



# College of Occupational Therapists of Nova Scotia

2014-2015 Annual Report

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**MISSION:** The College of Occupational Therapists of Nova Scotia regulates the provincial practice of occupational therapy by ensuring safe and ethical service in order to protect the public interest.

**VISION:** The College of Occupational Therapists of Nova Scotia strives to effectively regulate the practice of occupational therapy and values continuous quality improvement.

**VALUES:** The College of Occupational Therapists of Nova Scotia is committed to demonstrating:

- Fairness and equity in business interactions with the public and with the registrants
- Accountability for decisions and actions
- Respect for both public and professional perspectives
- An open honest communication process
- Accessibility to services provided
- Efficiency of business practice

### **Strategic Plan 2013-2018**

#### **Responsive and Accountable Leadership**

- Board will demonstrate strong leadership through best practice governance
- Board will adopt a risk management framework with respect to its operational activities
- Assures sufficient financial and human resources to meet its mandate
- Exemplifies good management practices to meet the evolving needs of the College
- Supports its committees to optimize their contribution towards the role of the College
- Enhances the Public's awareness of its role in protecting the public's right to safe ethical occupational therapy

#### **Supporting and Advancing Quality Regulation**

- Ensures regulatory excellence by keeping its regulations current and demonstrating compliance with the Nova Scotia Fair Registration Practices Act
- Advances quality regulatory programs and services
- Collaborates with other regulatory bodies to ensure best practice in regulation
- Employs innovation to fulfill its regulatory commitment while being more responsive to the challenges facing occupational therapists
- Promotes public awareness, input and access to information by developing a public awareness strategy

#### **Monitoring and Supporting Quality Practice**

Will implement a Continuing Competence Program to ensure the ongoing quality of occupational therapy practice in Nova Scotia

- Provides support to occupational therapists in Nova Scotia to meet the essential competencies for practice



## **ANNUAL GENERAL MEETING 2015**

The Board of Directors of the College of Occupational Therapists of Nova Scotia (COTNS) is pleased to announce that the **2015 Annual General Meeting (AGM)** will be held as follows:

**DATE:** Thursday, June 18<sup>th</sup>, 2015  
12:00 noon to 1:00 pm

**LOCATION:** Dalhousie University  
School of Occupational Therapy  
Room 213

Please note: that in accordance with our general regulations we are not permitted the use of proxy vote, so participation is required. 10% of members constitute quorum for the AGM. So with our 478 members we will require at least 48 members to participate.

If you are unable to travel to the meeting, and would like to participate by videoconferencing, please contact the COTNS Office by June 12th, 2015, and arrangements will be made. **More information regarding videoconferencing sites will be forwarded via email in due course.**

We request that all members RSVP by calling (902) 455-0556 or 1-877-455-0556 (NS only) by June 12th, 2015, or by sending an email to [admin@cotns.ca](mailto:admin@cotns.ca).

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# Message from the Chair

Brian Bailkowski, Chair

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This year has been a year of great change for the College. Over the summer, we worked with our HR consultant and determined that there was a need for change within the organization. Working with our HR consultant, we changed all of the paid positions within the College. We welcomed Margo Johnson as our new Administrative Director, a position which replaces the old office manager and adds major responsibilities including managing the College's finances. We also made changes to the responsibilities for our registrar and executive director position. This position will now include overseeing the work of the Continuing Competency Program, and will also share some duties with the new Administrative Director Position. The board is pleased to welcome Margo to the organization, and would also like to thank Brittany McKinnon, Joy Moulton and Dorothy Edem for their work for the College.

The board has also spent considerable time working with our Administrative Director and Registrar on developing new policies and procedures relating to their positions. We have been working on finalizing job descriptions, performance evaluations and also on compensation for the new roles. This process will continue to evolve as we move forwards with our new employee structure.

The board is excited to see that the work of the Continuing Competency Committee and the Practice Committee continues to move forwards. There continues to be progress made towards a new Continuing Competency Program as well as a Code of Ethics for the College.

