

Public consultation

Draft Registration standard: General registration for internationally qualified registered nurses

You are invited to provide feedback

The Nursing and Midwifery Board of Australia (NMBA) is consulting on the **draft Registration standard: General registration for internationally qualified registered nurses** and invites comments and feedback from interested parties.

Making a submission

The NMBA seeks your feedback to this consultation paper and is interested in feedback particularly to specific questions. You can participate by emailing your comments in a **word document**¹ to nbfeedback@ahpra.gov.au by **close of business on Friday 20 October 2023**.

How your submission is treated

The NMBA publishes submissions on its website to encourage discussion and inform the community and stakeholders. However, the NMBA will not publish on its website, or make available to the public, submissions that contain offensive or defamatory comments or which are outside the scope of the consultation.

Before publication, the NMBA may remove personally identifying information from submissions, including contact details. The views expressed in the submissions are those of the individuals or organisations who submit them, and their publication does not imply any acceptance of, or agreement with, these views by the NMBA.

The NMBA also accepts submissions made in confidence. These submissions will not be published on the website or elsewhere. Submissions may be confidential because they include personal experiences or other sensitive information. Any request for access to a confidential submission will be determined in accordance with the Freedom of Information Act 1982 (Cth), which has provisions designed to protect personal information and information given in confidence.

Please let us know if you do not want your submission published or want all or part of it treated as confidential.

¹ You are welcome to supply a PDF file of your feedback in addition to the word (or equivalent) file, however we request that you do supply a text or word file. As part of an effort to meet international website accessibility guidelines, Ahpra and National Boards are striving to publish documents in accessible formats (such as word), in addition to PDFs.

More information about this is available on the [Ahpra website](#)

Executive summary

The Australian Health Practitioner Regulation Agency (Ahpra) and the Nursing and Midwifery Board of Australia (NMBA) are committed to developing, reviewing and streamlining existing approaches to registration, for suitably qualified and experienced internationally qualified nurses and midwives (IQNM). This continues to be one of the top priorities to ensure the workforce pressures on health, aged and primary care, rural and remote and metropolitan services across all Australia are alleviated through the supply of critically needed, safe, competent and effective practitioners.

From April to June 2023, the NMBA undertook a six (6) week preliminary consultation on the draft *Registration standard: General registration for internationally qualified registered nurses* (the draft registration standard). The draft registration standard sets out evidence-based pathways for the registration of a cohort of internationally qualified registered nurses (IQRN) the NMBA considers are from comparable international regulatory jurisdictions (country, state or province) (comparable jurisdictions). Preliminary consultation on the draft registration standard enabled the NMBA to test the proposed pathways and requirements and associated documents with its key stakeholders before progressing to this public consultation.

Section 38(2)(c) of the Health Practitioner Regulation National Law, as in force in each state and territory, (the National Law) enables the NMBA to develop and recommend to the Ministerial Council for the National Registration and Accreditation Scheme (the Ministerial Council), a registration standard for any other issue relevant to the eligibility of individuals for registration in the profession or the suitability of individuals to competently and safely practice the profession. The draft registration standard has been developed in line with sections 52 and 53 of the National Law which set out the requirements for eligibility for general registration. All IQNM must meet the requirements of the NMBA's mandatory registration standards and qualify through one of the section 53 pathways to be eligible for general registration.

The draft registration standard is founded on strong evidentiary work and benchmarking commissioned by the International Nurse Regulatory Collaborative (INRC) from 2018 to 2023, of which the NMBA is a member. This work culminated in a research article published in the peer reviewed *Journal of Nursing Regulation*. The draft registration standard proposes two (2) discrete pathways to general registration for IQRN, who have already been assessed by an NMBA-approved international jurisdiction that has comparable regulatory approaches, regulatory standards for education and registration, regulatory processes, and procedures.

Further details about the reasons for the proposal are contained in this public consultation paper.

Introduction

The NMBA has functions as set by the National Law and regulates the professions of nursing and midwifery in Australia. One of its key roles is to protect the public.

The NMBA does this by developing registration standards, professional codes, guidelines and standards for practice which together establish the requirements for the professional and safe practice of nurses and midwives in Australia.

Nursing is the largest health profession in the National Scheme with 453,515 registered and enrolled nurses, and 2,656 nurse practitioners as at 30 June 2023. Ahpra data confirms that the number of nurses is continuing to grow, even during the global COVID-19 pandemic, with the nursing workforce increasing by 13.7% over the five years to 2020-21 – an average annual growth rate of around 2.7%.

Strategic context

The draft registration standard contained in this consultation paper will support the NMBA to meet the goals and objectives of the [National Registration and Accreditation Scheme Strategy 2020-25](#). It expands on the 'Trust and Confidence', 'Regulatory Effectiveness' and 'Evidence and innovation' pillars of the National Scheme Strategy to contribute to our mission of safe and professional health practitioners for Australia.

Other National Scheme strategies that support the overarching National Scheme Strategy include:

- [Aboriginal and Torres Strait Islander Health and Cultural Safety Strategy 2020-2025](#)
- [National Scheme Engagement Strategy 2020-2025](#), and
- Notifications Strategy 2020-2025.

The work of the NMBA and Ahpra is underpinned by the [Regulatory principles for the National Scheme](#).

Purpose of this consultation

Public consultation enables the NMBA to test any new or proposed changes to regulatory requirements and associated documents before they are finalised. It also provides an opportunity to engage with the public and registrants transparently and improve regulation. This will help us to identify any unintended consequences or implementation problems before they arise and ensures we are communicating in an open, timely and transparent manner.

Background

Model of assessment for IQNM

As stated above the NMBA undertakes functions as set by the National Law and regulates professions of nursing and midwifery in Australia, with its key role to protect the public. One way the NMBA protects the public is by ensuring that only nurses and midwives who are suitably qualified and competent to practice are registered. The NMBA is also required, by the National Law, to oversee the assessment of the knowledge and clinical skills of overseas trained (internationally qualified) nurses and midwives (IQNM), and to determine the suitability of these nurses and midwives for registration in Australia.

In March 2020, the NMBA transitioned to the current approach for the assessment of IQNM. The current model of assessment is based on the parameters set by section 53 of the National Law, which focusses on the qualification or qualifications held by a practitioner only, rather than considering other elements of their practice history for example having been registered and worked in another country or practice experience. Before applying for registration, an IQNM must have their qualification/s assessed. They are then categorised into one of the following three streams:

Stream A

The IQNM holds a qualification considered substantially equivalent or based on similar competencies (section 53(b) of the National Law) to an NMBA-approved qualification.

