

# Aide-Mémoire

## Health workforce immigration deep dive with health and immigration officials

<b>Date due to MO:</b>	22 February 2023	<b>Action required by:</b>	N/A
<b>Security level:</b>	IN CONFIDENCE	<b>Health Report number:</b>	H2023019999
<b>To:</b>	Hon Dr Ayesha Verrall, Minister of Health		

### Contact for telephone discussion

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## Health workforce immigration deep dive with health and immigration officials

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**To:** Hon Dr Ayesha Verrall, Minister of Health

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**Security level:** IN CONFIDENCE      **Health Report number:** H2023019999

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**Details of meeting:** 4:00pm, Monday 27 February 2023

**Purpose of meeting/ proposal:** You requested a walk-through of immigration and international registration pathways for the international health workforce.

**Comment:**

**Background**

- Our health system relies heavily on the international health workforce to deliver quality health services to New Zealanders. Immigration and registration settings need to reflect health priorities and enable effective attraction, recruitment, and retention of international health workers.
- New Zealand's health workforce has one of the highest proportions of internationally trained health professionals. Approximately 42 percent of total medical practitioners and 67 percent of total registered nurses in New Zealand are internationally trained<sup>1</sup>.
- While it is important for us to grow and develop the domestic health workforce, international health workers are central to alleviating immediate pressures, as well as ensuring:
  - we have the capacity to train and provide clinical supervision to our domestic health workforce
  - multidisciplinary teams consist of all the professions required to provide complete patient care
  - access to health professionals and specialists that New Zealand does not have training programmes for.

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<sup>1</sup> This data is collected by responsible authorities and reflects the number of registrants which may not reflect the number of who are actually practicing in New Zealand.

## Current state of registration and immigration pathways

### *Roles and responsibilities*

- There are many actors involved in the immigration and registration pathways for internationally trained health workers. This in part leads to some of the complexities the international health workforce face in seeking to work in New Zealand and the challenges agencies face in ensuring a seamless and clear process for international workers to engage in.
- The roles that these actors play and what step in the process they are involved in, can be seen in **appendix two**.
- The table below summarises the key actors and their roles and responsibilities across these pathways.

<b>Actor</b>	<b>Description of role</b>
Ministry of Business, Innovation, and Employment (MBIE)	Responsible for developing immigration policies that reflect labour market needs, economic growth, as well as ensuring security and support for the community.  Undertake data analysis of and research into migration and settlement issues.
Immigration New Zealand	Is a business unit that sits within MBIE and administers most of the functions and powers relating to the immigration system, including the provision of immigration visas and pathways. Any changes to immigration pathways must be enacted via immigration instructions from MBIE.
Responsible Authorities (RAs)	The Health Practitioners Competence Assurance Act 2003 (the HPCA Act) established responsible authorities (RAs) as the key mechanism to ensure practitioners are competent and fit to practice their professions.  RAs are responsible for registering international workers which is a requirement for working visas, assessing the skills and qualification of applicants.
Medical Colleges	Assess international doctors' skills and qualifications, on behalf of the Medical Council, to assess registration eligibility.
Health employers	Must be accredited to hire migrant workers under the Accredited Employer Work Visa.

	<p>Support migrant workers to navigate the immigration and registration pathways.</p> <p>Provide clinical supervision and training as required by the RAs for provisionally registered international health workers.</p>
Te Whatu Ora	<p>Alongside being a health employer, Te Whatu Ora has established an International Recruitment Centre which supports the attraction and recruitment of migrant health workers by streamlining immigration and registration processes.</p>
Manatū Hauora	<p>Administer the HPCA Act which determines the regulatory framework for the health workforce in New Zealand. Also responsible for ensuring our policy settings, including regulatory settings, enable the recruitment of international health workers.</p> <p>Liaises with health entities and agencies to collect data and evidence to support the development of immigration policy.</p>

