



## **NURSING AND MIDWIFERY BOARD OF AUSTRALIA**

Meeting Number 2  
21 October 2009

Melbourne Airport Hilton, Melbourne, Victoria

Final decisions and actions arising

### **Members present**

Anne Copeland (Chair), Gillie Anderson, Angela Brannelly, Mary Chiarella, Denise Fassett, Lynne Geri, Louise Horgan, Mary Kirk, Christine Murphy, Heather Sjoberg and Margaret Winn

### **Apologies**

Lynette Cusack

### **In attendance**

Marion Clark, National Registration and Accreditation Implementation Project (NRAIP) (notetaker)

Dr Louise Morauta, Project Director, NRAIP from 11.30 am – 12 pm

Del Stitz, Director Implementation, NRAIP from 1 pm – 1.45 pm

### **1. Welcome and general overview matters**

#### **Item 1.1 Disclosure of conflict of interest**

Members, in accordance with Section 6(1) of Schedule 3 of the Act, acknowledged there were no further conflicts of interest in relation to matters to be considered at this meeting.

*ACTION: Nil*

#### **Item 1.2 Record of decisions and actions arising from last meeting**

Members:

1. noted the record of decisions and actions arising from the last meeting
2. amended item 4.6 (7) to read: *"agreed to do further work more slowly and not for 1 July 2010 on possible endorsements for mental health in conjunction with the policy committee, led by the registrar from Victoria in consultation with the registrars from South Australia and Tasmania"* and

3. amended item 5.1 (6) to change “accreditation committee” to “accreditation authority”
4. approved the amended record.

*Moved: Louise Horgan  
Seconded: Angela Brannelly*

*ACTION: Nil*

### **Item 1.3      Implementation update**

Members:

1. noted the implementation update
2. noted that no SALT Agreements had been returned from South Australia, the Northern Territory and New South Wales and expressed significant concern at the implications of these delays for the decisions required
3. noted that the Northern Territory and New South Wales were two jurisdictions where Governments run the registration boards, and
4. requested that this item be escalated to a ‘red light’ because of its seriousness.

*Moved: Louise Horgan  
Seconded: Gillie Anderson*

*ACTION: NRAIP*

## **2.              Transition matters**

### **Item 2.1      Registration transition and registration transition plans**

Members:

1. noted that all national boards approved at their meetings of 20 September 2009 the two-stage process for finalising registration transitions and transition plans
2. noted the revised Registration Migration Matrix for the Nursing and Midwifery Board of Australia was prepared following the first round feedback from State and Territory boards and was re-circulated to all State and Territory boards for comment by Monday, 13 October
3. amended the summary of registration types likely to have transitioned registrants on 1 July 2010 at Attachment A to change provisional registration, limited registration for area of need and non-practising registration to ‘maybe’ for all divisions for stage 2 approval, and
4. subject to the amendments listed above, agreed to Stage 1 transition decisions listed in the revised Registration Migration Matrix for the profession for use by the data migration consultants in the data cleansing and migration exercise to be undertaken with State and Territory boards.

*Moved: Mary Chiarella  
Seconded: Christine Murphy*

*ACTION: NRAIP*

**3. Registration matters**

**Item 3.1 Mandatory registration standards**

**Item 3.1.1 English language requirements**

Members:

1. noted their preferences for some amendments as follows:
  - a. changes to the definition of “*international student*” to include entry-to-practice students and postgraduate students
  - b. changes to allow boards discretion in accepting OET
  - c. changes to allow Boards discretion in whether to accept IELTS (or approved equivalent) results more than two years old, and
  - d. amendments to 1.(a) to clarify that English must be the medium of instruction and remove the list of countries, and
2. agreed, subject to the views of other national boards, to include the draft English language requirements registration standard in the Board’s consultation paper to be released on 27 October 2009 with particular reference to the items mentioned above.

