Increased Public Oversight  
– Amendments to the *Health Professions Act*  

Kathy Corbett

While it may not be part of day-to-day conversation for most occupational therapists, legislation and other government activities are an everyday consideration for the college. Given that the college exists only because we have been delegated the regulatory oversight of the profession under the *Health Professions Act*, it will come as no surprise that changes to our enabling legislation by government re-focuses our attention.

On May 29, 2008, Bill 25 *The Health Professions (Regulatory Reform) Amendment Act* received Royal Assent. This new act amends the *Health Professions Act*, and can be viewed as a response to the demand for increased accountability to the public from regulatory bodies and to the shortages of health professionals in B.C. The government’s consultation with the citizens of B.C. through the Conversation on Health also influenced the need to reform health profession legislation.

It is clear the amendments will have a substantive impact on the work of the college and the regulation of occupational therapists in B.C. The college is currently reviewing its bylaws and regulatory processes in preparation for meeting the legislative changes. COTBC is also participating in working groups of the Health Regulatory Organizations of B.C. to offer consultation to government as regulations are implemented.

*continued on page 4*
Knowing Our Destination

Just as we need to have a clear destination to plan the course for our vessel, we need to understand that the destination or outcome of our occupational therapy service is the provision of safe, ethical and competent care. This is our mandate under the Health Professions Act.

Plotting Our Course

As we assess our clients and formulate their occupational therapy plans, we rely on available clinical and professional resources to assist us. The Occupational Therapists Regulation under the Health Professions Act, the COTBC Bylaws, the Essential Competencies of Practice for Occupational Therapists in Canada (Essential Competencies) 2nd Edition, and the Code of Ethics can be considered our current navigational charts to tell us in what direction we need to proceed in our everyday practice to avoid difficulties and reach our destination. The practice guidelines (Obtaining Consent to Occupational Therapy Services, Collecting, Recording and Protecting Client Information, and Assigning of Service Components to Unregulated Support Personnel) guide us in performing the activities that are mandatory or potential components of our client service delivery.

Understanding the Aids to Navigation

Recognizing hazards by being familiar with “aids to navigation” may cause us to alter the course of our vessel to ensure safety. We may need to consider ways to change our practice course, whether this is due to changes in legislation or a clinical situation that causes us to reflect on a component of our practice and formulate a change. The two mandatory programs developed by the college, namely the guideline document on Establishing Professional Boundaries to Prevent Sexual Misconduct and the Continuing Competency Program, are aids available for us to reflect on how we are providing our occupational therapy service and to ensure that we and our practice remain current.

As we enter into a professional relationship with a client, it must be clear that this is a partnership between the client and the occupational therapist. Throughout the continuum of assessment and service delivery, there needs to be evidence that valid consent has been obtained, and documentation based on the college requirements has been recorded. This allows our “course” to be reviewed if we run into a “hazard”.

What exactly would constitute a “hazard”? Let’s consider a client who may not be agreeable to the...
recommended occupational therapy intervention. One example could be that the client requests an alternate type of equipment such as power mobility versus manual mobility. There also may be a question concerning the client’s capability to make his/her own treatment decision. In situations like these it may be difficult to know exactly how to proceed, and our “navigational aids” can assist in our decision-making. One of the eight values within the Code of Ethics states that every client has the right and capacity for self-determination, reminding us that the client has the right to choose. The Essential Competencies as our standards of practice tell us that informed consent must be obtained from the client prior to and throughout the service delivery. If the client is not in agreement with the proposed intervention, obtaining consent may be difficult, which will in turn affect the service delivery. If we question the client’s capacity to understand the consequences of his/her decision, we may need to alter our course by referring to others who can assist in the decision-making process. This is further described in the practice guideline, Obtaining Consent to Occupational Therapy Services.

