

Policy – Regulatory examinations

June 2023

Objective structured clinical examination (OSCE) procedural review policy

Purpose

This document sets out the Chinese Medicine Board of Australia's (the Board) policy on applications from overseas-qualified Chinese herbal medicine and acupuncture examination candidates for procedural review of the objective structured clinical examination (OSCE).

This document contains information on:

- the circumstances in which an application for a procedural review will be accepted
- how applications for a procedural review must be submitted, and
- how applications for procedural review are managed and resolved.

This policy applies to applications for procedural review of the OSCE.

Procedural review of the OSCE

Candidates can contact Ahpra directly to apply for a procedural review of the OSCE.

Reasons for applying for procedural review

A candidate may apply for a procedural review in the following circumstances:

- the procedural requirements and instructions, as specified in the Board's *Regulatory examinations candidate handbook – Objective structured clinical examination* were not followed to a significant extent, or
- the candidate's performance was adversely affected by significant deficiencies in the examination procedures beyond the control of the candidate.

The following matters are not reasons for seeking a procedural review:

- disagreement with the standards set by the Board for the OSCE
- disagreement with the result for the OSCE or for any station(s)¹ in the OSCE, or
- personal or other reasons that affected the candidate's ability to take part in or prepare sufficiently for the OSCE. For further information please refer to the *Special consideration policy*.

Candidates must apply for a procedural review within 20 working days from the date they are advised of their OSCE result. Candidates must contact the Australian Health Practitioner Regulation Agency (Ahpra) directly to apply for a procedural review and pay the initial assessment fee before the application can be considered.

Review process

The procedural review process may involve three stages:

1. initial assessment
2. internal review, and

¹ **Stations:** Multiple stations of different tasks relating to a clinical scenario or clinical skill demonstration are set up at the OSCE testing venue. All stations must be completed by a candidate on the same day.

3. external review.

Initial assessment

After receiving an application for a procedural review and payment of the initial assessment fee, Ahpra will conduct an initial assessment of the application documents and any other relevant materials. Ahpra may discuss the matter or subject of the review with the Board's Examination Committee chair, OSCE Chief examiner, OSCE examiner(s) and any other person involved in the matters or subject of the review.

If Ahpra considers that the reasons for applying for a procedural review set out above are satisfied, it may:

- direct that the candidate be permitted a further attempt at the relevant examination at the next session, without charging the OSCE fee, and
- refund (in whole) the procedural review initial assessment fee to the candidate.

If the candidate is permitted a further attempt at the OSCE, they must apply to sit the OSCE at the next session, having met any requirements specified by Ahpra.

Ahpra will inform the candidate in writing of the outcome of the initial assessment of their application for procedural review.

If Ahpra considers the reasons for applying for a procedural review set out above are not satisfied, Ahpra will close the application for procedural review.

In its determination, Ahpra will not:

- overturn the result of an examination
- change a fail grade to a pass grade in any section of the examination or in the examination overall
- exempt a candidate from the requirement to pass all parts of the examination in a single examination attempt, or
- exempt a candidate from any other requirements of the examination.

If the candidate does not agree with the outcome of the initial assessment, the candidate may apply for an internal review of their application for procedural review.

Internal review

The candidate must apply for an internal review in writing within 10 working days of being informed of the outcome of the initial assessment of their application for procedural review and must pay the internal review fee. At time of application, candidate must provide any relevant material to Ahpra that the candidate wants considered during the internal review. This may include further written submissions.

The internal review will be conducted by an internal review panel comprising the Board's Examination Committee.

The internal review panel will consider the application for procedural review and all materials submitted by the candidate that is the subject of the application.

The internal review panel will not hear oral representations from the candidate or any person on the candidate's behalf. The internal review panel will make a decision by majority vote.

If the internal review panel considers that the reasons for applying for a procedural review set out above are satisfied, it may:

- direct that the candidate be permitted a further attempt at the OSCE at the next session, without charging an OSCE fee, and
- refund (in whole) the internal review fee to the candidate.

If the candidate is permitted a further attempt at the OSCE, they must apply to sit the OSCE at the next session, having met any requirements specified by the internal review panel.

If the internal review panel considers the reasons for applying for a procedural review set out above are not satisfied, Ahpra will close the application.

In its determination, the internal review panel will not:

- overturn the result of an OSCE
- change a fail grade to a pass grade in any station(s) of the OSCE or in the OSCE overall
- exempt a candidate from the requirement to pass all stations of OSCE in a single attempt, or
- exempt a candidate from any other requirements of the OSCE.

Ahpra will notify the candidate in writing of the outcome of the internal review as soon as practicable following the internal review panel's decision and provide reasons for that decision.

If the candidate does not agree with the outcome of the internal review, the candidate may apply for an external review of their application for the procedural review.

External review

The candidate must apply for an external review within five working days of being advised of the outcome of the internal review and must pay the external review fee. An application for external review cannot be accepted until the internal review has been completed and the candidate has received written advice of the internal review panel's decision.

The external review will be conducted by an external review panel appointed by the Board Chair (or the delegate) and comprise three members external to the Board and its Examination Committee. Members will include:

- a chair - a senior Chinese medicine academic who has contemporary knowledge of clinical practice in Australia
- a member experienced in accreditation of Chinese medicine programs or experience in education of final year Chinese medicine practitioners in Australia, and
- a member with experience in independent review bodies or tribunals, or with experience as an ombudsman or senior ombudsman officer.

The external review panel may conduct the review in a manner it considers appropriate and may call for further material or information from the candidate, the original examiner(s), or other people.

A candidate has the right to appear and address the external review panel and may be accompanied by another person but is not entitled to bring an advocate or spokesperson or legal representation, unless the external review panel has given its prior consent.

The determinations and reasoning of the internal review panel, any information provided to the external review panel and the report of outcomes of the external review provided to the Board shall remain confidential, unless the candidate agrees to release the information.

Decisions made by the external review panel are by majority vote.

If the external review panel determines the reasons for applying for a procedural review set out above are not satisfied, it will make this recommendation to the Board. Ahpra will advise the candidate of the outcome of the external review and the Board's decision as soon as practicable following the external review panel decision and provide reasons for the decision.

If the external review panel determines the reasons for applying for a procedural review set out above are satisfied, the external review panel may recommend to the Board:

- that Ahpra permit the candidate a further attempt at the OSCE at the next session, without charging an OSCE fee
- that Ahpra refund the external review fee to the candidate (in whole), and/or
- to make any other decision appropriate within the limits of the established procedures for the examination process.

If the candidate is permitted a further attempt at the OSCE, they must apply to sit the OSCE within any period specified by the external review panel and having met any requirements specified by the panel in its determination.

The external review panel will not direct the Board to:

- overturn the result of an OSCE
- change a fail grade to a pass grade in any station(s) of the OSCE or in the OSCE overall
- exempt a candidate from the requirement to pass all stations of OSCE in a single attempt, or
- exempt a candidate from any other requirements of the OSCE.

Ahpra will notify the candidate in writing of the outcome of the external review and the Board's decision as soon as practicable following the external review panel's decision and provide reasons for the decision.

Monitoring, evaluation and review

This policy will be reviewed from time to time as required. This will generally be at least every three years.

Definitions and abbreviations

Regulatory examinations are used by the Board to assess overseas-qualified Chinese herbal medicine practitioners and acupuncturists who apply for registration to practise in Australia and who are assessed as holding a qualification that is relevant but not substantially equivalent or based on similar competencies to an Australian Board-approved qualification (and who meet the mandatory registration standards).

Associated documents

Regulatory examinations candidate handbook – Objective structured clinical examination

Effective date

June 2023