

Safety and quality guidelines for nurse practitioners

June 2016

Introduction

The Nursing and Midwifery Board of Australia (NMBA) carries out functions as set by the Health Practitioner Regulation National Law, as in force in each state and territory (the National Law). The NMBA regulates the practice of nursing and midwifery in Australia, and one of its key roles is to protect the public. The NMBA does this by developing registration standards, professional codes, guidelines and standards for practice which together establish the requirements for the professional and safe practice of nurses and midwives in Australia.

About the safety and quality guidelines

The NMBA has developed the *Safety and quality guidelines for nurse practitioners* (the guidelines) to outline the regulatory requirements within which nurse practitioners must practise, to ensure ongoing competence and safe practice.

Target audience

The target audience for the guidelines include:

- nurse practitioners
- registered nurses seeking endorsement as a nurse practitioner
- education providers offering programs for nurse practitioners
- assessors of nurse practitioner applications, and
- employers of nurse practitioners.

Elements of the safety and quality guidelines

The elements of the guidelines are:

1. Scope of practice

Registered nurses seeking endorsement as nurse practitioners usually practise in a specific area and context of practice.

The scope and context of practice is generally determined by the nurse practitioner, and where employed, an employer.

Changes to scope of practice

The scope of practice for a nurse practitioner may change over time. If a nurse practitioner decides to expand or change their scope of practice to meet the needs of their client group, then the nurse practitioner will need to complete further postgraduate education and skill development to meet those needs.

Nurse practitioners planning to change scope are required to use the NMBA's [National framework for the development of decision-making tools for nursing and midwifery practice](#). This will ensure that nurse practitioners are competent in their proposed expanded or new scope of practice. It is responsibility of the nurse practitioner, and where employed, an employer, to ensure that, should a nurse practitioner be

required to expand or change their scope of practice to meet the needs of a client group, that have completed the relevant education and skill development.

2. Context of practice

Context of practice refers to the conditions that define an individual's nursing practice. These include the:

- type of practice setting (such as healthcare agency, educational organisation and/or private practice)
- location of the practice setting (such as urban, rural and/or remote)
- characteristics of healthcare consumers (such as health status, age, gender, learning needs and culture)
- focus of nursing activities (such as health promotion, research and/or management)
- degree to which practice is autonomous, and
- resources that are available, including access to other healthcare professionals.

3. Codes of professional conduct and ethics

The [Code of professional conduct for nurses in Australia](#) sets the minimum standards that the NMBA expects all nurses to uphold. The [Code of ethics for nurses in Australia](#) provides guidance to all nurses relating to expected ethical conduct.

The NMBA expects nurse practitioners to practise in a manner consistent with these codes and other relevant professional standards. These documents provide nurse practitioners with a framework for legally and professionally accountable and responsible practice in Australia.

4. Standards for practice

Nurse practitioners must meet the NMBA's [Nurse practitioner standards for practice](#) (2014).

The *Nurse practitioner standards for practice* are the core practice standards by which performance is assessed in order to obtain and retain the right to practise as a nurse practitioner in Australia. They form an integral part of the regulatory framework designed to assist nurse practitioners to deliver safe and competent care and are used by the NMBA to:

- communicate to the general public the standards that can be expected of nurse practitioners
- determine the eligibility for endorsement of nurses who have completed a program of study leading to endorsement as a nurse practitioner in Australia
- determine the eligibility for endorsement of nurses who wish to practise as a nurse practitioner in Australia but have completed courses elsewhere
- assess nurse practitioners who wish to return to work after being out of the workforce for a defined period, and
- assess nurse practitioners who need to show that they are competent to practise.

5. Annual declaration

Each year as part of the renewal of registration process, nurse practitioners are required to make a declaration that they have (or have not) met the registration standards for the profession. The annual declaration is a written statement that nurse practitioners submit and declare to be true.

6. NMBA audit process

The NMBA and the Australian Health Practitioner Regulation Agency (AHPRA) have developed a nationally consistent approach to auditing health practitioners' compliance through mandatory registration standards. If chosen for audit, a nurse practitioner will be required to provide further information to support the annual declaration made each year as part of their renewal of registration.

The NMBA and AHPRA operate in a co-regulatory model in some jurisdictions and may not be the only entities involved in undertaking audit activities should they arise.

7. Mandatory reporting

Section 140 of the National Law requires health practitioners, employers and education providers to report **notifiable conduct** to AHPRA to prevent placing the public at risk of harm. For more information refer to the [Guidelines for mandatory notifications](#) developed by the NMBA and AHPRA.

8. Notification and management of performance, conduct or health matters

Nurse practitioners may come under direct scrutiny when the NMBA receives a report relating to a nurse practitioner's practice.

Sections 156(1) and 157 of the National Law outline the NMBA's responsibilities with regard to conduct, performance and health matters related to nurse practitioners. The NMBA has a range of powers to protect the public, including the power to take immediate action.