Along our boating journey, we may be required to experience unknown waters. Following our navigational charts will help to lead us in a safe direction, but it is often helpful to gain assistance from fellow boaters with local knowledge. They may have additional information that would further decrease our risk for harm in this situation. Similarly, if a client presents with a condition or diagnosis unfamiliar to us or the intervention required is beyond our current practice experience, how do we proceed? The Code of Ethics and the Essential Competencies both describe the necessity of practicing within one’s knowledge, skills and abilities while continuing to integrate new learning into our practice. Requesting the assistance of an occupational therapist colleague who has more experience in this area would assist in skill acquisition, and learning more about the relevant disease process or intervention could also be incorporated into our professional development plan within the Continuing Competency Program.

The above are a few examples of “hazards” we may encounter in our everyday practice and the “navigational charts” and “aids to navigation” that are available for us to utilize as we continue on our “course” of service delivery.

Reaching Our Destination
As we head into port at the end of our boating journey, there is a feeling of satisfaction that we successfully met the challenges that presented themselves along the way. This can be related to our preparation ahead of time by plotting our course, using our navigational charts, and being aware of potential hazards. As our occupational therapy service ends with a satisfied client who received safe, ethical and competent care, we can also relate this to understanding and utilizing the resources available to us through the college. We successfully navigated our responsibilities as a self-regulating health professional. ■

Bon Voyage!!

Heather Gillespie
Chair, COTBC Board

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**Notice of COTBC Annual General Meeting**

COTBC is pleased to provide notice to both registrants and the general public of the college’s 8th Annual General Meeting (AGM).

Saturday, October 25, 2008
Plaza 500 Hotel
500 West 12th Avenue, Vancouver, B.C.

Registration: 8:00 a.m.
Education Session: 8:30 a.m.
AGM: 11:00 a.m.

The COTBC events begin with an education session sponsored by the Standards Committee on the college’s newest practice guideline Obtaining Consent to Occupational Therapy Services. Come and reflect on your practice while exploring with your colleagues the legal requirements and practice expectations for obtaining valid consent. The COTBC AGM follows at 11:00. The agenda includes a report from the chair, statutory committee reports and the auditor’s report.

Event details, AGM agenda and registration forms will be provided with the Annual Report, mailed to all registrants in mid-September. There is no charge to attend the day’s activities. However, to assist us with organizing the meeting space requirements and coordinating the events, please complete the registration form and return it by October 16, 2008.

The AGM day will again be shared with the British Columbia Society of Occupational Therapists providing additional opportunities to learn and network. We look forward to seeing you there!
Increased Public Oversight

Here are a few highlights of the amendments:

The Health Professions (Regulatory Reform) Amendment Act (Act) introduces new responsibilities for regulatory colleges. For example, colleges are required “to promote and enhance the following:

• collaborative relations with other colleges established under this Act, regional health boards established under the Health Authorities Act and other entities in the provincial health system, post secondary institutions and the government;
• inter-professional collaborative practice between its registrants and persons practicing another health profession;
• ability of its registrants to respond and adapt to changes in practice environments, advances in technology and other emerging issues.”

Collaboration is already a way of doing business for the college, so we are well positioned to build new relationships to meet these new legislated expectations. It is, however, too early to know how these new responsibilities might affect registrants’ everyday practice.

The amendments also include a range of changes to regulatory processes aimed at increasing accountability to the public, and reflect the increased oversight of regulators by government. For example, the Act stipulates that the college must have a website accessible free of charge to the public and subject to the regulations of the Minister. Amendments regarding public notification will require the college to notify the public of the decisions of the inquiry committee, specifying what information must be published. There are certain limited exceptions that protect the privacy of a registrant, such as admitting that he or she suffers from a physical or mental ailment, an emotional disturbance or addiction that impairs his or her ability to practise within the designated profession.

A final highlight of the amendments is the new section that establishes a Health Professions Review Board. The review board has wide ranging powers. For example, it can review a registration decision, direct the college to grant registration to a person it has refused registration to, and review the disposition of a complaint made by the inquiry committee. The review board may also develop and publish guidelines for the purpose of assisting colleges to establish and employ registration, inquiry and discipline procedures that are transparent, objective, impartial and fair.

