

HPRAC

HEALTH PROFESSIONS REGULATORY ADVISORY COUNCIL

ANNUAL REPORT

April 1, 2000 – March 31, 2001

*Message from
the Chair*

It is a privilege to advise the Minister of Health and Long-Term Care on policy matters related to the regulation of health professions. The members and staff of the Health Professions Regulatory Advisory Council (HPRAC) see our key "deliverable" to be best professional advice. We reach out to engage both stakeholders in the health professions and representatives of the public, and we research the issues such that our advice to the Minister is relevant, objective and evidence-based.

This past year has been an intensive and highly productive year for HPRAC, with the completion of eight reports and the near completion of a ninth. The highlight of the year is the review of the Regulated Health Professions Act (RHPA). This Act is a key piece of legislation in that it is the framework for the governance, accountability, and quality of assurance of the 220,000 regulated health professionals who deliver the bulk of the health services in Ontario. HPRAC is confident that the recommendations it provided to the Minister can be the basis of improved effectiveness and transparency in the system. Such recommendations were informed by a wealth of input from a wide range of stakeholders, and we acknowledge the time contributed by all who participated.

Finally, I thank both the staff and members of HPRAC for the productivity of this year. The workload and Council expectations pushed staff, and they delivered professionally. Council members, who added value through their different perspectives, contributed far more time than anticipated when they accepted their appointments. At the year's end, however, we shared a high level of satisfaction with the work accomplished.

Mandate

The HPRAC Council provides independent policy advice to the Minister of Health and Long-Term Care on matters related to the regulation of health professions in Ontario.

HPRAC has a statutory mandate under the RHPA 1991. HPRAC duties are to advise the Minister on,

- Whether to regulate or de-regulate health professions*
- Suggested amendments to the RHPA and related Acts and their regulations*
- Matters concerning the quality assurance programs of health professional colleges*
- Any matter related to the regulation of health professionals referred by the Minister*

In addition, HPRAC has a duty to monitor colleges' Patient Relations Programs and report on the effectiveness of the each college's programs related to patient relations, quality assurance and complaints and discipline procedures with respect to professional misconduct of a sexual nature.

Operating Principles

Independent - HPRAC's process is open and at arms-length from the Minister. Generally, in anticipation of a pending referral from the Minister, HPRAC will discuss with the Minister's office the parameters of the referral in order to ensure optimal clarity and time lines. Once a referral is made, however, HPRAC does not discuss it with the Minister, his or her staff or officials from the Ministry.

Inclusive - HPRAC reviews are designed to give stakeholders an opportunity to provide information and views about the matter under consideration. HPRAC works with the people requesting a change in legislation and those most affected by any decision. Input from the public is supported through use of newspaper ads, public meetings and the use of HPRAC's website.

Principled - HPRAC reviews and program evaluations are focussed on optimal achievement of the RHPA legislative objectives of public

protection, quality care and accountability in keeping with the principles of effectiveness, efficiency, flexibility and fairness.

*Council
Members*

Rob Alder, (September 1997 - present) Chair, has a Ph.D. in epidemiology. Until 1997, he was the Epidemiologist at the Middlesex-London Public Health Unit with a faculty appointment at the University of Western Ontario. He is currently an elected municipal councilor in the City of London, Ontario. He is also a member of the Thames Valley District Health Council and is a member of the Board of Directors of the Middlesex-London Public Health Unit.

Robert Morton, (October 1997 - present) Vice-Chair, is a graduate of the University of Guelph and the University of Western Ontario. Since 1975 he has worked in a variety of positions within the Ontario health care system. Mr. Morton is the Chief Executive Officer of the Community Care Access Centre Simcoe County.

Stephen Birch, (March 1998 - present) has a Ph.D. in Health Economics and is a Professor in the Department of Clinical Epidemiology and Biostatistics, McMaster University, Hamilton. His main research interests concern methods for the allocation of health care resources among populations and methods for the evaluation of the use of resources within the context of heterogeneous populations.

Barry Brown, (October 1998 - present) has a Ph.D. in Philosophy from the University of Toronto, where he was an Associate Professor of Philosophy (St. Michael's College) and a member of the Joint Centre for bioethics until he recently retired. His specialization is in bioethics with an interest in research ethics, mental health and illness, end of life issues, and genetics and reproduction.

