

COTBC UPDATE

The College of Occupational Therapists
of British Columbia

NEW: SECOND EDITION OF ESSENTIAL COMPETENCIES

The COTBC recently published the second edition of its Essential Competencies of Practice, which now includes more performance indicators. The document describes the essential competencies required of an occupational therapist who practices in any province in Canada; it also serves as a platform for the college's practice guidelines and advisory statements and for college programs such as continuing competence, re-entry to practice, and other quality assurance initiatives.

The performance indicators project was an initiative of the Association of Canadian Occupational Therapy Regulatory Organizations (ACOTRO), funded by COTBC in partnership with four other provincial OT regulatory organizations including Alberta (AAROT), Manitoba (AOTM), Ontario (COTO), and Quebec (OEC).

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First Practice Guideline Published

The college recently published its first practice guideline. The guideline covers the practice of assigning occupational therapy service components to unregulated support personnel.

COTBC practice guidelines are published to help occupational therapists meet the college's essential competencies. They are designed to increase registrants' knowledge of their responsibilities; describe expectations for practice; define safe, ethical, competent practice; and guide critical thinking for everyday practice.

Occupational therapists have the responsibility to demonstrate appropriate assignment and monitoring and to document the processes they undertake. The college endorses the appropriate use of support personnel in the delivery of occupational therapy services, as this improves access to service.

To protect the public interest, occupational therapists must demonstrate accountability for the assigning process and ensure the assignment will result in a quality outcome and client safety. To ensure safe, ethical, and effective service delivery, the practice guideline assists occupational therapists with decision making when assigning components of their service.

Watch for the guideline survey, which will be provided to registrants with the registration renewal mailing.

The Standards Committee is responsible for developing practice guidelines and a guideline on "Documentation & Management of Client Records" (a working title) is currently underway.

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Message from the Chair

Angenita Gerbracht

Let me start the COTBC's second newsletter by introducing the new board for 2004. The public members are Nancy Sheehan, Mary O'Callaghan, and Lynda Casey. Elected members are Jan Gauthier, Jill Rihela, and Risa Greenwood. The board's newly elected members are Caroline Ehmann, Jennifer Dickson, and myself. I would like to thank all those registrants that participated in the election, as this is an important part of our college governance process. Personally, I just want to say thank you for electing me for a second term.

The new board will continue to meet the challenges of our changing health care climate. As an organization, the work we do requires vigilance, responsiveness, versatility, and creativeness to integrate governmental policy changes, requests from the public, and questions/feedback from registrants. The more knowledge and experience we gain as an organization, the more clarity we achieve with the work being done. Feedback from the public and registrants is always welcomed.

In the coming months, the board and the Quality Assurance Committee will be initiating a review and revision of the college's *Code of Ethics*. Our code of ethics represents our values, stated as a set of principles that outline the behavioural standards of ethical practice. It tells the public how occupational therapists are expected to act and how we govern our profession. The review will consider how our code of ethics might be improved to ensure it is up to date with current knowledge on professional ethics and clear and practical for the public to understand and for registrants to use in everyday practice. It is an important project that we are all looking forward to getting underway. We will continue to update you as this project unfolds.

Our Strategic Directions document continues to guide our priorities. Our Nominations Panel is now up and running. This will ensure vacancies are filled in a timely manner.

The board has approved and published the second edition of the *Essential Competencies of Practice for Occupational Therapists in Canada*,

which now includes more performance indicators. This document is one of the cornerstones of all our college's activities. It serves as a platform for the development of practice guidelines and advisory statements, as well as college quality assurance programs such as client relations, continuing competency, and re-entry to practice. This revised document, along with the COTBC's first practice guideline, "Assessing of Service Components to Unregulated Support Personnel," is being mailed to registrants with this newsletter. With our renewal mailing, watch for our survey, which will provide registrants with an opportunity to provide feedback on our first practice guideline.

Our website continues to expand with new information. As documents become available for publication they are also posted on the website. Both documents and the survey mentioned above will be available on our website at www.cotbc.org. Feedback on the website has been positive, so if you have not checked it out, please do so and let us know what you think.