Lastly, on behalf of the board I would like to thank all of the members of the various committees. These are members who give their time each year to further our profession. Thank you

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# Message from the Registrar

Gayle Salsman, Registrar

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The College's job is to protect the public. At the College we believe public protection is a shared goal between the College and its members - neither group could effectively protect the public without the other. This means that in order to meet our mission and vision, we must work together.

In order to do this, the College must take a relationship-building approach to regulation. This approach to our regulatory work allows us to emphasize our commitment to the safety and protection of the public. This approach doesn't change what we do as an organization but it does change how we do it.

The College's strategic plan revolves around finding new and innovative ways to build a strong relationship with its members, its regulatory partners and with key stakeholders. It includes improving consultation with both our registrants and key stakeholders, to ensure a good understanding of occupational therapy practice in Nova Scotia as well as public expectations of occupational therapists and occupational therapy practice.

Several key initiatives currently underway include planning several opportunities for educational and consultative events with our members which will launch in the Fall. These events will focus on providing education around new College standards and consulting with our members around the new Continuing Competence Program Framework. The College is leveraging new technology in order to enhance and improve our outreach to our members.

In addition, we have launched a new and improved website which strives for greater transparency for prospective members and to increase the amount and availability of resources for our members and to provide information about the College to the public.

I look forward to building on all of our relationships in order to meet our goal of public protection through supporting occupational therapy practice in Nova Scotia in the coming year.

## Responsive and Accountable Leadership

Work at the College over the past year has included an effort to ensure that the College has: sufficient financial and human resources to meet its mandate; exemplifies good management practices and supports its committees to optimize their contribution towards the role of the College. An extensive human resource consultation was completed by HR Pros. The aim of this consultation was to ensure the College had appropriate staffing levels; training needs were being met and succession planning was considered. The College believes that it is now positioned well to allow the College to best utilize its resources while fulfilling its obligations. In order to achieve this, significant changes have occurred and the College is working diligently to adopt good management practices and appropriate use of technology.

In addition, the College has spent a great deal of time and effort over the past year looking into the development of an evaluation framework from which to measure the effectiveness of the work of the College. Best practice internationally is moving to "right touch regulation", a term coined by the head of the UK's Professional Standards Authority, which advocates an approach that is proportionate, consistent, targeted, transparent and accountable. It describes the principles of good regulation as follows:

- **Proportionate:** regulators should only intervene when necessary. Remedies should be appropriate to the risk posed, and costs identified and minimised
- **Consistent:** rules and standards must be joined up and implemented fairly
- **Targeted:** regulation should be focused on the problem, and minimise side effects
- **Transparent:** regulators should be open, and keep regulations simple and user friendly
- **Accountable:** regulators must be able to justify decisions, and be subject to public scrutiny.

To these five, the UK's Council for Healthcare Regulatory Excellence added agility as a sixth principle.

- **Agility:** an agile regulator would foresee changes that are going to occur in its field, anticipate the risks that will arise as a result of those changes, and take timely action to mitigate those risks. At the same time, an agile regulator would not react to everything as changes may occur which do not need a regulatory response.

In order to meet the goals of right touch regulation, the College has also tried to develop more of a risk-based approach to regulation.

The College will continue to work to adopt the principles of right touch regulation and will incorporate these principles into its evaluation framework.

## Supporting Quality Practice

The College is committed to promoting safe, ethical and effective occupational therapy practice in order to merit the continued trust and respect Nova Scotians. To support this work, the College responds to practice questions, publishes practice standards and guidelines, provides guides to legislation and outlines its position statement on key issues.

*The Essential Competencies of Practice for Occupational Therapists in Canada, 3<sup>rd</sup> Ed.* (ACOTRO, 2011) outlines the professional standards of the College. Practice guidelines provide additional detail about College expectations and practice standards provide specific expectations for safe, effective and ethical practice regarding specific regulatory issues for occupational therapists, the College's discipline committees and the public.

