

## Fact sheet: New obligations for Nurses and Midwives

### Registration standards

The Nursing and Midwifery Board of Australia (the Board) has developed registration standards, which have been approved by the Ministerial Council.

All registered nurses and midwives must comply with the registration standards when they take effect on 1 July 2010.

A short summary about the standards is included below. However, nurses and midwives are required to be familiar with the full standards and in particular, with how they apply to them. The full standards can be accessed at [www.nursingmidwiferyboard.gov.au](http://www.nursingmidwiferyboard.gov.au)

### Continuing professional development (CPD)

All nurses and midwives who are engaged in any form of nursing or midwifery practice will be required to complete continuing professional development (CPD) that is relevant to their context of practice. This includes undertaking learning activities that will maintain and enhance knowledge and skills pertaining to their area of practice.

The CPD requirements that nurses and midwives must comply with include the following:

- Registered Nurses are required to participate in at least 20 hours of CPD per year.
- Registered Midwives are required to participate in at least 20 hours of CPD per year.
- A Nurse Practitioner or Eligible Midwife is required to participate in at least 20 CPD hours for registration as a nurse or midwife plus CPD requirements as outlined in the Standards and frameworks for Nurse Practitioner and Eligible Midwife.

All nurses and midwives will be required to make a declaration that they have met the standard and have completed the necessary CPD when they apply for renewal of registration. The Board requires nurses and midwives to keep evidence of the CPD completed that may be subject to audit. The documentation of the self-directed CPD must include dates, a brief description of the outcomes and the number of hours spent in each activity.

Please refer to [www.nursingmidwiferyboard.gov.au](http://www.nursingmidwiferyboard.gov.au) for a full copy of this registration standard.

## Recency of practice

Nurses and Midwives must have undertaken sufficient practice within the preceding five years to demonstrate competence in their profession. Practice is defined as any role, whether remunerated or not, in which the individual uses their skill and knowledge as a nurse or midwife.

This standard applies to nurses and midwives seeking registration, endorsement of registration or renewal of registration. It does not apply to recent graduates from nursing and midwifery programs in Australia applying for registration for the first time; persons holding student registration; or nurses or midwives holding non-practicing registration or applicants for non-practicing registration.

Nurses and Midwives must demonstrate that they have practiced in their profession within the past five years for a period equivalent to a minimum of three months full time (these hours can be accumulated over five years); or successfully completed a program or assessment approved by the Board; or successfully completed supervised practice approved by the Board.

Nurses and Midwives are required to keep evidence of their recency of practice. This evidence can consist of the following: a service statement from your employer(s); a pay slip (s); income statement for the year; and other methods at the discretion of NMBA.

The recency of practice standard requires nurses and midwives to make a declaration about their compliance with the standard when renewing their annual registration. The Board may also, at any time, request nurses and midwives to provide documentation of their practice experience in the previous three years to determine compliance with the standard. If nurses or midwives are unable to make a declaration at annual renewal or to demonstrate compliance with the standard on request, the Board may refuse to renew their registration, or may impose conditions on their registration.

Details of the requirements are at [www.nursingmidwiferyboard.gov.au](http://www.nursingmidwiferyboard.gov.au)

## Professional Indemnity Insurance (PII)

Registered nurses and midwives must not practice their professions unless they are covered in the conduct of their practice by appropriate professional indemnity insurance (PII) arrangements.

Section 284 of the National Law contains an exemption from the general requirement for professional indemnity insurance (section 129) for midwives in the course of attending a home birth. This means that a midwife who attends a home birth without having professional indemnity insurance for this activity will not be contravening the requirement in section 129 (1). The exemption will apply for two years, from 1 July 2010 to 30 June 2012.

There is no need for midwives to "apply" for this exemption. The exemption is not a separate category of registration. A midwife who meets the requirements set out in

section 284 (including any relevant codes or guidelines developed by the Board) will be covered.

This exemption only relates to attending a homebirth. Because of the general requirement in section 129, privately practising midwives will be required to have professional indemnity insurance cover for the remainder of their scope of practice. This means that privately practising midwives will need to have appropriate insurance for all ante- and post-natal services, irrespective of the intended location of birth.

The standard applies from 1 July 2010 to all registered nurses and midwives except students of nursing and midwifery; nurses and midwives who have non-practising registration, or registered midwives who are exempted under the National Law.

When applying for registration or renewal of registration, nurses or midwives will be required to declare that appropriate PII arrangements are in place.

Please refer to [www.nursingmidwiferyboard.gov.au](http://www.nursingmidwiferyboard.gov.au) for a full copy of the PII registration standard.

### **Criminal history**

The Board has new powers to check the criminal history of registered nurses and midwives before deciding on an application for renewal of registration, or at any time during the registration period.

The Board can do so by obtaining a written report from CrimTrac, a police commissioner or an entity in a jurisdiction outside Australia that keeps records about the criminal history of persons in that jurisdiction. It has this power under sections 79 and 135 of the National Law.

