

CPM Holiday Closures

The CPM will be closed Friday March 29, 2013 for Good Friday and Monday April 1, 2013 for Easter Monday.

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From the Editor

Respectfully submitted by:
Jackie Gulenchyn (Newsletter Editor)

In this edition of In Touch some excellent information has been submitted by the Complaints Committee as well as the Legislative Committee. Both of these committees are an integral part of our profession and it is important that members stay updated about their hard work and the changes they continue to make. Please take a look at the information provided by our Council Chair, Lori who continues to keep the members updated with all the work that Council is doing and addressing some of the members concerns.

Over the last year the Complaints Committee had an opportunity to review the current complaints process, has made some changes and has updated this process. You will find a table on page 5 that outlines the new process and all of the steps taken once a complaint has been made. They have also provided a summary of the current complaints that are active in Manitoba along with a breakdown of what the nature of these complaints as well as the sector in which the complaint has been made.

Thank you Tory, for being our Volunteer Spotlight in our Winter newsletter. She is a member of our Legislative Committee. They have been hard at work over the last year working on the *Regulated Health Professions Act*. They have been working towards the inclusion of three reserved acts into the physiotherapist's scope of practice. Please read their submission below for more information

Congratulations to all the members who renewed on time, which was more than 97% of the membership. The College strives to help protect the environment and it is wonderful to see how many people are registering online. We now have 857 registrants in Manitoba.

Just a reminder that the annual AGM is being held on Thursday April 25th, 2013. We hope to see you all there. Please stay tuned for updates and announcements on the speakers and location. If you have any questions or concerns please feel free to contact the CPM office. Happy reading!

A Note From the Chair of Council

At the January Council meeting, Legislative Committee Co-Chair Moni Fricke met with Council and presented several very well-prepared documents on behalf of her committee. Council was able to review and approve several of the proposed reserved acts that will eventually be presented to Manitoba Health in preparation for the upcoming changes to legislation. Council also reviewed and updated the 2012-2013 Strategic Plan at the January meeting, and we are pleased to report that many of this year's Strategic Plan objectives have already been accomplished, while most others are well on track for their original targeted dates of completion.

A Note From the Chair of Council cont'd

Much of the discussion at the last Council meeting was also focused on addressing recently-expressed member concerns. Many of the questions recently presented to Council have been related to the announcement that all members will be required to carry personal liability insurance as of January 2014. The first phase of communication with the membership around this issue involved the dissemination of information through the newsletter. Council would like to announce that the next phase of communication will involve in-person presentations about personal liability insurance requirements at many of the Winnipeg facilities that employ public practice physiotherapists. A web-based version of the presentation will also be made available for rural members to access online. Stay tuned for presentation date announcements in the coming months.

When members contact the College with concerns, often the underlying question is about how or why Council has reached a certain decision. As a generalized answer to this question, I thought it would be of interest to the membership to better understand the decision-making processes of this year's Council. We often speak of "evidence-based practice" in our profession, and the same principle is applied at Council with the goal of using as much fact-based information as possible to guide our decisions. Several of the current members of Council are active in the research community, and this provides Council with a strong background in research-based decision-making. When an issue is presented, it is Council's goal to research the issue in a number of ways including examination of past history at the College, seeking information from other professional colleges in Manitoba, and/or consulting other physiotherapy colleges across the country. The information is then brought forward to the rest of Council for discussion. If Council feels that we still do not have enough information to make a decision, the issue may be assigned to one of the College committees to be further researched, a Council member may be assigned to individually research the issue and report back to the group, or in some cases, a special ad hoc committee may be created by recruiting other members of the profession to fully investigate and discuss the topic at hand.

When it comes to making decisions, the 2012-2013 Council is also fortunate to have access to three very knowledgeable public members with previous board experience and expertise in a number of areas. The six physiotherapy members of Council also offer viewpoints that represent differing career stages and a well-rounded variety of job settings including academic, community-based, hospital and private practice settings in both urban and rural regions of Manitoba. Certainly Council members also reflect on the fact that the decisions we make will affect hundreds of physiotherapists and many thousands of physiotherapy clients. All the more incentive to ensure that every decision we make has been made using careful evaluation of factual information in order to minimize any bias.

