



# Registration Policy

**Approved by the Board:** February 2015

**To be reviewed:** February 2018

**Responsibility:** Secretariat

**Policy Number:** SecPol08

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# Registration Policy

## Introduction

This Policy applies to all overseas and New Zealand applicants applying for registration within the general scope of practice; Physiotherapist This policy meets the HPCA Act 2003 [HPCAA] requirements for registration.

On receipt of the application (prior to any assessment) the application fee will be deducted; this is a non-refundable fee as it pays for the services of the Secretariat. The Board requires all applications to be submitted on the current form, with valid credit card details, and all required documents provided. Following an administrative check, if an application is considered incomplete with only minor deficiencies, reasonable efforts will be made to contact the applicant to identify the areas that are incomplete and provide them with assistance. Should an application remain incomplete for three months, it will be returned to the applicant. If an application received is incomplete with major deficiencies the application will be returned. If the applicant re-applies for registration **within three months** of the initial application being returned, they will not be charged another application fee.

All graduates of a New Zealand undergraduate physiotherapy programme, currently accredited by the Board, will be required to apply for registration and the issue of an Annual Practising Certificate (APC) to be entitled to practise physiotherapy in New Zealand. To practise in New Zealand all physiotherapists **must** be registered and hold a current APC.

All applicants should note that the application form contains a statutory declaration that must be signed. The statutory declaration, among other things, allows the Board to obtain and verify information from any other person or organisation in relation to the application.

## 1. All Applicants

### 1.1 Fitness for Registration – Section 16 HPCA Act

The HPCAA requires the Board to ensure that those seeking registration within the general scope of practice are fit to practice (s16).

The application form includes declarations in respect of Section 16 HPCA Act and contains a statutory declaration attesting that the information in the application form is true and correct.

### 1.2 Criminal Conviction Disclosure

Applicants are required to disclose all criminal convictions punishable by imprisonment of three months or more; whether they are under investigation by ACC or the Police, diversions granted since their last application, and any discharge without conviction unless covered by the Criminal Records (Clean Slate) Act 2004. These declarations will be referred to the Board for decision on their fitness to practice.

The Clean Slate Act has the effect of concealing certain types of convictions from being disclosed on a criminal conviction record. It is not necessary for NZ applicants to disclose convictions that are covered by the Clean Slate Act. Any NZ convictions disclosed by the applicant that are covered by the Clean

Slate Act will be disregarded by the Board as though they had not been disclosed. The same criteria will apply for overseas applicants in regard to this legislation.

### **1.3 Board Criteria for Assessing Fitness to Practice Section 16(c) HPCA 2003 as it relates to Criminal Convictions:**

- is the nature of the offending such that the conduct may be said to pose a risk of harm to the health and/or safety of the public
- is the conduct inconsistent with ordinarily accepted professional standards, if so, to what degree does it diverge from those standards
- could the conduct give rise to concerns of an ethical or clinical nature
- could the nature of the offending impact on public confidence in the physiotherapy profession
- how much time has elapsed since the conviction
  - if at least seven consecutive years have passed since the applicant was last sentenced, this may be considered to be an acceptable mitigating factor, when balanced with all other factors
  - this factor must be balanced against the seriousness of the offence
- is there a history of repeat offending that could indicate a pattern of offending that may continue in the future
- has the applicant ever been sentenced to imprisonment, home detention, or any other custodial sentence such as corrective training
- has the applicant ever been indefinitely disqualified from holding or obtaining a driver license for repeat drink driving offences
- what was the actual sentence imposed on the applicant for that conviction, as compared with the maximum sentence that could have been imposed
- the applicant's explanation of the circumstances of the conviction
- any positive character references given with knowledge of the conviction
- any other relevant consideration, in all the circumstances.

### **1.4 Police Cautions**

All applicants must disclose any police caution they have received, and the reason a caution was given as opposed to being prosecuted for the offence. The Board does not view a police caution as a criminal conviction. However, the police caution may cause the board concern. Any view the Board holds will be dependent upon the offence in relation to which the caution was granted. The Board will consider all surrounding circumstances.

A caution is not a bar to registration. However, the Board may wish to impose conditions on the registrants Annual Practising Certificate in order to ensure the Boards obligation to protect the public's health and safety is met.

