

Respectfully submitted by:  
Jackie Gulenchyn (Newsletter Editor)

## CPM Holiday Closures

The CPM will be closed Monday February 17, 2014 for Louis Riel Day.

## From the Editor

Just in time for the February long weekend is the winter edition of In Touch. It is packed full of very interesting information and updates that all members should review carefully. If you have some extra time and are interested in becoming involved with continuing to develop the Continuing Competence Program, please think about providing us with your valuable input and expertise by attending a one day workshop. Proposed dates have been listed below.

Updates from the Complaints Committee as well as the Legislative Committee have been provided here which outlines what they have been up to over the last year and what types of complaints have been submitted throughout the year from the public. Our volunteer spotlight in this edition comes from the Complaints Committee.

The Registrar has included some hot topics that have recently come to light including the naming of clinics, the impact of social media as well as the use of testimonials. Please take the time to review this information as well as brush up on our guidelines and regulations in regards to these topics.

The new fee schedule for 2014 has also been outlined below, as there have been increases to certain fees in an attempt to offset the deficit budget from maintaining registration fees for 2014.

If you are interested in learning more about joining council or a committee to contribute to your profession, please RSVP to our information night on February 24<sup>th</sup>, 2014 from 6-8pm at the CPM office. There is no obligation to join. Also mark your calendars for the Annual General Meeting which will be held at the Caboto Centre on April 24<sup>th</sup>, 2014.

Happy reading!

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## Notice of Censure:

This serves as notice that College of Physiotherapists of Manitoba registrant Christopher Bisignano was censured on September 20, 2013, for not being in compliance with:

- Practice Statement 4.3: Informed Consent to Treatment
- Practice Statement 4.15: Private Practice Guidelines
- Practice Statement 4.17: Record Keeping
- Practice Statement 5.2: Fee Schedules and Billing Practices

This complaint arose from a situation where a client was unaware that he was being charged for treatment.

Excerpted from Practice Statement 4.15, Private Practice Guidelines: *"The Patient shall be informed of the costs of his/her physiotherapy services and of the terms and conditions of payment prior to receiving services. Registrants are advised to post their fee schedule in a location easily accessed by patient/clients"*.

Registrants are encouraged to ensure that fee schedules are visible within your practice, and that clients provide informed consent prior to initiating treatment, which includes informing the client about cost for treatment.

## *Shape Our Future*

Do you

- Currently work in clinical practice for at least the last three years?
- Want to join a diverse group with representatives from different areas of practice?
- Wish to be involved with the College but only for a short time commitment?

Then the Council needs you!

Council is currently looking for 2-3 individuals to participate in a one day workshop to develop the Practice Audit portion of the Continuing Competence Program. The Council wishes to facilitate input from different individuals who represent a broad range of practice areas. You will work with Dr. Marla Nayer, the consultant hired by the College to assist with the development and evaluation of the Continuing Competence Program.

Our colleagues at the College of Physiotherapists of Ontario have been successfully running a Practice Audit program for the last 10 years and have graciously shared the information from their program. The task of your group would be to review the program tools and adapt as needed to meet the regulatory requirements in Manitoba. Dr. Nayer will review the content of the program, facilitate your discussions and she will draft the final product for review by Council.

Proposed dates for this one day meeting will be either May 5<sup>th</sup> or 9<sup>th</sup>, or June 6<sup>th</sup> 2014 and will be sent out by doodle poll at a later date to those who have expressed an interest in participating.

If you are interested please contact the college at 204-287-8502 or by email at [info@manitobaphysio.com](mailto:info@manitobaphysio.com)

## *Complaints Committee Report*

Another busy year has passed for the Complaints Committee. Current members include Kelli Berzuk, Carly Erenberg, Kathy Johnson, Jo-Anne Peltz, Natalie Swain and Andrea Thiessen, and public members Clarence Clarke, Mike Davidson and Dennis Wray. We extend our thanks and best wishes to former committee members Erin Majcher and Kori Kagan, and former chair Tanya Kozera.

The Complaints Committee is a standing committee of the College of Physiotherapists of Manitoba that exists to protect the public interest by reviewing complaints lodged against registrants of the College. Once a complaint is received, the Committee reviews or formally investigates the complaint, and then renders a decision.