If the description of Council processes above and the newsletter updates regarding Council activities this past year have piqued your interest, you might be the perfect candidate to run for an open spot on next year's Council. A Council position provides you as a professional with the opportunity to further develop your skills in verbal and written communication, team-based decision-making, leadership, and many other areas. You will also gain a better understanding of how your profession is regulated and you will have the chance to add your voice to extremely important discussions and decisions.

There are a lot of changes coming up for physiotherapy in Manitoba, and we need capable, confident, dedicated professionals to sign on and help lead the way. If you or one of your colleagues wants to volunteer for this very important job, please fill out the Council nomination form that was included with your renewal package, (also available on the CPM website), and submit it to the College by March 14, 2013. I look forward to seeing all of you at the AGM!

***Respectfully submitted by
Lori Stobart - Chair of CPM Council***

Complaints Committee Report

This has been a busy year for the Complaints Committee! With several new members, including a new Chair, we have revamped the complaints process, re-written the complaints brochure and worked to get caught up with the back-log of complaints. First of all, I'd like to welcome new members; Kathy Johnson, Kori Kagan, Joanne Peltz, and Kelli Berzuk; who along with Andrea Thiessen, Erin Majcher and public members; Clarence Clarke, Dennis Wray and Mike Davidson have worked very hard over the past several months. Many thanks to former committee members Shanna Semler and Jackie Clift for your years of service!

One of the first tasks the committee faced in June was a re-evaluation of the complaints process. With recent events surrounding the loss of self-regulatory status for two Colleges in Canada, (Teachers in BC and Denturists in Ontario) we felt it appropriate to scrutinize on our complaints process. As you know, the primary mandate of a regulatory College is to protect the public through a variety of processes and mechanisms; with the complaints process playing a primary role within this mandate. We reviewed the *Physiotherapy Act* with legal counsel and re-aligned the process for managing complaints. A schematic diagram of the complaints process is attached to this newsletter for your reference. The complaints brochure was also revised during this process and you will find a copy of it on CPM's website.

During 2012, the Complaints Committee has had 10 complaints on the agenda since the current Chair started in June 2012. Two other complaints were reviewed and settled by the previous Complaints Committee earlier in the year. Three additional new complaints have been received in 2013. Both private and public practice physiotherapy members have had complaints made against them with 2/3 of complaints against private practice members and 1/3 of complaints against public practice members.

The nature of complaints include:

- two complaints of IFC burns
- two complaints of poor communication:
 - one regarding a lack of informed consent on the risks/benefits of PT assessment/treatment (patient seen once - no follow-up care planned and patient experienced a flare of pain) and
 - the other regarding the use of nutritional supplements
- five complaints of unprofessional conduct including:
 - a lack of interpersonal skills amid concerns over not reporting a patient safety issue;
 - prolonged, over-treatment and a delay in release of medical information;
 - a lack of service and inadequate consultation with the physiotherapist;
 - inappropriate touch;
 - inappropriate workplace conduct

Complaints Committee Report cont'd

- a complaint of unsafe ultrasound/laser use
- a complaint of non-compliance with CPM's Practice Statement on Advertising.

Investigators were sent out to gather information on most of these complaints. Decisions of the Complaints Committee ranged from; decisions not to refer on to inquiry and provision of practice advice; censure; and requiring member(s) to enter into practice agreement(s) such as requiring reviews of literature/best practice recommendations, and modifying practice habits. Some cases are awaiting further investigation. I would like to thank our investigators Sally Lawler and Heather Martin-Brown, for the sensitive work that they conduct on our behalf. We would also like to welcome our new investigator, Pamela Shymko.

The Complaints Committee has used censure as one of the disciplinary decisions in a recent case. Censure is a formal caution to the investigated member(s) censuring or disapproving of his or her conduct, and is often used when members violate ethical obligations or do not comply with College Standards/Practice Statements, publications or Code of Conduct. Censure often includes publication of the censure, both for internal recording purposes as well as to establish a public record; which serves the dual purpose of informing the public to ensure their confidence in the governing/regulatory body's ability to monitor its members and to penalize the professional. Publication also serves to help establish a record of future handling of the same/similar situations. The notification of the case that was censured follows this report.

As I review previous Complaint Committee reports, it has become evident to me that the frequency of complaints has increased for both private and public members. I would like to encourage members to review Practice Statements to refresh your knowledge of the expectations for your professional conduct, as these Practice Statements are reviewed and revised on a regular basis and may have been updated since you last reviewed them. An electronic copy of all these documents is available from the College, or on the College website.

