



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

Meeting Number 4  
17 December 2009

Hilton Melbourne Airport, 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, , Christine Murphy, Heather Sjöberg and Margaret Winn

### **Apologies**

Mary Kirk

### **In attendance**

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

Del Stitz and John Ilott, Director Operations, Australian Health Practitioner Regulation Agency (AHPRA) from 12.00 – 12.40 pm

Chris Robertson, Director – Policy, NRAIP, from 1.15 – 1.30 pm.

Louise Morauta, Project Director, NRAIP, attended the meeting at 11 am to present a valedictory address and brief the Board on handover matters following her retirement on 22 December.

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

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

Members:

1. in accordance with Section 8(1) of Schedule 4 of the National Law, declared the following conflicts of interest in relation to matters to be considered at this meeting
  - a. Louise Horgan, (Chair of Nurses and Midwives Board of WA) - Item 4.1
  - b. Angela Brannelly (Director Australian Nursing and Midwifery Council (ANMC) – Items 4.1 and 4.2
  - c. Lynne Geri (Chair NENA) – Item 4.2
  - d. Anne Copeland (Chair Qld Nursing Council) – Item 3.4.2

2. agreed that they could stay in the room and participate in discussions.

*ACTION: Nil*

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

### **Item 1.2.1 Record of decisions and actions arising from meeting of 19 December**

Members:

1. amended the record of decisions and actions arising from the last meeting to record that the Queensland Nursing Council was asked to scope and write a paper on scheduled medicines in consultation with Alyson Smith, Registrar, Nursing and Midwifery Board of South Australia (Item 3.2.1 (4), and
2. approved the record with the above amendment.

*Moved: Louise Horgan  
Seconded: Angela Brannelly*

*ACTION: Agency*

### **Item 1.2.2 Record of decisions and actions arising from teleconference meeting of 27 November**

Members:

1. amended the record of decisions and actions arising from the teleconference to record apologies from Margaret Winn and also to note that decisions were made by majority of all members present at the meeting, and
2. approved the record with the above amendment.

*Moved: Gillie Anderson  
Seconded: Denise Fassett*

*ACTION: Agency*

## **Item 1.3 Implementation update**

Members:

1. noted the implementation update
2. raised concerns about the potential impact of delays in passing legislation, particularly in Tasmania and SA
3. noted that the budget for 2009-10 had not been approved by the Board but a draft budget was provisionally approved with the addition of \$60,000 for international meetings
4. noted that there were significant risks for the Board in strategic partnerships, and
5. requested that "legislation" and "strategic partnerships" are moved from "green" to "amber".

*ACTION: Agency*

## **Item 1.4 Progress against workplan**

Members noted the progress against the key deliverables and workplan.

**Item 1.5      Record of decisions of Chairs of National Boards**

Members noted the matters reported in the record of the meeting of 11 November.

**Item 1.6      Chairs report**

Members:

1. noted the Chair's activities with the peak nursing and midwifery organisations, including the APNMF and ANMC relating to the accreditation standards and the strong feelings among these organisations
2. noted that the physiotherapy and psychology boards were both challenging the advice of the Governance Committee in relation to their proposals, and
3. noted the Agency's offer to work with the ANMC to assist them to undertake the development necessary to become the accreditation authority set down in a letter from the Agency to the ANMC, copied to the Chair
4. noted that a teleconference has been arranged for 21 January to discuss the issues surrounding the bid by ANMC to become the accrediting body
5. agreed that the Chair would discuss the appointment of ANMC with the incoming Director of National Board Services, involve the Accreditation Advisory Group, and keep communication lines open, and
6. noted that the forum facilities of 'docsys' may be useful for communication on this issue.

**2              Transition matters**

No transition matters were discussed.

**3.              Registration matters**

**Item 3.1      Feedback from consultation papers**

Members noted the feedback from the consultation papers on registration standards and endorsements.

*ACTION: Nil*

**Item 3.2      Revised common English language standard**

Members:

1. noted that the proposed common English language standard now contained provision for Board-specific content
2. agreed to amend the provisions for applicants who did not complete their secondary education in English to read "*undertake and successfully complete their secondary education to the requisite level required for entry into a nursing or midwifery program, taught and assessed in English*"
3. agreed to require all internationally qualified nurses and midwives to complete approved tests for English proficiency with no exemptions
4. agreed that Occupational English Test (OET) and the International English Language Testing System (IELTS) be the only English language tests approved by the Board.

