



OMFC REGISTRATION REVIEW

**College of Licensed Practical Nurses of Manitoba
Final Registration Review Report (2012)**

OFFICE OF THE MANITOBA FAIRNESS COMMISSIONER

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Introduction

This Final Registration Review Report presents the results of the Office of the Manitoba Fairness Commissioner's (OMFC) registration review with the College of Licensed Practical Nurses of Manitoba (CLPNM) as of December 2012.

Registration reviews are conducted as part of the Fairness Commissioner's mandate to review the registration practices of regulatory bodies subject to *The Fair Registration Practices in Regulated Professions Act* (Act).

The purpose of a registration review is to enable the Fairness Commissioner to determine a regulator's compliance to the Act and to make recommendations to improve compliance. Two senses of compliance are at work in the legislation. First and foremost, it refers to the fairness of assessment and registration practice, with particular attention drawn to the need for the fair consideration of internationally educated applicants. Secondly, it refers to the co-operation of the regulator with the Fairness Commissioner.

The Act stipulates that a registration review for any given regulator is to be undertaken at times specified by the Fairness Commissioner. It also stipulates that the content of a registration review is to include an analysis of the relevance and necessity of registration requirements, the timeliness of decision making, the reasonableness of fees and the registration of internationally educated individuals. This may involve the review of any third parties employed in the assessment and registration process.

The OMFC's review process culminates in a Final Registration Review Report, complete with an Action Plan from the regulator. This report is a public document submitted to the Province's Minister of Immigration and Multiculturalism and posted on the OMFC's website.






The OMFC undertook a registration review with the CLPNM between September and December of 2012 (see appendices A & B). Several meetings were involved, documentation was gathered and reviewed, field work was conducted and the CLPNM provided an Action Plan in response to the Fairness Commissioner's recommendations. The CLPNM's Action Plan, as well as the OMFC'S review findings and the Fairness Commissioner's recommendations follow throughout this report.

Registration Review Process

The OMFC's multi-step review process has several key phases: agreeing to a review schedule, documenting and understanding, evaluating and drafting the findings and recommendations, and achieving an action plan to move things forward. The process is designed to support meaningful reviews that concretely identify fairness issues and lead to progressive change.

The Fairness Standard and Criteria Document

For the purposes of the 2012 registration review cycle, regulatory practice is evaluated against a single, broad fairness standard: ***Dedicated and fair practices are applied for the assessment and registration of internationally educated applicants. Policies and procedures are documented, consistently followed and periodically reviewed to ensure their effectiveness.*** In the Fairness Standard and Criteria Document, this fairness standard is defined by 14 elements, each further differentiated into one or more criteria.

For each criterion in the 'Fairness Standard and Criteria Document', green, yellow, and red check marks --    -- designate whether evidence is found indicating compliance, needs improvement, or non-compliance. Practices identified as needing improvement or non-compliant --  or  -- are followed by an analysis that explains the finding.

Recommendations, Action Plan & Compliance Statement

The Fairness Commissioner makes recommendations based on a consideration of the issues of non-compliance and areas that show opportunity for improvement. These are identified and explained in the 'Fairness Standard and Criteria Document' completed for the regulator.

The action plan, in turn, is drafted by regulators to respond to the Fairness Commissioner's recommendations. For each of the Fairness Commissioner's recommendations, regulators reply with a plan to address the concern as well as a timeline for the execution of the plan. Regulators are given opportunity to remark upon any recommendation made by the Fairness Commissioner.

Finally, the Fairness Commissioner's Compliance Statement provides comment on the suitability of the regulator's Action Plan and the overall compliance of the regulator's registration practice.

OMFC Support

Addressing problematic practice can pose considerable challenges for regulators. No remedy may be readily at hand; third-parties may be involved; resources and expertise may be wanting. In these circumstances, the OMFC is committed to working with regulators to support and assist the development of innovative solutions and better practice.

The Profession of Licensed Practical Nurses in Manitoba

Licensed practical nurses provide nursing services and care for patients in a variety of work environments. They work in partnership with other members of the health-care system, planning, implementing and evaluating care for clients throughout the life cycle.

In Manitoba, the nursing profession is differentiated into three regulated nursing groups: licensed practical nurses (LPN), registered nurses (RN) and registered psychiatric nurses (RPN). The chief difference between these types of nursing roles lies in the increasing breadth and depth of the education needed as well as the nature and scope of practice permitted.

In many regions of the world, the nursing profession is not segmented or regulated in this manner. In most countries, the only nursing designation is the registered nurse. Consequently, many of Manitoba's internationally educated LPNs were originally trained as registered nurses and possess an academic degree.

There are approximately 3,000 practicing LPNs in Manitoba, making it one of the larger regulated health professions in the province. The recognition of internationally educated nurses is a critical resource to ensure a healthy supply of practitioners. Internationally educated nurses are also strengthening the quality of service in the profession with their diverse language skills, cultural knowledge and professional abilities. In the health field, cultural diversity among practitioners is a timely asset for a profession serving Manitoba's increasingly diverse patient population.

Overview of CLPNM's Assessment and Registration Process

The College of Licensed Practical Nurses of Manitoba (CLPNM) regulates the practice of Practical Nursing in Manitoba under the authority of *The Licensed Practical Nurses Act* (C.C.S.M. c. L125) and Regulation (27/2002). In Manitoba, only those individuals who are registered on the practising register with CLPNM are entitled to engage in the practice of practical nursing, represent themselves as Licensed Practical Nurses or use the professional designation 'LPN'.

Qualifications

Chief qualifications needed for registration as a practical nurse include possessing an approved, two year practical nursing diploma in Manitoba or a nursing diploma or degree that the CLPNM Board considers to be substantively equivalent, and passing the Canadian Practical Nurse Registration Examination (National Exam). The National Exam is a 4 hour, multi-choice format test that evaluates practical nursing knowledge, application and critical thinking in the context of the Canadian health care system.

Internationally educated nurses (IENs) may also be required to undergo a Clinical Competence Assessment at Assiniboine Community College if their qualifications cannot be determined as substantively equivalent to a Canadian graduate. The Clinical Competence Assessment is a 2-day, multi-format clinical assessment that evaluates an applicant's knowledge and skills in six critical competence areas. Gaps identified by the Clinical Competency Assessment may result in the need for the applicant to complete bridge training coursework through Assiniboine Community College's Practical Nurse Qualification Recognition program (PNQR).

Assessment and Registration Process

- 1) For IENs, the first step in the assessment and registration process involves submitting a complete application to CLPNM. The following forms and documentation must be submitted along with a \$315.00 application fee:
 - Credential Assessment Application form – requires guarantor signed photo I.D. & notarized birth certificate;
 - Disclosure form – requires a Canadian criminal records and vulnerable sector search, as well as a child abuse registry check;
 - Licensing Authority Registration forms – requires documentation from the applicant's previous licensing authorities to be completed and directly submitted by the authority;
 - Employer Information form – requires directly submitted, employer completed employee reference form;
 - Education form – requires a directly submitted, school completed academic program form;
 - Language Proficiency (if applicable) – requires applicants whose primary use

language is not English or French to provide language tests results from either the Canadian English Language Benchmark Assessment for Nurses (CELBAN), the International English Language Testing System (IELTS), or the Test d'évaluation de français (TEF) meeting minimum specified scores.

- 2) Upon completed application, CLPNM assesses the applicant's education credentials and work history against Manitoba standards. Applicants must show evidence of competency in six critical practice areas: Physical Health Assessment, Urinary Catheterization, Medication Administration, Pharmacology, Intravenous Therapy and Nursing Skills. CLPNM informs applicants of the assessment result in writing typically within 6-8 weeks of application.

There are three possible outcomes of CLPNM's initial application assessment:

- *Applicant clearly not qualified.* CLPNM advises applicants about approved academic programs and about possible alternative careers, such as a health care aide.
- *Applicant meets CLPNM's standard.* At this point, the applicant is eligible to apply to write the Canadian Practical Nurse Registration Examination (National Exam) and qualify for the Graduate Practical Nurse Registration. In addition, applicants must attend a regulator Education Session at CLPNM.

The Graduate Practical Nurse designation allows individuals to work under supervision as graduate practical nurses until the next available sitting of the National Exam. Applicants must apply for, write and pass the National Exam.

The exam is offered three times per year (January, May and September) and applicants must write the exam at the first scheduled sitting following Graduate Registration. Their application must be accompanied by a \$420.00 exam fee.

The Canadian Practical Nurse Registration Exam (CPNRE) Predictor Test is a tool available to support preparation and gauge readiness to take the exam.

Applicants receive written notification of exam results within eight (8) weeks of writing the National Exam. Those with a failing grade must re-write the exam at the next scheduled sitting. Applicants are permitted three (3) attempts to pass and as determined by CLPNM, may be required to complete remedial coursework upon a second failing.

- *Applicant's academic training and work experience cannot be determined to meet standard.* One or more of CLPNM's six critical competence areas cannot be confirmed and/or the applicant lacks practice currency -- 1000 practice hours in the last four years. In this circumstance, applicants are referred to Assiniboine Community College's Clinical Competency Assessment.

The Clinical Competency Assessment is a 2-day, multi-format competence assessment held at Assiniboine Community College.

Currently the assessment is still in its pilot phase and is free for applicants. Depending on demand, assessments can typically be arranged within two weeks.