*Registration pathways for international health workers*

- International health workers whose professions are regulated under the HPCA Act, must gain registration with the relevant responsible authority before applying for a working visa in New Zealand. For other health workers, including those with self-regulating bodies, registration is only a requirement for professions on the Green List.
- The way responsible authorities perform their functions varies. For example, the Medical Council sometimes contracts medical colleges to assess an applicant's qualification and experience and make a recommendation on whether the applicant is suitably qualified.
- Health workers who have gained their qualification from a country that is comparable to New Zealand often have a simpler and faster pathway to registration, than those whose qualifications need to be individually assessed.
- By way of contrast, workers from health systems that are not deemed comparable must meet additional requirements. For example, in the case of international medical practitioners, they must pass the New Zealand Registration Examination and some nurses will have to undertake a Competence Assessment Programme before they can gain registration with the Nursing Council.

- Processing times for registration applications of international health workers also vary between responsible authorities. This can range from days to months and can take longer than a year in some circumstances.
- For health professions not regulated under the HPCA Act, (eg, audiologists and speech language therapists) there is no legal requirement for these health workers to be registered with a self-regulatory body, but some employers may require it.

*Immigration pathways for the international health workforce*

- There are seven ways a health worker can get a work visa and three working pathways to residency in New Zealand. It is difficult to generalise which health professions are eligible for which pathways due to the need for each individual to meet specific requirements.
- Examples of the registration and immigration pathways for different health professions can be found in **Appendix Two**.
- The table below outlines these pathways, the requirements that must be met and the features that distinguish work and residency visa pathways for the international health workforce.

	<b>Pathway</b>	<b>Requirements</b>	<b>Key features</b>
<b>Work pathways</b>	Accredited Employer Work Visa (AEWV)	<ul style="list-style-type: none"> <li>• Employers need to advertise the role domestically first*</li> <li>• Employer must be accredited with INZ<sup>2</sup></li> <li>• Job offer paying at or above median wage</li> <li>• Qualifications, registration, experience requirements</li> <li>• Standard health requirements for work visa</li> <li>• Character requirement for working visa</li> </ul>	Visa length: up to three years  * no labour market test is required for Green List professions
	The Care Workforce Sector Agreement (through the AEWV)	<ul style="list-style-type: none"> <li>• Wage at either Level Three (paid at least \$26.16 per hour) or Level Four (paid at least \$28.25 per hour) of the Support Workers (Pay Equity) Settlements Act 2017</li> </ul>	Available for most care workers  Applicants paid at Level Three can be issued a visa for up to two years, those paid at Level 4 will be

<sup>2</sup> Employers can apply for four different levels of accreditation to hire between five international workers to an unlimited amount. There is an associated cost for each level of accreditation ranging from \$470 to \$3870. The process requires employers to prove their business is viable and meets employment and immigration standards.

		<ul style="list-style-type: none"> <li>Employers need to advertise the role domestically first*</li> <li>Job Offer</li> <li>Qualifications, registration, experience</li> <li>Standard health requirements for work visa</li> <li>Standard character requirement for work visa</li> </ul>	eligible for residence after two years of working in New Zealand
An Open Work visa  <i>Only health workers applying via these three categories</i>	<i>Working Holiday Visa schemes</i>	<ul style="list-style-type: none"> <li>Health requirements for working visa</li> <li>Character requirement for working visa</li> <li>Aged 18-30 or 18-35 in a select few countries</li> <li>Cannot accept permanent job offers unless under United Kingdom Working Holiday Scheme</li> </ul>	<p>No job offer required</p> <p>No wage threshold</p> <p>Length of visa: 12-23 month</p> <p>Can only apply for this visa once in most cases</p>
	<i>Partners of New Zealand citizens, resident visa holders, or of people who hold certain types of work or student visas in New Zealand</i>	<ul style="list-style-type: none"> <li>Must meet 'genuine and stable' partnership requirements</li> <li>Standard health requirements for work visa</li> <li>Character requirement for working visa</li> <li>Partner character requirements</li> </ul>	<p>No job offer required</p> <p>No wage threshold</p> <p>Length of Visa: two years</p>
	<i>New graduates, who have recently completed a qualification in New Zealand</i>	<ul style="list-style-type: none"> <li>Health requirements for working visa</li> <li>Character requirement for working visa</li> <li>Work for any employer in any job if you have a degree level 7 or above qualification</li> <li>Work in a job that is related to what you studied if your qualification is non-degree</li> </ul>	<p>No job offer required</p> <p>No wage threshold</p> <p>Length of visa depends on what was studied (between one and three years)</p>

