



Regulation 40

Faculty of Pain Medicine

40. Faculty of Pain Medicine

Note: Dates in italics flag the dates of recent changes to the regulation, e.g., 10/04 indicates a change made to the following paragraph in October 2004.

Pursuant to the Australian and New Zealand College of Anaesthetists (ANZCA) constitution, primarily clauses 1, 2.1.2, 2.3, 2.4, 4, 7.2, 7.3.2(e), 7.4, 7.5 and 8.1.1.

40.1 Preamble

- 40.1.1 ANZCA Council worked closely with the Royal Australasian College of Physicians (RACP), the Royal Australasian College of Surgeons (RACS), the Royal Australian and New Zealand College of Psychiatrists (RANZCP) and the Australasian Faculty of Rehabilitation Medicine (AFRM) of the RACP when initiating and fostering its vision for the Faculty of Pain Medicine (FPM). RACP, RACS, AFRM and RANZCP are represented on the FPM Board.
- 40.1.2 The FPM was established by ANZCA as a faculty of ANZCA under the ANZCA constitution.
- 40.1.3 The FPM is a faculty of ANZCA and, as such, ANZCA has sole legal, ethical and professional responsibility for the FPM, and ANZCA Council has ultimate governance accountability for the FPM.
- 40.1.4 ANZCA Council acknowledges the close collegial relationship that exists between it and the FPM Board.
- 40.1.5 ANZCA acknowledges and respects the unique mission of the FPM, and affirms the intimate alignment of the mission of the FPM with the mission of ANZCA itself.
- 40.1.6 The FPM, as asserted in its mission statement and that of ANZCA, is established to serve the community by fostering safety and high quality patient care in pain medicine.
- 40.1.7 The FPM is therefore committed to promulgating and supporting optimal professional standards in pain medicine. It is committed to overseeing and providing high standards of education, training and continuing professional development for specialists in pain medicine; and to promoting and supporting the advancement of the science of pain medicine.

40.2 Relationship of ANZCA Council to FPM Board

- 40.2.1 ANZCA Council recognises that the FPM Board is elected exclusively by Fellows of the FPM and has a mandate from them to protect, progress, and promote the purpose and function of the FPM. Thus ANZCA Council has established delegations that recognise the appropriate responsibility of the FPM Board for governing professional issues relating to the specialty of pain medicine.
- 40.2.2 ANZCA Council will appoint one of its members, who is not an elected member of the FPM Board, to be an ex officio full voting member of the FPM Board, and to liaise with the FPM

Board on behalf of ANZCA Council. The ANZCA president is a voting ex officio member of the FPM Board.

- 40.2.3 ANZCA Council will consult with the FPM Board about all matters related to the FPM and to the practice of specialist pain medicine physicians.
- 40.2.4 The internal governance arrangements of the FPM will be overseen by the FPM Board.
- 40.2.5 The FPM Board is accountable to ANZCA Council under the ANZCA constitution and the Corporations Act (2001) for the governance delegated to it.
- 40.2.6 The FPM Dean is a co-opted representative on ANZCA Council, and as such is a director of ANZCA, in accordance with clause 8.1 of the ANZCA constitution.