CLPNM assesses the applicant's results of their Clinical Competency Assessment and informs the applicant in writing within 3 to 4 weeks of the assessment.

If nursing competencies are demonstrated through the Clinical Competence Assessment, applicants will proceed as above with CLPNM granting eligibility to apply to write the National Exam and apply for Graduate Practical Nurse registration.

If gaps in skills or knowledge are found, CLPNM will prescribe gap training coursework through Assiniboine Community College's Practical Nurse Qualification Recognition Program (PNQR Bridging Program). As a prerequisite to entering the PNQR Bridging Program, applicants must make application and pay \$52.50 to obtain a student registration from CLPNM.

The PNQR Bridging Program offers a variety of gap training courses and depending on the gaps of the applicant, can take up to 16 weeks, including up to 6 weeks of clinical practicum. The program is flexibly structured to ensure applicants receive training only in the areas where gaps in qualification have been identified. Currently the PNQR Bridging Program is in a pilot phase, has three intakes annually and is free of charge for applicants.

If there is a currency issue – not having 1000 practice hours in the previous four years – applicants may also be required to complete, in whole or in part, Assiniboine Community College's Practical Nurse Refresher Program. This is a modular program designed to address currency issues for practical nurses and costs up to \$1,800.00 for the program, books and lab costs.

Upon successful completion of the requisite gap training, CLPNM grants the applicant eligibility to apply to write the National Exam and apply for Graduate Nurse Registration.

- 3) Meeting all of the above requirements, including successfully writing the National Exam, applicants must finally must make application and pay a \$472.50 registration fee to be registered by CLPNM as a licensed practical nurse.

Appeal Process

An appeal process is in place for any registration decision that denies registration or subjects it to condition. This includes CLPNM's initial application assessment, the Clinical Competence Assessment and the National Exam results.

Appeals are heard by CLPNM's Board by members other than the original decision makers. Applicants must file a notice to appeal within 30 days of the registration decision; the board schedules a hearing within 90 days. Appeal decisions are made within 90 days of the hearing date and appellants are informed in writing by the board within 30 days.

Time and Cost

The time and cost involved in the registration process will vary depending on the circumstances of the applicant.

For well-organized applicants who meet all of CLPNM's requirements, the process may take, upon completed application, as little as 6 to 8 weeks to qualify for Graduate Registration and approximately 7 months to be fully licensed. Fees will total a minimum of \$1,200.00. These figures do not include the time and expense involved in arranging and collecting the required documentation and any associated costs that may be incurred translating documents or preparing for the National Exam.

Those applicants required to undergo a Clinical Competency Assessment face an additional 6 weeks to the above timelines. Currently the Clinical Competency Assessment is free of charge and there is no delay or wait period to secure an assessment.

If gap training is required, either in the form of the PNQR Bridging Program or the Practical Nurse Refresher Program, the timeframe for registration will be significantly extended and in the latter case, significantly more expensive. The PNQR Program will add on the order of 6 months and the Practical Nurse Refresher Program can take as long as 15 months.

Costs:

Application for Enrolment, Active Practicing Registration	\$472.50
Credential Assessment	\$315.00
Exam Fee (CPNRE)	\$420.00
Student Registration Fee (if needed)	\$52.50
Rescoring exam fee (if needed)	\$65.00
Practical Nurse Refresher Program	\$1800 (Maximum)
Clinical Competency Assessment	No fee
Practical Nurse Qualification Recognition Program	No fee

All fees include GST.

Registration Review Findings

Summary of Findings

The College of Licensed Practical Nurses of Manitoba (CLPNM) is committed to the fair assessment and recognition of Internationally Educated Nurses (IENs). A dedicated assessment strategy and variety of supports are in place for the registration of IENs.

CLPNM has undergone significant changes in policies and staff over the last few years. Its work with Assiniboine Community College and the Province led to the 2012 piloting of a new Clinical Competency Assessment and the Practical Nurse Qualification Recognition Program (PNQR Bridging Program). A host of positive policy changes have accompanied the new assessment strategy opening the door to registration for many IENs for whom it was previously shut. Previous registration and work experience are no longer mandatory requirements and will allow recent IEN graduates an opportunity for consideration. The Clinical Competency Assessment allows for liberal alternative documentation practices and those whose academic training may not easily be determined as substantively equivalent to the Manitoba standard now have the opportunity to demonstrate their skills and knowledge. The PNQR Bridging Program provides individualized training and a path to recognition for IENs with qualification gaps relative to CLPNM's standards.

Still a work in progress, transitioning to the new assessment strategy is not without challenges. Quite naturally, there is a need for a user-friendly, transparent information package that accurately captures the new process and policies. More challenging is the need to examine the assessment process as a whole in light of the introduction of policy changes and the Clinical Competency Assessment. The competency assessment promises to be a powerful tool for identifying qualified applicants, but its introduction raises a need to review and ensure the other components of the assessment process – academic and work experience assessment, the National Exam – efficiently complement the process. Without an integrated strategic plan, multiple assessments, each with its own logic, scope and purpose, threaten to burden the process with costly, delaying redundancy. The PNQR Bridging Program, for example, will need to be monitored to ensure it functions as intended and realizes an efficient path to registration for IENs. Many IENs may not require significant academic training. Rather, exposure to clinical experience may be more efficiently dealt with in a dedicated employer setting.

Key findings from CLPNM's registration review are listed below. These findings cover the range of fairness issues as defined by the Fairness Standard and Criteria document and roughly follow the order of this document (see pp.12-29).

- CLPNM's website needs to be updated both to reflect the recent introduction of the Clinical Competency Assessment and the PNQR Bridging Program, as well as a variety of new assessment and registration policies. A new, dedicated information package for IENs is under development and expected to be implemented by mid 2013.
- With regard to CLPNM's current information package, as well as for the new

information package under development:

- the information provided needs to reflect the current assessment and registration process;
 - the education standard and the criteria used to evaluate international academic credentials need to be clear;
 - how work experience is assessed and how it may qualify an applicant for registration need to be well explained;
 - accurate information concerning expiration dating for language test results and criminal records checks need to be introduced;
 - better information regarding assessment timelines and a realistic cost range need to be introduced.
- CLPNM's communication with applicants has undergone a major review; procedures, forms and checklists are now in place to ensure active, reliable and systematic correspondence. Staff provide strong personal support and one-on-one assistance to applicants.
 - Documentation requirements are extensive. However, a variety of accommodations are in place to support applicants. CLPNM staff can act as guarantors for photo IDs. CLPNM is developing a database of previously obtained syllabi which will lessen the documentation demand for some applicants. If documentation comes from the applicant (as opposed to the third party), CLPNM may accept it following contact and confirmation of the documentation from the third party.
 - Alternative documentation is possible. For applicants who cannot provide documentation with good reason, CLPNM considers whatever documentation is at hand and a competency assessment may be required.
 - Criminal records checks and Vulnerable Sector searches are not required of IENs from their home country; only Canadian checks are required.
 - A variety of standards documents are in place and lay the foundation for rational regulation: 'LPN Competency Profile', 'Standards of Practice', 'Scope of Practice' and 'Code of Ethics'.
 - CLPNM's English and French language proficiency requirements were raised in 2011 following the recommendations from the National Fluency Working Group. The new levels replaced proficiency levels established by extensive field research by the Canadian Centre of Language Benchmarks.
 - Expiration dating is not applied to language test scores for applicants in the assessment and registration process.
 - CLPNM's assessment practice underwent a major review in July 2011. There is an expressed commitment to timely, fair and objective credential assessments. Two reviewers now examine each application and assessments are regularly audited to ensure validity and reliability.

- Assiniboine Community College’s Clinical Competency Assessment allows applicants whose academic training cannot be determined to be equivalent to the standard, the opportunity to demonstrate what they know and can do. The PNQR Bridging Program offers an opportunity to address gaps with individually tailored remedial training. Offered three times annually, the program is timed to be completed to align with National Exam sittings.
- CLPNM’s initial application result letters do not provide sufficient reasons that explain the grounds of the assessment. Similarly, detailed results of an applicant’s competency assessment are not disclosed.
- The Canadian Practical Nurse Registration Exam (National Exam) is subject to extensive psychometric scrutiny and regular review including a cultural and plain language review. A National Exam Predictor Test is available to support preparation and gauge readiness to take the exam.
- The National Exam results are reported as a Pass or Fail and are accompanied by information identifying subject matter areas where the applicant failed to meet the standard. For those who fail the exam, this information supports future exam preparation.
- An appeal process is in place for assessment and registration decisions. Little appeal information is provided in the registration material. It does, however, accompany CLPNM assessment decisions.
- CLPNM’s Board, responsible for hearing appeals, have received Crown Corporations Council training on governance. Staff have also participated in an OMFC workshop on appeals and a College of Occupational Therapists of Manitoba’s workshop on investigation and disciplinary hearings. Appeals are conducted with legal counsel.
- Registration and assessment fees appear reasonable and do not exceed cost recovery. Assessment timelines are prompt.
- Graduate registration, where nurses can practice under supervision until the first available sitting of the National Exam, supports timely entry to practice.

Commendable Practices

A number of CLPNM’s assessment and registration practices deserve to be recognized as exemplary, fair practices. Most of these will have already been described above or in other areas of this report, but the most significant bear repeating.

