

2023 Registration Review Report

Manitoba Naturopathic Association



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Introduction

The Fair Registration Practices Office (FRPO) issues this registration review report for the Manitoba Naturopathic Association (MNA) under authority of The Fair Registration Practices in Regulated Professions Act (act). Registration reviews are conducted at times specified by the director of fair registration practices and in accordance with the review provisions in the act, section 15.1, 15.2, and 15.3. The purpose of this review is to determine compliance with the legislation and to identify areas that may need improvement. Compliance to the legislation refers both to the fairness of assessment and registration practice, with particular attention to the fair consideration of internationally educated applicants, as well as the co-operation of the regulator with the director.

Manitoba's fairness legislation was amended in December 2021. This review is largely restricted to the consideration of compliance regarding three new duties in the Fair Registration Practices Code: a duty that assessment criteria be necessary, a duty to abide domestic trade agreements and a duty to notify FRPO regarding changes in assessment and registration practice. Outstanding issues raised in previous registration review reports may also be raised or result in further recommendation for action.

This registration review results in an FRPO statement of compliance for the regulator. Reviews that result in recommendations to change practice or policy contain an action plan response from the regulator, current as of March 2023.

To provide context, a brief description of MNA's state of progress under fairness legislation to date precedes the compliance analysis. The report also includes appendices containing a flowchart of the registration process for internationally educated applicants, as well as registration data. Data is the latest information available at the time of review completion.

State of Progress

The Manitoba Naturopathic Association (MNA) is committed to the fair assessment and registration of internationally educated naturopaths. Since the introduction of Manitoba's fairness legislation in 2009, MNA has worked co-operatively with FRPO and taken measures to ensure the fair assessment and registration of internationally educated naturopaths.

In Canada, the profession of naturopathy is regulated in six provinces. The model and scope of practice requires doctorate level training. Currently, there are two accredited education programs in Canada, six recognised programs offered in the United States and one in Puerto Rico.

With less than 50 members, MNA is one of Manitoba's smaller professions. They have received very few internationally educated applicants over the last decade. Those who applied all trained in the United States. MNA's licensure process for this group is effective, timely and straightforward.

Measures MNA has taken promoting fair assessment and registration practice for internationally educated applicants (IEAs) include improving application and registration information, and providing links to bridge training/advance standing opportunities for international medical graduates (IMGs). In a variety of areas, similar academic training allows IMGs an opportunity for shortened studies at several recognised naturopathic programs.

Fair Practice Analysis

I. Assessment criteria must be necessary – act, 8(4)

The criteria used in an assessment of qualifications must be necessary to assess competence in the practice of the profession.

With regard to substantive assessment criteria in a profession, for instance, the type and level of academic training required or the level of scrutiny brought to assess qualifications, FRPO recognises the authority of self-regulated professions setting these standards and will only question these requirements in the circumstance they are patently unreasonable. FRPO's evaluation focuses on the ways in which criteria and requirements may be unnecessary, unduly burdensome, or potentially result in forms of systemic discrimination, particularly as they may affect internationally educated applicants (IEAs).

MNA compliance to necessary assessment criteria

MNA's assessment criteria and various requirements for registration are for the most part warranted and reasonable. FRPO identifies the following concern:

1. MNA requires applicants possess a doctorate of naturopathic medicine from an education program accredited by the Council on Naturopathic Medical Education (CNME). Currently, there are two accredited programs in Canada, six in the United States and one in Puerto Rico. For naturopaths trained outside of these programs, there is no assessment strategy in place. These applicants do not qualify for registration.

MNA's education requirement is similar to what is required by most provincial regulators in Canada. One jurisdiction, however offers a prior learning assessment (PLA) that allows the consideration of applicants trained outside of CNME accredited programs. Those who can provide evidence they meet qualification have a licensure opportunity.

Ideally, applicants with unrecognised academic training applying in Manitoba would be afforded this type of consideration.

FRPO has raised this concern about assessing applicants without CNME accredited training with MNA in previous registration reviews. FRPO recognises the challenge implementing a PLA process for a small profession such as MNA and FRPO does not have evidence that speaks to the demand for such an assessment.

Although these considerations are relevant, MNA still needs to commit to providing a measure of fair consideration for applicants without CNME accredited training. Developing a dedicated assessment process for this purpose may not be prudent or practical. However, other, more feasible steps can be taken; for instance, better information for applicants in this circumstance and when or if the situation arises, reaching out to other jurisdictions with a PLA to see whether Manitoba may refer an individual for assessment.

