



Delivering a **Healthy WA**

Attachment 5 WA Health Unmet Area of Need Policy and Guidelines

The Unmet Area of Need Program Appeals Process

Overview

The Unmet Area of Need (UAN) program is one of a number of strategies developed to address workforce shortages in Western Australia (WA), especially in rural areas. The determination of UAN is the process that facilitates the employment of overseas trained doctors within WA. For the purposes of UAN positions, an overseas trained doctor is a doctor who has obtained a primary medical qualification outside an accredited Australian and New Zealand medical school, and is applying for Conditional Registration with the Medical Board of WA.

The WA Minister for Health approves the determinations on the recommendation of the Medical Workforce Branch of WA Health. These are assessed and applicant organisations are required to meet the published criteria for assessment for eligibility for UAN status.

Information on the approval processes for UAN and the criteria for the assessment can be found in the WA Health UAN Policy and Guidelines at http://intranet.health.wa.gov.au/policies/doh_policy.cfm or on the WA Health website <http://www.overseasdoctors.health.wa.gov.au/home/>

An underpinning philosophy of the UAN program is that there will be no disadvantage to appropriately qualified and experienced Australian trained medical practitioners who want to work in these positions.

The process of approving determinations for UAN status requires the establishment of well-defined and equitable procedures to review the decisions made by WA Health in those instances where applicant organisations do not agree with the departmental decision. The UAN appeals process has been developed in consultation with members of the Overseas Trained Doctors Policy Sub-Committee.

Purpose of the appeals process

The appeals process is a re-assessment of the submission for UAN. It ensures that due process was followed, but also gives consideration to other matters.



The purpose of the appeals process is to provide:

- integrity and equity in the decision-making process
- assurance that processes are fair, transparent, workable and reflect the underlying principles of the program
- a mechanism to monitor the effectiveness of the procedures and ensure continuous improvement
- eliminate perceived bias against any applicant organisations
- eliminate time consuming complaints that may arise from misunderstandings.

Appeals Process

1. Requests for appeals

- 1.1 Requests to seek re-assessment of an UAN position application must be submitted in writing within 28 days of notification of WA Health's decision on the application. Requests must clearly state the grounds for appeal.
- 1.2 Requests for appeal will **not** be considered when the reason given by WA Health for rejecting the application has been one of the following:
- The application does not fully address all the criteria.
 - The grounds for appeal cover issues that are not related to the assessment criteria.
 - The application refers to another person or organisation other than the original applicant.
 - The application may be resolved in another way, for example with the Australian Government Department of Health and Ageing
 - The grounds for appeal fall outside WA Health jurisdiction e.g., Medicare Provider Number legislation, immigration matters, etc.
 - The request appeal is made after 28 working days of notification of the WA Health's decision on the application.

2. Assessment of appeals requests

- 2.1 Requests will be referred to an Appeals Committee comprising of three members of the Overseas Trained Doctor Policy Sub-Committee¹ who have not been not involved in the original assessment or approval of the UAN application.
- 2.2 The Appeals Committee will conduct a paper-based assessment of request for appeal. The Appeals Committee will consider the following documentation:
- the original UAN application.
 - WA Health's decision stating the reason for declining the application
 - the applicant's written request to have the application re-assessed including the grounds for this request.
- 2.3 The Appeals Committee will be convened on an 'as needs' basis through a teleconference.



2.4 Applicant organisations will be notified in writing of the outcome of the appeals process within 28 working days of the lodgment of the appeals request.

ⁱ The **OTD Policy Sub-Committee's** role is to provide advice and support on the:

- development and implementation of policy guidelines for overseas trained doctors and
- recruitment and retention strategies for overseas trained doctors.

The Committee is accountable to the Director General Department of Health through the Director, Workforce, and its membership includes individuals with knowledge and experience of medical workforce issues, especially in relation to overseas trained medical practitioners.

If further information is required, please do not hesitate to contact the Medical Workforce Branch on (08) 9222 2476.