- Recently, CLPNM has undergone a major change in staff and leadership under trying circumstances. The new leadership and staff deserve recognition for their commitment and hard work in taking a critical look at their practice and making real progress in terms of administrative functioning and the fulfilment of the College’s mandate. Weathering a steep learning curve, they have been active participants in several positive, joint initiatives

with the Province and continue to be willing, open, and collaborative to better the system.

- A variety of policy changes have recently been introduced that better accommodate and support the recognition of IENs: removing the mandatory status of previous registration and work experience; expanding alternative documentation possibilities and documentation accommodations; introducing reasonable flexibility around expiration dating for language test results; giving consideration to the communication element in the competency assessment to bear on an applicant's language proficiency qualification.
- Upon CLPNM's initial application screen, applicants whose qualifications clearly will not qualify them for registration are informed immediately and refunded the \$315.00 credential assessment fee.
- CLPNM has reviewed and revamped its communication practices with applicants, implementing procedures that will help ensure systematic and timely correspondence so that applicants are kept appropriately informed.
- The introduction of Assiniboine Community College's Clinical Competency Assessment represents a milestone in Manitoba for IENs. Applicants with diverse training and work experience now have the opportunity to demonstrate what they know and can do.

Fairness Standard & Criteria Document – CLPNM Review Findings

Standard: <i>Dedicated and fair practices are in place for the assessment and registration of internationally educated applicants. Policies and procedures are documented, consistently followed and periodically reviewed to ensure effectiveness.</i>					
Elements	Criteria	Assessment			Office of the Manitoba Fairness Commissioner's Findings
		Compliant	Improvement Needs	Non-compliant	
1. Applicants are provided clear, complete and accurate information about assessment and registration process.	1. Qualification requirements and the criteria used to assess qualifications.		✓		<p>Qualification requirements and the criteria used to assess qualifications are not fully clear. Information provided on CLPNM’s website is incomplete and somewhat confusing. There are a few issues:</p> <ol style="list-style-type: none"> Information provided about the academic training required could be improved. With regard to the assessment of academic credentials, CLPNM's dedicated IEN webpage lists six competency areas that must be "met before initial registration". Elsewhere, on the education application form, IENs are directed to submit a form to their educational institutions to be filled out and directly submitted to CLPNM. Here the application form seeks information about an applicant’s academic program for a dozen competencies areas. Moving to CLPNM’s Requirements and Credential Page -- here it simply states that an approved LPN nursing education program in Manitoba or its equivalent is required. <p>CLPNM reports that educational credentials are assessed against the LPN Competency Profile. However, nowhere is this expressly stated in the registration information; nor is it clear how the LPN Competency Profile serves as an education standard. CLPNM also reports that the six competency areas have been identified by CLPNM, through its experience assessing IENs, as areas of critical competence that are commonly not provided by international academic training and work experience.</p>

Standard: *Dedicated and fair practices are in place for the assessment and registration of internationally educated applicants. Policies and procedures are documented, consistently followed and periodically reviewed to ensure effectiveness.*

Elements	Criteria	Assessment			Office of the Manitoba Fairness Commissioner's Findings
		Compliant	Improvement Needs	Non-compliant	
1. Applicants are provided clear, complete and accurate information about assessment and registration process.	1. Qualification requirements and the criteria used to assess qualifications.		v		<p>If the registration material is to provide IEN applicants with a reasonable sense of the academic training required and how their credentials will likely compare, it appears that clearer, better organized information needs to be provided, especially about the six mandatory competency areas, the LPN Competency Profile and the specific criteria against which education programs are evaluated.</p> <p>2. Work experienced is assessed by CLPNM both to determine practice currency and to determine if gaps identified in applicant's academic training have been met in their work history. The currency of practice requirement is clearly explained in the registration material: 1000 hours in the previous 4 years. However, little information is provided concerning how work experience may qualify an applicant for registration and any criteria that may be involved. Some sense of the criteria may be inferred from CLPNM's application Employer Form, as it seeks information from past employers about particular practice areas, but nothing further is explained.</p> <p>CLPNM reports that work experience is assessed and recognized both to determine practice currency and in some cases to confirm evidence of qualification in areas where the applicant's academic credentials failed to meet standard. This allows a few academically under qualified applicants to proceed to the Clinical Competency Assessment. Applicants, in other words, are not deemed fully qualified in any competence area simply on the basis of work experience alone, but such experience may be the difference in granting eligibility for a Clinical Competency Assessment. This information about the sense in which work experience qualifies an individual for registration needs to be explained in the registration material.</p>

Standard: *Dedicated and fair practices are in place for the assessment and registration of internationally educated applicants. Policies and procedures are documented, consistently followed and periodically reviewed to ensure effectiveness.*

Elements	Criteria	Assessment			Office of the Manitoba Fairness Commissioner's Findings
		Compliant	Improvement Needs	Non-compliant	
1. Applicants are provided clear, complete and accurate information about assessment and registration process.	1. Qualification requirements and the criteria used to assess qualifications.		✓		<p>3. Previous registration and work experience are not mandatory requirements. But failing to say otherwise, the registration material may give IENs the wrong impression: forms documenting these qualifications are provided with no 'if applicable' <i>provisos</i>. CLPNM reports that recent IEN graduates, who immigrate without previously registering in their home jurisdictions, will be considered for registration. Furthermore, those IEN graduates that do not meet CLPNM's currency requirement, with too much time having elapsed without practice since graduating, may also be considered, although completing the Practical Nurse Refresher Program in whole or in part may be required.</p> <p>4. English or French Language proficiency is a mandatory registration requirement. Applicants whose language of 'primary use' is not English or French or as it is said elsewhere, applicants whose 'first language' is not English or French, will be required to show evidence of proficiency by way of an approved language test with specified scores. Currently the registration material suggests expiration dating is applied to language test scores. CLPNM reports that this is rarely the case; applicants active within the registration process are not required to re-supply language tests. Moreover, CLPNM reports that the Clinical Competency Assessment tests for an applicant's communication skills and those who do well may be allowed to register without fully meeting the specified scores. As this can be a critical issue for second language applicants, clear, complete, and accurate information about CLPNM's English and French language proficiency requirement is needed.</p> <p>We note that CLPNM's website needs to be updated to reflect the recent introduction of the Clinical Competency Assessment and the PNQR Bridging Program. A new, dedicated information package for IENs is underdevelopment and expected to be implemented by mid 2013.</p> <p>We also note the personal support applicants receive from CLPNM staff throughout the registration process mitigates some of the concerns we have identified regarding the quality of information found on the website.</p>

Standard: *Dedicated and fair practices are in place for the assessment and registration of internationally educated applicants. Policies and procedures are documented, consistently followed and periodically reviewed to ensure effectiveness.*

Elements	Criteria	Assessment			Office of the Manitoba Fairness Commissioner's Findings
		Compliant	Improvement Needs	Non-compliant	
1. Applicants are provided clear, complete and accurate information about assessment and registration process.	2. Documentation requirements.		✓		<p>Documentation requirements are extensive: photo ID signed by 'guarantor'; notarized Birth Certificate; directly submitted previous registration form; directly submitted employer form; directly submitted education form (including transcript, course descriptions, 'graduate competencies' and the Dean's signature); for second language applicants, acceptable language test scores on an approved language test; and a criminal records check including a vulnerable sector check. Documents must be in English and any translation must be certified.</p> <p>Although the documentation requirements are extensive, a variety of accommodations are in place to support applicants. CLPNM staff can act as guarantors for photo I.D.s. CLPNM is developing a database of previously obtained syllabi which will lessen this documentation demand for some applicants. They also report that in some circumstances, if documentation comes from the applicant (as opposed to the third party), they will try to contact the party to confirm the documentation.</p> <p>It would be helpful and more transparent if information about these accommodations were identified in the registration information.</p>
1. Applicants are provided clear, complete and accurate information about assessment and registration process.	3. Fees and fee payment options.		✓		<p>Fees are listed on CLPNM's 'Fees' page. All of CLPNM's various fees are listed here, making it somewhat difficult to see which specific fees apply to IENs seeking registration. The application forms also identify fees and payment options; this will help applicants sort out what they owe and when. Still, a better organized, graphic or visual, 'birds-eye view' of the fees and fee timing faced by IENs would be helpful.</p>
1. Applicants are provided clear, complete and accurate information about assessment and registration process.	4. A realistic sense and range of the full costs involved in the process, including common associated costs.		✓		<p>Specific fees are listed, e.g., credential assessment, national exam, registration. However, no realistic estimate of the full cost range of the process or of the common associated costs is provided. The cost or cost-range of the Practical Nursing Refresher Program should be provided. Currently, the Clinical Competence Assessment and PNQR Bridging Program are free and this should also be stated.</p>

Standard: *Dedicated and fair practices are in place for the assessment and registration of internationally educated applicants. Policies and procedures are documented, consistently followed and periodically reviewed to ensure effectiveness.*