COTNS has two Practice Committees who are responsible for developing practice standards and guidelines. The Practice Committee (Halifax) reviewed and proposed a new Code of Ethics for occupational therapists in Nova Scotia. After a thorough review and consultation process, the committee recommended that the College adopt the College of Occupational Therapists of Ontario (COTO) Code of Ethics with slight modifications. The Code of Ethics was approved by the board at its meeting in May 2015. The College extends its gratitude to COTO for its ongoing leadership in occupational therapy regulation in Canada. The committee is finalizing changes to the COTO Guide to the Code of Ethics.

The Practice Committee (Cape Breton) drafted a Practice Guideline on Informed Consent, which was approved by the Board in December 2014. They have been busy drafting a new Practice Standard around the management of client information which will replace the Practice Guideline: Client Records.

This past year, the College received a number of concerns related to occupational therapists' websites. Concerns identified related to the websites not complying with the Registration Regulations related to Advertising. A review of the websites identified was completed and the violating website owners were notified. All occupational therapists that were notified followed up on the College's request that make changes to the websites in order to be in compliance with the Regulations. As a result, the College has drafted an Advisory statement related to the Advertising Regulations.

## Continuing Competence Program

The committee engaged consultant Kris Head in order to:

- To conduct an environmental scan of continuing competence relevant to COTNS including the programs utilized by other health care professional regulators within Nova Scotia as well as other Occupational Therapy regulators across Canada.
- To conduct an enhanced literature search to identify and evaluate relevant research within the continuing competency field.
- To conduct search for potential vendors able to provide various program elements of the continuing competency program in order to better inform subsequent RFPs.
- To create options and recommendations for COTNS regarding continuing competency programs incorporating COTNS' goals and guiding principles of continuing competency.

The conclusion of this process was that a written exam, generalist in nature and applicable to all COTNS members, focusing on professional standards of practice, legislation and regulatory bylaws would form part of the competence program. COTNS believes this lays the foundation for a more comprehensive and effective competence program, based on evidence as well as consistent with the changes occurring within the Canadian regulatory environment. The written regulatory exam provides a defensible and reliable tool to assess competency in areas of regulations and standards of the profession.

### **Key themes identified by the Competence Committee**

The following priorities were identified by the committee that led to the decision to include a written exam within the program. The program should deliver:

- Defensibility to challenges
- Applicability to all members regardless of practice area
- Evaluation of competence in documentation, patient consent and professional practice standards

The competence program evaluation element that will best address these is a written exam.

### **Additional Program Priorities**

Other program priorities that were identified by the committee included:

- Comprehensiveness to practice
- Promotes clinical knowledge and skill development
- Provides applicability to specialty areas of practice

These aspects are best addressed through program elements other than a written exam such as self-assessment and professional development plans; peer and client feedback; and practice education modules.

## Continuing Competence Program

(Con't)

### Peer Assessment

In accordance with our legislative requirements, peer assessment will remain part of the continuing competence framework. Peer assessment is a powerful tool in examining member practice to a higher degree than most other forms of competency assessment and development. The peer assessment provides an in-depth approach to competence assessment. While expensive, these visits provide a more comprehensive evaluation of practice than any other single assessment approach.

*The competency program being developed by COTNS will provide a multi-faceted approach to competence assessment, identified as best-practice within the literature. When combined with competence development resources, the competence program in development by COTNS has the potential to effectively shape competent continuing professional practice amongst members and professional regulators across Atlantic Canada and the country.*

*Kris Head, consultant*

Over the coming months, the College will be embarking on an extensive plan for communication and consultation with the members of the College on the new Continuing Competence Program Framework.

# Continuing Competence Program

## Competence Maintenance

**Reflective Component:** Provides structure to support reflective practice, professional development and compliance with regulatory requirements.