Ahpra data, from January 2020 to March 2023, confirmed the top three qualifications for practitioners progressing through Stream A were obtained in the United Kingdom, Ireland and the United States.

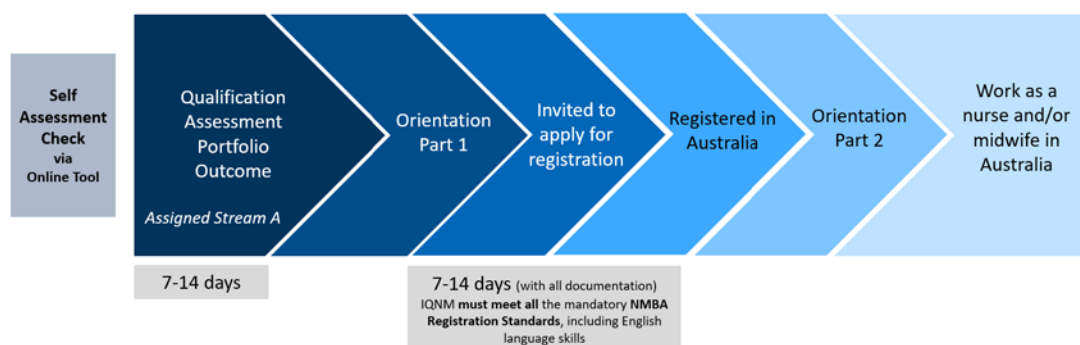


Figure 1: IQNM journey through Stream A

Stream B

The IQNM holds a relevant qualification (section 53(c) of the National Law) and must complete the Outcomes-based assessment (OBA).

Ahpra data, from January 2020 to March 2023, confirmed the top three qualifications for practitioners progressing through Stream B were from India, the Philippines and Nepal.

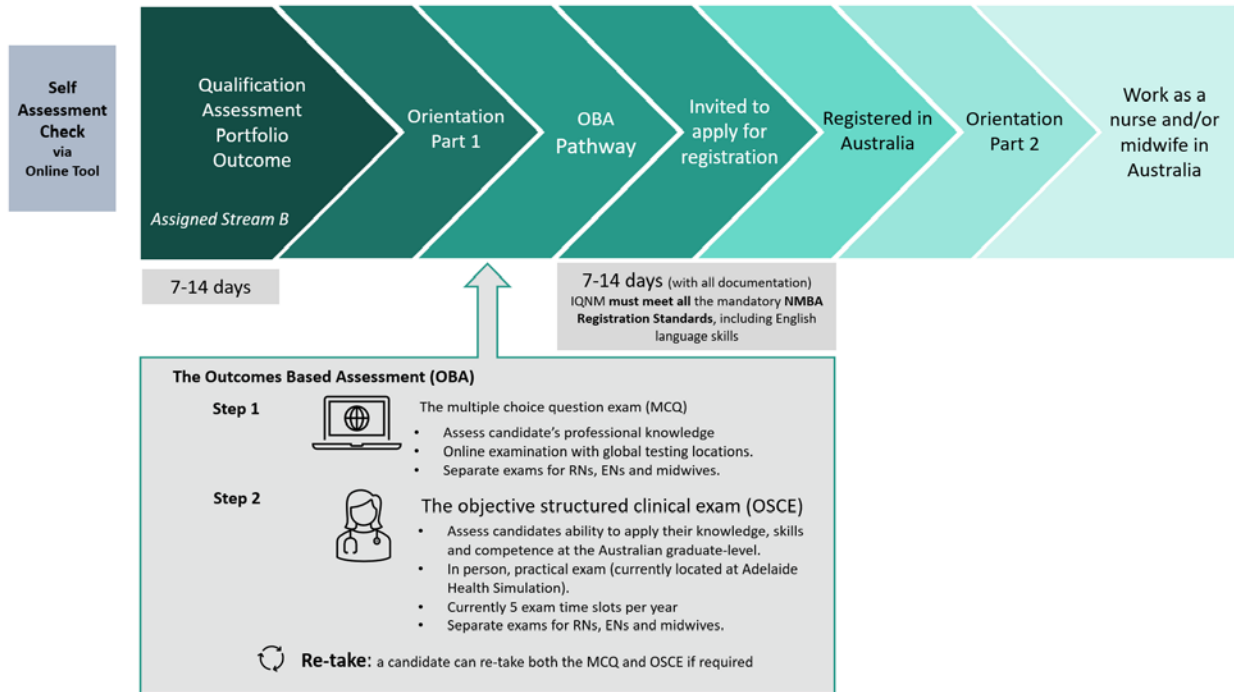


Figure 2: IQNM journey through Stream B

Stream C

The IQNM holds a qualification that is neither relevant or substantially equivalent or based on similar competencies to an NMBA-approved qualification

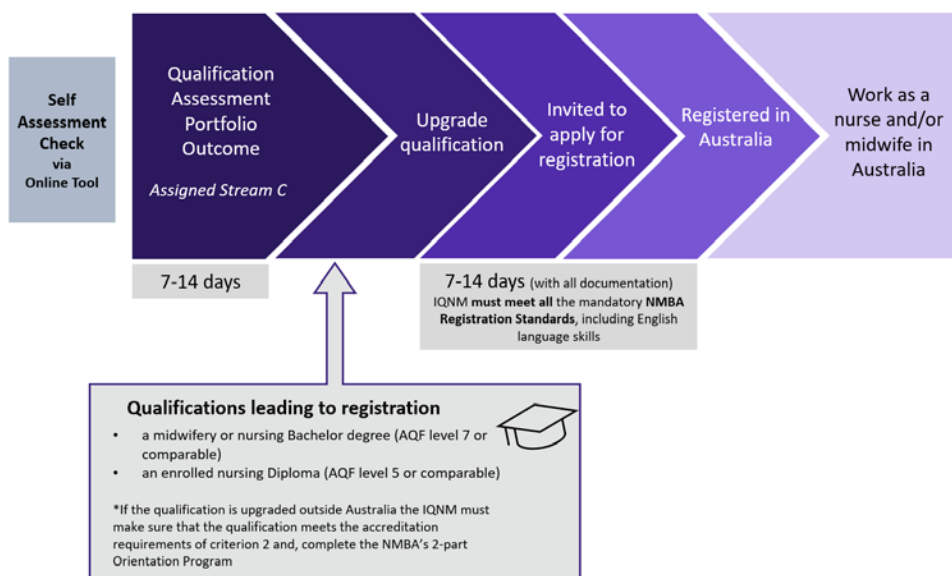


Figure 3: IQNM journey through Stream C

To determine whether the IQNM is Stream A, B or C, the NMBA uses three (3) criteria to assess a qualification (which can include one or more), to determine whether an IQNM holds a qualification that is:

- substantially equivalent or based on similar competencies to an NMBA-approved qualification, or
- relevant, or
- neither relevant or substantially equivalent or based on similar competencies to an NMBA-approved qualification.

