

The College of Occupational Therapists
of British Columbia

FOURTH ANNUAL GENERAL MEETING

Registrants and members of the public are warmly invited to join the college board and staff at the college's annual general meeting.

WHERE

Vancouver Airport Marriott Hotel
7571 Westminster Hwy
(across from Richmond Centre)
Richmond, B.C.

WHEN

Saturday, November 6, 2004
11:20 a.m. – 12:30 p.m.

INFORMATION

Tel 250-386-6822 or
Toll free in B.C. 866-386-6822
Email info@cotbc.org

Visit our web site at www.cotbc.org to download the AGM registration form which includes registration for *Drawing the Line — Professional Boundaries in OT Practice* (see page 5 for more information).



FEATURE ARTICLE

The Inquiry Committee
and the Complaints Process
— begins on page four.

Code of Ethics Review Project Underway

The board of directors approved a project to review and revise the college's code of ethics and this project is now underway.

When the college formed and was developing its bylaws in 1999, the Canadian Association of Occupational Therapists Code of Ethics was adopted as the college's guide for the ethical conduct of its registrants. Developed originally from a professional association perspective, it was time to evaluate the present code of ethics, update it if necessary and ensure it remains relevant for the college, its registrants and the public.

The project structure established under the lead of the Quality Assurance Committee includes a steering panel and an advisory group. The steering panel is charged with the development and implementation of the project plan and is responsible for overall direction to ensure successful completion of the project. The advisory group ensures, through a broad consultation group, that the necessary expertise and experience relating to professional ethics is brought to the review process.

The steering panel had its first meeting to map out the project plan on September 25, 2004. The steering panel includes the five members from the Quality Assurance Committee and one member from the Client Relations Committee along with the registrar and an external ethics advisor. The co-chairs of the steering panel, Judi Moscovitch and Cathy Busby, also sit on the advisory group.

The project plan includes an environmental scan for current practices and issues surrounding professional codes of ethics. Consultation with the advisory group will assist in identifying how the code can be improved as both a guide for registrants and to inform the public of the expectations for conduct of registrants.

Watch for further information on our web site, in the next issue or contact the college registrar.

Election to College Board

Please take time to review your election package. The names and biographies of all nominees are also available on the web site.

All ballots must be completed as specified and returned by November 24, 2004. Results will be announced on December 1.

Message from the Chair

Angenita Gerbracht



September seems to be a time when the leisurely pace of summer is a fleeting memory as we scramble to organize ourselves for the fall and winter months.

Like many of you, I have school-aged children who have returned to school and are busy renewing old friendships and forging new ones. Meanwhile, I am still trying to figure out where the time has gone.

The college has also quickened its pace with the passing of the summer. The board recently completed a review of the college's mission and values statements, which you will find in this newsletter. I feel that they are strong statements that speak to the heart of what we do and they are something to be proud of. Another important outcome of these statements is the culture that is created, which allows for supportive and caring relationships to be nurtured within the college. The development of these relationships is key in order for the college to be able to manage its business and respond to change in a creative, proactive and innovative way. As Heroclitus, a Greek philosopher, once wrote, "Change alone is unchanging."

A mission statement is, after all, only words on a piece of paper. It is the volunteers and staff and the work they do that allows the college to fulfill its mission. Presently, volunteers are working to bring together the necessary pieces to hold our AGM on November 6, 2004. The AGM is a time to reflect on the work that has been done over the past year by the college volunteers and staff. It is also a time for us to renew old relationships and foster new ones among our peers. Volunteers on the Client Relations Committee have planned an excellent interactive workshop for the AGM, *Drawing the Line — Professional Boundaries in OT Practice*, the

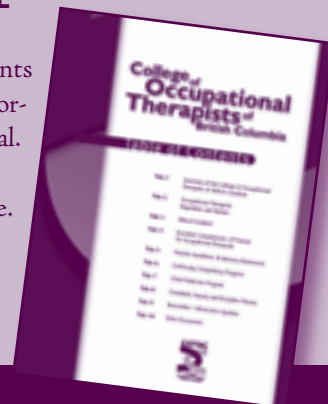
details of which are on page five. The Quality Assurance Committee volunteers have embarked on a major initiative to review the code of ethics. These are only a few of the ways in which college volunteers and staff fulfill the college's mandate.

