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## Message from the Chair

The Nursing and Midwifery Board of Australia (NMBA) has had a successful and challenging year, with record numbers of nurses and midwives registering with the Board and engaging in our activities.

As the festive season swiftly approaches, I would like to thank all our stakeholders, including government, community, professional associations, the Australian Nursing and Midwifery Accreditation Council, co-regulators, education providers, employers, nurses and midwives for their important contribution to our achievements in 2015. This is reflected in our [2014/15 annual report](#), which showcases the Board's work in facilitating the regulation for 363,620 enrolled nurses, registered nurses and midwives.

This year the NMBA reinforced its commitment to building better relationships with our stakeholders. We conducted consultations and surveys on nursing and midwifery registration standards and important workforce matters such as issues affecting health-impaired nurses and midwives and the revision of the re-entry to practice policy.

I receive many comments throughout the year about the work that we do. Thank you especially to all nurses and midwives who wrote to us with feedback on our newsletters this year. We are happy to hear from you and are grateful for the time you take to let us know your views.

This is our last newsletter for the year and I take this opportunity to also acknowledge the Chairs and members of the state and territory boards of the NMBA for their commitment and contribution in determining matters relating to registration, endorsement and notifications of individual nurses, midwives and students. On behalf of the Board, I hope that in the New Year we can build on your achievements and continue to provide our services to nurses and midwives across Australia.

Best wishes to you and your families and thank you again for your commitment, interest and activity.

### Dr Lynette Cusack RN

Chair, Nursing and Midwifery Board of Australia



## Welcome to our new state and territory board members

A number of new board members have been welcomed to the Victorian and Queensland boards of the Nursing and Midwifery Board of Australia. The NMBA extends sincere thanks to all outgoing state and territory board members for their dedication and for contribution to the work of the National Board.

The NMBA will also be profiling new National Board members in our newsletter. View a profile of one of our newest members in the 'Other NMBA News' section below.

## Registration

### Development of the midwife standards for practice

The NMBA has recently completed the development of standards for practice for nurse practitioners, enrolled nurses and registered nurses respectively. We are beginning a process to ensure the standards for practice for midwives are also up to date.

The Board will be seeking qualified and experienced parties to respond to a request for tender, to develop the *Midwife standards for practice* incorporating a review of the existing *National competency standards for the midwife* (2006). The tender is due to open before the end of December 2015, and once it opens you will find the tender documents on the [NMBA website](#).

The current *National competency standards for the midwife* (2006) are the core competency standards by which a midwife's performance is assessed to obtain and retain registration to practise in Australia.

Since these standards were published in 2006, the role and scope of practice for midwifery throughout Australia, the model of education and training, and the regulatory framework within which registration of midwives occurs, have developed substantially.

### Registration standards and registered nurse standards for practice receive approval

The NMBA has developed revised registration standards, which will come into effect in 2016 and replace the existing standards. Registration standards define the requirements that applicants and registrants need to meet to be registered.

Three registration standards for registered nurses, midwives and enrolled nurses were revised by the NMBA and approved by the Australian Health Workforce Ministerial Council (AHWMC) on 27 August 2015. The registration standards for nurse practitioner and the endorsement for scheduled medicines for midwives were approved by the AHWMC on 22 October 2015.

The revised registration standards are for:

- professional indemnity insurance (PII) arrangements
- recency of practice
- continuing professional development (CPD)
- nurse practitioner, and
- endorsement for scheduled medicines for midwives.

The standards were revised after a scheduled review, which included a public consultation. The NMBA publishes consultation reports providing a summary of the consultation process, rationale for any changes and proposed way forward, including areas where further work is planned. The submissions to the public consultation will be published on the [NMBA's website](#).

To align with the registration renewal period for nurses and midwives, the start dates for all the standards will be **1 June 2016**, except the *Endorsement for scheduled medicines for midwives*. The NMBA will share information on the effective date for the *Endorsement for scheduled medicines for midwives* in early 2016. This will allow for a greater transition period from the current two registration standards to the revised standard.

The standards will be published in early **February 2016** and further information will be available on the NMBA website, or to find out more on the revised registration standards go to the [NMBA Registration standards page](#).

To coincide with the release of the *Endorsement for scheduled medicines for midwives* the NMBA will also publish the revised *Safety and quality guideline for privately practising midwives (SQG)*. The NMBA undertook a comprehensive review of its current *Safety and quality framework (SQF) for privately practising midwives providing homebirth*, and the revised SQG sets out a robust regulatory framework to ensure that PPMs have clarity and support to practise in their roles with safety and quality.

[Additional resources about the revised standards](#) are available on the AHPRA website.

