

**THE LEGISLATIVE COUNCIL SELECT COMMITTEE ON REGISTRATION OF OVERSEAS-TRAINED MEDICAL PRACTITIONERS MET IN THE CONFERENCE ROOM, HENTY HOUSE, LAUNCESTON ON FRIDAY 17 APRIL 1998.**

**Dr QULOOB HASNAIN**, MEDICAL REGISTRAR, LAUNCESTON GENERAL HOSPITAL, WAS CALLED, MADE THE STATUTORY DECLARATION AND WAS EXAMINED.

**CHAIRMAN** - (Mr Wilkinson) - Doctor, can you state your full name, address and in what capacity you appear before us.

**Dr HASNAIN** - Yes, my name is Dr Quloob Hasnain. I am one of the medical registrars working at Launceston General Hospital, and I have been asked for the witness. I was to give my evidence regarding the ... being contacted by the Parliament before and I am giving it. I have been working as a senior medical registrar and this is my fifth year in Tasmania. I worked in the Launceston General Hospital for two and a half years and then at Royal Hobart Hospital for one and a half year and now I am back at Launceston General Hospital.

**CHAIRMAN** - And your qualifications are from which country?

**Dr HASNAIN** - Actually, I have brought my resume just for the committee, which is in detail. I have done my MBBS from India and that was 1976, and then after that I have done MD medicine, which is equal to the fellowship here from India as well, and then I have done PhD in nephrology from Ministry of New South Wales in Sydney. I have worked as a physician and nephrologist for a very long time and I have done advanced training in renal medicine for four years at Prince Henry and Prince of Wales hospitals in Sydney. That was a clinical position. After that, I got an appointment here to work in Launceston General Hospital in the renal unit. I started working here as a medical registrar. So that was my first appointment here after I finished four years in Sydney.

**CHAIRMAN** - And are you conditionally registered here?

**Dr HASNAIN** - Yes, I am conditionally registered here and I was also conditionally registered in Sydney.

**CHAIRMAN** - And no doubt you, as a lot of people that we have spoken with over the last couple of days, are concerned that at the end of this year that condition might run out.

**Dr HASNAIN** - That is right. Actually, I was working as a nephrologist in South Europe and I got advanced training as well as admission in PhD in nephrology as Prince Henry and Prince of Wales Hospital. I went there and they gave me conditional registration and the rule in New South Wales is that you get conditional registration for four years and after that they decide, 'Okay, your conditional registration is finished and now you have to either go back to your country or sit in an exam' - which is a MC exam.

**CHAIRMAN** - And then -

**Dr HASNAIN** - When I came I had a training position so I was working as an advanced trainee and I did my PhD as well, at the same time, and I finished that four years. After that I applied in Tasmania and I got a job here and I came here again - and these people in Tasmania, Medical Council, they have given me conditional registration again and I was thinking that I would keep on getting the registration until last year when I was told that this is the last year or whatever.

**Mr SQUIBB** - So they take into consideration where you did your basic medical training or your specialty medical training rather than, for instance, your training or your qualification from the University of New South Wales, obviously is not taken into consideration.

**Dr HASNAIN** - No, actually what happened, when it comes to the registration, then they considered my basic qualification of MBBS from India. When it comes to work as a specialist they do consider half-heartedly my MD, which is equalling to fellowship in this country, but what happens in both cases AMC says that I should sit an exam. When it comes to have a specialist qualification, the college says that I should take the exam.

**CHAIRMAN** - Do you think that is fair?

**Dr HASNAIN** - The thing is that either you do not give us the registration, or once you give it then what is the point is asking us to sit an exam?

**CHAIRMAN** - Especially when you come -

**Dr HASNAIN** - I mean, suppose my qualification is not recognised, why are you giving me a job?

**CHAIRMAN** - Exactly.

**Dr HASNAIN** - I am very frank. Why are you giving me a job? It means you are exploiting us. We are not meeting their standard according to the college or AMC, why am I being allowed to work here as sort of , whatever position?