The Committee meets as often as is required; in 2013 we met nine times to address a total of fourteen complaints. Six complaints were carried over from 2011-2012, and eight new complaints were received.

The nature of the complaints ranged broadly:

- one complaint of an IFC burn
- two complaints were in relation to a thermal burn
- one complaint of a patient being required to carry out her own ultrasound treatment
- two complainants alleged being injured during assessment
- one complaint of a sexual boundary violation
- one complainant alleged that a physiotherapist was working outside of scope of practice
- one complaint of unethical billing
- one complaint of breach of PHIA
- four complaints were received alleging unprofessional practice:
  - overtreatment and delay in release of personal health information
  - poor service and inadequate consultation with the physiotherapist
  - unprofessional conduct by a physiotherapist in a supervisory position
  - ineffective care and lack of reassessment

Most of these complaints required investigation, and we are grateful for the diligent work of College Investigators Heather Martin-Brown and Pamela Shymko. We also thank Sally Lawler and wish her well in her retirement from her role as Investigator.

## ***Complaints Committee Report cont'd***

As much as the nature of the complaints have varied, so has the disposition. A decision has been reached in thirteen of the fourteen complaints that the Complaints Committee addressed in 2013:

- in six cases no action was required
- one physiotherapist was censured
- five physiotherapists were required to enter practice agreements
  - these agreements can take various forms, such as monitored practice, required attendance at a course, a written submission, or often a combination of requirements
- one complaint was referred to the Inquiry Panel

*Respectfully submitted by*  
*Andrea Thiessen, Chair - Complaints Committee*

## ***From the Registrar***

### **CLINIC NAMES**

Members wishing to open a physiotherapy business or clinic, must submit the name of the business/clinic along with business cards, letterhead and referral form to the College for approval 6-8 weeks prior to opening the business. Authority for requiring this comes from the Regulations, Schedule A , number 12 “Description of Qualifications”.

The College has developed a Position Statement about clinic names: *4.9 Selection and Approval of Clinic Names*. The original Position Statement was approved in 2000 and updated in 2011. The major change that occurred in 2011 was that the clinic, owned by a physiotherapist, must be simply named --- Physiotherapy Clinic. A number of businesses approved prior to 2011, were named ---Physiotherapy and Massage or And Wellness or Sports Injury Clinic etc,. These business names were grandfathered in 2011.

As of late, it has been noticed that several clinics have independently changed their name without notification to the College and often without notification to the Corporations Branch of the Province of Manitoba. The new name often adds another profession or service to the overall name, such as – Physiotherapy and Massage Therapy Clinic. However, this is in contravention to Position Statement 4.9.

Council is responding to this change in names by reviewing the Position Statement. Part of the discussion will be about the impact of the extended name on the ability to incorporate the clinic when physiotherapists will be allowed to incorporate their practice.

In the meantime, changes in business or clinic name must still be submitted to Council for approval and the Council will follow Position Statement 4.9 in granting approval for the use of the name.

Stayed tuned to further discussion about this issue.

### **TESTIMONIALS**

A number of physiotherapists have used testimonials from clients on their website to promote their services. This is in contravention to the Advertising Guideline of the College - *4.14 Advertising*.

Testimonials provide a one-sided complimentary comment about the service provided to them. In today’s practice of physiotherapy, the profession is looking at establishing a scientific, evidence based approach to the profession. In other words, treatment works because there is a scientific reason for it to work. Testimonials are about “feel good” expressions of the treatment the client received.

As a profession, members should be taking the evidenced based approach to promoting physiotherapy. Consequently, the Council does not approve of the use of testimonials in advertising or websites.

## *From the Registrar - cont'd*

### **IMPACT OF SOCIAL MEDIA**

Social media is a relatively new phenomenon to the professions. At the moment, CPM does not have a position statement about this topic. However, we are constantly scanning the environment to see what is happening with social media.

In 2013, we note that several nurses were disciplined by the College of Registered Nurses of Manitoba. In one case, a nurse was censured for entering a negative comment on her social media page about a colleague and that relationship. This produced a platform for various social media “friends” to post threatening comments. The nurse took no action to stop the threatening behaviour. In fact, the nurse responded to these comments in an encouraging manner. The employer found it necessary to urgently alter workplace staffing to ensure staff safety.

