

# Key COVID-19 legal developments in the health sector: Summary of Information and Advice from regulators of healthcare professionals in respect of COVID-19

*Published 3 April 2020*

## **GMC - Coronavirus (COVID-19) - information and advice**

*Published 9 March 2020, updated 27 March 2020*

Below is a summary of the key points covered in the GMC's advice to its registrants and the public during the Covid-19 pandemic:

### Emergency powers and temporary registration

Emergency temporary registration of medical practitioners is taking place under s18a of the Medical Act 1983. Nearly 12,000 fully qualified and experienced doctors who left the register or gave up their licence within the last three years have been temporarily registered.

### GMC guidance for doctors during the crisis

Doctors should continue to adhere GMC Guidance (Good Medical Practice etc.), although it is accepted some doctors are likely to need to depart from established procedures to care for patients. The GMC expects doctors will behave responsibly, reasonably and that they will be able to explain their decisions and actions if they're called on to do so. The GMC emphasises it understands that this is a challenging time and that it will continue to provide information and advice for doctors as the situation develops.

### Doctors working outside their normal field of practice

The GMC has issued guidance to doctors who, at every level, may be required to work at the limits of their comfort zone and in some cases beyond. That guidance can be found [here](#).

### Availability of Personal protective equipment

If suitable PPE equipment isn't immediately available doctors should consider whether treatment can be delayed, or provided differently (e.g. remotely); whether additional steps can be taken to minimise the risk of transmission; whether any doctors are at a higher risk from infection than other colleagues; and what course of action is likely to result in the least harm in the circumstances.

### Complaints and Fitness to Practise investigations which occur from incidents arising during the pandemic

In considering any complaint made about a doctor working during a pandemic, the GMC will take into account the resources available to the doctor, the problems of working in unfamiliar areas of practice and the stress and tiredness that may affect judgment or behaviour. The primary requirement for all doctors is to respond responsibly and reasonably to the circumstances they face.

### Revalidation

Doctors due to revalidate before the end of September 2020 will have their date deferred by one year.

Read the full guidance [here](#)

## **NMC - "How we are Continuing to Regulate" - Coronavirus (Covid-19): Information and advice**

Updated 1 April 2020

The NMC's guidance to registrants and the public during the Covid-19 pandemic covers the following key points:

### Regulation, Registration and Revalidation

The NMC has identified it will only continue to deliver essential fitness to practise services during the pandemic. All substantive Fitness to Practise hearings have been postponed until the end of June 2020 and no new ones will be scheduled until further notice. The NMC is continuing to process UK applications to join and re-join the register. Registration appeals have been postponed. Forthcoming revalidation deadlines have been extended by 3 months.

### Temporary registration

The Government's emergency legislation allows the NMC to temporarily register fit, proper and suitably experienced people who left the register within the last three years, with no fitness to practise concerns. The NMC emailed some 50,000 nurses and midwives on Friday 20 March 2020 inviting them to join the Covid-19 temporary register. Previous post-registration qualifications will not stand for individuals on the temporary register, including any previous prescribing qualification registrants may have held. The Registrar has the power to remove Registrants from the temporary register immediately in the event fitness to practise concerns are raised. Such concerns would not be dealt with by way of usual Fitness to Practise proceedings.

### Advice for registered nurses and midwives practicing during the pandemic

Registrants are advised to work in-line with the Code and within the limits of their competence; act in the best interests of people at all times; promote recommended practice and guidance in relation to controlling and preventing infection; and take account of their own safety, the safety of others and the availability of other options for providing care.

Read the full guidance [here](#).

## HCPC - COVID-19 - Temporary Register

Published 27 March 2020

### Temporary Registration

Article 9A of the Health Professions Order 2001, set out in section 2 and Schedule 1 of the Coronavirus Act 2019-21, provides the HCPC Registrar with the power to temporarily register fit, proper and suitably experienced persons with regard to the COVID-19 emergency. As of 27 March 2019, a further 20,932 healthcare professionals temporarily registered with the HCPC are now eligible to support the NHS.

### Working in unfamiliar areas of practice and remote consultations/prescribing

As with the GMC and NMC, HCPC Registrants are expected to operate within the limits of their skills, knowledge and experience and minimise risks to service users. The HCPC has issued guidance on remote consultations and prescribing which can be found [here](#).

A link to the HCPC's COVID-19 Advice Hub can be found [here](#).

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