

A national approach to supporting nurses and midwives with a health impairment

9 December 2015

Our response to the ACIL Allen National Health Impairment Final Report

Introduction

As part of the release of the Request for Tender (RFT) to establish, deliver and manage a National health support service for nurses and midwives, the Nursing and Midwifery Board of Australia (NMBA) and Australian Health Practitioner Regulation Agency (AHPRA) are releasing the ACIL Allen National Health Impairment Final Report (the Report). To accompany the publication of the Report a summary of AHPRA and the NMBA's view on the report is provided in this document.

This summary will support our stakeholders' understanding of the information in the Report, provide some clarity around the commentary in the report and address three areas the NMBA and AHPRA are now considering and how we are planning to move these areas forward. Along with the Report the NMBA is making available the full literature review so it can be added to the evidence base for the decisions made by AHPRA and the NMBA. The Stakeholder Report component of the Report is unable to be released to protect participant confidentiality.

Background

AHPRA on behalf of the NMBA commissioned ACIL Allen Consulting to conduct a comprehensive review of the role of national and international regulators in relation to referral, treatment and rehabilitation programs for regulated health professionals with a health impairment.

The project involved a review of the literature as well as identification and study of health models that are associated with regulated health professions internationally and in Australia. The review included a cost-benefit analysis of potential models for a national program identified as suitable for health professions in Australia that aligned with the NMBA's regulatory role and function.

The Report has been used to inform the NMBA's response as to the appropriate role of a regulatory authority in supporting the provision of an independent national program for nurses, midwives and students of nursing and midwifery with a health impairment. It has also informed the NMBA's proposal on referral, treatment and rehabilitation services for nurses and midwives.

What did the report tell us?

The Report, supported by the literature review, confirms that there are significant issues related to health impairment for nurses and midwives.

Drawing upon findings from their review, ACIL Allen identified a number of areas for consideration in the management and support process for nurses and midwives with a health impairment or at risk of a health impairment. These approaches are presented with the aim of reducing risk to the public, the practitioner and the profession.

The three key areas highlighted are:

- a. **Education and awareness** –The need to increase nursing, midwifery and consumer knowledge and awareness about the notification process, mandatory reporting obligations and dealing with health impairment and the regulator's role and understanding what a 'health impairment' is as defined in

National Law. There is a real opportunity, through investing in education and awareness, to improve self-referral rates for nurses and midwives with an impairment.

- b. **Support services** – The support services available across workplaces, jurisdictions and geographical areas varies and there a real lack of knowledge and awareness of and/ or access to available support services. Any support service needs to address this variance in an equitable way.
- c. **Monitoring costs** – The report highlights the high costs of monitoring incurred for the impaired practitioner who has been notified. The possibility that these high costs may be deterring nurses and midwives from seeking support sufficiently early is an important finding of the report.

There are many potential beneficiaries if the above issues are addressed. These extend beyond regulatory cost savings to avoiding adverse events to strengthening public safety and productivity losses to employers.

The Report is clear that addressing these issues cannot be the sole responsibility of the NMBA and AHPRA, and that other stakeholders play a pivotal role including educators, employers, insurers, governments, professional colleges and associations.

What are we proposing?

The proposal set out in the RFT, along with other proposed changes are the NMBA and AHPRA's response to the Report and how we, as one of the key stakeholders involved, can have a positive impact on the current situation and add value to the existing support networks.

This main aim of our proposals remains to reduce risks to the public, the practitioner and the profession.

The NMBA and AHPRA are proposing that an organisation should be put in place to provide a health support service for nurses and midwives with a health impairment or at risk of a health impairment. Moreover, that this service is a nationally consistent and equitable service that needs to be in line with the NMBA's regulatory role, in public protection.

In addition, it is proposed that the resultant service can be achieved both now and into the future within existing resources with no increase to registration fees.

The key deliverables set out in the RFT require the:

- a. **development of information and educational materials for nurses, midwives and employers.**
This would reference the role, responsibilities and management of nurses and midwives with health related problems in the workplace and in particular, the requirements related to impairment as defined by the National Law
- b. **development and ongoing provision of electronic resources, accessible to all users**, that provide information, education and awareness raising about health impairment as defined by the National Law for nurses, midwives, students, educational providers and employers
- c. **development and maintenance of an accurate database of services or service directory**, available throughout Australia that provides management of health impairment, and
- d. **provision of a national telehealth service** during business hours that provides information on health impairment and available services. It is proposed that this would include brief intervention and engagement in preparation for referral to specialist treatment programs.

What else are we doing?

As a key stakeholder in supporting nurses and midwives with a health impairment the NMBA is committed to delivering additional support to practitioners. The National health support service is one way of addressing issues that arise.

However, AHPRA and the NMBA have in place and/or in development a number of additional strategies to improve notifications, monitoring and compliance for nurses and midwives with a health impairment or at risk of a health impairment.

These strategies include:

- The appointment of a Notification Liaison Officer (NLO) that will be funded by the NMBA and employed by AHPRA. The NLO's primary focus would be on health impaired nurse and midwife practitioners and students who have a notification brought before AHPRA. The NLO role will support nurses and midwives who have been notified with respect to a health impairment – to assist them to understand and negotiate the notification process.
- AHPRA is progressively improving the communication with practitioners in relation to notifications and monitoring of compliance requirements. The National Scheme's regulatory principles are embedded in all aspects of process and decision making when dealing with practitioners subject to notifications/ monitoring activities. There has also been improvement in the national consistency in regulatory decision-making and the way in which they are actioned.
- AHPRA has recently reviewed its monitoring policies and established a fair, robust and transparent process for health practitioners, and the safety of the public. A new process has been introduced for drug testing for health practitioners being monitored based on expert advice about modern drug screening methods. Using contemporary scientific evidence and the advice of an expert panel, National Boards and AHPRA will manage the risk associated with practitioners with a history of substance misuse.

The operational network continues its focus and commitment to improve.

Keep in touch with the NMBA

- Visit the [NMBA website](#) for registration standards, codes, guidelines and FAQ.
- Lodge an [online enquiry form](#).
- For registration enquiries, call 1300 419 495 (from within Australia) or +61 3 9275 9009 (for overseas callers).