Table 1: Summarises the three (3) qualification criteria.

Criteria	Description
1	<p>Qualification recognised for registration</p> <p>The qualification was recognised by a statutory registration/licensing body for registration as a registered nurse or enrolled nurse or midwife, in the country the qualification was received and the IQNM has met any pre-registration examination requirements. Where there is only one level of nurse in in the country the qualification will be assessed at the registered nurse level. To be eligible for registration as a nurse and midwife in Australia the IQNM must have a nursing qualification and a midwifery qualification.</p>
2	<p>Quality assurance and accreditation</p> <p>At the time the qualification was received as a registered nurse or enrolled nurse or midwife, the qualification was subject to quality assurance and recognised or accredited by a body external to the education institution and based on published accreditation standards.</p> <p>The accreditation standards for registered nurse or enrolled nurse or midwife education must include all the following:</p> <ul style="list-style-type: none"> • contemporary approaches to education • institutional resources (staffing and facilities) • evidenced based and contemporary nursing practice or • evidence based and contemporary midwifery practice • workplace experience across a variety of healthcare settings. and • medication management that addresses safe and effective use of medicines. <p>The published processes for reviewing programs/providers against the accreditation standards must include all the following:</p> <ul style="list-style-type: none"> • an assessment conducted by an individual or team with appropriate expertise in education and in registered nurse or enrolled nurse or midwife practice, and • regular review of the program of study such as annual reporting or cyclic re-accreditation.
3	<p>Academic level of qualification</p> <p>The academic level of the qualification is comparable to, at a minimum, an Australian bachelor's degree at level 7 (registered nurse or midwife) or Australian diploma level 5 (enrolled nurse) of the Australian Qualifications Framework (AQF).</p>

The outcome of the IQNM qualifications assessment:

- where the qualification/s meet all three criteria, the IQNM is considered to have a qualification that is substantially equivalent or based on similar competencies to an NMBA-approved qualification
- where the qualification/s meets Criterion 1 and either Criterion 2 or Criterion 3, the IQNM is considered to have a relevant qualification, and
- where the qualification/s only meets Criterion 1 and does not meet Criterion 2 or Criterion 3, the IQNM is deemed to have a qualification that is neither relevant or substantially equivalent or based on similar competencies to an NMBA-approved qualification.

Visit the NMBA's website for more information on the [model of assessment for IQNM](#)

Sole qualified

The NMBA has one exception to the above approach, which is for registered nurses (RN) with a relevant sole qualification in mental health nursing, disability nursing or paediatric nursing from countries such as the United Kingdom and Ireland. These IQRN hold a (single or composite/additional) qualification that includes learning outcomes and/or research relevant to nursing assessed as comparable to a minimum of an Australian advanced diploma/associate degree at AQF level 6 or level 7.

Visit the NMBA's website for more information on the nurses with a [sole qualification](#).

National Scheme workforce strategy

In mid-September 2022, Ahpra in collaboration with the National Boards responded to a request from National Cabinet to develop proposals aimed at streamlining and accelerating health practitioner skills and qualification recognition (the National Cabinet submission). National Cabinet supported the proposals in the National Cabinet submission as reflected in its media release of 30 September 2022. One key proposal made by the NMBA was to streamline pathways for practitioners from approved comparable jurisdictions based on the best available evidence.

Context

Evidence-based approaches are critical for regulators when introducing new, changing existing and operationalising models of assessment and pathways to registration for internationally qualified health practitioners. The NMBA currently recognises in accordance with the National Law, that IQNM who have substantially equivalent to an Australian qualification and meet the NMBA's mandatory registration standards should be able to progress directly to registration. IQNM with relevant qualifications progress to an OBA (refer [Stream B](#) above).

The current criteria and requirements set by the NMBA for the assessment of a qualification are robust and evidence based. However, the National Law currently only enables the NMBA to consider the qualification/s of an IQNM and whether the qualification/s meets the requirements of section 53(b) of the National Law, (in that is it equivalent or based on similar competencies to an NMBA-approved qualification). The legislation of some international regulators provides for a more flexible approach to consider whether an IQNM should progress directly to registration without undertaking further assessment. For example, the New Zealand Nursing Council, under the *Health Practitioners Competence Assurance Act 2003* are enabled to consider work experience in other countries as well as the IQRN's qualification when making a determination whether the IQRN can progress directly to general registration in New Zealand.

There are examples of where the current outcomes for particular IQRN, deemed as holding a relevant qualification, that given the evidence base that the NMBA now has on the rigour of comparable international regulatory jurisdictions (developed by the INRC), should be able to progress to general registration (if they also meet NMBA mandatory registration standards). Two (2) examples of the current requirements are provided below:

IQRN educated in a comparable international regulatory jurisdiction

1. An IQRN that was educated in a comparable international regulatory jurisdiction, to an AQF level 6, with many years of nursing experience in that comparable international regulatory jurisdiction, is currently deemed to hold a relevant qualification and required to undertake the Stream B (OBA) pathway.

IQRN not educated in a comparable international regulatory jurisdiction

2. An IQRN that was not educated in a comparable international regulatory jurisdiction, but was assessed by a comparable international regulatory jurisdiction, as being eligible for general registration as a RN and has consolidated their practice in that comparable international regulatory jurisdiction, for a reasonable period is currently be deemed to hold a relevant qualification and be required to undertake the Stream B (OBA) pathway.

Proposal

The NMBA is proposing two (2) pathways to registration in the draft registration standard to further enable the NMBA to progress an additional cohort of IQRN that meet certain threshold criteria directly to general registration, provided they also meet the NMBA's mandatory registration standards.

As indicated above, the evidence base for this proposal is founded on strong evidentiary work and benchmarking commissioned by the INRC from 2018–2023. It is important to note that the work undertaken by the INRC only captures RN (or equivalent) level of nursing, therefore, the proposal for consideration is currently limited to RN pathways only.