Notice of Censure

This serves notice that Creekside Physiotherapy was censured on October 23, 2012, for not complying with Practice Statement 4.14 in a recent advertising/promotion that they conducted that involved the raffle of a television set/free massage therapy treatment.

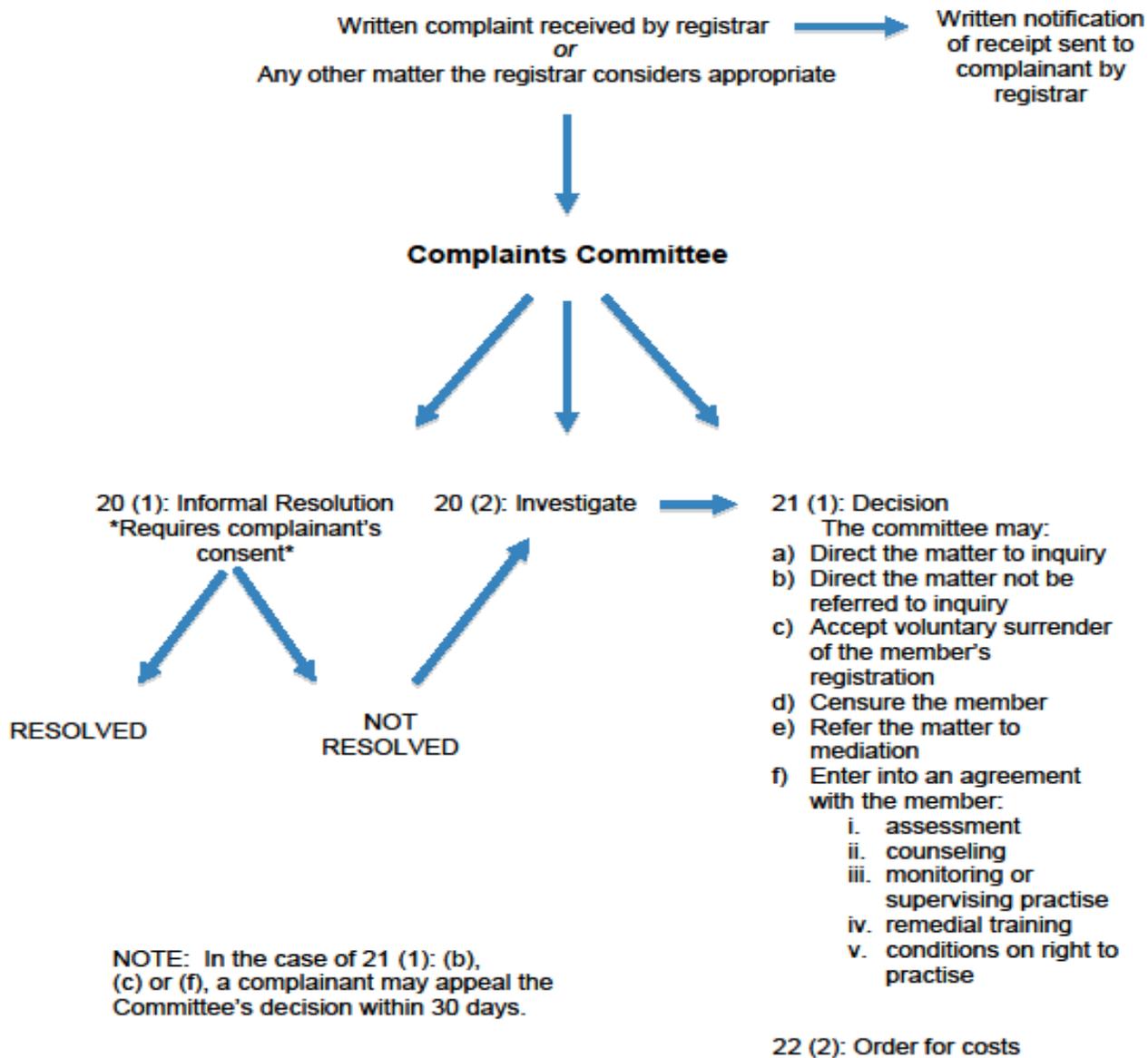
Practice Statement 4.14 states that *"Marketing by physiotherapists should serve a legitimate purpose in providing the public with relevant information"*. Since no purchase was necessary to participate in the raffle and therefore anyone could participate, this would include people who have never received services. The advertisement to win a TV or free massage therefore did not serve a legitimate purpose in providing the public with relevant information.