The full impact of the amendments on the college will not be known for some time. Registrants will be kept informed as we proceed to implement the required changes. While the recent legislative changes are significant, they do not alter the college’s clear grounding in our public protection mandate. We are confident in our ability to continue to promote and monitor safe, ethical and competent occupational therapy practice for the citizens of B.C.

More information about the pending reforms and the legislation can be found at the Ministry of Health’s Legislation and Professional Regulation site: http://www.health.gov.bc.ca/leg/regulatoryreform.html

Examples of College Collaborations

As mentioned, the college has a strong history of collaboration. Here are just a few recent examples. See the Registrar’s Reflections on page 2 in the Spring 2008 issue of instep for details of the activities listed on the next page.
• Attending regular meetings with the UBC Department of Occupational Science and Occupational Therapy (OSOT).
• Sharing the Annual General Meeting Day with the BC Society of Occupational Therapists (BCSOT).
• Connecting with other health regulators through the Health Regulatory Organizations of B.C.
• Co-sponsoring workshop on Continuing Competence with the College of Physical Therapists of B.C.
• Initiating national collaboration with the Association of Canadian Occupational Therapy Regulators (ACOTRO) regarding evaluation of internationally educated occupational therapists.
• Working with the Canadian Institute of Health Information (CIHI) to release the report Workforce Trends of Occupational Therapists in Canada, 2006.

A Fond Farewell

Mary Clark officially joined the COTBC as the college’s first Director of Program Development and Communications in the fall of 2005. With too many choices and too little time, Mary has left the college role to continue her other passion, as an instructor and special projects coordinator in the UBC Online Master of Rehabilitation Science Program. She also accepted a position to assist in a housing project with the White Rock South Surrey Mental Health Centre. Mary advanced the college’s work through her exceptional support to three committees, enthusiastic coordination of an ACOTRO project and keeping the college’s communications in outstanding shape. I am pleased that Mary will continue editing the college newsletter for the next few issues.

We wish her all the best in her other pursuits.

Kathy Corbett

Acknowledging College Staff

If you have contacted the college for assistance, it is very likely the assistance you received was provided by either one of these outstanding employees; Jill Langridge or Darlene Hay. I know that without their contributions, I would not be as effective in my role as registrar. Jill, the executive assistant, focuses mainly on the registration process. She helps applicants navigate the steps for registration, prepares materials for registration committee, and in recent years has responsibility for maintaining the register on our database. Darlene is our receptionist and office assistant, helping with everything from directing calls for quick responses, preparing college materials for board and committee meetings and keeping our filing system up to date. Darlene and Jill excel in working together and I marvel at their productivity and commitment to excellence. I thank them for their tremendous work. It is a pleasure working with them.

Kathy Corbett

New Public Information

Sexual Misconduct – What You Should Know, a two-page communiqué, was posted on the college website in May. Developed by the Client Relations Committee, it is intended to help the public understand their rights and the actions they may take if they suspect sexual misconduct by an occupational therapist. There is a section directed to employers who may be the first to receive a complaint about an occupational therapist in their employ and may be unsure of the process to take.

We encourage all registrants to participate in self-regulation by making use of this communiqué.

Visit the college website at www.cotbc.org and click on ‘Members of the Public’ and then ‘Concerns About the Practice of an OT’, or simply visit the Resources area.
Leadership Development for College Volunteers

Facilitating for Results

Mary Clark

On Saturday, April 12, 2008, college volunteers took part in a workshop designed to increase participants’ skills in facilitating meetings. By the end of a very full day, board members, committee members and staff left equipped with new skills, knowledge and confidence. Volunteers who might not otherwise meet had the opportunity to share experiences and work towards a consistent application of facilitation skills across college activities.

Comments from the evaluation forms include:

[The session] provided more in depth techniques and strategies than I had anticipated; [it] increased my ability to address “hecklers”; I find the college meetings incorporate a lot of the info (although always can be improved) but meetings in the workplace could be greatly improved!