II. Duty to comply with domestic trade agreements – act, 4(1)

A regulated profession must ensure that its registration practices comply with the obligations of a domestic trade agreement.

The Manitoba government has labour mobility obligations that extend to regulated occupations, under both Chapter 7: Labour Mobility of the Canadian Free Trade Agreement (CFTA) and Article 13: Labour Mobility of the New West Partnership Trade Agreement (NWPTA). In Manitoba, regulated professions are required to comply with labour mobility obligations under The Fair Registration Practices in Regulated Professions Act, section 4(1), The Labour Mobility Act, section 3(1) and for health professions, under The Regulated Health Professions Act, section 32(3).

In the regulated occupations, the purpose of these obligations is to provide labour mobility through license-to-license recognition. This needs to occur without any material requirements for training, experience, examinations or assessments — CFTA, Article 705, paragraph 1, NWPTA, Article 13, paragraphs 1 and 2.

MNA's compliance to abide labour mobility obligations

At this time, FRPO identifies no concerns. MNA's labour mobility policies for individuals registered in other provincial jurisdictions applying for registration in Manitoba comply with requirements set out in the Canadian Free Trade Agreement and the New West Partnership Agreement.

III. Notice of changes in registration practices – act, 5(2)

A regulated profession that proposes to change its registration practices, as described in the information provided under clause (1)(a), must notify the director of the proposed change, at the time and in the manner and form required by the director.

The purpose of notification is to ensure FRPO has accurate, up-to-date information about the registration practices of Manitoba regulators. This supports FRPO's oversight role and allows for proactive discussion about the fairness of proposed changes.

MNA's compliance to the duty to notify

In preparation for this registration review, FRPO requested updates regarding changes to assessment and registration practice.

MNA has updated FRPO regarding policy and practice changes. They have a history of co-operation with FRPO and continue to comply with this duty.

Recommendations

The Fair Registration Practices Office sees the following opportunity for the Manitoba Naturopathic Association to improve compliance to The Fair Registration Practices in Regulated Profession Act:

1. Implement assessment opportunities for internationally educated naturopaths from non-CMNE accredited naturopathic programs. Introduce clear and accurate information about this assessment possibility on MNA's website.

Regulator Action Plan

In response to the recommendation made by the Fair Registration Practices Office, the Manitoba Naturopathic Association committed to the following action plan, current as of March 2023:

| Recommendation | Manitoba Naturopathic Association Action | Anticipated Completion Date |
|--|---|-----------------------------|
| <p>1. Implement assessment opportunities for internationally educated naturopaths from non-CMNE accredited naturopathic programs. Introduce clear and accurate information about this assessment possibility on MNA's website.</p> | <p>As a very small regulatory body with fifty members, the MNA's budget and staff resources are not conducive for the creation of an effective and timely PLAR program.</p> <p>The College of Naturopaths of Ontario (CONO) has a long-standing Prior Learning Assessment and Recognition (PLAR) program for internationally educated applicants. It allows IEAs to be assessed with the same objective competency criteria as all applicants, regardless of where they received their naturopathic training. Through the PLAR assessment process, applicants are asked to demonstrate their level of knowledge, skills and judgment in naturopathy to determine their readiness to practise safely, competently and ethically.</p> <p>CONO has agreed to the creation of a Memorandum of Understanding between Manitoba and Ontario to allow Manitoba IEAs to have their qualifications assessed by CONO PLAR program. The first step is draft a Memorandum of Understanding for approval by both regulatory bodies.</p> | <p>June 1, 2023</p> |

Manitoba Naturopathic Association

Comments

'Naturopath' is a protected title in Manitoba. Only those registered with the Manitoba Naturopathic Association may use that title.

