



**ACT Health**

# Area of Need for Vacant Medical Practitioner Positions in the Public and Private Sector – Policy and Procedure

Final Draft

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# Policy Statement

The ACT Health Directorate (ACTHD) has an identified process to ensure the jurisdiction has suitably qualified and experienced medical practitioners to meet the needs of the ACT community. The priority is to recruit medical practitioners with unrestricted general or specialist registration.

The purpose of this policy is to provide direction for private and public sector employers to assist in the recruitment of medical practitioners, under the provisions of Area of Need (AoN) status, in areas of the ACT that have limited access to medical practitioners with unrestricted general or specialist registration.

AoN status assists employers in the ACT who are having difficulties recruiting unrestricted general or specialist medical practitioners. Approval of a position as having AoN status will assist in the employment of a medical practitioner with limited registration.

AoN status allows employers to apply for individual positions to be designated as AoN under strict conditions to ensure that local medical practitioners are not disadvantaged while meeting the health needs of our population. Prior to requesting AoN, employers should consider, and seek to address where possible, any limitations on accessing the local workforce (e.g. availability of flexible work arrangements, permanency of positions).

To achieve an AoN status, employers need to be having difficulty recruiting suitably qualified medical practitioners, including the medical position remaining unfilled following multiple recruitment attempts. Before approving AoN applications, the ACTHD needs to determine that all attempts have been made to fill the position with an Australian-trained doctor and that Australian-trained doctors are not disadvantaged.

International Medical Graduates (IMGs) who do not have full fellowship of an Australasian College or qualify for specialist or general registration, but have the skills, qualifications and experience considered sufficient to work under supervision, will need to work in an AoN position or in one of the Commonwealth-administered provisions (e.g. 19AB exemption). Medical practitioners employed under these arrangements must still meet the registration requirements of the Medical Board of Australia.

## Scope

This policy applies to public and private sector employers applying for AoN status for a position, when experiencing difficulty recruiting medical practitioners with unrestricted general or specialist registration; and to the ACTHD Health Policy and Strategy Branch, which reviews and processes the applications.

AoN status may be granted when a vacant medical position remains unfilled, where:

- it relates to specialist general practice or one of the eight specialties that are identified under the AoN program (anaesthetics, cardiology, diagnostic radiology; general surgery, medical oncology, obstetrics and gynaecology, ophthalmology, and psychiatry).

- advertising has failed to attract a suitable Australian qualified medical practitioner;
- it can be demonstrated that service delivery is affected;
- Australian qualified medical practitioners are not disadvantaged; and
- the vacant position is in a health workforce District of Workforce Shortage (DWS), or Distribution Priority Area (DPA) in the case of GPs.

Please see [Health Workforce Locator | Australian Government Department of Health and Aged Care](#) for further information.

For positions that do not require access to a Medicare Provider Number, the vacant position is not required to be in a DPA or DWS. Doctors without provider numbers are not permitted to engage in any form of cost shift private billing to those local practitioners with provider numbers, including (but not limited to) ordering pathology, imaging or billing for services.

## Limited Registration for Area of Need

Medical practitioners with limited registration for AoN are working under supervision in an area of Australia where there is a shortage of medical practitioners. They are usually registered to practise in a rural or remote location.

The AoN program assists employers recruit medical practitioners with limited registration to vacant positions where they have been unable to recruit a medical practitioner with unrestricted general or specialist registration.

These practitioners have been assessed as having the necessary skills, training and experience to practice safely. The state or territory Minister for Health (or their delegate) must declare that the area in which the applicant will work is an 'area of need'.

