

IN CONFIDENCE

NURSING AND MIDWIFERY BOARD OF AUSTRALIA

Meeting Number 10

Thursday 29 July 2010, 09:00am to 15:15

Airport Hilton,

Melbourne, Victoria

Decisions and actions arising

Members present

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

In attendance

Anne Morrison, Executive Officer

Kathleen Almond (note taker)

Martin Fletcher, CEO. AHPRA (Items 1.3 and 1.4)

Gabrielle O'Brien, Strategic Planning Workshop Facilitator (12 noon to 12.30pm)

Apologies

Nil

1. Welcome and general overview matters

Item 1.1 Disclosure of any conflicts of interest in relation to agenda items

Members:

1. in accordance with Section 6(1) of Schedule 3 of the Act, declared any possible conflict of interest in relation to matters to be considered at this meeting
2. discussed any declarations made at (2) in the terms prescribed in Section 6(3) and (4) of the Act
3. agreed to declare any conflicts of interest as they arose during the meeting
4. noted that Denise Fassett, as Dean of the University of Tasmania declared a conflict of interest in relation to Item 7.2.3.

Item 1.2 Record of decisions and actions arising from last meeting

Members:

1. requested that a line be added between the agenda items discussed on Wednesday evening and the items discussed on Thursday
2. requested that Item 1.3, point 6, on page 3, be amended by adding the letters "IT" before the word "server"
3. requested that Item 1.6.1, point 6, on page 4, be amended by adding the words "for a period of" before the words "two days"
4. requested that at Item 1.6.1, point 9 on page 5, the following be inserted:
"agreed that in relation to the Enrolled Nurse accreditation standards, the transition would be exclusive to existing Certificate IV programs and that no new Certificate IV programs will be accepted during the transition period"
5. requested that Item 2.1, point 2, on page 7, be amended by substituting the word "de-duplicate" with a more suitable word
6. requested that Item 4.1 on page 13 be amended by adding a new paragraph:
"At this time in the meeting the Board had a discussion about clarity of meeting process".

Moved: Angela Brannelly

Seconded: Louise Horgan

ACTION: EO

Members acknowledged that the folder system used for the July Board Meeting agenda papers was a significant improvement and made it easier to find agenda items with coloured pages inserted between sections.

Item 1.3 Implementation update

Members:

1. noted the matters reported in this paper
2. noted the verbal implementation update provided by the CEO, AHPRA
3. noted the following three current areas of focus for AHPRA:
 - To respond more quickly and effectively to queries which appear to be levelling at 2,000 calls per day. The contact centre capacity has been increased.
 - Ensuring data on registers, including registrations with conditions, are complete and accurate.
 - Ensuring no unnecessary delays on processing application for registration and renewals.
4. expressed concern regarding hearsay around general registration processes e.g. staff being told to tick boxes of application forms in order to get through workload and thus applicants are being accepted when they haven't completed required elements. Board members sought reassurance that short cuts are not being taken
5. noted the message that there should be no unnecessary delays rather than no delays
6. expressed concern around possible fraud risks where applicants pay by cash at a State office with no system for fraud elimination receipting

7. asked whether State Boards are responsible for arranging their own first meetings. The CEO advised that most States have had their first meeting and State Offices are responsible for arranging this
8. noted the CEOs advice that State Offices have been advised to ensure they have whatever staffing is required to deal with registrations and that staffing levels must not be a factor that limits productivity.
9. noted that Board members are being asked questions from individuals about registration matters, and this could be perceived as advocating on behalf of individuals. Contact numbers for Directors of Notifications and Registrations are to be circulated to NMBA members so that individuals can be referred to the appropriate channel for assistance.
10. noted the need for absolute operational clarity for those working in the State and Territory offices. Staff are currently using more paper systems so any IT issues are not getting in way of completing processes
11. expressed concern that the \$2000 fee for a copy of the register would impact on small employers checking registration status of employees
12. noted the CEOs advice that this \$2000 functionality was yet to go 'live'.

Sitting fees

In relation to Sitting fees, members:

1. noted that State and Territory Board members are being paid a lower sitting fee than National Board members
2. advised they were not aware that national members sitting on State Boards would be paid at the national level
3. noted the CEO's advice that members can revisit sitting fees as it is possible to align state fees with national fees within the Board's existing budget
4. noted that this matter will be placed on the agenda for the next Finance and Governance Working Group meeting and that principles be developed to address the inconsistencies in sitting fees paid to members.