Facilitator Ann Ovstaas, whose expertise in assisting Vancouver Island Health Authority employees develop the same skills, made the session relevant for all participants. Her examples and exercises helped to make explicit the skills needed to become an expert facilitator. Of the 18 respondents to the feedback form no one rated the workshop below an 8, and 3 rated it a 10 as outstanding.

The session was organized by the Nominations Panel as a quality improvement initiative. Last year, results from the volunteer survey (highlighted in our Fall 2007 instep newsletter) confirmed that college volunteers learned many skills that they could take back to their workplace, and requested additional help on how to be an effective chairperson. With the aim that registrant participation and engagement in college committees should be sustained, productive and viewed by registrants as a positive professional experience, this session was deemed successful.

Facilitating for Results – Evaluation Results Pre and Post Rating by Participants

(n = 18 of 21 Participants)
Volunteering: Self-Regulation in Action

Our strong and sustained level of registrant participation on the college’s board and its committees is a healthy reflection of our profession’s commitment to self-regulation. Six elected registrants and three public board members appointed by the government make up the leadership and decision-making body for the college. Committees, accountable to the board, are integral to the college’s core roles, and influence the setting, monitoring and enforcing of the standards for practice, ethics and competence. Whether you are on a committee or the board, the college values your contribution and provides excellent support to enable effective participation.

Become involved! Participate in the Upcoming Election 2008

- **Nominate** a colleague or consider accepting a nomination for an elected member position. Can you think of a better way to recognize the leadership skills and professional competencies of colleagues than to nominate them to the board? Information about the obligations of a board member and the nominations process was sent to all registrants along with the registration receipts in August. Remember, nomination forms must be received in the COTBC office by 4:00 p.m. Tuesday October 7, 2008.

- **Vote** in the college election. Elections offer registrants choices in selecting who they think should do the important work of governing the college. Watch for nominee bios and voting information that will be mailed to registrants in mid October.

Serve on a College Committee

New committee members are needed to fill several anticipated vacancies over the next year. Consider completing an Expression of Interest form to serve a two-year term on any of the following committees:

- Standards
- Client Relations
- Inquiry
- Continuing Competence

To learn more about the work of the committees, please review the committee reports in the Annual Report or contact the college. The expression of Interest form can be found on the college website at www.cotbc.org. Please return your form by October 30, 2008.

Volunteer Now!

The committee volunteer survey results indicated that 18 of the 24 respondents learned about opportunities for committee participation by seeing the Expression of Interest form in a college mailing. Take up the challenge and mail your form today. Present and former committee members indicated that your involvement on a college committee can:

- Improve your practice and value to colleagues and fee payers;
- Expand your knowledge of professional and regulatory issues;
- Learn about new communication and quality improvement tools;
- Build your group facilitation and leadership skills; and
- Expand your network of occupational therapists in many different practice areas.
Safeguarding Clients’ Personal Information – Avoiding Breaches of Security

Kathy Corbett

Four incidents over the past year serve to remind registrants to take a proactive risk-management approach to protecting the privacy of client records. The Office of the Information and Privacy Commissioner of B.C. notes that the most common privacy breach happens when personal information of patients or clients is stolen, lost or mistakenly disclosed. The following incidents experienced by four registrants confirm these common risks of potential unauthorized access to personal information in the occupational therapy file:

- client files were lost when the occupational therapist’s laptop, in for repair, was stolen from the computer repair shop;
- client files were checked with luggage that never arrived, and files were lost;
- client files were stolen as a result of the theft of a computer from a home office;
- a client file was left in a restaurant following a meeting with a team member.

Take Steps to Prevent a Breach

Registrants are responsible for safeguarding personal information. Integrating a regular risk management approach into one’s practice is recommended to ensure sufficient controls are in place to protect the privacy of the personal information in your custody. Use the college’s risk management tool to work through the areas of risk in your practice and develop ways to mitigate any potential risks. Conduct an annual review of practice, policies and quality improvement activity.

Know Your Obligations

Part 6, Section 87 of the bylaws requires that B.C. occupational therapists remedy a breach of security as soon as possible after it is discovered. Remediation involves taking steps to recover the information, notifying anyone affected and modifying existing practices to prevent re-occurrence. Registrants are required to notify the college of any breach of security. Know the relevant legislation that applies to you.