### **1.5 Proposal to Decline**

The Registrar, under Board delegation, must notify applicants who fail to demonstrate they meet the Board's competencies and or requirements that the Board has proposed to decline their application for registration. The applicant must be provided with:

- The reason why the Board has proposed to decline the application; and
- Copies of information on which the Board relied on in proposing to decline the application; and
- An opportunity to make a written submission (section 20(4)) to the Board and/or be heard either in person or by a representative; and
- The timeframe for the submission and date of the Board meeting that will consider the submission.

Should the applicant withdraw their application; the Board will be notified as part of Registrar reporting.

## 2.0 New Zealand Graduates

### 2.1 Recency of Graduation

Successful completion of an undergraduate physiotherapy programme currently accredited by the Board fulfils the requirements of section 15 (1) (a) and (b) of the HPCAA.

Graduates of the New Zealand undergraduate physiotherapy programmes currently accredited by the Board who apply for registration more than 3 years following graduation who have no post qualification physiotherapy practice are required to provide:

- A completed application for registration form; and
- The prescribed fee for the application; and
- All documents requested in the application form.

First time registered New Zealand qualified applicants receive an APC free of charge for the remainder of the practising year in which they completed their course.

Applicants who apply after 31 March of the year following successful course completion are required to pay the currently prescribed fee for the issue of an APC.

Applicants who apply for registration more than 12 months (but less than 3 years) following graduation who have some post qualification physiotherapy practice are required to provide (in addition to standard application requirements):

- A personally signed statement explaining the delay in applying for registration
- An up-to-date C.V
- A completed Validation of Work History form
- Evidence of Good Standing overseas.

### 2.2 Criminal conviction record requests

All New Zealand educated applicants applying for registration within the general scope of practice must supply a criminal conviction record issued by the New Zealand Ministry of Justice as part of their application.

A criminal conviction record (or its equivalent) must also be supplied and issued by the relevant authority in every other country that the applicant has lived in for 12 months or more in the last 10 years, over the age of 18 years.

The criminal conviction record(s) or equivalent must be an original and dated not more than 3 months prior to the date of receipt by the Board. For New Zealand graduates only an evidenced email directly from the New Zealand Ministry of Justice will be accepted unless an original is requested by the Registrar.

### **3.0 Overseas Educated Applicants**

#### **3.1 Qualifications - Section 17(2) HPCAA**

Overseas educated physiotherapists, who have not previously been registered by the Board, are required to demonstrate (through a detailed application) that they currently meet or have met all of the Physiotherapy Board Competencies 1 – 9 within the last ten years.

Applicants' physiotherapy qualification must deem them eligible to be registered or licensed to practise as a physiotherapist in the country in which their qualification was gained.

The consolidation of knowledge into practice must be obvious from the individual's clinical physiotherapy practise profile, provided by their university/educational institution. The physiotherapy programme must be sufficiently similar in theory and practice to the physiotherapy curricula undertaken by undergraduates in New Zealand, involving a minimum of four years of academic study, and leading to physiotherapy registration.

Overseas educated physiotherapists who have a physiotherapy qualification from a three year undergraduate degree programme will require either:

- a) A minimum of one year full-time post-qualification physiotherapy practice experience as a fully registered physiotherapist, not in sole practice, in their country/countries of practice. This experience must be gained in a professionally supported environment provided by an experienced physiotherapist and include:
  - Observed practice and guidance for professional development; and
  - Physiotherapy practice experience in the core bases of physiotherapy that were not covered during the prequalification clinical/physiotherapy practice placements; or
- b) To be able to provide evidence of successful completion of a formal course of university level physiotherapy study (additional to their primary physiotherapy qualification) i.e. Certificates of Proficiency, a Graduate Certificate, a Graduate Diploma, a Post-Graduate Diploma or a Masters.

Overseas educated physiotherapists, who have completed a four year part-time programme that is considered to be equivalent to a three year full-time bachelor degree, will require either:

- a) A minimum of one year full-time post-qualification physiotherapy practice experience as a fully registered physiotherapist, not in sole practice, in their country/countries of practice. This experience must be gained in a professionally supported environment provided by an

experienced physiotherapist and include:

- Observed practice and guidance for professional development; and
  - Physiotherapy practice experience in the core bases of physiotherapy that were not covered during the prequalification clinical/physiotherapy practice placements; or
- b) To be able to provide evidence of successful completion of a formal course of university level physiotherapy study (additional to their primary physiotherapy qualification) i.e. Certificates of Proficiency, a Graduate Certificate, a Graduate Diploma, a Post-Graduate Diploma or a Masters.

