



OMFC REGISTRATION REVIEW

**College of Registered Psychiatric Nurses
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 Registered Psychiatric Nurses of Manitoba (CRPNM) as of August 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. 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 CRPNM between March and August of 2013 (see appendices A & B). Several meetings were involved, documentation was gathered and reviewed, field work was conducted and the CRPNM provided an Action Plan in response to the Fairness Commissioner's recommendations. The CRPNM'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 2012/2013 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 Psychiatric Nursing in Manitoba

Registered psychiatric nurses (RPNs) provide mental health services and focus on the mental and developmental health of people within the context of their overall health and life situations. RPNs are employed in a wide variety of settings, including programs for individuals across the life span in communities and in facilities such as acute care hospitals; addiction and substance abuse programs; assertive community treatment programs; clinics; community mental health programs; crisis teams and suicide prevention programs; forensic and correctional programs; geriatric and long-term care programs; home care programs; occupational health programs; outreach programs; palliative care programs; programs for people with developmental disabilities; psycho-social rehabilitation programs; and school programs.

RPNs work in partnership with psychiatrists, psychologists, registered nurses, occupational therapists, social workers, pharmacists, managers, community agencies, law enforcement professionals and social service providers.

Registered psychiatric nursing is one of Manitoba's three regulated nursing professions that also includes licensed practical nursing and registered nursing. There are differences in the basic educational programs for each of the regulated nursing groups. Although smaller in number than these other groups, at almost a thousand strong, registered psychiatric nurses form the largest single group of mental health practitioners in Manitoba.

The practice of psychiatric nursing in Manitoba and Western Canada is based on the model developed in the United Kingdom. Practitioners receive training through dedicated undergraduate psychiatric nursing programs. This differs from the model in Eastern Canada and the United States where practitioners are initially trained in registered nursing programs and then move on to specialize typically with a graduate program in psychiatric nursing. Most internationally educated psychiatric nurses (IEPNs) emigrate from Commonwealth countries with a similar training and practice model.

Currently in Manitoba, the need for psychiatric nurses is strong. Particularly in the cultural-sensitive field of mental health, growing the body of culturally diverse practitioners will enrich the services available for Manitoba's increasingly diverse population.

Overview of the Assessment and Registration Process of the College of Registered Psychiatric Nurses of Manitoba

The College of Registered Psychiatric Nurses of Manitoba (CRPNM) currently operates under the authority of the *Registered Psychiatric Nurses Act* (C.C.S.M. c. R45), the Registered Psychiatric Nurses Regulation, and College of Registered Psychiatric Nurses of Manitoba By-Laws. In Manitoba, all nurses practicing and using the title of Registered Psychiatric Nurse or Graduate Psychiatric Nurse designation, or any abbreviation or variation thereof, must be registered with the College.

Qualifications

Principal qualifications required for registration as a psychiatric nurse include graduation from a psychiatric nursing education program that meets the CRPNM criteria for classroom and clinical hours. Applicants must also successfully write the Registered Psychiatric Nurses of Canada Examination (National Exam).

Assessment and Registration Process

For Internationally Educated Psychiatric Nurses (IEPNs), the steps in the assessment and registration process are as follows.

Application

Applicants initiate the registration process with the CRPNM by completing an 'Application for Registration' form, paying a \$210.00 application fee and supplying the following documents. We note all documents must be in English or notarized translations are required.

- Proof of identity: 2 pieces, a birth certificate and some type of photo identification
- If applicable, proof of name change
- Criminal Record Check and if available, a Child Abuse Registry Check; both from the country of current residence
- Confirmation of previous registration **or** eligibility for registration from the regulating authority of the applicant's home jurisdiction. This documentation must be arranged to be directly submitted to the CRPNM from the regulating authority
- Proof of Graduation (Transcript) that includes courses, final grades, classroom and clinical hours. Course descriptions with detailed content and required textbooks must also be included.
- Directly submitted employer reference
- Directly submitted credential report from the International Qualification Assessment Service (IQAS)

- Resumé that includes both education and employment details
- For applicants that self-declare English as second language, proof of English Language proficiency via either IELTS or CELBAN test meeting specified test scores.

Upon completed application, the CRPNM will inform applicants in writing of the application results usually within one or two weeks.

Academic programs are evaluated against the CRPNM's Guidelines for Education Assessment document. Applicants are either assessed as meeting standard and so eligible to write the National Exam or gaps are identified and they are informed of the academic coursework required to meet standard. Remedial training may range from involving a few select bridging courses to the need to complete an entire program.