One may wonder from where these volunteers come. In fact, most of them come from our own registrants — people like you. Along with this newsletter, you have received your ballots for three positions on our elected board. I encourage you to consider running for a board position. If you feel you are ready to take on an exciting challenge, then be sure to get your nominations in; and if now is not quite the time, consider putting your name forward for committee work. And, most importantly — be sure to vote!

I look forward to seeing many of you at the upcoming AGM in Vancouver. Mark November 6 on your calendar. In the meantime, "play and laugh with enthusiasm and sing with exaltation" (Ralph Waldo Emerson).

ENCLOSED WITH THIS ISSUE

- An updated table of contents tab for your Registrant Information & Resources Manual.
- The board election package.



Message from the Registrar

Kathy Corbett



REFLECTING ON PROFESSIONALISM

My recent participation in two activities with UBC occupational therapy students provided me with opportunities to reflect on the notion of professionalism.

On September 2, 2004 the session titled, "Socialization to the Profession" provided a forum for the fourth year and the incoming new professional master's students to hear about the profession from the perspective of CAOT, BCOT and COTBC. Students heard about how the profession is positioned in the larger health care arena both federally and provincially; learned about the professional associations' professional development and research initiatives to support occupational therapists in lifelong learning; and were introduced to the role of the college and their future obligations as regulated professionals.

In the first of three sessions in the UBC "Social and Professional Issues" course, I participated as a guest lecturer. Fourth year students considered topics such as: What is a profession? What are ethics and the ethical issues influencing occupational therapy practice? What are the differences between those organizations acting in the public interest and those acting in the profession's interest? And, what are the issues related to career planning, lifelong learning and documenting one's competency in a professional portfolio?

It was certainly satisfying to hear the student dialogue on topics such as autonomy, informed consent and taking responsibility for practice decisions. I observed students apply an ethical framework for working through a practice dilemma. I learned that, during a fieldwork placement, a student used the college's practice guideline

(Assigning Service Components to Unregulated Support Personnel) to facilitate discussion on responsibilities of occupational therapists. Clearly, a foundation for fostering professionalism is being set for their role after graduation.

Professionalism has drawn attention from educators, regulators and associations. Along with the UBC efforts described above, Bosser (1999) looked at curriculum development and proposed ways to foster professionalism in occupational therapy students through mentoring and reflection using professional portfolios. The Royal College of Physicians and Surgeons of Canada (2003) dedicated an annual conference to exploring current thinking on professionalism in a changing health system. Ethical behaviour, communication, maintenance of competence, and responsibility and accountability were four attributes considered hallmarks of professionalism (pg. 17). Role modelling was also identified as important to the development of professional values and behaviours. (pg.20).

This brings me to the college's regulatory perspective. If professionalism embraces accountability to self and to others, then it includes accountability of the registrant for his/her own competency, to serve the best interest of clients and to uphold the integrity of the profession itself. In fact, self-regulation is grounded in being accountable — namely accountability to the public interest.

CONTINUED ON PAGE 7

2

OUR MISSION

The mission of the College of Occupational Therapists of British Columbia is to protect the public by regulating, advocating and advancing safe, ethical and quality occupational therapy practice in British Columbia.

WE VALUE ACCOUNTABILITY

Considers board members, registrants and college staff to be accountable for their actions and decisions.

Expects registrants to be responsible professionals who are committed to lifelong learning and ethical behaviour within their practice as occupational therapists.

INTEGRITY

Considers trust, honesty, fairness, ethical conduct, openness and transparency to be inherent aspects of integrity.

DIGNITY

Recognizes respect and diversity as two integral components of dignity.

QUALITY SERVICE

Aims for excellence in service in terms of efficiency, responsiveness and accessibility.

ORGANIZATIONAL VIABILITY

Committed to growth, being innovative, being proactive and building relationships.