The requirements for this type of registration are defined in the Medical Board of Australia's registration standard for limited registration for AoN. The requirements include:

- evidence of eligibility for registration via one of the following assessment pathways:
  - standard pathway; or
  - specialist pathway – AoN.
- if applying for registration to work in a general practice position, evidence of three years (full-time equivalent) experience in general practice or primary care
- if applying via the standard pathway to work in a general practice position, successful completion of a pre-employment structured clinical interview (PESCI).
- the registration standard for limited registration for AoN also requires medical practitioners with this type of registration to:
  - comply with a supervision plan
  - comply with a professional development plan
  - authorise and facilitate the provision of regular reports from their supervisors about their safety and competence to practise
  - perform satisfactorily in the AoN position

If an applicant is providing, or intends to provide, services within a specific area (e.g. a GP providing psychiatric, obstetrics or gynaecology services beyond the usual scope of general practice) and depending on their registration pathway, provisions should be made (subject to the practitioner's requirements for limited registration) to ensure that either their

supervision plan and/or pre-employment structured interview (PESCI) includes assessment the relevant area.

In the event of seeking to renew the AoN position, evidence confirming satisfactory progress towards meeting the requirements required for general or specialist registration should be provided.

## Health Workforce Distribution Priority Area (DPA) and District of Workforce Shortage (DWS)

As of 1 July 2019, a new health workforce Distribution Priority Area (DPA) classification system has replaced the Districts of Workforce Shortage (DWS) Assessment Areas for GPs and Bonded Doctors.

IMGs who specialise in General Practice are required to work in a DPA to obtain a Medicare Provider Number. An area that has been classified as a DPA for GPs has been assessed as not receiving adequate GP services for the needs of that population. The DWS system for Specialists will continue to operate. Specialist IMGs who practise in specialities (other than General Practice) are required to work in a DWS for Specialists to obtain a Medicare Provider Number.

DWS uses population and Medicare billing data to get a Specialist-to-population ratio in each geographical area of Australia. The following specialties are eligible for the DWS scheme:

- anaesthetics;
- cardiology;
- diagnostic radiology;
- general surgery;
- obstetrics and gynaecology;
- ophthalmology;
- medical oncology; and
- psychiatry.

DPA and DWS classifications are determined by the Commonwealth, taking into consideration gender and age demographics, and the socio-economic status of patients living in an area. They are geographical areas in which the local population has less access to Medicare-subsidised medical services when compared to the national average for that type of service and/or when the level of health services for the population does not meet a service benchmark.

A table indicating the current geographical areas in the ACT eligible for DPA or DWS is provided in [Appendix 1](#). Please note that these boundaries can and are changed by the Commonwealth. Although the information is current as at February 2022, employers will need to confirm whether they are still eligible to apply for AoN status before submitting an application. Please see the [Health Workforce Locator | Australian Government Department of Health and Aged Care](#) for further information.

# Procedure

## Applying for a New Area of Need Position

### Application

Employers wishing to apply for a new AoN position for a vacant medical practitioner position **must** address the assessment criteria outlined in the following section.

Applicants **must** submit:

- a completed AoN New Positions Application (see [Attachment A](#)); and
- all required supporting evidence.

Applications without all requested information and evidence **will not** be assessed.

Applications **must** be submitted by the Clinical Director (or equivalent, e.g. Practice Principal) of the area with the vacant medical practitioner position.

Please note that at any point during AoN employment, the Department of Home Affairs may request information in relation to some or all staff employed under the AoN program.

Completed applications are to be emailed to:

[ACTHealthPolicyPartnerships&Programs@act.gov.au](mailto:ACTHealthPolicyPartnerships&Programs@act.gov.au)

**NOTE:** Requests for prospective approval of AoN status will not be considered (e.g. for a practice not yet open, or for future workforce needs).

### Assessment Criteria

To be eligible for AoN status, the medical practitioner position must meet a set of criteria.

There are two criteria for the public sector:

- Criterion 1: Evidence of Need:
    - Impact statement - There will be an adverse impact on service delivery if the position remains vacant.
- AND
- Position status - The vacant position:
    - is located in a DPA – GPs only, or
    - is located in a DWS – specialists only, as listed as a speciality in acute shortage exemption under Section 19AB of the *Health Insurance Act 1973*, or
    - is listed under Section 19AB the *Health Insurance Act 1973*, as a speciality considered to be in acute shortage and can work at any location across Australia, or
    - is at an Aboriginal community-controlled health service, or
    - does not require access to a Medicare Provider Number.