The NMBA and AHPRA operate in a co-regulatory model in some jurisdictions and may not be the only entities involved in completing assessment related to a notification.

9. Professional indemnity insurance

Nurse practitioners must have appropriate professional indemnity insurance (PII) for practice to meet the requirements of section 129(1) of the National Law. This provision states:

A registered health practitioner must not practise the health profession in which the practitioner is registered unless appropriate professional indemnity insurance arrangements are in force in relation to the practitioner's practice of the profession.

The NMBA's [Registration standard: professional indemnity insurance arrangements](#) details the requirements relating to PII arrangements for nurse practitioners.

10. Recency of practice

The NMBA's [Registration standard: Recency of practice](#) requires that a nurse practitioner must be able to demonstrate that they have maintained adequate connection with the profession, and recent practice, since qualifying or obtaining registration.

In addition to that required of a registered nurse, nurse practitioners must maintain and demonstrate recency of practice relevant to their specific area and context of nurse practitioner practice at the advanced practice nursing level to the equivalent of 450 hours over the past five years.

11. Continuing professional development

Continuing professional development (CPD) is the means by which members of the nursing profession maintain, improve and broaden their knowledge, expertise and competence, and develop the personal and professional qualities required throughout their professional lives.

The CPD cycle involves reviewing practice, identifying learning needs, planning and participating in relevant learning activities and reflecting on the value of those activities.

The NMBA's [Registration standard: Continuing professional development](#) (CPD) specifies the annual requirement of CPD for nurse practitioners per registration year.

Nurse practitioners are required to complete an additional 10 hours of specified CPD per year, in addition to the 20 hours of CPD required for general registration. This CPD must be relevant to the nurse practitioner's context of practice and where appropriate, address:

- prescribing and administration of medicines
- diagnostic investigations, and
- consultation and referral.

12. Medicare Australia and Pharmaceutical Benefits Scheme arrangements

Nurse practitioners are eligible to apply to the Commonwealth Health Minister as a 'participating nurse practitioner' under section 16 (a) and 16(b) of the *Health Insurance Act 1973* (Cth), which allows access to the Australian Government Medicare Benefits Schedule (MBS).

In addition nurse practitioners are eligible to apply for access the Pharmaceutical Benefits Scheme (PBS).

These arrangements enable patients of nurse practitioners who are authorised for MBS and/or PBS, to access certain MBS rebates and PBS prescriptions respectively.

Important notes

Endorsement as a nurse practitioner does not give automatic access to the MBS and PBS. The discretion to authorise access to the MBS and PBS remains with Medicare Australia and is in addition to endorsement by the NMBA to practise as a nurse practitioner.

An arrangement between the NMBA and Medicare Australia requires either regulatory body to notify the other of any issues. This can relate to conduct, performance or health that may affect the performance of an individual nurse practitioner, as a prescriber or provider of Medicare services or medicines. For example, if Medicare Australia has cause to investigate a particular provider, they will notify the NMBA of that investigation, and vice versa.

Medicare Australia continues its important monitoring and review role. This is designed to make sure that the services and medicines provided by any health professional with access to the MBS and PBS are effective, efficient, appropriate and within benchmarking limits. If the NMBA receives notification of an issue relating to performance, health or conduct of a nurse practitioner, as the professional regulatory authority the NMBA will oversee the assessment of that notification and any subsequent investigation or disciplinary action.

13. Collaborative arrangements

Nurse practitioners who are assigned a Medicare provider number or Pharmaceutical Benefits Scheme prescriber number, have requirements for collaboration as described in sections 5 – 7 of the Australian Government [National Health \(Collaborative arrangements for nurse practitioners\) Determination, 2010](#)

Under this legislation, collaborative arrangements are required when patients want to access Medicare rebates for the services provided by nurse practitioners. The determination allows nurse practitioners to enter a collaborative arrangement with an entire health service team or a 'named medical practitioner'.

14. Prescribing authority and compliance with state or territory legislation

Prescribing authority is conferred under the relevant drugs and poisons legislation of the Australian state or territory in which the nurse practitioner practises. The conditions under which each authority is granted and the scope of that authority depend on the requirements of the specific legislation in each state or territory. These may range from a blanket authority limited by the nurse practitioner's scope of practice to a prescribing authority based on a formulary or protocol, or related to a specific context of practice.

Nurse practitioners must work within the relevant drugs and poisons legislation in their state or territory.

Note: there are specific requirements for nurse practitioners in Victoria in relation to the notations required under the drugs and poisons legislation.

For more information

- [Registration standard: Endorsement as a nurse practitioner](#)
- [Fact sheet: Endorsement as a nurse practitioner](#)
- [Guidelines: For nurses applying for endorsement as a nurse practitioner](#)
- [Nurse practitioner standards for practice](#)
- [Audit](#) information on the NMBA website
- Visit www.nursingmidwiferyboard.gov.au under *Contact us* to lodge an online enquiry form
- For registration enquiries: 1300 419 495 (within Australia) +61 3 9275 9009 (overseas callers)