Practice Statement 4.14 also states that *"Promotional selling of physiotherapy treatment in the form of gift certificates, auctions, raffles etc is considered unethical"*. The advertisement in question is a promotion of physiotherapy in the form of a raffle and is thus considered unethical.

Complaints Committee Report cont'd

The Complaint Process

Part 5 of the Physiotherapists Act



Respectfully submitted by Tanya Kozera, MSc, BMR-PT, Chair of Complaints Committee

Legislative Committee Update

Legislative Committee Update:

The legislative committee continues to meet regularly to work on the *Regulated Health Professions Act*. Most recently, the committee met with Donna Hill and Wesley Whiteside of Manitoba Health on July 11, 2012 and presented the following three Reserved Acts and the justification for their inclusion in the physiotherapists' scope of practice:

1. Making a diagnosis and communicating it to an individual or his or her personal representative in circumstances in which it is reasonably foreseeable that the individual or representative will rely on the diagnosis to make a decision about the individual's health care.
2. Performing a procedure on tissue (a) below the dermis (acupuncture/dry needling)
3. Administering a high velocity, low amplitude thrust to move a joint of the spine within its anatomical range of motion. (Spinal manipulation)

These were chosen for our initial focus after a thorough review by the committee, consultation with members of CPM with expertise in a variety of clinical areas, as well as the broader membership at the 2010 and 2011 CPM Annual General Meetings. These three Reserved Acts were deemed to be of significant importance for the practice of physiotherapy in the province and across Canada, and are acts that have the potential to be contested by other practitioners as we move through the process.

The drafts were well received by the representatives of Manitoba Health and we are currently in the process of preparing them for formal submission; Manitoba Health has indicated to us that their legal team will prepare the final legislative drafts. Discussions also ensued regarding our revised scope of practice statement, incorporation and code of ethics, all of which were favorably accepted with minor revisions; it is anticipated that they will be submitted to Manitoba Health over the next several months in order to be formally drafted by their legal team.

In addition we have begun working on a number of other Reserved Acts, as they relate to the practice of Physiotherapy in Manitoba.

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 anal verge: or
 - f. Into an artificial opening in the body
5. Administering a substance
 - b. by inhalation
 - c. by mechanical ventilation
 - d. by irrigation

Legislative Committee Update cont'd

6. Setting or casting a fracture of a bone or a dislocation of a joint

In addition the committee is investigating other Reserved Acts which may be considered appropriate to include in an expanded scope of practice for physiotherapists in the future such as:

7. Ordering or receiving reports of screening or diagnostic tests
8. Administering a drug or vaccine by any method

The committee continues to review regulations across the country to ensure that we are up to date with legislation in other provinces.

There will be a number of changes in the legislative committee this year, as the terms of several members, many of whom have served the maximum permissible of two consecutive three-year terms, have come to an end. I would like to give my warmest thanks to Aynsley Fraser-Kiernicki, Gloria Gallant, Marlene Smith, Ken Grove and Brent Winstone for their commitment and the many hours they have devoted to the committee and the work that has been completed up to this point. I would also like to personally thank Moni Fricke who, after many years, will be stepping down as chair of the legislative committee. Her leadership and vision have been invaluable to this committee as it embarked on the considerable task of reviewing and drafting the many documents this new legislation demands.

In addition I would like to officially welcome Kerry St. George, Rukmali Mendis and Terry Woodard to the committee. Their varied experience and enthusiasm will be a great addition to the group.

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 add, please feel free to contact me at info@manitobaphysio.com

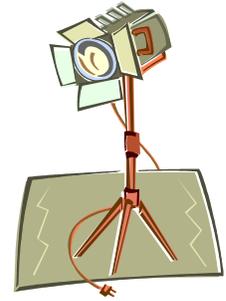
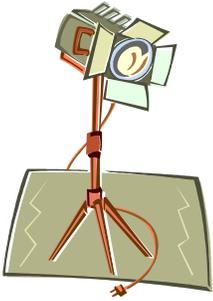
Respectfully submitted by Darcy Reynolds, Chair of Legislative Committee

SAVE THE DATE! CPM 2013 Annual General Meeting

The 2013 AGM will be held on **Thursday, April 25, 2013** from 6:00 PM until 9:00 PM.

