

UPDATE

Newsletter of the College of Physical Therapists of B.C.

NEW REGISTRAR!

The College is pleased to announce Brenda Hudson will take the position of Registrar, effective May 3, 2004. Brenda is a registered physical therapist who has actively participated in the regulatory affairs of the profession at both the provincial and national levels over the past 15 years. A past Director of Rehabilitation Services at the Vancouver General Hospital, Brenda leaves her current position of Professional Practice Leader for the Vancouver Coastal Health Authority to accept this new position. We welcome Brenda and look forward to working with her!

COLLEGE THANKS ACTING REGISTRAR

The College wishes to thank Marilyn Atkins for her invaluable contribution as Acting Registrar since October 27, 2003. Marilyn stepped in on short notice and once again very aptly filled the gap while the search for a new registrar was going on. She will continue with her Acting Registrar duties with the College until Brenda Hudson assumes her position on May 3, 2004.

ACTING REGISTRAR'S REPORT

Board

The Board Meeting Dates for 2004 are, January 24, March 20, May 15, July 17, September 18 and November 20.

Bill 44 Health Care (Consent) and Care Facility (Admission) Act: Amendments:

The following information is excerpted from a letter to the College from Penny Ballem, MD, Deputy Minister, Ministry of Health Services:

“The Health Care (Consent) and Care Facility (Admission) Act recognizes an adult’s right to give or refuse consent to health care, and establishes a legal framework for the giving or refusing of consent by a substitute decision maker when an adult is incapable of doing so. The Act and Bill 44 are located on the

Queen’s Printer website:

www.legis.gov.bc.ca/37th3rd_read/gov/73-3.htm and
www.legis.gov.bc.ca/37th3rd_read/gov44-3.htm

The amendments give individuals further control over their own health care by legally recognizing prior expressed instruction or wishes in emergency situations. Specifically, the changes clarify that in an emergency situation a health care provider must comply with the instructions or wishes to refuse health care that a patient expressed when capable. The amendments in sections 1-5 and 8-10 came into force on October 1, 2003.

ANNUAL GENERAL MEETING NOTICE

The 2004 Annual General Meeting of the College takes place on Friday April 2, 2004. Registration: 5:30 p.m. Meeting: 6:30 p.m. Drinks and hors d’oeuvres to follow. Your Annual Report for 2003 and AGM notice was mailed to you in February. If you did not receive it, please contact the College.

New location this year is the Delta Vancouver Airport Hotel, 3500 Cessna Drive, Richmond, BC. Tel: 604.278-1241. Toll Free: 1-800-268-1133. Website: www.deltahotels.com Contact the hotel directly to obtain the corporate rate of \$105.00 single or double occupancy plus taxes of 17%. Check-in begins at 3:00p.m., check-out is at 1:00p.m.

Complimentary parking is available for all delegates in the front and to the right of the hotel. There will be a sign on the parking meters instructing delegates to go inside the hotel lobby and ask for a Parking Pass at the Bell desk or Registration desk. This will assure your vehicle will not be ticketed or towed.

IN THIS ISSUE

SPRING 2004
VOLUME 5, ISSUE 1

NEW REGISTRAR ANNOUNCEMENT.....	1
ACTING REGISTRAR'S REPORT	1
ANNUAL GENERAL MEETING NOTICE.....	1
NEW PRIVACY LEGISLATION	2
COMPUTERS AND PATIENT'S PRIVACY.....	2
TASK FORCE TO CONSIDER REGULATION OF SUPPORT WORKERS.....	2
COMMITTEE REPORT	3
REGISTRATION REPORT.....	3
RENEWAL REPORT	4
CONTINUING COMPETENCY PROGRAM UPDATE	4
PRACTICE ADVISOR'S FAQ'S	5
INQUIRY SUMMARIES	5
WHO TO CONTACT AT THE COLLEGE.....	7
MOVING/NAME CHANGE AND CHANGING REGISTRATION STATUS	8

NEW PRIVACY LEGISLATION

The College is investigating the impact of the new federal and provincial privacy legislation on its registrants. When the information is available it will be distributed to all registrants and will be available on the website: www.cptbc.org. Registrants are required to keep their College Reference Guide with all current regulatory information up-to-date and readily available at their worksite. Replacement copies are available for a fee from the College office.