Elements	Criteria	Assessment			Office of the Manitoba Fairness Commissioner's Findings
		Compliant	Improvement Needs	Non-compliant	
1. Applicants are provided clear, complete and accurate information about assessment and registration process.	5. Financial support opportunities.		✓		There is no mention of financial support opportunities in the registration material. CLPNM reports that information about the new SEED Microloan Program is provided informally and handouts are available at CLPNM. CLPNM also reports that applicants from the RRC's IEN Bridging Program who have used Nursing Recruitment Retention Funds may continue the LPN assessment process without having to pay back those funds.
1. Applicants are provided clear, complete and accurate information about assessment and registration process.	6. Timelines and key dates.		✓		Timeline information is mostly absent. CLPNM reports that upon completed application its initial credential assessment takes 6-8 weeks; however, this information is not provided in the registration material. Dates for the national exam are provided. Limited information is presented about the refresher course: Assiniboine Community College contact information is given and the course is described as 'self-paced'. Timeline information will be part of the new information package underdevelopment for the Clinical Competency Assessment and PNQR Bridging Program. A dedicated web page with IEN assessment timelines, key dates, and fees information would support planning and preparation.
1. Applicants are provided clear, complete and accurate information about assessment and registration process.	7. A realistic sense and time range of how long the entire process often takes.		✓		No time range information is provided in the registration material. According to CLPNM, most IENs, upon completed application, require 7 months to a year to be registered. A significantly longer period will likely be required for those applicants in need of bridge coursework. A more complete time range picture would be beneficial for IENs.
1. Applicants are provided clear, complete and accurate information about assessment and registration process.	8. Step-by-step, easy-to-navigate path of the registration process.		✓		CLPNM's current information package is not particularly well-organized or user-friendly for IEN applicants. CLPNM reports a step-by-step guide is under development and will include new information about Assiniboine CLPNM's Clinical Competency Assessment and PNQR Bridging Program. Beyond the need for new information to reflect the new process, we draw attention both to the previously identified issues, and to the need to better locate the 'Graduate Registration' page, at times referred by CLPNM as 'Initial Registration'. Currently it is poorly located under CLPNM's 'Fact Sheet' tab.

Standard: *Dedicated and fair practices are in place for the assessment and registration of internationally educated applicants. Policies and procedures are documented, consistently followed and periodically reviewed to ensure effectiveness.*

Elements	Criteria	Assessment			Office of the Manitoba Fairness Commissioner's Findings
		Compliant	Improvement Needs	Non-compliant	
1. Applicants are provided clear, complete and accurate information about assessment and registration process.	9. Information provided about opportunities for general and occupation-specific upgrading.		✓		Information is provided about the Manitoba Nursing Union's Canadian Culture and Communication Course and Assiniboine Community College's Practical Nursing Refresher Course. Additional information about the PNQR Bridging Program and its specific training courses will be introduced shortly as part of the new information package under development.
2. Standards of practice are identified and periodically reviewed.		✓			
3. Required qualifications are relevant and necessary for competent professional practice.		✓			
4. Documentation requirements are reasonable. Alternative documentation opportunities are available and explained to applicants	1. Difficult-to-provide documents – e.g. originals, syllabus – are warranted.	✓			
4. Documentation requirements are reasonable. Alternative documentation opportunities are available and explained to applicants	2. Alternative documentation opportunities are available and clearly explained.		✓		Alternative documentation is possible. With the introduction of the Clinical Competency Assessment, applicants who cannot, for good reason, provide documents are now given opportunity to be considered. CLPNM's alternative documentation policy, 'R9', stipulates that applicants must provide evidence of good reason, that CLPNM will consider whatever documentation the applicant does possess and that a competency assessment may be required. Information about alternative documentation needs to be introduced in the registration information.

Standard: *Dedicated and fair practices are in place for the assessment and registration of internationally educated applicants. Policies and procedures are documented, consistently followed and periodically reviewed to ensure effectiveness.*

Elements	Criteria	Assessment			Office of the Manitoba Fairness Commissioner's Findings
		Compliant	Improvement Needs	Non-compliant	
4. Documentation requirements are reasonable. Alternative documentation opportunities are available and explained to applicants	3. Criminal records policy is warranted and clearly explained.		✓		CLPNM's fact sheet on the criminal records check clearly explains the public safety rationale for the check. Those with records to disclose are advised to contact CLPNM. CLPNM reports criminal record checks are not required from the applicant's home country; only Canadian checks are needed to cover their time in Canada. Ideally this would be made clear in the registration material. In the criminal record fact sheet it is stated that a one year expiration date applies. However, CLPNM reports that expiration dating is not applied as long as the applicant's file remains open. This also should be stated in the registration material.
5. Any third party assessments in the registration process are transparent, objective, impartial and fair.	1. Applicants are provided clear, complete and accurate information about the role of third party assessments in the registration process.	✓			
5. Any third party assessments in the registration process are transparent, objective, impartial and fair.	2. Measures are in place to ensure third party assessment policy and practice is fair.	✓			

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Elements	Criteria	Assessment			Office of the Manitoba Fairness Commissioner's Findings
		Compliant	Improvement Needs	Non-compliant	
5. Any third party assessments in the registration process are transparent, objective, impartial and fair.	3. Third party assessment decisions are subject to appeal.		✓		<p>CLPNM reports applicants can 'informally' appeal Assiniboine Community College's Clinical Competency Assessment results to CLPNM's Executive Director and that Assiniboine Community College also has a student appeal process that applicants can use. The appeal information for the Clinical Competency Information is under development.</p> <p>Assessment Strategies Inc.'s website on the National Exam indicates that exam results are subject to appeal and that "To file an appeal, you must contact the Regulatory Authority in your province or territory." However, no appeal information is provided on CLPNM's website. Although its policy on exam review, 'E-12', only mentions re-scoring as a review possibility, CLPNM reports that invigilation issues could also be appealed.</p> <p>Full, formal appeal opportunities need to be provided for the Clinical Competency Assessment and the National Exam.</p>
6. Assessment of qualifications is transparent, objective, impartial and fair.	1. Valid and reliable methods of assessment are employed for internationally educated applicants.	✓			
6. Assessment of qualifications is transparent, objective, impartial and fair.	2. Assessment methods and tools are subject to psychometric scrutiny and cultural review.	✓			
6. Assessment of qualifications is transparent, objective, impartial and fair.	3. Multiple assessment methods are available. Applicants have the opportunity to demonstrate competence.	✓			

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Elements	Criteria	Assessment			Office of the Manitoba Fairness Commissioner's Findings
		Compliant	Improvement Needs	Non-compliant	
6. Assessment of qualifications is transparent, objective, impartial and fair.	4. Knowledge and skills acquired through work experience are assessed, including international work experience.		✓		<p>CLPNM assesses an applicant's work experience both to determine practice currency and in a partial, restricted sense, to determine if evidence of qualification can be seen relative to gaps identified in the applicant's academic credentials. Applicants who lack the academic credentials required to take the Clinical Competency Assessment may be allowed to proceed if their work experience suggests evidence of qualification.</p> <p>As the LPN Competency Profile states, practical nursing knowledge and skills can be acquired on the job. Consequently, evidence of qualification in work experience should be treated on par with evidence of qualification from academic training.</p> <p>CLPNM has expressed reluctance to treat work experience this way because they are not fully confident in the employer testimony relied upon to assess it. Testimony from academic institutions, in their judgment, offers a more reliable source of evidence.</p> <p>Moving forward, it makes sense for CLPNM to consider strategies that would permit the fuller relevance of qualification evident in work experience. Ideally, if applicants have acquired skills in the field and in fact are competent, they should be recognized as such.</p>
6. Assessment of qualifications is transparent, objective, impartial and fair.	5. International educational credentials are subject to a reasonable, valid equivalency assessment: reasonable measure has been taken to acquire an informed understanding of the content of international educational programs and their equivalence to Canadian programs.	✓			

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Elements	Criteria	Assessment			Office of the Manitoba Fairness Commissioner's Findings
		Compliant	Improvement Needs	Non-compliant	
6. Assessment of qualifications is transparent, objective, impartial and fair.	6. The regulator has objective standards and criteria to assess knowledge and competencies acquired through work experience.	✓			
7. Staffs responsible for assessment, appeals and working with internationally educated applicants received appropriate training and possess relevant expertise	1. Training for the assessment academic qualifications.	✓			
7. Staffs responsible for assessment, appeals and working with internationally educated applicants received appropriate training and possess relevant expertise	2. Training for the assessment of work experience	✓			
7. Staffs responsible for assessment, appeals and working with internationally educated applicants received appropriate training and possess relevant expertise	3. Appeal training	✓			

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Elements	Criteria	Assessment			Office of the Manitoba Fairness Commissioner's Findings
		Compliant	Improvement Needs	Non-compliant	
7. Staffs responsible for assessment, appeals and working with internationally educated applicants received appropriate training and possess relevant expertise	4. Cross-cultural training.	✓			
8. English and French language proficiency requirements for registration and professional practice are reasonable.	1. French or English language proficiency levels are identified and based on the language demands of the profession.		✓		<p>CLPNM has adopted, along with most Canadian nursing regulators, the National Fluency Working Group's recommended language proficiency levels. These proficiency standards were recently adopted in 2011, replacing and raising the proficiency levels previously established by the Centre for Canadian Language Benchmarks (CCLB) in 2003.</p> <p>The Fairness Commissioner has raised concerns with Manitoba's nursing regulators that the National Fluency Working Group's standards setting exercise was not based on adequate research and that the higher levels of proficiency now being required at the point of application may be unreasonable. Extensive, field based research formed the basis of CCLB's recommended proficiency levels. The Fairness Commissioner has asked Manitoba's nursing regulators to put a moratorium on the new, higher proficiency levels, and is suggesting we work together to investigate the language and communication issues in the field to ensure the right language standards are put in place.</p> <p>CLPNM reports being open to working with the Office of the Manitoba Fairness Commissioner and other stakeholders to further research this matter, but is not willing to rescind the new levels until more research is at hand. They further report that they have not seen a decline in applications or an increase in disqualified applications as a result of individuals not meeting the higher language proficiency requirements.</p>