Finally, I want to invite registrants to the college's annual general meeting, which is set for November 6, 2004 in Richmond. I hope registrants will come to the meeting to hear more about the college's activities for the 2003–2004 year.

Take a few moments to relax and read the rest of the newsletter. As someone once said, "If you don't pause in your day, good ideas have a hard time catching up to you."

We look forward to hearing from you!

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NEW BOARD MEMBER PROFILE JENNIFER DICKSON

Jennifer Dickson has been practicing as an occupational therapist since the beginning of 2002, following her graduation from UBC. Since beginning her OT career, she has worked in private physical occupational rehabilitation and is currently in community mental health. Jennifer is currently the OT at the White Rock/South Surrey Mental Health Centre.

Known in all aspects of her life as enthusiastic, hard working, and professional, Jennifer has experience on boards of all types,

including ICBC's Youth Advisory Committee (member), STRIDE (Strategies to Reduce Impaired Driving Everywhere, vice-president), and UBC's Rehabilitation Sciences Undergraduate Society (president).

Jennifer was elected to the board for the term February 2004 to January 2006 and also serves as the elected board member on the Continuing Competence Committee.

From the Registrar

Kathy Corbett

REFLECTING ON THE PUBLIC INTEREST

An article recently caught my attention. "Will the Real Public Interest Please Stand Up?" was published in *Grey Areas*, a monthly newsletter that provides commentary on legal issues affecting professional regulation. This article offers practical advice on how an organization can apply the broad motherhood concept of protecting the public interest to its everyday decisions.

In the article, Steinecke (2003) frames many of the issues a regulatory organization faces when ensuring accountability for protecting the public interest versus protecting the interests of its registrants. The article also describes principles that can assist an organization with orienting discussion and decisions to a public interest perspective. These principles include: being consistent with our enabling legislation and bylaws; contrasting what is not generally in the public interest; recognizing the overlap between the public interest and enlightened self-interest; considering fairness to members as equally important as protecting the public; and distinguishing between goals and methods.

In December 1998, the government made occupational therapy a self-regulating profession under the *Health Professions Act*. The college accepted the privilege of and responsibility for the very broad mandate to "protect the public interest." This not only means we need to assure the public of safe, competent, and ethical occupational therapy, but that we recognize our ultimate accountability to the public.

The article by Steinecke (2003) offers the following guidance on how to foster a public interest culture in an organization.

Structural considerations. *The structure of an organization can have a significant impact on its culture. Ensuring that there are an adequate number of public appointees can assist a self-governing profession to consider perspectives other than that of the profession itself. Rotating terms for Council or Board members can avoid precipitous changes in composition and ensure the socialization of new persons to the public interest mandate*

of the organization. Longer terms for Council or Board members can also assist them in seeing the longer term implications of their decisions. Built in scrutiny and accountability, particularly to external bodies, can balance self-regulation with service to the public interest.

Orientation processes. *Council, Board and staff members should receive intense and formal orientation as to their mandate. That orientation should include an explicit discussion of the public interest. Using a number of respected internal and external presenters can help get the message across. Written materials should provide a permanent resource on the topic.*

Model the "public interest" everywhere. *Policy documents should explain how each option will advance the public interest. During debates and consultation processes, the discussion should mention the public interest constantly. When a position appears to reflect a self-interested perspective, ask how it supports the public interest mandate of the regulator.*

Educate the profession constantly as to the regulator's role. *The regulator should ensure that there is an ethics and jurisprudence component to all professional training and continuing education programs. The regulator's newsletter needs to be persistent on this point. The mandate of the regulator should be emphasized on its website. The regulator should actively seek speaking invitations so that it can discuss the "social contract" that it represents between the profession and the public with the profession and others. Organizational slogans can promote this world view as well.*

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NEW BOARD MEMBER PROFILE CAROLINE EHMANN

Over the past twenty-five years, Caroline Ehmann's career has covered many areas of practice and administration. After starting in mental health, she moved into long-term care, geriatric rehabilitation, and community care. Caroline's current position is coordinator of rehabilitation services at the Royal Jubilee Hospital in Victoria.