Compliance

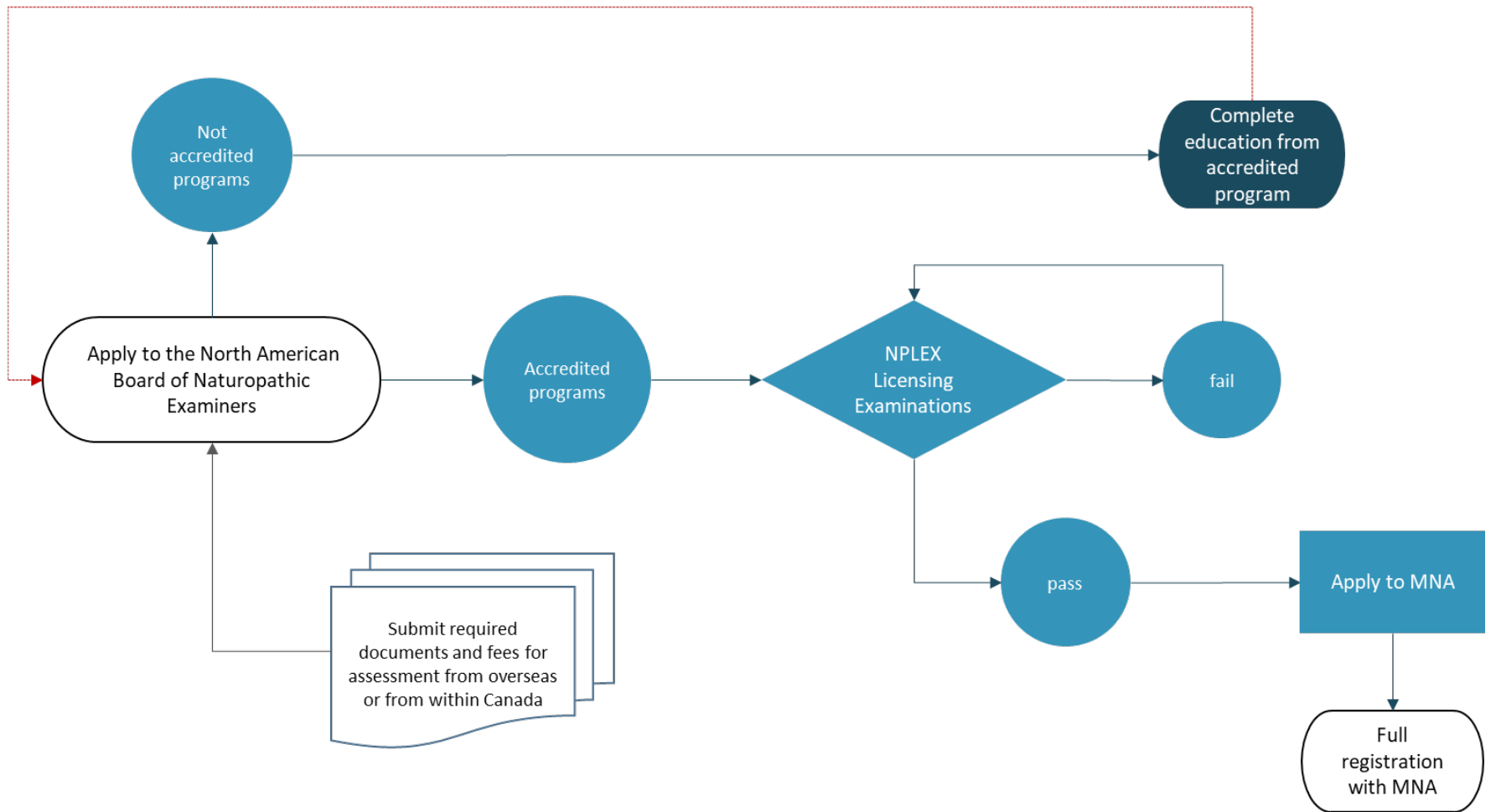
FRPO's 2023 registration review of the Manitoba Naturopathic Association (MNA) examines their compliance to three duties in the Fair Registration Practices Code of the act; assessment criteria are necessary, labour mobility obligations are respected and FRPO is notified regarding changes in assessment and registration practice.

FRPO finds MNA compliant with the duty to abide labour mobility obligations and to notify FRPO regarding changes in assessment in registration practices.

FRPO raises a concern about the need to consider internationally educated naturopaths educated outside CMNE accredited academic programs.

MNA's action plan commitment to work with the College of Naturopaths of Ontario to allow the use of Ontario's PLA assessment is a practical, creative solution to a difficult challenge. This action will address FRPO's concern, ensuring fair consideration for a broader group of internationally educated naturopaths in Manitoba.

Appendix 1 – Registration Process for Internationally Educated Applicants



Manitoba
Naturopathic
Association



48
**Registered
Members**

(As of December 2021)

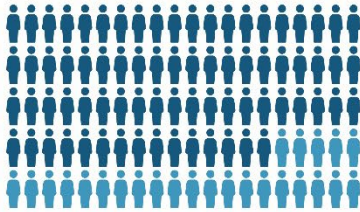
2011–2021 Internationally Educated Applicant Data



<10

applications

Application Outcomes



registered - 75%

file closed - 25%

Closed File Status



100%

withdrawn



Top Countries of Education



United States

applicants were all educated in the
United States



Median Time to Registration

39 days

2012–2021 Domestic Applicant Data



24

applications

20 (83%)

registrations