

Application Form

Removal of Reprimand from National Register



Introduction

This form is for registrants seeking to have a record of a reprimand removed from the register.

Reprimands imposed under the National Law

Where a panel or tribunal or court has specified a publication end date practitioners are not required to apply for the reprimand to be removed. The reprimand will be removed from the register on the date specified by the panel or tribunal or court. The practitioner is not required to make an application for removal of the reprimand.

Where the panel or tribunal or court did not specify a publication end date for the reprimand a practitioner may only apply for the reprimand to be removed from the register five years from the date of publication of the reprimand. Applications received prior to the completion of the five year period will not be accepted.

Reprimands in the co regulatory jurisdiction in New South Wales (NSW)

Where an adjudication body in NSW has imposed the reprimand under the National Law and recommended a publication end date, the practitioner must apply for the reprimand to be removed from the register. The practitioner may only apply for the reprimand to be removed after the recommended publication end date. Applications received prior to the completion of the publication end date recommended by the adjudication body will not be accepted.

Where an adjudication body in NSW has imposed the reprimand under the National Law and did not recommend a publication end date for the reprimand, a practitioner may only apply for the reprimand to be removed from the register five years from the date of publication of the reprimand. Applications received prior to the completion of the five year period will not be accepted.

Reprimands imposed under prior legislation

Where an adjudication body imposed a reprimand under prior legislation and specified a publication end date, the practitioner must apply for the reprimand to be removed from the register. The practitioner may only apply for the reprimand to be removed after the publication end date specified by the adjudication body. Applications received prior to the completion of the publication end date specified by the panel or tribunal will not be accepted.

Where the adjudication body did not specify a publication end date for the reprimand, a practitioner may only apply for the reprimand to be removed from the register five years from the date of publication of the reprimand. Applications received prior to the completion of the five year period will not be accepted.

In deciding whether to remove the reprimand from the public register the National Board will refer to the provisions of the relevant prior legislation and the decision of the adjudication body.

Deciding an application

In considering an application for removal of a reprimand the National Board will consider whether any events have occurred in the period of publication of the reprimand. Event is any health, performance or conduct notification, action taken against the registrant in relation to an adverse disclosure on renewal of registration, new information returned on a criminal history check, a confirmed breach of restrictions, or where the practitioner has been the subject of action under Part 8 of the National Law or its equivalent in a co-regulatory jurisdiction. This includes receipt of any new notification, irrespective of whether action was taken.

This application will not be considered unless it is complete and all supporting documentation has been provided.

Instructions

Completing your application

- Read all instructions
- Print clearly in BLOCK LETTERS using a black or blue pen
- Place X in ALL applicable boxes

1. Practitioner details

Profession

Registration number

Title

Family name

First given name

Middle given name

Date of birth

Address

Telephone (business hours,
after hours, mobile)

2. Details of reprimand

Name of imposing panel,
tribunal or adjudication body

Date of reprimand

Details of reprimand

3. Submission

You must attach a submission outlining why the reprimand should be removed from the national register. The submission should refer to the reasons for the decision to reprimand and how you have altered your practice or conduct since the decision to reprimand. The submission should address why the Board should be satisfied that it is no longer necessary or appropriate to record the reprimand on the register.

4. Details of events

You must disclose all known events. This application will not be considered unless it is complete and all supporting documentation has been provided. An audit of statements and disclosures made on registration applications and renewals since the date of the reprimand will be undertaken. You must disclose all relevant events not previously disclosed to AHPRA.

4.1 Complaints

Have you been in the preceding five years, or are you currently, the subject of conduct, performance or health proceedings whilst registered under the National Law or the law of another jurisdiction in Australia or overseas?

Conduct, performance or health proceedings include disqualification from registration, suspension or cancellation or other restrictions imposed on your registration.

YES

NO

If "YES", you must attach to this application, details of any conduct, performance or health proceedings including:

- Notification or complaint number
- If the complaint is not managed by AHPRA, the name of the organisation managing the complaint
- Details of the complaint
- Outcome if known

4.2 Criminal History

It is important that you have a clear understanding of the definition of criminal history. For more information, see Criminal history in the Information and definitions section of this form.

