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*College of
Occupational Therapists
of Nova Scotia*

Office Location

380 Bedford Highway, Suite 203
Halifax NS B3M 2L4

Ph: 902-455-0556
Fax: 902-455-0621
www.cotns.ca

COTNS Board

Christine Bray, Chair
Jocelyn Brown, Vice-Chair
Cherie Lewis, Secretary
Niki Kiepek, Member at Large
Email: Chair@cotns.ca

COTNS Staff

Jonathan Belbin, Registrar
registrar@cotns.ca

Jenn MacKay-Myra,
Administrative Manager
admin@cotns.ca

**New! Record Keeping Practice Standard and
Social Media Guidelines**

The College establishes practice standards to ensure a minimum level of practice is maintained for occupational therapists. Practice standards are developed to protect both the occupational therapists and their clients. The Practice Committee has now released the Record Keeping Practice Standard that establishes the College’s expectation for documentation and keeping of records and includes much of the information contained with the Personal Health Information Act, 2010. This standard is broad in context and requires individual occupational therapists to exercise professional judgment in applying them to their context.

Practice guidelines, in contrast, are issued by the College to provide guidance to members on how they should practice. They are intended to support, not replace, the exercise of professional judgment by therapists. The Practice Committee has now released the Social Media Guidelines to provide occupational therapists with a decision-making process when using social media and to suggest strategies considered good practice to minimize risk. Using such an approach will ensure protection of the public while minimizing the member’s professional liability.

Occupational therapists are expected to be familiar with all College standards and guidelines. These documents form the “measuring stick” that the College uses to evaluate members’ performance in the Continuing Competency Program and during investigation of complaints.

The Practice Committee is currently working on a scope of practice document.

The College will be providing education sessions this winter on the new standard and guideline and a recording will be posted to the website.

The documents can be obtained at:<http://cotns.ca/quality-practice/standards-of-practice/>

2017-2018 COTNS Board Members

Christine Bray



Christine enjoys being part of the COTNS Board as it allows her to have a part in the decision making affecting Occupational Therapy practice as well as networking with her fellow colleagues. Christine graduated from Dalhousie School of Occupational Therapy in

2010. Since then, she has worked in a variety of private practice settings, most often with clients involved in the return to work process who are affected by mental or physical health concerns. Christine works at Lifemark Health Center in Halifax. She has completed training in cognitive and physical abilities evaluations, ergonomic assessments, case and concussion management, motivational interviewing and neuro-visual postural therapy. In her spare time Christine enjoys running around Halifax and cooking. Currently on maternity leave with her first child, she is learning to do those things with her baby son in tow.

Jocelyn Brown



Jocelyn comes to the board with a long history of work in clinical practice (mental health & geriatrics), management, primary health care, and, most recently, as an assistant professor. She is the Manager of Rehabilitation & Respiratory Services for the South Shore Area in

the Western Zone with the provincial Health Authority. She has previous service on the Professional Practice Committee, the Nova Scotia Education and Research Fund (chair), and various committees and positions. With over a decade of teaching professional practice and program planning and evaluation courses at Dalhousie University, Jocelyn brings experience and current knowledge of practice issues affecting occupational therapy today. Jocelyn has a BSc (OT) from University of Toronto and a MSc(OT – post-professional) from Dalhousie University.

Cherie Lewis



Cherie was born and raised in Halifax, Nova Scotia. She graduated from Dalhousie University in 1998 with her B.Sc. (Hons) in Occupational Therapy. Since that time she has worked as an occupational therapist in a variety of settings both within the public hospital system as well as in private practice.

Currently Cherie works with Nova Scotia Health Authority as a behaviorist in the Acquired Brain Injury Day Program in Halifax and has been doing so since 2011. Cherie has previously served two terms on the board for COTNS and has had an ongoing interest in the self-regulatory aspect of our profession.