In another case, a nurse used material from her workplace to make a graphic and sexual Facebook posting. She added a caption to the Facebook posting in which she also berated her colleagues. Her Facebook page identified her employer.

A third complainant alleged that a nurse had posted patient information on her Facebook page. The nurse admitted to posting to her Facebook page personal health information of a patient under her care. The nurse’s explanation was that she wanted to notify other medical professionals who had cared for this patient in the past, of the serious nature of the patient’s condition. These individuals had access to the nurse’s page. However, the nurse violated her professional responsibility of PHIA by posting information related to a patient under her care.

On another note, a nurse was censured for admitting that she looked into the electronic chart of a patient that she was not providing care to. The member was aware of that patient and his/her health issues due to a personal relationship and checked on the patient’s health status through the electronic patient record. The member acknowledged that she violated her professional responsibility of PHIA and her duties regarding confidentiality.

More recently, it has come to CPM’s attention that a member was asking clients to “Like” the Facebook page of the clinic and be entered into a draw for a gift certificate. Clients were “Liking” the Facebook page and adding testimonials in their comments. This infringed the Colleges advertising standards by offering a monetary incentive and also by having testimonials posted on the Facebook page.

### **NOTICE OF INQUIRY DECISION**

CPM recently took a member to the Inquiry Panel for disciplinary action. The member admitted guilt and a joint recommendation was presented to the Inquiry Panel.

The member plead guilty of professional misconduct and contravening the Code of Ethics, Section 41(a) and (b). The charge involved inappropriate touching and boundary violation of a female client under the age of 18.

In order to continue to practice, the member was ordered the following:

1. The member was not to provide treatment to any clients under the age of 18, without an escort during the probationary period.
2. During the probationary period, the member was not to treat any female patients without an escort. The escort had to be over the age of 18, present at all times during treatment, within direct sight of the member and the client.
3. The member must undergo an assessment by a College approved psychologist/psychiatrist and the probationary conditions were to remain in place until the College received a written report from the psychologist/psychiatrist indicating that it was appropriate to return to unrestricted practice.
4. The member was to write a referenced paper within 90 days addressing several topics that was to be reviewed by the Complaints Committee and revised until to the committee’s satisfaction.
5. The member was required to pay \$506.85 which represented half of the costs of the investigation.

## From the Registrar - cont'd

### NEW FEE SCHEDULE

The College recently undertook a review of the fees it charges for initial registration, re-registration, temporary licensure, membership in good standing forms, name change, student registration fees and duplicate receipts. In our review, we compared our fees with other regulators in Manitoba and other physiotherapy regulators in Canada.

The result of this work was that we realized that we were charging far less than all other regulators and in some cases not even covering the costs to the College. Therefore, the Council has decided to increase the fees. In 2014, Council did not change the Registration fees for members and increasing these other fees will help offset the deficit budget. In a couple of cases, a bylaw will need to be passed at the AGM to enact the change.

The following fees will be changed:

<u>Title</u>	<u>Fee Amount</u>	<u>Comment</u>
Initial registration fee	\$100.00	
Re-Registration fee	\$95.00	
Temporary Registration	\$100.00	
Membership in Good standing form completion	\$35.00	
NSF charge	\$30.00	
Change in Name	\$25.00	
Duplicate Receipts	\$42.00	
MPT1 Registration fee	\$100.00	
MPT2 Registration fee	\$50.00	<i>Will require a by-law change</i>
Transfer from Inactive to Active Register/ Examination Candidate to Active Register	\$50.00	<i>Will require a by-law change</i>

## Message From CPM

There have been several cases in the past year where Registrants have not been keeping their information up-to-date with the College. Please note that as per **CPM By-Laws Article II: Members; VII. Obligations of Membership** that all members shall:

6.1 Notify the Registrar of change in name, mailing address, place of employment and membership status.

This can be completed the following ways:

1. If you have any changes to your personal information, such as address, phone number, email, or employer – you may log onto the website and submit these changes, or contact the CPM office.
2. If you wish to change your name with the College, please submit a letter indicating:
  - (a) the current name you have registered at the College
  - (b) the name you wish to have registered with the College and the supporting documentation (i.e. a copy of your marriage or divorce certificate, name change document etc.).

