registration to prepare for the clinical part of the APC assessment process.
4. The period of the individual's limited registration to prepare for the clinical part of the APC assessment process will be no longer than the period of validity of the individual's APC *Interim Certificate*. Renewal is possible only up to the end date of the individual's APC *Interim Certificate*.
5. Practice must be supervised by a physiotherapist with general registration in accordance with the Board's *Supervision guideline*, available at [www.physiotherapyboard.gov.au](http://www.physiotherapyboard.gov.au).
6. A letter from the host employer confirming the offer of employment including details of the date(s), location(s) of practice, scope/area of practice and information on supervisor(s) according to the Board's *Supervision guideline* must be provided to the Board with the individual's application.

##### *Undertaking the clinical part of the APC assessment process where practice is limited to undertaking the APC examination*

1. The individual must hold a valid APC *Interim Certificate*.

2. The individual is not required to meet all of the Board's registration standards on English language skills, professional indemnity insurance, criminal history, recency of practice and continuing professional development.
3. Details of the date(s) for assessment, location of assessment, scope/area of assessment and names of the assessor(s) will be provided to the Board by the APC.
4. The period of an individual's limited registration to undertake the clinical part of the APC assessment process will be no longer than the end date(s) for assessment as advised to the Board by the APC.
5. The Board may renew registration when the APC indicates that a supplementary assessment or repeat of a component of the program is indicated.
6. When the individual receives an APC *Final Certificate*, he or she will be eligible to apply for general registration. The individual must apply for general registration and the limited registration will be cancelled.

## Definitions

**Supervision** means the monitoring and reporting on the performance of a physiotherapist by a physiotherapist with general registration in accordance with the *Supervision guideline*, Physiotherapy Board of Australia 2011.

**National Law** means the *Health Practitioner Regulation National Law Act* (National Law) as in force in each state and territory.

## References

*Supervision guideline*, Physiotherapy Board of Australia 2011.

*Recency of practice registration standard*, Physiotherapy Board of Australia 2010.

## Review

This registration standard will commence on the day it is approved by the Australian Health Workforce Ministerial Council). The Board will review this registration standard at least every three years.

## Registration standard: Consultation draft

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[MinCo Approval Date]

### Limited registration in the public interest

#### Authority

This registration standard has been developed by the Physiotherapy Board of Australia (the Board) under section 38 of the *Health Practitioner Regulation National Law Act* (National Law) as in force in each state and territory.

#### Summary

The Board will determine whether it is in the public interest to register a physiotherapist but, in general, will only register a physiotherapist for a limited time and/or a limited scope. An example of where it might be in the public interest to register a physiotherapist includes an unexpected situation where a natural disaster has occurred.

Limited registration in the public interest is not a suitable type of registration for physiotherapists who are working towards gaining general registration. These physiotherapists should apply for limited registration for postgraduate training or supervised practice.

Usually, the Board will grant limited registration in the public interest for one month. While the Board may grant limited registration in the public interest for a period of up to 12 months, it would be usual that the period of registration is limited for the duration of the public interest circumstances.

The Board will include the requirements of limited registration on the National Register pursuant to section 225(p) of the National Law.

#### Scope of application

This registration standard applies to individuals applying for limited registration in the public interest, under section 68 of the National Law, or for renewal of limited registration in the public interest, under Part 7 Division 9 section 107 of the National Law.

#### Requirements

Applicants must meet the Board's registration standards on English language skills, professional indemnity insurance, criminal history, recency of practice and continuing professional development. These registration standards are available on the Board's website at [www.physiotherapyboard.gov.au](http://www.physiotherapyboard.gov.au) under *Registration standards*.

