

Fitness for registration – a guide for medical students

When applying for registration you have to answer questions relating to your fitness to practise. This is to satisfy Council that:

- you can communicate effectively as a PGY1 doctor
- you can communicate effectively in, and comprehend, English
- your fitness to practise is not adversely affected by criminal convictions, mental or physical conditions, university or other professional disciplinary action or investigations
- you will not endanger the health or safety of members of the public.

This is specified by [section 16 of the Health Practitioners Competence Assurance Act 2003 \(HPCAA\)](#).

Similar questions are asked when doctors renew their practising certificates.

Failure to declare the required information could jeopardise you obtaining registration. You must answer honestly – the HPCAA allows for considerable penalties (up to \$10,000) for false declarations and misrepresentations.

All disclosures will be reviewed and more information sought if needed. Most applications are able to proceed with only a minimal review.

If you are concerned about the contents of this page and any events that may need to be declared in future when applying for registration, you should speak with the dean of your medical school or contact the Council directly.

Click on the headings below for more details.

- [Mental and physical conditions](#)
- [Convictions](#)
- [University disciplinary order](#)
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Mental and physical conditions

Safe practice means:

- making safe judgments
- demonstrating the level of skill and knowledge required for safe practice
- behaving appropriately
- not risking infecting patients with whom you come into contact
- not acting in ways that impact adversely on patient safety.

If you have a condition (mental or physical) we need to know to what extent, if any, it impacts on your ability to practise. If there are potential risks for your practice, we need to know how these can be managed with appropriate support, ongoing treatment, and management and so on.

Relevant conditions

Any condition that may impair your ability to practise, such as:

- alcohol or drug use disorders
- psychiatric disorders
- a temporary stress reaction
- an infection with a transmissible disease
- medical conditions including significant visual or hearing impairments, progressive conditions, brain injury and so on.

For information on Council's guidelines on transmissible major viral infections please email Garth Wyatt at gwyatt@mcnz.org.nz.

What type of conditions do not meet the threshold for disclosure?

We do not usually need information about:

- short-lived conditions which respond quickly to rest or treatment, and from which a full recovery is made
- medical problems that won't affect your ability to practise as a doctor.

What information needs to be provided?

If you answer 'Yes', please send the following information:

- the actual diagnosis you have been given, with a brief history
- a brief outline of treatment and its efficacy, and relevant management, including what is in place to assist recovery, or to manage any chronic, progressive, or relapsing and remitting conditions
- how the condition has impacted on your ability to fulfil your study requirements, as well as your practice during your trainee intern year. If there are potential future impacts, any plan to manage these is relevant
- any potential risk for patients
- any professional advice you have had on your fitness to practise.

You also need to send us the name and contact details of your treating practitioner(s), and outline any involvement of the university/medical school, and what supports you have now.

Ideally this should be supported by a report from your treating doctor(s) covering the above points. You must meet any costs involved with obtaining such reports.

There is also provision on the application form for you to consent to Council's Health Case Manager contacting your treating practitioner(s) for any clarification or further information.

If you have been given a diagnosis of HBV, HCV and/or HIV, you will need to send copies of any recent reports which will need to include clarification of your serology and specific advice you have been given about practising medicine, and exposure prone procedures in particular. Please send these to Garth Wyatt at gwyatt@mcnz.org.nz.

Where do I send my information?

The information can be posted in an envelope marked 'Strictly confidential – attention Health Case Manager'. This will ensure it is referred unopened to the Health Team. Or, you can send it by email to: reghealth@mcnz.org.nz.

Jo Hawken is the Health Case Manager at Council who will follow-up with you about the information you provide. If you have any questions in advance you can speak with Jo. She can be reached on 0800 286 801 extn 769, or at the reghealth email address above. You can also talk to your treating doctor, who is also welcome to speak with Jo.

What is the decision-making process?

All health disclosures and related information are reviewed by Jo. Your application will be on hold while this is underway.

Jo will determine whether additional information or advice is required to establish to what extent, if any, your ability to practise is affected. If necessary she will liaise with Council's Health Manager or the Health Committee Chairperson.

On rare occasions, an independent assessment (eg occupational, neuropsychological, medical or psychiatric) may be needed. This could apply if the condition is ongoing, a remitting or relapsing one, or if an applicant has not been well engaged in treatment or does not have a robust relapse management plan.

Otherwise, the treatment reports provided are usually sufficient to establish your fitness, with or without supports.

As soon as your fitness to practise is confirmed, your application will proceed in the usual way.

Council's Health Committee

The Health Committee (the Committee) is a sub-committee of Council. One of its roles is to advise on an applicant's fitness for registration. Some aspects are delegated to Council's Health Manager and Health Case Managers in the Health Team.