3

STATS ON COMPLAINTS

total number of complaints since July 1, 2000	21
complaints withdrawn by complainant	1
decisions to take no further action	9
decisions where registrant requested to take action	3
complaints regarding alleged misuse of the title occupational therapist	1
decisions requiring a citation, and case referred to Discipline Committee	0
complaints where college did not have jurisdiction to investigate*	3
complaints in progress/investigations in progress	4

* Complaints where the concern related to an event occurring prior to July 1, 2000 when mandatory registration came into legal force (2) or where the person was not an occupational therapist and the matter was referred to the appropriate regulatory body.

The Inquiry Committee and the Complaints Process

One of the ways in which the college fulfills its legal obligation to protect the public is to have processes in place to deal with complaints about the practice or conduct of a registrant (or former registrant).

Many registrants likely give little thought to the complaints process until it affects them. Others may regard the process with apprehension or may have an incomplete or inaccurate understanding of the role and functions that make up the college inquiry and discipline process.

This is the first of a two-part article that will focus on the complaints process and shed some light on this aspect of the college's operations. In part two, we will focus on sharing with registrants (in general, non-identifiable information), the nature of the complaints (types, settings, etc.), and the decisions of the committee. Sharing this information is another way the college can enhance competence by encouraging registrants to reflect on their own practice in relation to concerns raised by the public.

WHEN A CONCERN IS RAISED

The *Health Professions Act (Act)* outlines the committee's responsibilities, from how a complaint is received to the types of decisions available to the committee to resolve a complaint. The *Act*, for example, dictates

that the Inquiry Committee "must investigate the matter raised by the complaint." In other words, the Inquiry Committee must consider every concern or complaint and is required to conduct an investigation.

Complaints must be submitted in writing to the registrar. Initially, there is an exchange of correspondence between the college, the registrant and the complainant. The full complaint is shared with the registrant and they are asked to provide a written response to the concerns. The registrant's response is shared with the complainant and then the file is forwarded to the Inquiry Committee.

The registrar also makes a personal phone call to notify the registrant of the complaint and to provide an overview of the complaint process and the role of the registrar, as well as to respond to any immediate questions. We appreciate that it is a stressful time for most registrants and the personal contact can reassure the registrant about the process, confidentiality and expected milestones in moving through the complaint process.

The Inquiry Committee is composed of five members: three occupational therapists

(registrants), one elected board member and one public board member. Unless a member declares a conflict of interest, the whole committee considers the complaint.

Following a review of the file, the committee determines if they need additional information. On many occasions further information is required and an inspector is appointed by the committee to collect additional information to assist them in making their decision. Investigations may involve interviews, review of relevant registrant files or seeking an expert to comment on particular aspects of the file. Privacy of the individual is respected and the information gathered is only that which is necessary. The inspector submits a report to the committee following the investigation.

Investigations must be conducted in a procedurally fair manner. This means both the complainant and respondent must be given a full and fair opportunity to put forward any information they feel is relevant to the complaint and to make submissions with respect to any other information (including inspector reports) put forward to the Inquiry Committee for consideration.

WHO KNOWS ABOUT THE COMPLAINT?

The complaint process is confidential. Only the registrar and the members of the Inquiry Committee know the names of the parties involved and the details about the complaint. Committee members or inspectors working on behalf of the college must sign confidentiality agreements.

The decisions of the committee are also confidential unless the matter is referred to the Discipline Committee or there is a consent agreement (undertaking) where a registrant agrees to the provisions of the undertaking. Whether a decision is made to take no further action or require some remedial action, the decision is not disclosed on the register. Public disclosure occurs only when a complaint is referred to the Discipline Committee for a hearing. To date, no matters have been referred to discipline.

IMPROVING THE COMPLAINTS PROCESS

The college is continuing to make improvements to the inquiry and investigations process. The committee has committed to exploring mediation or alternate dispute resolution and how it might be built into our inquiry process to resolve complaint matters.

Increased use of inspectors in the investigation of complaints underscored the need for the college to establish a roster of inspectors, who are occupational therapists, to conduct investigations. Developing an inspector position profile and training program for college inspectors is also underway. In the meantime, appointed inspectors are offered an orientation session with the registrar and college legal counsel.

PART TWO: LEARNING FROM COMPLAINTS

In part two, we will give you more information on the types of complaints (keeping all persons' identities confidential) and how they were dealt with by the Inquiry Committee.

