

Legislative Committee Presentation

Speaking notes of Jonathan N. Strauss, CEO, Pedorthic Association of Canada

May 13, 2021

Hello and thank you to the Committee for giving me the opportunity to speak to Bill 283.

My name is Jonathan Strauss, and I am the CEO of the Pedorthic Association of Canada.

Pedorthists are specialized health care professionals trained in the assessment of lower limb function. We employ our findings to design, manufacture, fit, adjust, maintain, and dispense custom foot orthotics, off-loading devices, and other related medical devices. Pedorthists have a national college fashioned after Ontario's professional health colleges which sets our professional standards. Our members work in clinics, hospitals and care teams that include surgeons and primary care practitioners.

Our patients include those with serious and chronic conditions including Diabetes and Charcot Marie Tooth Disease.

YET.....Pedorthists, like many other health care professions including athletic therapists and prosthetists, are not recognized as regulated health professionals under Ontario legislation.

Because of this, we don't have title protection meaning that anyone can use our professional title without the training, skills and knowledge required by our national college. Lack of both title protection and regulation enables insurance fraud; it discourages the ability for our members to be accountable for authorizing their own treatment plans or for them to be recognized as legitimate authorizers on insurance claims for the very products and services they have designed and fit.

Title protection is a provincial legislative tool. Our national college cannot pursue it federally nor impose it. Without protecting a title, the public cannot be properly and transparently protected. To date, every health profession regulated in Ontario has title protection.

We have advocated for years to be included in provincial regulation and to have our titles protected in legislation. This has been complicated by the fact that the province has had a moratorium on creating new professional health colleges – the one vehicle that Ontario has used to provide oversight and title protection.

Given that, we have suggested a simpler route to solving the problem. The easiest fix was to simply create title protection for our profession and others that are not currently regulated. Title protection legislation has been created by the Bill Davis government for Engineering Technologists and most recently by the Ford government for Financial Planners.

I would like to now speak to Bill 283 and its relevance to our issue.

When we were made aware of Bill 283 to create an umbrella Authority to oversee a profession not currently regulated – the Personal Support Worker – we were pleased to see some movement towards an interest in regulating unregulated health professions. And, we wondered if this Authority might be a solution to address our repeated requests for title protection.

In reading over the provisions of the proposed Bill 283, we noted that in its current state, it does not provide for mandatory registration nor title protection.

In our view, these two things are essential for public protection that is transparent and easy for the public to understand.

We therefore suggest a few critical amendments that would allow this Authority to address regulation not just for PSWs but for other more structured professions as well:

- *A provision for mandatory membership for professions with more structure and consistency of training and standards.*
- *A provision for title protection. The reference to a “visual quality mark or logo” does not have the teeth that title protection has. It is not practical for patients to be expected to conduct investigations into what logos a provider might be using on business cards and whether they are being used legitimately. A registry is also a very poor substitute for title protection as it places the onus on the patient to seek out whether a provider is registered and if that registration is current or out of date. Without title protection, a provider with serious failings can continue to practice using the title of that profession. This is not transparent to the public and therefore does not protect it. A provision for title protection must be included.*

If the Authority is not intended to oversee other non-regulated health professions other than PSWs and community support, we are asking that the government immediately grant Title Protection to our profession and possibly other non-regulated health professions. As mentioned above, this government has granted title protection to financial planners. There is no reason why the public should have less protection when dealing with health professions excluded from the Regulated Health Professions Act than they do with financial planners.

In closing, this Authority signals a first step towards regulating non-regulated health professions in Ontario. After decades, of inertia, it is a welcome move.

However, registries, voluntary sign-up and lack of title protection means that this Authority cannot be used to include the many non-regulated professions seeking to be included unless the legislation is amended.

We are asking for these amendments to be made or for government to grant Title Protection to our profession and others.

Thank you.

Check against delivery