



**MEDICAL SCIENCES COUNCIL
OF NEW ZEALAND**

TE KAUNIHERA PŪTAIAO HAUORA O AOTEAROA

POLICY AND GUIDELINES: PRACTISING CERTIFICATES

JUNE 2019

| Policy Title | |
|-------------------------|---|
| Reference Number | 2019-Jun-V2-MSC Practising Certificates |
| Scope | This policy applies to all medical laboratory science and anaesthetic technology practitioners wanting to practise in New Zealand |

| Associated Policy Documents | |
|-----------------------------|-------------------------------------|
| Document Title | Reference Number |
| Delegations | 2018-Feb-V1-MRT-MSC-MSS Delegations |
| Registration | 2019-Mar-V2-MSC Registration |
| Return to Practice | 2019-Jun-V1-MSC Return to Practice |
| | |
| | |
| | |
| | |
| | |

| Revision Schedule | | | |
|-------------------|--------------|--------------------------|-------------|
| Version Number | Version Date | Approved By | Next Review |
| One | 2014 | Medical Sciences Council | |
| Two | June 2019 | Medical Sciences Council | 2021 |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

Contents

| | |
|--|---|
| Introduction | 3 |
| Policy Overview | 3 |
| Practitioner Responsibility | 4 |
| Timeframes for Issue of a Practising Certificate | 4 |
| Late Renewal Applications | 4 |
| Completed Application and “Deemed to Hold” | 5 |
| Practising Without a Current Certificate | 5 |

Introduction

This document sets out the Medical Sciences Council's (the Council) policy on the issue of practising certificates to registered medical laboratory science and anaesthetic technology practitioners.

Policy Overview

No medical laboratory science or anaesthetic technology practitioner may practise in New Zealand unless they are registered under the Health Practitioners Competence Assurance Act 2003 (the Act) within a scope of practice defined by the Council, **and** hold a current practising certificate (section 8 of the Act).

Upon receipt of a complete application for an annual practising certificate (APC) and the required fee, the Registrar must issue an APC unless they believe on reasonable grounds that the applicant:

- has at any time failed to maintain the required standard of competence
- has failed to fulfil, or has failed to comply with, a condition included the applicant's scope of practice
- has not satisfactorily completed the requirements of an educational programme that they have been ordered to complete
- has not held an APC in New Zealand within the 3-years immediately prior to the date of application
- is unable to perform the functions required to practise medical laboratory science or anaesthetic technology because of some mental or physical condition
- has not engaged in the practice of medical laboratory science or anaesthetic technology within the 3-years immediately prior to the date of application

If the Registrar believes that one or more of the above grounds apply, they must determine whether they are able to consider and issue the APC under delegation. In any other case, the Registrar submit the application to the Council (section 27).

A practitioner who, within the 3-years immediately prior to the date of application, has either not held an APC in New Zealand, or not engaged in the practice of medical laboratory science or anaesthetic technology, will be subject to the Council's *Return to Practice* policy.

The Registrar or the Council may propose to decline to issue an APC if satisfied that any information contained in the application is false or misleading. In this instance the applicant must be given full details of the reasons for the decision, and an opportunity to make a written submission to be heard on the matter before a final decision is made (section 27[4]).

Should the applicant have any unpaid fines, costs, or expenses as ordered by the Health Practitioners Disciplinary Tribunal, the Registrar may decline to issue an APC until the outstanding fine, costs, or

expenses are paid in full. The applicant may request the Council to review such a decision (sections 26[4] and [5]).

When considering an APC application, the Council must be satisfied the applicant meets the required standard of competence. To satisfy that criterion, the Council may include conditions on the applicant's scope of practice or vary any existing conditions.

If the Council declines to issue an APC under section 29 of the Act, it may instead issue an interim practising certificate for a specified period, but not exceeding 12-months (section 31).

Practitioner Responsibility

Holding a current practising certificate permits medical laboratory science and anaesthetic technology practitioners to practise in their registered scope(s) of practice, and any conditions, as listed on their certificate.

It is the individual practitioner's responsibility to ensure they hold a current practising certificate when they are practising medical laboratory science or anaesthetic technology in New Zealand.

Timeframes for Issue of a Practising Certificate

Practising certificates are issued for up to 12-months and cannot be backdated. It is therefore important that practitioners apply to have their practising certificate renewed before their current practising certificate expires.

All practising certificates issued by the Council are valid for a maximum period of 12-months between 1st April and 31st March of the following calendar year (often referred to as an *APC year*).

The Council manages an APC renewal process in February and March of each year, during which time all practitioners who intend to continue practising in New Zealand from the 1st April of that year, are expected to make an online application to have their APC renewed so as to permit them to continue practising legally.

While the Council alerts all practitioners who hold a current practising certificate of the need to renew their certificate, it is each practitioner's responsibility to ensure they complete their application (inclusive of the fee payment) prior to 31st March.

Late Renewal Applications

The Council will consider renewal applications up to 1-week after the close of the current renewal period – that is, until 7th April – without any possible disciplinary action or additional cost to the applicant. Applicants who submit their renewal application after 7th April are deemed to have been practising without a current practising certificate and the Council will need to give more consideration to their application.

Applicants who miss the 7th April deadline for renewing their practising certificates are required to pay a higher fee.

Completed Application and “Deemed to Hold”

The Council cannot consider incomplete applications. For an application to be considered as complete, it must be received through the online application portal on the Council’s website. The applicant must answer all questions inclusive of statutory declarations and pay the required application fee. Individual practitioners will be contacted by the Council if any additional information is required.

As long as a practitioner has completed their renewal application and paid the required fee before their current practising certificate expires, they are deemed to hold a current practising certificate. This means that even if the processing of their application is delayed, they can continue to work. This remains in effect from the date the completed and fee payment was received until the date the new certificate is issued, or the applicant is notified a certificate will not be issued.

Practising Without a Current Certificate

Practising without a current practising certificate is an offence under the Act and can incur a fine of up to \$10,000. It is also a breach of a practitioner’s ethical and professional obligations.

If it comes to the Council’s notice that a practitioner has been practising without a current practising certificate, the matter may be referred to the Ministry of Health and/or a professional conduct committee.