



## Managing Impairment

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## What is Impairment?

- Under the Health Practitioner Regulation National Law Act, a person suffering from an impairment has:-
  - A physical or mental impairment, disability, condition or disorder (including substance abuse or dependence) that detrimentally affects or is likely to detrimentally affect...the person's capacity to practise the profession

## National Registration and the Impaired Practitioner



Impaired practitioners should:-

- Be able to practice in any other jurisdiction in Australia
- Not suffer a disadvantage as a consequence of differing jurisdictional processes
- Be certain that their health will be managed in a consistent and uniform manner, irrespective of where they are practising

## Case Study



- 45 year old Medical Practitioner, post marital breakdown
- Has become increasingly depressed
- Appears dishevelled, and at times, incoherent
- Denies having any problems and is very defensive
- Refuses to stop working, or to seek medical advice
- Is now the subject of a mandatory notification

## **The NSW Model – The Medical Council of New South Wales**



### Case Study Continued

The aims of the Council's Health Program are to:

- Deal with Impaired Practitioners in a constructive and non-disciplinary manner
- Ensure that Practitioners are fit to practise at an appropriate level
- Protect the public, while allowing Impaired Practitioners to remain in practice, providing it is safe to do so
- The therapeutic relationship between the Impaired Practitioner and their treating Doctors is viewed as sacrosanct

## **Post Impaired Registrants Panel**



### Case Study Continued

- A number of health and practice conditions are placed on the Practitioner's registration
- These conditions are gradually eased, as the Practitioner progresses through the Health Program
- 18 months have passed, and the Practitioner now wishes to move to Queensland, to practise there
- The Practitioner is seeking advice about how their health will be managed in this jurisdiction

## The Queensland Model

### Case Study Continued

Following a move to Queensland, the Practitioner:-

- May not receive any correspondence from AHPRA for a period of time
- Could be directed to attend a health assessment:-
  - Following this, the conditions on the Practitioner's registration may be amended
- May have their conditions reviewed, if AHPRA determines this is required
- May be required by AHPRA to provide reports from their treating Doctors

## Optimally Managing the Impaired Practitioner

To ensure that Impaired Practitioners are able to continue practising safely in different Australian jurisdictions, the following is required of each State and Territory's Health Program:-

- Uniformity
- Certainty
- Consistency
- Transparency