INQUIRY COMMITTEE MEMBERS

REGISTRANTS

Caroline Ehmann, *Chair*
Nicole Penner, *Vice-chair*
Lindsey Townsend, Sandra Bressler

PUBLIC MEMBER

Nancy Sheehan

EX OFFICIO

Kathy Corbett, *Registrar*

LEGAL COUNSEL SUPPORT

Angela Westmacott, Lovett & Westmacott

DRAWING THE LINE — PROFESSIONAL BOUNDARIES IN OT PRACTICE

Saturday, November 6, 9–11 a.m.

What are professional boundaries? What constitutes a boundary violation? Who is responsible? How do we protect the public? How do we protect ourselves?

Professional boundaries are relevant to occupational therapists across all practice areas. The Client Relations Committee will open this year's AGM with a two-hour interactive educational seminar. Our committee will share our work to date including our draft philosophy and the professional boundaries approach we are proposing for the prevention of misconduct of a sexual nature.

Seminar participants will have, through small group work, the opportunity to discuss ethically challenging situations which could lead to misconduct of a sexual nature between a therapist and a client. Relevant scenarios will be solicited from seminar participants for inclusion in the committee's final guidelines for prevention of misconduct of a sexual nature. The *Health Professions Act* requires colleges to establish these guidelines.

Register using the AGM registration form found on the college web site or contact us.

Become Involved in the College

6

PROFESSIONAL BOUNDARIES — REQUEST FOR INPUT

A survey to solicit input from registrants on professional boundaries was sent to all registrants with the annual report. It's not too late to participate! The Client Relations Committee is asking registrants to provide input to help ensure the guidelines relate to everyday practice and include relevant scenarios. Information will also assist in the interactive workshop on November 6, 2004. Go to the web site to download the survey or complete it online.

RESULTS OF REGISTRANT FEEDBACK ON PRACTICE GUIDELINE

Results from the college's recent survey on Assigning of Service Components to Unregulated Support Personnel will be available later this fall. The Standards Committee is currently analyzing the results and will use the responses to refine the practice guideline and, potentially, to develop other supports for the effective use of the guideline in practice. Many thanks to all who responded to our survey. The response rate was 10%.

NEW NOMINATIONS PANEL ENCOURAGES PARTICIPATION

A nominations panel of the board was established to facilitate our continued success in sustaining a vibrant and capable roster of volunteers for committees and the board. The panel is made up of three board members who are working to ensure registrants are knowledgeable about opportunities and that supports are in place to encourage participation. It is important to the college that registrants see value in their participation and feel their work is recognized.

The nominations panel is currently recruiting members for pending vacancies for a number of committees. Contact the college if you want more information. If you are a registrant interested in applying for a future committee position, please complete the committee-expression-of-interest form, which can be downloaded from the COTBC web site. Make sure to indicate your area of interest.

Update on ACOTRO — Our National Connection

Kathy Corbett

FOCUS ON HUMAN RESOURCE PLANNING

ACOTRO's two-day meeting, held this past June in Charlottetown, confirmed our strategic focus for the next year. Association members will continue to participate in national efforts designed to develop a labour-force planning and monitoring system for effective human resource planning in Canada. This includes two other important initiatives. One is evaluating our present agreement for enhancing mobility of occupational therapists across provinces; the second is participation in a new Health Canada initiative to address potential barriers and identify supports required for assessment of qualifications of internationally trained occupational therapists who are applying to work in Canada.

The association is also moving forward with a research project to develop a tool to evaluate substantial equivalency using the essential competencies as a framework. ACOTRO will also continue its work with the Canadian Network of National Associations of Regulators. Finally, as the regulatory partner in the occupational therapy profession in Canada, ACOTRO renewed its commitment to the annual leadership forum held each year in conjunction with the CAOT national conference.

COTBC is a member of the Association of Canadian Occupational Therapy Regulatory Organizations (ACOTRO). This association is comprised of a member from each province's regulatory organization responsible for registering/licensing occupational therapists. The aim is to work together and provide national leadership on regulatory matters concerning occupational therapy and the protection of the public. COTBC Registrar Kathy Corbett is the current chair of ACOTRO.