**Mr SQUIBB** - It is a very good question you have posed. We have posed the same one.

**CHAIRMAN** - We want you to be frank, too.

**Dr HASNAIN** - I do not mind, if you find me a job I will go, next day. I have such a qualification that I can survive anywhere. As far as Tasmania is concerned, they are taking full advantage of myself. I am working as a senior registrar. I am doing a lot of research work with Professor ... He wants me to stay for ever.

**CHAIRMAN** - Are you teaching students?

**Dr HASNAIN** - I am teaching Australians.

**CHAIRMAN** - And they are fifth-year med students?

**Dr HASNAIN** - Yes, they are fifth-year med students and I am publishing a paper which is a standard of something I will not boast it, but I am the only PhD in Launceston General Hospital, or professors or whatever.

**CHAIRMAN** - When you first came to Tasmania, did Tasmania oversee your work in any way, or did you just come with a CV and a couple of recommendations from people your worked with?

**Dr HASNAIN** - No, I was working in Sydney as an advanced trainee registrar and at that time I applied everywhere in Australia and Tasmania. The head of the department in Launceston also happens to be a renal physician and he saw my CV. I think he was impressed with that, and he just contacted me and yes he gave me a job. When I asked him about registration and other things he said, 'Don't worry. We'll get everything done'.

**CHAIRMAN** - So you, as have other people, have been given the impression that when you first came to Tasmania, or to Australia for that matter, that you would be able to get registration and that registration, if it was conditional, would continue on year after year. Is it fair to say that?

**Dr HASNAIN** - Yes, that is what I thought, year after year, but we cannot. We still feel very insecure with a year after year registration. We do not know, and that is what happened. After a few years they said no, we are not giving to give it any more. You have to sit an exam or whatever.

**CHAIRMAN** - What happens at the end of this year if you do not sit that exam and -

**Dr HASNAIN** - I am not sitting an exam. I was thinking of, but I am not sitting an exam because the thing is that now, for AMC exam, once I have a specialist qualification, it is very silly for me to sit an exam which is an AMC, which is based in different specialty. I have been working in medicine which is a specialty for last 15 years. If they ask me to sit an exam which has got surgery and gynaecology, definitely I will fail. I have been working in medicine only.

**CHAIRMAN** - But you would only fail because you have not been training in gynaecology and those areas.

**Dr HASNAIN** - No, no. I have been trained 15 years already. I have forgot everything about -

**CHAIRMAN** - That is what I am saying.

**Dr HASNAIN** - I would fail in gynae and everything. I know medicine more and I teach Australians, and now when it comes to the fellowship exam as well, it is a difficult exam because I have been working in nephrology and other fields for a long time. The Part I exam of fellowship has more of the basic sciences and stuff than anything and I am away from that, so technically I am going to fail that as well. So it is a difficult situation that if they are asking me to sit a fellowship exam, a lot of people, they fail. It is very difficult to pass a fellowship exam. ... they gave me a big exemption, on the basis that I have been working and have a long experience and as far as the AMC exam, I think it is a very silly idea to ask someone who has a specialisation and a PhD and nephrology to sit in a basic examination.

**Mr HARRISS** - Some colleges have intervened to the medical council of the relevant state that full registration be granted without sitting an examination. Is that not the case for your colleagues?

**Dr HASNAIN** - That is right. That is also colleges with discriminating as far as qualifications from which country you are from. If you have a fellowship from England, MRCP, college has some authority to by-law and give you a registration, but not for everyone.

**Mr HARRISS** - Are you aware of any, in recent times, that have been given that exemption?

**Dr HASNAIN** - I think, I should not tell personally, but I know there is a Dr Richard Baker who has not done the fellowship of this country and he is a Director of Physicians training in Royal Hobart Hospital.