### Key Elements

#### 1. Currency Hours

**Participants (Who):**

- All registrants - Mandatory

**Tools (What):**

- Annual Continuing Competence Declaration - Mandatory

**Frequency (When):**

- Annually at the time of registration/renewal

#### 2. Assessment of Essential Competence and Professional Development Plan

**Participants (Who):**

- All Registrants

**Tools (What):**

- Self-assessment - Optional
- Colleague/Peer Feedback - Mandatory
- Professional Development Plan - Mandatory

**Frequency (When):**

- Every two Years

#### 3. Practice Education Modules (PEM)

**Participants (Who):**

- All Registrants - Mandatory

**Tools (What):**

- Online Self-learning Practice Education Modules
- Self-Learning Module Quiz
- Certificate of completion

**Frequency (When):**

- Each registrant MUST complete at least one PEM every year

## Competence Review

**Evaluative Component:** Provides structure for assessing/evaluating the Continuing Competency requirements and competence of all registrants.

### Key Elements

#### 1. Written Competence Exam

**Participants (Who):**

- All Registrants - Mandatory

**Tools (What):**

- Online written exam (Standard of Practice and Code of Ethics)

**Frequency (When):**

- Every 5 years - All registrants will write the exam every 5 years

#### 2. On-site Assessment

**Participants (Who):**

- Registrants who fall below established Competence Exam threshold
- Randomly selected registrants
- Registrants recommended by College

**Tools (What):**

- Onsite Peer Assessment by Peer Assessor
  - Behaviour-based Interview
  - Review of Occupational Therapy Record
  - Review of Professional Development Plan
  - Review of PEM Completed

- Mobile Assessment Tool (MAT)
- Peer Assessment Report template

**Frequency (When):**

- Yearly
- Number assessed is based on # of registrants requiring onsite Peer Assessment

## Competence Improvement

**Improvement Component:** Provides structure to support improvement of competencies that are below acceptable standard

### Key Elements

#### 1. Recommendations for Improvement

**Participants (Who):**

- Individuals identified through the Competence Review

**Tools (What):**

- Peer Assessment Report from Peer Assessor
- Recommendations to registrant from Peer Assessment Committee (PAC)

