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<b>Document Type:</b> Policy	<b>Code:</b> DHA/HRS/HPSPD/HP-05	<b>Version Number:</b> 1
<b>Document Title:</b> Fitness to Practice	<b>Issue Date:</b> 24/07/2019	<b>Effective Date:</b> 24/07/2019
<b>Ownership:</b> Health Regulation Sector		
<b>Applicability:</b> This Policy applies to all new and licensed Healthcare Professionals under the jurisdiction of DHA.		

## 1. Purpose

- 1.1.To align with the Dubai Health Authority (DHA) vision, mission and strategic objective to direct resources to ensure healthy and safe environment for Dubai population.
- 1.2.Ensure highest standards of practice and safety of patients by identifying conditions in which Healthcare Professionals licensed under the jurisdiction of DHA are deemed unfit to practice.
- 1.3.To recognize areas of concern that would initiate an investigation by Health Regulation Sector (HRS) or any other relevant department.
- 1.4.To protect the public from healthcare professionals who are unfit to practice.

## 2. Scope:

- 2.1. Health Professionals licensed under DHA jurisdiction.

## 3. Definitions/Abbreviations:

**Fit to practice individual** is defined as one who has no physical or other impediments to practice their profession safely, is able to consistently demonstrate appropriate professional conduct and behavior and has the requisite skills and knowledge base to practice at an appropriate standard. These factors intersect and combine to define an individual fit to practice.

**Health Facility** shall mean every place designed to perform medical examinations on patients, diagnosing their diseases, treating or nursing them, admitting them for convalescence, or assuming any activity related to treatment or rehabilitation after treatment, whether it is owned or managed by natural or juridical persons.

**Healthcare Professional** shall mean healthcare personnel working in health facilities and required to be licensed as per the applicable laws in the United Arab Emirates.

**CD:** Communicable Disease

**DHA :** Dubai Health Authority

**HRS :** Health Regulation Sector

**UAE :** United Arab Emirates

#### 4. **Policy Statement:**

4.1. All healthcare professional applicants new/renew/transfer are requested to provide a medical fitness document from specific DHA medical fitness centers, if they are above 65 years of age or have a physical, mental or emotional condition, which may impair their ability to render professional services.

4.2. All healthcare professionals licensed under DHA jurisdiction shall be fit to practice.

4.3. All health facilities shall comply with applicable UAE laws and DHA regulations relevant to fitness to practice.

4.4. All staff of a health facility are responsible to bring to the attention of the Medical Director any healthcare professional identified as unfit to practice.

4.5. The Medical Director of the health facility is responsible to report to the DHA-HRS any healthcare professional identified as unfit to practice.

4.6. DHA has established the areas of concern for fitness to practice set out in **Appendix 1**.

4.7. HRS shall be notified if areas of health-related concerns are identified.

4.8. HRS will follow a structured process to address these concerns.

4.9. DHA-HRS shall address medical fitness related concerns as per the Medical Complaint Management Policy. The medical related areas of concern include:

4.9.1. Dealing, possessing or misusing drugs.

4.9.2. Working after 65 years without DHA approval.

4.9.3. Misleading patients about their care or treatment.

4.9.4. Failure to obtain proper consent from a patient, when applicable.

4.9.5. Failure to keep knowledge and skills up-to-date.

4.9.6. Lack of ability to work within the boundaries of the scope of practice defined by the professional category license.

4.9.7. Failure to adhere to the DHA patients' charter.

4.9.8. Non-compliance to communicable disease testing and restrictions related to professional practice.

4.10. All non-medical related areas of concern such as fraud, criminal offences and complaints related to conduct/behaviour etc. shall be received by the HRS, classified and referred to the concerned department and/or authorities, as appropriate.

4.11. HRS is authorized to suspend, restrict or revoke the DHA license of healthcare professionals if determined as unfit to practice.

## 5. References

5.1. Dubai Health Authority (2011). Licensure of Health Professionals. Health Regulation Department.

Available at:

<https://www.dha.gov.ae/Documents/Regulations/Policies/Licensure%20of%20Health%20Professionals.pdf> (accessed 9 March 2019).

5.2. General Medical Council (2017). Fitness to Practice legislation. *Investigation and adjudication*. Available at:

[http://www.gmc-uk.org/about/legislation/ftp\\_legislation.asp](http://www.gmc-uk.org/about/legislation/ftp_legislation.asp) (accessed 9 March 2019).

5.3. Health and Care Professionals Council (2017). What is the purpose of the fitness to practice process?

Available at: <http://www.hcpc-uk.org/complaints/fitnesstopractise/purpose/> (accessed 9 March 2019).

5.4. Medical Council of New South Wales (2010). Fitness To Practice. Available at:

<http://www.mcnsw.org.au/page/old-policies/fitness-to-> (accessed 9 March 2019).

5.5. Nursing and Midwifery Council (2017). What is fitness to practice? Available at:

<https://www.nmc.org.uk/concerns-nurses-midwives/what-we-do/what-is-fitness-to-practise/>

(accessed 9 March 2019).

## Appendix

### Appendix 1 - Fitness to Practice - Areas Of Concern

1.	<b>Criminal conviction or caution</b>	Child or Sexual abuse
		Possession of illegal substances
		Theft
		Human trafficking, Illegal organ trade
2.	<b>Drug or alcohol misuse</b>	Working under the influence of alcohol
		Dealing, possessing or misusing drugs, Drunk driving
3.	<b>Aggressive, violent or threatening behaviour</b>	Assault or Physical violence
		Abuse E.g. Physical, Verbal etc.
4.	<b>Dishonesty or fraud, including dishonesty outside the professional role</b>	Financial fraud
		Misrepresentation of qualifications
		Misuses the authority in an unprofessional and illegal manner E.g. Misuse of prescription privileges
		Failure to seek medical treatment or other support as stated in the Health Screening and Immunization Policy for Healthcare Workers
5.	<b>Health concerns and management of these concerns</b>	Working after 65 years without DHA approval
		Refusal to follow or comply with medical advice or care plans by the healthcare professional, including monitoring and reviews, which could affect the professional's performance and patient and public safety
		Non-compliance to CD testing and restrictions related to professional practice
6.	<b>Unprofessional behaviour of confidentiality or attitudes</b>	Misleading patients about their care or treatment
		Failure to obtain consent from a patient, when applicable
		Sexual, racial or other forms of harassment or discrimination
		Failure to keep appropriate boundaries in behaviour during consultations
		Breach of confidentiality of patient
		Lack of ability to work within the boundaries of the scope of practice defined by the professional category license
		Inappropriate/unprofessional behaviour to patients, colleagues and others
		Failure to adhere to the DHA Patient Charter