From the Registrar

CONTINUED FROM PAGE 3

7

The college's essential competencies identify occupational therapists as autonomous professionals accountable in all respects for their own practice. In the spirit of fostering one's own professionalism I suggest a reflection on the meaning of being a regulated professional. Think about the following broad statements and your level of knowledge and application of each.

- I can describe the responsibilities of the COTBC and how it governs the profession. (*Hint — mandate, mission, values; board and committees; public member and registrant role in board elections and committees.*)
- I know about the *Health Professions Act* (HPA) and the authority granted to the college and its focus on protecting the public. (*Hint — HPA Section 16: Duty & Objects of a College.*)
- I understand the differences between the college and a professional association and the benefits of both to my professionalism.
- I can name the benefits of being a regulated health professional. (*Hint — title protection; credibility and recognition; public informed about stated standards for practice and conduct.*)
- I have read and understand the college bylaws. (*Hint — registrant management of client records; advertising; limits to use of title "specialist".*)
- I maintain my registration in good standing and understand what it means to the public and the profession.
- I know and can apply the essential competencies.
- I have read the code of ethics and can apply an ethical framework to decision making in day-to-day practice.

Sometimes the busy demands of our day-to-day activities leave little time for intentional reflection. Role modelling for students and novice clinicians will go a long way to reinforcing professionalism and to furthering public confidence that we can exercise our privilege of self-regulation responsibly. Take a few minutes each day to reflect on your own acts of professionalism.

REFERENCES AND FURTHER READING

Bossers, A., et al. (1999). Defining and developing professionalism. *Canadian Journal of Occupational Therapy*, 66, 116 -121.

Cosman, R.W., & Heinz, C.L. (1996). *Professional responsibility of occupational therapists*. Toronto, ON: CAOT Publications ACE.

Daughen, S. (September, 2002). Reflections on the profession of occupational therapy. *OT Line — BC Society of Occupational Therapists Newsletter*, p.1.

Royal College of Physicians and Surgeons of Canada (RCPSC). (2003). *Report to Health Canada — Professionalism Program*. Available online at <http://rcpsc.medical.org>.

Legislation Update

Bill 44 amended the *Health Care (Consent) & Care Facility Act*, the legislation that recognizes an adult's right to give or refuse consent to health care and establishes the legal framework for substitute decision makers when an adult is incapacitated. The amendments clarify how an individual's rights (consent/expressed instructions) are respected in emergency situations.

The health care consent process is also streamlined for families and health care providers to eliminate possible delays in providing care. Registrants should be familiar with this original legislation including the amendments. Visit our web site for information and relevant links.

HOW TO REACH US

Kathy Corbett, Registrar
Jill Langridge, Executive Assistant
Darlene Hay, Receptionist and Office Assistant

TELEPHONE 250-386-6822
TOLL FREE IN B.C. 866-386-6822
FAX 250-383-4144
EMAIL info@cotbc.org
WEB www.cotbc.org

For registration questions: registration@cotbc.org

UPCOMING EVENTS

COTBC ANNUAL GENERAL MEETING

Saturday, November 6, 2004
11:20 a.m.–12:30 p.m.
Richmond, B.C.

BOARD MEETINGS

Friday, November 5, 2004, 1 p.m.–6 p.m.
Richmond, B.C.

Saturday, January 29, 2005, 9 a.m.–5 p.m.
Richmond, B.C.

ADDRESS CHANGES — LET US KNOW!

Keeping all your contact information up to date is a critical component of registration.

It is your responsibility to ensure your contact information is accurate and current. Up-to-date contact information ensures college mailings are received in a timely manner. Also, COTBC is required under the *Health Professions Act* to maintain a public register. Information on the status of your registration is accessible to the public by contacting the college. The *Act* mandates that name, registration status, and address be accessible on the public register.

The college provides members of the public with your business address when requests for information are received. Should you be self-employed, your business address may not be provided if it is the same as your personal address.

To update your registrant file, please provide the information in writing by mail, fax, or a quick email message to registration@cotbc.org.



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RETURN UNDELIVERABLE CANADIAN ADDRESSES TO

COTBC
Suite 219 — 645 Fort Street
Victoria, BC V8W 1G2