**Frequency (When):**

- As needed - based on Peer Assessment

#### 2. Individualized Improvement Plan Developed

**Participants (Who):**

- Registrants whose Peer Assessment recommends areas for improvement

**Tools (What):**

- An Individualized Improvement Plan
- Letter of recommendations from PAC

**Frequency (When):**

- As required

#### 3. Individualized Improvement Plan Completed

**Participants (Who):**

- Registrants who have Individualized Improvement Plan

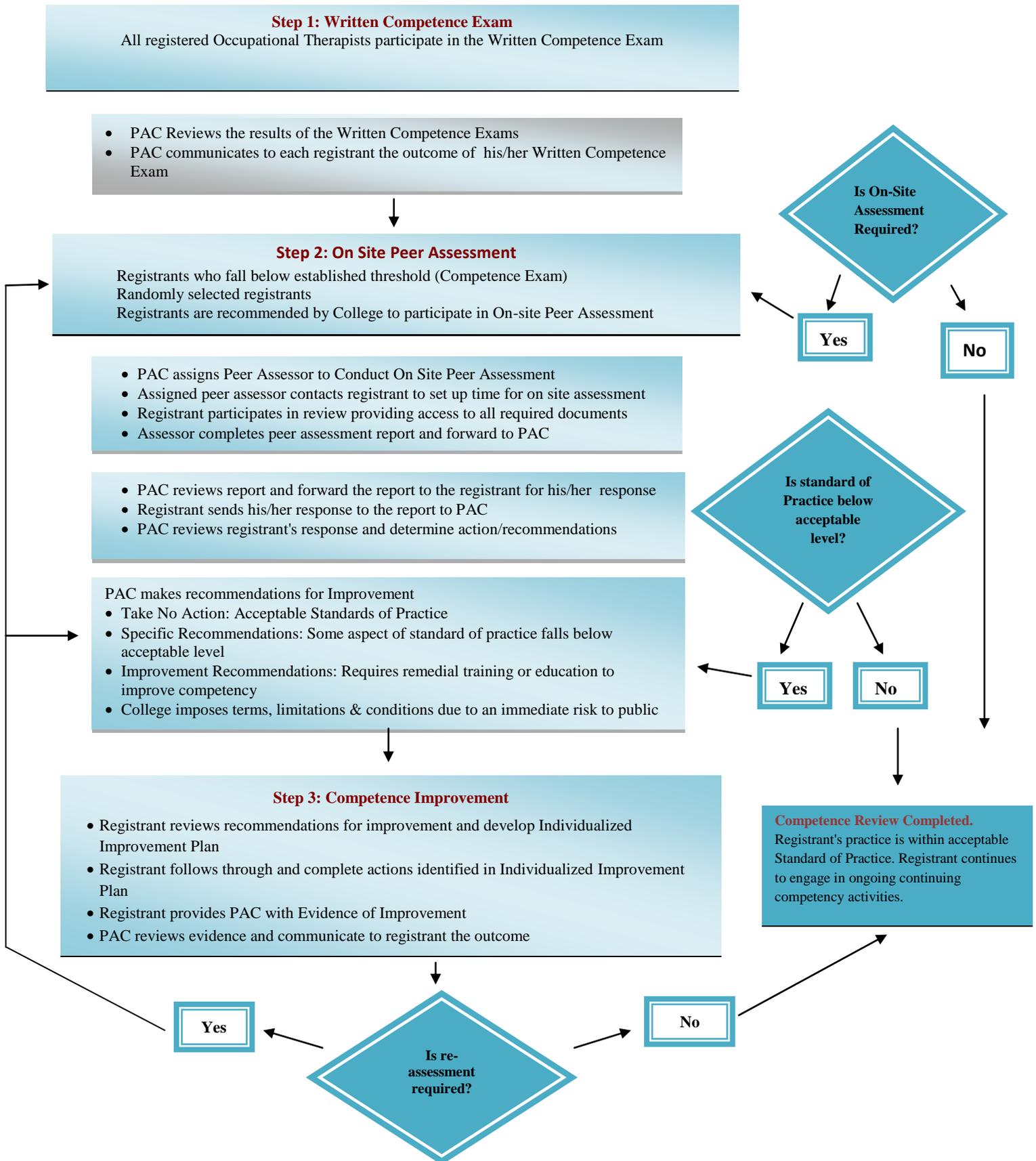
**Tools (What):**

- Evidence of improvement
- Is re-assessment required
- Evidence review by PAC. Letter to registrant

**Frequency (When):**

- As required

# Competence Review and Competence Improvement Flowchart Diagram



## Addressing Complaints and Concerns

To fulfill its role in protecting the public, the College must have a fair, transparent and impartial process for resolving issues related to the practice or conduct of an occupational therapist. Professional regulation must demonstrate fairness to both sides. To command confidence of both, the process must be seen to be fair to both those who raised the concern and the occupational therapist. Outcomes and recommendations must be provided in a clear and concise manner, with adequate reasons and be provided in a timely manner.

The College has two distinct decision-making bodies within the COTNS discipline process - the Investigation Committee and the Hearing Committee. It is important for the public and the College members to recognize that complaints do NOT necessarily proceed through to both committees.

The Investigation Committee will review the complaint and will then decide if further information is required and obtain this information in a number of ways as outlined in the *Occupational Therapists Act*.

Once the required information is obtained and the complaint is reviewed, the Investigation Committee may proceed in one or more of the following ways:

- dismiss the complaint;
- attempt to resolve the matter informally;
- with the consent of both parties, refer the matter, in whole or in part, for mediation;
- counsel the member;
- caution the member;
- counsel and caution the member;
- reprimand the member with the member's consent;
- with the consent of the member, require the member undergo such treatment or re-education as the committee considers necessary;
- refer the matter, in whole or in part, to the Hearing Committee.

Should the complaint not be resolved as outlined above, or should the Investigation Committee feel the complaint is best handled in a more formal process, the Investigation Committee may refer the matter to the Hearing Committee.