A summary of the key findings of the INRC work is as follows:

1. Extensive mapping undertaken through the project showed a high to very high level of consistency in the expected regulatory standards across most of the INRC member jurisdictions.
2. Applicants moving between the INRC jurisdictions are considered low risk as they have already been assessed through consistent standards, criteria, processes, and procedures to obtain their registration in the previous jurisdiction.
3. By streamlining the processes and applying the principles of risk-based regulation to the registration of IQRN applying from INRC jurisdictions, the NMBA anticipates a reduction in the regulatory workload associated with these applicants while not reducing the safety to the public.

Based on this evidence, this cohort of IQRN have met the professional standards, criteria, processes, and procedures to obtain their registration and then practised as an RN in an NMBA-approved comparable jurisdictions. The draft registration standard proposes that in addition to an IQRN holding a relevant qualification, provided the IQRN can also meet key threshold criteria in Pathway 1 or Pathway 2, they would be eligible to apply for general registration, noting they must also meet all the NMBA's mandatory registration standards, including English language skills and recency of practice.

The draft registration standard

The draft registration standard would apply to IQRN who meet the requirements stated under the following two (2) pathways.

Pathway 1

IQRN applying under Pathway 1 must demonstrate and provide evidence of:

1. A relevant qualification obtained in an NMBA-approved comparable jurisdiction that led to general registration as a registered nurse in that NMBA-approved international regulatory jurisdiction,
2. Current/previous general registration, as a registered nurse in any of the NMBA-approved comparable jurisdictions, and
3. Practice as a registered nurse for a minimum of 1,800 hours in any of the NMBA-approved comparable jurisdictions.

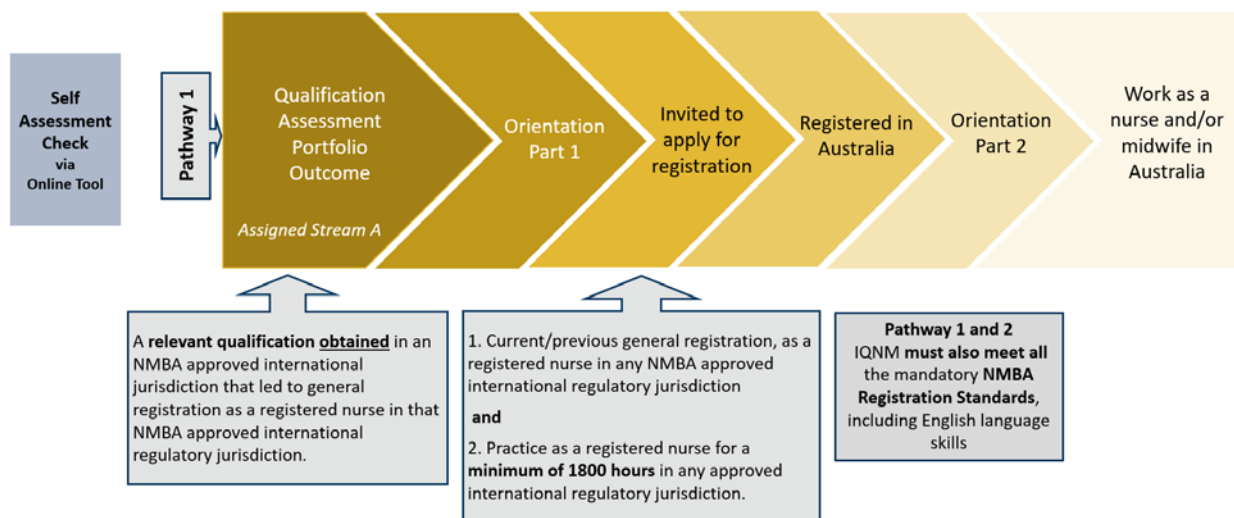


Figure 4: IQRN journey through Pathway 1

Pathway 2

IQRN applying under Pathway 2 must demonstrate and provide evidence of:

1. A relevant qualification not obtained in any of the NMBA-approved comparable jurisdictions from 1 January 2017,
2. Current/previous general registration, as a registered nurse in any of the NMBA-approved comparable jurisdictions since 1 January 2017,
3. Successful completion of a regulatory examination process for internationally qualified registered nurses in any of the NMBA-approved comparable jurisdiction, and
4. Practice as a registered nurse for a minimum of 1,800 hours in any of the NMBA-approved comparable jurisdictions since 1 January 2017.

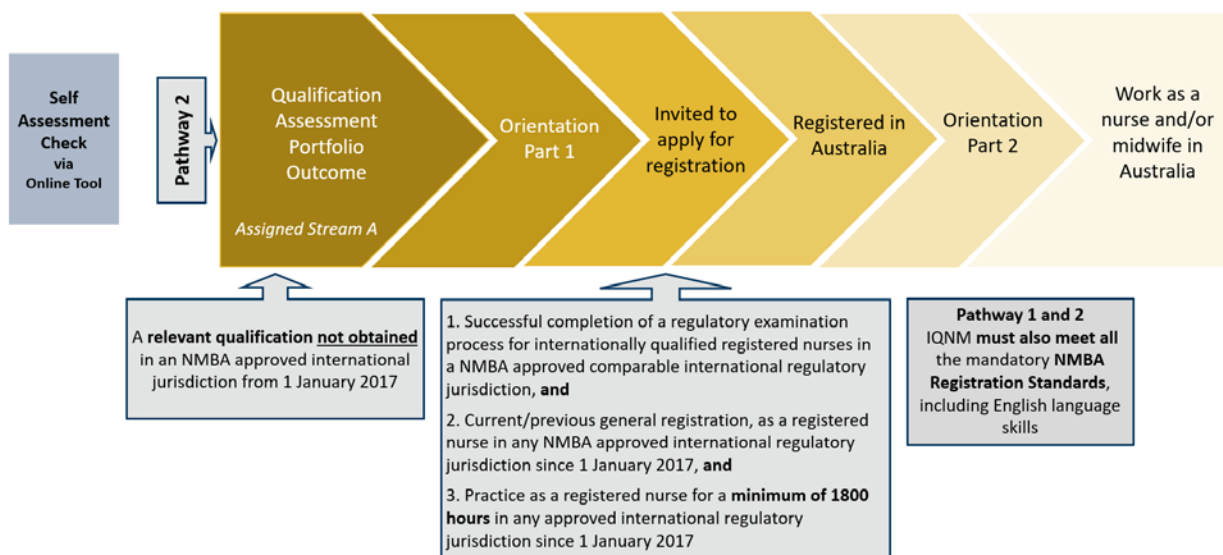


Figure 5: IQRN journey through Pathway 2

Option statements

Option 1 – Retain the status quo

Maintaining the status quo would represent a missed opportunity to improve and expand on the existing evidence-based pathways to registration for IQRN.