Since your last declaration to AHPRA, on renewal of registration or registration application, has there been any change to your criminal history in Australia that you have not declared to **AHPRA**?

YES

NO

If "YES", you must attach a signed and dated written statement with details of any change to your criminal history in Australia and an explanation of the circumstances or

4.3 International Criminal History

It is important that you have a clear understanding of the definition of criminal history. For more information, see Criminal history in the Information and definitions section of this form.

Since your last declaration to AHPRA, on renewal of registration or registration application, has there been any change to your criminal history in one or more countries other than Australia that you have not declared to **AHPRA**?

YES

NO

If "YES", you must attach a signed and dated written statement with details of any change to your criminal history overseas, an explanation of the circumstances and obtain an international criminal history check (ICHC) from an approved vendor. The vendor will provide a check reference number and ICHC reference page which must be included with this application.

For a list of approved vendors and further information about international criminal history checks, refer to www.ahpra.gov.au/internationalcriminalhistory.

4.4 Right to Practise

During the preceding 5 year period of your registration, has your right to practise at a hospital or another facility at which health services are provided been withdrawn or restricted because of your conduct, professional performance or health?

YES

NO

If "YES", you must attach a signed and dated written statement with details of any change to your right to practise and an explanation of the circumstances.

4.5 Billing Privileges

During the preceding 5 year period of your registration, have your billing privileges been withdrawn or restricted under the Medicare Australia Act 1973 (Cth), or restrictions placed on your prescribing right under the National Health Act 1953 because of your conduct, professional performance or health?

YES

NO

If "YES", you must attach a signed and dated written statement with details of any change to your billing privileges and an explanation of the circumstances.

Consent

I consent to the Board and AHPRA making enquiries of, and exchanging information with, the authorities of any Australian state or territory, or other country, regarding my practice as a health practitioner or otherwise regarding matters relevant to this application.

I authorise the Board to obtain my criminal history in Australia.

I understand that:

- a complete criminal history, including resolved and unresolved charges, spent convictions, and findings of guilt for which no conviction was recorded, will be released to the Board, and
- information will be extracted from this form and used for the purpose of criminal history checking. This information may be used by Australian police services for law enforcement purposes including the investigation of any outstanding criminal offences.

I acknowledge that failure to complete all relevant sections of this application and to enclose all supporting documentation may result in this application not being accepted.

The above statements, and the documents provided in support of this application are true and correct.

I am the person named in the attached documents.

I make this declaration in the knowledge that a false statement is grounds for the Board to refuse the application.

I am aware that personal information that I provide may be given to a third party for regulatory purposes, consistent with the National Law.

Declaration

Practitioner name

Signature

Date

Please post this form with the required attachments to:

AHPRA
GPO Box 9958
[IN YOUR CAPITAL CITY]

Sydney NSW 2001
Adelaide SA 5001

Canberra ACT 2601
Perth WA 6001

Melbourne VIC 3001
Hobart TAS 7001

Brisbane QLD 4001
Darwin NT 0801

Information and definitions

Criminal history

Criminal history includes the following, whether in Australia or overseas, at any time:

- every conviction of a person for an offence
- every plea of guilty or finding of guilt by a court of the person for an offence, whether or not a conviction is recorded for the offence, and
- every charge made against the person for an offence.

Under the National Law, spent convictions legislation does not apply to criminal history disclosure requirements. Therefore, you must disclose your complete criminal history as detailed above, irrespective of the time that has lapsed since the charge was laid or the finding of guilt was made.

The Board will decide whether a health practitioner's criminal history is relevant to the practice of the profession.

You are not required to obtain or provide your Australian criminal history report, AHPRA will obtain this check on your behalf. You may be required to obtain international criminal history reports.

Supporting documentation

All supporting documentation must be in English. If original documents are not in English, you must provide a certified copy of the original document and translation in accordance with the AHPRA guidelines.

DO NOT send original documents unless specified.