### Codes of conduct and professional boundaries

The NMBA has started its planned review of the current *Code of professional conduct for nurses in Australia* (2008), the *Code of professional conduct for midwives in Australia* (2008), the *Nurse's guide to professional boundaries and the Midwife's guide to professional boundaries* (2010).

The first phase of the review has included a national and international literature review, analysis of notification data and workshops to inform a first draft of the revised codes.

The reviews will be informed by wide-ranging stakeholder engagement and input. Starting in the new year, there will be a series of focus groups in each state and territory for nurses and midwives in urban and rural settings.

### Outcomes-based assessment update

The RN assessment framework is being developed for the NMBA to assess the competence of internationally qualified nurses who apply to be registered to practise in Australia. The framework reflects the day-to-day work and expected practice of entry-level registered nurses in Australia.

In October, the Board invited registered nurses (RNs) to have their say on the RN draft assessment framework through an online survey.

The survey closed to responses in November and the Board would like to thank everyone who took the time to respond and provide input.

The Board will be surveying enrolled nurses and midwives in 2016 as part of its outcome-based assessment work.

## NMBA quarterly registration data – registered workforce at a glance

The September 2015 registration statistics<sup>1</sup> show that there are 363,620 enrolled nurses, registered nurses and midwives registered with the NMBA.

**Table 1: Nurses and midwives with practising registration**

	ACT	NSW	NT	QLD	SA	TAS	VIC	WA	No PPP*	Total
Enrolled nurse (EN)	657	13,026	385	11,801	7,648	1,398	19,637	5,182	84	59,818
Registered nurse (RN)	4,327	74,976	3,143	50,408	21,226	6,330	65,006	27,646	8,520	261,582
EN & RN	53	940	55	1,006	531	45	1,813	442	25	4,910
Midwife	99	782	60	642	472	20	1,049	333	104	3,561
Nurse (EN & RN) & midwife	551	8,342	522	5,795	2,070	626	7,515	2,911	294	28,626
<b>Total</b>	<b>5,687</b>	<b>98,066</b>	<b>4,165</b>	<b>69,652</b>	<b>31,947</b>	<b>8,419</b>	<b>95,020</b>	<b>36,514</b>	<b>9,027</b>	<b>358,497</b>

**Table 2: Nurses and midwives with non-practising registration**

	ACT	NSW	NT	QLD	SA	TAS	VIC	WA	No PPP*	Total
Enrolled nurse (EN)	16	302	9	162	104	18	218	72	8	909
Registered nurse (RN)	51	1,427	27	503	260	86	592	284	316	3,546
EN & RN		3		3	3		5	1	1	16
Midwife		14		6	10	1	15	6	7	59
Nurse (EN & RN) & midwife	15	309	1	79	32	7	86	37	27	593
<b>Total</b>	<b>82</b>	<b>2,055</b>	<b>37</b>	<b>753</b>	<b>409</b>	<b>112</b>	<b>916</b>	<b>400</b>	<b>359</b>	<b>5,123</b>

The nursing and midwifery registrants comprise:

- 265,128 registered nurses
- 60,727 enrolled nurses
- 4,926 registered as both a registered nurse and enrolled nurse
- 3,620 midwives, and
- 29,219 people registered as both a midwife and either a registered nurse and/or an enrolled nurse.

Of these registered health professionals, 5,123 hold non-practising registration. Registrants with this type of registration can continue to retain their nursing or midwifery title without practising their profession during the registration period.

Find more on registration data for nurses and midwives in the [About section](#) of the NMBA's website.

### Update on national health support service for nurses and midwives

In our last [newsletter](#) and a [media release](#), the NMBA announced it would fund a new national health support service for all registered nurses and midwives, and students enrolled in approved nursing and midwifery course.

The National Health Support Service (the Service) for nurses and midwives is designed to ensure that nurses and midwives can access support if they are impaired, or at risk of impairment, and will aim to improve education and awareness among nurses and midwives about impairment.

<sup>1</sup> The NMBA currently recognises four registration types:

- general registration
- provisional registration, and
- non-practising registration
- student registration.

\* Principal place of practice

The NMBA has published tender documents for the Service. These documents are available on the NMBA website under News and Requests for Tender. As a part of this process the Board has released the National health impairment report by Acil Allen Consulting. Read the [news item](#) on the NMBA website to access this report.

## Consultation update

### Endorsement for scheduled medicines – rural and isolated practice consultation now open

The Board has released for public consultation the review of the *Registration standard: Endorsement for scheduled medicines (rural and isolated practice)*. This standard allows nurses with this endorsement to supply scheduled medicines under a protocol. The consultation is part of the NMBA's review of the ongoing need for the standard. More information about this consultation is available on the *Current consultations* page of the [NMBA website](#).