Option 2 – Consult on a draft registration standard

The development of a draft registration standard aligns closely with Ahpra and the NMBA's ongoing commitment to developing, reviewing and streamlining existing approaches to registration, for suitably qualified and experienced IQNM.

Preferred option and rationale

The preferred option of the NMBA is Option 2. This approach is expected to contribute to alleviating the workforce pressures on health, aged and primary care services across Australia through the increased supply of critically needed, safe, competent and effective registered nurses.

The NMBA's rationale for threshold criteria of the draft registration standard are:

1. **Approved list** – The NMBA is proposing, at this time, that the approved list, founded on the extensive work of the INRC, be limited to the NMBA-approved comparable jurisdictions which possess comparable regulatory approaches, regulatory standards for education and registration, regulatory processes, and procedures for the registration of this cohort of IQRN. The proposed list includes the United Kingdom, Ireland, United States, Singapore, Spain and the Canadian provinces of British Columbia and Ontario. (refer to [Appendix B](#))

2. **Relevant qualification** – This level of qualification is the minimum threshold for a qualification, as set by the National Law, and ensures that this cohort of IQRN hold a qualification, that meets Criterion 1 and either Criterion 2 or Criterion 3.
3. **Practice hours** – Building and embedding safeguards in new or proposed changes to regulatory requirements, is a critical function of the NMBA. The proposed requirement of 1,800 practice hours in an NMBA-approved comparable jurisdiction, assists in ensuring this cohort of IQRN have had sufficient time to consolidate their practice in an international regulatory jurisdiction that is comparable to Australia and possess the necessary experience to competently and safely practice in the profession at the same or similar standard as expected in Australia. The hours are approximately 1-year full time equivalent (calculated at 38 hours per week over 48 weeks (allowing for an average of 4 weeks of leave) aligned to the accepted maximum weekly hours of work Australian Government's *Fair Work National Employment Standards*).
4. **Examination** – Certain NMBA-approved comparable jurisdictions have been or are still subject to mutual recognition agreements with jurisdictions outside of the approved NMBA list. For example, member countries of the European Union (EU) Directive are required to mutually and automatically register eligible internationally qualified nurses, (regardless of the level of the qualification), without being required to complete any additional pre-registration requirements, including further education or assessments/examinations, similarly to the provisions of Trans-Tasman Mutual Recognition (TTMR) Act.

The NMBA has included this requirement of successful completion of the relevant regulatory examination process, as an additional assurance for Pathway 2 IQRN who gained registration through these types of agreements, have been assessed at an entry to practice registered nurse level by an NMBA approved comparable jurisdiction.
5. **Timeframe** – The timeframe of 1 January 2017, is aligned to the INRC evidence that all of the proposed comparable jurisdictions had a rigorous approach to the assessment of IQRN at this time.

New Zealand

The draft registration standard would not apply to registered nurses from New Zealand as under the provisions of the TTMR Act, registered nurses who can demonstrate evidence of registration as a registered nurse with the New Zealand Nursing Council are eligible to apply for registration in Australia.

NMBA registration standards

IQRN must also meet all mandatory NMBA registration standards. The following apply to applicants applying for registration as a nurse or midwife:

- Criminal history registration standard
- English language skills registration standard
- Registration standard: Continuing professional development
- Registration standard: Recency of practice
- Registration standard: Professional indemnity insurance arrangements

The NMBA website contains further information on the [registration standards](#).

NMBA orientation modules

While IQRN who meet the draft registration standard will have practised the profession in an NMBA-approved comparable jurisdiction at the same or similar standard as expected in Australia, it is also imperative that IQRN have a good understanding of what it is like to work within the Australian healthcare system. The NMBA established an orientation program in 2020 to introduce all IQNM, including this cohort to a range of concepts relating to the Australian healthcare context. The aim is to keep the public safe by supporting IQNM who register with the NMBA to prepare for the environment in which they will be working.

The NMBA orientation program has two parts (modules):

Part 1 – contains pre-registration modules, completed by the IQNM after the qualification (portfolio) assessment, and addresses areas relating to healthcare in the Australian context.

Part 2 – contains post-registration modules, completed by the IQNM after successfully gaining registration with the NMBA, and addresses areas related to Australia and its healthcare system.

Cultural Safety

The NMBA recognises that an understanding of Cultural Safety is key to providing safe and effective care to Aboriginal and Torres Strait Islander Peoples in Australia and is committed to ensuring that all nurses and midwives are appropriately educated in Cultural Safety. The principle of Cultural Safety as set out in the NMBA's *Code of conduct for nurses* and *Code of conduct for midwives* (the codes of conduct) provides guidance on how to work in a partnership with Aboriginal and Torres Strait Islander Peoples. The NMBA is committed to ensuring this cohort of IQRN and all other IQNM wanting to register in Australia have the underpinning education and orientation to provide culturally safe care.

Patient health and safety impact statement

A *Patient health and safety impact statement* has been completed by the NMBA. The aim of this statement is to demonstrate to stakeholders the potential impact of a revision to a registration standard, code or guideline on the health and safety of patients and consumers, particularly the vulnerable members of the community, and Aboriginal and Torres Strait Islander Peoples, and that this has been considered and addressed by the NMBA before, and after the consultation process.

The NMBA's *Patient health and safety impact statement* can be found at [Appendix D](#) at the conclusion of this document.

Questions for consideration

The NMBA is inviting general comment on the draft Registration standard: General registration for internationally qualified registered nurses at [Appendix A](#), the draft NMBA-approved list of comparable international regulatory jurisdictions at [Appendix B](#), as well as specific questions outlined below.

You can email your responses in a Word document² to nmbafeedback@ahpra.gov.au

Feedback is required by close of business on Friday 20 October 2023.