Stay up to Date

Visit the website of the Office of the Information and Privacy Commissioner of B.C. (OIPC) to ensure you are up to date on the relevant legislation applicable to your practice. New resources, made available in June, 2008 on the OIPC website, are worthy of review and include: “Privacy Breach Checklist”, “Key Steps to Responding to Privacy Breaches” and a “Privacy Breach Management Policy Template”. There are several other resources available on this website that may guide structured reflection on how to prevent privacy breaches. View: www.oipc.bc.ca

Think About Privacy Everyday

All four registrants responsible for the incidents described above recommended implementation of everyday strategies to prevent security breaches in the future. They found that the strategies really didn’t take a lot of time.

Make Privacy Part of Your PD Plan

Consider this topic as a Professional Development Plan goal for your continuing competency. Meet with colleagues to discuss practices and/or conduct privacy reviews together. Ask for a college presentation.
ACOTRO Update

Kathy Corbett

Association of Canadian Occupational Therapy Regulatory Organizations (ACOTRO), recently completed a project titled Assessing the Competence of Internationally Educated Occupational Therapists for Practice in Canada: Towards a Common Approach and an Assessment Toolkit. Confirming the ability of international applicants to practise occupational therapy in any province typically involves a review of academic credentials and determining substantial equivalency of an applicant’s education. This project advanced a longstanding goal for ACOTRO – to add competency-based assessment to the process by which registration/licensure eligibility is confirmed, and provide internationally educated occupational therapists with additional ways to demonstrate their practice skills and qualifications.

The work was guided by an Advisory Committee that included project coordinator (Mary Clark), ACOTRO members from nine of the ten provinces*, a representative of the Association of Canadian Occupational Therapy University Programs (Dr. Helene Polatajko) and a representative of the Canadian Association of Occupational Therapists (Kathy Van Benthem). The input of our key stakeholders was invaluable — thank you Helene and Kathy.

Key outcomes included developing a framework for confirming substantial equivalency, exploring available options for an assessment toolkit, and identifying the preliminary requisite competencies for assessment. There was clear consensus of the project partners (ACOTRO) to continue to work towards a common approach to substantial equivalency assessment across jurisdictions and its impact on ensuring full mobility of occupational therapists in Canada.

Next steps were identified, and COTBC submitted a funding proposal for the next phase of the project. This project was funded by B.C. Ministry of Economic Development, with additional funding from the Saskatchewan Ministry of Advanced Education and Employment Immigration Branch, and support from the Manitoba government.

Collaboration for External Review of CAOT Certification Exam

ACOTRO recently signed a partnership agreement with CAOT that jointly commissions an external review of the National Occupational Therapy Certification Exam (the exam) used by nine of ten occupational therapy regulators as one of the requirements for entry to practice for registration/licensure. This external review of the exam will be undertaken to identify strengths and potential areas of improvement to:

• ensure the exam provides a transparent, objective, impartial, non-discriminatory and fair assessment of candidates wishing to enter practice as occupational therapists in Canada;
• ensure public protection by minimizing the potential for unqualified candidates to successfully complete the exam; and
• ensure that the exam is an effective and appropriate entry-to-practice requirement.

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* The project involved nine of the ten members of ACOTRO. Order des ergothérapeutes du Québec (OEQ) chose not to participate on the Advisory Committee due to a similar project running in Québec. However, OEQ was interested in the project and was updated regularly on the progress.
Online Renewal Option

This year online renewal of registration was a new option for registrants. Our online registration system allows registrants to update their own profile, complete required renewal information and make payments. We are pleased to report that 33% of registrants renewed online. As with any new technology there are bound to be a few glitches. These were resolved quickly and office staff worked diligently to respond to any registrant queries. The college appreciates the patience and understanding of any registrant who faced a technical challenge. We will conduct a review and make improvements for next year.