The Board's criminal history registration standard sets out how the Board will assess information about a registered nurse or midwife or an applicant for registration, which has been obtained through a criminal history check.

All nurses and midwives will be required, at annual renewal (section 109) and at any time during the registration period (section 130) to advise the Board of any charges for offences punishable by 12 months imprisonment or more, and any convictions or findings of guilt for offences punishable by imprisonment.

### **English language skills**

This standard applies to all applicants for registration.

An applicant who is an internationally qualified applicant or an applicant who did not undertake and complete their secondary education to the requisite level required for entry into nursing or midwifery program, taught and assessed in English must provide evidence that they have the necessary English Language skills for registration.

All applicants must demonstrate the following English language skills demonstrated by completion of the following tests; an IELTS examination (academic module) with a minimum score of 7 in each four components or an overall pass in the OET with grades A or B only in each of the four components.

Test results must be obtained within two years prior to applying for registration and must be achieved within one sitting.

### Endorsement of Nurse Practitioners

There are new requirements for registered nurses seeking endorsement as a Nurse Practitioner.

To be eligible for endorsement as a Nurse Practitioner, a registered nurse must be able to demonstrate experience in advanced nursing practice in a clinical leadership role in the area of practice in which he or she intends to practice, within the five year period preceding the application.

In addition there are a number of other requirements for eligibility for the endorsement. Please refer to [www.nursingmidwiferyboard.gov.au](http://www.nursingmidwiferyboard.gov.au) for a full copy of the Nurse Practitioner endorsement registration standard. The Standard will apply from 1 July 2010.

Registered nurses currently endorsed or authorised as a nurse practitioner will be endorsed as a nurse practitioner under the National Law.

Nurse practitioners currently in Victoria under a particular category will for the purpose of the qualification to obtain, possess, use, sell or supply schedule 2, 3,4 or 8 medicines will be transitioned under the national law to a notation against the name of the type of nurse practitioner. The types being:

- Primary care
- Paediatric care
- Care of the older person or aged care
- Mental health care
- Acute and supportive care
- Perioperative care
- Critical care
- Maternity care

This notation **will not** apply to nurse practitioners endorsed or authorised in other States and Territories.

The applicant must also demonstrate competence in the competency standards for nurse practitioners approved by the Board. Details on the requisite qualifications and processes for endorsement as a nurse practitioner by the Board are currently being developed and will be published on the NMBA website shortly.

## Endorsement for Eligible Midwives

Ministerial Council has deferred consideration of this Standard pending the outcome of further discussions between the Board, Commonwealth and State and Territory officials to clarify the range of measures necessary to implement midwife prescribing by 1 November 2010.

The term 'eligible midwife' is the nomenclature relating to the co-regulatory responsibilities in relation to a group of midwives with access to the Medicare Benefits Schedule (MBS) and the Pharmaceutical Benefits Scheme (PBS). These co-regulatory responsibilities are shared between the Nursing and Midwifery Board of Australia, responsible for the registration and regulation of nurses and midwives in Australia, and Medicare, responsible for authorisation of access for health professionals (by issue of provider numbers) and the administration of the MBS and PBS.

The Board has recently consulted on its Guidelines and Assessment Framework for the Recognition and Endorsement of Eligible Midwives. Final guidelines will be published on the Board's website after the feedback has been considered by the Board.

## Endorsement for scheduled medicines registered nurses (rural and isolated practice)

Section 38(2) and 94 of the National Law allows the Board to endorse registered nurses who it considers are qualified to obtain, supply and administer schedule 2, 3, 4 and 8 medicines under a relevant drug therapy protocol, Chief Health Officer standing order or health services permit that must be compliant with the relevant State and Territory Legislation. The Board's *Registration standard for endorsement for scheduled medicines (registered nurses)*, approved by Ministerial Council, sets out the qualifications and other requirements for registered nurses granted this endorsement

To be eligible for endorsement for scheduled medicines, registered nurses must have completed an approved program of study determined by the Board. A list of approved programs of study will be published on the website.

Nurses currently registered in Queensland whose annual license certificate has an endorsement under s.76 of the Nursing Act 1992 (Qld) –authorising the registered nurse to practise in rural and isolated practice will have this endorsement placed on their registration under national law.

This endorsement will commence on 1 July 2010.

## Proposed Guidelines

The Board has developed guidelines on:

- Mandatory reporting
- Advertising
- ANMC codes and guidelines

The Board has recently consulted on these guidelines. Final guidelines will be published after the feedback has been considered and changes have been made. The guidelines will be published on the Board's website.

## Conclusion

New registration standards apply to all registered nurses and midwives from 1 July 2010. These registration standards are published in full on the Board's website at [www.nursingmidwiferyboard.gov.au](http://www.nursingmidwiferyboard.gov.au).

All Registered Nurses and Midwives must ensure that they are familiar with the standards and that they comply with them. Failure to do so may result in further action by the Board.

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