		level 7 or below and that qualification is on the list of eligible qualifications (linked to the Green List)	
	Specific Purpose Work Visa	<ul style="list-style-type: none"> <li>• Standard health requirements for working visa</li> <li>• Standard character requirement for working visa</li> <li>• Must demonstrate time-limited specific purpose for working in NZ (eg, project or business secondment)</li> <li>• Special sub-category for Philippines nurses who need to complete the CAP course (three month duration)</li> </ul>	<p>Work for a specific employer</p> <p>Length of visa depends on purpose (up to three years)</p>
	Occupational Registration Visitor Visa.	<ul style="list-style-type: none"> <li>• Eligible for New Zealand occupational registration</li> <li>• Nurses from the Philippines who have been accepted for the Nursing Council's Competence Assessment Programme</li> <li>• Health requirements for working visa</li> <li>• Character requirement for working visa</li> </ul>	Length of visa: three months
<b>Residency pathways</b>	Green List: Straight to Residence	<ul style="list-style-type: none"> <li>• Profession listed on Green List: Straight to Residence</li> <li>• Age requirements (below 55)</li> <li>• Health requirements for residence</li> <li>• Character requirements for residence</li> <li>• English language requirements</li> <li>• Job offer</li> <li>• Qualification, registration and experience requirements</li> </ul>	<p>Can apply for residence offshore in most cases</p> <p>Immigration New Zealand prioritises Green List residence applications</p>
	Green List: Work to Residence	<ul style="list-style-type: none"> <li>• Profession listed on Green List: Work to Residence OR paid twice the median wage</li> <li>• Age requirements (below 55)</li> </ul>	Can only apply for residency after working in New Zealand in an eligible job for two years

		<ul style="list-style-type: none"> <li>• Health requirements for residency</li> <li>• Character requirements for residency</li> <li>• English language requirements</li> <li>• Job offer</li> <li>• Qualification, registration and experience requirements</li> </ul>	
	Skilled Migrant Category (SMC)	<ul style="list-style-type: none"> <li>• Able to claim at least 180 points through Skilled Migrant Category criteria</li> <li>• Age requirements (below 55)</li> <li>• Health requirements for residency</li> <li>• Character requirements for residency</li> <li>• English language requirements</li> <li>• Job offer</li> <li>• Qualification, registration and experience requirements</li> </ul>	<p>Must submit an Expression of Interest (EOI) with residency selections occurring monthly</p> <p>EOIs that meet can acquire 180 points or more will be selected</p>

#### *Green List*

- The Green List plays a significant role in attracting international health workers by offering a more streamlined pathway to residency with more favourable benefits, including:
  - occupations on the straight to residence pathway can apply for residence offshore in most cases
  - no labour market test (employers do not need to show that they have advertised the position domestically)
  - Immigration New Zealand prioritises Green List residence applications (currently only straight to residence)
  - roles that are on the Green List have a list of qualifications attached to them. Student visa holders studying sub-degree qualifications that are on that list are eligible for a post study work visa enabling them to work in that occupation.
- The list of health professions currently on the Green List can be found in **Appendix One**.

#### *Pathways for partners and families*

- Currently, all working visa pathways can support a Partner of a Worker Work Visa that enables them to work for any employer if



the primary applicant (health worker) is paid the median wage or above.

- Partners and family can be included in all residence applications but will need to meet English language, character requirements (those aged 17 and over) and health requirements (all ages).