- Criterion 2: Advertising:
  - the vacant position has been advertised locally and nationally for a minimum of four weeks in the past six months,
  - there have been at least three attempts at advertising,
  - the positions should be advertised to local available clinicians. In the case of hospital positions, this should include both staff and VMO candidates,
  - advertising has provided a high level of visibility, utilising both local and national media and also in local medical publications, such as AMA journals, Australian Doctor and Canberra Health Services or Capital Health Network websites,
  - up-to-date recruitment methods have been utilised, with regular reviews. This may comprise advertisements in journals, conferences and through dedicated websites, and may also include increasing the use of online advertisements, creative recruitment campaign initiatives and dedicated medical recruitment staff;
  - where possible, the local branch (or equivalent) of the relevant College has been consulted to help identify candidates for the available positions,
  - advertising has failed to attract medical practitioners with unrestricted general or specialist registration, and
  - the position has not been advertised as an AoN position.
  
- Criterion 3: Letter of Support:
  - the position has a letter of support from the Australian Medical Association (AMA) or relevant specialist college (either ACT branch or national office).
  - If the AoN position is a surgical specialty, then the Royal Australian College of Surgeons' board should be contacted.

Employers must submit a completed AoN New Position Application and the required evidence for AoN status to be considered. If the employer provides incomplete documentation, and attempts to attain complete documentation are unsuccessful, the ACTHD Health Policy and Strategy Branch will withdraw the application 30 days after last contact. The employer would then need to submit a new AoN New Position Application.

The occupant of a position that has AoN status is a temporary employee and must not be appointed to a permanent position.

AoN status is valid for a 2-year period from the date the position is occupied. Employers are to notify ACTHD Health Policy and Strategy Branch when an AoN position has been occupied, and by whom.

Employers may apply to extend AoN status if the occupant of the position has not changed. AoN status may be extended for one further 2-year period up to a total maximum of four (4) years.

Employers must submit a completed AoN Extension Application at least 14 days prior to the expiration of AoN status.

If the AoN status position is vacated by the original occupant, the employer must complete a new application for AoN status, prior to re-advertising the position.

If an AoN position is not occupied within two years of the approval, the AoN status becomes invalid and employers must complete a new application for AoN status.

An AoN New Position Application or AoN Extension Application can be withdrawn at any stage by the employer.

ACTHD Health Policy and Strategy Branch will assess AoN applications against the AoN eligibility criteria. If the application meets the criteria, ACTHD Health Policy and Strategy Branch will process the AoN application and progress to the EGM PPP for approval within 14 days of receipt of all information required.

When a medical practitioner employed in an AoN position obtains unrestricted general or specialist registration, the AoN approval for that position will become void.

## Assessment

The ACT Health Directorate (ACTHD) Health Policy and Strategy Branch (HPSB) will assess AoN applications against the AoN eligibility criteria and evidence provided.

The HPSB may seek additional information from the employer.

Incomplete applications will not be assessed until all the required information is provided.

If the application meets the criteria, ACTHD HPSB will process the AoN application and progress to the EGM PPP for approval within 14 days of receipt of all information required.

## Approval

Under Section 67(7) of the *Health Practitioner Regulation National Law Act (ACT) 2010* and Section 253 of the *Legislation Act (ACT) 2001*, the ACT Minister for Health has delegated the AoN approval authority for new and extension applications to the:

- ACTHD Executive Group Manager of Policy, Partnerships and Programs (EGM PPP)(PN E431);
- Deputy Director-General (DDG) of Health Systems, Policy and Research (HSPR)(PN E01070); and
- ACTHD Director-General (DG) (PN E00908).

In the first instance, AoN applications will go to the EGM PPP. If the EGM PPP is unavailable, request for approval of AoN applications will go to the DG and DDG.

The employer will be notified via email within 14 days of providing all AoN application information required.

All approved AoN New Position Applications will be provided with a unique identification number.

Initially, AoN status for a position is valid for a 2-year period from the date of approval. If the position is occupied within the 2-year period, then the AoN status of the position will recommence the 2-year period from the date of occupancy. If the position is not filled



within two years of approval, the AoN status becomes void and a new application is required.

