



OMFC REGISTRATION REVIEW

**College of Podiatrists of Manitoba
Final Registration Review Report (2013)**

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 Podiatrists of Manitoba (COPOM) as of March 2013.

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. Compliance refers first and foremost to the fairness of assessment and registration practice, with particular attention drawn to the need for the fair consideration of internationally educated applicants. It also 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. 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.

Review Process

For the purposes of the 2012/13 registration review cycle, regulatory bodies with few internationally educated applicants and/or that rely heavily upon third parties for their assessment process participated in a self-assessment review process.

The review process had several steps: agreeing to a review schedule, arranging for the involvement of key staff and council members, participating in a two-day self-assessment workshop, drafting an action plan and finalizing the plan in consultation with the Fairness Commissioner.

The process was designed to support meaningful reviews that concretely identify fairness issues and lead to progressive change.

The Fairness Standard and Self-Assessment Workshop

As a first review encounter with the OMFC, regulatory practice was evaluated against a single broad fairness standard as defined by the OMFC's *Fairness Standard and Criteria Document*:

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.

This fairness standard covers the full spectrum of fair assessment and registration practice and is defined with multiple elements and criteria in the *Fairness Standard and Criteria Document*.

Over the course of a two-day self-assessment workshop, the standard was explained and regulators examined their practice in light of the various elements and criteria involved. Special emphasis was placed on the importance of clear, complete and accurate assessment and registration information, fair third party assessment practice and the consideration of qualifications acquired through professional work experience. Solutions and best practice models were presented as regulators drafted action plans to address issues of concern.

Action Plan & Compliance Statement

Shortly after the workshop, regulators submitted board-approved Action Plans to the OMFC. Regulators met with the Fairness Commissioner to discuss the plans and in some instances, revisions were made.

The Action Plan contained in this report has been reviewed by the Fairness Commissioner and is comprised of actions needed to address fairness concerns and improve compliance to *The Fair Registration Practices in Regulated Professions Act*.

Concluding this report, 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.

Overview of the Assessment and Registration Process of the College of Podiatrists of Manitoba

The College of Podiatrists of Manitoba (COPOM) regulates the practice of podiatry in Manitoba under the authority of *The Podiatrists Act* (C.C.S.M. 2001, c. P93) and Regulation (99/2006). Only persons registered by the COPOM may practice podiatry and use the title "podiatrist" or "chiroprapist".

Podiatrists specialize in treating disorders, diseases and injuries of the feet and lower limbs. Foot pathologies are treated by practitioners using physical therapy, medication and surgery. Podiatrists work in clinics and hospitals in both public and private practice.

Provincial statistics indicate that 3 internationally educated podiatrists immigrated to Manitoba from 2005 to 2011.

Qualifications

Chief qualifications needed to qualify for registration as a podiatrist include academic training from an approved program in Podiatric Medicine. Currently, there are only a few dozen approved programs in the world, almost all of which are found in the United Kingdom and the United States. In Canada, there is a francophone podiatry program in Quebec, similar in structure to the U.S. programs.

UK podiatry programs are 3- and 4-year Baccalaureate degrees. US programs are 4-year doctorate programs in Podiatric Medicine (preceded by a 4-year Baccalaureate).

Assessment and Registration Process

To be assessed and registered, applicants complete a COPOM application form, pay a \$150.00 application fee and submit the following documents:

- photocopy of podiatry degree
- name and address of the dean and faculty that issued the degree
- notarized or certified photograph taken within the last 12 months
- minimum of two professional references
- minimum of two character references
- written verification by the original jurisdiction and every other jurisdiction where you are or have been registered during the last seven years, confirming you are in good standing
- proof of continuing professional development, CPR and first aid
- criminal record check from the applicant's home country
- verification of immigration status

Upon completed application, individuals are informed in writing within 6 weeks whether they qualify for registration. There is a \$2,000.00 annual membership fee

and malpractice insurance is required (typically a \$1000.00 to \$1,300 cost).

Appeal Process

If an application for registration is denied or conditioned, applicants may appeal to COPOM's Council. Written appeal notification must be filed within 30 days of the decision, specifying reasons.

The Council will schedule an appeal hearing within 90 days and provide a written decision within 90 days following the hearing. The appellant may appear with counsel. A member of the board of assessors who is also a member of the council may participate in the hearing but does not vote on a decision under this section.

Appeal information accompanies assessment and registration decisions subject to appeal.

Time and Cost

COPOM's registration process is brief with mid-range cost: 6 weeks upon completed application and approximately \$3,300.00 in direct costs for application, membership and malpractice insurance. Additional time and costs may be involved securing documentation. A list of direct costs can be seen below.

Costs:

- \$ 150.00 application for membership
- \$2,000.00 annual membership
- \$1,000.00 – \$1,300.00 annual malpractice insurance

College of Podiatrists of Manitoba's Action Plan

In response to the self-identified Compliance Issues, the College of Podiatrists of Manitoba proposed the following action plan as of March 2013. The plan is reprinted under the 'COPOM's Planned Actions' column in the table below.

The COPOM'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.

Compliance Issues	COPOM's Planned Actions	Short Term Less than 3 months	Medium Term 3 months to 1 year	Long Term 1 year or more	Completion Date
COPOM website has limited accessibility to necessary documents and lacks expectation timeframe and process	Revision of website to include page specifically for this purpose and streamline down and uploading documents.	✓			
Existing Bylaws state that fluency in English OR French is prerequisite for licensing within COPOM. In accordance with <i>The Regulated Health Professions Act</i> , this will be changed to English.	This will be made explicit on Website after modification is made to Bylaws.		✓		

Compliance Issues	COPOM's Planned Actions	Short Term Less than 3 months	Medium Term 3 months to 1 year	Long Term 1 year or more	Completion Date
<p>In conversations with the Fairness Commissioner, it has been drawn to our attention that requiring applicants supply criminal records checks from their home jurisdictions may be redundant given the check undertaken by the Federal Government as a condition of immigrating. We remained concerned by the lack of documentation CIC will provide for these checks. However we recognize that the checks performed by CIC will be as thorough and often more thorough than what applicants can provide.</p>	<p>We will adjust COPOM's criminal records check policy such that applicants will no longer have to provide checks from their home countries. All checks still need to be current and consequently there may be circumstances where applicants will need to supply Canadian checks and if they have returned home, new checks from their home jurisdiction.</p>	<p>✓</p>			

Fairness Commissioner's Statement of Compliance

The College of Podiatrists of Manitoba's Action Plan is a constructive response to the registration review. The College's actions will support fair practice and improve its compliance under *The Fair Registration in Practices in Regulated Professions Act*.

The College is distinguished amongst Manitoba regulators by the fact that all of its current members have been trained overseas. As the only academic podiatry program in Canada is Francophone, the College will continue to face a serious challenge growing the profession. Meeting with the College's staff, we were impressed by their awareness of the challenges and willingness to take a leadership role supporting the growth of the profession.

We appreciate their active participation in the workshop and in particular their commitment to revise their criminal records check policy to ensure an efficient process for applicants. We look forward to a continued, positive relationship.



Ximena Munoz

Manitoba Fairness Commissioner



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