Niki Kiepek



Niki is an Assistant Professor at the Dalhousie School of Occupation Therapy. Throughout her career, she has worked across a broad range of practice areas, such as paediatrics, hand rehabilitation, inpatient acute, long-term care, ergonomics, community mental health, and addictions.

Niki was elected to the COTNS Board in 2017 and has previous college experience with COTO, sitting on the Professional Practice Issues and Quality Assurance subcommittees. Niki is also a member of executive committee for the Canadian Society of Occupational Scientists and a member of the Canadian Association of Occupational Therapists Aboriginal Health Network.

Decision Making Capacity Act in Nova Scotia

Occupational Therapists able to Become Capacity Assessors

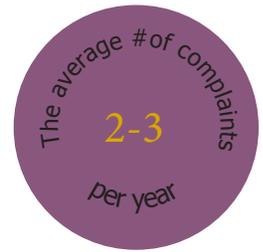
On June 28th, 2016, the Supreme Court of Nova Scotia declared sections of the Incompetent Persons Act to be unconstitutional and invalid. On October 26, 2017, the Legislature has passed the new Adult Capacity and Decision-Making Act to replace the Incompetent Persons Act. This Act is in effect for December 28, 2017. The new act removes the "all-or-none" principle under the old legislation and establishes the following domains of capacity:

- where, with whom and under what conditions the adult is to live, whether permanently or temporarily;
- with whom the adult may associate;
- whether the adult is to participate in social and recreational activities and, where the adult is to participate in the activities, the nature and extent of the participation and any matters related to such participation;
- whether the adult is to be employed and, where the adult is to be employed, the nature or type of employment, who is to employ the adult and any matters related to such employment;
- whether the adult is to participate in any educational, vocational or other training and, where the adult is to participate in training, the nature and extent of the training and any matters related to such training;
- whether the adult is to apply for any licence, permit, approval or other consent or authorization required by law;
- whether to commence, continue, settle or defend any claim or proceeding that relates to the adult;
- the adult's personal care and health care;
- the financial matters of the adult; and
- any other matter the Court considers appropriate.

Only those professions named in the regulations will be able to complete a capacity interview and complete the capacity assessment form. Under the proposed regulations of this act, Occupational Therapists, in addition to Registered Nurses, Nurse Practitioners, and Social Workers, will have the option to become capacity assessors. The College is working with the Department of Justice, Department of Health and Wellness, and other Colleges to determine the process of establishing capacity assessors.

Occupational Therapists that are not capacity assessors will still be able to complete assessments that contribute to a capacity decision, but will not be able to complete a capacity interview or make a declaration of capacity of an individual.

If you would like more information or are interested in becoming a capacity assessor, please contact the College at 902-455-0556 or registrar@cotns.ca.



What happens when a complaint is filed with the College?

A complaint can be made by any person, corporation, or association. Complaints cannot be anonymous and must be signed by the complainant. Once the College receives a written complaint, the following steps are taken:

1. The College will notify the complainant and the member that a complaint has been filed with the College. The member will receive a copy of the complaint unless the Registrar believes that it will not assist in the investigation.
2. The Registrar will contact the Investigation Committee and schedule a meeting.
3. The Investigation Committee will review the complaint and determine an investigation plan which may include, but is not limited to,
 - a. Require a response from the member;
 - b. Acquire a copy of documentation of the situation under investigation. Consent is not required from the client to release documents to the College under the Personal Health Information Act;
 - c. Submit de-identified documents to an expert consultant for review;
 - d. Require the member to undergo physical or mental examinations;
 - e. Require the member to undergo a practice audit or additional examinations.
4. Once further documentation is received, the committee will review the documents and determine if any further steps are necessary.
5. Once the Committee has completed its investigation, it will make one of the following determinations:
 - a. Dismiss the complaint
 - b. Attempt to resolve the matter informally
 - c. Refer the matter to mediation with consent of both parties
 - d. Refer the matter to a hearing
 - e. Counsel and/or caution the member
 - f. Reprimand the member with their consent
 - g. Require the member to undergo treatment or re-education with their consent

All information obtained in an investigation is kept confidential unless the matter is referred to a hearing. Fines and registration suspension or revocation can only occur when a member is found guilty of professional misconduct in a hearing.

