

# 2015-2016 Annual Report



**NLOTB**

Newfoundland & Labrador  
Occupational Therapy Board

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**ANNUAL GENERAL MEETING  
2015-2016 Membership Year**

**The Board of Directors of the Newfoundland & Labrador Occupational Therapy Board is pleased to announce that the 2015 –2016 Annual General Meeting (AGM) will be held as follows:**

**DATE: July 27, 2016**

**12:00 noon to 1:00 pm**

**LOCATION: LA Miller Center, Cafeteria Classroom**

**Attendance is available in person and by teleconference.**

**Teleconference Information: 1-800-613-5223**

**Participant code: 5208092#**

The Newfoundland Labrador Occupational Therapy Board regulates the profession of occupational therapy in the province of Newfoundland and Labrador. The Board is responsible for setting conditions for entry to practice (licensure) and to monitor members to ensure adherence to the laws, regulations and standards that govern practice.

Regulation is aimed at preventing harm to the public by setting compulsory rules of conduct and standards of practice within the profession.



### **2015-2016 BOARD OF DIRECTORS**

**Glenda Cokes, Chairperson**

**Ashley Walsh, Registrar**

**Maria Rotondi, Treasurer**

**Tammy Priddle, Secretary**

**Patricia Moores, Member at Large**

**Blair Patrick, Public Representative**

**Patricia Grainger, Public Representative**

**Kim Doyle, Executive Director**

# Chairperson's Report Glenda Cokes, Chairperson

Self-regulation is a privilege grounded in the premise of public protection. The Newfoundland and Labrador Occupational Therapy Board of Directors, along with the Executive Director, strives to effectively regulate the practice of occupational therapy and promote continuous quality improvement. Our role is to regulate the provincial practice of occupational therapy by ensuring safe and ethical service in order to protect the public interest.

The Board of Director's continuously demonstrates commitment and dedication to supporting the safe practice of occupational therapy, working closely with the executive director on a regular basis to achieve this end. The Board of Directors welcomed Tammy Priddle and Maria Rotondi in June 2015. Tammy has assumed to the role of Secretary and Maria, Treasurer. The terms of all the members of Board are ongoing with no anticipated change for 2016.

Kim Doyle commenced employment with the NLOTB in November 2013 in the position of executive director. The contract for the ED position is up for renewal in June 2016 and the details of the contract are currently being reviewed. The activities of the ED position continue to be extensive and far reaching as the business of the Board is conducted. Of particular importance is the ED's role with the Association of Canadian Occupational Therapy Regulatory Organization (ACOTRO), where she gathers information from and contributes to national initiatives that frame the practice of occupational therapy. The Board of Directors value the

benefit of this position and its contribution to the development of structure, operations and policy. Kim's dedication and expertise in the area of regulatory functions has been an asset in representing the regulatory body. Please review the executive director's report where activities related to registration, continued competency, governance, partnerships and education are outlined.

Registration fees for 2015-2016 licensing year were \$350; no increase in fees is scheduled for 2016 -2017. The treasurer's report will speak to the financial status of the NLOTB.

To meet the mandate of self regulation and protection of the public the Board of Directors of the Newfoundland and Labrador Occupational Therapy Board is committed to the following key activities.

- Ongoing planning and development of the Executive Director role; the assistance from paid staff has proven to be an asset for NLOTB to function effectively in its responsibility for self-regulation.
- Continued partnerships with stakeholder groups including ACOTRO, CIHI, The Health Regulator's Network, the Department of Health and Community Services, The Office of the Privacy Commissioner and NLAOT, as we strive to align our policies and practices with current trends and requirements of self regulation.
- Ongoing education of Board Directors.
- Review of the Task Assignment Guidelines of Non-Licensed Professionals.



# Registrar's Report Ashley Walsh, Registrar

The registration process has been very successful this year due to the ongoing diligence and hard work of our executive director, Kim Doyle. The registration process has also been supported by the registration committee and the board. During the 2015 - 2016 licensing year there were 189 applications for renewal of 12 month licenses. As discussed during our last annual general meeting, options for pro-rated licenses were no longer offered. This allowed the registration process to run more smoothly. Outside the traditional renewal time, there were 22 applications for new licensing. There were a total of 211 licenses issued during the 2015-2016 licensing year.

The registration committee has met regularly over the last year. Having this support has been a tremendous advantage to the registration process. It is has been invaluable to have representation from our membership on the committee as well as the representation of the public. We would like to take this chance to thank Martina Hickey (NLOTB member representative), Sandy Wiseman Yates (NLOTB member representative) and Patricia Granger (NLOTB public representative) for their hard work and commitment during the past two years. Ms. Wiseman will be moving on from the committee this year following her two year commitment. We would like to take this chance to formally thank her for her contributions. Ms. Hickey and Ms. Granger have volunteered to remain on the committee for another two year commitment and we would also like to thank them in advance for their ongoing commitment to the board.