### In-Active vs. Active Register

As per the **Physiotherapy Regulation; Registers, Section 4(1)(d)** you are not eligible to be on the practicing register if you are unemployed for more than a 3 month period. You MUST switch your registration from Active to In-Active by contacting the College.

If you are presently on the In-active register and planning to return to work, you must contact the CPM office in order to change your registration status to the Active Register **prior to returning to work**.

Please give yourself, your employer(s) and the College sufficient time to process your documents. All required documentation needed is listed on the CPM website

<http://www.manitobaphysio.com/for-physiotherapists/resources>

## Legislative Committee Update

The bulk of the legislative committee's work over this past year has focused on the review and preparation of material related to the *Regulated Health Professions Act (RHPA)*.

Over the summer the committee met with Manitoba Health and presented a number of drafts related to Reserved Acts under the RHPA and the justification for their inclusion in the physiotherapists' scope of practice. An updated scope of practice statement and code of ethics document were also presented and were well received.

In addition the committee has completed the initial draft of Reserved Acts previously identified as important to the practice of Physiotherapy in Manitoba, and are currently in the process of preparing them for formal submission. These include:

4. Inserting or removing an instrument or a device, hand or finger
  - a. Into the external ear canal
  - b. Beyond the point in the nasal passages where they normally narrow
  - c. Beyond the pharynx
  - d. Beyond the opening of the urethra
  - e. Beyond the labia majora
  - f. Beyond the anal verge: or
  - g. Into an artificial opening in the body
  
5. Administering a substance
  - b. by inhalation
  - c. by mechanical ventilation
  - d. by irrigation
  
6. Setting or casting a fracture of a bone or a dislocation of a joint
  
7. Ordering or receiving reports of screening or diagnostic tests
  
8. Administering a drug or vaccine by any method

The committee continues to examine regulations across Canada to make certain that we are up to date with legislation in other provinces.

The committee's focus will now shift to reviewing the Regulated Health Professions Act in order to identify sections of our current regulations in need of revision. The committee shall also identify areas of physiotherapy practice requiring new regulations in order to ensure compliance with the RHPA.

The legislative committee welcomes the participation of physiotherapists across the province. If you have any questions regarding the work of the committee or feel you have something to contribute, please feel free to contact me at [dreynolds52@shaw.ca](mailto:dreynolds52@shaw.ca)

*Respectfully submitted by*  
*Darcy Reynolds, Chair - Legislative Committee*

### SAVE THE DATE! CPM 2014 Annual General Meeting

The 2014 AGM will be held on **Thursday, April 24, 2014** at the Caboto Centre.

The guest speaker will be Dr. Aviva Goldberg

**CPM looks forward to seeing you there!**

## Volunteer Spotlight - Kelli Berzuk, PhD, PT



### *Why did you volunteer for the committee you are on?*

It had been many years since I had volunteered for a CPM committee and I had felt badly about this so I sought out committees looking for members. When I saw that there was a vacancy on the Complaints Committee, I knew it was time for me to step up and, while that specific committee felt intimidating, I knew it was an area that I should know more about and pushed forward. Since joining the Committee I am amazed at how much I have learned from the position and taken back to my own practice to improved policy and procedure. It certainly is an example of 'getting back more than you give' and I am so happy that I volunteered! As an added bonus, while sometimes the objectives may be challenging, it is really nice to spend time with colleagues; to meet people that I had only previously knew by name and to re-connect with others I hadn't seen in many years.

### *Where do you currently work?*

I work at IPPC-Incontinence & Pelvic Pain Clinic, a division of Nova Physiotherapy & Sports Fitness Clinic, downtown in the Medical Arts Building.

### *What do you like to do to stay active in our Winnipeg weather?*

I have had the pleasure of coaching my daughter's ringette team for many years now and that keeps me skating and active throughout the winter. I guess I will be in trouble when she gets older and stops playing!

### *What is your favorite Manitoba tradition?*

I think going to the lake in the summer would count as a Manitoba tradition and, if so, its certainly my favorite! If not, then it would have to have something to do with ice cream...going to Dairy Queen, Half Moon or walking over the bridge with a cone from BDI. I used to be picking up Yaleburgers from Kelekis on Main Street but unfortunately they closed last year... I still miss their burgers and think about them way too often to be healthy!