Please stay tuned for announcements of guest speakers and other agenda items.
CPM looks forward to seeing you there!

Volunteer Spotlight



Tory Crawford - Legislative Committee

Why did you volunteer for the Legislative Committee?

I had just come back from a travel break (from work & life), and I wanted to get involved in my profession again. After asking around, I spoke with Moni Fricke, and she recruited me to the Legislative Committee. After attending one meeting, I was impressed with the committee's professionalism and efficiency, and I joined.

What motivated you to volunteer for CPM?

I had spent a few years volunteering for CPA, and I wanted to explore other aspects of our profession. I am pleased with the choice, there are many volunteers doing great work at CPM.

Where do you currently work?

PAR Health Services at the Health Sciences Centre. It's a private practice clinic within the Health Sciences Centre. I'm very happy there; I get to work with a great team.

If you could share one thought with the physiotherapy community, what would it be?

How important it is to become involved in your profession, not only in promoting the profession, but also in regulation. Many aspects of the Legislative Committee's work on the *Regulated Health Professions Act* helps shape the future of physiotherapy in Manitoba. I have learned so much about our profession from working on the Legislative Committee, I encourage everyone to become an active volunteer with CPM.

Reminders from the College

Information Changes:

- If you have any changes to your personal information, such as address, phone number, email, or employer – log onto the website and submit these changes.
- If you have a change in Marital status – please submit a copy of your marriage/divorce certificate to the College, as well as a letter stating your former name and the name you wish to have registered with the College.

Completion of the Clinical Component of the Physiotherapy Competency Exam (PCE)

- If you are presently on the Examination Candidate register and have recently completed the clinical component of the PCE, you must contact the CPM office in order to change your registration status to the Active Register. Once you have received your examination results you have 30 days to change your registration status, otherwise you will be placed on the In-Active register and will be UNABLE to work until your information is up to date.

As per CPM By-Laws Article II: Members: VII. Obligations of Membership, all of your contact information MUST be up to date with the College.

Registrar: Brenda McKechnie

Deputy Registrar: Jennifer Billeck

Office Staff: Crystal Davis
(Senior Office Administrator)
and Christie McKechnie
(Office Administrator)

Council 2012/2013

Chair: Lori Stobart

Vice-Chair: Tanya Kozera

Treasurer: Jenneth Swinamer
(Rachel Wu - Finance
Committee)

Council Members: Tania
Giardini, Jackie Gulenchyn,
Rachel Wu

Public Members: Sheron Miller,
Leslie Wilder, Fred Arrojado

Student Representatives:
Jennifer McLeod, Aaron Wong,
Lindsay Pratt

Committee Chairs 2012/2013

AGM/Governance: Tania
Giardini

Board of Assessors: Trish Penner

Complaints: Tanya Kozera

Continuing Competence:
Andrew Neufeld

Continuing Competence

Evaluations: Gil Magne

Ethics: Trish Fisher

Legislative: Moni Fricke/Darcy
Reynolds

PT Standards: Elizabeth Harvey

Renewal 2013

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! Once again more than **97%** of our members renewed on time and on-line. This has helped to allow us here at the CPM office to personally help those who needed some extra support during the on-line process, and to answer any questions you, the members, may have had.

Support this year was focused on a few members that found the "edit " functions troublesome and/or did not know their log in ID's and/or passwords.

The staff of the CPM office included log-in cards to keep on your person in the renewal packages sent this year and were surprised by the number of members who told CPM that they did not open/read their renewal packages. ***It is very important to read correspondence from the College to keep 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.***

During the online process you will see 'help icons' that look like this: . They are located on the top right hand corner of each section that may require editing during the on-line renewal process. By clicking on these help icons, an explanation of what is required in that area, as well as how to edit each section, will show.

The College of Physiotherapists of Manitoba is proud to announce that as of February 1, 2013, we now have **857** members on our register!

687 – Active Members
6 - Exam Candidates
57 – In-Active members
7 – Retired
100 – PT1, PT3 and Out of Province Students

The overall renewal process was a success and shows an acceptance to the green, paperless trend the College has begun to adopt.

If you require further assistance, please call the CPM Senior Office Administrator Crystal Davis or Office Administrator Christie McKechnie at 204-287-8502.