National Exam and Graduate Registration

Upon being deemed eligible, the next step is for applicants to successfully write the Registered Psychiatric Nurses of Canada Examination (National Exam).

Applicants that apply to write the exam are eligible to apply for Graduate Registration with the CRPNM. Graduate Registration allows the applicant to work with limitations or conditions on practice for the interim period before they write the exam at the next available sitting.

The National Exam is a two-part, multiple-choice exam that tests entry level competence and practitioner knowledge appropriate for a new graduate. The exam is offered three times a year in January, May and October. It takes one full day to write and is available in Winnipeg. For the May sitting, the exam is also offered in Brandon. The exam fee is \$609.00 tax included.

Three attempts to pass the exam are permitted. Applicants that fail the exam twice may be required to undertake remedial coursework as determined by the CRPNM prior to the third writing. Graduate Registration is revoked upon a second failure.

A pass or fail exam score is provided to candidates. Those who fail are provided a report that provides exam results by subject matter area. Borderline or near pass mark exams are automatically re-scored by hand.

Registration

Upon passing the National Exam, the final step is to register with the CRPNM. Applicants must complete a registration form and pay a \$495.00 registration fee. The registration process is usually completed within a week. CRPNM enters the person on its Practising Register and issues a registration certificate which legally entitles the person to practice.

Appeal Process

Following the *Registered Psychiatric Nurses Act*, all of CRPNM's assessment and registration decisions are subject to appeal. Appeals are heard by the CRPNM'S Board of Directors. The board is independent of the original decision makers and provides written reasons for unfavourable appeal decisions.

In addition to the formal appeal process, the CRPNM offers a "Reconsideration" process. Applicants with unfavourable initial application assessments are able to provide additional evidence in support of qualification.

Time and Cost

Time and costs for IEPNs to complete the registration process vary according to the circumstance of the individual.

Upon completed application, those academically qualified, practice current and first-write, exam-successful applicants can complete the entire process in as little as 5 months and face direct costs totalling just over \$1,300.00. Additional time and associated costs may be involved in supplying documents, securing translations and preparing for the National Exam. Exam re-writes will also add to the cost and length of time required.

Those applicants that require gap training coursework will face a significantly longer and costlier process.

A list of direct costs can be seen below:

Application fee	\$210.00
National Exam fee	\$609.00
Practicing Registration fee (2013)	\$495.33

Registration Review Findings

Summary of Findings

The College of Registered Psychiatric Nurses of Manitoba (CRPNM) is committed to the fair assessment and recognition of internationally educated psychiatric nurses (IEPNs).

A dedicated assessment strategy is in place for the registration of IEPNs. International academic training is evaluated in-house against criteria defined in the CRPNM's 'Guidelines for Education Assessment of Internationally Educated Psychiatric Nurses' document. Reasonable policies are in place to determine practice currency. In 2012, the Registered Psychiatric Nurses of Canada Examination (National Exam) underwent a major update; the revised exam has been subject to considerable psychometric scrutiny and is now more relevant and half the length of the former exam.

Anticipated by mid 2014, the CRPNM will be transitioning its assessment of academic qualification and practice currency to the National Nursing Assessment Service. The new agency will be serving registered psychiatric, registered and practical nursing regulators across the country with a large, consolidated database of international nursing programs.

Critical limitations faced by CRPNM's current assessment model lie in the absence of a strategy to recognize qualifications acquired through professional work experience and a lack of opportunity for IEPNs to demonstrate competence. In this respect, the Canadian psychiatric nursing regulators have recently secured an HRSDC grant which will involve updating entry level competencies and a competency profile. The CRPNM reports that this foundational work will help position the profession to develop a competency based assessment tool.

The CRPNM has done a remarkable job on its registration information for IEPNs. Its dedicated 'RPN Guide for Internationally Educated Psychiatric Nurses' provides user-friendly, step-by-step navigation of the registration process and features a variety of helpful resource information and links.

Key findings from CRPNM'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.10-21).

- CRPNM's website provides clear information about its assessment and registration process for IEPNs. The dedicated RPN Guide provides applicant-centric information about immigration, Canadian practice, employment and helpful application tips. A few items need to be updated and it would be beneficial if a few new ones were introduced:
 - The RPN Guide needs updating with regard to financial support opportunities and the fee for the Registered Psychiatric Nurses of Canada Examination;