Caroline's experience with professional organizations includes working as the government affairs representative and regional

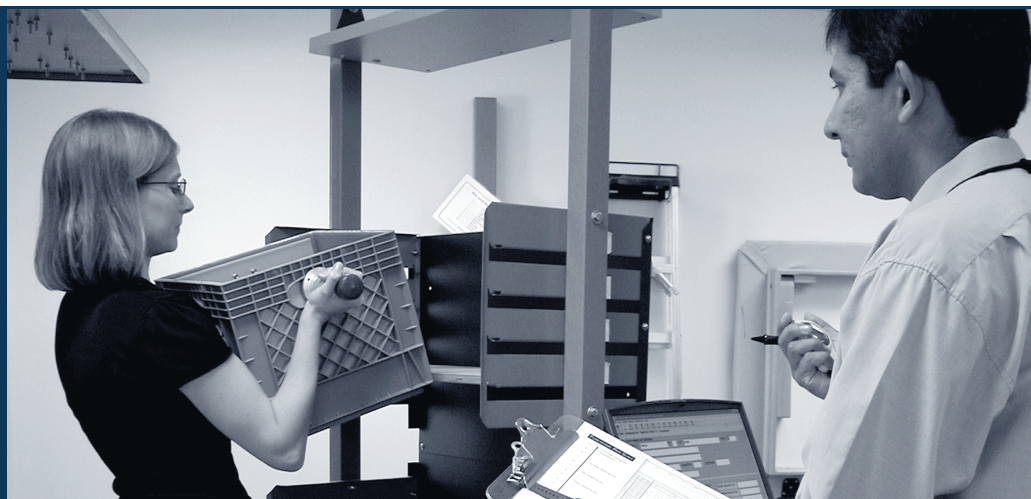
chair for the BC Society of Occupational Therapists. Caroline has been a registrant member of the college's Inquiry Committee since 2001 and is currently the committee chair.

Caroline was elected to the board for the term February 2004 to January 2006 and also continues to serve on the college's Inquiry Committee as chair.



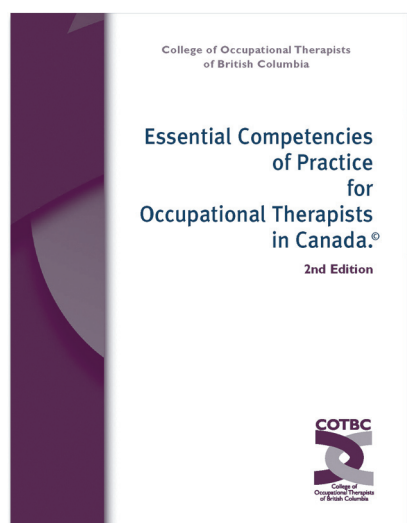
PRACTICE GUIDELINE SURVEY

Watch for a survey on the college's recently published practice guideline, "Assigning of Service Components to Unregulated Support Personnel." The survey will be sent out with the registration renewal packages in May and will also be available online at our website (www.cotbc.org). The Standards Committee will use the survey evaluation data to refine the guideline and, potentially, to develop other supports for the effective use of the guideline in practice.



New: Second Edition of Essential Competencies

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Following the development of the first edition of the essential competencies, ACOTRO decided to expand on the performance indicators for each competency statement. A performance indicator is a specific behavioural description of the enabling skills, knowledge, or attitudes necessary to demonstrate a certain competency. While the first edition included 18 performance indicators related to the 30 competency statements, the second edition has an additional 90.

All provinces participated in the project. Following the development of the indicators, a series of regional consultations were undertaken and the indicators were validated across the country. Responses were very positive; the majority of indicators met with a high level of approval from occupational therapists. The result is a nationally validated, professionally sound document, which was accepted by ACOTRO in June 2003.

The document was recently endorsed by the COTBC board and has now been published and sent to all registrants. This edition will replace the current edition stored at Tab 4 in the Registrant Information and Resources binder. The document is also available on the COTBC website at www.cotbc.org.