COMPUTERS AND PATIENT'S PRIVACY

A recent information letter from the Canadian Medical Protective Association by Dr. Robert Rivington, Senior Medical Officer contains valuable information. The letter gives an example where patient information stored on a computer hard drive was either not deleted or not deleted effectively when the computer was re-sold. In this instance the computer's hard drive froze and was returned

to the place of purchase. The owner, a transcriptionist, was assured the hard drive would be "trashed" and she was given a new computer. The data was not deleted; the computer was sold to a salvage company and re-entered the marketplace. Three months later the hard drive, still containing the medical records, was turned in to a local television station. As a result, the provincial information and privacy commissioner ordered an investigation that resulted in four recommendations:

1. The custodian of patients' health information must complete an assessment of the administrative, technical and physical safeguards in place to protect health information. A key safeguard must be the proper disposal of computer data storage instruments. In the case of the hard drive, **the hard drive itself must be physically crushed or health information should be permanently deleted using a commercial disk wiping utility. Portable media such as floppy disks or other storage devices must be physically destroyed as well.**
2. All individuals involved with health information should be aware of and should adhere to the safeguards.
3. The custodian should review policies and procedures to ensure they are current with the requirements of the act protecting health information or of any new act.
4. Agreements with all involved, especially those handling health information off-site, will state that [any] affiliate...must comply with the proper legislation, as well as the custodian's policies and procedures. Included with the agreement should be specific direction on how to securely store and dispose of health information during the course of the agreement and at the termination of the agreement.

TASK FORCE TO CONSIDER REGULATION OF SUPPORT WORKERS

The College is establishing a task force to investigate the desirability and feasibility of regulating support personnel. If this is a subject that interests you and you would like to put your name forward for this task force please contact the Registrar at the College office.

COMMITTEE REPORT

FINANCE COMMITTEE

Annual Fee Increase in 2005

The Finance Committee would like to alert registrants in advance to the increase of the annual fee for December 2005.

The Finance Committee has determined the need for an increase based on an historical and projected analysis over a five-year budget cycle forecast (2001 – 2005). The analysis included a review of the College's policy on the minimum 'reserved net assets' to determine a benchmark for the College. The Committee surveyed other provincial Physical Therapy Colleges to gain some insight into potential legal costs if the College faced a legal challenge and this was carefully considered.

The College of Physical Therapists of BC has maintained its current annual fee of \$200 since its inception in 1995 and it remains one of the lowest across the country. The 2005 fee increase will support continued development of the College's mandate and ensure it remains fiscally responsible to its membership. The fee increase is anticipated to be not more than 25%.

Nancy Cho, Chair

REGISTRATION REPORT

Renewals – 2004

Registration renewal applications for 2004 were mailed to BC's 2700 registered physical therapists in late October, 2003. **Many thanks to the 1700 registrants who sent in their renewals before Christmas! This was an increase of 700 from last year** and enabled staff to process these renewals and mail their 2004 registration cards before Christmas and greatly assisted the College in meeting its regulatory deadlines. The office closed December 22 to January 2, 2004 for statutory holidays and to allow the staff to process the remaining renewals. Renewals with a late fee were permitted to January 31 when 25 registrants who had not yet renewed had their registration cancelled effective February 1, 2004, 12:01a.m. This was a dramatic improvement from the cancellation of 81 registrants in 2003. All registrants who are cancelled for non-payment of dues have their names published in this edition of the Update and those registrants with full

registration may not work until their application for reinstatement is processed.

Each year the College aims to make the renewal process more efficient. FAQs were listed again this year on the College's website and staff continued to respond to emails and faxes during office closures to assist in processing renewal questions.

The College is actively working to provide the oft-requested option of renewal online and credit card payment of fees. If this option is available for 2005 renewals we will notify you in the Fall edition of the Update and on our website!

Our exceptionally efficient data entry personnel, Mr. Daniel Wood, enabled us to process renewals as they arrived by the third week of December. Although approximately 90% of renewal applications proceeded smoothly, the remaining 10% were delayed due to routine errors or omissions in completing the renewal form. The College returns all incomplete renewal forms. The most common errors were not providing proof of malpractice insurance and cheques with inaccurate information. The most common omission was failure to answer any or all of the questions on the back of the form, including malpractice information and the signing of the declaration. The award to the 'hardest working physical therapist' goes to the registrant who claimed to have worked 14,900 practice hours from January to September in 2003 with 'best educated physical therapist award' going to the registrant who claimed 40,000 Continuing Education hours for those same months!

Based on our experience this year, and your suggestions, the 2005 renewal form and instruction sheet will be revised to assist both registrants and staff to process the renewals more quickly and efficiently! The Fall 2004 issue of this newsletter will again inform registrants about the renewal process.

Please continue to use the "Moving or Changing Jobs?" form on the back of each newsletter to advise the College of your change of address. The website: www.cptbc.org also has a change of address option.