- It would be helpful if information were introduced about assessment result timelines and more elaborate time range information, Graduate Registration in the RPN Guide, access to records and the possibility of alternative documentation.
- CRPNM's staff provide strong personal support and assistance to applicants and communication is pro-active throughout the application process.
- Documentation requirements are reasonable; there is no redundancy in documentation requirements between bodies and applicants do not have to supply criminal records checks from their home jurisdictions if they have immigrated to Canada.
- Alternative documentation is possible. For applicants that cannot provide documentation with good reason, CRPNM considers each application on a case-by-case basis.
- Criminal records check and if available a Vulnerable Sector search are required of IEPNs from their country of current residence upon application. IEPNs that apply after immigrating to Canada are not required to supply records checks from their home jurisdictions.
- A variety of standards documents are in place and lay the foundation for rational regulation. The CRPNM continues to work with other provincial psychiatric nursing regulators to ensure its standards are current with the evolving character of Canadian psychiatric nursing practice.
- CRPNM's English and French language proficiency requirements were changed in 2011 following the recommendations from the National Fluency Working Group and to align with the move to harmonize standards amongst nursing regulators across the country. Specified scores in IELTS and CELBAN are now required, replacing TOEFL and TSE test requirements.
- Expiration dating is not uncritically applied to language test scores; expiration is waived if the applicant's circumstance suggests it is warranted.
- CRPNM takes reasonable measure to ensure its in-house assessment of an applicant's academic credentials is valid. CRPNM staff regularly consult with their provincial counterparts to resolve more challenging assessments.
- Sufficient written reasons accompany CRPNM's assessment result letters that clearly explain the grounds of the assessment. Where possible, these letters identify remedial and gap training opportunities.
- The Registered Psychiatric Nurses of Canada Examination (National Exam) has recently undergone a major update. Canadian psychiatric regulators now contract with Assessment Strategies Inc. to develop and administer the exam. The exam is now subject to much greater psychometric scrutiny, is more relevant and half the length of the former exam.
- The National Exam results are reported as a Pass or Fail. For those who fail the exam, detailed results by subject matter area are available upon request. This information supports future exam preparation.

- Rescoring opportunities are provided for the National Exam; full appeal opportunities are provided for the exam through the formal review of registration decisions heard by the CRPNM's Board of Directors.
- An appeal process is in place for all CRPNM assessment and registration decisions. However, appeal information does not accompany assessment decisions and little information is provided in the registration material.
- CRPNM offers a 'Reconsideration' process whereby applicants have the opportunity to supply additional information that supports their applications. Clear information about the reconsideration process is provided in the registration material and accompanies assessment result letters.
- Registration and assessment fees appear reasonable and do not exceed cost recovery. Assessment timelines are prompt.
- Graduate registration, where psychiatric nurses can practice under conditions until the first available sitting of the National Exam, supports timely entry to practice.

Commendable Practices

A number of CRPNM'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.

- The CRPNM's information package and dedicated 'RPN Guide for Internationally Educated Psychiatric Nurses' provide user-friendly navigation and valuable resource information for IEPNs.
- The CRPNM and other Canadian psychiatric regulators are commended for their work evolving the National Exam. The revised National Exam is significantly improved and fairer.
- The CRPNM's strong commitment to fair practice is evident in the various projects the CRPNM's staff have engaged with the Office of the Manitoba Fairness Commissioner.

Fairness Standard & Criteria Document – CRPNM 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 criteria used to assess qualifications are for the most part clear.</p> <p>The possibility and qualification requirements for Graduate Registration are not presented in the registration material dedicated for internationally educated applicants. Applicants qualify for graduate registration upon application to write the National Exam and can work under supervision while they wait to write the exam. Graduate registration information is presented in the registration material for Canadian graduates and applicants.</p> <p>The OMFC understands that most of the CRPNM’s internationally educated applicants will not avail themselves of Graduate Registration as they typically apply from abroad and do not secure employment until after they have passed the National Exam. Still in the circumstance that someone would be in the province upon application, it should be clear in the registration material for internationally educated psychiatric nurses (IEPNs) that Graduate Registration is a possibility.</p> <p>The OMFC understands that CRPNM staff provide strong personal support and assistance for IEPNs throughout the registration process. This support mitigates some of the information concerns raised in this review.</p>
1. Applicants are provided clear, complete and accurate information about assessment and registration process.	2. Documentation requirements.	✓			