*Moved: Angela Brannelly*

*Seconded: Louise Horgan*

*ACTION: Agency*

### **Item 3.3      Revised common criminal history standard**

Members agreed to the revised version of the common criminal history standard.

*Moved: Angela Brannelly*

*Seconded: Lynne Geri*

*ACTION: Agency*

### **Item 3.4      Revised proposal from the Board**

Members:

1. considered the proposed amendments to the registration standards indicated in tracked changes
2. agreed that the revised proposals be circulated to all board members for feedback and returned by close of business Monday 21<sup>st</sup> December
3. agreed to submit to the Ministerial Council the revised proposals, subject to changes agreed at the meeting

*Professional indemnity insurance arrangements(PII)*

4. amended the draft standard to
  - a. remove the reference to minimum standards in the summary, and
  - b. remove the requirement that nurses and midwives retain documentary evidence of their insurance cover where such documentation is provided by the employer, and
5. agreed that the Registration Working Group would develop draft guidelines on PII arrangements

*Moved: Margaret Winn*

*Seconded: Angela Brannelly*

6. agreed to re-draft the review period for clarification

*Moved: Lynette Cusack*

*Seconded: Margaret Winn*

*Continuing Professional Development(CPD)*

7. amended the draft standard to
  - a. add the provision that “the Board reserves the right to give exemptions in individual cases”
  - b. remove the option to undertake 60 hours over three years
  - c. remove the detail, including the requirement that the CPD needs to include a minimum of three different activities, and
  - d. allow mandatory skills acquisition to be counted towards CPD, and
8. considered the feedback that nurses having a break from nursing need not comply but agreed that the CPD requirements should apply equally to all practising nurses and midwives.

*Moved: Louise Horgan*

*Seconded: Mary Chiarella*

*Recency of practice*

9. amended the draft standard to
  - a. add the option of undertaking an approved assessment process if returning to practice after a break of five years
  - b. reduce the period of equivalent full time practice from 6 months to 3 months
  - c. remove the flexibility for the board to assess applicants on a case by case basis by assessing evidence and set other requirements or conditions on practice, and
  - d. remove the detail relating to the evidence that the Board will consider

*Moved: Mary Chiarella  
Seconded: Denise Fassett*

*Endorsement of nurse practitioners*

10. amended the draft standard to reinstate the requirement that the experience in advanced nursing practice needs to be in a clinical leadership role

*Moved: Angela Brannelly  
Seconded: Gillie Anderson*

*Endorsement of midwife practitioners*

11. noted the very high level of opposition to the endorsement of midwife practitioners from submitters
12. agreed not to recommend a registration standard to the Ministerial Council
13. agreed that the two current endorsed midwife practitioners should be contacted about the decision and the transition arrangements prior to publication of the decision and requested that the notetaker obtain the contact details from the Executive Officer of the Nurses and Midwives Board, New South Wales
14. agreed to include the rationale for the decision in the letter to the Ministerial Council and also in the communiqué

*Moved: Louise Horgan  
Seconded: Denise Fassett*

*Scheduled medicines endorsement – eligible registered nurses*

Chris Robertson, Director – Policy, presented the views of the governments on the Board's proposed endorsement for scheduled medicines for eligible registered nurses.

Anne Copeland declared conflict of interest and stayed in the room.

15. noted that governments wished to restrict endorsements for scheduled medicines to rural and remote nurses only
16. noted the previous agreement that there should not be an endorsement for enrolled nurses
17. noted that the endorsement needed to be drafted in the form of a registration standard
18. agreed that the endorsement needed to be kept broad to accommodate the range of settings in which nurses worked
19. amended the draft standard to
  - a. add a requirement for the nurse to be employed in a position that requires such an endorsement, and

b. restrict the endorsement to prescribing, as formally agreed, and

*Moved: Gillie Anderson*

*Seconded: Lynne Geri*

*Scheduled medicines endorsement – eligible midwives*

20. amended the draft standard for scheduled medicines endorsements for eligible midwives to restrict it to prescribing only as formally agreed at the November meeting, and
21. agreed to format the draft endorsements as registration standards.

*Moved: Angela Brannelly*

*Seconded: Christine Murphy*

### **Item 3.5 Proposed common codes and guidelines**

#### **Item 3.5.1 Mandatory notification guidelines**

Members:

1. provided feedback on the draft common guidelines on mandatory notifications, and
2. agreed to the Agency doing further work on the draft guidelines for the Board's consideration at its February 2010 meeting and consultation shortly after the meeting.