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Elements	Criteria	Assessment			Office of the Manitoba Fairness Commissioner's Findings
		Compliant	Improvement Needs	Non-compliant	
8. English and French language proficiency requirements for registration and professional practice are reasonable.	2. Level of language proficiency identified at key points in the registration process – e.g., entry to practice vs. application or entry to gap training.	✓			
8. English and French language proficiency requirements for registration and professional practice are reasonable.	3. The identification of the nature and type of communicative demands for professional practice and the assessment process		✓		<p>Communication challenges for IENs in the field are recognized by Manitoba’s nursing regulators as a significant issue. In part, this is what motivated the work of the National Fluency Working Group and that led to raising the English and French language proficiency levels required for registration among Manitoba’s nursing regulators.</p> <p>The relationship between communicative and linguistic competence is complex. A high degree of language proficiency is no guarantee of appropriate communication skills, although a sufficiently low degree of language proficiency will interfere with it.</p> <p>The OMFC suggests that applied research in the field is needed to better understand this issue. Stronger training and support will likely be a much more effective strategy to ensure IENs are effective communicators in the field.</p> <p>We note that a Professional Practice Seminar for Nurses is currently under development and will be completed shortly. This seminar will provide IENs professional orientation and will provide some useful information about the nurse’s role in the workplace. The Manitoba Nursing Union’s Canadian Culture and Communication Course is also a helpful preparation resource for IENs.</p>
8. English and French language proficiency requirements for registration and professional practice are reasonable.	4. The appropriate use of language proficiency tests, expiration dating and test-scores.	✓			

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Elements	Criteria	Assessment			Office of the Manitoba Fairness Commissioner's Findings
		Compliant	Improvement Needs	Non-compliant	
8. English and French language proficiency requirements for registration and professional practice are reasonable.	5. A variety of English language test are recognized	✓			
9. Assessment and registration process is relationally fair.	1. Written reasons accompany assessment results.		✓		<p>Four template letters were provided by CLPNM that: 1) refer the applicant to the Clinical Competency Assessment; 2) refer the applicant to the PNQR bridging program; 3) accept but with a restricted license; 4) for an applicant with no skills or knowledge deficiencies, require completion of the Canadian Culture and Communications for Nurses course and attendance at an educational session at CLPNM.</p> <p>None of these letters provides sufficient reason for the assessment result. Rather the result is simply said to be a result of CLPNM's assessment. No grounds or particular reasons are identified describing how an applicant's qualifications failed to meet standard in a way that would call for a competency assessment. Likewise for the assessment result for a restricted Graduate License, the restriction is announced and described 'Intravenous (IV) Therapy' including the activities prohibited in practice and the remedial steps needed to have the restriction removed. No explanation is provided that explains why CLPNM failed to find evidence of this area of competence in the application. The Clinical Competency Assessment result letter states that CLPNM has assessed the results of the assessment and that the applicant has not been able to demonstrate the full range of skills and knowledge required; a list of required PNQR Bridging Program courses is then presented.</p> <p>A better, more detailed explanation is called for in CLPNM's assessment result letters, one which makes clear to a reasonable applicant the grounds for the result of CLPNM's initial application assessment. Detailed Clinical Competency Assessment results should also be shared with applicants.</p>

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Elements	Criteria	Assessment			Office of the Manitoba Fairness Commissioner's Findings
		Compliant	Improvement Needs	Non-compliant	
9. Assessment and registration process is relationally fair.	2. Detailed feedback is provided about qualification gaps.		✓		CLPNM receives a detailed four page assessment result document from Assiniboine Community College for each competency assessment. These results are currently not disclosed to the applicant. The CLPNM is, however, currently working with Assiniboine Community College to have detailed assessment results shared with applicants.
9. Assessment and registration process is relationally fair.	3. Applicants have the opportunity to discuss assessment and registration decisions of concern.		✓		CLPNM's assessment result letters invite applicants to contact them if they have any concerns with an assessment decision. This is commendable. Beyond this, however, we suggest it would also be beneficial to formalize this activity in the appeal process by introducing a pre-appeal step, the idea being that applicants would, as the first step in an appeal action, contact CLPNM to discuss the issue. Issues can be clarified immediately, ensuring applicants fully understand the rationale of a decision or policy, helping to avoid specious appeals. It also allows CLPNM to take immediate action if it appears something is not right with the decision.
9. Assessment and registration process is relationally fair.	4. Applicants without appropriate qualifications receive advice and information about alternative careers.	✓			
10. Registration process allows for different levels of recognition.	1. Opportunity for restricted or conditional license and supervised practice.	✓			
10. Registration process allows for different levels of recognition.	2. Re-assessment only required in areas where competence has not been demonstrated.	✓			

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Elements	Criteria	Assessment			Office of the Manitoba Fairness Commissioner's Findings
		Compliant	Improvement Needs	Non-compliant	
10. Registration process allows for different levels of recognition.	3. Time-frames for re-assessment are consistent with currency of practice standards.	✓			
11. A fair appeal or review process is available.	1. All assessment and registration decisions that deny or condition registration are subject to appeal	✓			
11. A fair appeal or review process is available.	2. Appeal or review committee members are independent from those responsible for the original decision	✓			
11. A fair appeal or review process is available.	3. Timely hearings and appeal decisions	✓			
11. A fair appeal or review process is available.	4. Detailed, written reasons are provided to appellants for unfavorable decisions.	✓			
11. A fair appeal or review process is available.	5. Applicants are advised of their right to appeal.		✓		Appeal information is not provided in the registration information. Appeal information does, however, accompany assessment results.

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Elements	Criteria	Assessment			Office of the Manitoba Fairness Commissioner's Findings
		Compliant	Improvement Needs	Non-compliant	
11. A fair appeal or review process is available.	6. Appeal information accompanies any assessment and registration decision subject to appeal.		✓		Appeal information does not accompany assessment decisions subject to appeal.
12. Legal exceptions notwithstanding, applicants have full and timely access to their assessment results and records associated with registration.	1. There is a process under which requests for records are considered. Fees for access to records are reasonable and do not exceed cost recovery.	✓			
12. Legal exceptions notwithstanding, applicants have full and timely access to their assessment results and records associated with registration.	2. Applicants are informed of their access to records and the process for requesting records.		✓		Applicants have access to records upon request. No information about access to records is presented in the registration material.
13. Fees involved in the assessment and registration process are reasonable.	1. Fees do not exceed cost recovery.	✓			
14. Assessment and registration process is timely.	1. Reasonable measure is taken to ensure the prompt processing of applications and assessments.	✓			

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Elements	Criteria	Assessment			Office of the Manitoba Fairness Commissioner's Findings
		Compliant	Improvement Needs	Non-compliant	
14. Assessment and registration process is timely.	2. Communication with applicants is timely and systematic.	✓			
14. Assessment and registration process is timely.	3. Assessment and registration process is structured efficiently and minimizes unnecessary delays.		✓		<p>CLPNM is clearly committed to an efficient registration process that supports timely entry to practice. A variety of measures have been recently adopted to ensure effective, systematic communication and the proper handling of files.</p> <p>The efficiency and relevance of the new PNQR Bridging Program is tied to the need for academic gap training among IENs. Currently the majority of IENs are trained as registered nurses in university degree programs. This suggests these applicants should be academically qualified; perhaps even over-qualified, as registered nursing involves overlapping competencies with a greater degree of specialization and technical training.</p> <p>During the planning and development of the PNQR Bridging Program, concerns were raised by CLPNM's former Executive Director and other stakeholders that academically oriented gap training may not be the most appropriate way to meet the needs of IENs. Rather, employer supported, work-based integration and clinical training may offer a more effective solution. CLPNM's recent experience providing gap training to a group of LPN's at CDI College and then subsequently at the Victoria Hospital is a good example of the relative merits of the different approaches; the clinical exposure and training at the hospital proved much more effective. We also note the Professional Practice Seminar for Nurses will be available shortly and will provide IENs a valuable integration support.</p> <p>The OMFC is also aware CLPNM disagrees, feeling the PNQR training is practically oriented, non-redundant training that addresses the common gaps they see in IEN applicants.</p>

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Elements	Criteria	Assessment			Office of the Manitoba Fairness Commissioner's Findings
		Compliant	Improvement Needs	Non-compliant	
14. Assessment and registration process is timely.	3. Assessment and registration process is structured efficiently and minimizes unnecessary delays.		✓		<p>Moving forward, it makes sense for CLPNM to review the situation, giving consideration to working with employers, such as the Victoria Hospital and others who can offer the requisite clinical experience, to explore and develop supervised practice opportunities for applicants whose Clinical Competency Assessment identifies gaps that can be better dealt with in the workplace. A multi-path, Clinical Competency Assessment centered approach may offer a more efficient assessment strategy.</p> <p>In this regard, there is also a need to examine the assessment process as a whole in light of the introduction of the Clinical Competency Assessment. The competency assessment promises to be a powerful tool for identifying qualified applicants, but its introduction raises a need to review and ensure the other components of the assessment process – academic and work experience assessment, the National Exam – efficiently complement the process. Without an integrated strategic plan, multiple assessments, each with its own logic, scope and purpose, threaten to burden the process with costly, delaying redundancy.</p>