At a hearing, of the Hearing Committee, the member is entitled to all the rights of natural justice, including the right to be represented by legal counsel, to know all of the evidence considered by the hearing committee, to present evidence and to cross-examine the witness.

The College received two complaints last year. One complaint was reviewed by the Investigation Committee and upon receiving information from the occupational therapist and the employer, dismissed the complaint. The second complaint is still under investigation.

## Registering Qualified Occupational Therapists

Nova Scotians expect that only appropriately qualified occupational therapists are licensed to practice and that registration practices are transparent, objective, impartial, fair, and completed in a timely manner.

The Credentials Committee is responsible for overseeing the evaluation of all applications for registration. As well, the Committee approves all policies related to registration prior to being forwarded to the Board for approval. This committee ensures that policies meet all governing legislation and ensures that all registration practices are consistent with the principles of the Fair Registration Practices Act and the Agreement on Internal Trade, Chapter 7.

The Credentials Committee's work is supported by the deliverables of the Association of Canadian Occupational Therapy Regulatory Organizations' (ACOTRO) multi-phase Harmonization Project. This project aims to harmonize registration standards and processes across Canada by creating a consistent, objective, fair and transparent approach to the assessment of IEOT's educational qualifications and competencies.

On May 1<sup>st</sup> of this year, ACOTRO launched the Substantial Equivalency Assessment System (SEAS). The

SEAS System is the process ACOTRO will use to evaluate the extent to which an IEOT's educational qualifications and competencies are substantially equivalent to those of a Canadian-educated occupational therapist.

Substantially equivalent means that while an IEOT's education doesn't need to be identical to that of a Canadian-educated occupational therapist, it needs to be equivalent in some essential ways.

This new assessment approach has several stages. SEAS looks at the education that an IEOT originally completed, allows them to demonstrate what they know and can do and ensures they know about Canadian legislation, ethics and standards of practice for occupational therapy in Canada. SEAS has four main components:

- Review of the Academic Credential Assessment (ACA)
- Profession-Specific Credential Assessment (PSCA)
- Jurisprudence Knowledge Assessment Test (JKAT)
- Competency Assessment

In addition to reviewing policies related to registration, the College launched a new website to provide more transparency around the registration process.

# Registration Statistics



## Total Number of Registrants

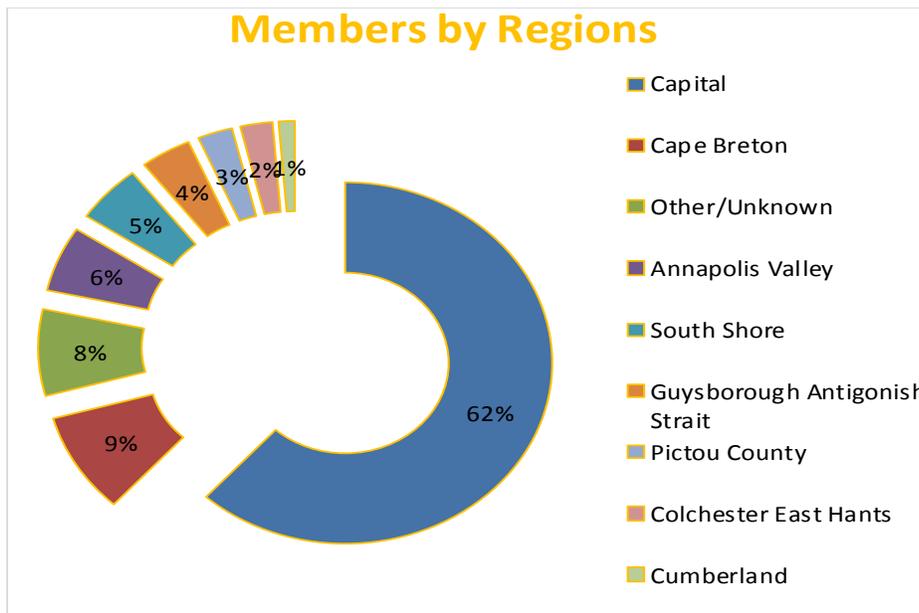
2015	478
2014	466
2013	472
2012	459
2011	434
2010	414
2009	385

