



Monday November 7, 2022

## HRPA PROFESSIONAL REGULATION SECTOR WATCH

Below is the November 2022 issue of the monthly *Professional Regulation Sector Watch*, capturing regulatory news hand-searched by the HRPA's Policy Development Team.

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### Ontario

#### **Ontario College of Social Workers and Social Service Workers: Inclusive communications assessment, journey towards good governance & key takeaways from member communications survey**

<https://www.ocswssw.org/2022/10/25/call-for-expressions-of-interest-inclusive-communications-assessment/>

<https://www.ocswssw.org/2022/10/20/the-journey-towards-good-governance/>

<https://www.ocswssw.org/2022/10/19/key-takeaways-from-the-2022-member-communications-survey/>

- The Ontario College of Social Workers and Social Service Workers (the College) is working in collaboration with AndHumanity, an inclusive marketing agency, to assess its overall marketing and communication initiatives and identify opportunities to be more inclusive of service users. If you are interested in participating, please complete the screening questions at the following link: [Call-out to the public form](#)
- Last year, College Council agreed to re-examine and improve its current governance practices through governance training and a review of its governance processes. The College engaged with governance consultants Harry Cayton and Deanna Williams – both widely respected in the international regulatory community – to conduct the review and assess the College's performance against the [Standards of Good Governance](#). One of the recommendations from this review, which the College Council has agreed to implement is **using the word "registrant" – rather than "member"** – to make clear its role as a regulator rather than an association. As we all know, language is important; this decision will impact how we communicate with you, our *registrants*, moving forward.

- In July, the Ontario College of Social Workers and Social Service Workers sent out its 2022 Member Communications Survey to members. Results include:
  - **75% of members** agreed that the College is effective in communicating its public protection mandate.
  - **74% of members** agreed that their employers understood and appreciate the value of their College registration
  - **67% per cent** also agreed that their employers require candidates for positions at their organization to be registered with the College, compared to 63% in 2018
  - **69% of members** agreed that the College is doing an effective job in communicating its commitment in relation to this strategic priority, although only 60% agreed that the College is making progress to enhance equity and inclusion across its organizational processes, resources and materials.
  - **64% of College members** said that they access the College website and online resources when they have a challenging practice-related issue or inquiry, with the College's Practice Guidelines, ETHICS-A Tool and Practice Notes regarded as valuable by most members.

### **College of Midwives of Ontario: Competency-based assessment program & registrar's new investigation decision making tool**

<https://www.cmo.on.ca/request-for-proposals-competency-based-assessment-program/>  
<https://www.cmo.on.ca/wp-content/uploads/2022/10/2022-10-03-decision-tree-final.pdf>

- The College of Midwives of Ontario has issued a request for proposals (RFP) for the development of a new competency-based assessment program to evaluate the knowledge, skills, and judgment of registered midwives who are not able to demonstrate ongoing clinical currency and for nonpractising or former midwives returning to practise.
- The College has published a new "Registrar's Investigation Decision Making Tool" – This decision-making tool assists the Registrar to determine an appropriate outcome relative to risk to the public. The tool demonstrates a consistent, and transparent formula that guides the Registrar's decision-making (but remains discretionary) when it considers information and decides on whether a regulatory outcome or further actions are required in the public interest.

### **College of Occupational Therapists of Ontario: October Board meeting highlights**

<https://www.coto.org/news/news-details/2022/10/25/october-22-2022-board-meeting-highlights>

At its October Board meeting, the Board approved:

- The motion to move forward with next steps for governance reform. This decision follows an all-day Board education session held on October 19, 2022. The session focused on how best to serve and protect the public interest through effective governance practices and included presentations from Deanna Williams of Dundee Consulting Group Ltd., and Chantal Bélisle, Interim Registrar and Chief Executive Officer, Ontario College of Teachers. Watch for updates in the coming months.
- The draft Equity Impact Assessment tool, which will assist the College in integrating equity considerations into new initiatives and more detailed planning.
- An update to the College logo that will be implemented in the coming months. In the interest of the public, the revision aims to clarify the regulatory role of the College.

### **College of Dietitians of Ontario: Improving member communication**

<https://www.collegeofdietitians.org/news/2022/communication-survey.aspx>

The College of Dietitians of Ontario is looking for ways to improve its communication with members. They want to make sure members receive meaningful and timely information that is accessible and easy to understand and sent out a survey to assist with this.

### **College of Massage Therapists of Ontario: Member charged in connection to contacting a minor to commit a sexual offence in California**

<https://www.cmtto.com/chad-drown-charged-in-connection-to-contacting-a-minor-to-commit-a-sexual-offence-in-california/>

The College of Massage Therapists of Ontario confirms that it is investigating Chad Drown, who, on October 9, 2022, in Kern County, California, was charged with several felony offences related to contacting a minor to commit a sexual offence.

### **Ontario College of Pharmacists: Pharmacy professionals asked to share feedback on decorative certificates of registration**

<https://www.ocpinfo.com/pharmacy-professionals-share-your-feedback-on-decorative-certificates-of-registration/>

The College produces and distributes 8"x11" Certificates of Registration for those who are registered with the College. In response to a recent inquiry about larger-format, stylized/decorative Certificates of Registration, the College has issued a survey for feedback.

### **Toronto Life Article: Contract Killers**

<https://torontolife.com/real-estate/the-inside-story-of-a-real-estate-nightmare/>

In 2018, a family-run developer started selling pre-construction townhouses for \$400,000. Three years later, they gave buyers a shocking ultimatum: pay \$100,000 more or lose your home. Developers have defended these clauses by pointing out rules set by Tarion, the Ontario government's consumer protection organization.

