

Exceptional Circumstances and Special Considerations Policy

Introduction

doctorportal Learning Pty Ltd, trading as 'CPD Home' is a jointly owned subsidiary of the Australian Medical Association (WA) Inc, and Australian Society of Anaesthetists.

CPD Home is available to non-exempt medical practitioners in Australia at www.cpdhome.org.au. It is not limited to members of the AMA.

Background

CPD Home is committed to supporting its subscribers to meet their Continuing Professional Development (CPD) requirements under the Medical Board of Australia's (MBA)'s *Registration Standard: Continuing professional development* (the Standard). However, CPD Home recognises that there may be times where due to exceptional circumstances an unreasonable burden would be placed on a subscriber in fully meeting their CPD requirements. CPD Home affords subscribers in this position the opportunity for special consideration for an exemption from or variation of their CPD requirements.

Determinations of this nature will, in line with the principles of natural justice and procedural fairness, be made by CPD Home following receipt of an *Application for Special Consideration of Exceptional Circumstance*.

Purpose

To outline the circumstances which may justify special consideration for an exemption from or variation to their CPD requirements.

Objective

To demonstrate our support for subscribers experiencing exceptional circumstances and to provide guidance to subscribers in applying for special consideration.

Scope

This policy applies to all subscribers of CPD Home.

Definitions

Please refer to the Glossary for definition(s) of terms that apply to this policy.

Policy

General Principles

Subscribers of the CPD Home Program of Learning (CPD Program) are expected to meet the CPD requirements of the Standard within the CPD year.

Subscribers who are experiencing exceptional circumstances as described below, which will prevent them from meeting their CPD requirements for the CPD year may apply for special consideration for an exemption from, variation to, or deferral of their CPD requirements. Where a variation or deferral of their CPD Requirements is granted, the Subscriber is expected to meet the terms of the variation or deferral.

Subscribers without an exemption who do not meet the CPD requirements of the Standard or the terms of variation or deferral granted will not be awarded a CPD Statement of Completion.

Qualifying exceptional circumstances resulting in the continuous absence from practice, of at least six months and up to and including 12-months are as follows.

1. Professional, personal or family reasons, being:

- parental leave
 - prolonged carers leave
 - prolonged serious illness, including serious injury
 - sabbatical
 - extended leave to attend to cultural responsibilities
 - bereavement
2. Severe and debilitating stress resulting from extreme hardship or trauma (e.g. victim of violent crime)
 3. Sudden and extended disruption due to an unforeseen event or hardship (e.g. devastating natural disaster).

The following circumstances are examples of non-exceptional circumstances:

- demands of employment
- minor illness or medical conditions
- short-term incapacitations from an illness or injury
- pre-existing illness or medical condition which is not regarded as acute and substantive
- taking on optional commitments of a work or personal nature
- difficulties adjusting to the self-discipline needed to plan, undertake, record and track CPD activities
- stress or anxiety normally associated with meeting CPD requirements
- lack of knowledge of the:
 - services and supports offered by CPD Home to subscribers
 - minimum CPD requirements of the Standard.

Below are examples of supporting documentation that subscriber's must include with their application. Depending on the exceptional circumstance, multiple documents may be required as part of the application including:

- travel itinerary
- letter from employer related to extended period of leave
- medical certificate/s with the dates clearly marked when the subscriber was unfit to work or to undertake CPD activities
- letter of support from an independent (i.e. not related to the applicant) medical practitioner, psychologist or lawyer attesting to the practitioner's judgment, based on the subscriber's circumstances and on information provided, that the subscriber would not have had the capacity to practise or undertake required CPD activities for at least 6 months or more. A letter of support should be provided only when the subscriber was unable to obtain medical advice on the date(s) they were affected by exceptional circumstances
- death notice or certificate
- police report
- insurance reports
- the subscriber's victim of crime statement
- statutory declaration from the subscriber or other relevant party attesting to impact of the exceptional circumstance on the subscriber's ability or capacity to undertake required CPD activities.

Exemptions, Variations or Deferrals

Exemptions, variations, or deferrals to the annual CPD Program, on the grounds cited in this policy, may be approved by CPD Home upon written application by the subscriber. For example, if you are on extended leave and not practising medicine, an exemption may be granted following submission of an Application for Special Consideration of Exceptional Circumstance form available from the [CPD Home](#) website.

Exemptions, variations or deferrals will apply for the CPD year for which special consideration of exceptional circumstance was sought.

Exemptions will not be granted for consecutive CPD years. Where a practitioner will be absent from practice for longer than 12-months they should contact the Australian Health Practitioner Regulation Agency (Ahpra) to amend their practising status.

All applications will be reviewed confidentially, without prejudice, and on their merits on a case-by-case basis. Following the review, a recommendation will be provided for consideration. Where additional advice is sought, the CPD Advisory Panel may be called upon for input before a recommendation is reached.

Review of applications may take up to six weeks. Applicants will be notified as soon as practicable of the review completion and determination and, if applicable, any exemption or variation granted.

An Exemptions Register of subscribers who have applied for special consideration of exceptional circumstance including the review recommendation and outcome will be kept by CPD Home. Subscribers who have been granted an exemption for meeting their CPD requirements will be excluded from quarterly audit runs.