## Number of New Applicants:

2015	17
2014	30
2013	37
2012	43
2011	37
2010	53
2009	40



**Surrenders for 2014-2015 = 28**



## Auditor's report

COLLEGE OF OCCUPATIONAL THERAPISTS OF NOVA SCOTIA  
STATEMENT OF OPERATIONS AND CHANGES IN NET ASSETS  
FOR THE YEAR ENDED MARCH 31, 2015

	2015	2014
	\$	\$
<b>REVENUE</b>		
Membership fees	187,500	185,625
Administrative charges	3,233	3,180
Interest income	<u>8,533</u>	<u>8,517</u>
	199,266	197,322
<b>OPERATING EXPENSES</b>		
Administration	27,390	35,716
Board and committees	13,603	12,889
Collaborative partnerships	1,234	1,221
Continuing competency expense	4,561	20,401
Occupancy	16,318	15,353
Professional fees	9,748	4,775
Public and member education	1,035	1,857
Salaries and wages	<u>113,847</u>	<u>74,737</u>
	<u>187,736</u>	<u>166,949</u>
<b>EXCESS OF REVENUE OVER EXPENSES</b>	11,529	30,373

# Auditor's report

(Con't)

**COLLEGE OF OCCUPATIONAL THERAPISTS OF NOVA SCOTIA  
STATEMENT OF FINANCIAL POSITION  
AS AT MARCH 31, 2015 2015 2014**

	\$	\$
		Unaudited
<b>ASSETS</b>		
<b>CURRENT</b>		
Cash	74,422	92,086
Investments	358,139	350,839
Accounts receivable	<u>3,136</u>	<u>2,823</u>
<b>LIABILITIES</b>		
	435,697	445,748
<b>CURRENT</b>		
Accounts payable and accrued liabilities	22,533	5,607
<b>NET ASSETS</b>		
<b>CONTINUING COMPETENCY FUND</b>	123,483	66,898
<b>HEARING FUND</b>	200,000	200,000
<b>SPECIAL PROJECTS FUND</b>	78,152	59,897
<b>UNRESTRICTED NET ASSETS</b>	<u>11,529</u>	<u>113,346</u>
	413,164	440,141
<b>COMMITMENTS</b>	435,697	445,748

Approved by the Board of Directors -June 4<sup>th</sup>, 2015

## Board and Committee Members and College Staff

### 2014-2015 Board of Directors

Brian Bailkowski, Chair  
Allanna Jost, Treasurer  
Victoria Apold, Vice Chair  
Louise Beaton, Secretary  
Pauline Cousins, Member at Large

### Credential's Committee

Myrna King, Chair  
Annette Fraser  
Scott Thieu  
Christine Marchessault

### Practice Committee (Halifax)

Jennifer Finlayson  
Kristy Spear  
Natalie O'Mara  
Brian Bailkowski  
Jocelyn Brown  
Phyllis Williams, Chair

### Practice Committee (Cape Breton)

Sheila Poulton, Chair  
Angela Stairs  
Sandy Cantwell-Kerr  
Leslie Greencorn  
Nadine Wadden  
Karen Kendall

### Continuing Competency Committee

Joanne Comeau, Chair  
Karen Landry  
Karen Roberts-Small  
Jennifer Saunders  
Sue Street  
Diane MacKenzie

### College Staff

Gayle Salsman, Registrar  
Margo Johnson, Administrative  
Director



# College of Occupational Therapists of Nova Scotia

6960 Mumford Road, Suite 2132B

Halifax, Nova Scotia

B3L 4P1

T- 902-455-0556

F- 902-455-0621

[www.COTNS.CA](http://www.COTNS.CA)