Overseas educated physiotherapists who have a graduate entry qualification (accelerated programme) [i.e. either bachelor/masters/doctoral level] as their primary physiotherapy degree will require either:

- a) A minimum of one year full-time post-qualification physiotherapy practice experience as a fully registered physiotherapist, not in sole practice, in their country/countries of practice. This experience must be gained in a professionally supported environment provided by an experienced physiotherapist and include:
- Observed practice and guidance for professional development; and
  - Physiotherapy practice experience in the core bases of physiotherapy that were not covered during the prequalification clinical/physiotherapy practice placements; or
- b) Successful completion of competence examinations in the three core bases of physiotherapy practice (cardiovascular/pulmonary, neurology and musculoskeletal) and the accelerated programme must reflect contemporary physiotherapy education. The minimum entry requisites for this graduate entry qualification must be a related bachelor degree. There must be evidence of human science papers such as anatomy, physiology, pathology, psychology, biophysics, human development, biochemistry, histology, kinesiology, pharmacology. The curricula for the graduate entry qualification must show a minimum level of learning that is similar to the bachelor level of learning that is recognised in New Zealand.

Overseas educated physiotherapists who have a primary physiotherapy qualification of less than 3 years (other than a graduate entry qualification referred to above) will require evidence of successful completion of a formal course of university level physiotherapy study additional to their primary physiotherapy qualification i.e. Certificates of Proficiency, a Graduate Certificate, a Graduate Diploma, a Post-Graduate Diploma or a Masters. Overseas educated physiotherapists who hold a Diploma of Physiotherapy awarded after 1995 as their primary physiotherapy qualification will require evidence of successful completion of a formal course of university level physiotherapy study (additional to their primary physiotherapy qualification) that encompasses the three core bases of physiotherapy, cardiovascular/pulmonary, neurology and musculoskeletal i.e. Certificates of Proficiency, a Graduate Certificate, a Graduate Diploma, a Postgraduate Diploma or a Masters.

### **3.2 Equivalent Overseas Qualification**

To be recognised as an equivalent qualification the qualification must be:

- A 4 year full time physiotherapy bachelor degree; and
- Be accredited by a *competent authority* [see notes below] that is recognised by the Board; and
- Obtained in a country with physiotherapy practice comparable to that in New Zealand.

Recognition as an equivalent qualification is subject to review every 5 years or earlier at the discretion of the Board.

To be recognised as a *competent authority* (section 15 (2), section 12, specifically section 12 (2) d) the overseas regulatory authority must have a system:

- For the accreditation of physiotherapy programmes from schools in its jurisdiction to ensure graduates meet the required level of competence; and
- For assessing the knowledge and skills of overseas qualified physiotherapists who want to be registered in their jurisdiction to ensure their competence is comparable to locally educated physiotherapists; and
- For maintaining a public register listing all physiotherapists registered in the jurisdiction including conditions on their practice; and
- For regularly reviewing continuing competence of registered physiotherapists; and
- To ensure physiotherapists are fit to practice; and
- To manage complaints; and
- To issue Certificates of Good Standing or equivalent.

### 3.3 Recency of Practice

For overseas educated physiotherapists applying for registration within the general scope of practice who graduated three or more years prior to submitting an application, they are required to:

- have worked as a practicing physiotherapist whether full-time or part-time, for any period of time during the three years immediately prior to submitting their application for registration; or
- provide evidence of successful completion of a formal course of university level physiotherapy study (additional to their primary physiotherapy qualification) during the three years immediately prior to application for registration i.e. Certificates of Proficiency, Graduate Certificate, Graduate Diploma, Post-Graduate Diploma or a Masters Degree.

### 3.4 Comparable Physiotherapy Practice

To be recognised as a country with comparable physiotherapy practice to that in New Zealand, the country must meet the following criteria (this criterion is subject to review every 5 years or earlier at Board discretion):

- Autonomous physiotherapy practise
- Similar registration system to New Zealand
- Per capita total expenditure on health similar to New Zealand
- WHO health system achievement similar to New Zealand
- Historical registration assessment data since 1995 held by the New Zealand Physiotherapy Board.