Applicants must submit:

1. a position description for the proposed position

2. a letter from the host employer confirming the offer of employment including dates, location(s) of practice and scope/area of practice
3. a letter from the host employer that demonstrates, to the Board's satisfaction, why the appointment of the individual to the position would be in the public interest; the Board is the arbiter of whether a position is in the public interest
4. a report from the APC regarding the suitability of the individual's qualifications and experience to practise physiotherapy for the specific dates, location(s) of practice and scope/area of practice and
5. if registration is granted for more than four weeks, documentation adhering to the requirements of the Board's *Supervision guideline* must be provided.

If an individual with limited registration in the public interest does not maintain employment or clinical engagement in the designated position, he or she is unable to comply with the requirements on practice and therefore cannot practise physiotherapy in Australia.

### **Renewal**

Given the short-term nature of limited registration in the public interest, it is unlikely that renewal of registration will be necessary.

### **Definitions**

**Supervision** means the monitoring and reporting on the performance of a physiotherapist by a registered physiotherapist in accordance with the Physiotherapy Board of Australia's *Supervision guideline*.

**National Law** means the *Health Practitioner Regulation National Law Act* (National Law) as in force in each state and territory.

### **References**

*Supervision guideline*, Physiotherapy Board of Australia 2011.

### **Review**

This registration standard will commence on (the day it is approved by the Australian Health Workforce Ministerial Council). The Board will review this registration standard at least every three years.

## Registration standard: Consultation draft

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[MinCo Approval Date]

### Limited registration for teaching or research

#### Authority

This registration standard has been developed by the Physiotherapy Board of Australia (the Board) under section 38 of the *Health Practitioner Regulation National Law Act* (National Law) as in force in each state and territory.

#### Summary

This registration standard enables overseas-qualified physiotherapists, who are not eligible for general registration in Australia, to fill a teaching or research position if suitably qualified. The registration will be limited in scope, location and time to the teaching or research practice required specifically for that position. The limited registration will be for no more than 12 months and may be renewed up to three times.

#### Scope of application

This registration standard applies to individuals applying for limited registration for teaching or research, under section 69 of the National Law, or for renewal of limited registration for teaching or research, under Part 7 Division 9 section 107 of the National Law.

#### Requirements

Applicants are required to have an offer of employment from a host employer who can satisfy the Board that the individual's qualifications are relevant to, and suitable for, the position.

Applicants must meet all the Board's registration standards on English language skills, professional indemnity insurance, criminal history, recency of practice and continuing professional development. These registration standards are available on the Board's website at [www.physiotherapyboard.gov.au](http://www.physiotherapyboard.gov.au) under *Registration standards*.

The Board will grant limited registration for teaching or research for no more than 12 months. The applicant will be registered to practise only within the date(s), location(s) and scope/area of practice specified for the position.

Applicants must submit:

1. a letter from the host employer that demonstrates, to the Board's satisfaction, that the individual's qualifications are relevant to, and suitable for, the position and
2. details of the position offered including dates, location(s) and scope/area of practice.

In accordance with section 83 of the National Law, if a Board decides to register a person, the registration is subject to any condition the Board considers necessary or desirable in the circumstances. If the Board decides to register a person subject to a condition under section 83(1) of the National Law, the Board must decide a review period for the condition.

The Board may require further information.

### **Change of employment**

If an individual with limited registration for teaching or research does not maintain employment in the designated position, he or she will not comply with the requirements of limited registration and therefore cannot practise physiotherapy in Australia. The individual will need to submit a new application for limited registration to practise in a new position.

### **Independent practitioners**

Individuals intending to teach or conduct research independently - for example, to provide a short course - may be eligible for this category of limited registration. In this instance, applicants will themselves need to satisfy the Board that their qualifications are relevant to and suitable for the activity proposed. The Board will require details of the proposed activity including date(s), location(s) and scope of practice. Whether applicants applying for registration for this purpose are required to meet the registration standards for general registration will be determined by the Board on a case-by-case basis.

### **Renewal**

Renewal of limited registration for teaching or research will be subject to the physiotherapist meeting the following requirements:

1. completion of an annual renewal form in accordance with section 107 of the National Law, including an annual statement in accordance with section 109 and
2. demonstrated compliance with any conditions or requirements on registration.