Overall, the renewal period went quite smoothly. A majority of registrants were also required to meet the new requirements of the Criminal Record Review Act to undergo a criminal record re-check every five years. This added to the typically busy workload for office staff and resulted in a slight delay in sending out registration receipts/cards.

Cancellation of Registration

Annual registration was completed by the end of July, and the college would like to thank all registrants for facilitating a smooth registration process. The college is legally required to maintain a current public register which makes available to the public specific information about a registrant. This includes registration status, registration number, name and business contact information. Each year, the college responds to an increasing number of requests from employers, clients and other organizations to verify a person is registered and is in good standing with the college. The public has the right to know that an occupational therapist is registered and legally able to provide occupational therapy services and use title. Public notification of cancellations of registration is provided as a public service.

Please contact the college to confirm that a person has been reinstated and is a registrant in good standing with the college. Status may have changed following the date of this publication.

Failure to renew (Full or Provisional)

In accordance with the [s.21 (3)-b] the following individuals were cancelled from the register as of September 1, 2008 for non-payment of or not meeting registration renewal requirements.

Dewhirst, Meghan
Kim, Inho

Cancelled in good standing (by request)

In accordance with the HPA [s. 21 (3)-a] the following individuals were cancelled from the register as of September 1, 2008 by request of the registrant:

Abdel-Barr, Jacquelyn
Abdulla, Sharla
Adair, Vita
Alexander, Milinda
Andersen, Susanne
Arteche, Maria Prida
Balback, Melissa
Ball, Carolyn
Barclay, Samantha
Barrie, Alyssa
Bearpark, Valerie
Bohan, Kate
Bowden, Alison
Branton, Terra
Brown, Donna
Bruton-Toombs, Suzanne
Brydon, Lyle
Campbell, Kevin
Canlapan, Keith
Carlson, Rena
Chandra, Subodh
Colby, Teresa
Corey, Crystal
Delisle, Eric
Deveau, Francine
Dodd, Olga
Dong, Deborah
Dorey, Brenda
Drake, Kristin
Fairleigh, Angela
Fletcher, Alison
Fousek, Barbara
Francis, Patricia
Furlong, April
Gough, Helen
Reminder for Provisional Registrants

A copy of your national exam results must be provided to the college. A fax copy is acceptable. Results must be disclosed before a change to full status can be approved. If you did not pass, you will be required to verify that general supervision remains in place.

All individuals named must apply and have their registration reinstated by the college before resuming use of title occupational therapist and resuming practice.

**ACOTRO**

**Mutual Recognition Agreement Project**

ACOTRO is embarking on a project to review and revise the Occupational Therapy Mutual Recognition Agreement (MRA). Funded by Human Resources and Skills Development Canada – Labour Mobility Program, the project will update the agreement to ensure full mobility for occupational therapists duly qualified to practise in one province and seeking to move to another. This project will update the agreement originally signed in 2001 to remove barriers for full access to the agreement by occupational therapists not currently eligible under the Approved Education schedule. It will also describe acceptable quality assurance and/or continuing competence requirements for the purpose of ensuring safe, ethical and competent practice for occupational therapists relocating within jurisdictions covered under this agreement.
COTBC Practice Presentations
September 17, 2008
2:00 – 4:00 p.m.
Kamloops, B.C.
September 18, 2008
2:00 – 4:00 p.m.
Kelowna, B.C.

COTBC Board Meetings
October 24, 2008
1:00 – 6:00 p.m.
Vancouver, B.C.
January 31, 2009
9:00 a.m. – 5:00 p.m.
Richmond, B.C.
Registrants are welcome at all board meetings. Please email Jill Langridge (jlangridge@cotbc.org) if you plan to attend.

Address changes – let us know!
Keeping all your contact information up to date is a critical component of registration. Please update your information online or provide it in writing via mail, fax or email message to registration@cotbc.org.

Erratum
In our Spring, 2008 newsletter, on page 4, Donna Dickson appeared as a member of the Continuing Competence Committee. This should have been Donna Drynan. Our apologies to both individuals for this error. The online PDF version of the newsletter, which is available on the college website, has had this correction made.