### 3.5 Voluntary Physiotherapy Practise

Voluntary physiotherapy practice may be considered acceptable on a case by case basis if:

- a) The voluntary practice was undertaken by the applicant as a registered physiotherapist. The applicant must be entitled to practise in their own country and must also have been registered as a physiotherapist in the country/countries where the voluntary work experience/s took place, if a statutory regulatory authority/authorities exist, and
- b) The voluntary practise was carried out under the supervision of a more senior physiotherapist.

For voluntary practice to be considered the following must be provided:

- A written outline of the reason for the voluntary experience
- Current information from the organisation about their volunteer programme
- Documented evidence of their registration status in both/all countries
  - Documented evidence of the supervision programme:
  - Regular supervision plan and supervision log
  - Documentation review report
- Peer review of practise report
- Validation of voluntary work history is required, using the Board's Validation of Work History form, which must be completed and provided by supervisor/manager of the voluntary organisation
- Verified evidence of continuing professional development during the period of voluntary work.

Voluntary work experience that is not considered acceptable to meet Board requirements includes:

- Work experience as a physiotherapy assistant either as a student or as a post qualification graduate
- Work experience where the graduate/post qualification applicant practised physiotherapy in an organisation without the provision of any supervision from a senior physiotherapist during the period of work experience
- Voluntary practice experience as an undergraduate physiotherapy student either during or over and above the university organised clinical placements
- Work experience as a registered physiotherapist in Australia [but without an Australian qualification] who is registered in Australia but with registration conditions that limit the practice to a particular location, for a limited period with supervision/oversight
- Practice experience gained by an overseas educated physiotherapist who [without an Australian qualification] is in the Australian Physiotherapy Council (APC) assessment process and holds an APC Interim Certificate and registration with the Physiotherapy Board of Australia which allows the physiotherapist to practise for a limited timeframe in preparation for the clinical examination/s.

### 3.6 Curriculum

An overseas educated physiotherapist's curriculum must incorporate:

- a) Course objectives and learning outcomes of the individual's physiotherapy course of study that set out and reflect clearly the competencies of the entry level physiotherapists in New Zealand. Learning outcomes should reflect higher levels of learning, showing evidence of discussion, analysis, evaluation and critical review. Learning outcomes must be applicable to physiotherapy practice in New Zealand and should reflect competence in the assessment, clinical reasoning, planning and implementation of client management;
- b) Content, learning experiences and clinical education experiences that encompass the three core physiotherapy bases of cardiovascular/pulmonary, musculoskeletal, and neurology must be integrated throughout the curriculum;
- c) As a guideline the Board anticipates that around 1,000 hours of supervised physiotherapy practice gained in a variety of practice settings [primary secondary and tertiary care settings] is required in order to meet the competencies required for registration. The curriculum document should include reference to the clinical/physiotherapy practice component of the programme together with the number of supervised clinical/physiotherapy practice hours that student will complete within the programme.
- d) The individual's course of physiotherapy study must provide a scientific knowledge base on which physiotherapy management is founded, including anatomy, kinesiology, physiology, human development and pathology.
- e) The individual's course of physiotherapy study must provide a knowledge base in research methodologies, academic writing, statistical analysis and critical review of current literature. The integration of current evidence into practice must be overt within the curriculum.
- f) The assessment process employed in the individual's course of physiotherapy study should overtly assess the achievement of learning outcomes.

### **3.6.1 Exemption for applicants who graduated ten years or more prior to applying for registration with the Board.**

An applicant who has graduated ten years or more prior to applying for registration may seek an exemption from submitting the curriculum. If concerns about their qualification are raised at any stage, an applicant who was previously granted an exemption, will be required to provide a curriculum that meets the Boards criteria before their application will progress further.

### **3.7 English Language Requirements**

For overseas educated physiotherapists applying for registration within the general scope of practice whose first language is not English and/or primary course of study was not instructed and examined entirely in English.