ACTION: Chair

Item 1.4 Progress against work-plan

Members:

1. noted the report on progress against the key deliverables
2. noted the report on progress against work plan
3. noted the list of items for consideration in National Board work plans for 2010/11.

ACTION: NIL

Item 1.5 Record of Decisions of Chairs of National Boards

Members noted the matters reported in this paper.

ACTION: NIL

Item 1.6 Reports

1.6.1 Chairs report

Members:

1. noted the report of the Chair on activities since the June 2010 meeting
2. noted the discussions held between Best Practice Australia and Chris Robertson, Director, Board Services regarding Board review and that Board Chairs had agreed to progress the matter
3. considered the trial of a Board meeting evaluation tool proposed by Chris Murphy. The survey completed anonymously would be provided to the Chair for collation and may be used as an aid to improve individual performance
4. agreed that the Finance and Governance working group develop a policy outlining the process, confidentiality and frequency of use of the evaluation tool
5. noted the cost of sending a letter to all enrolled nurses about the notation regarding Board approved medication programs would cost approximately \$186,000 and agreed not to progress this mail out
6. agreed that the requirement to demonstrate recency of practice should be considered as part of the Audit project as there is a need for individuals to be able to meet this requirement now and not in twelve months time.

Moved: Gillie Anderson

Seconded: Christine Murphy

ACTION: Chair/ Policy Working Group

1.6.2 Executive Officer report

Members:

1. noted the report of the Executive Officer.
2. noted the activities of the Executive Officer since the June NMBA meeting
3. noted that documentation for WPSEAR had been handed over to NMBA but that there is a significant volume of preparation required for the October WPSEAR Forum in Singapore
4. agreed to approach Rowena Robinson to undertake October WPSEAR Forum work
5. noted the update on staffing resources and agreed that this matter go to the Finance and Governance Working Group for consideration
6. noted that the Executive Officer presented on the work of the NMBA to the Agency Management Committee at its June meeting.

Moved: Angela Brannelly

Seconded: Lynette Cusack

ACTION: Chair/EO

1.6.3 Policy Working Group

Members:

1. noted the verbal report provided by Mary Chiarella as well as the decisions and actions arising from the Policy Working Group meeting held on 22 July 2010
2. agreed that advice be sought from Dominique Saunders, Senior Legal Counsel, regarding the appropriate options available to NMBA and the one Midwife Practitioner on the register
3. noted that there are four days of project work available to the Board which have already been paid to Eithne Irving by DOHA
4. agreed to request Eithne Irving to use these four days to undertake a scoping activity for the review of the enrolled nurse professional practice framework.

Moved: Louise Horgan

Seconded: Lynne Geri

ACTION: EO

In relation to the proposed Nurse Practitioner project, members:

1. considered the curriculum vitae provided by Di Kidgell
2. agreed to invite Di Kidgell to undertake the Nurse Practitioner project
3. agreed that all future recommendations for project expenditures go to the Board via Finance and Governance Working Group

Moved: Angela Brannelly

Seconded: Denise Fassett

ACTION: FGWG/EO

1.6.4 Accreditation Working Group (AWG)

Members:

1. noted the verbal report provided by Louise Horgan as well as the decisions and actions arising from the AWG meeting held on 28 July 2010
2. agreed to adopt the *ANMC Standards for accreditation of nursing and midwifery courses: Re-entry to the Register*
3. noted the advice of the Accreditation Working Group that the ANMC Accreditation Framework, requires further development
4. agreed that the Board should work collaboratively with ANMC in providing comment on the framework
5. agreed that Anne Morrison and Denise Fassett offer to meet with Amanda Adrian and Gordon Poulton to discuss the comments and amendments regarding the Framework
6. suggested that accreditation frameworks of other health disciplines be reviewed as a benchmarking exercise.

Moved: Heather Sjoberg

Seconded: Margaret Winn

ACTION: EO

1.6.5 Finance and Governance Working Group (FGWG)

No activities to report

2. Transition matters

Item 2.1 Registration Transition update

Members:

1. noted the matters reported in this paper
2. were of the view that the table is incomplete given there is no feedback loop in place for those “further actions required”
3. noted that the document requires amendment as it does not refer to the titles of nurse and midwife but uses the terms Division 1 and Division 2 throughout.

Moved: Gillie Anderson

Seconded: Louise Horgan

ACTION: AHPRA

Item 2.2 Membership of State and Territory Board Committees

Members:

1. noted that advice has been received from the Chair of the Australian Capital Territory Board regarding the membership of the Registration and Notification committees
2. approved the membership of the ACT Board Registration and Notification Committees.