**Mr SQUIBB** - And he is fully registered?

**Dr HASNAIN** - I am not sure but he is in the process. Maybe he will get fully registered.

**Mr SQUIBB** - Without sitting an exam.

**Dr HASNAIN** - Without sitting -

**CHAIRMAN** - And what speciality is he?

**Dr HASNAIN** - He is a respiratory physician, but he is trying to, the by-laws, every year there are some by-laws. By-laws in the college of physicians. Royal College of Physicians has by-laws. It means that those people who have a fellowship from Canada, America or England, they have good experience and they can apply through that, and they will be exempted and get fellowship, and once they have granted fellowship and they have the ability to get registered. So they get fellowship without examination but that is the individual case. Unfortunately, it does not apply to us.

**CHAIRMAN** - Orthopaedics get registration, it would seem -

**Dr HASNAIN** - Psychiatry gets registration without exam. Everyone from MRC psych they get their registration. So it is difficult. You cannot say about the college.

**CHAIRMAN** - What do you think about parliamentarians who know nothing about medicine being able to register doctors, through an act of parliament, because in some ways that is what is being asked?

**Dr HASNAIN** - Yes. I mean you are a parliamentarian, and you are from Tasmania, so you would be speaking from the side of the public, and suppose you cancel all the registrations of these doctors. You have to think of how you are going to run the hospital. You do not worry about their standard of medicine at this stage, but as long as these people who are running the hospital successfully, maybe a bit of lower standard according to what the ... is saying, you are more interested in running the hospital. Though I should comment on you, as far as the standard of medicine is concerned, I agree that there is a varied standard of medicine from different countries to country. Even in one country, there is a variable standard. I am not saying that you give registration to everyone. But if someone has worked for a few years, successfully, and he is doing the job, there is no problem in giving them registration.

**CHAIRMAN** - What would happen if the Medical Council said, 'Look, we're not really acting as a medical council here because you fellows have taken us over. You're acting as a medical council. You're doing the registering. You really do not know much about it. You're acting as a defacto board, registration board. We are out'? What would happen eventually, if the Medical Council was no more?

**Dr HASNAIN** - The Medical Council has to think of how they are going to run the hospital. I do not mind if they say anything, but if they are saying, 'Okay, we'll stop registration of all these people'. Okay, maybe some of the department will not be affected but some of the department will be closed. I agree, there are a lot of specialists here, those who have ... full registration, they are not interested in their private practice. They are not interested in public hospitals. There are more than enough radiologists in Launceston but they do not want to do work in the hospital because they do not get enough money there.

**CHAIRMAN** - Do you think it is fair if a person comes to a State, or a country for that matter, to fulfil, firstly, public interest and secondly, an area of need - which are the criteria that has to be fulfilled that if they get registration, that registration should be conditional upon them continuing to work in that area of need?

**Dr HASNAIN** - I agree with that.

**CHAIRMAN** - Because we have seen in the past, only recently, where a person immediately left after he got registration and after saying that he was going to remain in that area he suddenly left and went, I think, up to Queensland.

**Dr HASNAIN** - I agree with that but I have this feeling that if you are registering someone in that ... area of need at least he should get more benefit, like he should have facility for that part of private practice as well. But he should not be allowed to leave Tasmania. His registration should be limited or conditional that he will practise in an area of need, with the rights of private practice as well.

**Mr SQUIBB**- For what period of time? Do you think there should be a limit on how long that conditional registration -

**Dr HASNAIN** - Yes, I think there should be some limit. Five years, say, for example or ten years. It is up to -

**Mr SQUIBB**- Are we not going to find ourselves, if this was not provided for, in five years time in exactly the same position as we are now?

**Dr HASNAIN** - I mean after five years, you already have enough services from the person you gave the registration. He worked maybe five years prior to getting the registration. After that, he worked another five years. He already worked for ten years. Then suppose he wants to intrastate or whatever, I think he should be allowed.

**Mr SQUIBB** - So what are you suggesting? What you are suggesting then at the end of the extended provisional registration there ought to be provision for full registration.