### **Impact of immigration policy settings, tracking the flow of international health workers into New Zealand**

- MBIE collects data on the number of visa and residency applications approved, declined, and withdrawn. The below table shows, as of 2 February 2023, the number of health sector applications that have been accepted through the 2021 residency visa<sup>3</sup>, the AEWV, Straight to Residency and SMC pathways for the since they were introduced in July 2022.

<b>Visa Product</b>	<b>Accepted Applications</b>
Accredited Employer	3,540
Skilled Migrant	164
Straight to Residence	303
2021 Resident Visa	6,590
	<b>10,597</b>

- Since July 2022 over 10,500 international health workers have had their residency applications approved. This indicates that a large number of health workers have been able to get registration and navigate immigration pathways within an eight month period or less. Note, many of these will have already been on shore and not all require registration (non-regulated professions).
- We will not be able to see the benefits of the Work to Residence pathway until September 2024 following the minimum two-year period required before residency can be granted.
- To get an indication of how many international health workers have applied for working visas since July 2022, the following information can also be made available, broken down by health profession:
  - Health sector work visa applications
  - Number of health sector employer Accreditation applications and those that have been approved
  - Number of Job Checks approved and pending approval

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<sup>3</sup> The 2021 residency visa pathway was introduced as a temporary measure for people whose primary purpose for being in New Zealand is to work. This pathway closed on 31 July 2022.

- Number of AEWV applications that have been approved, declined and for those who hold an AEWV, the number that have arrived in New Zealand.
- We can also access registration data for professions regulated under the HPCA Act as responsible authorities collect the following information:
  - Number of registrations approved and declined by scope and country of where the primary qualification was received
  - Number of Annual Practising Certificates issued and country of where the primary qualification was received.
- For self-regulated health professions, we are not aware of the data and information collected.

### **Upcoming changes to immigration settings**

#### *The Immigration Rebalance*

- In December 2021, Cabinet agreed to a rebalance of the immigration settings to achieve a higher skilled migrant workforce, with the right skill mix to support our economic recovery from COVID-19, and the transition to a more productive and sustainable economy.
- The main changes that have already been implemented included the introduction of:
  - a wage threshold indexed to the New Zealand median wage for employer-assisted visas which currently sits at \$27.76 but will be raised to \$29.66 from 27 February 2023.
  - the AEWV to replace six work visa streams, requiring employers who are wanting to employ migrants to become accredited.
  - partners of temporary migrant workers must individually qualify for an AEWV if they wish to work in New Zealand unless otherwise exempted (due to be considered by Cabinet in early 2023).
  - a Green List visa pathway within the AEWV to make it easier for employers to attract high-skilled migrant workers, either through a straight to residence or work to residence pathway.
  - sector agreements that exempt a small number of sectors from the wage threshold due to an ongoing need for access to migrant workers paid below the median wage (e.g. care workforce).
- Due to the health systems reliance on international health workers, any changes to immigration settings can have a

significant impact on employers' ability to recruit internationally and affects our ability to achieve pae ora.

- To support the alignment of immigration and health sectors, Manatū Hauora will continue to work closely with other health agencies and MBIE to ensure the Immigration Rebalance supports the recruitment and retention of international health workers.

#### *Changes to partner work rights*

- Pending Cabinet approval, from April 2023, partners of migrants with temporary work visas will be able to apply for an open work visa with conditions. The open work visa with conditions only allows the applicant to work for an accredited employer and in roles paid at or above the median wage (or the wage thresholds specified by sector agreements).