1. **Do you support the proposed approach in the draft registration standard? Why or why not?**
2. **Is the information in the draft registration standard clear? If no, please explain why.**
3. **Are the proposed pathways, clear and workable? If no, please explain why.**
4. **Do you support the requirement for successful completion of a regulatory examination process for internationally qualified registered nurses in an NMBA-approved comparable international regulatory jurisdiction? Why or why not?**
5. **Do you support the requirement for 1,800 hours of practice in an NMBA-approved comparable international regulatory jurisdiction/s prior to application for registration in Australia? Why or why not?**
6. **Do you support the draft registration standard being extended to internationally qualified midwives from the NMBA-approved list of comparable international regulatory jurisdictions where midwifery has a comparable educational standard/framework and is regulated as a separate profession, i.e. the United Kingdom, Ireland and relevant Canadian provinces? Why or why not?**
7. **Do you have any other feedback to the draft proposed registration standard?**

Appendices

Appendix A: Draft Registration standard: General registration for internationally qualified registered nurses

Appendix B: Draft approved list of comparable international regulatory jurisdictions

Appendix C: Statement of assessment against Ahpra's procedures for the development of registration standards, codes and guidelines

Appendix D: Patient health and safety impact statement

² You are welcome to supply a PDF file of your feedback in addition to the word (or equivalent) file, however we request that you do supply a text or word file. As part of an effort to meet international website accessibility guidelines, Ahpra and National Boards are striving to publish documents in accessible formats (such as word), in addition to PDFs.

More information about this is available on the [Ahpra website](#)

Draft Registration standard

General Registration for internationally qualified registered nurses

Effective date: xx 2023

Summary

Sections 52 and 53 of the National Law set out the requirements for eligibility for general registration. All internationally qualified nurses and midwives must meet the requirements of the NMBA's mandatory registration standards and qualify through one of the section 53 pathways to be eligible for registration.

This registration standard provides two (2) pathways to general registration for internationally qualified registered nurses (IQRN).

Does this standard apply to me?

This standard applies to IQRN who can meet the requirements stated under the following two (2) pathways. IQRN applying under Pathways 1 and 2 must also meet the mandatory NMBA registration standards.

Pathway 1

IQRN applying under Pathway 1 must demonstrate and provide evidence of:

1. A relevant qualification obtained in an NMBA-approved comparable jurisdiction that led to general registration as a registered nurse in that NMBA-approved international regulatory jurisdiction,
2. Current/previous general registration, as a registered nurse in any of the NMBA-approved comparable jurisdictions, and
3. Practice as a registered nurse for a minimum of 1,800 hours in any of the NMBA-approved comparable jurisdictions.

Pathway 2

IQRN applying under Pathway 2 must demonstrate and provide evidence of:

1. A relevant qualification not obtained in any of the NMBA-approved comparable jurisdictions from 1 January 2017,
2. Current/previous general registration, as a registered nurse in any of the NMBA-approved comparable jurisdictions since 1 January 2017,
3. Successful completion of a regulatory examination process for internationally qualified registered nurses in any of the NMBA-approved comparable jurisdictions, and
4. Practice as a registered nurse for a minimum of 1,800 hours in any of the NMBA-approved comparable jurisdictions since 1 January 2017.

Definitions

Comparable jurisdiction means: an NMBA approved international regulatory jurisdiction (country, state or province) that has comparable regulatory approaches, regulatory standards for education and registration, regulatory processes, and procedures for the registration of internationally qualified registered nurses.

Eligibility for general registration in a health profession means:

- a) the individual is qualified for general registration in the health profession; and
- b) the individual has successfully completed (i) any period of supervised practice in the health profession required by an approved registration standard for the health profession; or (ii) any examination or assessment required by an approved registration standard for the health profession to assess the individual's ability to practise the profession competently and safely; and
- c) the individual is a suitable person to hold general registration in the health profession; and
- d) the individual is not disqualified under this Law or a law of a co-regulatory jurisdiction from applying for registration, or being registered, in the health profession; and
- e) the individual meets any other requirements for registration stated in an approved registration standard for the health profession.

National Law means the Health Practitioner Regulation National Law (as in force in each state and territory).

Practice means any role, whether remunerated or not, in which the individual uses their skills and knowledge as a health practitioner in their profession. Practice in this context is not restricted to the provision of direct clinical care. It also includes using professional knowledge (working) in a direct non-clinical relationship with clients, working in management, administration, education, research, advisory, regulatory or policy development roles, and any other roles that impact on the safe, effective delivery of services in the profession.

Recency of practice means that a health practitioner has maintained an adequate connection with, and recent practice in the profession since qualifying for, or obtaining registration.

Relevant qualification means: a qualification relevant to the health profession (that is not an approved qualification, or substantially equivalent or based on similar competencies to an approved qualification)

Review

The Board will review this registration standard at least every three years.

Draft approved list of comparable international regulatory jurisdictions

Effective date: xx 2023

An NMBA-approved comparable international jurisdiction (country, state or province) possesses comparable regulatory approaches, regulatory standards for education and registration, regulatory processes, and procedures for the registration of internationally qualified registered nurses.

The list of NMBA approved comparable international regulatory jurisdictions (as amended from time-to-time after consultation) will be published on the NMBA's website, along with the additional requirements for general registration in Australia.

The NMBA-approved comparable international jurisdictions are:

- United Kingdom
- Ireland
- United States
- Canadian provinces of British Columbia and Ontario
- Singapore
- Spain

Statement of assessment against Ahpra's Procedures for the development of registration standards, codes and guidelines

Draft Registration standard: General registration for internationally qualified registered nurses

The Australian Health Practitioner Regulation Agency (Ahpra) has *Procedures for the development of registration standards, codes and guidelines* which are available at: <https://www.ahpra.gov.au/Resources/Procedures.aspx>

Section 25 of the Health Practitioner Regulation National Law as in force in each state and territory (the National Law) requires Ahpra to establish procedures for the purpose of ensuring that the National Registration and Accreditation Scheme (the National Scheme) operates in accordance with good regulatory practice.

Below is the Nursing and Midwifery Board of Australia's (NMBA) assessment of their proposal for the draft *Registration standard: General registration for internationally qualified registered nurses* (the draft registration standard) against the three elements outlined in the Ahpra procedures.

1. The proposal takes into account the objectives and guiding principles in the National Law (sections 3 and 3A) and draws on available evidence, including regulatory approaches by health practitioner regulators in countries with comparable health systems

National Board assessment

The NMBA's key role is to protect the public. One way the NMBA does this is by ensuring that only nurses and midwives who are suitably qualified and competent to practise are registered. The NMBA is also required, by the National Law, to oversee the assessment of the knowledge and clinical skills of overseas trained (internationally qualified) nurses and midwives (IQNM), and to determine the suitability of these nurses and midwives for registration in Australia.

