

****IMPORTANT INFORMATION****



The Medical Practitioners Act 2008 and Registration Renewal

It is anticipated that the *Medical Practitioners Act 2008* and the *Medical Practitioners Regulations 2008* (currently being drafted) will be proclaimed in or about October 2008. The current *Medical Act 1894* (WA) (as amended) and the *Medical Rules 1987* will be repealed at that time.

From the date of proclamation, there will be significant changes to the registration and regulation processes of medical practitioners in WA. The changes will bring WA more into line with the registration and regulation processes in other States.

Registration Changes and Obligations

Registration renewal for the year 2008/2009 will proceed under the current Act. Accordingly, there will not be any changes to renewal of registration for this current renewal period.

Following proclamation (in or about October 2008) there will be immediate changes implemented by the Board pursuant to the new Act and these include:

- § information provided in the public Register of Medical Practitioners (accessible at www.wa.medicalboard.com.au) will now also include the business address of medical practitioners; any conditions imposed upon practise; and any Orders or penalties imposed by the Board or the State Administrative Tribunal (s.48);
- § a requirement that, within 14 days of proceedings commencing, medical practitioners provide written advice to the Board of any civil or criminal proceedings arising out of the practice of medicine; or an offence against the *Health Insurance Act 1973* (s.61);
- § fines imposed for failure to notify the Board of issues such as:

Change of Address (s. 58 of the Act)

A medical practitioner must give the registrar written advice of any change to the address that is recorded in the register in relation to the person no later than 30 days after the change to the address.

Fine \$1,000

Loss of Qualifications (s. 59 of the Act)

A medical practitioner must give the registrar written advice within 7 days if a qualification that enabled the person to be registered is withdrawn or cancelled by the body that conferred the qualification.

Fine \$1,000

Insolvency (s. 60 of the Act)

A medical practitioner must within 14 days of becoming an insolvent, as defined in section 9 of the *Corporations Act*, give the registrar written advice of the insolvency.

Fine \$5,000

Civil or Criminal Proceedings (s. 61 of the Act)

A medical practitioner must give the registrar written advice of any of the following matters within 14 days after the legal process commencing:

- Any civil proceedings claiming damages or other compensation arising out of the practice of medicine;
- Any criminal proceedings for an offence arising out of the practice of medicine or an offence against the Health Insurance Act 1973 of the Commonwealth

is served on the medical practitioner.

Fine \$5,000

A medical practitioner must give the registrar written advice of any of the following matters within 14 days after:

- Any proceedings referred to above commenced against the medical practitioner are withdrawn or settled;
- Any such proceedings are determined by a court or other tribunal.

Fine \$5,000

Cancellation or Suspension of Registration Elsewhere (s. 63 of the Act)

If the registration of a medical practitioner is cancelled or suspended by a regulatory authority in another State or a Territory, the medical practitioner must give written advice of the cancellation or suspension within 7 days of it occurring.

Fine \$5,000

Condition Imposed on Registration Elsewhere (s. 64 of the Act)

If a regulatory authority in another State or a Territory imposes a condition on the registration of a medical practitioner or changes a condition of registration, then the medical practitioner must give the registrar written notice of the imposition or change within 7 days of it occurring.

Fine \$5,000

CHANGES THAT WILL OCCUR WITH EFFECT FROM THE 2009/2010 REGISTRATION RENEWAL:

- removal of the registration category termed "Occasional Practising" – this will no longer be available;
- immediate removal of medical practitioners' names from the Register if they fail to pay the renewal fee by 30 September 2009 – there will be no second reminders after the initial renewal notice;
- at registration renewal, medical practitioners must provide details to the Board of development or educational activities related to the practice of medicine, undertaken during the latest period of registration;
- new renewal notices for completion by all medical practitioners which will include notification obligations; and
- the implementation of a "Specialist's Register."

Please refer to www.parliament.wa.gov.au to view the Act.