**Dr HASNAIN** - Yes, I think so. That is what happened in New South Wales and other places. A lot of people got a -

**Mr SQUIBB** - Did happen?

**Dr HASNAIN** - Yes, it did happen.

**Mr SQUIBB** - It no longer applies, though, does it?

**Dr HASNAIN** - Yes, a long time ago. A lot of people, they work in the rural area for five years and they got full registration and they went to Sydney or Melbourne, or whatever.

**Mr SQUIBB** - Happened in Tasmania two years ago.

**Dr HASNAIN** - Yes. I mean what I am saying that okay, not five years, you can put it ten years, time period, till they are 65 or retired or something.

**Mr SQUIBB** - What I am trying to explore is the possibility that in five years time or ten years time, then we will be in exactly the same situation as we are now, because up until now there has been annual registration. I thought up until this morning that that could be extended for a maximum of two years, but we have obviously heard this morning that it has gone for ten or more years in some cases, that if we purely just extend that period of conditional registration, unless there is an improvement in the number of Australasian-trained doctors and specialists coming along, all we are doing is delaying and prolonging the situation that we are currently in.

**Dr HASNAIN** - And the thing is that even if you are giving five years registration, and after five years we are in the same situation, that we do not have any security, and we do not know whether we are going to get a full registration or not, an Australasian comes and you kick us out, it would be a big ...gain.

**Mr SQUIBB** - Would the answer to that problem be that if the period of extended conditional registration is set at five years, at the end of each of those periods it was still possible for the doctor to apply once again for a further extension, subject to a peer group review, so if you had a young doctor, say - one of the doctors has given evidence, in his mid-30's, he would I assume have something like 30 years of working life left. It would mean that he would then have to make six applications at various stages in his working life, if he wishes to continue to work in that area of need in this State. The alternative to that would be that if he wanted full registration he or she would need to go down the pathway which the specialist college prescribed and in most cases that is the examination. Would you see any problem with that?

**Dr HASNAIN** - I mean if someone that comes young and he wants to do the college examination, he should be all right.

**Mr SQUIBB** - That would then place him or her in the same position as an Australasian-trained doctor. Our problem of course is that most our doctors and specialists in public hospitals in this State are overseas-trained. Most of them do not have full registration and all of those who are in that situation are faced, at the end of this year in most cases, of them being deregistered and not being able to continue to practise, not just in this State but in this country.

**Dr HASNAIN** - Going to your idea of giving them another five years or maybe two years of conditional registration means that you are again postponing the same thing.

**Mr SQUIBB** - Well, not if you provide the opportunity for them to renew it and renew it.

**Dr HASNAIN** - I mean it would still -

**Mr SQUIBB** - It is still conditional -

**Dr HASNAIN** - It will still be conditional, and it will be still the same way that they cannot do any practice. They have to work in a public system and there will be no security for them.

**Mr SQUIBB** - They would certainly have the security in that provided they continued to be competent, because at the end of each -

**Dr HASNAIN** - Another thing is that the conditional registration means it should be under supervision.

**Mr SQUIBB** - Well, the condition under this situation may well be that the only condition is that you practise in that area of need - no other conditions - which would mean that there would certainly be security of tenure. There may also be an opportunity, and it is a different matter and it is probably not a State matter it is probably a Commonwealth matter -

**Dr HASNAIN** - But at the same time, the person who is working here in a public hospital system for five years, maybe he will work another five years, he worked for ten years and at the end of the ten years he does not know where he stands.

**Mr SQUIBB** - He would. He would know that if his work was satisfactory he could have his registration continued for another five years, at that time -

**Dr HASNAIN** - In your words you are giving another five years and once you get Australasian, you are planning to kick them out. That is the right way.

**Mr SQUIBB** - No, not necessarily -

**Dr HASNAIN** - Because his is conditional, if already you have enough people with Australasian -

**Mr SQUIBB** - That is one of the conditions currently. What I am suggesting is that under a new system of conditional registration, a lot of those conditions which apply at the moment would be dropped, but the one condition which would be retained would be the condition which relates to the area of need. As legislators we are looking at what it is the best interests for our State. Obviously we are looking at obtaining and retaining quality doctors for Tasmania. If you provide full registration, as we have heard previously, those specialists and doctors can move around and Tasmania has been disadvantaged, in my opinion -

**Dr HASNAIN** - If I suggest something. Suppose some of the overseas doctors who had been working here on conditional registration for four years, or five years, and they had been doing good work rather more than satisfactory, why not give them a sort of registration that they can practise in Tasmania without any condition in the public system and plus they can be allowed for 10 per cent or 20 per cent of the private practice, and this type of registration is given to them.