Fairness Commissioner's Recommendations

As a result of the OMFC's registration review of CLPNM of Licensed Practical Nurse of Manitoba (CLPNM) and to ensure compliance to *The Fair Registration Practices in Regulated Professions Act*, the Fairness Commissioner recommends:

1. With regard to the assessment and registration information, *that* CLPNM provide clear, complete and accurate information about:
 - a. the education standard and the criteria against which academic programs are evaluated;
 - b. the assessment of work experience and how it may qualify an applicant for a Clinical Competency Assessment;
 - c. the non-mandatory status of previous registration and work experience;
 - d. criminal records checks – that checks are not required from an immigrant's home country and the expiration dating policy;
 - e. the English and French language proficiency requirement, expiration dating policy for language tests and how the communication component of the Clinical Competency Assessment may impact the language test scores required;
 - f. alternative documentation and the various accommodations surrounding documentation requirements;
 - g. fees, fee timelines, total cost-range and financial support opportunities for the registration process, including the Clinical Competency Assessment, the PNQR Bridging Program and the Practical Nursing Refresher Program;
 - h. assessment results timelines, including the initial application assessment and the timelines surrounding the Clinical Competency Assessment;
 - i. holistic time range information about the registration process and the PNQR Bridging Program and the Practical Nursing Refresher Program;
 - j. an easy-to-navigate, step-by-step path of the assessment and registration process;
 - k. access to records.

2. With respect to the appeal process:
 - a. *That* CLPNM provide complete, clear and accurate appeal information in the registration material and that appeal information accompanies any assessment decision subject to appeal¹;
 - b. *That* CLPNM ensure the initial application assessment and the Clinical Competency Assessment are subject to appeal;
 - c. *That* CLPNM ensure the National Exam results are subject to full appeal and are not restricted to re-scoring or issues of procedure;
 - d. *That* CLPNM formally introduce a pre-appeal step in the appeal process.
3. *That* CLPNM provide more detailed reasons for its initial application assessments and for the results of the Clinical Competency assessment;
4. *That* CLPNM give greater weight to qualifications evident in an applicant's work experience;
5. *That* CLPNM place a moratorium on the new, higher English and French language proficiency levels until such time as better research can be produced that warrants increasing the requirements and that CLPNM commit to resolve this issue;
6. *That* CLPNM undertake a review of the various elements of its assessment process to ensure a systematic, efficient process and give consideration to establishing alternative paths to registration in circumstance where the PNQR Bridging Program is not fully required.

¹ Initially an OMFC misunderstanding, the CLPNM does in fact provide appeal information with its assessment result letters. Consequently there only remains a need to provide appeal information in the registration material.

CLPNM's Action Plan

In response to the Fairness Commissioner's Recommendations, the College of Licensed Practical Nurses of Manitoba proposed the following action plan as of November 2012. The plan is reprinted in its entirety under the 'CLPNM's Action Plan' column in the table below.

The CLPNM's Action Plan will form the basis of its relationship with the OMFC moving forward. The plan is monitored by the OMFC and will be tracked in the 'Completion Date' box of the Action Plan as it comes to fruition. As the report will be available online, this allows any interested party to see the progress to date.

OMFC's Recommendation	Planned Action(s)	Short Term Less than 3 months	Medium Term 3 months to 1 year	Long Term 1 year or more	Completion Date
<p>1. With regard to the assessment and registration information, <i>that</i> CLPNM provide clear, complete and accurate information about:</p> <ul style="list-style-type: none"> a. The education standard and the criteria against which academic programs are evaluated; b. The assessment of work experience and how it may qualify an applicant for a Clinical Competency Assessment; c. The non-mandatory status of previous registration and work experience; 	<p>1. CLPNM is currently developing an easy to use Guidebook for the internationally educated applicant. The guidebook will be available on the website. The website and the IEN section of the website are currently under revision.</p> <ul style="list-style-type: none"> a. A document outlining the CLPNM Educations Standards will be made readily accessible on the redeveloped website dedicated to IENs. A sample comparison document from an international educational establishment will also be provided to promote understanding. b. The credential assessment (CA) application and administrative processes are currently undergoing a major internal review. The Guidebook will include clear and complete information relating to CLPNM's assessment process, including how work experience is used to assess an applicant's nursing competency and how work experience may qualify an applicant for a CCA. c. The Guidebook will advise applicants of the mandatory minimal documentation requirements including previous registration and work experience; however, the Guidebook will advise that graduates of nursing education programs without previous registration status and/or nursing work experience may still be eligible for a CCA. The Guidebook will advise that each applicant will be reviewed on a case by case basis and communication between the applicant and the College will be encouraged, and where alternative documentation may be used. In addition, information relating to the mandatory nature of the documentation will be included in the Guidebook. 		<p style="text-align: center;">✓</p> <p style="text-align: center;">✓</p> <p style="text-align: center;">✓</p>		


OMFC's Recommendation	Planned Action(s)	Short Term Less than 3 months	Medium Term 3 months to 1 year	Long Term 1 year or more	Completion Date
<p>d. Criminal records checks – that checks are not required from an immigrant's home country and the expiration dating policy;</p> <p>e. The English and French language proficiency requirement, expiration dating policy for language tests and how the communication component of the Clinical Competency Assessment may impact the language test scores required;</p>	<p>d. The Guidebook will include information on Child Abuse Registry checks and criminal record checks including the need for a Canada wide check that includes vulnerable sector. CLPNM's expiration dating policy will be clearly indicated. Applicants will be given basic information regarding relevant agency contact information.</p> <p>e. The Guidebook will include clear and complete information relating to the language proficiency requirements including required benchmarks, approved language tests and CLPNM's expiration dating policies. The Guidebook will advise applicants that CLPNM reviews all aspects of the credential assessment, including language scores to make decisions regarding eligibility or need for a CCA. The Guidebook will advise applicants that on a case by case basis the CCA may be utilized to further assess language proficiency within the context of a nursing environment.</p>		<p>✓</p> <p>✓</p>		


OMFC's Recommendation	Planned Action(s)	Short Term Less than 3 months	Medium Term 3 months to 1 year	Long Term 1 year or more	Completion Date
<p>f. Alternative documentation and the various accommodations surrounding documentation requirements;</p> <p>g. Fees, fee timelines, total cost-range and financial support opportunities for the registration process, including the Clinical Competency Assessment, the PNQR Program and the Practical Nursing Refresher Program;</p>	<p>f. The Guidebook will include information on each section detailing exactly what is required by the CLPNM, and give examples of where and when alternative documentation may be used. In addition, information will be included to describe possible accommodations surrounding documentation requirements. A frequently asked questions (FAQ) section will also be included and updated regularly, to assure timely and accurate information is always available. As each applicant's situation is unique, the need for alternative documentation and CLPNM's ability to accommodate alternative documentation cannot be clearly, completely and accurately described in a Guidebook or FAQ. In addition to the above actions, CLPNM will continue to encourage applicants to communicate their individual circumstances to the College. The CLPNM, in, turn will make every effort to allow for alternative documentation/accommodations while balancing our mandate of protection of the public.</p> <p>g. The Guidebook will include a flow chart to describe the process, including costs and timelines associated with the various stages of the process. A fact sheet of all the costs that are associated with the IEN application through to initial enrollment on the active practising register will also be included. Further, a fee schedule dedicated to the IEN will be made available in the IEN section of the website. The fee schedule will include all costs from initial application to exam fees to initial enrollment with the CLPNM. Links to Assiniboine Community College's Health and Human Services (nursing) webpage will be provided on the website. CLPNM would like to work in collaboration with the OMFC, to provide on the CLPNM website, appropriate and current links to available supports, financial and otherwise, offered to IENs undergoing the credentialing process.</p>		<p>✓</p> <p>✓</p>		

OMFC's Recommendation	Planned Action(s)	Short Term Less than 3 months	Medium Term 3 months to 1 year	Long Term 1 year or more	Completion Date
<p>h. Assessment results timelines, including the initial application assessment and the timelines surrounding the Clinical Competency Assessment;</p> <p>i. Holistic time range information about the registration process and the PNQR Bridging Program and the Practical Nursing Refresher Program;</p> <p>j. An easy-to-navigate, step-by-step path of the assessment and registration process;</p> <p>k. Access to records.</p>	<p>h. The Guidebook will provide information regarding what timelines the applicant can reasonably expect for the initial application process. Timelines relating to the booking of a CCA, the CCA itself and the reporting of results of the CCA will be set out in the Guidebook. The CCA tool is a work in progress and as such is in a state of flux.</p> <p>i. ACC is now providing CLPNM a more detailed summary sheet of outcome of the applicant's CCA, which will enable more information on the outcome of the CCA to be provided to the applicant. The basis for each decision will be included in the information letter that is sent out after the CCA, which advises the applicant of the next steps in their progress.</p> <p>j. The Guidebook will include all timeline related information, specific to each stage of the PNQR and PNR process. The course work is customized to each applicant, and therefore may differ from person to person, thus this may not be possible to provide a generic timeline. However, the CLPNM will endeavour to ensure that realistic sample timelines be provided.</p> <p>k. The Guidebook will include an easy to navigate flowchart of the entire process. There is the possibility that the flowchart can be utilized as a stand-alone document that would provide a simple schematic of the assessment and registration pathway that could be posted on the website.</p> <p>The applicant is currently able to obtain copies of all records provided to the CLPNM upon receipt of a completed application and associated</p>		<p>✓</p> <p>✓</p> <p>✓</p>	<p>✓</p>	