LEGISLATION UPDATES

Ministry of Human Resources Changes Policy on Orthotics and Bracing Devices for People on Income Assistance

On February 1, 2004, the policy for the authorization of prescriptions for medically necessary orthotic and bracing devices funded through the Ministry of Human Resources was changed. The new policy provisions state that "the Ministry will pay for orthotic or bracing devices purchased 'off the shelf' if: the device is prescribed by a medical practitioner, **occupational therapist**, physical therapist or podiatrist." The provision for custom-made devices also names the occupational therapist as an

authorized professional able to confirm the need for a custom-made device for funding under the Disability Assistance & Health Supplements—Orthotics & Bracing program. The college confirmed with the ministry consultant that verification of an occupational therapist's registration with the COTBC is available by contacting the college. For more information and to download the ministry's fact sheet, go to www.mhr.gov.bc.ca/PUBLICAT/VOL1/Part14/14-8.htm

TEN PRINCIPLES FOR THE PROTECTION OF PRIVACY

BE ACCOUNTABLE—You are responsible for personal information under your control and for ensuring that policies are established and you are in compliance.

IDENTIFY THE PURPOSE—The purpose for collecting personal information must be made available to the client before or at the time of collection; collect only what is necessary.

OBTAIN CONSENT—Client knowledge and consent to collect, use, or disclose personal information is required.

LIMIT COLLECTION—Only collect personal information for purposes that a reasonable person would consider appropriate in the circumstance.

LIMIT USE AND DISCLOSURE—Use or disclose personal information only for the purpose for which it was collected.

BE ACCURATE—Ensure personal information is accurate, complete, and current.

USE APPROPRIATE SAFEGUARDS—Take appropriate measures to ensure information is safeguarded against unauthorized access, disclosure, use, copying, modification, disposal, etc.; protect personal information regardless of the format.

BE OPEN—Share your privacy policy with clients so that they understand how you protect personal information.

GIVE INDIVIDUALS ACCESS—Make provisions for individuals to access their personal information.

PROVIDE RECOURSE—Ensure your compliance and complaints process is simple and easy to understand.

Highlights from PIPA Tool #4: BC Ministry of Management Services.

New Personal Information Protection Act

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On January 1, 2004 the *Personal Information Protection Act* (PIPA) came into effect in British Columbia. PIPA applies to the entire B.C. private sector, including both for-profit and not-for-profit organizations. PIPA governs how organizations may collect, use, and disclose the personal information of clients, employees, and members. It is every registrant's responsibility to know and comply with legislation that applies to their practice. This information is provided to alert registrants to this new privacy legislation.

HOW PIPA APPLIES TO THE COTBC

As a governing body of a profession, the COTBC falls under the requirements of the *Freedom of Information and Protection of Privacy Act* (FOIPPA) and, therefore, the provisions of PIPA do not apply.

HOW PIPA APPLIES TO OCCUPATIONAL THERAPISTS

Registrants of COTBC already have a duty to protect personal privacy (duty of confidentiality) and the principles of PIPA will be familiar to registrants. PIPA formalizes the protection of privacy in sectors where public sector privacy legislation (FOIPPA) did not apply and will require a review of the rules to ensure compliance.

HOW PIPA APPLIES TO EMPLOYEES IN REGIONAL HEALTH AUTHORITIES (PUBLIC SECTOR)

For registrants working as employees in health authorities, the provisions of public sector privacy legislation (FOIPPA) apply and requirements must be met by your employer. It is not up to you as an individual employee to develop your own policies and procedures around privacy protection. You should be familiar with the policies and procedures of the organization. PIPA does not apply in public sector organizations.

HOW PIPA APPLIES TO REGISTRANTS IN PRIVATE PRACTICES OR NOT-FOR-PROFIT AGENCIES

As a professional, you are responsible for knowing the legislation that affects your practice. PIPA applies to registrants working in private practice, not-for-profit organizations, or other agencies not covered by FOIPPA. Registrants should visit the websites below for more details about their responsibilities under this new personal information privacy legislation. Tools have been developed to help organizations comply with the new PIPA legislation.

WHERE CAN I GO FOR MORE INFORMATION ON PIPA?