Rather than overhauling Tarion, the Ford government created a new watchdog that effectively protects consumers from its consumer protection agency. The Home Construction Regulatory Authority, formed in February 2021 and largely funded by Tarion, has a \$9-million annual budget. Three developers sit on its board of directors. In theory, the HCRA has the power to levy fines of \$100,000 against developers who breach contracts. But, because the early termination conditions remain unchanged, the HCRA has no grounds to discipline developers like Pace. Neither it nor Tarion has the power to order builders to pay damages to buyers.

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## National:

### British Columbia

#### **Government of British Columbia: Patients the focus of new health legislation**

<https://news.gov.bc.ca/releases/2022HLTH0202-001566>

The BC Government plans to introduce the *Health Professions and Occupations Act* in place of the *Health Professions Act*. The act, which if passed, enables the creation of a new oversight body, an independent discipline tribunal and a reformed complaints process that increases accountability and transparency, protects people in vulnerable circumstances, and creates a commitment to cultural safety and humility, and a new way to regulate lower-risk health occupations.

The legislation will simplify and streamline the process for regulating new professions. Government will begin regulating counsellors and then diagnostic and therapeutic professionals, and will continue finalizing the amalgamation of colleges from 15 to six. One amalgamation will combine the colleges for dietitians, occupational therapists, opticians, optometrists, physical therapists, psychologists, and speech and hearing professionals into one regulator. The other amalgamation will combine the colleges for chiropractors, massage therapists, naturopathic physicians, traditional Chinese medicine and acupuncturists. Currently, there are 15 health colleges under the act providing a regulatory framework for 25 health professions.

#### **Architectural Institute of British Columbia (AIBC): Transitioning from the Architects Act to the Professional Governance Act**

<https://aibc.ca/2022/10/professional-governance-act-october-2022-update/>

The AIBC continues to prepare for the transition to the *Professional Governance Act* (PGA). One of the activities the AIBC has been focusing on is updating the Code of Ethics and Professional Conduct (“Code of Ethics”). Under the PGA, the AIBC’s bylaws must include an updated Code of Ethics that contains 12 specific ethical principles established by the legislation. While the AIBC’s current Code of Ethics already contains most of these principles such as avoiding conflicts of interest and maintaining competencies, there are some new requirements or variations on existing standards. Some PGA-specific requirements of note include:

- Registrants must clearly identify each registrant who has contributed to professional work, including recommendations, reports, statements, or opinions;
- Registrants must present clearly to clients and employers the possible consequences if professional decisions and judgements are overruled or disregarded; and
- Registrants who provide professional opinions must distinguish between facts, assumptions, and opinions.

### **B.C. Association of School Psychologists: Regulating School Psychologists under the HPA**

<https://bcasp.ca/wp-content/uploads/2022/10/BCASP-CPBC-communicue-on-regulation-change-FINAL-Oct-18th.pdf>

The Minister of Health has approved changes to the Psychologists Regulation under the *Health Professions Act* (HPA) which bring school psychologists under the regulation of the College of Psychologists of BC (CPBC). The changes remove the exemption for non-registrant use of the title “school psychologist” and require all school psychologists to be registrants of CPBC after May 1, 2024. The changes also establish the restricted activities of psychology diagnosis and school psychology diagnosis for registered psychologists and school psychologists respectively. Only registrants of the College of Psychologists of British Columbia may make a psychology diagnosis or a school psychology diagnosis after May 1, 2024.

### **The College of Optometrists of British Columbia: Introducing a new aspect of Quality Assurance: The Professional Enhancement Program**

<https://optometrybc.com/for-the-public/about-optometrists/>

The College’s core mandate is to ensure public safety. To further enable registrants to provide the highest standard of service to the public, the College is introducing a new aspect of quality assurance – the Professional Enhancement Program (PEP).

The PEP is different from traditional quality assurance programming – it does not focus on counting education units, technical skills alone, and the College over-seeing what registrants are doing in relation to their professional development. The intent of the PEP is to:

- Place the responsibility of managing career and professional development firmly in the registrant’s own hands.
- Recognize that each registrant has their own, unique career path.
- Engage registrants in meaningful professional development activities that are directly linked to workplace performance.
- Bring attention to the important “soft” (non-technical) skills.
- Enable registrants to engage in career-long reflective practice.
- For more details, see <https://optometrybc.com/for-the-public/about-optometrists/>

## Alberta

### **College of Registered Nurses of Alberta: Expanding and Modernizing Processes for Internationally Educated Nurses**

<https://www.nurses.ab.ca/news/expanding-and-modernizing-processes-for-internationally-educated-nurses/>

The College of Registered Nurses of Alberta (CRNA) has made strategic changes to the application processes for internationally educated nurses (IENs) to increase its contribution to Alberta's health-care system. The priority is registering applicants who meet the updated criteria for safe nursing practice as quickly as possible.

We are updating our policies with the goal of streamlining requirements:

- Updating the practice hour requirements using hours gained through education, competency assessments, and clinical practice hours (within the last three years), focusing on recent hours versus the last five years.
  - Facilitating ways in which IEN applicants can meet their evidence of practice hours by working with employers to complete a supervised practice experience.
  - Expediting the assessment processes.
  - Changing the English language competency (ELC) requirements by adding different ways to demonstrate English proficiency.
  - Providing applicants provisional (temporary) permits so they can work while they prepare to write the nursing entrance exam.
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