OMFC's Recommendation	Planned Action(s)	Short Term Less than 3 months	Medium Term 3 months to 1 year	Long Term 1 year or more	Completion Date
	<p>administrative fee. CLPNM will ensure that information regarding records access is clearly articulated on the website and throughout the credential assessment process. CLPNM is currently in discussion with ACC regarding full access to the results of the CCA as the CCA is ACC's copyrighted document, and we are not able to proceed with releasing full information from a third party without their express permission. CLPNM will advise all stakeholders involved in the CCA and PNQR of the Fairness Commissioner's recommendation.</p>				
<p>Regulator's Comments:</p>					


OMFC's Recommendation	Planned Action(s)	Short Term Less than 3 months	Medium Term 3 months to 1 year	Long Term 1 year or more	Completion Date
<p>2. With respect to the appeal process:</p> <p>a. <i>That</i> CLPNM provide complete, clear and accurate appeal information in the registration material and that appeal information accompanies any assessment decision subject to appeal;</p> <p>b. <i>That</i> CLPNM ensure the initial application assessment and the Clinical Competency Assessment are subject to appeal;</p>	<p>a. CLPNM is currently creating an appeal fact sheet outlining appeal processes and timelines. This fact sheet will be made available on the website. Appeal information will be included in the Guidebook as well. All correspondence regarding appealable decisions will be included in the appeal fact sheet. Currently, all applicants whose registration is denied or subject to conditions receive written appeal information. The proposed appeal fact sheet will provide further clarity and direction to the applicant.</p> <p>b. CLPNM is currently creating a new policy relating to appeal of credential assessment decisions, which will include decisions based on the CCA. Currently, all applicants whose registration is denied or subject to conditions receive written appeal information.</p>		<p>✓</p> <p>✓</p>		
<p>c. <i>That</i> CLPNM ensure the National Exam results are subject to full appeal, not restricted to re-scoring or issues of procedure;</p>	<p>c. The National Exam is administered by a third party, and is based on a national standard set by regulatory authorities across the country. CLPNM is investigating the appeal process that is in place in other provinces, with a view to establishing a policy surrounding exam result appeals. Currently, any registrant who is unsuccessful in the third and final attempt of the national exam is informed of their right to appeal the denial of registration</p>			<p>✓</p>	

OMFC's Recommendation	Planned Action(s)	Short Term Less than 3 months	Medium Term 3 months to 1 year	Long Term 1 year or more	Completion Date
<p>d. That CLPNM formally introduce a pre-appeal step in the appeal process.</p>	<p>to the CLPNM Board.</p> <p>d. CLPNM recognises that a pre-appeal step is important in the process, and is investigating how to formalize such a procedure. CLPNM is currently reviewing pre-appeal processes utilized by other organizations and intends to establish a pre appeal process that will be shared with applicants. Until a pre-appeal process is formalized, CLPNM will continue to openly communicate and inform applicants of processes, decisions, reasons and appeal rights. CLPNM will continue to encourage applicants to communicate with the CLPNM consultants, or the ED, at any time in the process.</p>				
<p>Regulator's Comments:</p>					

OMFC's Recommendation	Planned Action(s)	Short Term Less than 3 months	Medium Term 3 months to 1 year	Long Term 1 year or more	Completion Date
<p>3. That CLPNM provide more detailed, sufficient reasons for its initial application assessments and for the results of the Clinical Competency assessment;</p>	<p>3. The Guidebook that is being developed will include detailed information relating to the reasons for every step of the application and assessment process. In addition, information regarding the need for the CCA will be included in the Guidebook. CLPNM is currently reviewing and revising communication templates to ensure that all correspondence to applicants clearly articulates decisions and reasons for each step in the credential assessment process. This would include the reasons why an applicant would be required to undergo a CCA and the results of the CCA. As stated in 1. K. above, CLPNM is working with ACC to release more information surrounding the CCA as a way to provide more detailed, sufficient and clear reasons for CCA results.</p>				
<p>Regulator's Comments:</p>					

OMFC's Recommendation	Planned Action(s)	Short Term Less than 3 months	Medium Term 3 months to 1 year	Long Term 1 year or more	Completion Date
4. That CLPNM give greater weight to qualifications evident in an applicant's work experience;	<p>4. As all eligible applicants must graduate from a nursing education program, CLPNM currently looks at the educational background and work experience in combination, in order to assess the applicant's level of competency within the scope of practice for LPNs in Manitoba. Assessing work experience is critical to ensure safe practice and to protect the public. CLPNM reviews all appropriate health care related experiences of applicants who have graduated from a nursing education program.</p> <p>CLPNM respects and appreciates the nursing education and diverse experiences of IEN applicants. As protection of the public is always at the forefront, we are encouraged by the newly developed and revised CCA and PNQR and feel that as the pilot program progresses and is evaluated and validated, the qualifications that are evident in work experience may be afforded more weight in the credential assessment process.</p>		✓		
Regulator's Comments:					
5. That CLPNM place a moratorium on the new, higher English and French language proficiency levels until such time as better research can be produced that warrants	5. As there is a great need for nursing regulators across Canada to collaborate to provide fair and consistent processes for the recognition of foreign qualifications, the harmonization of language proficiency levels across the country was an important step towards a National Nursing Assessment Service for IENs. In the absence of recent longitudinal studies on language proficiency and communicative competence relative to Canadian nursing,			✓	

OMFC's Recommendation	Planned Action(s)	Short Term Less than 3 months	Medium Term 3 months to 1 year	Long Term 1 year or more	Completion Date
<p>increasing the requirements and that CLPNM commit to resolve this issue;</p>	<p>the CLPNM is reluctant to place a moratorium on the new language proficiency levels.</p> <p>In the absence of funds to conduct a longitudinal study of language proficiency requirements, the harmonized scores help to lay a foundation for consistent credential assessment processes for IENs wishing to practice in Canada. The harmonization also supports labour mobility for LPNs across the country.</p> <p>The CLPNM is in full agreement that language proficiency is a complex matter and that there are many variables that can impact an applicant's testing results. Over the last year, College consultants have been in communication with language experts in Manitoba, including CELBAN administrators, to garner a better understanding of language scores. We have received information regarding CELBAN listening scores of 9 versus 10 that have afforded the CLPNM with a better understanding.</p> <p>CLPNM is currently reviewing its policy and process around language proficiency to allow eligible applicants with a CELBAN listening score of 9 to continue with the assessment process, which would include a CCA and possibly communications course(s).</p> <p>CLPNM is willing to work collaboratively with the OMFC and other interested stakeholders in further research into the communication requirements for LPNs in Canada.</p>				

OMFC's Recommendation	Planned Action(s)	Short Term Less than 3 months	Medium Term 3 months to 1 year	Long Term 1 year or more	Completion Date
Regulator's Comments:					
<p>6. That CLPNM undertake a review of the various elements of it assessment process to ensure a systematic, efficient process and give consideration to establishing alternative paths to registration in circumstance where the PNQR Bridging Program is not fully required.</p>	<p>6. As the PNQR is in a pilot phase, it is subject to a full evaluation as well as ongoing evaluation. As the PNQR pilot continues to operate, CLPNM will continue to assess the various elements of the entire assessment process to ensure the pathway to registration is efficient while keeping the protection of the public at the foreground. Currently, the CLPNM does offer alternative pathways to registration dependent upon the applicant's unique circumstances and experiences. Not all applicants require the CCA if their paper based assessment clearly and completely indicates education and relatively recent experience that is equivalent to the competencies of an LPN in Manitoba. Furthermore, not all applicants undergoing the CCA require the PNQR. For those applicants that do require additional education or practical skill development, the PNQR is customized to ensure the individual is receiving only the necessary training. Most often, IENs are referred to one or two parts of the PNQR, and frequently request permission to attend all sessions to solidify their current knowledge.</p>				
Regulator's Comments:					

Fairness Commissioner's Statement of Compliance

The College of Licensed Practical Nurses of Manitoba's Action Plan is a progressive and comprehensive response to the recommendations that resulted for the OMFC's registration review. These actions will support fairer practice and are fully consistent with *The Fair Registration Practices in Regulated Professions Act*.

The CLPNM has undergone remarkable change in the past few years: new leadership and staff are onboard, a major audit and review of registration practice has been undertaken, a remedial gap training initiative for a group of registered practical nurses occurred, Assiniboine Community College's Clinical Competency Assessment and PNQR Bridging Program were introduced and a variety of practice and policy changes have been implemented.

In Manitoba we are seeing increasing numbers of IENs immigrating to our community together with a high demand for practitioners in the field. Consequently the stakes are high to effectively recognize and capture the skills of this group of newcomer professionals.

In this context, I am encouraged by the leadership and dedication of the CLPNM's staff and all of the time, energy and resources that are being directed to improving the integrity and effectiveness of the registration process for IENs. This is progress. Still challenges remain and my hope is that this commitment to make the system work and the lessons learned from this renewal will continue to spur further improvements. I will continue to offer OMFC support and look forward to our future work together.