#### *Changes to the Green List*

- Given the extent of workforce shortages in New Zealand, and the need to support winter preparedness plans, the Green List is an important short-term mechanism to attract health workers into the country.
- In response to this, the Minister of Immigration announced changes to the Green List for the health sector in December 2022. In addition to the existing health sector roles already on the Green List, the changes agreed to by Cabinet included adding all medical practitioners, registered nurses, and midwives to be included on the straight to residence pathway effectively immediately<sup>4</sup>.
- Cabinet also agreed to expand the Green List straight to residency pathway to include most but not all allied health professions.
- Cabinet advised health and immigration officials to report-back in early 2023 with specific criteria and a list of occupations where all clinical roles and most but not all allied health roles are included. Implementation of these changes is planned to be in place prior to winter this year.
- Health and MBIE officials are currently progressing work to determine which allied health professions will be added to the Green List. You will receive advice on this in February 2023.
- To support the development of this work, health officials have established a Health Workforce Immigration Settings Working Group (the Working Group) with clinical and policy

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<sup>4</sup> Prior to the changes agreed to in December, most but not all Medical Practitioners were on the Green List: Straight to Residence and nurses and midwives were on the Green List: Work to Residence.

representatives from Manatū Hauora, Te Whatu Ora, Te Aka Whai Ora, Whaikaha, and ACC.

#### *Changes to Skilled Migrant Category (SMC)*

- MBIE is currently preparing a Cabinet paper seeking final decisions on the following policy changes:
  - to introduce a simplified points system, with points made up from one of three skill categories, i.e. professional registration, qualifications or high income, and up to three years of skilled work experience in New Zealand.
  - to process all applications that meet eligibility criteria (removing the planning range).
  - requiring those working in some roles (specifically in retail and hospitality) identified as presenting immigration and labour market risks to be paid at least 1.5 x median wage before being eligible for a pathway to residence.
  - requiring those who have spent 3 years on an Accredited Employer Work Visa to spend 12 months outside New Zealand before being eligible to apply for a further work visa.
- Manatū Hauora and Te Whatu Ora support the proposed high-level points-based system that recognises a combination of qualification, registration, and experience as this allows for residency pathways for most health workers.

#### *Age cap exemption*

- Despite the positive changes underway within the immigration system to support the entry of health workers into New Zealand, some settings may still be acting as barriers.
- Currently, migrants that are 55 years and over are not eligible for a residence visa based on work in New Zealand. Sector stakeholders, such as the Association of Salaried Medical Specialists, raised this issue with MBIE in 2022 who have asked health officials to explore the issue further.
- Manatū Hauora officials, with support from the Working Group, have explored the limitations of the current age cap, the option of an exemption, and what an exemption may look like if applied.
- Given the critical shortages facing all workforces, enabling recruitment of those over 55 years would help cover short-term workforce gaps, in addition to bringing in health professionals who can offer strong clinical leadership and experience for the longer-term.
- Manatū Hauora have recommended the following to MBIE:

- An exemption to the immigration cap be granted to health professions that will be on the green list straight to residence pathway following the changes in early 2023.
- A review period be built into the exemption to monitor the number of people accessing the pathway and ensure alignment to the objectives of the Health Workforce Strategy.
- To mitigate the risk of having too many people access this pathway, health officials recommended that a cap be applied to the number of health workers over 55 years who can gain residency.

### **Key challenges with immigration and registration settings**

- Immigration and registration settings can act as an attraction mechanism and support New Zealand's efforts to grow our health workforce. However, as health workforce pressures grow, the timeliness and accessibility of these pathways have recently been under scrutiny as employers struggle to recruit staff.
- Key challenges across immigration and registration settings include:
  - Significant data gaps particularly for the non-regulated workforce and those working in the private sector. This makes it difficult to build an understanding of workforce mobility patterns and limits our ability to effectively monitor the responsiveness of workforce settings and undertake workforce planning.
  - The immigration system's focus on higher paid higher skilled migrant workers does not align to our health service delivery models that are dependent on having a team of health workers with different lengths of training and pay rates.
  - The way immigration policy is operationalised has resulted in complicated visa and residency pathways that can be difficult for employers and employees to navigate.
  - Similarly, the way current registration processes are operationalised and a lack of education programmes to bridge skills gaps, result in lengthier pathways to registration for health workers from countries with non-comparable health systems.
  - Ensuring the cultural competency of international health workforce whilst not posing unnecessary barriers to practicing in New Zealand. This is a difficult balance to achieve.