Facilitating the registration of suitably qualified internationally qualified nurses and midwives (IQNM) into Australia is a priority for state, territory and federal governments, the NMBA and Ahpra. Streamlining the registration of IQNM has the potential to contribute to the easing the workforce pressures on health, aged and primary care, rural and remote and metropolitan services across all Australia through the supply of critically needed, safe, competent and effective practitioners.

The NMBA has drawn from the available evidence to inform the review. The draft registration standard is intended to enable the NMBA to progress an additional cohort of IQRN directly to general registration provided they also meet all other NMBA mandatory registration standards. The draft registration standard is founded on strong evidentiary work and benchmarking commissioned by the International Nurse Regulatory Collaborative from 2018 to 2023, of which the NMBA is a member.

The draft registration standard supports two (2) discrete pathways to general registration for IQRN who have already been assessed against the professional standards, criteria, processes, and procedures to obtain their registration and practise as a registered nurse in an NMBA-approved comparable international regulatory jurisdiction (country, state or province).

The NMBA's proposal takes into account the National Scheme's paramount principle of protecting the public and maintaining public confidence in the safety of services provided by health practitioners. The proposed registration standard also supports the National Scheme to operate in a transparent, accountable, efficient, effective and fair way.

2. Steps have been taken to achieve greater consistency within the national scheme (for example, by adopting any available template, guidance or good practice approaches used by national scheme bodies), and the consultation requirements of the National Law are met

National Board assessment

The consultation paper is consistent with the templates and approaches used by other National Boards.

The consultation requirements of the National Law are being met. The National Law requires wide-ranging consultation on the proposed standards, codes and guidelines. The National Law also requires National Boards to consult each other on matters of shared interest. Preliminary consultation with key stakeholders was the first step in the consultation process.

The NMBA conducted preliminary consultation on a draft registration standard from 19 April to 9 June 2023. Twenty-seven stakeholder groups were sent the preliminary consultation paper including the draft registration standard and draft list of comparable international regulatory jurisdictions. Responses were received from seventeen stakeholder groups. There was support from all respondents for the draft registration standard and general agreement that the proposal has the potential to increase the number of IQRN registering in Australia.

The NMBA will now ensure that there is the opportunity for broader public comment via an eight (8) week public consultation. This includes publishing the consultation paper on the NMBA and Ahpra websites and informing health practitioners and the community of the review via the NMBA's electronic newsletter.

The NMBA will consider all feedback received when finalising the draft registration standard.

3. The proposal takes into account the principles set out in the Ahpra procedures

- A. Whether the proposal is the best option for achieving the proposal's stated purpose and protection of the public

National Board assessment

The NMBA considers that this proposal is the best option for achieving public safety, high quality and professional practice and regulatory effectiveness. The proposal considers the current health workforce crisis in Australia, exacerbated by the inability for internationally qualified health practitioners to enter Australia during the COVID-19 pandemic. Facilitating the registration of suitably qualified IQNM into Australia is a priority for state, territory and federal governments, the NMBA and Ahpra. The *Interim Report for the Independent review of overseas health practitioner regulatory settings* (the Kruk review) highlighted challenges for overseas trained health practitioners.

The NMBA and Ahpra were already looking at improvements to assessment processes. Streamlining the registration of IQNM has the potential to contribute to the easing the workforce pressures on health, aged and primary care, rural and remote and metropolitan services across all Australia through the supply of critically needed, safe, competent and effective practitioners.

As outlined, under the National Law, the NMBA is responsible for the assessment of IQNM to determine their suitability for registration in Australia. There are currently a number of established pathways for IQNM to register in Australia. These are based on an assessment of the IQNM qualification/s and their ability to meet the English language skills and Recency of practice registration standards.

The current pathways for registered nurses (RN) whose qualification/s do not meet the NMBA requirements require that they successfully complete a multiple choice examination and a clinical examination or that they upgrade their qualification to one that meets the NMBA requirements. The NMBA has developed this draft registration standard to support a proposed modification to established pathways that is expected to increase the flexibility for IQRN to gain registration in Australia.

- B. Whether the proposal results in an unnecessary restriction of competition among health practitioners

National Board assessment

The proposal is unlikely to restrict competition as it is a modification to the established pathways that is expected to increase the flexibility for internationally qualified registered nurses to register in Australia.

C. Whether the proposal results in an unnecessary restriction of consumer choice

National Board assessment

The proposal is unlikely to result in any restriction of consumer choice as it is expected to provide a more flexible approach to the assessment of IQRN and result in more IQRN being registered more quickly. This cohort of IQRN are currently required to successfully complete the NMBA examinations to be eligible to apply for registration. This means that IQRN who meet the requirements of the draft registration standard will be eligible to apply for registration without needing to complete the NMBA's 2-step (MCQ and OSCE) examinations – saving time, effort, and costs.

D. Whether the overall costs of the proposal to members of the public and/or registrants and/or governments are reasonable in relation to the benefits to be achieved

National Board assessment

The NMBA has closely considered the potential costs associated with the proposal. The introduction of the two pathways in the draft registration standard has the potential to increase the number of RN registering in Australia. It is expected to streamline the registration processes for this cohort of IQRN and reduce the time from application to registration. No costs are passed on to the public or governments from this proposal. There should be a cost saving for IQRN from a more streamlined and flexible process for applying for registration.

E. Whether the proposal's requirements are clearly stated using 'plain language' to reduce uncertainty, enable the public to understand the requirements, and enable understanding and compliance by registrants

National Board assessment

The NMBA has used a plain English approach in preparing the consultation material to help practitioners and the public understand and consider the proposed requirements of the draft registration standard.

F. Whether the Board has procedures in place to ensure that the proposed registration standard, code or guideline remains relevant and effective over time

National Board assessment

The NMBA has procedures in place to support a review of the proposed draft registration standard at least every five years – should it be approved by the Ministerial Council. If approved, the Board may choose to review the registration standard earlier, in response to any issues which arise, or new evidence which emerges to ensure its continued relevance and workability.

Patient health and safety impact statement

August 2023

The National Boards' Patient and Consumer Health and Safety Impact Statement (Statement)³ explains the potential impacts of a new or revised registration standard, code or guideline on the health and safety of the public, vulnerable members of the community and Aboriginal and Torres Strait Islander Peoples.