*Moved: Louise Horgan*  
*Seconded: Margaret Winn*  
*ACTION: Chair/NRAIP*

**Item 3.1.2 Criminal history requirements**

Members:

1. noted their preferences for some amendments as follows:
  - a. use of numbering throughout the draft standard for easier reference
  - b. editing to correct spelling mistakes
  - c. addition of word “*or clients*” whenever “*patients*” are mentioned, and
  - d. removal of the words “*in descending order of relevance*” under the third requirement, and
2. agreed, subject to the views of other national boards, to include the draft criminal history requirements registration standard at in the Board’s consultation paper to be released on 27 October 2009 with particular reference to the items mentioned above.

*Moved: Lynne Geri*  
*Seconded: Christine Murphy*  
*ACTION: Chair/NRAIP*

**Item 3.1.3 Continuing professional development (CPD) requirements**

Members:

1. agreed that the Board will not at this stage require continuing professional development (CPD) programs to be accredited or approved by the Board
2. agreed that the registration standard will not include process details of audit arrangements but that these will be published in guidelines to be the subject of consultation in the new year, and

3. agreed to include the draft CPD requirements registration standard, in the Board's consultation paper to be released on 27 October 2009, amended to clarify that nurses on the nursing register are required to participate in 20 hours of nursing CPD, midwives on the midwifery register are required to participate in 20 hours of midwifery CPD and activities can be counted towards meeting both requirements only when they are relevant to both professions.

*Moved: Louise Horgan  
Seconded: Angela Brannelly*

*ACTION: Chair/NRAIP*

**Item 3.1.4 Professional indemnity insurance (PII) arrangements requirements**

Members agreed to include the draft PII requirements registration standard in the Board's consultation paper to be released on 27 October 2009, amended to clarify the exemptions for privately practising midwives and delete the example of higher risk under point 5.

*Moved: Gillie Anderson  
Seconded: Louise Horgan*

*ACTION: Chair/NRAIP*

**Item 3.1.5 Recency of practice requirements**

Members:

1. considered the information from the Australian Nursing and Midwifery Council (ANMC) and determined to specify a minimum time of six months, and
2. agreed to include the draft Recency of practice registration standard, in the Board's consultation paper to be released on 27 October 2009, amended to remove the square brackets around "six months", change "maintain" to "demonstrate" competence and amend the timeframe to require application for registration within two years from graduation.

*Moved: Lynne Geri  
Seconded: Louise Horgan*

*ACTION: Chair/NRAIP*

**Meeting with Dr Louise Morauta, Project Director, NRAIP**

Dr Morauta joined the meeting.

Members noted:

1. the need to make recommendations to Ministers on size and composition of State and Territory boards
2. the desirability of replacing the current endorsement of enrolled nurses for administration of medicines with conditions imposed on a case-by-case basis on enrolled nurses, and that this would include Northern Territory enrolled nurses
3. the need to ensure that by creating endorsements the Board is not restricting practice as that is not the intention of the legislation

4. the desirability of having an open endorsement for scheduled medicines rather than specific ones to provide for flexibility and movement over time and the possible need for States and Territories to amend their drugs and poisons legislation, and
5. the need to have a scheduled medicines endorsement for eligible midwives to accommodate the Commonwealth's initiative to give access to PBS and MBS for experienced midwives and the need for the Board to assume authority in this matter.

Members expressed their appreciation for Dr Morauta's advice.

### **Item 3.2 Other registration standards**

#### **Item 3.2.1 Nurse practitioners' registration standard**

Members:

1. agreed that the registration standard will not include details of the application process for endorsement but that these will be published in guidelines to be the subject of consultation in the new year, and
2. agreed to include the draft nurse practitioners' registration standard A, in the Board's consultation paper to be released on 27 October 2009, amended to add the requirement to complete requisite qualifications, and remove the requirements for provision of a portfolio.

*Moved: Mary Kirk*

*Seconded: Denise Fassett*

*ACTION: Chair/NRAIP*

#### **Item 3.2.2 Midwife practitioners' registration standard**

Members:

1. agreed that the registration standard will not include details of the application process for endorsement but that these will be published in guidelines to be the subject of consultation in the new year, and
2. agreed to include the draft midwife practitioners' registration standard, in the Board's consultation paper to be released on 27 October 2009, amended to mirror the nurse practitioner standard and to acknowledge that it reflects that of the Nurses and Midwives Board of New South Wales.