The Committee reviews information provided about a mental or physical condition. It is usually in summary form – this shows each doctor's name, the diagnosis given, advice/information received (summary form) and decisions made.

From time to time, all the information has to be provided to the Committee so that it can advise Council on an applicant's fitness for registration and to practise, or it may also be provided directly to Council. You will be fully informed if this step is being taken. You can make any submissions you wish and attend the meeting at which it is being considered.

The profiles of all Council members can be viewed on Council's website. Current Health Committee members are Dr Pamela Hale (Chairperson), Dr Charles Hornabrook, Dr Ainsley Goodman and Mr Simon Watt. Dr Rachelle Love, the Chair of Council, is an ex-officio member.

If you believe there might be a conflict of interest for you, please let Jo know and outline your reasons. She will discuss with you how that will be managed.

Who else at the Council can see my health information?

All Council members receive minutes of Health Committee meetings, as they oversee the minutes of all standing committees of Council. This is irrespective of a conflict of interest. While these minutes are in summary form, they will contain a degree of personal health information about fitness to practise, such as brief notification/disclosure information, key points from any reports/submissions received, the course of any illness/recovery, any issues around fitness, and points from any independent advice/recommendations received that are relevant to fitness to practise.

Liaison with prevocational educational supervisors or the DHB's Chief Medical Officer (or equivalent authority in a community-based attachment) and the DHB's occupational health service

Sometimes a new doctor can benefit from additional support, or protected time for treatment/review appointments and so on. This could relate to residual symptoms of a condition, for example a brain injury, a hearing impairment, a transmissible major viral infection that precludes exposure prone procedures, a relapsing/remitting condition, or a partially-treated condition.

The new doctor will often be asked to have some discussion with the prevocational educational supervisor assigned to them. In some instances there may be more formal communication from the Council or Health Committee through the Health Case Manager.

The rationale for this is to ensure that the DHB has all the necessary information it needs to assist new doctors with a smooth transition from medical school to the role of a practising doctor. For example it can take health issues into account when assigning doctors to clinical attachments.

How does the Privacy Act 2020 and the Health Information Privacy Code 1994 apply to personal health information acquired and held by the Council?

Council is an 'agency' under the Privacy Act, and the Health Information Privacy Code. The information we ask for is consistent with our statutory purpose to determine if a doctor is fit for registration.

To read more on ways in which we may use this information, go to '*About us*' on Council's website.

How Council respects doctors' rights regarding personal health information

Some of the key ways in which this is done are:

- the Health Committee, a small standing Committee of Council, is authorised to act both for Council and for Council's Registrar in the majority of these health matters. This ensures that information provided is available only to those who need to be involved in the decision-making, namely the Health Committee, as well as those supporting it – the Health Team, Council's Chief Executive, Deputy Chief Executive, Registrar, and Deputy Registrar
- managing confidentiality by having appropriate security around electronic files
- providing mechanisms for doctors and others to use so that information is received directly by the Health team
- ensuring that all staff and contractors are bound by confidentiality agreements
- taking care to establish and manage potential conflicts of interest.

Further information is available on the website under [Health](#).

There is more information on our [website](#) about the Health Committee's role and approach when registered doctors have a condition affecting their ability to practise.

Convictions

As the Council is not directly informed if students break the law, it is your responsibility, and in your best interest to tell the Council of any convictions.

If you have ticked 'Yes' to having a conviction here are some examples of the type of information you should provide with your registration application:

- a written summary of the conviction in your own words
- a summary of facts or court documentation
- any other information that you think may be useful.

The information you provide will be considered by Council's Registrar.

University disciplinary order

It is your responsibility, and in your best interest to tell the Council of any conduct findings or pending investigations.

Under the HPCAA a person in charge of an educational programme in New Zealand eg, a dean of a medical school, who believes that a student who is completing a course would be unable to perform the functions required because of some mental or physical condition, must promptly give the Registrar written notice of all the circumstances.

If you have ticked 'Yes' to being subject to a university disciplinary order here are some examples of the type of information you should provide with your registration application:

- a written summary of the matter in your own words
- official documentation from your University regarding the investigation and outcome
- any other information that you think may be useful.

The information you provide will be considered by Council's Registrar.

Professional disciplinary proceedings

It is your responsibility, and in your best interest to tell the Council of any conduct findings or pending investigations from any other professional bodies.

If you have ticked 'Yes' to being subject to a professional disciplinary proceeding here are some examples of the type of information you should provide with your registration application:

- a written summary of the matter in your own words
- official documentation from the professional body regarding the proceeding and outcome
- any other information that you think may be useful.

The information you provide will be considered by Council's Registrar.