The ACTHD will advise the Medical Board of Australia of the outcome of an employer's AoN application, as required by Section 67(6) of the Health Practitioner National Law (ACT) 2010. The Australian Medical Association and relevant specialist college will also be notified.

Where a medical practitioner with Limited Registration for AoN is granted unrestricted general or specialist registration, the AoN approval is immediately void. Where a medical practitioner with Limited Registration for AoN leaves the position, the approval is immediately void. Employment of another medical practitioner with Limited Registration for AoN will require approval of a new position.

## Notifying Occupancy of an Area of Need Position

AoN status for a position is valid for a 2-year period from the date the position is occupied. Employers are to notify ACTHD HPSB when an AoN position has been occupied (date of the employee actually commencing in the position). Employers are to provide the AoN identification number, date of occupancy, and name of the person who has occupied the position.

## Extending an Area of Need Position

Employers may submit an application to extend AoN status if the occupant of the position has not changed and the employee and employer wish to continue the employment.

Employers must submit a completed AoN extension application form at least 14 days prior to the expiration of AoN status.

Applications for an extension of time to an existing AoN position may be granted for a further 2 years. Only 1 extension will be granted, providing a maximum of 4 years total approval as an AoN position. This accords with the approach taken in the National Law to enable a medical practitioner with Limited Registration for AoN to complete the required education, training and assessment to obtain unrestricted general or specialist registration. Provided the AoN criteria are met, an employer can apply for a new AoN position following the four years. This would be for a new employee.

Applications for extension to an existing AoN must address Assessment Criterion 1 unless the position is being filled (i.e. with a new employee) at the time of seeking an extension. Assessment Criteria 2 and 3 must be addressed in the same manner as a request for a new position, irrespective of whether the position is currently filled or vacant. The request for extension will be assessed on its own merits.

The fact that approval has previously been given for an AoN position does not guarantee that an application for extension will be approved. If the ACTHD considers that an application for extension constitutes a new position, the application will be treated as an application for a new position and all criteria will need to be addressed.

Applicants must submit:

- a completed application form; and
- all required supporting documentation.

Applications will not be assessed unless all information is provided.

Applications for extension must be received by the ACTHD no less than 14 working days prior to the expiry of an existing approval. It is the employer's responsibility to ensure that this occurs.

Applications for Canberra Health Services positions must be submitted by the Clinical Director of the relevant area. For private providers, applications should be submitted by the Practice Principal or an equivalent director / manager role.

Completed applications must be sent to:

Area of Need, Health Policy and Strategy Branch  
ACT Health Directorate  
GPO Box 825  
CANBERRA ACT 2600  
[ACTHealthPolicyPartnerships-Programs@act.gov.au](mailto:ACTHealthPolicyPartnerships-Programs@act.gov.au)

Any enquiries relating to the ACTHD's AoN program should be directed towards [HealthPolicy@act.gov.au](mailto:HealthPolicy@act.gov.au).

## Withdrawing an Area of Need Application

An AoN status or extension application can be withdrawn at any stage by the employer.

Employers must submit a completed AoN status application form and the required evidence for AoN status to be considered. If the employer provides incomplete documentation, and attempts to attain complete documentation is unsuccessful, ACTHD HPSB will withdraw the application 30 days after last contact. A new AoN status application would need to be submitted by the employer after this time.

## Voiding an Area of Need Position

When a medical practitioner employed in an AoN position obtains unrestricted general or specialist registration, the AoN approval for that position will become void. Employers must notify the ACTHD when this occurs.

If the AoN status position is vacated by the original occupant, the employer must complete a new application for AoN status prior to reoccupying the position.

If an AoN position is not occupied within 12 months of the approval, the AoN status becomes invalid and employers must complete a new application for AoN status.