*Moved: Lynne Geri*

*Seconded: Louise Horgan*

*ACTION: Chair/NRAIP*

### **Item 3.3 Endorsements**

#### **Item 3.3.1 Scheduled medicines endorsements**

Members:

1. noted that members agreed on 20 September to a process to develop proposals on nursing and midwifery endorsements for consultation prior to recommendation to the Ministerial Council for approval and specifically, agreed to do further work on scheduled medicines endorsements with the Registrar of the Queensland Nursing Council (QNC), in consultation with State and Territory boards and the Agency

2. noted the summary of the current scheduled medicines related endorsements across States and Territories
3. considered draft proposals for endorsements on remote and isolated practice, sexual and reproductive health and immunisation and agreed that scheduled medicines endorsements should not be restrictive and should allow for flexibility in the future
4. noted the recommendations of the Midwifery Services Advisory Group to the Commonwealth and agreed that it is important for the board to assume leadership in defining any standards for midwife prescribing under the new Commonwealth legislation
5. agreed that endorsements for enrolled nurses to administer scheduled medicines were not necessary
6. noted that any proposals for Ministerial Council must be included in the consultation paper to be released on 27 October and agreed to include two proposals for scheduled medicines endorsements in the Board's consultation paper, one for eligible registered nurses and one for eligible midwives
7. requested Marion Clark to develop brief draft proposals and circulate them to all Board members for comment prior to including them in the consultation paper, and
8. agreed that further information will be collected and the proposals will be further developed for consideration by the board prior to finalising the standards for submission to the Ministerial Council.

*Moved: Mary Chiarella*

*Seconded: Mary Kirk*

*ACTION: Chair/NRAIP*

### **Item 3.4 Possible area of practice endorsements**

#### **Item 3.4.1 Possible area of practice endorsement in mental health nursing**

Members:

1. noted the paper on endorsement in mental health nursing prepared by the Registrar of the Nurses Board of Victoria, presenting two options: endorsement and no endorsement, and
2. agreed not to include a mental health endorsement in the 27 October consultation paper or in recommendations to the Ministerial Council.

*Moved: Margaret Winn*

*Seconded: Louise Horgan*

*ACTION: Nil*

#### **Item 3.4.2 Possible area of practice endorsement in maternal and child health nursing**

Members:

1. noted the paper on endorsement of nurses with post-graduate qualifications in maternal and child health nursing developed by the Registrar, Nursing Board of Victoria
2. noted that, after consultation with other nursing and midwifery regulatory authorities (NMRAs) the Registrar recommends that there should not be an endorsement, and



3. agreed not to recommend an endorsement in maternal and child health to the Ministerial Council.

*Moved: Denise Fassett  
Seconded: Christine Murphy*

*ACTION: Nil*

### **Item 3.5      Draft consultation paper covering previous items**

Members:

1. agreed that, subject to amendments to the draft consultation paper arising from decisions of this meeting and editorial tidying, the Chair would clear the final version of the consultation paper for posting on the Board's website on 27 October 2009
2. noted that the NRAIP team will send advice as soon as the materials are posted about the postings for all boards to all members of national boards, and Presidents and CEOs of existing State and Territory boards, all governments and the national forum stakeholder list, and
3. agreed to contract the analysis of submissions to Michael Cleary, through the Nursing Board of New South Wales, and if he is unable to undertake this work, then Denise Ryan.

*Moved: Denise Fassett  
Seconded: Margaret Winn*

*ACTION: Chair/NRAIP*

### **Item 3.6      Development of code of conduct covering all boards**

Members:

1. noted that the code of conduct is a professional code not a Board one and noted that there would be value in having a Board code of conduct
2. agreed that the medical code of conduct is not applicable to nursing and midwifery and the modifications required to apply it were too extensive to be practicable
3. noted that Australian Nursing and Midwifery Council (ANMC) have done a lot of work in developing codes of conduct and ethics for nursing and midwifery, and
4. agreed not to use *Good Medical Practice* as a basis for nursing and midwifery.