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.	3. Fees and fee payment options.		✓		Fee and fee payment options are for the most part clearly presented in the CRPNM's registration material. A minor note, the National Exam Fee is currently \$609.00 (tax included). The RPN Guide states the exam fee at \$400.00-\$550.00. The CRPNM recognizes the guide needs an update.
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.	✓			
1. Applicants are provided clear, complete and accurate information about assessment and registration process.	5. Financial support opportunities.		✓		The RPN Guide provides dedicated information about financial support opportunities; however it needs to be updated. The Provincial 'Credential Recognition Program' is no longer running and new programs are in place. The CRPNM recognized the need to update the guide.
1. Applicants are provided clear, complete and accurate information about assessment and registration process.	6. Timelines and key dates.		✓		No information is provided about the time the CRPNM takes to provide an initial assessment result upon completed application, nor about the time taken by the CRPNM to provide a decision about eligibility for full registration upon the successful completion of the National Exam. Timelines and key dates are clearly presented for the application, writing and results with respect to the fixed date National Exam. The CRPNM reports it can commit to providing assessment results in 4-6 weeks and in many instances a shorter timeframe would be involved.
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.		✓		The CRPNM's RPN Guide provides a very helpful overview that breaks down the registration process by step. It states that the registration process can take "1 or more years to complete." A more elaborate account of the timeframes involved that describes the different types of timeframes commonly encountered would be beneficial.

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.	8. Step-by-step, easy-to-navigate path of the registration process.	✓			
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.	✓			
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.		✓		The CRPNM does consider alternative documentation for applicants that cannot provide required documents with good reason. They have had some experience with the need for alternative documentation with regard to birth certificates. The possibility of alternative documentation is provided informally, upon request. It would be helpful if this information were introduced into the CRPNM's registration material.

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.	✓			
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.	✓			
5. Any third party assessments in the registration process are transparent, objective, impartial and fair.	3. Third party assessment decisions are subject to appeal.	✓			
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.	✓			

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	
6. Assessment of qualifications is transparent, objective, impartial and fair.	3. Multiple assessment methods are available. Applicants have the opportunity to demonstrate competence.	✓			
6. Assessment of qualifications is transparent, objective, impartial and fair.	4. Knowledge and skills acquired through work experience are assessed, including international work experience.	✓			
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.	✓			
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.		✓		<p>Assessment factors academic training, currency of practice and a written test of knowledge. Qualifications acquired through professional work experience are not directly factored into the CRPNM's evaluation of qualification.</p> <p>Currently work experience is assessed only with regard to currency. The CRPNM lacks the resource to develop a strategy to assess competencies acquired through professional work experience.</p>

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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	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		✓		The CRPNM's Board of Directors, responsible to hear appeals, has not had any formal appeal training. We note that the CRPNM has not had an appeal in the registrar's 13 years with the organization.
7. Staffs responsible for assessment, appeals and working with internationally educated applicants received appropriate training and possess relevant expertise	4. Cross-cultural training.	✓			

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	
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>CRPNM 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>In the CRPNM's judgment, a higher proficiency level is warranted and is not willing to rescind the new levels until more research is at hand. We note the CRPNM has had very few second language applicants.</p>
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.	✓			

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	
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 Nurses 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.	✓			
8. English and French language proficiency requirements for registration and professional practice are reasonable.	5. A variety of English language test are recognized	✓			

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	
9. Assessment and registration process is relationally fair.	1. Written reasons accompany assessment results.	✓			
9. Assessment and registration process is relationally fair.	2. Detailed feedback is provided about qualification gaps.	✓			
9. Assessment and registration process is relationally fair.	3. Applicants have the opportunity to discuss assessment and registration decisions of concern.	✓			
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.	✓			

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	
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.		✓		No formal appeal information is provided in the CRPNM's registration material. Applicants are advised of its reconsideration process whereby the CRPNM will review a decision if the applicant can provide additional information that supports their application. The CRPNM reports that if reconsideration were denied, they would at that point advise the applicant of their formal appeal opportunity.

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	
11. A fair appeal or review process is available.	6. Appeal information accompanies any assessment and registration decision subject to appeal.		✓		Appeal information in the form of the CRPNM's reconsideration process accompanies unfavorable assessment decisions. However, no information about the formal appeal process is provided.
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.		✓		Information about access to records is provided to applicants informally, upon request.
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.	✓			

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	
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.	✓			

Fairness Commissioner's Recommendations

As a result of the OMFC's registration review of the College of Registered Psychiatric Nurses of Manitoba (CRPNM) 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* CRPNM provide clear, complete and accurate information about:
 - a. Graduate registration in the information dedicated for internationally educated psychiatric nurses (IEPNs);
 - b. Assessment result timelines and more elaborate time range information;
 - c. Access to records and the possibility of alternative documentation.
2. *That* the CRPNM update the RPN Guide with respect to financial support opportunities and the fee for the Registered Psychiatric Nurses of Canada Examination.
3. With respect to the appeal process, *that* the CRPNM:
 - a. Provide complete, clear and accurate appeal information in the registration material and in its assessment result letters, including timelines and the process to initiate appeal;
 - b. Ensure the CRPNM Board of Directors has appropriate appeal training or access to appropriate expertise to conduct an appeal.
4. *That* CRPNM 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 CRPNM commit to resolve this issue.
5. *That* the CRPNM implement a strategy to assess qualifications evident in professional work experience.