## Notification case studies

### Former nurse disqualified from registration for 10 years

The NMBA received a notification about Wimon Seijbel-Chocmingkwan, a former enrolled and registered nurse who had engaged in professional misconduct. The NMBA referred her to the Queensland Civil and Administrative Tribunal (QCAT) after she was convicted of a series of criminal offences, including attempted murder.

The tribunal found Ms Seijbel-Chocmingkwan had engaged in professional misconduct and banned her from applying for registration for 10 years.

The tribunal agreed with the NMBA that she was not a fit and proper person to hold registration in the nursing profession as her conduct was incompatible with the characteristics, attributes, and ethical standards required.

The tribunal also found Ms Seijbel-Chocmingkwan was engaged in unprofessional conduct and breached section 130 of the National Law by not disclosing all convictions to the National Board. The former enrolled and registered nurse had told the Board that she had been 'convicted of an assault' when it had been seven assaults.

The QCAT decision is published on [Austlii](#) or read the media release on the [NMBA website](#).

### Action taken against 'fake' nurse

On behalf of the NMBA, AHPRA is prosecuting Ms Artika Chand, who allegedly pretended to be an enrolled nurse and allegedly provided nursing care to patients in an aged care facility in Victoria.

Ms Chand was charged with two counts of pretending to be a registered enrolled nurse and one count of dishonestly using the title 'enrolled nurse', under sections 116 and 113 of the National Law.

For more information on title protection, practice protections and advertising go to the [AHPRA website](#).

### Enrolled nurse obtains registration improperly

A tribunal has found Miss Jilian St Joan Patrick, an enrolled nurse, provided false and misleading information to the NMBA to gain registration in Australia.

The NMBA received a notification alleging Miss Patrick had improperly obtained registration as an enrolled nurse by providing false documentation to the Board. The issue related to information provided by Miss Patrick to indicate they met the Board's English language registration standard, when she did not.

An investigation found that the Board had granted Miss Patrick registration as an enrolled nurse, based on the false document. As a result of the investigation, the Board suspended Miss Patrick's registration, to manage risk to patients pending other inquiries. The Tribunal found her registration as an enrolled nurse was improperly obtained and ordered her to pay \$1300 towards the Board's legal costs.

Miss Patrick was later granted registration as a registered nurse, after providing legitimate information that she met the requirements for registration as a registered nurse.

To read more go to the [AHPRA website](#). The reasons for the tribunal's decision are on the [State Administrative Tribunal \(WA\) website](#) and will be published on Austlii.

## Other NMBA news

### A conversation with new board member Ms Jennifer Wood



Ms Jennifer Wood is a new practitioner board member from Western Australia. Jennifer was appointed on 31 August 2015, for a period of three years.

Jennifer is a registered nurse and midwife, and has been involved in regulation at a state level for over ten years, as a member of the Nurses Board of WA, the Nurses and Midwives Board of WA and the Nursing and Midwifery Board of Australia WA Branch both before and after introduction of the National Scheme.

She studied as nurse at Curtin University when a university pathway to the profession was very new to WA. Following this she completed a Postgraduate Diploma in Midwifery. Since this time midwifery has been both her profession and passion, working towards, 'what we can offer women that can have a positive influence on their childbearing experiences,' said Jennifer.

She chose to become a member of the NMBA after attending the inaugural NMBA conference in 2014, where she found the robust discussion about driving consistency within the National Scheme to better serve the Boards stakeholders exciting.

When looking to the challenges the NMBA and AHPRA face, she added, 'I feel that one of the main challenges will be to strike the right balance between the two professions, nursing and midwifery. We need to ensure that nurses and midwives are offered consistent decisions across Australia and I look forward to contributing to this.'

She continued, 'I believe there is great potential for other boards in the National Scheme to engage with one another. Many other professions engage with nurses and midwives at the front end of service delivery, for example medical practitioners and allied health professionals. There is every reason that this collaboration can also work at a regulatory level.'

To view Jennifer's profile in full please go to the [Board member page](#) on our website.

## Adelaide stakeholder forum



Thank you to the 120 nurses and midwives who attended the NMBA forum in Adelaide in October. This was the first time that the Board invited all registered nurses and midwives to attend a forum, and part of the forum's success was the broad range of work areas of attendees, including nursing and midwifery professional associations, government representatives, health service providers and education providers.

The forum was an opportunity for the NMBA to talk with stakeholders about:

- the structure and role of the NMBA as the regulator of nurses and midwives in Australia
- partnerships in regulation – the National Scheme
- the NMBA's strategic directions, current projects and the work of national committees for policy, accreditation, finance and governance, and
- registration and notification data.

The presentation, delivered by Dr Lynette Cusack RN, Chair, and other members of the NMBA, was very well received with positive feedback.

## NMBA national conference 2015



The second annual NMBA national conference took place at The Langham in Melbourne on 16 and 17 November, building on the success of the inaugural event held last year.