*ACTION: Nil*

### **Item 3.7      Codes and guidelines required for commencement**

Members:

1. noted that ANMC has done considerable work on codes and guidelines that could be adopted or developed by the Board
2. noted that ANMC has given permission to re-use all ANMC documents and indicated that official permission to use ANMC intellectual property has been verbally given with a formal letter expected in the near future
3. agreed to develop codes and guidelines on:
  - a. continuing professional development, including more detail on acceptable programs and audit process and requirements

- b. requirements for application for nurse practitioner endorsement
  - c. requirements for application for midwife practitioner endorsement
  - d. requirements for endorsement of eligible registered nurses for scheduled medicines, and
  - e. requirements for endorsement of eligible midwives for scheduled medicines, and
4. agreed to formally adopt the ANMC Codes of Professional Conduct and Ethics for nurses and midwives and competency standards for registered nurses, enrolled nurses, midwives and nurse practitioners when official permission has been given on intellectual property.

*Moved: Louise Horgan*

*Seconded: Mary Chiarella*

*ACTION: Chair/NRAIP*

#### **4. Accreditation matters**

##### **Item 4.1 Draft consultation paper on accreditation standards**

Members:

- 1. noted the materials received from the ANMC in response to a request from the Chair of the Board regarding the ANMC draft accreditation standards
- 2. agreed to amend the draft consultation paper only by inserting the word “guiding” into “COAG principles”
- 3. agreed that, subject to one minor amendment and editorial tidying, the Chair clear the final version of the paper for posting on the Board’s website on 27 October 2009
- 4. noted that the NRAIP team will send advice as soon as the materials are posted about the postings for all boards to all members of national boards and Presidents and CEOs of existing State and Territory boards, all governments and the national forum stakeholder list, and
- 5. agreed to contract the analysis of submissions to Michael Cleary, through the Nursing Board of New South Wales, and if he is unable to undertake this work, then Amanda Adrian, through the Nursing Board of Western Australia.

*Moved: Lynne Geri*

*Seconded: Louise Horgan*

*ACTION: Chair/NRAIP*

#### **5. Administrative and financial matters**

##### **Item 5.1 Presentation by Del Stitz on developing the 2010–11 budget**

Members noted the presentation from Ms Stitz and expressed their appreciation.

*ACTION: Nil*



## **Item 5.2 Expenditure in 2009–10**

Members:

1. noted that governments have provided a contribution of \$19.8 million towards implementation costs for the new arrangements, as well as additional provision above that level in order to fully cover all IT costs to 30 June 2010
2. noted that available government funding will not fully cover 2009–10 implementation costs and that registrant fee reserves will need to cover some costs in 2009–10 through reimbursement in 2010–11
3. noted that South Australia, the Northern Territory and New South Wales had not yet returned their SALT Agreements and expressed concerns
4. requested clarification on the source of the \$120,000 to the Psychology Board (Note: Board expenditure)
5. agreed that the Finance Advisory Committee of the Board will take the lead on developing budgets
6. noted that the budget should include the costs of review of the professional practice framework, other projects, consultancy fees, national and international meetings, development of State and Territory boards and the national board, and payments to the accreditation body.

*Moved: Louise Horgan  
Seconded: Gillie Anderson*

*ACTION: Chair/NRAIP*

## **Item 5.3 Options for State and Territory boards**

Members:

1. considered the size of the State and Territory boards and confirmed their decision to have boards in each State and Territory, and
2. agreed to recommend to Ministers that the boards are kept small on the basis that the responsibilities of the boards will be much reduced from their current responsibilities and larger boards will not be needed and also to keep the costs as low as possible.

*Moved: Mary Chiarella  
Seconded: Denise Fassett*

*ACTION: NRAIP*

## **Item 5.4 Delegations**

Members:

1. noted the list of key powers that may be delegated
2. considered the proposed principles applying to delegations in Table 1 and did not support the principles
3. deferred the decision on delegations for consideration by the Finance Advisory Committee, and

4. noted that a fuller proposal about delegations will be brought to the next meeting following the advice received from the Boards.

