

December 6, 2019

Dear Members of the BCSRT

Re: Update and Request: Modernizing the provincial health profession regulatory framework

On December 2<sup>nd</sup> representatives from the British Columbia Society of Respiratory Therapists, Canadian Association of Medical Radiation Technologists, and the British Columbia Society of Laboratory Science met with the Ministry of Health. At this time the Ministry helped clarify some questions we had regarding the Ministry's paper for consultation, "Modernizing the provincial health profession regulatory framework". In addition, we were provided with new information on the implementation of our regulatory college.

Key points from the meeting were:

1. Ministerial regulations for Respiratory Therapy are ready to be posted. The bulk of our work is already done; we may need to do some minor adjustments such as changing the name of our regulatory college.
2. Our timeframe is approximately 18 months.
  - The timeframe will most likely not change regardless of whether we go with the new College of Health and Care Professions of BC or with one of the remaining stand alone colleges.
  - If we try and move into a current regulatory college that is proposed to become part of the College of Health and Care Professions of BC., this could cause even more delay.
3. Since we are not currently part of a regulatory college, our entry into the new College of Health and Care Professions of BC may be easier than colleges making the transition. Some colleges may move over a bit slower if they are in the process of complicated complaint investigations or litigation is in process.
4. There is no movement for anesthesia assistant regulation.
5. The Ministry encourages us to provide online and written feedback.

On December 5, 2019 members of the British Columbia Society of Respiratory Therapists board of directors and members of the Respiratory Therapy Leaders of British Columbia met to review the meeting that occurred with the Ministry as well as discuss questions laid out in the Ministry's paper for consultation "Modernizing the provincial health profession regulatory framework". After much discussion around the survey questions, it was decided to take some additional time to think about our answers and collect input



from RTLBC members who could not attend. We also wanted to provide an opportunity for any members of the BCSRT to provide feedback to the BCSRT board of directors.

Any BCSRT member who would like to provide written feedback to BCSRT and RTLBC can enter their answers to each question on the following pages. Once you have entered your information, please email your responses to [president@bcsrt.com](mailto:president@bcsrt.com) by December 11, 2019. The information will be collated and reviewed by the RTLBC and BCSRT board of directors before a summary is submitted. Please remember that up until January 10, 2020 at 4:00 pm you can also send your information directly to the Ministry of Health by completing their online survey at <https://feedback.engage.gov.bc.ca/649771?lang=en> . Directions for submitting written feedback can also be found at <https://engage.gov.bc.ca/healthprofessionregulation/guidelines-for-written-submissions/>.

On behalf of the BCSRT and RTLBC,

Mike MacAulay (BCSRT President)

Tracey Miller (RTLBC Chair)

Attached: Questions from "Modernizing Health Professions Regulatory Framework Paper"

## Questions from Modernizing Health Professions Regulatory Framework Paper

*Feedback for the BCSRT BOD & RTLBC*

*Submit by December 11<sup>th</sup>, 2019*

1)

It is proposed that regulatory college boards have equal numbers of registrant and public members.

It is proposed that all board members (registrant and public) be recommended for appointment through a competency-based process, which considers diversity, is independently overseen, and is based on clearly specified criteria and competencies. The Minister of Health would appoint all board members based on the recommendations of the competency-based process.

- a) *Do you support an equal number (50/50) of public and professional board members?*
- b) *Are there any possible challenges to the proposed approach, and if so, how can they be addressed?*

To improve functioning and effectiveness, it is proposed that regulatory college boards move to a more consistent and smaller size.

- c) *Do you support reducing the size of boards?*
- d) *Are there any possible challenges to reducing board size, and if so, how can they be addressed?*

It is proposed that board and committee members be fairly and consistently compensated (within and between colleges) and move away from volunteerism.

- e) *Do you support fair and consistent compensation for board and committee members?*
- f) *What are the benefits of this approach? What are challenges and how can they be addressed?*

2)

Given the current commitment to a reduction in the number of regulatory colleges, it is proposed that any new health professions be regulated by an existing regulatory college or the new College of Health and Care Professions.

- a) *Are you supportive of the proposed approach to reduce the number of regulatory colleges from 20 to five?*
- b) *Please share your concerns with this approach, as well as your suggestions to address challenges.*
- c) *Are you supportive of a moratorium on the creation of new regulatory colleges?*

3)

Creation of a new oversight body

- a) Do you support the creation of an oversight body?
- b) Do you agree with the functions listed?

**Oversight Body Roles**

1. *Routine audits on performance standards.*
  2. *Public reporting on common performance standards.*
  3. *Conducting systemic reviews and investigations.*
  4. *Review of registration and complaint investigation decisions (**Health Professions Review Board**)*
  5. *Publishing guidance on regulatory policy and practice.*
  6. *Identify core elements of shared standards of ethics and conduct across professions.*
  7. *Establishing a range of standards of professional practice.*
  8. *Development of model bylaws and oversight of the process for bylaw amendments.*
  9. *Overseeing a board member appointment process.*
  10. *Recommending health occupations that should be regulated under the Health Professions Act.*
  11. *Holding a list (single register) of all regulated health professionals.*
  12. *Oversight of systemic progress on timeliness of the complaint process.*
  13. *Collection of fees*
- c) Do you have any concerns and if so, what are they?

It is proposed that annual reports of regulatory colleges and the oversight body be provided to the Legislative Assembly by the Minister of Health.

- d) Do you support increased accountability by requiring regulatory colleges' annual reports to be filed with the Legislative Assembly?
- e) Should annual reports of the oversight body also be filed with the Legislative Assembly?

4)

A new disciplinary process is proposed in which independent discipline panels would make decisions regarding regulated health professionals.

- a) Do you support the creation of a new disciplinary process which would be independent from regulatory colleges?
- b) What are the benefits of such an approach?
- c) What are possible challenges and ways to address these?

Regulatory colleges and their inquiry committees would continue to be responsible for the investigation of complaints. This will assure professional expertise in the investigation of complaints.

- d) Do you support regulatory colleges continuing to investigate complaints regarding health professionals?
- e) Do you support improvements to the composition of inquiry committees?

It is proposed that actions taken to resolve accepted complaints about health professionals be made public.

- f) Do you support publishing actions taken to resolve accepted complaints about health professionals?
- g) Do you support all actions resulting from agreements between registrants and regulatory colleges being public?

It is proposed that regulatory colleges be able to make limited public comments if a complaint under investigation becomes known to the public.

- h) Do you support allowing regulatory colleges to make limited public comments about a complaint under investigation if the complaint becomes known to the public?
- i) What are the benefits of such an approach?
- j) What are the challenges, and how can these be addressed?

In order to better protect patients from harm, it is proposed that complaint and discipline decisions must take into consideration the professional's past history.

- k) Do you support requiring that regulatory colleges and disciplinary panels consider a registrant's past history of complaints and discipline when making decisions on a current complaint?
- l) What are the benefits of such an approach?
- m) What are the challenges and how can they be addressed?

The steering committee is seeking feedback to help establish consistency across regulatory colleges in relation to how they address sexual abuse and sexual misconduct.

- n) What measures should be considered in relation to establishing consistency across regulatory colleges regarding how they address sexual abuse and sexual misconduct?

It is proposed that health profession regulatory colleges be enabled to share information (between each other and with other agencies) where necessary for public safety and protection.

- o) What are the benefits of enabling regulatory colleges to more easily share information?
- p) What are the challenges of this approach and how can they be addressed?
- q) What organizations should regulatory colleges be able to share information with in order to protect the public from future harm, or address past harms?