Moved: Angela Brannelly

Seconded: Louise Horgan

ACTION: EO

3. Registration matters

Item 3.1 Professional Indemnity Insurance

Members:

1. noted the implementation issues with some professional indemnity insurance (PII) requirements, particularly in relation to cover provided through employers
2. noted the communiqué about PII requirements recently published by all Boards
3. noted that the Psychology Board is considering specific revisions to its PII Registration Standard in light of the issues identified
4. noted that it would consider the need for changes to the Board's PII Registration Standard under item 3.1.1.

3.1.1 Professional Indemnity Insurance Arrangements Registration Standard - NMBA

Members:

1. noted that the NMBA PII Registration Standard was consulted on prior to Ministerial approval
2. agreed there is a need to revise the current PII Standard
3. agreed that the review should include consultation with relevant PII expertise and the other National Boards
4. agreed that the revised consultation draft will be prepared for the August 2010 Board meeting
5. agreed that the draft will go out for broad consultation during September
6. agreed that the collated feedback and final draft will be considered by the Board at its meeting in October 2010
7. agreed that the Finance and Governance Working Group will manage the above review process for the PII Registration Standard prior to Board consideration.

Moved: Margaret Winn

Seconded: Mary Chiarella

ACTION: Chair / FGWG

Item 3.2 International Applicants (ANMC)

Members:

1. noted the recommendations of the Policy Working Group in relation to the *ANMC Final report on the development of national standards for the assessment of internationally qualified nurses and midwives for registration and migration*
2. noted the questions raised by Jim O'Dempsey, Queensland State Manager in relation to the ANMC report
3. agreed that this matter should go back to the Policy Working Group for further consideration in light of the questions from Jim O'Dempsey.

Moved: Angela Brannelly

Seconded: Mary Kirk

ACTION: Policy Working Group

4. Notification matters

4.1 Open Cases Reporting

Members:

1. noted the framework for the reporting of notifications
2. noted the need to monitor notifications.

4.2 Panels

Members:

1. noted that the lists of approved persons for panels will include the following individuals:
 - (i) Those individuals who will transition to the list pursuant to section 293 of the National Law.
 - (ii) Former State and Territory Board members who have indicated their interest in being appointed to the list.
 - (iii) Individuals who have been newly recruited and appointed to the list by National Boards.
2. agreed that the proposal regarding the selection criteria for individuals to be appointed by National Boards to the list of persons approved to be appointed as members of panels, should be adopted as a model for all National Boards
3. noted, but did not agree to Point 4, as the Board requests that the budget implications be identified. The Board will reconsider the proposed model once information about costs have been provided
4. agreed on the proposed period of appointment of panel members of three years
5. expressed concern at the description of the community members on panels
6. identified the need to also consider a performance review process for panellists as well as the ability to remove panellists who are not performing to expectations
7. establish an evaluation and reappointment process for panel members. Chris Murphy will draw up a pro-forma and forward it to Anne Copeland.

Moved: Margaret Winn

Seconded: Christine Murphy

ACTION: Chair/EO

5. Accreditation matters

Item 5.1 ANMC Accreditation Framework

Members noted that the ANMC Accreditation Framework was considered as part of the Accreditation Working Group report

Item 5.2 ANMC Oversight group

Members:

1. noted the verbal report of the fourth meeting of the Oversight Group held on 13 July 2010
2. noted the view of the Oversight Group that the funding request from ANMC and the financial forecast were insufficient and costs underestimated

3. noted the Oversight Group's concerns that the staffing requirements were conservative and the IT systems not sufficiently robust
4. noted that the ANMC representatives were advised that attention should be paid in the management plan to legal considerations and the risk of appeals
5. noted that the Oversight Group will meet regularly until October 2010 and at that time, review the need to continue.

6. Administrative and financial matters

Item 6.1 2009/10 Budget Report

Members:

1. noted the attached financial report
2. noted that more detailed and specific reports for the NMBA are required
3. noted that this matter will be placed on Finance and Governance Working Group agenda

Item 6.2 Insurance Arrangements

Members:

1. noted the progress of work to ensure appropriate insurance arrangements
2. agreed this matter to go to Finance and Governance Working Group to develop a comprehensive list of Board members activities in order to advise for insurance purposes
3. noted they are to advise Anne Morrison **before** they do a presentation on behalf of the Board
4. asked that a definition of compressive crime be obtained.