*ACTION: Chair/NRAIP*

**Item 5.5      Items for which fees should be paid**

Members:

1. agreed that a common fee be set for an extract or copy of the register, independent of profession
2. agreed that late renewals (within a month of due date) be charged an additional fee of 50 per cent of the registration renewal fee at the first renewal under the new scheme and 75 per cent thereafter
3. agreed that renewal of endorsements not incur a charge over and above the registration renewal charge
4. agreed that where a practitioner applies at one point in time to be registered in more than one division of a single register or on two registers managed by a single board the practitioner only be charged a single fee
5. agreed that where a practitioner is registered in more than one division of a single register or on two registers managed by a single board the practitioner only be charged a single renewal fee

*Table 2*

6. agreed that registrants should not be charged twice if they are registered twice with one board
  - a. at registration when they register for both at the same time, and
  - b. on renewal
7. agreed that registrants should be charged twice if they are registered twice with one board at registration when they register at different times
8. agreed that the same renewal fee be charged for all registrations
9. agreed that the same application fee be charged for general, limited and specialist registrations but that the fee for non-practising registration should be lower, noting that more information was needed prior to setting relativity
10. agreed that overseas applicants should be charged a different application fee, reflective of the effort involved in processing the application, noting that more information was needed prior to setting relativity, and

*Table 3*

11. agreed to the proposed business rules set out in Table 3.

*Moved: Angela Brannelly*

*Seconded: Margaret Winn*

*ACTION: NRAIP*

**6. Other business**

**Item 6.1 Roles of Board advisory committees**

Members:

1. agreed to the draft terms of reference
2. agreed to review the terms of reference after 12 months to ensure that they are still relevant, and
3. agreed to the following changes in membership of the committees
  - a. Registration: Denise Fassett, Mary Kirk and Margaret Winn
  - b. Policy and research: Lynette Cusack, Mary Kirk and Mary Chiarella.

*Moved: Louise Horgan  
Seconded: Margaret Winn  
ACTION: Nil*

**Item 6.2 Possible communications following this meeting**

Members agreed to the release of a communiqué to be finalised by the Chair.

*ACTION: Chair/NRAIP*

**Item 6.3 Chair's report and correspondence**

Members:

1. noted the Chair's report on the national boards Chairs' meeting of 14 October
2. noted that Anne Copeland has been invited to be on the panel for the appointment of the Queensland State Manager and Angela Brannelly was on the panel for the Northern Territory Manager
3. noted that the Chair has been invited to meet with Commonwealth officials in Canberra on Tuesday 27 October
4. noted the correspondence received and sent and agreed that members did not need to see all the correspondence in future
5. expressed concern about the ability of the IT systems being developed to cope with the large numbers of nursing and midwifery registrations and noted that the Chair would raise the issue at the national boards Chairs' meeting on 11 November, and
6. considered the tabled correspondence (see Attachment B) from Adjunct Professor Belinda Moyes on behalf of the Australia and New Zealand Council of Chief Nurses (ANZCCN) and agreed that it was not the priority of the Board to take over the ANZCCN's work on re-entry to practice programs and self declaration of competency for renewal of registration at this stage

*ACTION: Chair/NRAIP*

**7. Next meeting**

Members:

1. noted that the next meeting is on Thursday. 19 November, and
2. agreed that report from the Chair would be a standing item.

**Nursing and Midwifery Board of Australia  
All State and Territory Registers – nurses and midwives**

**TABLE: Nurses and Midwives Registers - Summary of registration types likely to have transitioned registrants on 1 July 2010**

	Enrolled nurses	Registered nurses	Midwives	Stage approved
General registration	Yes	Yes	Yes	1
Provisional registration	Maybe	Maybe	Maybe	2
Limited registration for postgraduate training or supervised practice	Yes	Yes	Yes	1
Limited registration for area of need	Maybe	Maybe	Maybe	2
Limited registration for teaching or research	Maybe	Maybe	Maybe	1
Limited registration in public interest	Yes	Yes	Yes	1
Nurse practitioner endorsement	No	Yes	No	1
Midwife practitioner endorsement	No	No	Yes	1
Scheduled medicine endorsement	No	Yes	Yes	2
Area of practice endorsement	No	Maybe	No	2
Non-practising registration	Maybe	Maybe	Maybe	2
Student registration	Yes	Yes	Yes	1