College of Registered Psychiatric Nurses of Manitoba's Action Plan

In response to the Fairness Commissioner's Recommendations, the College of Registered Psychiatric Nurses of Manitoba proposed the following action plan as of July 2013. The plan is reprinted in its entirety under the 'CRPNM's Planned Action(s)' column in the table below.

The CRPNM'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	CRPNM's 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> CRPNM provide clear, complete and accurate information about:</p> <p>a. Graduate registration in the information dedicated for internationally educated psychiatric nurses (IEPNs);</p> <p>b. Assessment result timelines and more elaborate time range information;</p> <p>c. Access to records and the possibility of alternative documentation.</p>	<p>a) The section of the CRPNM website that is dedicated to Internationally Educated Psychiatric Nurse (IEPN) applicants already includes information about Graduate registration under the link titled "Registration." Graduate registration is briefly explained. The page also includes direction for IEPNs who have not yet arrived in Canada.</p> <p>The CRPNM acknowledges that the Graduate registration information found on the pages designed for Canadian applicants is clearer and more complete. On that basis, the CRPNM will update the graduate registration information on the IEPN pages so that similar information can be easily found.</p> <p>b) The RPN Guide was initially developed in collaboration with the Department of Immigration and, later with the OMFC. Consultation with a communications/marketing/design company was facilitated through the OMFC in 2011/2012. During that time, there were several conversations about how to best represent a realistic time line for the assessment and registration processes. The RPN Guide was published in May of 2012 after extensive consultation and collaboration.</p> <p>Acknowledging that this representation may no longer meet the OMFC requirements, the CPRNM will include an update of the timelines section in its overall action to review and update the RPN Guide.</p> <p>c) The CRPNM will include a statement on the website with respect to the possibility for alternative documentation.</p> <p>The CRPNM will ensure that the information on the website is</p>	<p>✓</p> <p>✓</p>	<p>✓</p>		

OMFC's Recommendation	CRPNM's Planned Action(s)	Short Term Less than 3 months	Medium Term 3 months to 1 year	Long Term 1 year or more	Completion Date
	complemented by appropriate policies. This will include policies related to alternative documentation and a policy on access to records.		✓		
<p>Regulator's Comments:</p> <p>We will seek out our Immigration and OMFC partners for review and revision of the RPN Guide. Preliminary discussions with the Department of Immigration have already taken place.</p> <p>In the fall of 2013, the CRPNM will be formalizing the development of a Registration Committee. The Committee's primary function will be to review, revise and/or develop registration policies for approval by the CRPNM Board of Directors.</p>					
<p>2. That the CRPNM update the RPN Guide with respect to financial support opportunities and the fee for the Registered Psychiatric Nurses of Canada Examination.</p>	<p>The CRPNM will undertake a review of the RPN Guide in consultation with our Immigration and OMFC partners. The CRPNM will update any relevant assessment and registration information and will ensure that the fees in the RPN guide are current. The CRPNM will consult with the department of Immigration and the OMFC for current and accurate information regarding financial and other supports available to IEPNs.</p>		✓		
<p>Regulator's Comments:</p> <p>As noted, we will seek out our Immigration and OMFC partners for review and revision of the RPN Guide. Preliminary discussions with the Department of Immigration have already taken place.</p>					

OMFC's Recommendation	CRPNM's 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. With respect to the appeal process, <i>that</i> the CRPNM:</p> <p>a. Provide complete, clear and accurate appeal information in the registration material and in its assessment result letters, including timelines and the process to initiate appeal;</p> <p>b. Ensure the CRPNM Board of Directors has appropriate appeal training or access to appropriate expertise to conduct an appeal.</p>	<p>a) The CRPNM will provide appeal information in the registration material by including a statement on appeals on the CRPNM website.</p> <p>The CRPNM currently provides applicants with information on its reconsideration process when it communicates a registration decision. The CRPNM will provide additional information about appeals by referring the applicant to the website and the <i>Registered Psychiatric Nurses Act</i>.</p> <p>The CRPNM will develop a fact sheet to outline the process and timelines for the appeal of registration decisions as outlined in the <i>Registered Psychiatric Nurses Act</i>. This will be complimented by registration policy development.</p> <p>b) The CRPNM Board of Directors is always interested in any education or training that would assist them in their roles and responsibilities to govern the organization and carry out the mandate of the <i>Registered Psychiatric Nurses Act</i>. While the Board is aware of their role as the appellant body for registration decisions, these types of appeals have been extremely rare. Irrespective of appeal training, the Board always has the option of accessing CRPNM legal counsel for advice in conducting an appeal.</p> <p>The CRPNM Governance Committee, responsible for identifying the Board's education needs, will work with the Board to assess their current and ongoing education needs in this area. The Board will develop and implement an education plan considering issues related currency, sustainability and resources.</p>	<p>✓</p>		<p>✓</p> <p>✓</p>	

