



WA Health Unmet Area of Need Policy and Guidelines

Scope

This policy and guidelines describe the process to follow when applying for an Unmet Area of Need (UAN) determination for a specific medical position. This process needs to be followed by all persons working in the Western Australian (WA) Government health sector, the private health sector and any other individuals or organisations.

For the purposes of this policy and guidelines, the WA Government health sector is known as 'WA Health' which incorporates the following entities:

- Department of Health (DoH)
- Metropolitan Health Services
- Peel Health Service
- WA Country Health Service.

This policy and guidelines will also apply to any other entities that become part of WA Health while this policy is current. This is a state-wide system policy and guidelines and supersedes all prior policies and guidelines related to UAN in WA Health.

Purpose

The intent of this policy and set of guidelines is to outline:

- the application process for a UAN status
- the assessment of UAN applications
- the obligations of employers when recruiting overseas trained medical practitioners as they relate to UAN.

The policy and guidelines contain the following attachments:

- 1 UAN Program Assessment Criteria
- 2 Application Form for UAN Determination
- 3 Applying for a UAN Determination - Quick Reference Guide
- 4 Roles and Responsibilities
- 5 The UAN Program Appeals Process.



Policy and Guidelines

The *Medical Practitioners Act 2008* (WA) 34 (2) (b) (iv) provides for the declaration of specific geographical locations as unmet areas of need. The WA Minister for Health determines *unmet areas of need* for locations where it has been clearly established that a medical workforce shortage exists. A UAN determination enables an overseas trained doctor to apply for conditional registration with the Medical Board of WA (MBWA) to work in areas of determined medical workforce shortages in WA. An underpinning philosophy of the UAN program is that an overseas trained doctor cannot be registered or employed if it will disadvantage an appropriately qualified and experienced Australian medical practitioner.

The UAN Program is managed by DoH. The UAN Program is designed to ensure the most appropriate distribution of the medical workforce in areas experiencing workforce shortage and provides access to:

- general practitioner services in the remote and rural areas of WA and outer metropolitan areas
- specialist services in rural, inner and outer metropolitan areas.

Positions or locations which have been determined to be in a UAN are published in the Government Gazette and on the DoH website at <http://www.health.wa.gov.au/unmetarea>. A UAN determination is position specific and is not transferable to another position or another location.

A District of Workforce Shortage (DWS) status is required to obtain a Medicare provider number and must be determined prior to lodging an application for UAN. To be eligible for a UAN determination, practices/services in rural and outer metropolitan areas wishing to recruit overseas trained doctors to general practitioner positions must provide evidence of a DWS status.

A UAN determination will not be declared to **any** practice located in the inner metropolitan area for the purpose of recruiting overseas trained doctors to general practitioner positions. WA Health utilises the Australian Government Department of Health and Ageing (DoHA) DWS searchable database to determine the boundaries of inner and outer metropolitan areas. In the event that a practice location is classified on the DWS searchable database as *partial outer metropolitan*, WA Health will seek advice and confirmation from DoHA on the exact location. This will determine the practice's eligibility for UAN status. This decision will be final and will not be subject to review or appeal.

Information about the searchable database can be obtained from DoHA's website at <http://www9.health.gov.au/otdwdws-database/cf/index.cf>.



Applying for an UAN Determination

An application for a determination as an UAN must be prepared and forwarded to DoH. A minimum time frame of 6 to 8 weeks is required for the assessment of the application which includes its approval by the Minister for Health. If successful, the application will be published in the Government Gazette. This process must be completed before the MBWA will grant medical registration and the recruitment of an overseas trained doctor can commence.

DoH will assess written applications for the declaration of UAN status according to the following criteria:

- There must be an identified vacant position supported by a Job Description Form (JDF) including details of supervision requirements for the position included in the application. The applying service/organisation will develop new JDFs in consultation with the relevant specialist medical college as appropriate.
- The applying service/organisation must provide documented evidence of unsuccessful advertising for an Australian-trained doctor to the position. The WA Health UAN Program assessment criteria (Attachment 1) describes the minimum advertising requirements, to which no exceptions will be granted.
- The details of the applying service/organisation are to be documented in the application.
- Evidence that the applying service/organisation and location is deemed a DWS by DoHA must be provided. For more information, go to the DoHA website <http://www.doctorconnect.gov.au/internet/otd/Publishing.nsf/Content/District+of+Workforce+Shortage>.
- Applications from rural country hospitals must be supported by WA Country Health Services (WACHS). WA Health will contact WACHS to seek advice on these applications if a letter of support is not supplied by the applying organisation.
- Applications from private general practices in rural and remote areas must be supported by Rural Health West (RHW). WA Health will contact RHW to seek advice on these applications if a letter of support is not supplied by the applying organisation/practice.
- Applications from private general practices in outer metropolitan areas must be supported by the WA General Practice Network. WA Health will contact the WA General Practice Network to seek advice on these applications if a letter of support is not supplied by the applying organisation.

To assist with the application process, comprehensive details related to the assessment criteria and an application form are provided at Attachments 1 and 2 respectively. Attachments 3 and 4 contain a quick reference guide that outlines the application process and information about the different roles and responsibilities of



each party. These forms are also located at <http://www.overseasdoctors.health.wa.gov.au/employers/apply.cfm>.