How to respond to a complaint

1. Remain calm. Do not include disparaging or negative comments about the complainant and keep the information factual and not emotional.
2. Provide a synopsis of your practice setting, including a summary of your role.
3. Provide an overview of your standard practice (i.e. how you obtain and document consent, maintain professional boundaries, etc.).
4. Provide context regarding your professional relationship with client if appropriate.
5. Answer specific allegations and make reference to specific documentation where appropriate with footnotes.

Continuing Competency Program Update

What will the new Continuing Competency Program Contain?

The Continuing Competency Committee has been diligently working on restructuring the Continuing Competency Program. The goal of the program is to:

- demonstrate to the public that occupational therapists practice in a safe, ethical, and effective manner; and
- to support occupational therapists to maintain the knowledge, skills, and judgments required to provide competent care.

Under the new framework, the program will consist of three components.

1. Competence Maintenance: this is the supportive component of the program, and is composed of annual declaration of currency hours, an optional self-assessment, a mandatory professional development plan, and mandatory education modules.

2. Competence Review: this is the evaluative component of the program and is composed of:

- a. The Core Competency Evaluation to assess all OTs knowledge and clinical-reasoning on regulatory topics and essential competencies. The CCE will be completed once every 5 years;
- b. An on-site assessment to further assess core and clinical competencies of those individuals identified from the CCE.

3. Competence Improvement: this is the improvement component of the program and consists of practice recommendations and the development of an individual learning plan for those identified in competence review.

What is Happening Next?

The Committee has established the Evaluation Development Working Group and the Learning Module Working Group to develop their respective components. In addition, the Committee is in the process of finalizing the CCE blueprint based on stakeholder feedback and the results of the membership survey. The College received a 33% response rate on the survey and the results demonstrate support for the regulatory topics identified; a finalized report will be available in January. Based on written feedback provided in the survey, the College will be providing information sessions on the CCE in the New Year.

Continuing Competency Program Con't..

FAQs

1. Will there be a charge to write the CCE?

The College is aiming to have the cost of the CCE included in the current registration fee. Members may incur a small cost for establishing their own protectors.

2. Will my registration be affected by the CCE?

The purpose of the program is to be supportive, not punitive. Conditions, limitations, and restrictions will only be applied to registration if the Committee finds evidence in an on-site assessment that there is imminent risk of harm to the public. Suspension or revocation can only be considered if there is evidence of professional misconduct, at which time the matter will be referred to the Investigation Committee.

3. Why is the College moving to a written evaluation? Are other Colleges and professions making a similar move?

The shift to a written evaluation is in keeping with changes to best practice. Current evidence no longer supports self-assessment as a measure of continuing competency. The program is modeled off of the College of Occupational Therapists of British Columbia (COTBC), where a written evaluation has already been implemented. Other regulated health professionals in Nova Scotia are also implementing jurisprudence examinations, including the physiotherapists, nurses, and dietitians.

4. What will be the content of the CCE? Will it be specific to practice area?

The CCE will focus on regulatory topics that are common across practice areas, such as consent, documentation, and confidentiality and privacy. While cases provided in the CCE will be specific to practice setting, it will not require specific knowledge of that practice setting. For example, a case may be specific to community mental health, but will focus on a regulatory issue and not require knowledge in mental health to answer the question. The CCE blueprint will be released in the spring and education sessions will be held to help members prepare.

The Last Word

**Remember to look for information sessions coming this winter regarding the new
Record Keeping Practice Standards
Social Media Guideline
and
Continuing Competency Program**

Contact the College if you're interested in becoming a capacity assessor.

**All questions and concerns can be brought forward to
admin@cotns.ca 902-455-0556 registrar@cotns.ca**