These applicants are required to provide evidence of their ability to comprehend and communicate effectively in English by attaining in one attempt the following scores of either:

- overall band score of 7.5 (with a score of no less than 7.0 in each band) of the Academic level of the International English Language Testing System (IELTS); or

- a minimum of a B pass in all four sections (listening, reading, writing and speaking) of the Language Australia's Occupational English Test (OET).

The Board will require an applicant to provide evidence of having met the English language requirements if at any stage concern arises about an applicant's proficiency in the English language.

### **3.8 Criminal Conviction Record**

The criminal conviction record or equivalent that an overseas applicant provides as part of their application, must be an original document and dated not more than 3 months prior to the date of receipt by the Board. It must be issued by the relevant police authority in their country of practice.

An applicant must provide a criminal conviction record, or equivalent, for every country that they have lived in for 12 months or more in the last 10 years, over the age of 18 years.

### **3.9 Assessment of Applications**

All applications for registration that are accepted for processing will initially be assessed by one assessor. It is at the discretion of the initial assessor whether they indicate to the Secretariat a second assessment. Where the assessor reports the required competencies have not been met, the Secretariat will seek a moderator assessment.

Where an applicant graduated more than 10 years prior to submitting an application for registration the application will automatically be referred to moderation following assessment.

All assessment reports are provided to the Registrar. Assessors are required to declare any conflicts of interest to the Registrar.

The Board, under s 19, may obtain information from other parties related to the application, noting the requirements to the applicant under this section of the HPCAA. Applicants will be advised that the Board may, if it thinks fit for any reason, question any other person (including but not limited to nominated referee(s), educational institutions, overseas physiotherapy statutory regulatory authorities, professional organisations, current and or previous employers) as to the applicant's suitability for registration, including fitness for registration, English language proficiency, verification of prescribed qualifications and/or competence to practise within the nominated scope of practice.

Where an applicant has failed to meet to demonstrate they have met the Board competency requirements following assessment, including moderation as appropriate, the applicant will be provided with an opportunity to submit additional evidence specific to the areas "not met" in the moderator assessment report. The Board must receive this information within 90 days of the date the information is requested.

Following receipt of this information the assigned moderator provides a report to the Registrar identifying the possible recommendations of:

- Competencies met; or
- Meets criteria for competence examination; or
- Competencies not met (refer to Registrar delegations).

### **3.10 Competence Exams**

Where an applicant has been assessed and has failed to meet competencies in one or two of the three core bases of physiotherapy, and the moderator assessment recommends the option of competence examination, the applicant will be notified of this decision and provided with information of where these examinations can be undertaken (Auckland University of Technology and University of Otago). It is at their sole discretion to sit the examinations or not. If the applicant does not pass their competency examination(s) no subsequent examinations can be sat for the purpose of their application. If the applicant passes the competence examinations, they can be recommended for registration.

## **4.0 Applications under the Trans Tasman Mutual Recognition Act 1997 (TTMR)**

Physiotherapists who hold general registration issued by the Physiotherapy Board of Australia and are entitled to practice in Australia at the time of submitting an application for registration must:

- Submit a Notice of Application for Registration under the Trans Tasman Mutual Recognition Act 1997; and
- Meet the requirements for Fitness for Registration.

Applicants under TTMR are required to meet the New Zealand Annual Practising Certificate requirements.

## **5.0 Visiting Presenter and Educator Registration**

Physiotherapists who currently practise physiotherapy elsewhere than in New Zealand; that have been invited to New Zealand, for a short term, for the purpose of presenting or educating in a physiotherapy course, conference, seminar, meeting and/or workshop are covered in this policy if they are:

- presenting or educating on a clinical physiotherapy topic to the public; and/or
- demonstrating a technique (i.e. hands on) to the public or a professional audience; and/or
- conducting a workshop to the public or a professional audience.

Visiting presenters/educators who meet the criteria above must be registered with the Board within:

- general scope of practice: Physiotherapist (having gained registration utilising the provisions of either the HPCA Act or the TTMR Act); or
- special purpose scope of practice: Visiting Physiotherapy Presenter/Educator; and
- hold a current practising certificate.

Applicants must satisfy the requirements of section 15(1) Health Practitioners Competence Assurance Act (HPCA Act) and specifically the qualification prescribed under section 12(2)(e).

Registration within the special purpose scope of practice for Visiting Physiotherapy Presenters/Educators will generally be authorised for a maximum of one month from the requested commencement date, and apply only to that presenting/educating function.

