



Policy on applications for practising certificates where applicant has been practising overseas, but has not held a New Zealand practising certificate within the last 3 years

Policy Statement

The HPCAA requires Council to be satisfied that an applicant for a practising certificate (PC) who has not held a New Zealand PC within the 3 years immediately preceding the date of the application, meets the required standard of competence for a practising certificate to be issued.

To satisfy that requirement, Council may include conditions in the applicant's scope of practice, but in doing so will also take into account the context and nature of the applicant's medical practice over the previous 3 years.

Where the applicant has, over the 3-year period, maintained competent and safe practice within a comparable health system, established to Council's satisfaction, the applicant may be issued with a PC without conditions.

In other cases, a minimum framework of conditions, tailored to the context and nature of the applicant's medical practice over the previous 3 years, is required to allow Council to be satisfied that the applicant can still practise competently and safely. Core elements of the framework must include a defined period of supervised practice, a return to practice plan and regular reporting to Council.

Introduction

1. Where a doctor returning from overseas wishes to resume practice in New Zealand, but has not held a New Zealand practising certificate within the last 3 years, the doctor does not have an automatic entitlement to a practising certificate. Council must consider such applications on a case by case basis.
2. In particular, Council must be satisfied that the applicant still meets the required standard of competence for a practising certificate to be issued. To satisfy that requirement, Council may include conditions in the applicant's scope of practice, but in doing so will also take into account the context and nature of the applicant's medical practice over the previous 3 years.
3. Under clause 17 of the Third Schedule to the Health Practitioners Competence Assurance Act 2003, Council delegates to the Registrar the power to consider and determine applications for PCs from doctors who have not held a practising certificate in New Zealand within the 3 years prior to application, within the terms of the policy set out below.

**Terms of issue
of practising
certificates**

4. If the applicant has substantially worked in medical practice in a comparable health system¹ and in a position similar to that for which the PC is sought, the Registrar may issue the applicant with a PC to practise in New Zealand. The Registrar must be satisfied that core requirements are met. These are that the applicant:
- has no unexplained gaps in their CV of 3 months or more; and
 - has been participating in recertification activities, including CPD; and
 - has provided a Certificate of Professional Status (Good Standing), issued within the 3 months of the medical practitioner's intended start date in New Zealand, from each Regulatory Authority under which the doctor has practised since they left New Zealand or within the last 5 years (see note 8); and
 - has obtained three satisfactory references from senior medical colleagues with whom the doctor has been working overseas for at least 6 months within the last 3 years.
5. If the applicant has not worked, or not worked substantially, in medical practice in a comparable health system, the Registrar may issue the applicant with a PC to practise in New Zealand, but with conditions on the applicant's scope of practice. The Registrar must be satisfied that the applicant:
- has practised over the previous 3 years in a position similar to that for which the PC is sought; and
 - has no unexplained gaps in their CV of 3 months or more; and
 - has been participating in recertification activities, including CPD; and
 - has provided a Certificate of Professional Status (Good Standing), issued within 3 months of the medical practitioner's intended start date in New Zealand, from each Regulatory Authority under which the doctor has practised since they left New Zealand or within the last 5 years (see note 8); and
 - has obtained three satisfactory references from senior medical colleagues with whom the doctor has been working overseas for at least 6 months within the last 3 years.
6. If the applicant has not worked, or not worked substantially, in medical practice in a comparable health system, the conditions that the Registrar must impose before he or she may issue a PC are:
- The doctor must work under the supervision of *a named, senior colleague registered within the vocational scope of practice* <name> and must provide the Council with satisfactory supervision reports after 1, 3 and 6 months; and
 - The doctor may only work as a <work role> (in the branch of <branch of medicine> at <place of employment>; and
 - These conditions may be removed after 6 months if the Registrar is satisfied that the doctor is able to practise competently and safely without conditions.

¹ Comparable health systems are approved from time to time by the Council for the purposes of registration in New Zealand and published on the Council's website.

	7.	For the purposes of paragraphs 4 to 6, Council delegates to the Registrar authority to (1) propose to issue a PC subject to the conditions set out in paragraph 6; and (2) issue the PC on these conditions if the doctor agrees to the conditions.
Information requirements	8.	If the applicant has worked outside New Zealand since they were last issued a PC they must provide the Council with a Certificate of Professional Status (Good Standing) (COPS) from each country or board with which they were registered or licensed during this time. The COPS must be sent direct to Council from that country or board and must be dated within three months of the doctor's intended start date. If the doctor applies for a PC more than 3 months before their intended start date, they may need to provide two COPSs – one at the time of application, and another dated within 3 months of their intended start date. The applicant must provide Council with full information about the nature of their work while away from New Zealand.
Other applications for PCs	9.	If the applicant was working overseas in a voluntary capacity and they were lawfully not registered for that period, a letter of (good) standing from the person they reported to in the organisation or hospital they worked in is acceptable in lieu of a COPS. This must be provided on the organisation's letterhead, and include the dates and nature of the applicant's role and whether the applicant was in good standing with them, including whether there were any disciplinary proceedings or competence inquiries in relation to the applicant while they worked with the organisation. The letter of standing must be signed by a senior person with suitable authority to issue such letters on behalf of the organisation.
	10.	If the applicant for a PC does not fulfil the criteria in 4, 5 or agree to conditions proposed by the Registrar, the Registrar must promptly submit the application for a PC to Council for determination.
	11.	This policy is only for doctors who have not held a New Zealand practising certificate in the previous 3 years, but who have been working as a medical practitioner overseas. Please see Council's <i>Policy on applications for practising certificates where applicant has not practised medicine within the last three years</i> where the practitioner has undertaken little or no medical practice.
Other relevant policies		<i>Policy on practising certificates</i> <i>Policy on reference requirements for applications for registration</i> <i>Policy on recertification for doctors</i>

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