Joyce Feinberg, (March 1998 - present) has a Ph.D. in chemistry and is a founding member of the Board of Directors of the Consumers Council of Canada. She represents consumer interests on the Board of Directors of the Ontario New Home Warranty Program and is a government appointed member of the Board of Directors of the Technical Standards and Safety Authority.

David Surplis, (February 1998 - present) is the President of the Council of Ontario Construction Associations, a federation of fifty organizations representing 10,000 companies. He has a Ph.D. and taught political science at the universities of Toronto and Guelph before becoming Director of Research for the Ontario government caucus. He presently serves on the Executive Council of the Ontario Chamber of Commerce and numerous bodies advising policy makers at Queen's Park.

Joyce Timpson, (March 1998 - present) has a doctorate in social work from Wilfrid Laurier University, and a Master of Public Administration from Queens University. She is currently a private consultant with social, health and mental health services. She was a child welfare researcher and writer for the Royal Commission on Aboriginal Peoples and has numerous publications pertaining to mental health and child welfare in the North.

Staff

Executive Coordinator: Mary Lou Gignac

Policy Analysts: Sheila Mawji, Deanne Montesano and Lynn Kirshin

Administrative Staff: Barb Thompson, Max Stocker and Brett Fernandes

Project Staff for the Review of the RHPA: Judy Hughes, Karen Lane and Anne Wood

Legal Advisor: Douglas Alderson

Highlights Of Advisory Reports 2000/2001

With the submission of eight advisory reports and the near completion of a ninth, 2000/01 has been HPRAC's most productive year since its inception in 1993. HPRAC's work is summarized below.

Review of the RHPA

A central and very exciting focus of HPRAC's work in 2000/01 was the completion of the review of the RHPA. The submission in March of the report "Adjusting the Balance: A Review of the Regulated Health Professions Act" followed over three years of work to frame the evaluation, consult with stakeholders, and analyze a wealth of input from over 360 consultation participants. A central conclusion from this comprehensive review is that the RHPA requires adjustment in favour of greater transparency and accountability and in favour of supporting greater awareness by the public. Sixty-seven recommendations to adjust the RHPA and its implementation were made.

Statutory Program Evaluations

HPRAC continued its work on three statutory program evaluations. This work builds on the college-specific program evaluations undertaken for HPRAC by the consulting companies of PricewaterhouseCoopers (complaints and discipline programs related to sexual abuse) and Harry Cummings and Associates (quality assurance and patients relations programs). As part of HPRAC's consideration of colleges' Complaints and Discipline Programs related to sexual abuse of patients, the Special Task Force on Sexual Abuse of Patients (STF) was funded to obtain input from patients about the impact of college procedures on them and advise HPRAC. Three individual program evaluation reports were prepared for the Minister to describe HPRAC's analysis of the program evaluations and STF input, and to present HPRAC's recommendations for improving the effectiveness of these programs.

Complementary and Alternative Medicine

As part of its referral-based work, HPRAC developed advice about the regulation of three complementary and alternative medicine (CAM) areas - naturopathy, acupuncture and traditional Chinese medicine. The potential impact of the advice requested from HPRAC is the establishment of the first new health professional regulatory colleges since the RHPA was passed in 1991. HPRAC reviewed its earlier reports on naturopathy and acupuncture and relied on current empirical evidence available about the efficacy and risk of the natural health products, acupuncture and other associated treatment modalities.

Referral based Work

In addition to the work on CAM, HPRAC has completed work on other referral-based issues dealing with questions of:

- a) regulating new health professions: sonography and medical radiation technology*
- b) scopes of practice: additional controlled acts for medical radiation technologists and optometrists*
- c) interpreting the RHPA and Opticianry Act in relation to refractometry (automated testing of the refractive error of the eye).*
- d) interpreting the RHPA for advice on the validity of proposed dental orders regulation by the Royal College of Dental Surgeons of Ontario (RCDSO).*