Visiting presenters/educators will be issued with a practising certificate valid for the presenting/educating function at no additional charge. Requests for registration for a period of longer than one month will be considered on a case by case basis.

Visiting Physiotherapy Presenter/Educator must:

- comply with the required standards of ethical conduct as detailed in the Physiotherapy Board publication "Standards of Ethical Conduct March 2006", and
- meet the requirements of the Fitness for Registration Policy.

Each application must consist of (in addition to that identified on the application form):

- An application form completed by the inviting organisation
- An application form completed by the visiting presenter/educator.

## 6.0 Post-Graduate Registration

Physiotherapists who hold a primary physiotherapy qualification gained overseas must be registered with the Board and hold a current practising certificate if they:

- have been offered a place on a postgraduate physiotherapy course at either the University of Otago or Auckland University of Technology; and
- are not currently registered with the Board within the general scope of practice.

Registration is restricted to a maximum of 12 months; should the course of study exceed 12 months an extension must be applied for.

Applicants must satisfy the requirements of section 15(1) Health Practitioners Competence Assurance Act (HPCA Act) and specifically the qualification prescribed under section 12(2)(c) and meet the requirements of the Fitness for Registration Policy.

All persons holding registration within the special purpose scope of practice: Postgraduate Physiotherapy Student must comply with the required standards of ethical conduct as detailed in the Physiotherapy Board publication "Standards of Ethical Conduct October 2011".

## 7.0 Removal from Register - Section 144 HPCA

Practitioners may have their registration cancelled in a number of ways.

### 7.1 Removal upon the Death of the Practitioner

The Registrar must promptly remove an entry in the register after receiving notice of a practitioner's death from the Registrar of Births, Deaths and Marriages (section 143(2) HPCA).

Where the authority has reasonable grounds to believe that a registered physiotherapist has died, it may direct the Registrar to cancel the entry (section 143(3) HPCA).

## 7.2 Registrar/Board Request for Removal

The Registrar may at any time, and must if the Board directs, ask whether a practitioner wishes to have his/her entry in the Register removed in accordance with section 144 HPCA. The Board asks each year on the application form for an APC.

*Practitioner cannot be contacted/not maintained current registration status*

A practitioner may be removed from the Register if we cannot contact him or her, or the practitioner has not maintained a current registration status.

**Section 144 HPCA** sets out the procedural requirements for removal:

- Section 144(2) - Requires the Registrar to ask by letter addressed to the health practitioner at his or her last known address
- Section 144(3) - Where a practitioner confirms that he/she wishes to be removed from the Register, the Registrar may cancel the entry
- Section 144(4) - Where the practitioner does not reply to the letter within 6 months, or if the letter is returned to the Board as undelivered, then a follow-up notice is sent
- Section 144(5) – Where the Registrar does not receive a response to the letter sent under section 144(4), the Board may direct the Registrar to cancel the entry.

## 7.3 Voluntary Removal

Section 142 (1) allows a practitioner to ask for his or her entry to be cancelled. The request must be in writing. The Board may direct the Registrar to cancel the entry in the register.

Section 142(2) prevents a practitioner's entry being cancelled if there are criminal or disciplinary actions pending against the practitioner. The Board may not override this provision.

Before the Board directs the Registrar to give effect to a voluntary removal, the Registrar will make inquiries and if there are criminal or disciplinary actions pending against the practitioner, the practitioner's entry will not be removed.

### Important

Where a practitioner has successfully obtained voluntary removal, the restoration provisions are **not** available to the practitioner. This means that after voluntary removal, a practitioner must seek registration if he or she wishes to return to the register.

## 8.0 Restoration - Section 145 HPCA

A practitioner's entry in the register may be restored where the entry was cancelled under sections 143(3), 144(3) or 144(5).

The practitioner must apply in writing. The Registrar must restore the entry **unless** the person does not meet fitness for practice requirements (s16 HPCA) or is subject to pending disciplinary proceedings

under Part 4 or to an order from the Health Practitioners' Disciplinary Tribunal that the practitioner's registration must be cancelled (section 101(1)(a) HPCA).

The Board requires that a practitioner who wishes to have his or her entry restored to the register, and has not practised for more than three years, must meet the Board's return to practice requirements.