



NURSING AND MIDWIFERY BOARD OF AUSTRALIA

Meeting Number 10A

12 August 2010,

6pm – 7:55pm

Via Teleconference

Decisions and actions arising

Members present

Anne Copeland (Chair), Angela Brannelly, Mary Chiarella, Lynette Cusack, Margaret Winn, Chris Murphy, Gillie Anderson and Heather Sjoberg (for part of the meeting).

In attendance

Anne Morrison, Executive Officer

1. Welcome and general overview matters

Item 1.1 Apologies

Apologies were received from: Louise Horgan, Denise Fassett, Mary Kirk.

Lynne Geri was not present.

Item 1.2 Opening comments from Chair

Anne Copeland thanked those on line for being available at short notice. She gave an overview of the current situation regarding two groups of international nurses: those who are already qualified as a nurse or midwife, and those who have just completed a pre-registration program in Australia.

1.3 Disclosure of conflict of interest in relation to agenda items

No conflicts of interest were declared.

2. Accreditation matters

Item 2.1 International applicants and English language standard

Members:

1. noted the issues raised by the Australian Nursing Federation (ANF) and its Victorian and South Australian Branches at a meeting on 10 August 2010
2. noted the issues raised by student representatives at a meeting on 11 August 2010
3. considered the options available in response to the concerns raised by the ANF and the information now available.
4. agreed to manage the different categories of international applicants according to whether they are internationally qualified nurses or midwives, or students undertaking their first entry to practice program. These strategies would apply to nurses (registered or enrolled) and midwives.

1. INTERNATIONALLY QUALIFIED NURSES OR MIDWIVES

In relation to this category of applicants assessed prior to 1 July 2010 and directed to undertake a Nursing and Midwifery Regulatory Authority (NMRA) approved short program prior to registration, members:

- 1.1 agreed to honour commitments made in writing to these applicants by the previous NMRA
- 1.2 agreed that individual nurses and midwives who were advised in writing and who can produce relevant evidence from the appropriate NMRA that if they successfully completed a NMRA approved program of study, they would be eligible for registration.

In relation to this category of applicants assessed prior to 1 July 2010 and where there was no previous undertaking from a NMRA, members:

- 1.3 agreed that these applicants are required to meet the NMBA English Language Skills registration Standard

Moved: Mary Chiarella
Seconded: Angela Brannelly
ACTION: AHPRA

2. INTERNATIONAL STUDENTS COMPLETING THEIR FIRST QUALIFICATION AS A NURSE OR MIDWIFE (ENTRY TO PRACTICE PROGRAMS)

In relation to international students successfully completing pre-registration programs (not internationally qualified):

- 2.1 Members agreed that those applicants who have successfully completed pre-registration nursing (registered nurse or enrolled nurse) or midwifery programs and whose visas are due to expire on or before 30 August 2010 will be entitled to full registration with the following conditions:
- i. that the nurse or midwife provides evidence that they have met the English Language Skills Registration Standard (IELTS 7 or equivalent) prior to 31 May, 2011 (renewal date)
 - ii. until the nurse or midwife is able to meet the requirements of point (i) above then the following conditions will also apply:
 - iii. that the nurse or midwife practises under the supervision of a registered nurse or registered midwife (direct or indirect)
 - iv. that the nurse or midwife advises their employer of the condition imposed on their registration requiring them to meet the English Language Skills Registration Standard
 - v. that the nurse or midwife provides the name and contact details of their employer
 - vi. that the nurse or midwife authorises their employer to notify AHPRA if the employer holds any concerns about the nurse's English Language competence
 - vii. if the nurse or midwife is unable to meet the requirements of point (i) above, then their registration will not be renewed.

*Moved: Margaret Winn
Seconded: Gillie Anderson*

ACTION: AHPRA

In addition Members:

- 1. noted that a strong letter will be sent to education providers recommending that they support all students completing nursing and midwifery programs to meet the NMBA English language skills registration standard and ensure that all information provided to students clearly informs them of the NMBA regulation standards, particularly in relation to English language requirements.
- 2. noted that a communiqué will be drafted for posting on the NMBA website in relation to this matter.
- 3. noted that legal advice from the ANF indicated that as a consequence of the confusion between the English Language Skill Registration Standard and FAQs regarding where secondary education is completed, the standard would have to take precedence.

4. noted that any applicant denied registration on the basis of the FAQ requirements rather than the Standard may be entitled to compel the Board, through appropriate proceedings to grant registration. A prospective applicant may be entitled to obtain relief by way of declaration and injunction to restrain the Board from imposing the unauthorised requirements.
5. Noted that the Board's English Language Skill Registration Standard and FAQs need to be revisited to eliminate potential confusion in the future.