



PM8 (2010)

FACULTY OF PAIN MEDICINE

AUSTRALIAN AND NEW ZEALAND COLLEGE OF ANAESTHETISTS

ABN 82 055 042 852

POLICY ON ILLNESS OR DISABILITY FOR TRAINEES AND FELLOWS

1 INTRODUCTION

- 1.1 Trainees have a responsibility to ensure that they are appropriately fit to practise, and that they seek medical advice if they are uncertain about their fitness to practise.
- 1.2 Those dealing with trainees who are ill or disabled must ensure both that patients are not put at risk, and that the affected trainees receive as comparable educational and training opportunities to other trainees as is feasible.
- 1.3 Maintenance of confidentiality and protection of privacy are paramount obligations to trainees with illness or disability. These obligations should not be breached except in the case of mandatory reporting requirements to external regulatory authorities, and/or where patient safety is at risk.
- 1.4 In cases where patient safety may be affected, the Faculty reserves the right to notify Medical Boards/Councils or other appropriate authorities.
- 1.5 This document is in compliance with the Medical Boards of the various Medical jurisdictions.

2 TRAINING OPTIONS IN THE CASE OF ILLNESS OR DISABILITY

- 2.1 All trainees are entitled to take sick leave under their contractual arrangements. Normal sick leave requirements do not constitute an interruption of training (see Regulation 15 for details of Normal Leave).

- 2.2 Interruption of training is allowable, but may have implications for training requirements (see Regulation 15).
- 2.3 Extended parental or sick leave must be notified to the Faculty and advice obtained as to the effect on training time.
- 2.4 Any trainee may undertake part-time training provided this is prospectively approved by the Assessor and meets the other requirements (see Regulation 15).
- 2.5 A candidate may withdraw on medical or compassionate grounds from the Examination. A formal application for special consideration or approval for withdrawal will be required by the Faculty, and should be made in writing and addressed to the Chair of the Examination Committee.
- 2.6 Application may also be made for special consideration for assistance appropriate to any disability (see definition) that may impair performance in a Faculty Examination, provided that such assistance does not compromise the fairness and reliability of the Examination. Application should be made as in 2.5.
- 2.7 Some trainees with illness or disability will require the assistance provided under the College/Faculty's *Guidelines for Assisting Trainees with Difficulties*. Where these Guidelines have been applied without resolution of the issue(s), the Trainee Performance Review Process may be implemented. This Process may result in a determination that the trainee is not fit to continue in the training program.
- 2.8 Some jurisdictions have programs specifically set up to assist doctors with impairment. Where appropriate, these or other doctors' health programs should be accessed to deal with trainee illness or disability.

3 FITNESS TO PRACTICE

- 3.1 The College does not determine fitness to practice. This is a matter for the trainee's treating medical practitioner, his/her employer and, where relevant, the supervising Medical Board/Council.
- 3.2 Reporting requirements in relation to medical practitioner illness or disability vary from one jurisdiction to another and it is important that relevant requirements are met.
- 3.3 At the end of each Hospital Employment Year, and as part of the Application to present for the Faculty Examinations, trainees are required to make a declaration as follows:

I certify that:

a) I have no illness or disability (including a substance abuse disorder) that would preclude the safe practice of Pain Medicine. I have informed the Faculty of inappropriate use of medications or other substances with the potential to compromise the safe practice. I am receiving appropriate medical care.

b) I undertake to notify the Faculty on the following: - if I develop a substance abuse disorder with recreational prescribed or non-prescribed drugs; if I commence treatment with prescribed drugs with the potential to compromise the safe practice of pain medicine; or if I develop an illness or disability that may preclude the safe practice of pain medicine.

c) Pursuant to 1.3, all communications made by the officers of the Faculty/College, and all answers made are absolutely privileged.

Signature:

3.4 Admission to Fellowship is dependent on compliance with 3.3.

Signature:

3.5 Communication to the Faculty/College pursuant to 2.3 must in writing and directed to the Executive Officer/Chief Executive Officer.

3.6 The College will handle each notification, taking into account all the particular circumstances and the principles set out in 1.2, 1.3 and 1.4.

4 TRAINEE SELECTION

4.1 This Faculty's training programme is based on equal opportunity without prejudice. The Faculty has the right to exclude applicants from training if not compliant with 3.3.

4.2 The Faculty is not responsible for employment of Trainees.

5. SEEKING ADVICE

All enquiries, applications and communications regarding this policy must be made in writing and addressed to the Executive Officer, Faculty of Pain Medicine of the Australian and New Zealand College of Anaesthetists, 630 St Kilda Road, Melbourne, Victoria 3004, Australia.

Notwithstanding any provision in this policy, where there are exceptional circumstances recognised and approved by the Assessor of the Faculty, the Board of the Faculty and the Council of the College may approve an amended Training Program.

Definition of Disability: any restriction or lack (resulting from an impairment or disease) of an ability to perform an activity in a manner or within the range considered normal for a human being (WHO 1980)

REFERENCES

College Professional Document TE18 *Guidelines for Assisting Trainees with Difficulties.*

College Professional Document EX1 *Policy on Examination Candidates Suffering from Illness, Accident or Disability.*

College Professional Document PS 49 *Guidelines on the Health of Specialists and Trainees.*

Regulation 33, Trainee Performance Review Process.

Regulation 14 Eligibility for Fellowship by Examination.

Regulation 15, Training and Examinations in Anaesthesia.

Guidelines for the Selection of Trainees.

This Professional Document should be interpreted with regard to the following Documents:

PS49 *Guidelines on the Health of Specialists and Trainees*

FACULTY OF PAIN MEDICINE PROFESSIONAL DOCUMENTS

POLICY – defined as ‘a course of action adopted and pursued by the Faculty. These are matters coming within the authority and control of the Faculty.

RECOMMENDATIONS – defined as ‘advisable courses of action’.

GUIDELINES – defined as ‘a document offering advice’. These may be clinical (in which case they will eventually be evidence-based), or non-clinical.

STATEMENTS – defined as ‘a communication setting out information’.

This document has been prepared having regard to general circumstances, and it is the responsibility of the practitioner to have express regard to the particular circumstances of each case, and the application of this policy document in each case.

Professional documents are reviewed from time to time, and it is the responsibility of the practitioner to ensure that the practitioner has obtained the current version. Professional documents have been prepared having regard to the information available at the time of their preparation, and the practitioner should therefore have regard to any information, research or material which may have been published or become available subsequently.

Whilst the College and Faculty endeavours to ensure that documents are as current as possible at the time of their preparation, they take no responsibility for matters arising from changed circumstances or information or material which may have become available subsequently.

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