## **Aligning immigration settings with health system needs**

- Health officials have worked closely with MBIE on the changes to our immigration settings (specifically the Green List) to ensure the health workers we need have more attractive and streamlined pathways to live and work in New Zealand.
- Manatū Hauora has also begun a review of the HPCA Act to understand how our regulatory settings need to change to better support growing the health workforce and achieving pae ora.
- Te Whatu Ora has established the Health Immigration Service to improve their ability to reach and recruit international health workers by providing immigration, relocation and settlement support, addressing some of the issues regarding work visa applications. In 2023, there are plans to extend this support to other health sector employers.
- Ensuring our immigration settings enable the recruitment of international health workers is only a short-term measure. Through the development of the Health Workforce Strategic Framework and longer-term Health Workforce Strategy, Manatū Hauora is focusing on growing and developing our domestic workforce, moving towards more equitable representation and reducing our reliance on the international health workforce.
- This includes exploring how to build a stronger workforce evidence-base and considering how the health workforce system can better support the delivery of pae ora.
- This includes exploring how the range of actors, functions, and key settings such as immigration and registration settings, can better align to health system needs.



Maree Roberts

Deputy Director-General

**Strategy, Policy and Legislation**

## **Appendix One: health professions currently on the Green List**

### **Fast Track 'Straight to Residence'**

All medical practitioners including resident medical officers

Midwife

Registered nurses

Anaesthetist

Psychiatrist

Clinical psychologists

Psychologists

Education psychologist

Organisational psychologist

Psychotherapist

Medical laboratory scientist

Physicist (medical)