The four key components considered in the Statement are:

1. The potential impact of the registration standard on the health and safety of patients and consumers, particularly vulnerable members of the community including approaches to mitigate any potential negative or unintended effects.
2. The potential impact of the registration standard on the health and safety of Aboriginal and Torres Strait Islander People, including approaches to mitigate any potential negative or unintended effects.
3. Engagement with patients and consumers, particularly vulnerable members of the community about the proposal.
4. Engagement with Aboriginal and Torres Strait Islander Peoples about the proposal.

The National Boards' Patient and Consumer Health and Safety Impact Statement aligns with the National Scheme's [Aboriginal and Torres Strait Islander Cultural Health and Safety Strategy 2020-2025](#), the [NRAS Strategy 2020-25](#), the [NRAS Engagement Strategy 2020-25](#) and reflect key aspects of the consultation process in [Ahpra's procedures for the development of registration standards, codes and guidelines and accreditation standards](#).

³ This statement has been developed by Ahpra and the National Boards in accordance with section 25(c) and 35(c) of the *Health Practitioner Regulation National Law* as in force in each state and territory (the National Law). Section 25(c) requires Ahpra to establish procedures for ensuring that the National Registration and Accreditation Scheme (the National Scheme) operates in accordance with good regulatory practice. Section 35(c) assigns the National Boards functions to develop or approve standards, codes and guidelines for the health profession including the development of registration standards for approval by the COAG Health Council and that provide guidance to health practitioners registered in the profession. Section 40 of the National Law requires National Boards to ensure that there is wide-ranging consultation during the development of a registration standard, code, or guideline.

Below is the NMBA's initial assessment of the potential impact of the draft *Registration standard: General registration for internationally qualified registered nurses*. This statement will be updated after consultation feedback is received.

1. How will this proposal impact on patient and consumer health and safety, particularly vulnerable members of the community? Will the impact be different for vulnerable members compared to the general public?

The NMBA and Ahpra is committed to the ongoing review of its regulatory policies and assessment processes related to internationally qualified nurses and midwives (IQNM), while maintaining the safety of the public requiring care in the Australian healthcare system.

The NMBA has carefully considered the likely impacts of developing a draft *Registration standard: General registration for internationally qualified registered nurses* and have brought forward what we think is the best option for consultation, informed by preliminary consultation with key stakeholders. Through public consultation, our engagement will help us to better understand possible outcomes and meet our responsibilities to protect public safety and health care quality.

2. How will this consultation engage with patients and consumers, particularly vulnerable members of the community?

In line with our established consultation processes, the NMBA is undertaking wide-ranging and public consultation. We will engage with professional associations and peak bodies, patient and consumer representative bodies and many other relevant organisations to gain input and views from vulnerable members of the community.

To do this, the NMBA will conduct a large scale eight (8) week public consultation process engaging directly with these groups. This will be achieved through multiple communication channels including direct emails, social media, the NMBA newsletter, and public accessibility of the consultation paper on the NMBA's website.

3. What might be the unintended impacts for patients and consumers particularly vulnerable members of the community? How will these be addressed?

As all nurses and midwives, including the proposed cohort of IQRN, are required to meet the NMBA's mandatory registration standards, professional codes, guidelines and standards for practice which together establish the requirements for the professional and safe practice of nurses and midwives in Australia. Aligned to these provisions, the NMBA does not expect there to be any unintended impacts for patients and consumers, including vulnerable members of the community.

However, the NMBA will fully consider and take actions, should any potential or unintended impacts be raised or identified throughout consultation.

4. How will this proposal impact on Aboriginal and Torres Strait Islander People? How will the impact be different for Aboriginal and Torres Strait Islander Peoples compared to non-Aboriginal and Torres Strait Islander Peoples?

In addition to the NMBA's mandatory registration standards, professional codes, guidelines and standards for practice, all IQNM, inclusive of the proposed cohort of IQRN, are required to successfully complete a 2-part orientation program providing important learnings on a range of concepts relating to safe and effective care within the Australian healthcare context. The program includes key content on the provision of culturally safe and effective care to Aboriginal and Torres Strait Islander Peoples in Australia.

Careful consideration has also been taken by the NMBA on any potential impact of the draft registration standard on Aboriginal and Torres Strait Islander Peoples and how the impact compared to non-Aboriginal and Torres Strait Islander people might be different. Public consultation and stakeholder engagement will

help us to identify any other potential impacts and meet our responsibilities to protect safety and health care quality for Aboriginal and Torres Strait Islander Peoples.

The NMBA does not expect there to be any adverse impacts for Aboriginal and Torres Strait Islander Peoples as a result of the draft registration standard.

5. How will consultation about this proposal engage with Aboriginal and Torres Strait Islander Peoples?

The NMBA is committed to the National Scheme's [Aboriginal and Torres Strait Islander Cultural Health and Safety Strategy 2020-2025](#) which focuses on achieving patient safety for Aboriginal and Torres Strait Islander Peoples as the norm, and the inextricably linked elements of clinical and Cultural Safety.

As part of our consultation process, we have tried to find the best way to meaningfully engage with Aboriginal and Torres Strait Islander Peoples. We are doing this by proactively consulting with Aboriginal and Torres Strait Islander health policy leaders, peak Aboriginal and Torres Strait Islander professional bodies and the national leadership body for Aboriginal and Torres Strait Islander health in Australia. We will continue to engage with Aboriginal and Torres Strait Islander organisations and stakeholders throughout all stages of this consultation.

6. What might be the unintended impacts for Aboriginal and Torres Strait Islander Peoples? How will these be addressed?

The NMBA has carefully considered what might be any unintended impacts from the proposal, which is aimed at ensuring internationally qualified registered nurses meet the standard expected to practise as a safe entry-level practitioner.

Continuing to engage with relevant organisations and Aboriginal and Torres Strait Islander Peoples will help us to identify any other potential impacts. We will consider and take actions to address any other potential negative impacts for Aboriginal and Torres Strait Islander Peoples that may be raised during consultation.

7. How will the impact of this proposal be actively monitored and evaluated?

Part of the NMBA's work in keeping the public safe is ensuring that all NMBA standards, codes and guidelines are regularly reviewed.

However, the NMBA may review the standard earlier, in response to any issues which arise or new evidence which emerges to ensure the standard's continued relevance, workability and maintenance of public safety standards. In particular, the NMBA will review the registration standard earlier if unintended consequences on the health and safety of the public, vulnerable members of the community and Aboriginal and Torres Strait Islander Peoples were to arise.