Subscribers granted a variation or deferral of CPD requirements will continue to be monitored via quarterly audit runs and subject to the yearly compliance audit of at least 5% of participating subscribers. However, they will be excluded from automated notifications and instead will be followed-up directly by CPD Home as appropriate to the conditions of their variation or deferral.

Action

CPD Home may determine that:

- no exemption, variation or deferral of CPD requirements for the CPD year be granted
- an exemption from meeting CPD requirements for the CPD year be granted
- a variation to the CPD requirements for the CPD year be granted as follows:
 - proportionally reduce the minimum hours for each CPD domain on a pro-rata basis in accordance with the period where the subscriber did not practise medicine – for example:
 - reduce minimum hours for each CPD domain by 50% if subscriber absence from practice for six months
 - reduce minimum hours for each CPD domain by 75% if subscriber absence from practice for nine months
- a deferral be granted where no exemption or variation is granted.

Compliance

Subscribers who are granted a variation or deferral will be expected to meet their CPD requirements as per the terms of their variation or deferral.

Subscribers who meet their CPD requirements as per the terms of their variation or deferral will be awarded a CPD Statement of Completion.

Subscribers who fail to meet their CPD requirements as per the terms of their variation or deferral will not be awarded a CPD Statement of Completion.

Related Documents / Legislation

The following documents are related to this policy.

1. Medical Board of Australia (MBA) *Registration Standard: Continuing Professional Development* (the Standard)
2. MBA's *Registration Standard: Recency of practice*

3. Application for Special Consideration of Exceptional Circumstance
4. CPD Home Reconsideration, Review and Appeals Policy

Appendices

1. Glossary

Version Tracking

Version	Date	Comments
1.0	December 2022	
1.1	January 2023	Amendment specifying Subscribers granted a variation or deferral subject to the yearly compliance audit of at least 5% of participating subscribers.
1.2	March 2023	Typographical correction – replaced “referral” with “deferral”.
1.3	June 2023	Amendment to review process resulting in a recommendation to the AMA (WA) CEO.
1.4	September 2024	Updated Introduction to reflect the joint ownership of CPD Home, and list of acceptable exceptional circumstance to include bereavement. Amended CPD Home Program of Learning start year from 2023 to 2024, Australian Health Practitioner Regulation Authority to Australian Health Practitioner Regulation Agency. Replaced AMA (WA) CEO with Executive Lead, Senior Leadership Team with Compliance and Policy Lead to reflect current SOP. Removed unrelated glossary terms.
1.5	October 2024	Added Definitions statement and edited glossary. Transferred roles and responsibilities to SOP. Updated minor amendments.

Appendix 1

Glossary

Term	Definition
Applicant	Any Subscriber or Education Provider directly affected and unsatisfied with a CPD Home decision who applies to have the decision reviewed, reconsidered or appealed.
Ahpra	Australian Health Practitioner Regulation Agency
CPD Advisory Panel	Panel of medical advisers who provide advice regarding the CPD Home Program of Learning.
CPD Home Program of Learning	The CPD Home Program of Learning (CPD Program) provides a pathway for Australian registered medical specialists, international medical graduates, PGY2+ trainees and non-vocationally registered doctors to engage in an accredited CPD program. From 1 January 2024, the CPD Program is a mandatory program for subscribers to the CPD Home service.
CPD requirements	Means CPD requirements against the Standard, as follows: <ul style="list-style-type: none"> • develop a written annual CPD Plan

	<ul style="list-style-type: none"> • complete a minimum of 50 hours per year of CPD activities that are relevant to your scope of practice and individual professional development needs • allocate your minimum 50 hours per year between the following types of CPD activities <ul style="list-style-type: none"> ○ at least 12.5 hours (25 percent of the minimum) in educational activities ○ at least 25 hours (50 per cent of the minimum) in activities focused on reviewing performance and measuring outcomes, with a minimum of five hours for each category ○ the remaining 12.5 hours (25 percent of the minimum), and any CPD activities over the 50-hour minimum across any of these types of CPD activities, including any relevant specialist high-level CPD requirements • reflect on your CPD goals at the end of the year in preparation for your next CPD Plan • retain records of your annual CPD compliance for auditing purposes by your CPD home and the MBA for three years after the end of each one-year cycle.
CPD year	CPD year commences 1 January and concludes 31 December.
Deferral	An extension of time, up to three months from the end of the CPD year, in which to complete the CPD requirements for that CPD year. The deferred CPD activities are to be undertaken concurrently with the current CPD year requirements.
Exceptional circumstances	Means circumstances that are not ordinarily encountered or anticipated, which are beyond the control of the individual concerned and which are of such severity or gravity that they may impact adversely on the individual's capacity to complete their CPD requirements.
Exemption	CPD requirements for the CPD year are waived in part or full.
Reconsideration	Of a decision, to be undertaken by the original decision maker.
Special consideration	Means the consideration of circumstances pertaining to an individual to enable variation from the requirements normally expected in relation to CPD requirements.
the Standard	The Medical Board of Australia's (MBA)'s revised <i>Registration Standard: Continuing professional development</i> .
Variation	The hours required for CPD activities across the two domains of learning, being Domain 1: Educational Activities and Domain 2: Reviewing Performance and Measuring Outcomes as per the Standard for the CPD year, are proportionally reduced to reflect the period where the subscriber did not practise medicine.