**Mr SQUIBB** - I would agree totally with that. In fact that -

**Dr HASNAIN** - Rather than giving another five years and then in the same stage assessing him for the next ten years or whatever, and if someone has successfully worked for three or four years, that should be enough for someone to get a proper registration. I agree that once you give a full registration, then they will flee to Melbourne or Sydney, but if you give them a registration which is okay for Tasmania but they should have full registration, they can practise in Tasmania for the whole of their life.

**Mr SQUIBB** - That is the problem we have. The principle of the bill that I have before the Parliament is exactly as you state there. The problem we have is that conflicts with the Commonwealth's mutual recognition, and once you give them full registration within Tasmania, that also means full registration within Australia. And so to overcome that problem any registration, in my opinion, which is granted in Tasmania has to have a condition which does not conflict with mutual recognition. And the only condition that I can see is a condition which relates to area of need.

**Dr HASNAIN** - But it means the condition of registration should be different than someone who has recently graduated and he got conditional registration than someone who is a specialist here. There should be some differentiation. The person who is working as a specialist or the person who has experience of 25 years, and he gets the conditional registration, means that every year he has to renew.

After five years he does not know what he has to do. He has served Tasmania for the last five or ten years, and his future is uncertain.

**Mr SQUIBB** - I do not see it as being, in what I envisage, I do not see there as being any difficulty with the uncertainty of the future. But I understand what you are saying. In fact, I have to say I fully support what you are saying but we do have a legal opinion which indicates the implications of the mutual recognition agreement between all the States. I guess what we are trying to come up with is a resolution which will enable overseas-trained doctors to continue in their positions in Tasmania without that conflicting legal contravening the Mutual Recognition Act.

**CHAIRMAN** - And one of those may be something along the lines, and I am not saying they will, but just thinking out loud, maybe that they continue to have conditional registration and at some later stage that conditional registration hopefully can be looked at by their peers, peers not only in this State but other States, that then may lead to full registration, but that would have to be a Commonwealth matter, that latter process, rather than the former.

**Mr SQUIBB** - But our major task at this stage, as I see it, is to ensure that we can provide a legislative pathway for the continuation of registrations for those people who continue to do the work that they are currently doing, and which you have found out recently you will not be able to do as from the end of this year. And that is the scary thing.

**Dr HASNAIN** - I agree. I think you are acting - your parliamentary ... - more in favour of your public health system rather than doctors. Again, it is exploitation of the doctors. You give another registration for another five years conditional and after five years there will be the same story.

**CHAIRMAN** - It is not only that. It is both. You have to look not only at the community -

**Dr HASNAIN** - Suppose there are 40 doctors working, and they keep on getting registration for every year, by the end of five years, out of those 40 only 10 will be left and there will be another 30 or 40 arrive -

**Mr SQUIBB** - No, but if I could get a butt in there, in response to my question to you as to how long that period should be, it was you that suggested five years.

**Dr HASNAIN** - I think that it is reasonable that someone has been working for four or five years and he has been working successfully, should have access to their permanent registration, and as far as the mutual registration is concerned, once you give 50 doctors the permanent registration and just telling them. What would happen AMC automatically will say that this and you can always pass legislation that these doctors will be given registration to practise in Tasmania.

**Mr SQUIBB** - That is what we would like to be able to do, but we believe we cannot do that currently and that is why we are trying to look at a system which will overcome the conflict with the mutual recognition.

**CHAIRMAN** - Doctor, thanks for your time. Thank you for your interest and we wish you all the best.

**THE WITNESS WITHDREW.**