OMFC's Recommendation	CRPNM's 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>Regulator's Comments:</p> <p>As noted, in the fall of 2013, the CRPNM will be formalizing the development of a Registration Committee. The Committee's primary function will be to review, revise and/or develop registration policies for approval by the CRPNM Board of Directors.</p>					
<p>4. That CRPNM 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 CRPNM commit to resolve this issue.</p>	<p>The CRPNM is unable to comply with this recommendation at this time. The CRPNM provides the following clarifications and rationale:</p> <ul style="list-style-type: none"> - A high degree of language proficiency (reading, writing, listening and speaking) is extremely important in providing safe psychiatric nursing care. The core of psychiatric nursing practice is therapeutic communication and the therapeutic relationship. The domains of emotion, behaviour and cognition are a major focus in psychiatric nursing practice and many psychiatric nursing interventions are performed through interaction with the client. The CRPNM understands that the relationship between language and communication is complex but believes language proficiency is foundational to communication. - In 2011, in an effort to achieve harmonization among and between the regulated nursing professions in Canada, the CRPNM reviewed, considered and accepted the language proficiency requirements recommended by the National Language Fluency Working Group (NLFWG). The NLFWG conducted a national standard setting exercise facilitated by language experts. 				

OMFC's Recommendation	CRPNM's 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><i>(continued)</i></p> <ul style="list-style-type: none"> - Approving the NLFWG recommendations did not raise the requirements for the CRPNM's IEPN applicants; it changed the tests that the CRPNM was using. Prior to this, the CRPNM was using TOEFL and TSE. The NLFWG recommended tests include more comprehensive testing in reading, writing, speaking and listening. - The vast majority of IEPN applicants apply for registration with the CRPNM while they are still in their home countries. For this reason, CELBAN is virtually unused for IEPN applicants coming to Manitoba. - Section 5(1) (d) of the <i>Registered Psychiatric Nurses Regulation</i> identifies that if the applicant's first language is not English or French, the applicant must be able to demonstrate appropriate skills in oral and written English and French. The CRPNM Board of Directors reviewed, considered and accepted the OMFC recommendations for revision to the definition of first language. The CRPNM notes, however, that there are ongoing issues to be resolved. In particular, self-declaration of first language cannot be verified. The only objective way to determine language proficiency would be through a language proficiency test. 				
Regulator's Comments:					

OMFC's Recommendation	CRPNM's 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>5. That the CRPNM implement a strategy to assess qualifications evident in professional work experience.</p>	<p>The <i>Registered Psychiatric Nurses Act</i> and regulation require that an applicant for initial registration who has not completed a program of psychiatric nursing education in Manitoba, complete a program of psychiatric nursing education that is deemed to be substantially equivalent to a psychiatric nursing education program offered in Manitoba. For this reason, education is the basis of the qualifications assessment process. Academic preparation is evaluated against the CRPNM's Guidelines for Education Assessment document.</p> <p>The CRPNM recognizes that there might be occasions where an assessment of the applicant's academic preparation is insufficient or impossible. The CRPNM further recognizes the need for competency based assessment models to compliment the assessment of academic preparation. To date, the CRPNM has had limited capacity to develop such models but expect to be in a better position to work towards the development of complimentary models and practices when the profession's new entry level competencies are completed in 2014.</p> <p>The CRPNM has and will continue to examine the issues and to explore possible options over the long term.</p>				
<p>Regulator's Comments:</p>					

Fairness Commissioner's Statement of Compliance

The College of Registered Psychiatric Nurses of Manitoba's Action Plan is a positive response to the recommendations that resulted from the OMFC's registration review. These actions will support fairer practice and are consistent with *The Fair Registration Practices in Regulated Professions Act*.

The College has been actively engaged with the OMFC, accessing supports and improving the registration information provided on its website for IENs. We appreciate this co-operation and the seriousness with which they approach the need for fair practice.

This approach will serve us well as the major transition to the National Nursing Assessment Service will call for leadership and fair practice champions. We are hopeful that the College will be open to participating in future work with the OMFC to further research the communication and language proficiency demands of the nursing professions in Manitoba.