The Board will not renew limited registration in any category more than three times. However, a new application for limited registration can be made.

### **Definitions**

**National Law** means the *Health Practitioner Regulation National Law Act* (National Law) as in force in each state and territory.

### **References**

*Supervision guideline*, Physiotherapy Board of Australia 2011.

### **Review**

This registration standard will commence on (the day it is approved by the Australian Health Workforce Ministerial Council). The Board will review this registration standard at least every three years.



## Guidelines for limited registration

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[MinCo Reg Std Approval Date]

Limited registration for postgraduate training or supervised practice

Limited registration in the public interest

Limited registration for teaching or research

### Introduction

These guidelines have been developed by the Physiotherapy Board of Australia under section 39 of the *Health Practitioner Regulation National Law Act (National Law)* as in force in each state and territory.

Under section 41 of the National Law, guidelines are admissible in disciplinary proceedings brought by the Board as evidence of what constitutes professional conduct or practice for physiotherapy.

These guidelines address the category of limited registration.

### Who needs to use these guidelines?

These guidelines are to help individuals seeking to become registered physiotherapists who are not eligible for general registration in Australia. They apply to all physiotherapists granted limited registration for postgraduate training or supervised practice (section 66), limited registration for teaching or research (section 69) and limited registration in the public interest (section 68).

### Summary of guidelines

These guidelines explain the requirements for limited registration to practise as a physiotherapist. These guidelines apply to physiotherapists not eligible for general registration in Australia.

The Board may grant limited registration:

- for postgraduate training or supervised practice
- in the public interest or
- for teaching or research.

The requirements are specific for each category of limited registration and are detailed in these guidelines.

Conditions of registration can include supervision and/or restricted scope, duration and location of practice.

Limited registration will be for no more than 12 months and may be renewed up to three times. Registration starts when the Board makes the decision and expires at the end of the last day of the registration period.

## Requirements

### 1. Limited registration for postgraduate training or supervised practice

All applicants must have completed a qualification that is relevant to, and suitable for, the postgraduate training, supervised practice, assessment or examination.

#### 1.1 Postgraduate training

The individual must be enrolled in an Australian postgraduate physiotherapy program of study and be actively studying full-time or part-time but may not remain registered if a deferral from the program of study is made. Participation in such a program of study does not lead to general registration.

- a) Only successful completion of the APC assessment process will enable a physiotherapist trained overseas to apply for general registration.
- b) Limited registration for postgraduate training can be granted for no more than 12 months.
- c) Renewal can be granted up to the end date of a program of study where the period of the program is greater than 12 months.
- d) The Board may also renew registration when the program provider indicates that a supplementary assessment or repeat of a component of the program is indicated.
- e) The education provider must assure the Board that all trainee practice will be under supervision.
- f) Limited registration is restricted to undertaking training. However, if the applicant can provide evidence of meeting the Board's registration standards for general registration, an application for working outside the training program, under appropriate supervision (as per the Board's Supervision guideline) may be considered by the Board. Such applicants must comply with requirements at 1.2.1 with the exception of holding an APC *Interim Certificate*.

#### 1.2 Limited registration for supervised practice

##### 1.2.1 Preparation for the APC clinical assessment where the applicant seeks to practise physiotherapy

- a) The individual must hold a valid APC *Interim Certificate*.
- b) The individual must meet all the Board's registration standards on English language skills, professional indemnity insurance, criminal history, recency of practice and continuing professional development. These registration standards are available at the Board's website at [www.physiotherapyboard.gov.au](http://www.physiotherapyboard.gov.au) under *Registration standards*.
- c) Cancellation of an individual's APC *Interim Certificate* will result in cancellation of the individual's limited registration to prepare for the clinical part of the APC assessment process.
- d) The period of an individual's limited registration to prepare for the clinical part of the APC assessment process will be no longer than the period of validity of the individual's *Interim Certificate*. Renewal is only possible up to the end date on the individual's APC *Interim Certificate*.