Visit the COTBC website for more information on PIPA and links to other resources.

www.oipc.bc.ca/private/
www.msers.gov.bc.ca/foi_pop/Privacy/
www.bcma.org/public/NewPrivacyLegislation_Public.htm

National Initiative for Tele-health Framework of Guidelines

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Kathy Corbett, COTBC's registrar, participated on behalf of the Association of Canadian Occupational Therapy Regulatory Organizations (ACOTRO) in an advisory committee for the National Initiative for Tele-health (NIFTE) Framework of Guidelines project. The project was funded by the Richard Ivey Foundation and its goal was to develop guidelines that provide a framework for the development of tele-health standards, policies, and procedures.

The project resulted in a comprehensive document that provides the current status of policies and standards related to tele-health practice in Canada and outlines suggested guidelines. The NIFTE Framework of Guidelines consists of a structured set of statements designed to assist individuals and organizations with the development of tele-health policies, procedures, guidelines, and/or standards in four areas: clinical standards and outcomes, human resources, organizational readiness and leadership, and technology and equipment.

The information will be helpful to our national regulatory group (ACOTRO) as we begin to consider such issues as standards and registration requirements for occupational therapists "tele-practicing" across provincial boundaries.

For occupational therapists considering or providing occupational therapy services by tele-health, the section on clinical standards and outcomes will be useful. In this section, topics such as duty of care, communication with clients, informed consent, client confidentiality, and quality of care are discussed from a clinical perspective. If you are currently providing tele-services across provincial boundaries, it is recommended you check with the appropriate provincial occupational therapy regulatory organization to determine if there are specific licensing/registration requirements for providing services to clients living in that province.

INFORMATION BROCHURE FOR PUBLIC AVAILABLE

Public Rights and the Role of Regulatory Organizations

A new information brochure for the public, titled "Your Assurance of Competent, Ethical Health Care," is available to B.C.'s occupational therapists for distribution to their clients. The brochure, which was produced by the Health Regulatory Organizations of BC (HROBC), provides easy-to-understand information for the public about the role of regulatory organizations and the public's right to receive competent and ethical treatment. The brochure provides a listing of the regulatory organizations to which B.C. health care professionals are held accountable.

The brochure is suitable for placement in client waiting areas or providing directly to clients. A sample copy of the brochure is included with this newsletter mailing.

A limited number of brochures are available free to B.C. occupational therapists while supplies last. The college will consider purchasing additional inventory based on demand. If you wish additional copies, please email the college at info@cotbc.org.

The brochure is also available on the COTBC website (www.cotbc.org) as a downloadable PDF.

INTERESTED IN MORE INFORMATION ON TELE-HEALTH?

- The NIFTE Framework of Guidelines is available online at www.nifte.ca.
- The College of Occupational Therapists of Ontario (COTO) has produced two pamphlets titled *Telehealth: Information for Consumers* and *Telepractice: Information for Providers*, both available on their website (www.coto.org).
- Grey Areas newsletter, Issue May 2002, provides commentary on tele-health from a professional regulation perspective. (See www.sml-law.com.)

REMINDER: RENEWAL OF ANNUAL REGISTRATION

Registrants will be receiving their renewal package in mid May 2004. The college registration year is from July 1, 2004 to June 30, 2005 and renewal of your registration is required by June 30, 2004 to legally practice in British Columbia.

Please be sure that your renewal form is complete, the declaration signed, and verification of liability insurance provided. Registrants who fail to renew registration by July 31 cease to be registered, must pay a late fee penalty, and are not able to work until their registration is reinstated by the board.

Registration with the college assures the public that your registration is in compliance with the Health Professions Act and the college bylaws and you are entitled to practice as an occupational therapist in the Province of BC. The college regularly responds to requests from employers and the public to verify that the registration of an occupational therapist is in good standing.

From the Registrar

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Attempt to regain control over the election process. While it may be too late for some professions, the election process should be consistent with the public interest mandate of the organization. Expressly set out the regulator's mandate and role in election notices. Regulators should have election rules about campaigning and, if possible, campaign literature so that it is clear that elected Council or Board members do not "represent" those who elected them. Rather, the election process is a means of selecting respected members of the profession to regulate that profession in the public interest.

Obtain external input regularly. In that way, the regulator can obtain fresh perspectives about its role and the impact of its activities. External input can be obtained through in-house education sessions, surveys of how other regulators approach similar policy issues, consultation with interest groups and analysis by consultants of the competing public interest considerations of an upcoming major decision.