This year's conference included attendees from national, state and territory boards and AHPRA staff across all jurisdictions. Delegates also attended from the NSW Nursing and Midwifery Council and representatives from the New Zealand Nursing Council and the Midwifery Council of New Zealand.

National Board Chair, Dr Lynette Cusack said, 'this conference provides an opportunity to continue to strengthen partnerships, alignment and consistency in the regulation of nurses and midwives. It helps us further consider our approach to notifications, management of practitioners with a health impairment and the risk environment in which the Board regulates to consider how best to manage these risks.'

Dr Marie Bismark, a public health physician and health lawyer, who leads the Law and Public Health Group at the University of Melbourne, presented her research into the role of clinical governance, regulation and patient complaints in improving the quality and safety of healthcare.

Key note speaker Ms Kathy Apple MS RN FAAN, former CEO of the National Council of State Boards of Nursing (NCSBN), the USA's overarching nursing regulator, addressed the future challenges of nursing and midwifery regulation and contributed her insights during a discussion on future workforce challenges.

## Queensland and Victoria statutory appointments

The Board welcomed the Queensland Minister for Health's appointment of two new practitioner members to the Queensland (Qld) State Board. The members have been appointed from 21 September 2015 to 30 June 2018. The NMBA approved the newly appointed Board members to Qld committees of the National Board.

The NMBA thanks the outgoing members of the Qld State Board, Adjunct Associate Professor Veronica Casey and Ms Cathy Styles, for their significant contributions.

There is one practitioner vacancy remaining on the Qld board and this recruitment campaign is due to close on Monday 21 December 2015. An additional campaign is also running calling for members of the community to apply for a community member vacancy on the Qld board.

In Victoria, applications are now sought from nursing and midwifery practitioners to fill the following vacancies on the Victorian Board of Nursing and Midwifery Board of Australia:

- registered nurse
- enrolled nurse
- midwife

Applications for both Boards close on Monday 4 January 2016. Further information about the positions and application processes are available on the [NMBA website](#) under *News*.

## New fact sheet on concurrent registration released

The Board has published a [new fact sheet](#) on concurrent registration for registered and enrolled nurses. The fact sheet replaces the May 2011 position statement on concurrent registration. This fact sheet is relevant to registered nurses, enrolled nurses, employers, and education providers.

It provides guidance to nurses on what they need to know about being registered as both a registered nurse and an enrolled nurse, including potential risks, registration renewal and practice requirements for concurrent registration.

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## National Scheme news

### 2014/15 National Scheme annual report

AHPRA and the National Boards have released their [annual report](#) on the National Scheme, providing a comprehensive record of the operations of the National Scheme for the 2014/15 year.

The annual report provides a national snapshot of the work and finances of the National Scheme and is tabled in the parliaments of each state and territory and the Commonwealth.

For more information, please read the news item on the [AHPRA website](#).

### NMBA profession profile

The NMBA will also publish a report in the new year of its work in regulating the nursing and midwifery professions in the National Scheme during 2014/15.

The report provides a profession-specific view of the NMBA's work to manage risk to the public. It is a profile of regulation at work for nursing and midwifery in Australia for the 12 months ending 30 June 2015.

The data in this report are drawn from data published in the [2014/15 annual report](#) of AHPRA and the National Boards, reporting on the National Scheme and will be available soon on the [AHPRA website](#).

### Health profession agreement

The NMBA and AHPRA have published the [2015/16 health profession agreement](#) (HPA).

Under the National Law, the NMBA and AHPRA work in partnership to implement the National Scheme, each with specific roles, powers and responsibilities set down in the National Law.

The guiding principles of the National Law require the National Scheme to operate in a 'transparent, accountable, efficient, effective and fair way'; and for registration fees to be reasonable '...having regard to the efficient and effective operation of the scheme'.

The new HPA outlines the partnership between the NMBA and AHPRA, and the services AHPRA will provide to the NMBA in 2015/16. The HPA also provides information about the NMBA's financial operations and fees.

## National drug screening protocol

The NMBA and AHPRA have published information on a national drug screening protocol that is now in effect.

This means that all nurses and midwives who have restrictions placed on their registration by the NMBA as a result of past substance misuse will have routine quarterly hair testing, in addition to random urine testing.

These restrictions are generally designed to keep the public safe while the nurse or midwife remains in practice. The national protocol supports the monitoring of these practitioners to make sure they are complying with the restrictions.

The drug screening protocol is part of a wider, national strategy to effectively manage compliance and monitoring across the National Scheme. More information is available on the [NMBA website](#).

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## 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).
- Address mail correspondence to: Dr Lynette Cusack RN, Chair, Nursing and Midwifery Board of Australia, GPO Box 9958, Melbourne, VIC 3001.