ACTION: EO/FGWG

Item 6.3 Fees for State and Territory Boards

This matter was discussed under ~~Item~~ 1.3

7. Other business

Item 7.1 Possible communications following this meeting

There was no discussion at the meeting but Members agreed to the release of a communiqué to be finalised by the Chair.

ACTION: CHAIR/EO

Item 7.2 Correspondence

Members:

1. noted the significant number of correspondences registered during the period since the June Board meeting

2. agreed that a process be established by the Finance and Governance Working Group for determining which correspondences are to be placed on the Board agenda.

7.2.1 nmbSA requesting NMBA to take carriage of three matters:

Members:

1. noted that this matter was considered and reported as part of the Policy Working Group report
2. noted that correspondence will be sent to the AHPRA State office in South Australia advising that:
 - (i) a mapping exercise has demonstrated that fundamentally the principles are consistent
 - (ii) the NMBA PII and Quality and Safety Framework for privately practising midwives will also map across
 - (iii) NMBA has developed standards for education programs for medication administration and prescribing

7.2.2 Australian Nursing and Midwifery Council correspondences

Members:

1. noted the Deed of Agreement received from ANMC assigning the intellectual property of the Professional Framework documents to NMBA
2. noted ANMC correspondence listing a number of accreditation matters to be considered by NMBA and ANMC and that a meeting of the ANMC Chair and CEO with the NMBA Chair and EO to progress these matters has been scheduled for 31 August 2010
3. noted ANMC correspondence suggesting that NMBA enter into two tripartite agreements between ANMC, the NMBA and the Nursing Council and Midwifery Council of New Zealand. Members requested that legal advice be obtained in relation to NMBA entering into an MOU with ANMC who will be a client through the letter of agreement as the accrediting body and this advice will be considered by the Finance and Governance Working Group before returning to the board.
4. Noted ANMC correspondence handing over the WPSEAR secretariat to NMBA. This matter was discussed under item 1.6.2

7.2.3 Victorian and Tasmanian Deans of Nursing and Midwifery (VTDNM)

Denise Fassett declared a conflict of interest, did not take part in any discussions and absented herself from the room

Members:

1. noted the correspondence received from the Victorian and Tasmanian Deans of Nursing and Midwifery (VTDNM) regarding the process for registration and English language requirements
2. considered the briefing paper outlining the background to the matter, the issues raised in the correspondence and the proposed options

3. noted the requirements of the National Law in relation to English language skills
4. noted the work done previously by the Australian Nursing and Midwifery Council (ANMC) in promoting national consistency in English language proficiency for all applicants for registration as a nurse and/or midwife
5. noted the actions to date in response to the correspondence from the VTDNM
6. agreed not to waive the English language skills registration standard for the students but require that they provide the necessary evidence of meeting the Standard on application for registration.
7. noted the work which has been undertaken with DIAC and IELTS in order to demonstrate NMBA's support of these students and the Deans
8. encourage the students to apply for the visitor's visa to be made available by DIAC to allow time to sit the IELTS exam
9. agreed that correspondence be sent to the Council of Deans of Nursing and Midwifery (CDNM) seeking a formal invite to speak and lay out the history of the standard
10. agreed that this matter be included in the Communiqué from this month's meeting
11. noted that the CDNM meeting in Brisbane tomorrow and that the Chair will contact Prof Patrick Crookes, Chair, CDNM to advise him of the Board's decision.

7.2.4 Department of Health and Families, Northern Territory Government

Members:

1. noted correspondence from Greg Rickard, Principal Nursing Adviser, Department of Health and Families, Northern Territory Government
2. noted the request that the NMBA include a clear statement of the traditional owners of Australia, with unique standards and codes related to the cultural competencies for Aboriginal and Torres Strait Islander people
3. agreed that this request will be considered when the Board reviews the ANMC standards.

Moved: Louise Horgan

Seconded: Margaret Winn

ACTION: Chair/EO

Item 7.3 Reporting frameworks

Members:

1. noted the matters reported in this paper
2. reviewed the possible reporting and information flow between AHPRA, the Board, State and Territory Boards and their committees
3. agreed that it would expect a comprehensive report including:
 - whether the registrant is a RN, EN, NP or midwife
 - whether the registrant is internationally or domestically qualified

- details about the work setting e.g. acute care, community, aged care
4. requested that the reports be produced starting August 2010.

Moved: Angela Brannelly

Seconded: Denise Fassett

ACTION: EO

8. Next meeting

Members agreed that the next meeting would be held at Aitken Hill on Friday, 27 August 2010 commencing at 10.00 am

Meeting closed 15.15