- e) Practice must be supervised by a registered physiotherapist in accordance with the Board's Supervision guideline.
- f) A letter from the host employer confirming the offer of employment including details of the date(s), location(s) of practice, scope/area of practice and information on supervisor(s) according to the Board's *Supervision guideline* must be provided to the Board with the individual's application.

### 1.2.2 *Undertaking the clinical part of the APC assessment process where practice is limited to undertaking the APC examination.*

- a) The individual must hold a valid APC *Interim Certificate*.
- b) The individual is not required to meet all the Board's registration standards on English language skills, professional indemnity insurance, criminal history, recency of practice and continuing professional development.
- c) Details of the date(s) for assessment, location of assessment, scope/area of assessment and name(s) of the assessor(s) will be provided to the Board by the APC after the individual's application.
- d) The period of an individual's limited registration to undertake the clinical part of the APC assessment process will be no longer than the end date(s) for assessment as advised to the Board by the APC.
- e) The Board may renew registration when the APC indicates that a supplementary assessment or repeat of a component of the program is indicated.
- f) When the individual receives an APC *Final Certificate*, he or she will be eligible to apply for general registration. The individual must apply for general registration and the limited registration will be cancelled.

## 2. **Limited registration in the public interest**

The Board will determine whether it is in the public interest to register a physiotherapist but in general, will only register a physiotherapist for a limited time and/or for a limited scope. An example of where it might be in the public interest to register a physiotherapist includes an unexpected situation where a natural disaster has occurred.

Limited registration in the public interest is not a suitable type of registration for physiotherapists who are working towards gaining general registration. These physiotherapists should apply for limited registration for postgraduate training or supervised practice.

Applicants must meet all the Board's registration standards on English language skills, professional indemnity insurance, criminal history, recency of practice and continuing professional development. These registration standards are available at the Board's website at [www.physiotherapyboard.gov.au](http://www.physiotherapyboard.gov.au) under *Registration standards*.

Usually, the Board will grant limited registration in the public interest for one month. While the Board may grant limited registration for public interest for a period of up to 12 months, it would be usual that the period of registration is limited for the duration of the public interest circumstances.

The Board will include the requirements of limited registration on the National Register pursuant to section 225(p) of the National Law.

Applicants must submit:

- a) a position description for the proposed position
- b) a letter from the host employer confirming the offer of employment including date(s), location(s) of practice and scope/area of practice
- c) a letter from the host employer that demonstrates, to the Board's satisfaction, why the appointment of the individual to the position would be in the public interest; the Board is the arbiter of whether a position is in the public interest
- d) a report from the APC regarding the suitability of the individual's qualifications and experience to practise physiotherapy for the specific date(s), location(s) and scope/area of practice and
- e) if registration is granted for more than four weeks, documentation adhering to the requirements of the Board's *Supervision guideline*, available at [www.physiotherapyboard.gov.au](http://www.physiotherapyboard.gov.au), must be provided.

If an individual with limited registration in the public interest does not maintain employment or clinical engagement in the designated position, he or she is unable to comply with the requirements on practice and therefore cannot practise physiotherapy in Australia.

#### *Renewal*

Given the short-term nature of limited registration in the public interest, it is unlikely that renewal of registration will be necessary.

### **3. Limited registration for teaching or research**

Applicants are required to have an offer of employment from a host employer who can satisfy the Board that the individual's qualifications are relevant to, and suitable for, the position.

Applicants must meet all the Board's registration standards on English language skills, professional indemnity insurance, criminal history, recency of practice and continuing professional development. Registration standards are available at the Board's website at [www.physiotherapyboard.gov.au](http://www.physiotherapyboard.gov.au) under *Registration standards*.

The Board will grant limited registration for teaching or research for no more than 12 months. The applicant will be registered to practise only within the date(s), location(s) of practice and scope/area of practice specified for the position.