# Roles and Responsibilities

Position(s)	Responsibility
ACTHD EGM PPP	Delegation to approve AoN status (new and extension) – primary approver.
ACTHD DDG HSPR ACTHD DG	Delegation to approve AoN status (new and extension) – alternative approver.
ACTHD Health Policy and Strategy Branch	Provide information to employers seeking new AoN status or an extension, or a withdrawal of AoN application or position. Assess and process AoN applications and supporting evidence in accordance with this policy and procedure. Assess and process AoN extension applications in accordance with this policy and procedure.
Employers of Medical Practitioners	Provide the completed AoN application and required evidence to ACTHD Health Policy and Strategy Branch, in alignment with this policy and procedure. Notify ACTHD Health Policy and Strategy Branch when the approved AoN position is occupied, in alignment with this policy and procedure. Provide the completed AoN extension application to ACTHD Health Policy and Strategy Branch at least 14 days prior to the expiration of AoN status, in alignment with this policy and procedure. Inform ACTHD Health Policy and Strategy Branch when an AoN position is vacated, or the occupant attains unrestricted general or specialist registration.

## Records Management

Applications and associated documents are to be saved to the Area of Need folder on the shared Drive by the ACTHD HPSB. Associated documents may include, but not limited to:

- emails;
- evidence of DPA or DWS, advertising, and AMA support;
- application checklist; and the
- ACTHD Executive Group Manager (EGM), Policy, Partnerships and Programs (PPP) minute and response letter.

The AoN Register of all approved, withdrawn, closed, and extended applications will be maintained by ACTHD HPSB and saved to the Area of Need folder on the Q: Drive.

Documents submitted to the ACTHD EGM PPP for approval are to be upload to HPE Content Manager by the ACTHD HPSB. These documents may include, but not limited to:

- ACTHD EGM PPP minute, associated attachments, and response letter.

# Evaluation

Outcome Measures	Method	Responsibility
100% of AoN applications for vacant medical practitioner positions, including extensions and withdrawals, comply with this policy and procedure.	Audit each application during the application process using the Application Checklist.  Annual audit of the AoN Register.	ACTHD Health Policy and Strategy Branch

## References and Related Documents

### References

- Website links:
  - Australian Health Practitioner Regulation Agency: [Medical Board of Australia - Limited registration](#).
  - Department of Health: [District of Workforce Shortage | Australian Government Department of Health and Aged Care](#)

### Legislation

- *Health Insurance Act 1973*
- *Health Insurance Regulations 1973*
- *Health Practitioner Regulation National Law (ACT) 2010*

### Supporting Documents

- ACT Health Directorate *Area of Need Application Form*

## Version Control

Version	Date	Comments
1.0	February 2022	

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## Appendix 1: DPA / DWS Areas in the ACT (as at February 2022)

Specialty	AoN Eligible Geographic Areas in the ACT
General Practice	Gunghalin Majura Canberra East Tuggeranong South West – Namadgi Weston Creek Molonglo Belconnen Fyshwick
Anaesthetics	Gunghalin North Canberra Canberra East Tuggeranong Uriarra – Namadgi Weston Creek Molonglo Belconnen
Cardiology	Gunghalin North Canberra Canberra East Tuggeranong Uriarra – Namadgi Weston Creek Molonglo Belconnen
Diagnostic Radiology	Gunghalin North Canberra Canberra East Tuggeranong Uriarra – Namadgi Weston Creek Molonglo

Specialty	AoN Eligible Geographic Areas in the ACT
General Surgery	Gunghalin North Canberra Canberra East Tuggeranong Uriarra – Namadgi Weston Creek Molonglo Belconnen
Obstetrics and Gynaecology	Gunghalin North Canberra Canberra East Tuggeranong Uriarra – Namadgi Weston Creek Belconnen
Ophthalmology	Gunghalin Canberra East Tuggeranong Uriarra – Namadgi Weston Creek Molonglo Belconnen
Medical Oncology	Gunghalin North Canberra South Canberra Canberra East Tuggeranong Uriarra – Namadgi Weston Creek Molonglo Belconnen

Specialty	AoN Eligible Geographic Areas in the ACT
Psychiatry	Gunghalin Canberra East Woden Tuggeranong Uriarra – Namadgi Weston Creek Molonglo Belconnen

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