Table 1: HPRAC's 2000-2001 Advice to the Minister of Health and Long-Term Care

TOPIC	DESCRIPTION	SUBMISSION DATE	STATUS
Statutory Program Evaluations			
Quality Assurance	Evaluation of the effectiveness of the 21 colleges' Quality Assurance Programs.	October 2000	HPRAC's advice is under consideration by the Minister.
Complaints and Discipline Related Sexual Abuse **	Evaluation of the effectiveness of the 21 colleges' Complaints and Discipline Programs related to professional misconduct of a sexual nature.	December 2000	HPRAC's advice is under consideration by the Minister.
Patient Relations	Evaluation of the effectiveness of the 21 colleges' Patient Relations Programs	To be submitted in May, 2001	
Referral Issues			
Dental Orders Regulation	Advice on the validity of the RCDSO proposed regulation dealing with dental orders and the authority of the college to make a regulation that has an impact on other professions	May 2000	Under consideration by the Minister
Optometry Therapeutic Pharmaceutical Agents ***	Advice on authorizing optometrists to use therapeutic pharmaceutical agents in their scope of practice.	April, 2000	The Ministry has accepted HPRAC's advice, which did not identify a significant public benefit and public need for optometrists to prescribe TPAs.*
Refractometry/Scope of Practice ***	Advice on the interpretation of the provisions of the <i>RHPA</i> and related profession-specific Acts about whether refractometry is part of the scope of practice of opticians and the role of Colleges to regulate activities that are outside of the scope of practice of the professions.	September 2000	The Ministry has accepted the main tenets of HPRAC's advice and requested that the College of Opticians informs its members that they may not perform refractometry or alter a prescription when dispensing. The Ministry has instructed that this restriction is to be maintained "until Colleges work together to develop standards for alteration of prescriptions for corrective lenses and performance of refractometry by opticians".*

TOPIC	DESCRIPTION	SUBMISSION DATE	STATUS
	<i>Sonography</i>—advice on the need to regulate under the <i>RHPA</i> with reference to the risk of harm and sufficiency of existing regulatory controls; advice on regulating sonography through a new or existing college. <i>MRI</i> – advice on the need to regulate under the <i>RHPA</i> and authorized acts. <i>Medical Radiation Technology</i> – advice on additional authorized acts.	September 2000	The Ministry has accepted HPRAC's advice that diagnostic sonographers and MRI technologists be regulated as part of the profession of medical radiation technology governed by the College of Medical Radiation Technologists of Ontario.*
Naturopathy Scope of Practice	Advice on the scope of practice and authorized acts for Naturopathy and other aspects of the regulation - with reference to the 1996 HPRAC report prepared by the previous council.	January 2001	HPRAC's advice is under consideration.
Review of the <i>RHPA</i>	Review of the health professions regulatory system as set out in the <i>RHPA</i> with reference to the principles of efficiency, flexibility and fairness and effectiveness, which incorporates public protection, quality care and accountability.	March 2001	HPRAC's advice is under consideration.
Traditional Chinese Medicine and Acupuncture	<i>Traditional Chinese Medicine</i> – advice on the regulation of TCM under the <i>RHPA</i>. <i>Acupuncture</i> – advice on the regulation of acupuncture as a profession and/or as a controlled act under the <i>RHPA</i>.	April, 2001	HPRAC's advice is under consideration. Minister made a statement in support of a new college for TCM/acupuncture.

* based on correspondence from the Ministry

** The individual college evaluation reports prepared by evaluation consultants are available by contacting HRPAC.

*** HPRAC report available by contacting HPRAC.

Council

Council's Annual education event was held in July. It featured the British Columbia Health Council's Work on complimentary alternative medicine. The Chair Irvine Epstein and Gerry Fahey, Research Director, were available to present and discuss British Columbia's review on Naturopathy and Traditional Chinese Medicine. Phil Waddington, Executive Director, Office of Natural Health Products, Health Canada reviewed activities related to regulation of herbal products for therapeutic use. The 2001 education day will focus on strategies to improve public input into policy development.

*Budget And
Expenditures*

<i>Salaries</i>	<i>408,713.33</i>
<i>Benefits</i>	<i>56,284.40</i>
<i>Transportation & Communications</i>	<i>67,666.39</i>
<i>Services</i>	<i>400,703.50</i>
<i>Supplies & Equipment</i>	<i>11,393.71</i>
<i>TOTAL</i>	<i>944,761.33</i>