Approval Process For Unmet Area of Need Applications

- All criteria for the declaration of UAN positions must be met by the applying individual/group.
- The assessment of UAN applications will be considered in the context of the provision of medical services to a community.
- Applications will be assessed in a consistent, effective and efficient manner and will only be considered when submitted via the formally agreed process. The approval process will take from between 6 to 8 weeks from the receipt of all required documentation.
- Applications may be accepted, refused or referred back to applicants for clarification of issues if they are not able to be assessed against the agreed criteria.
- If an applying service/organisation's application for a UAN determination is not successful and appropriate grounds exist, an appeals process mechanism is available. Information about the UAN Program appeals process is provided at Attachment 3.
- The UAN determination assigned to a position is not transferable to another position or location.

Determination of Medical Service Categories

As part of the approval process, WA Health will use the following descriptions to make a determination on the type of medical service included in a UAN application:

- *General Medical Services*

If the position is for a medical practitioner operating in a private practice (and not as a specialist in a specialised field), the UAN application will be determined to be for the purpose of a general practitioner for the provision of general medical services.

- *Specialist Services*

If the medical services deemed to be in shortage require a specialist who has or will undertake specialist assessment by the Australian Medical Council (AMC) and the relevant specialist college, the UAN application will be determined to be for the purpose of specialist services for a specific position and location.

Employing Overseas Trained Doctors

- Employers undertaking the recruitment and selection of an overseas trained doctor, will ensure that it is a fair and equitable process and complies with:
 - visa requirements set by the Department of Immigration and Citizenship, provided at <http://www.immi.gov.au>.



- the WA Public Sector Standard in Human Resource Management - Recruitment Selection and Appointment.
- The recruitment and employment of an overseas trained doctor in WA is subject to meeting national assessment processes conducted by the AMC and the relevant specialist college. Further information can be found at <http://www.amc.org.au/index.php/img> and the relevant specialist college web site.
- Prior to being employed in a UAN position in WA, an overseas trained doctor must meet the MBWA registration requirements.
- A contract of employment for an overseas trained doctor working in a UAN with conditional registration with the MBWA cannot be extended beyond the expiry date of the determination. Detailed information for overseas trained doctor and employers is available at www.overseasdoctors.health.wa.gov.au.
- Employers will provide the MBWA with details of the current UAN determination and expiry date when seeking conditional registration for a UAN position. Further information may be found at <http://www.overseasdoctors.health.wa.gov.au/employers/unmetarea.cfm>.
- Employers will advise the MBWA of any significant issues in the performance of a medical practitioner in a UAN position if such matters cannot be resolved between the employer and the doctor.
- Employers will provide an orientation program for successful applicants covering all aspects of the job and their role as an employee. This includes their rights and responsibilities as an employee, policies and procedures and other administrative issues.
- Where possible, employers should encourage and assist medical practitioners employed in UAN positions to undertake appropriate training and provide support to progress their transition to becoming an unconditionally registered medical practitioner.
- Employers will inform applicants of all requirements and processes related to performance management and assessment processes, including skills and knowledge required, review processes and the review criteria.
- Information on the national and state health systems can be found in the *‘Living and Working in Western Australia – An Orientation Manual for Overseas Trained Doctors Working in Western Australia’s Public Hospitals’*. Further information may be found at <http://www.overseasdoctors.health.wa.gov.au/home>



Definitions

For the purpose of this policy, the following definitions apply:

Overseas Trained Doctor

For the purposes of *Unmet Area of Need* 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 MBWA.

Although this policy uses the term ‘**overseas trained doctor**’, some jurisdictions prefer the use of the alternative term ‘**international medical graduate**’.

WA Public Sector Standard in Human Resource Management – Recruitment Selection and Appointment

This minimum standard of merit, equity and probity is met for recruitment, selection and appointment if:

- a proper assessment matches a candidate’s skills, knowledge and abilities with the work-related requirements of the job and the outcomes sought by the public sector body, which may include diversity
- the process is open, competitive and free of bias, unlawful discrimination, nepotism or patronage
- decisions are transparent and capable of review.

For more information, go to <http://www.opssc.wa.gov.au/hrm/standards/index.htm>.

Rural Health West

Rural Health West (RHW) is the trading name for the WA Centre for Remote and Rural Medicine (WACRRM) Ltd which was created to help alleviate a chronic shortage of general practitioners in country areas. RHW (formerly WACRRM) gained Federal recognition and funding to become WA’s rural medical workforce agency. RHW is funded by the Australian Government DOHA and WA DoH.

Supporting Documents

Department of Health Overseas Trained Doctors in WA– Unmet Area of Need (website)

<http://www.overseasdoctors.health.wa.gov.au/employers/unmetarea.cfm>

Relevant Legislation

Health Insurance Act 1973

Medical Practitioners Act 2008 (WA)



Related Documents/Websites

Australian Government Department of Health and Ageing

<http://www.health.gov.au/internet/main/publishing.nsf/Content/work-pr-dws>

Australian Government Department of Health and Ageing website – DWS

http://www9.health.gov.au/otdw/dws_database/cf/index.cfm

Australian Government Department of Immigration and Citizenship

<http://www.immi.gov.au>

Australian Medical Council – National Assessment Processes

<http://www.amc.org.au/index.php/img>

Department of Health Overseas Trained Doctors in WA website

<http://www.overseasdoctors.health.wa.gov.au/home/>

Medical Board of WA

www.medicalboard.com.au

Rural Health West

www.ruralhealthwest.com.au

Authority

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Accessing Policies	via the Whole of Health Holii Policies link at: http://intranet.health.wa.gov.au/policies/doh_policy.cfm
Primary Contact:	Branch: Medical Workforce Directorate: Development Division Phone: 9222 2476 Email: policyofficer@health.wa.gov.au

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