



BILLE NA LIA-CHLEACHTÓIRÍ (LEASÚ), 2002
MEDICAL PRACTITIONERS (AMENDMENT) BILL, 2002

EXPLANATORY MEMORANDUM

Purpose of Bill

The purpose of the amending Bill is to address, as a matter of urgency, issues relating to the registration of medical practitioners. The amendments are required so as to avoid a serious threat to service delivery in the public health service and to deal with certain perceived inequities with regard to access to registration on the register of medical practitioners.

Provisions of the Bill

The main proposal contained in the Bill is to provide that account be taken of professional experience in assessing an application for permanent registration on the Register of Medical Practitioners. Under current legislation, only training and qualifications can be taken into account when considering such applications. This has serious implications for non-consultant hospital doctors (NCHDs), usually non-EU citizens, who occupy service posts not recognised for training purposes.

The Bill also makes provision for intern registration and temporary registration to apply in a number of health care settings whereas the current legislation confines these types of registration to hospital work.

The Bill makes provision for any EU citizen who has obtained their primary degree within the EU to obtain internship registration in this country. At present only graduates of Irish Universities can undertake their internship registration in Ireland.

Preliminary and General

Section 2 amends a number of definitions contained in the Principal Act.

The Medical Council

Section 3 inserts a new section, 25A, after section 25 of the Principal Act, which provides the Council with powers to make rules governing Registration and Education and Training. The rules must be approved by the Minister and must be laid before the Houses of the Oireachtas.

Registration

Section 4 amends section 26(2) of the Principal Act with regard to internship registration. Section 26(2) deals with the register and its description of a person's registration status.

Section 5 amends section 27(2) of the Principal Act. It makes provision, subsection (d)(i), for professional experience to be taken account of in applications for permanent registration. The period of temporary registration required before application for permanent registration can be made is reduced from four to two years.

Provision is made, section 27(2A) for persons temporarily registered before the introduction of the Temporary Registration Assessment Scheme (TRAS) to be exempt from having to sit the TRAS exam.

Provision is also made, section (2B), for any person whose temporary registration expired in the 12-month period prior to the commencement of the new Act to be able to apply for permanent registration under the terms of the amended Act.

Section 6 provides for amendment of section 28 of the Principal Act to allow for graduates of colleges in EU Member states to undertake internship in Ireland. It also provides for internship to be undertaken in a variety of health care settings.

Section 7 makes provision for temporary registration to be applied to a variety of health care settings. It makes a number of other provisions with regard to temporary registration, viz:

- consolidation of extension of temporary registration from 5 years to 7 years (originally amended in 2000);
- once an application is made for permanent registration the period of temporary registration is extended until such time as a final decision (including appeal) is made by either the Medical Council or High Court;
- provision to allow for temporary registration for doctors who are in the country for short periods (e.g. demonstrating particular skills, providing support for sporting events etc.);
- provision for the Council to make rules in relation to temporary registration and in relation to employers or others proposing to retain the services of such doctors to ensure that they are registered before practising medicine in the state.

Education and Training

Section 8 arises from *section 6*, and amends section 37(1) of the Principal Act to provide for graduates of EU Colleges to undertake internship in Ireland.

Primary Qualifications

Section 9 is an amendment of the Fourth Schedule to provide for the Council to accept graduates of EU Colleges to undertake internship in Ireland.

Miscellaneous Matters

Section 10 provides that rules already made by the Council stay in force until such time as the Council makes new rules under this Bill.

Section 11 contains provisions with regard to short title, citation and commencement orders.

Section 12 contains standard provisions regarding short title and collective citation.

An Roinn Sláinte agus Leanaí.
Márta, 2002.