

18 February 2020

Dr Anne Tonkin
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Dear Dr Tonkin

MIGA Submission – Medical Board proposed specialist IMG assessment standards

Thank you for the invitation for MIGA to contribute to the Board’s consultation on its draft standards for specialist medical college assessment of specialist international medical graduates (**the proposed SIMG standards**), replacing the current SIMG assessment guidelines.

MIGA’s Submission to this consultation follows its earlier contributions to the external review by Deloitte Access Economics of the SIMG assessment process (**the external review**), and the Board’s earlier consultations on the specialist registration standard and Australian Medical Council certificate registration standard.

It has considerable experience and expertise in issues arising out of SIMG and medical college assessment processes. It advises and assists its members (who include SIMGs and supervisors) around these issues. It also works with the colleges around broader issues arising from assessment processes.

MIGA position

As set out in its submission to the external review, MIGA believes Australia has a thorough and robust system for SIMG assessment and accreditation by the colleges.

Its comments in this submission focus on medico-legal perspectives and practical implications of the proposed SIMG standards. It considers the proposed standards to be generally clear, workable and practical.

MIGA agrees with the Board that the new summary of preliminary findings following initial assessment could be of considerable assistance in reducing numbers of college appeal processes. The publication of key college data about the specialist pathway and workforce distribution may help to ensure SIMGs have the necessary information to ensure their expectations of the assessment process are realistic.

Its comments below on the proposed SIMG standards are by reference to page numbers in the consultation document.

Section 6 - Publication of information and procedures of the assessment process

- **Page 22, second last paragraph** - change to read *“Colleges must follow their published procedures. If a college deviates from the published procedures, they must document the reasons for doing so **and explain to the affected SIMG why this has occurred.**”*

Knowing why a usual process has not been followed is a key part of providing procedural fairness to an affected person. It should be provided for in the final SIMG standard.

Section 8.2 – The interim assessment of comparability

- **Page 26, numbered paragraph 3** – change to read – *“...the college must follow the rules of procedural fairness. This includes providing the SIMG with the information received and giving them **a reasonable opportunity to make a submission about the information.**”*

Procedural fairness requires that any opportunity to respond provide a reasonable timeframe for doing so. This is also consistent with the “at least” 21 day timeframe contemplated later in the proposed SIMG standards (page 28, first paragraph). It also ensures there is no confusion between the two provisions.

- **Page 26, numbered paragraph 6** – change to read “...gives the SIMG an opportunity to confirm the factual accuracy of the findings or to provide clarification or submit additional evidence if they believe there are errors of fact **or interpretation**, perceived gaps or omissions in the college’s findings...”

When SIMGs are given the opportunity to respond to an interim assessment decision, this should include scope to raise issues relating to any supposed misinterpretations or misapprehensions of the material on which the proposed decision is to be based. A consistent change should also be made to a comparable provision on page 28, in the first paragraph.

- **Page 26, numbered paragraph 8** – change to read - “In making an interim assessment of comparability, colleges will... notify the Board of any information received by the college for the purposes of the interim assessment decision, that raises concerns about a SIMG’s suitability for registration. **The college will first provide a reasonable opportunity to the SIMG to respond to the proposed Board notification.**”

Although this provisions reflects what is in current SIMG assessment guidelines, where notification to the Board may be adverse to the SIMG’s interests it is necessary to provide them with an opportunity to respond to a proposed Board notification.

- **Page 27, first non-numbered paragraph** – change to read - “...it is recommended that colleges offer interviews by video conference. While the interview may be conducted by phone, colleges are advised to use caution because of the potential for integrity issues **or otherwise compromising the assessment process.**”

This would avoid any misapprehension that a College could only decline to hold a phone interview if there were concerns about potential integrity issues, as opposed to a broader concern that a phone interview may be an inappropriate and inadequate way to interview an SIMG properly.

8.6 - Final decision of comparability (eligibility for specialist registration)

- **Page 30, third last paragraph** – “A SIMG who has been initially assessed as substantially comparable but who is reassessed as partially comparable, will continue on the pathway and Report 2 will not be required until one of the above outcomes has occurred.”

The final SIMG standards should clarify the timeframe which applies to an SIMG initially assessed as substantially comparable, but who is reassessed as being only partially comparable. It is MIGA’s interpretation that the maximum timeframe for pathway completion would be four years from when the final decision of partial comparability is made.

12 – Reconsideration, review and appeals

- **Page 34, numbered paragraph 4** – change to read – “Colleges will... ensure processes are procedurally fair, timely and transparent, including providing written reasons for decisions **and allowing reasonable timeframes for SIMGs to provide responses and attend interviews or other meetings.**”

This clarifies how procedural fairness applies in key aspects of the assessment process.

If you have any questions or would like to discuss, please contact [REDACTED]

Yours sincerely

[REDACTED]

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