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REGULATION OF HEALTH PROFESSIONS IN ONTARIO

Regulatory Environment and Implications

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REGULATORY ENVIRONMENT

1. Legal framework rooted in principles
2. Colleges are autonomous organizations with
 - multiple points of accountability
 - Multiple stakeholders
3. Complex governance issues
4. Colleges sharing information, training and collaboration

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1. LEGAL FRAMEWORK

- Explicit responsibilities, authorities, accountabilities and procedures that distinguish a professions college from a professional association
- Colleges influence laws
- Common law is part of the legal framework
- Team of lawyers needed to support college functions: regulations, by-laws, P&Ps, proceedings - objective general counsel
- Common legal framework enables inter-college support and collaboration

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1. PRINCIPLES

- **Supreme** principle of **Public** interest/public protection
- Effective, efficient, equality, equity
- Access/choice
- Fair, transparent, objective, impartial

Principles provide a guide for policies, programs, decision-making and reporting

Public protection/public interest is the imperative for decision-making

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2. ACCOUNTABILITIES

- College to Public
- College to Provincial Government
- Minister/Government to the Public
- College to Members
- Members to the College

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ACCOUNTABILITIES cont'd

- Open meetings
- Formal reporting
- Resources for external relations and communications from the outset
- Media attention - a two edged sword



REGULATORY PHILOSOPHIES

Professions Self-Governance

College regulates the profession or
College enables the profession to regulated itself

Public Protection and Public Interest

Prevent/deal with harm and abuse of patients at a minimum
Public Policy/systems issues

Support and/or Enforcement

College as police – set and police the standards
College as a resource to members - education and advice

Philosophy will have an impact on priorities and how the College operates and communicates from the outset

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Regulatory Arenas

- Province
- Country
- Globe

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The Regulatory Business 10 PILLARS

Registration

- Registration
- Registration Renewal
- Register of Registered Professionals

Defining the Profession

- Scope of Practice and Title Protection
- Standards including competencies
- Continuing Competence

Enforcement

- Complaints/investigation and resolution
- Conduct, competence and capacity proceedings

Information and Accountability

- Public and member Information
- Support to members

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3. COLLEGE GOVERNANCE

Complexities

- Professionals working for public interest
- Public members working for the profession
- Elections and appointments vs. selection
- Management vs. policy governance
- Council hands off, some committee hands on
- Registrars must lead and follow
- Councils must learn to lead

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COLLEGE GOVERNANCE cont'd

Opportunities

- Governance culture is a wise investment
- Deliberate vision and transitions
- Oversight tools
- External expertise

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- RHPA Colleges
- Annual membership fee
- Information sharing, education and joint action in support of individual colleges
- Evolution to collective purpose – effective/efficient regulatory system including public education
- Support for inter-professional collaboration
- Council and staff education (Discipline, Decision Writing, NCIT, Leadership, Continuing Competency Conference)
- Member education - sponsor

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OTHER RESOURCES

- Connection to external experts (e.g. consultant and vendor lists)
- Connection to college leaders and area of leadership
- Connection to colleges who have hard learned lessons to share
- CLEAR and NOCA