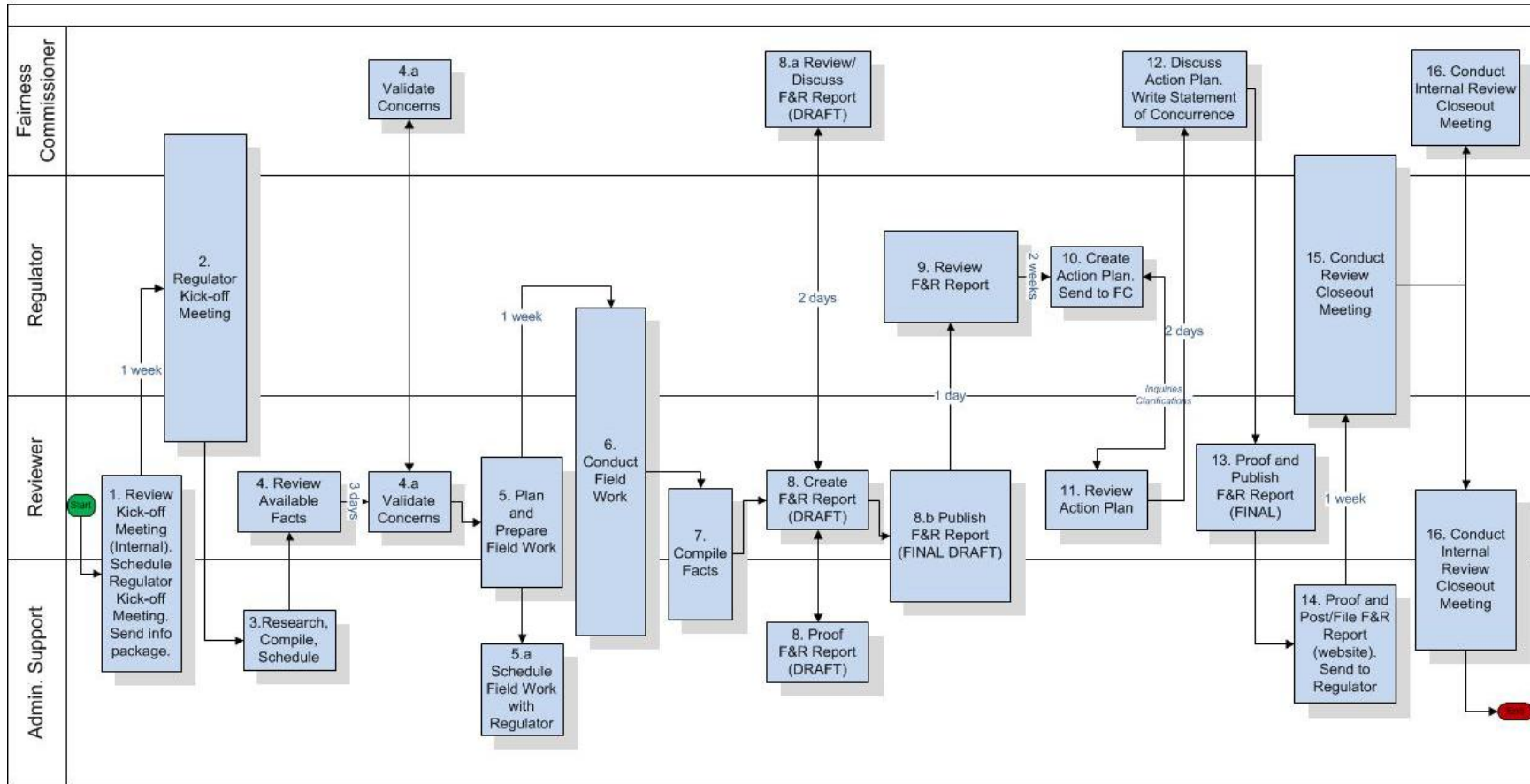


Ximena Munoz

Manitoba Fairness Commissioner

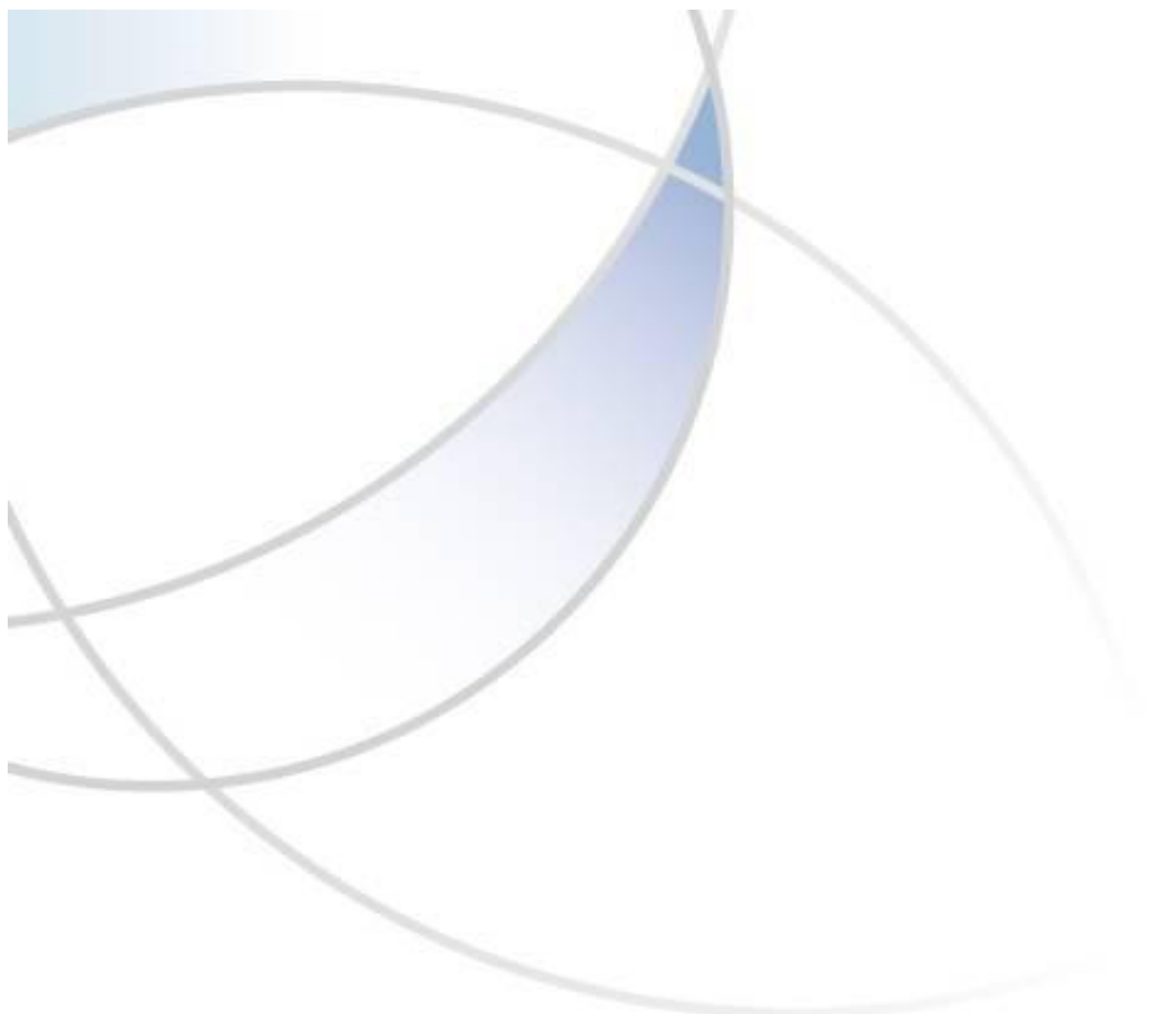
Appendix A

OFFICE OF THE MANITOBA FAIRNESS COMMISSIONER Registration Review Process



Appendix B

CLPNM's Registration Review		
Activity	Description	Date
Block Meeting	<ul style="list-style-type: none"> Meeting between OMFC, CLPNM and other regulators in the block of reviews for this period Registration review process presented Review schedule set Documentation requested 	<ul style="list-style-type: none"> September 26, 2012
Kick-Off Meeting	<ul style="list-style-type: none"> Launch of CLPNM's registration review Key decisions makers from regulator in attendance Collect requested documentation Fieldwork planned 	<ul style="list-style-type: none"> October 10, 2012
Fieldwork	<ul style="list-style-type: none"> Collect information otherwise unavailable through public information and policy documents Clarify information and acquire a more in-depth understanding of policy and practice 	<ul style="list-style-type: none"> November 5, 2012
Findings and Recommendations Report	<ul style="list-style-type: none"> CLPNM receives a report with the review findings, the Fairness Commissioner's recommendations and a request for an Action Plan Findings and Recommendations Meeting 	<ul style="list-style-type: none"> November 16, 2012 November 18, 2012
Action Plan	<ul style="list-style-type: none"> CLPNM's Action Plan submitted to OMFC 	<ul style="list-style-type: none"> November 29, 2012
Final Registration Review Report	<ul style="list-style-type: none"> Final report submitted to CLPNM; report contains the review findings, the Fairness Commissioner's recommendations, CLPNM's Action Plan, and the Fairness Commissioner's Compliance Statement 	<ul style="list-style-type: none"> December 6, 2012
Registration Review Closeout Meeting	<ul style="list-style-type: none"> Discuss review results & Action Plan Final report uploaded to OMFC's website 	<ul style="list-style-type: none"> December 11, 2012 December 14, 2012



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