[By Richard Steinecke. Excerpt with permission from *Grey Areas* newsletter July 2003, No. 65. Published by Steinecke Maciura LeBlanc. www.sml-law.com]

As I reflect on the above advice, I can think of many examples of how the COTBC is applying these ideas in our everyday governance and operations.

- The public perspective is very visible in both our board and committee structure. There are three public members on our board, constituting one third of the make-up, and a public board member is on most of our committees. Improving public awareness is also one of the college's strategic directions and actions have been identified by a number of committees. By way of examples, the Registration Committee is working on a brochure to assist agencies with understanding the supervision requirements for provisional registrants; as well, the Inquiry Committee has identified the need for a public information brochure on the college's complaint process.

- The college has a formal and consistent orientation process for new board members and new committee members. This orientation focuses on our public interest mandate and helps the new member feel prepared and ready to participate in their college role.

- Professional development opportunities to build knowledge and competencies to meet regulatory roles are available for college board and committee members and staff. For example, the Registration Committee chairperson attended *Self-Governing Professions 2003 Update*, presented by the Continuing Legal Education Society of BC. As well, one of our public board members attended *Pushing the Boundaries of Professional Regulation* sponsored by the Council on Licensure, Enforcement & Regulation. In addition, the college's legal counsel is presenting at a board development session at our next meeting.

- The college develops its policies through research and obtains external input during the development process. The college also regularly obtains external input from both our provincial health regulatory colleagues (Health Regulatory Organizations of BC or HROBC) and our counterpart occupational therapy regulators across Canada, through the Association of Occupational Therapy Regulatory Organizations or ACOTRO.

- All college presentations reinforce the public interest focus and mandate of the college regardless of the practice or issues topic. We are also continuing the process of educating the profession "constantly," as advised by Steinecke, through our developing newsletter and website and by offering presentation sessions with registrants. Since January 2004, I have personally met with, and provided presentations on the college role and activities to, occupational therapists in Nanaimo, Campbell River, Vernon, Penticton, Kelowna, and Vancouver.

I think it is useful to pause and reflect on how our college can continue to build and sustain a public interest culture. I encourage registrants to read the full article or peruse the other issues of the *Grey Areas* newsletter, which is available online and by electronic subscription.

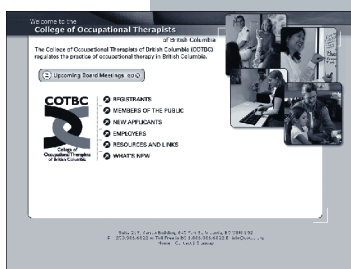
Occupational therapists have accepted their responsibility of self-regulation and accountability to the public. I think continuing the dialogue will help us sustain our public interest focus as the college continues to grow.

REFERENCES/USEFUL READING MATERIAL

Brunke, L. (2003) "Acting in the Public Interest." *Nursing BC*. October 2003. Vancouver, B.C.: RNABC

Office of the Ombudsman. (2003). *Acting in the public interest? Self-governance in the health professions: The ombudsman's perspective (Special Report 24)*. Victoria, B.C.: Author. Available online: www.ombud.gov.bc.ca

Steinecke, R. (2003). "Will the Real Public Interest Please Stand Up?" *Grey Areas*. July 2003. No.65. Toronto, ONT. Steinecke Maciura LeBlanc. Available online: www.sml-law.com



COTBC WEBSITE—COTBC.ORG

Visit our What's New section for the latest information on practicing occupational therapy in B.C.

We also have a feedback survey posted on the site. Please take a moment to go online and fill out the survey, as it provides the college with valuable feedback on how we can improve our service to our registrants, the public, and employers.

HOW TO REACH US

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

TELEPHONE 250 386-6822
TOLL FREE IN BC 1-866-386-6822
FAX 250 383-4144
EMAIL info@cotbc.org
WEB www.cotbc.org

For registration questions: registration@cotbc.org

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.

UPCOMING EVENTS

BOARD MEETING

Saturday, June 19, 2004—Richmond, B.C.

COTBC ANNUAL GENERAL MEETING

Saturday, November 6, 2004—Richmond, B.C.

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