Regulation of internationally qualified nurses and midwives

Tanya Vogt, Executive Officer, Nursing and Midwifery
National Registration and Accreditation Scheme
The National Scheme

- Established in 2010
- Health Practitioner Regulation National Law Act as in force in each state and territory (The National Law)
- 14 health profession boards (National Boards)
- National Boards work in partnership with the Australian Health Practitioner Regulation Agency (AHPRA)

Public protection is at the heart of everything we do
The objectives of the National Law

- Protection of the public
- Workforce mobility within Australia
- High quality education and training
- Rigorous and responsive assessment of overseas trained practitioners
- Facilitate access to services in accordance with the public interest
- Enable a flexible, responsive and sustainable health workforce and innovation
National Scheme in numbers (June 2016)

- 657,621 practitioners across the 14 professions
- 380,208 nurses and midwives (57.8%)
- 89,620 nursing students and 3949 midwifery students
- 283,555 - Registered nurses (74.5%)
- 63,115 - Enrolled nurses (LPN) (16.6%)
- 29,656 - RN/EN and midwives (7.8%)
- 4,182 – Midwives (1.1%)
Nursing and Midwifery Board of Australia
Role of NMBA

- Develop registration standards, codes and guidelines for nurses and midwives
- Approve accreditation standards and accredited programs of study
- Oversee assessment of internationally qualified nurses and midwives
- Oversee registration and notification functions related to nurses and midwives (management delegated to AHPRA and state/territory boards)
Assessment of IQNMs in Australia
IQNM applications received by Australia

- Canada – 3.2%
- USA – 3.8%
- South Africa – 1.4%
- Philippines – 22.9%
- United Kingdom – 29.0%
- India & Nepal – 29.7%
Criticism of assessment of IQNMs in 2013

2013
Tribunal decisions that were critical of NMBA policy of assessing international applicants:
- Palatty (WA)
- Shankaran (SA)

Led to NMBA seeking legal advice:
- Previous *Framework* for assessing international applicants inconsistent with the National Law
- Work experience only relevant for Recency of Practice
### Previous framework vs current interim model

<table>
<thead>
<tr>
<th>Previous framework</th>
<th>Interim model (current)</th>
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<tr>
<td>Post-qualification work experience considered during assessment of equivalence of qualification</td>
<td>Considers qualification only in establishing equivalence under s53(b)</td>
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<td>Country-specific framework</td>
<td>Eight qualification criteria that test the fundamentals of each qualification</td>
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<td>Potential for country bias</td>
<td>More equitable assessment approach</td>
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### Has led to

- **less favourable** outcomes for applicants from some countries (e.g. UK and Ireland)
- **more favourable** outcomes for applicants from other countries (e.g. Pakistan, Hong Kong)
Current interim model

• Registration standards define the requirements that applicants must meet to be considered fit to practise as nurses and midwives.

• Qualification criteria define the minimum acceptable education and training that international applicants must have undertaken. These criteria are different for registered nurses, midwives and enrolled nurses.
### Interim IQNM assessment model

#### Registration standards

<table>
<thead>
<tr>
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<th>Description</th>
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<tbody>
<tr>
<td>1</td>
<td>English language skills</td>
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<tr>
<td>2</td>
<td>Criminal history</td>
</tr>
<tr>
<td>3</td>
<td>Continuing professional development</td>
</tr>
<tr>
<td>4</td>
<td>Professional indemnity insurance arrangements</td>
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<td>5</td>
<td>Recency of practice</td>
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#### Qualification criteria

<table>
<thead>
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<tr>
<td>1</td>
<td>Qualification leads to registration</td>
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<tr>
<td>2</td>
<td>Accredited education provider</td>
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<tr>
<td>3</td>
<td>Accredited program of study</td>
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<tr>
<td>4</td>
<td>AQF level (1–10)</td>
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<tr>
<td>5</td>
<td>Clinical experience hours (direct) Continuity of care episodes (MW)</td>
</tr>
<tr>
<td>6</td>
<td>Course curriculum</td>
</tr>
<tr>
<td>7</td>
<td>Course completion</td>
</tr>
<tr>
<td>8</td>
<td>Evidence of pharmacology</td>
</tr>
<tr>
<td>Criterion</td>
<td>Requirement</td>
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</table>
| 1 | Qualification leads to registration as a:  
  • registered nurse for RN applications  
  • midwife for MW applications  
  • enrolled nurse for EN applications |
| 2 | Accreditation of education institution |
| 3 | Accreditation of program of study |
| 4 | Level of qualification:  
  • Bachelor degree (AQF level 7) for RN and MW applications  
  • Diploma (AQF level 5) for EN applications |
| 5 | Workplace experience (as a part of the qualification)  
  • 800 hours for RNs  
  • Professional experience for MWs (specific)  
  • 400 hours for ENs |
| 6 | Course curriculum primarily related to:  
  • Nursing for RNs and ENs  
  • Midwifery for MWs |
| 7 | All components of course successfully completed |
| 8 | Medication management content |
NMBA-approved outcomes for IQNMs

