

The Report Card is Out

by Julie Maciura
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Earlier this year the Ontario health regulators filed and published detailed reports on their own performance. The reports were based on the College Performance Measurement Framework (CPMF) issued by the Ministry of Health in 2020. The Ministry promised to issue a summary of the trends and observations it made in reviewing the reports. That “report card” was released in the afternoon of October 8th, the Friday before the Thanksgiving long weekend.

The Ministry emphasized the constructive purpose of the CPMF:

[The CPMF] is intended to strengthen the accountability and oversight of Ontario’s health regulatory Colleges by providing publicly reported information that is transparent, consistent and aligned across all 26 regulators. Reporting performance on a standardized set of measures also enables Ontario’s health regulatory colleges to continuously improve performance by identifying and reporting on commendable practices among peers.

The Ministry went on to say that the “CPMF is a journey towards the assessment of regulatory excellence”. No “marks” were assigned to individual Colleges. The first round of reports was intended to identify a baseline for future reports. However, the Ministry did indicate that future reports would lead to the setting of benchmarks to monitor College performance.

The Ministry did identify the following general areas for improvement:

- How Colleges measure and use information to improve performance;

- Consistency in competency-based selection of Board members;
- Transparency in addressing conflicts of interest; and
- Explanations of how Board decisions serve the public interest.

However, the Ministry’s “report card” emphasized the positive. The Ministry report:

... highlights some commendable College practices, areas where Colleges are collectively performing well, potential areas for system improvements, and the various commitments Colleges have made to improve their performance....

Selection criteria considered the following:

- importance to regulating in the public interest,
- the flexibility/adaptability of the commendable practice,
- the effectiveness/applicability to all health regulatory Colleges, and
- the efficiency of the practice.

The Ministry identified six particular commendable practices that it wished to emphasize in its report.

Governance

Two commendable practices were highlighted for governance. The first related to selection of Board and committee members.

The Royal College of Dental Surgeons of Ontario (RCDSO) has established a set of competencies for its Council and Statutory Committees against which professionals wishing to serve are assessed by an independent committee. Additionally, these individuals must complete an eligibility course and a 21-question assessment. This is

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followed by an orientation for those elected to Council or appointed to Committees.

The report noted that many Colleges had taken significant steps in this area following the College of Nurses of Ontario's ground-breaking governance report "Final Report: A vision for the future" in 2016.

The second related to transparency of policy-making materials:

The College of Midwives of Ontario's Council meeting materials are publicly available on its website and clearly identify the public interest rationale and evidence supporting each topic brought to Council. In addition, topics are accompanied by a regulatory impact assessment that identifies risks and assesses potential impacts and regulatory options to mitigate those risks.

System Partners

In terms of partnering with other organizations in the health care system and broader society, three commendable practices were mentioned. The first related to changing public expectations:

The College of Audiologists and Speech-Language Pathologists of Ontario (CASLPO) implemented several initiatives in response to changing public expectations. This includes Trust Matters and Patient Rights campaigns to build public confidence and awareness when receiving care from a CASLPO professional. It also includes developing an internal Diversity, Equity and Inclusion (DEI) strategy and initiating an anti-BIPOC racism working group with other regulatory partners to influence a broader anti-BIPOC approach across all Colleges. CASLPO's strategy is diverse and includes a dedicated webpage, appointment of

a DEI Officer, training for all Council and staff, and an e-forum for registrants.

The second related to quality indicators for the performance of the profession:

In 2018, the Ontario College of Pharmacists (OCP), in partnership with Ontario Health (Quality), started developing quality indicators for the profession that are aligned with Ontario health system indicators. The goal of this work is to focus on the impacts of health care on patient and system outcomes and provide the public and stakeholders with a clearer picture of the overall quality of care being provided by pharmacists. Partners from across the health system were engaged, and included academia, the Ministry of Health, physicians, registrants of the OCP, professional associations, data and analytics experts, and patients.

The third related to a notification tool for patients, employers and other members of the public:

The College of Dental Hygienists of Ontario has implemented a notification tool that will allow a member of the public, or an employer, to sign up to receive notifications about changes to information posted on the Register for specific dental hygienists. This initiative was started as a result of collaboration with the public via a Citizen Advisory Group (CAG), that identified an interest in the ability to find current information about their practitioner. The CAG noted that information on a website was only current as of the day you accessed the register. The College has developed a video that provides information about what the tool is and how to use it. Notifications are sent by email and include changes to information relating to a registrant's registration status and conduct.

Grey Areas

A COMMENTARY ON LEGAL ISSUES AFFECTING PROFESSIONAL REGULATION

Complaints Process

In the domain of ensuring the continuing suitability of practitioners to practise, one commendable practice provided for enhanced access to the complaints process:

The College of Physiotherapists of Ontario (CPO) transparently outlines the different stages of its complaints process on its complaints webpage. Information on how to submit a complaint is clearly identified and accessible in 10 different languages. This includes information about how to apply for funding for therapy and counselling for patients who have been sexually abused by a physiotherapist. Complaints can be submitted by mail, electronically (through the website or by email) or by phone if accommodations are required.

In addition to the six commendable practices, the Ministry also reported on a number of notable practices that demonstrated excellence in professional regulation.

Each section of the report also specified improvement commitments by Colleges. For example, in the Measurement, Reporting and Improvement domain, one commitment was “Implementation of a formalized approach to risk, as well as the use of risk-based data”. A total of 21 commitments were specified.

The Ministry’s report can be found at:
https://health.gov.on.ca/en/pro/programs/hwrob/CPMF_summary_report.aspx.