40.3 Fellowship of FPM

- 40.3.1 Fellowship of the FPM (FFPMANZCA) is a post-fellowship qualification, following earlier fellowship-level specialisation in anaesthesia, general practice, internal medicine, obstetrics and gynaecology, psychiatry, rehabilitation medicine, surgery or such other specialisation as from time to time may be determined by the FPM Board. To be admitted a Fellow of the FPM, a medical practitioner must therefore hold a primary fellowship or comparable specialist qualification as specified in the FPM bylaws. This reflects the standard of prior knowledge and skill needed, including eligibility for specialist registration in the primary specialisation in Australia or for vocational registration in the primary specialisation in New Zealand.
- 40.3.2 Those who have been admitted to FFPMANZCA and who are therefore recognised by the FPM as eligible to be accorded the status of specialist pain medicine physician are not required to retain their primary fellowship or comparable specialist qualification in order to retain their fellowship of the FPM.
- 40.3.3 ANZCA Fellows who have been admitted to FFPMANZCA and who choose to relinquish FFPMANZCA may do so without compromising their membership of ANZCA.
- 40.3.4 Authority is delegated to the FPM Board to assess international medical graduate specialists (IMGs) with experience and qualifications in pain medicine, as specified in the FPM bylaws. The FPM Board is authorised to specify the standards and processes necessary to determine whether an IMG applicant has qualifications and experience comparable with those of a Fellow of the FPM, and what further experience and assessments may be required in order to admit the IMG to fellowship of the FPM in accordance with bylaws made by the FPM for this purpose.
- 40.3.5 All Fellows of the FPM, as members of ANZCA, are subject to the same obligations as ANZCA Fellows in relation to the code of professional conduct and matters of discipline, suspension, termination and re-admission, as specified in the ANZCA constitution, regulations and professional documents.

40.4 Internal governance of the FPM by its board

- 40.4.1 The FPM Board is empowered by ANZCA to make bylaws for the internal governance of the FPM, including the election of the FPM Board in accordance with the ANZCA constitution. All internal governance arrangements must be specified by the FPM in its bylaws. All new bylaws are to be notified to ANZCA Council as soon as practicable.
- 40.4.2 Authority is delegated to the FPM Board to determine the requirements of the training program for a specialist pain medicine physician, including all formative and summative assessments, and the accreditation of relevant departments and other facilities or alternative arrangements for training, in accordance with bylaws made by the FPM for this purpose.
- 40.4.3 The authority to admit Fellows of the FPM is delegated to the FPM Board in accordance with bylaws made by the FPM for this purpose.

- 40.4.4 The FPM may admit to FFPMANZCA those assessed as qualified and trained to be accorded the status of specialist pain medicine physician.
- 40.4.5 Those admitted by the FPM Board as Fellows of the FPM will be deemed under clause 2 of the ANZCA constitution to be admitted by ANZCA Council as Faculty Fellows and as such members of ANZCA.
- 40.4.6 The FPM Board is responsible for overseeing the effective operation of the FPM training program, and is required to ensure that the standards and processes (professional, educational, training, assessment and administrative) are in alignment with those of ANZCA.
- 40.4.7 The FPM Board is empowered to determine matters related to the continuing professional development program for specialist pain medicine physicians.
- 40.4.8 In setting the standards in pain medicine required of specialist anaesthetists, account will be taken of advice provided by the FPM Board, but these standards remain the ultimate responsibility of ANZCA Council to determine.

40.5 Management arrangements

- 40.5.1 The ANZCA chief executive officer (CEO) is responsible for all management matters of ANZCA, including the FPM, in accordance with and subject to regulation 40.
- 40.5.2 The FPM Board will develop its budget in partnership with ANZCA. The FPM Board and the general manager, FPM will participate in the processes that establish the annual ANZCA budget. FPM fees, including annual subscriptions, will be set and provisionally approved by the FPM Board and finally approved by ANZCA Council.
- 40.5.3 All financial commitments, transactions and expenditures are subject to the requirements set out in the *Staff Delegations Manual*, which specify the delegated authority of the general manager, FPM, and the CEO.
- 40.5.4 Subject to the delegations in this regulation, the FPM may approve its own expenditure in accordance with the budget for the FPM, as adopted by the FPM Board and ANZCA Council each year.
- 40.5.5 The FPM Board, via the FPM Dean and ANZCA CEO, will bring to the attention of ANZCA Council progress with all relevant major capital projects, and any issues of significant risk to ANZCA.
- 40.5.6 All contractual arrangements and memorandums of understanding must be approved formally by the CEO and ANZCA Council, in accordance with the *Staff Delegations Manual*.
- 40.5.7 ANZCA Council through the CEO will ensure that the FPM Dean, FPM Vice Dean and new members of the FPM Board are oriented to ANZCA processes.

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