- **RN/MW:** AQF 7 qual and meets all other criteria
  - **EN:** AQF 5 qual and meets all other criteria
  - **Register**

- **RN:** AQF 6 qual solely in mental health/ paediatric/ disability nursing and meets all other criteria
  - **Register with conditions for supervised practice**

- **RN/MW:** AQF 7 and meets all requirements except medication management (criterion 8)
  - **EN:** AQF 5 and meets all requirements except medication management (criterion 8)
  - **Register with conditions for supervised practice**

- **MW:** AQF 7 and meets all requirements except continuity of care experience (criterion 5)
  - **Refuse and refer to bridging**

- **RN/MW:** AQF 6 qual and meets all criteria except 4
  - **EN:** AQF 4 qual and meets all criteria except 4
  - **Refuse and refer to bridging**

- **RN/MW:** Meets criteria 1, 4, 5 & 7 (AQF 7 qual)
  - **EN:** Meets criteria 1, 4, 5 & 7 (AQF 5 qual)
  - **Refuse and refer to bridging**

- **RN:** AQF 7 and meets all requirements except workplace experience (criterion 5)
  - **EN:** AQF 5 and meets all requirements except workplace experience (criterion 5)
  - **Refuse and refer to bridging**

- **RN/MW:** AQF 5 qual or lower
  - **EN:** Less than AQF 4 or unassessable
  - **Refuse**
Processing of IQNM applications

- AHPRA has offices located in each capital city
- IQNM applications are processed in two locations
  - Sydney
  - Perth
Positive outcomes of current interim approach

• Consistent with legislation - National law
• Improved governance
• Apply minimum necessary regulatory response – Regulatory Principles
• More rigorous, fair and transparent
• Reduces workforce barriers and increases mobility
Outcomes based assessment
IQNM assessment challenges and complexities

- No universal assessment tool/framework
- Standard of education and accreditation varies
- Labour intensive for AHPRA and the Board(s)
- Need for complex knowledge across multiple countries
Outcomes based assessment (OBA) project

Objective:

To explore the factors to consider and the requirements to establish an outcomes-based assessment of competence to practise for all internationally qualified registered nurses, midwives and enrolled nurses (IQNMs)
Methodology

• Review of published peer-reviewed and grey literature, focusing particularly on literature relating to regulatory requirements and processes.

• A domestic environmental scan of the processes for OBA for competence to practice, currently being used by other regulatory boards within AHPRA

• An international environmental scan of models of OBA used by nursing and midwifery regulators
Overall recommendations:

• That the overall assessment process include a cognitive and behavioural component

• That the OBA process be established exclusively as a high stakes assessment for regulatory purposes not for educational or ‘bridging’ purposes

• That the OBA process be stepped i.e. must pass cognitive before behavioural attempted
Overall recommendations:

- That the **cognitive assessment** component be a computerised innovative item Multiple Choice Questions (MCQ) examination
- That the model of **behavioural assessment** be an Objective Structured Clinical Examination (OSCE)
Cognitive assessment options

**Multiple Choice Questions (MCQ) (recommended)**

**Strengths**
- Valid objective, reliable, time and cost effective
- Allows computerised delivery
- Can include innovative items

**Weaknesses**
- Limited ability to assess the higher level cognitive processes

**CAT MCQ (not recommended unless using existing)**

**Strengths**
- Provides more certainty for candidates who only achieve the minimum standard

**Weaknesses**
- Requires a large bank of testing

**Short answer (not recommended)**

**Strengths**
- Easier to construct, reduce cueing or guessing

**Weaknesses**
- Time consuming, difficult to grade, subjective, not used in most high stake examinations
Behavioural assessment options

### OSCE

**Strengths**
- High ability to assess communication, critical thinking and reasoning and planning

**Weaknesses**
- Unfamiliarity with the assessment process can affect performance
- Complex to design
- Labour intensive

### WPBA - structured

**Strengths**
- Seen as a more natural clinical environment
- Can be taken over a significant period of time

**Weaknesses**
- Labour and time intensive
- Competing for clinical placements
- Serious challenges in ensuring it is objective, fair and valid if unstructured

### Bridging as assessment

**Strengths**
- Ability to ensure all aspects of practice covered
- Can include orientation to domestic and local content

**Weaknesses**
- Lengthy, expensive
- Difficulty meeting volume of applicants
- Assumes all applicants need extensive assessment
Assessment framework

• Ensures strong alignment between assessment content and chosen model
• Ensures models recommended are capable of measuring activities and indicators required
• Based on NMBA–approved documents
Proposed OBA assessment

- IQNM applicant
  - Determine equivalency
    - Register
      - All other applicants
        - MCQ
          - OSCE
            - Re-sit
              - ? Education course
                - Register
      - Re-sit
        - ? Education course
            - Register
    - ? Future targeted courses/bridging to address gaps

Orienting to the Australian context
Next steps
Where can I find more information?

www.nursingmidwiferyboard.gov.au
References and resources

• Section 53 of the National Law, published on the AHPRA website

• Outcomes-based assessment of competence to practise and orientation requirements for IQNMs in Australian healthcare context - Final Report