During the past year, the registration committee has supported the board by reviewing questions and concerns raised by members regarding registration. These questions are received throughout the year and as a board, we rely on the feedback of our committee members to assist us in responding to these requests appropriately. Additionally, the committee has continued to work on policies regarding renewal and currency. The committee has also identified the need for an education session for new committee members to review our legislative requirements. We are in process of developing this session and will offer it to committee members in September 2016.

We will be looking for three members to volunteer for our Registration Committee for the upcoming two years. We meet roughly 5 times a year usually by teleconference. It is an excellent way to share your expertise and feedback with the board while becoming more familiar with registration processes and legislation that impacts our ability to practice in the province.

## Registration Committee

The mandate of the Registration Committee is to review all matters relating to applications for registration and determine applicants' eligibility for licensing consistent with the Act, Regulations, Board approved policies and procedures and other relevant legislation. The committee is also mandated to support the board in establishing and implementing Registration Policies and Procedures with review on an annual basis.

The committee is comprised of at least 4 members, including the Registrar of NLOTB, who will act as Chair; one appointed Board member and individuals invited/appointed from the membership of NLOTB. The ED shall attend meetings and provide support and council as a resource.

The committee members 2015-2016 licensing year:

Ashley Walsh, Committee Chairperson

Martina Hickey, NLOTB Member Representative

Sandy Wiseman Yates, NLOTB Member Representative

Patricia Grainger, Board Public Representative

Kim Doyle, Executive Director

# Executive Directors Report Kim Doyle, Executive Director

As the Executive Director of NLOTB since November 2013, I have embraced the challenge of co-ordinating the registration and complaints processes which are my key responsibilities.

The registration and renewal processes have been enhanced with the addition of online payment option and an automatic billing feature on our database which emails receipts and license cards to members. The complaints review process, which is key to our mandate of public protection continues to evolve annually.

NLOTB is a member of the Association of Canadian Occupational Therapy Regulatory Organizations (ACOTRO). I continue to represent NLOTB at the ACOTRO table. Through ACOTRO, regulators collaborate to promote the best regulatory practices, enhance public accountability, build consistency across the country, and support each other in our efforts to respond to changes in occupational therapy practice and regulation. In practical terms, this means that we work together to streamline processes, advocate, and facilitate change in the regulatory environment.

ACOTRO finalized a 5 year multi-phase Harmonization Project in September 2015. This project aimed 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, 2015, ACOTRO launched the Substantial Equivalency Assessment System (SEAS) which evaluates the extent to which an Internationally Educated OT's (IEOT) education qualifications and competencies are substantially equivalent to those of Canadian education OT. This project was a major achievement for OT regulators in Canada and received national recognition.

ACOTRO continues to:

- Administer the SEAS program.
- Maintain partnerships with CAOT, CIHI, ACOTUP, OTC & CEC.
- Hosts a Labor Mobility Support Agreement (LMSA).
- Sponsors a session at the annual CAOT conference, and
- Researches topics of national interest/concern such as Cross Jurisdictional Practice, Currency and Specialization.

One of the mandated roles of OT regulators is to set standards for entry to practice for the profession such as requirements for entry level education and examinations. Regulators are increasingly expected to justify and confirm their regulations and policies. In 2016, ACOTRO will be hosting a forum on Regulatory Issues and Implications of Occupational Therapy Educational Accreditation and National Examination for Occupational Therapists.

On a provincial level, we have the Health Professions Regulatory Network. This network's mandate is to share best practices in self-regulation; share resources, information,

trends and issues in health profession legislation; develop a shared understanding of issues and challenges that impact on regulatory bodies; identify and collaborate on potential approaches or legislative changes to address issues and challenges; and collaborate with other self-regulatory professions outside the realm of health. I have had the pleasure of co-chairing this group for the past 2 years. For the past 5 years, this group has held an education session for boards, committees and staff on various aspects of the complaints review process. These sessions are webcast and databased for future reference.