## Call for Committee Volunteers

Joining a CPM Committee is a great way to give some of your time and energy to ensure the quality of physiotherapy for all Manitobans is being met. It provides you with an excellent means to pursue professional growth and development. The experience you gain will be useful in both your professional and social life. Being involved in CPM ensures that we maintain our status as a self-regulated profession. Being self-regulated is a privilege and the ability to maintain this status relies on the commitment of volunteers like yourself. You will have an opportunity to expand your professional network and social network, meet your colleagues, other health regulators, and public representatives. You will build personal empowerment, self-esteem, and instill of supporting your profession to ensure the safety of the public.

Joining a CPM committee is NOT only for one type of person. With much activity occurring at the College of Physiotherapists of Manitoba, you can be a part of helping to protect the public's interest by regulating and continually improving the practice of physiotherapy in Manitoba. You possess knowledge and skills that will ideally fit one of CPM's committees.

How do you know which committee is right for you? Depending on your interests and how much time you can commit will determine which committee is the right one for you. We can help you find a committee that will benefit from your particular knowledge and skills. We also offer the ability to join a committee meeting via Go to Meeting which is a great alternative for Rural or out of Winnipeg registrants that want to help to better your profession

We are holding a Council and Committee Information Night at CPM on **February 24, 2013 from 6:00pm - 8:00 pm**. Refreshments will be served at this event.

**Call or email CPM today for more information on how you can join a committee, or to RSVP to this event!**

**Council 2013/2014****Chair:** Tanya Kozera**Vice-Chair:** Tania Giardini**Treasurer:** Rachel Wu**Council Members:** Jackie Gulenchyn, Andrea Thiessen, Natalie Swain**Public Members:** Sheron Miller, Leslie Wilder, Fred Arrojado**Student Representatives:** Lindsay Pratt, Michael Millar**Committee Chairs 2013/2014****Board of Assessors:**  
Nicole Littlewood**Complaints:** Andrea Thiessen**Continuing Competence:**  
Andrew Neufeld**Continuing Competence Evaluations:** Leah Dlot/Gil Magne**Ethics:** Tricia Fisher**Legislative:** Darcy Reynolds**PT Standards:** Elizabeth Harvey**AGM:** Tania Giardini**GNC:** Rachel Wu**Registrar:** Brenda McKechnie**Office Staff:****Deputy Registrar:** Jennifer Billeck**Senior Office Admin:** Crystal Davis**Office Admin:** Christie McKechnie

### *Notice from the CPM Office*

The staff at the CPM office would like to extend a huge thank you to all of the physiotherapists that renewed on time this year! This year more than **99%** of our members renewed on time and on-line.

Support this year was focused on forgotten log in IDs and passwords. The staff of the CPM office included instructions on how to retrieve this information in the renewal packages that were mailed in December. Again, we were surprised by the number of members who told CPM that they did not open/read their renewal packages, or had moved and not informed the College.

***We cannot emphasize enough how important it is to keep your information up to date and to read correspondence from the College.*** This information is sent to keep our registrants informed of decisions made, of upcoming events, and will also help to make any processes you are involved in, currently or in the future, run smoothly.

The College of Physiotherapists of Manitoba is proud to announce that as of February 1, 2013, we now have **865** members on our register! ***\*\*These numbers do not include those that were late or have still not registered with CPM.***

**684 – Active Members**

**42 - Exam Candidates**

**47 – In-Active members**

**92 – PT1, PT3 and Out of Province Students**

### **Attention Exam Candidates!**

If you are presently on the [Examination Candidate](#) register and have successfully completed the clinical component of the PCE, you must contact the CPM office in order to change your registration status to the [Active Register](#).

Reminder you have only **30 days** to change your registration to [Active](#) after you have received your results.

### **College Reference Guide**

USB 'bracelets' with the College name and logo are now available for purchase for \$12.00! Reference Guide updates for download are now available on the CPM Website.

*If you require further assistance, please call the Office Staff:  
Crystal Davis or Christie McKechnie at  
204-287-8502.*