Orthoptist

### **Work to Residence**

Anaesthetic technician

Medical laboratory technician

Medical imaging technologist

Medical radiation therapist

Occupational therapist

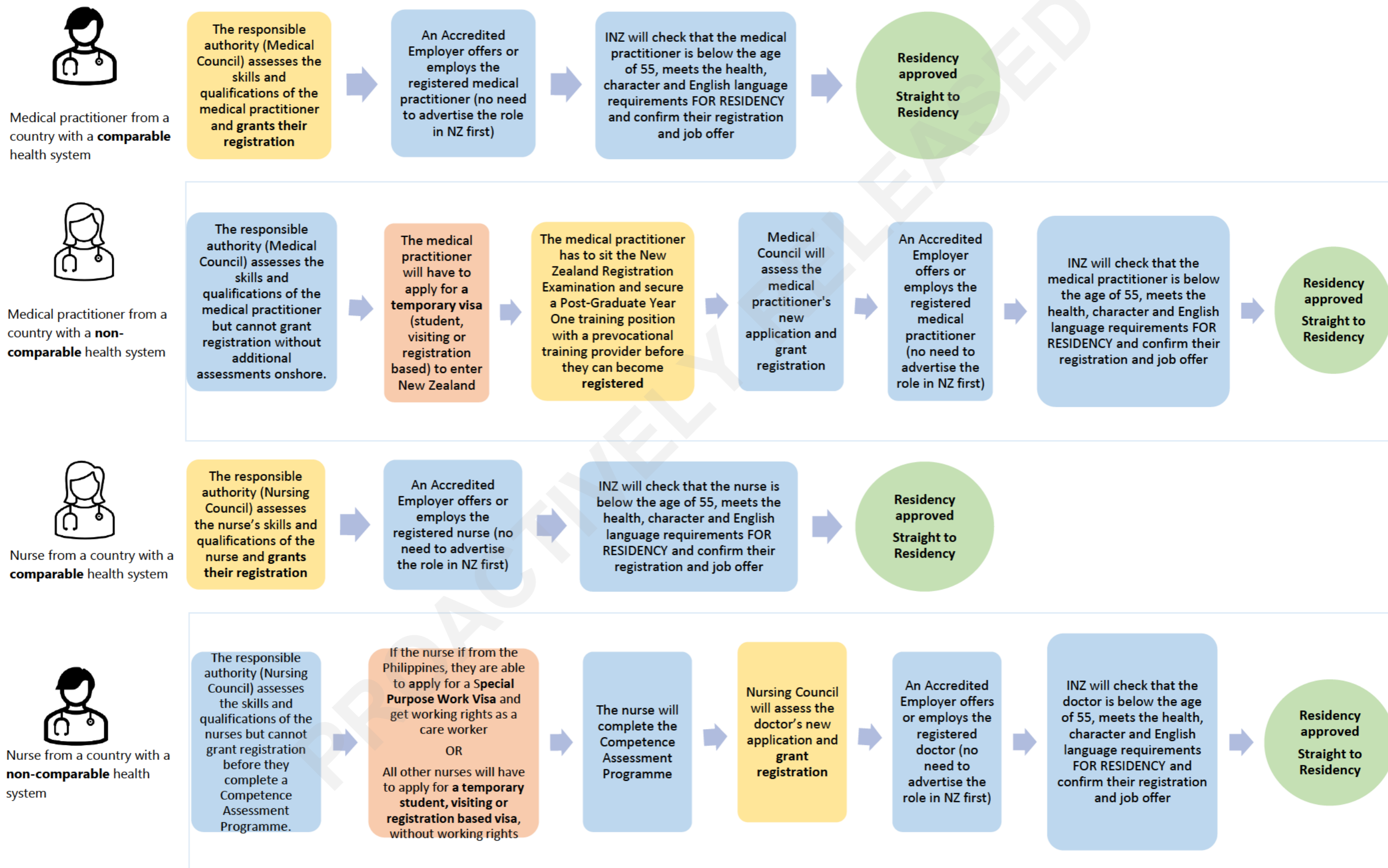
Sonographer

Podiatrist

Audiologist

PROACTIVELY RELEASED

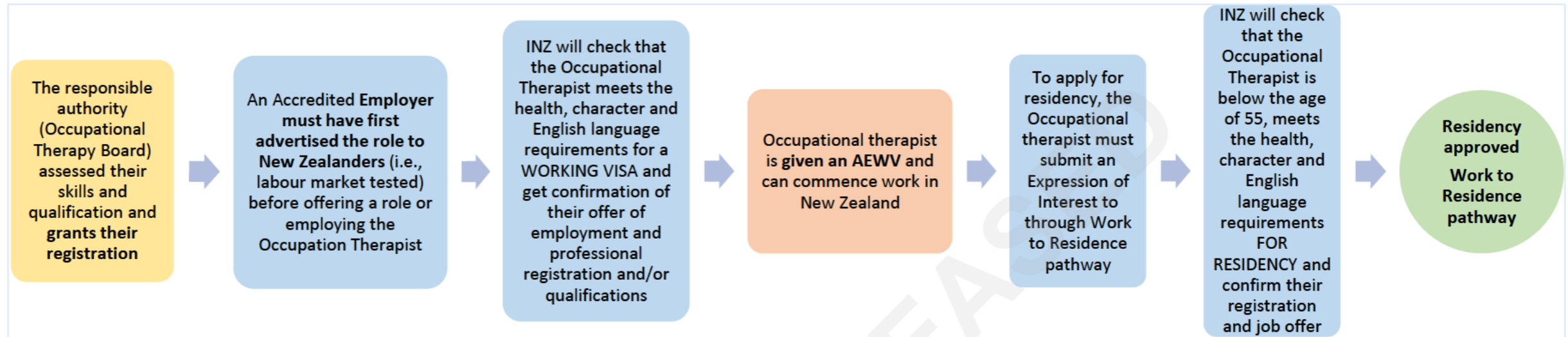
## Appendix Two: examples of pathways available to migrant workers to enter the health workforce