In 2015, NLOTB was part of a joint application to the Supreme Court of Canada to obtain intervener Status for the legal case between the ARNNL and Eastern Health. This case centered on the intersection between regulatory legislation as it relates to the ability to obtain information for the purpose of investigation, the scope of the Public Inquiries Act and the Evidence Act, specifically the section of that Act which relates to the release of information gained through a quality assurance process (Section 8.1 Inadmissible Evidence). The central issue for professional regulation is access to information that is included in quality assurance reviews that may have been conducted as part of an employer investigation into the issue. As a regulator, if we are not able to access the quality assurance investigative report we may not have all of the details required to carry out a comprehensive investigation and to fulfill our mandate. An intervener is an individual who is not already a party to an existing lawsuit (neither the plaintiff nor the defendant) who is seeking to become a party to a suit for the purpose of protecting an interest of his own". As regulators, the outcome of this decision would be precedent setting therefore the group felt the need to express the impact of this on all regulators.

The May 6, 2016 decision of the Supreme Court of Appeal was that the effect of the Public Enquiries Act is to provide an exception to the evidentiary privilege referenced in section 8.1(3) of the Evidence Act and Eastern Health was required to comply with the regulators request to provide documentation and information that was compiled for a quality case review under the Regulated Health Authorities Act.

Public protection in the primary mandate of self regulation. Inherent in this is assisting our members maintain the standards of practice and work within our legislative requirements. Throughout the year I have been contacted by various members looking for direction re: professional practice issues. These issues have included record keeping and retention, electronic signatures, release of information, liability insurance, non-clinical competencies, private practice work, scope of practice, task assignment and mentoring responsibilities. There is regular communication between NLOTB and OT practice leaders to discuss and problem solve various issues facing our members.

I look forward to the coming year with plans to continue to improve our efficiencies with respect to service administration and to define/develop our policies and processes.

# Treasurers Report

Submitted by Maria Rotondi, Treasurer and Kim Doyle, Executive Director

NLOTB continues to operate in a fiscally conservative and prudent manner. The annual Audited Financial Statements for NLOTB year 2015-2016 were completed by Noseworthy and Chapman Chartered Accountants and are available on the NLOTB website for review. The auditors opinion was expressed in the report as *"In our opinion, the financial position of Newfoundland & Labrador Occupational Therapy Board as of February 29, 2016 as the results of it' operations and its cash flow for the year then ended in accordance with Canadian accounting standards for not-for profit organizations"*. The 2015-2016 Audited Financial Statements are posted on the NLOTB website for review.

In the 2015-2016 membership year, membership fees collected totaled \$70,437.31. Our expenses for the same membership year were \$75, 691.44, spending \$5,254.13 above our revenue. We did have a significant one time expense of \$9000.00 to cover the start up costs associated with the SEAS program. This amount was provided by all jurisdictions and is a one time expense. Also of note would be \$2,497.93 to cover the "Intervenor Status" Court application (see ED's report) and \$2,516.51 to cover legal costs associated with complaints review. We do have GIC's in reserve to cover large expenses such as complaints if necessary. For the 206-2017 membership year, a registration revenue of \$75,000.00 is projected with a budget of \$73, 960.00.

The licensing fee for the 2016-2017 licensing year remained at \$350.00.

## Continuing Competency

NLOTB determined in late 2013, that independent development of a full Continuing Competency Program (CCP) was not feasible based on our resources. The Atlantic province OT regulators have partnered, with the College of OT's of NS (COTNS) taking the lead, to develop a program that can be used in part or whole by NLOTB.

In June 2013 COTNS passed a competency framework that consisted of three components: Competence Maintenance, Competence Evaluation and Competence Improvement. Following research and consultations, COTNS decided to explore creating a unique and specific COTNS blueprint for competence review. A consultant was hired to develop evidence based recommendations for the assessment and improvement of continuing competence, including recommendations for structure and tools. Details of the COTNS framework are available on their website.

Kim Doyle, ED, represents NLOTB on the regional development committee. Stay tuned for updates in the fall.



# Complaints and Discipline

The Occupational Therapists Act, 2005 states that “the board shall appoint at least 10 licensed occupational therapists who are not directors, one of whom shall be appointed to serve as chairperson, and the minister shall appoint at least 3 persons who are not licensed occupational therapists to represent the public interest, who shall constitute the disciplinary panel”. The following list outlines our current Discipline Panel Representatives:

<u>OT Reps: 2015-2018</u>	<u>OT Reps: 2016-2019</u>	<u>Public Reps (2013-2016)</u>
Krista Wade	Susan Penney	Ron Sheppard
Phil Gushue	Michelle Ryan	Jim Courtney
Shelley Di-Nur	Alison Carter	Margaret (Pegi) Earle
Sherri Randell	Lisa Heale	
Melissa Greene	Nancy Hull	

NLOTB currently has two allegations which are under review. One is with the Complaints Authorization Committee and the other is with the Chairperson for review. The complaints review process is outlined in the OT Act, section 14-29.



## NL Occupational Therapy Board

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