We appreciate the openness and professionalism of the College's management and staff and look forward to a continued, positive relationship moving forward.

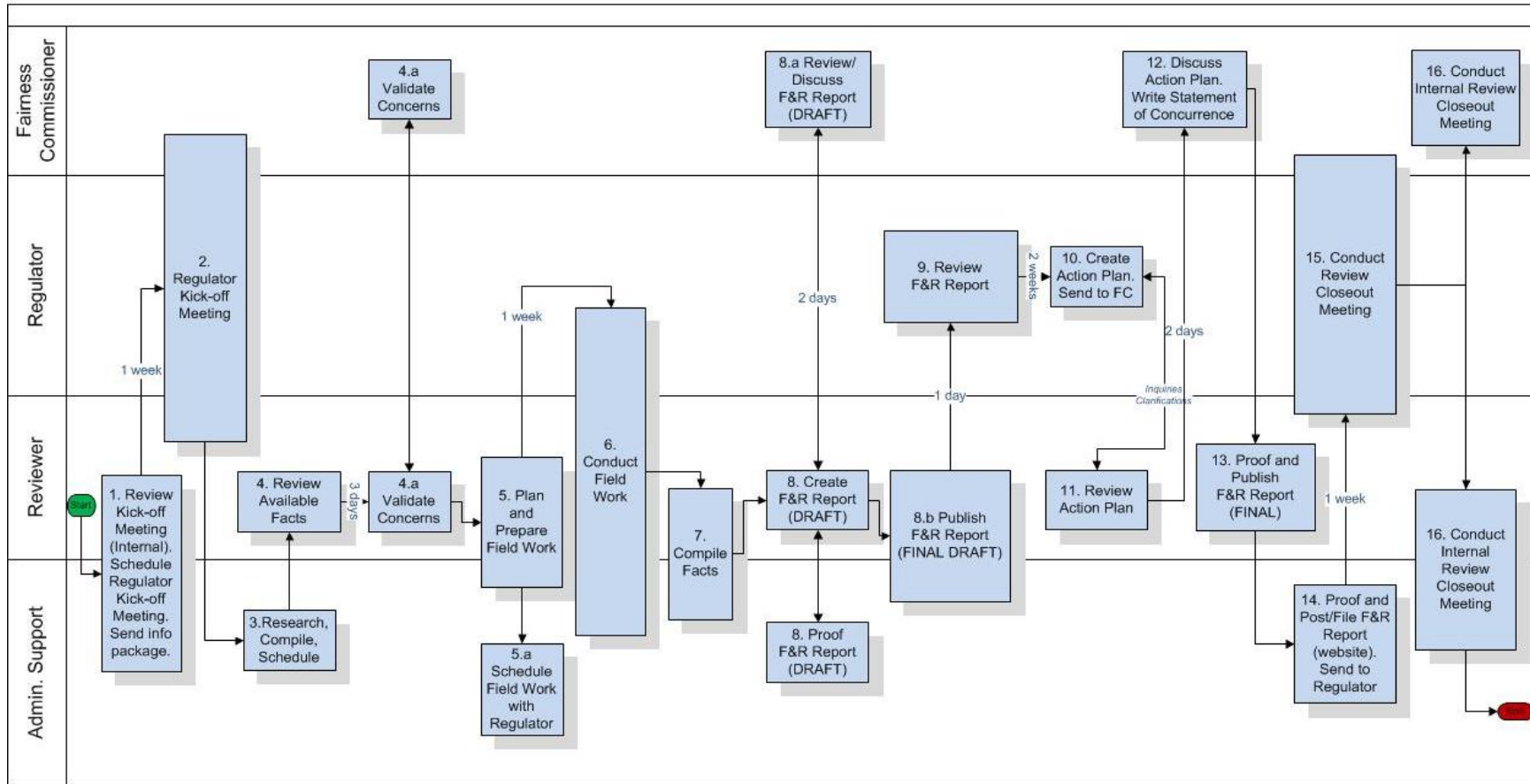


Ximena Munoz

Manitoba Fairness Commissioner

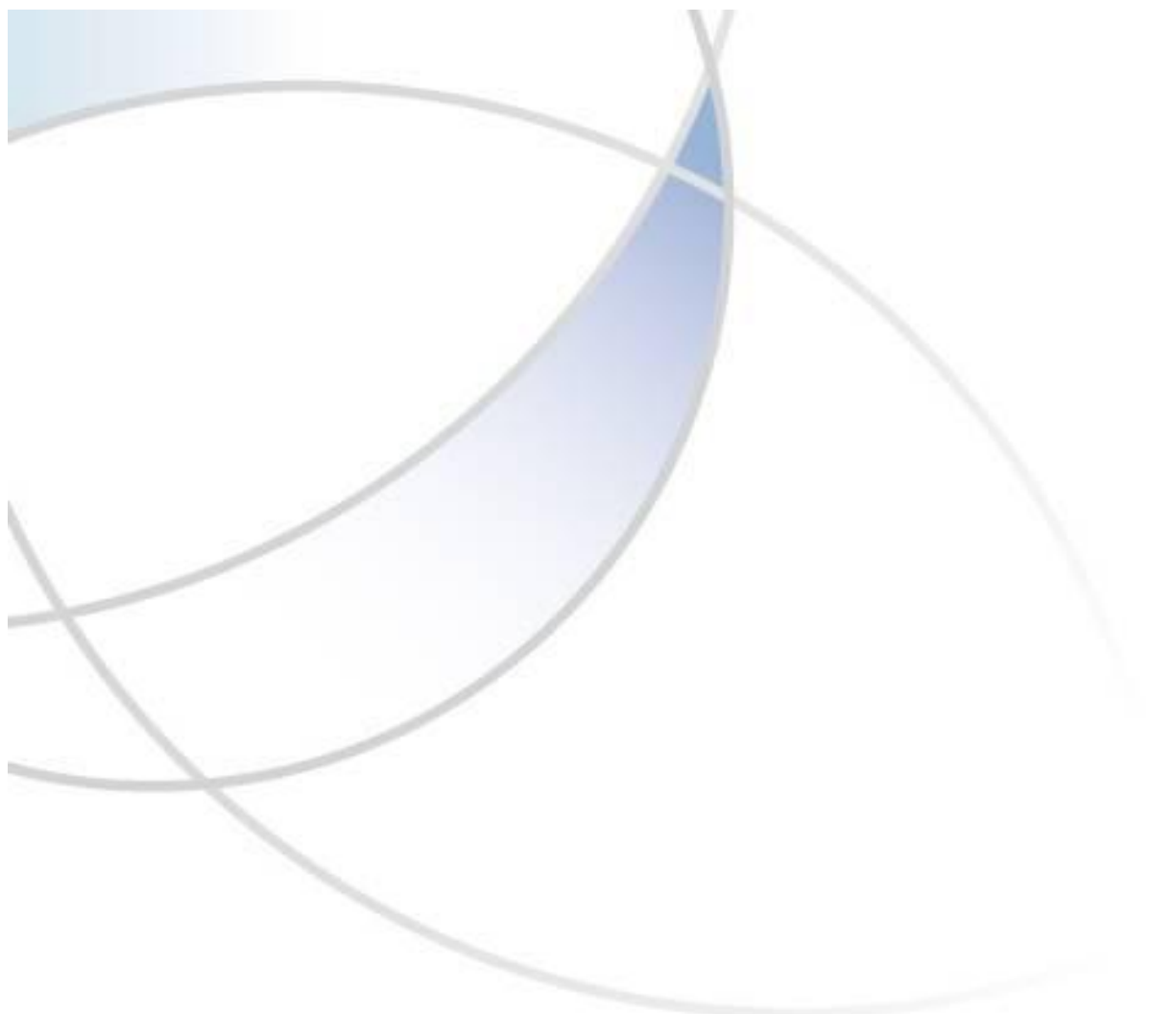
Appendix A

OFFICE OF THE MANITOBA FAIRNESS COMMISSIONER Registration Review Process



Appendix B

CRPNM's Registration Review		
Activity	Description	Date
Block Meeting	<ul style="list-style-type: none"> • Meeting between OMFC, CRPNM 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"> • March 21, 2013
Kick-Off Meeting	<ul style="list-style-type: none"> • Launch of CRPNM's registration review • Key decisions makers from regulator in attendance • Collect requested documentation • Fieldwork planned 	<ul style="list-style-type: none"> • March 28, 2013
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"> • April 15, 2013
Findings and Recommendations Report	<ul style="list-style-type: none"> • CRPNM 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"> • June 6, 2013 • June 7, 2013
Action Plan	<ul style="list-style-type: none"> • CRPNM's Action Plan submitted to OMFC 	<ul style="list-style-type: none"> • July 23, 2013
Final Registration Review Report	<ul style="list-style-type: none"> • Final report submitted to CRPNM; report contains the review findings, the Fairness Commissioner's recommendations, CRPNM's Action Plan, and the Fairness Commissioner's Compliance Statement 	<ul style="list-style-type: none"> • July 29, 2013
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"> • August 6, 2013



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