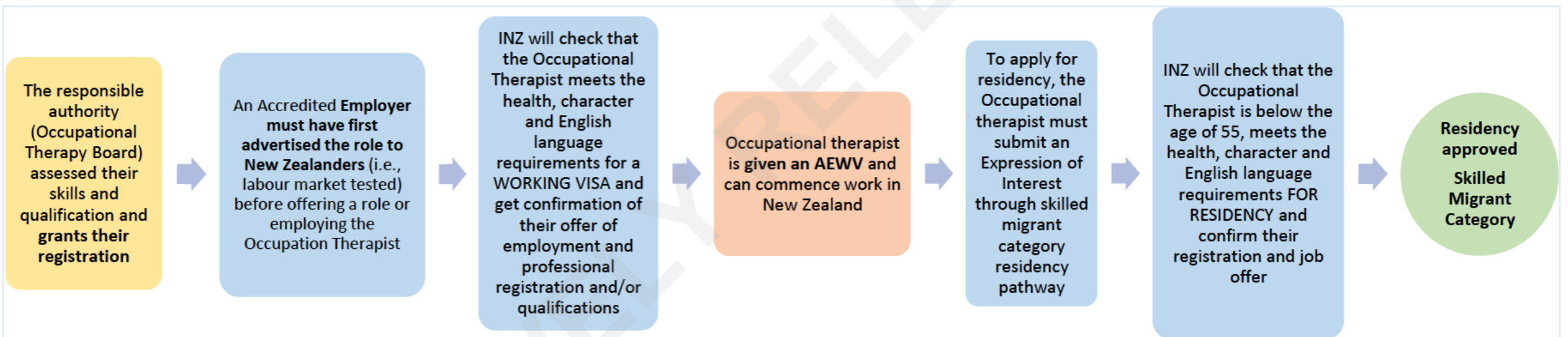




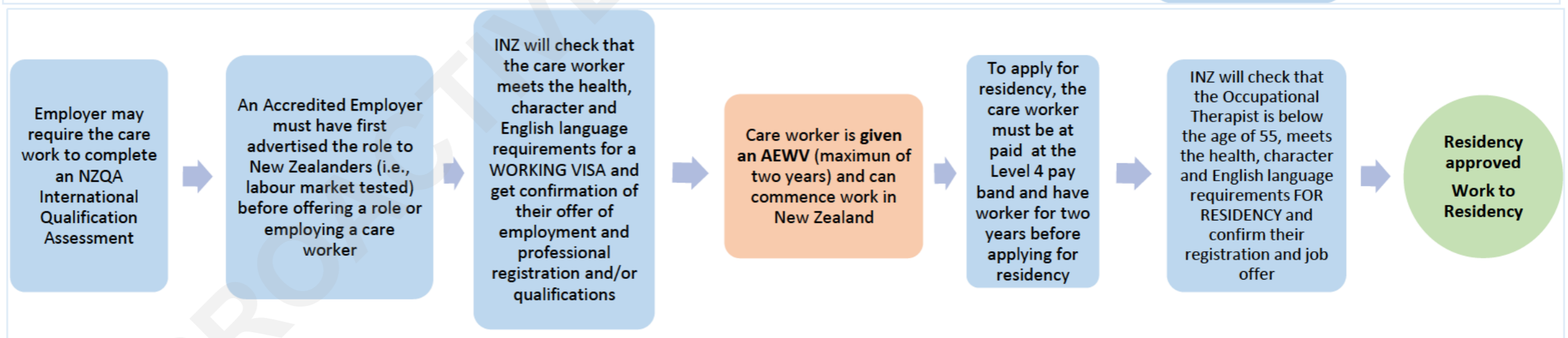
Audiologist and other professions on the Green List work to residency pathway or health professions who earn twice the median wage



Occupational therapists (and other profession paid at or above median wage not on the green list)



Health professions on the Care Sector Agreement (exempt from median wage threshold)



Health professions paid below median wage (dental assistants, other allied health support roles)