Applicants must submit:

- a) a letter from the host employer that demonstrates, to the Board's satisfaction, that the individual's qualifications are relevant to, and suitable for, the position and
- b) details of the position offered including date(s), location(s) and scope/area of practice

In accordance with section 83 of the National Law, if a Board decides to register a person, the registration is subject to any condition the Board considers necessary or desirable in the circumstances. If the Board decides to register a person subject to a condition under section 83(1) of the National Law, the Board must decide a review period for the condition.

Please note that the Board may require further information.

#### *Change of employment*

If an individual with limited registration for teaching or research does not maintain employment in the designated position, he or she will not comply with the requirements on limited registration and therefore cannot practise physiotherapy in Australia. The individual will need to submit a new application for limited registration to practise in a new position.

#### *Independent practitioners*

Individuals intending to teach or conduct research independently - for example, to provide a short course - may be eligible for this category of limited registration. In this instance, applicants will themselves need to satisfy the Board that their qualifications are relevant to and suitable for the activity proposed. The Board will require details of the proposed activity including dates, location(s) and scope of practice. Whether applicants applying for registration for this purpose are required to meet the registration standards for general registration will be determined by the Board on a case-by-case basis.

#### *Renewal*

Renewal of limited registration for teaching or research will be subject to the physiotherapist meeting the following requirements:

- a) completion of an annual renewal form in accordance with section 107 of the National Law, including an annual statement in accordance with section 109 and
- b) demonstrated compliance with any conditions or requirements on registration.

The Board will not renew limited registration in any category more than three times. However, a new application for limited registration can be made.

#### *Do course presenters from overseas need to be registered?*

**No**, if:

- they only use the title *physiotherapist* with words explaining their status in Australia; for example, physiotherapist (registered in the United Kingdom), physiotherapist (qualified in Canada - not registered in Australia) or
- they do not hold themselves out as a physiotherapist registered in Australia or

- they do not undertake manipulation of the cervical spine.

**Yes**, if they are:

- using the title *physiotherapist*, for example, advertising themselves as a physiotherapist or
- holding themselves out as a registered physiotherapist in Australia; for example, by offering any services to the general public or
- undertaking manipulation of the cervical spine.

*Do course attendees from overseas need to be registered?*

**No**, if:

- they only use the title *physiotherapist* with words explaining their status in Australia; for example, physiotherapist (registered in the United Kingdom), physiotherapist (qualified in Canada - not registered in Australia) or
- they do not hold themselves out as a registered physiotherapist; for example, they do not offer any services to the general public or
- they do not undertake manipulation of the cervical spine.

**Yes**, if they are:

- using the title *physiotherapist*, for example, advertising themselves as a physiotherapist or
- holding themselves out as a registered physiotherapist in Australia; for example, by offering any services to the general public or
- undertaking manipulation of the cervical spine.

The Board will not renew limited registration in any category more than three times. However, a new application for limited registration can be made.

### **Compliance with conditions**

Supervision and other requirements for limited registration will be stated as conditions on the limited registrant's registration and will be published on the National Register. The Board will monitor compliance of the conditions of limited registration. The Board may decide to refuse to renew the registration of a practitioner (under section 112(2)(b) of the National Law) if conditions are not complied with. Any breach of a condition constitutes a ground for a voluntary notification (S 144(1)(f)).

### **Definitions**

**Supervision** means the monitoring and reporting on the performance of a physiotherapist by a registered physiotherapist in accordance with the Physiotherapy Board of Australia *Supervision guideline*.

**National Law** means the *Health Practitioner Regulation National Law Act* (National Law) as in force in each state and territory.

### **References**

*Supervision guideline*, Physiotherapy Board of Australia [Insert Date].

*Date of issue: 1 July 2010*

*Date of review: These guidelines will be reviewed at least every three years*

*Last reviewed: [insert date of publication]*

DRAFT