*Moved: Louise Horgan*

*Seconded: Gillie Anderson*

*ACTION: Agency*

#### **Item 3.5.2 Advertising guidelines**

Members referred to the Nursing and Midwifery Codes of professional conduct and ethics and agreed in principle to proceed to public consultation on a common draft guideline on advertising.

*Moved: Angela Brannelly*

*Seconded: Gillie Anderson*

*ACTION: Agency*

#### **Item 3.5.3 Development of a code of conduct for all boards**

Members noted their decision of the October meeting to adopt the Australian Nursing and Midwifery Council (ANMC) Codes of Professional Conduct and Ethics.

*Moved: Angela Brannelly*

*Seconded: Heather Sjoberg*

*ACTION: Nil*

### **Item 3.6 Other codes and guidelines**

Members:

1. received and noted the list of ANMC guidelines and standards, and
2. agreed to refer the list to the Policy and Research Working Group to consider and recommend to the Board which documents should go out for consultation.



*Moved: Margaret Winn*

*Seconded: Lynne Geri*

*ACTION: Policy Advisory Group*

### **Item 3.7      Student registration**

Members:

1. agreed that the Board would register students by obtaining details from education providers rather than requiring students to go through a full individual application process, and
2. agreed that students should be registered from the beginning of the program with notifications occurring by 'census date'.

*Moved: Margaret Winn*

*Seconded: Christine Murphy*

*ACTION: Nil*

### **Item 3.8      Department of Health and Ageing (DOHA) framework for defining midwives for independent practice**

Members:

1. considered a proposal from the Policy and Research Working Group
2. agreed that the Board would contact DOHA suggesting that the Board develop, with the midwifery profession, the Australian Government and the insurance industry, an endorsement and monitoring process for privately practising eligible midwives which would facilitate recognition of their right to PII and that the process would follow the provisions as outlined under section 284, and
3. agreed that the Chair and Policy and Research Working Group would discuss the recommendation with Rosemary Bryant by teleconference.

*Moved: Louise Horgan*

*Seconded: Lynne Geri*

*ACTION: Chair*

## **4                  Accreditation matters**

### **Item 4.1      Letter from Governance Committee**

Angela Brannelly, as Director of ANMC, and Louise Horgan, President of Nurses and Midwives Board of Western Australia, declared conflicts of interest, remained in the room and participated in discussions.

Members:

1. considered the correspondence on the appointment of the ANMC to undertake accreditation functions for nursing and midwifery
2. noted Peter Allan's suggestion that accreditation staff could still transition to the Agency with ANMC managing accreditation matters while using these staff, and
3. expressed concern about establishing internal processes for accreditation when these matters are undecided.

**Item 4.2      Development of accreditation standards**

Lynne Geri, executive member of National Enrolled Nurse Association of Australia (NENA), declared conflict of interest, remained in the room and participated in the discussions.

Members:

1. considered the correspondence from the Australian Peak Nursing and Midwifery Forum, NENA and other nursing and midwifery interested parties, regarding the accreditation standards
2. noted that this is a very important issue and the Board had not had the opportunity to consider submissions, and
3. agreed to delay any decision until February.

*Moved: Lynette Cusack  
Seconded: Louise Horgan  
ACTION: Nil*

**5.              Administrative matters**

**Item 5.1      Developing the 2010-11 budget**

Del Stitz and John Ilott, Director Operations, Australian Health Practitioner Regulation Agency (AHPRA) attended the meeting to present the assumptions underlying the budget.

Members:

1. noted that the Chair had discussed the budget requirements with the Agency
2. noted that the 09-10 budget had only been provisionally approved with the addition of \$60,000 for international meetings.
3. noted the updated assumptions on the 10-11 budget.

*ACTION: Agency*

**6.              Other Business**

**Item 6.1      Possible communications following this meeting**

Members agreed that the communiqué should provide explanations for decisions on registration standards and accreditation standards.

*ACTION: Agency/Chair*

**Item 6.2      Correspondence**

Members noted the correspondence that had been received.

**Item 6.3      Appointment of Deputy Chair**

Members:

1. noted the current heavy workload of the Chair
2. noted a suggestion that a deputy chair be re-considered to assist with the workload and that matter had been raised but not furthered at the first meeting
3. agreed that the Chair would consider a draft position description for such a role.



**7. Next meeting**

Members:

1. agreed to put on the agenda
  - a. assessment of overseas nurses
  - b. re-entry programs
  - c. accreditation standards
2. noted that the next meeting is Thursday, 25 February.

IN CONFIDENCE