The College continues to welcome suggestions on improving the renewal process. Please address your suggestions and queries to the Registration Co-ordinator, Joan Morton - email: joan_morton@cptbc.org

RENEWAL REPORT**CANCELLATION LIST, Non-payment of dues – 2004****Full Registrants:**

00092	Carpenter	Christine M.
04339	Fahlman	Richard James
04768	Huni	Nairi-Zabelle
03951	Kumar	Neelam
04908	Mayer	Tasha Mary
04815	Mehta	Snehal Mahendra
04567	Messarra	Christina Gabrielle
04682	Molnar-Martens	Christia M.
04596	Sommerfreund	R. David
03957	Vardy	Gary Albert
02263	Weare	Gary Frederick

Inactive Registrants:

03378	Byrnes	Jennifer Robin
04582	Conway	Tanya Lynn
04790	Hutchison	Hillary
04204	Janse	Adriaan David
03998	Kung	James Homan
03616	Levins	Stephen Matthew
01335	Lowry	Marilyn Jean
01154	Maloney	Caroline
01222	Nelson	Barbara Sharon
00578	Smith	Margaret Elizabeth
02687	Tesler-Mabe	Carlos Sergio
01538	Washington	Mark Ronald
00655	Weerasinghe	Bernard
04703	Wright	Kimberley Lynn

CONTINUING COMPETENCY PROGRAM UPDATE

The Continuing Competency Sub-committee has continued to develop the process by which the Professional Portfolios will be reviewed. Our plan is to begin reviewing portfolios in October of 2004. We still await the proposed amendments to the Health Professions Act which will provide legal protection of the continuing competency documents. Although we expect that these amendments will be completed prior to October 2004, be assured that we will not move forward with the portfolio review process without this protection for our registrants.

At this time, the Continuing Competency Sub-committee wants CPTBC members to understand that our Continuing Competency program is based on the belief that physical therapists are competent. As a profession we are actively involved in continuing education, and it is the exception that a physical therapist does not undertake the education required to support competent practice.

The Sub-committee will provide all registrants with details of the Professional Portfolio review process by the summer of 2004. This will include the criteria by which the Professional Portfolios will be evaluated. The review criteria have yet to be finalized. Initially, the Sub-committee will likely be looking at compliance as a measure of meeting the continuing competency criteria. For example, if you complete the portfolio, include learning goals within the physical therapy scope of practice, show evidence of acting on your learning goals, and you submit your portfolio by the prescribed date, you will meet the review criteria. Again, the review process details have not yet been finalized.

If you are chosen for the review process and do not submit the required documents you will not be eligible for registration renewal for the following year. Do not submit your portfolio unless CPTBC requests it.

PRACTICE ADVISOR'S FREQUENTLY ASKED QUESTIONS

The professional portfolio's practice hours section asks for practice hours to be recorded by calendar years, but we now complete the portfolio from October 1 to September 30th, how should this section be completed?

Please refer to the table at the bottom of page 11 of the current Professional Portfolio. In this table it lists Year 2001, up to Year 2005. Complete the table as follows:

Year 2001 includes Jan. 1 to Dec. 31, 2001.

Year 2002 includes Jan. 1 to Dec. 31, 2002.

Year 2003 includes Jan. 1 to Sept. 30, 2003.

Year 2004 includes Oct. 1, 2003 to Sept. 30, 2004.

Year 2005 includes Oct. 1, 2004 to Sept. 30, 2005.

After I complete the first level of course work with the Acupuncture Foundation of Canada, can I perform acupuncture on my clients?

No. In order to perform acupuncture as part of your physical therapy practice, you are required to have passed the Level 1 exams.

I work for a hospital and I am being asked to train support workers so that they can lead exercise classes when I am not at the hospital. Am I allowed to do this?

This is a very complex question, for which the answer varies tremendously. It is also a question which, in various forms, is being asked with increasing frequency by physical therapists in BC. With the changes in health care funding, case loads are increasing and support staff are being used more and more. Physical therapists are concerned about delegating tasks and they are worried about the liability issues surrounding this. The College is able to provide guidance regarding the delegation of tasks, and it has done so with Clinical Practice Statements (CPS's) 3A and 3B.

In the CPS's 3A and 3B, registrants are advised that a number of factors must be considered when delegating tasks. Above all, we must use our best judgment. In relation to the above question, you should consider at least these things: whether the support worker has demonstrated to you that s/he can lead the exercise class; whether the clients have stable conditions; whether the support worker has the ability to identify when s/he should stop an individual from participating in the class; whether there is any supervision available.

The other concern related to questions such as this is liability. If you are concerned about this, you should obtain legal advice, and/or speak to your (liability) insurance carrier.

Can you report more than 2000 practice hours in a year on your registration renewal and in your professional portfolio?

Anyone reporting more than 2000 hours each year should first consider the following. Working 8 hour days, for five days each week, with no holidays, no sick days and no stat days off will add up to 2080 clinical practice hours. If this does not sound like your pattern of clinical practice, and you are reporting over 2000 hours of clinical practice for the year, you will not be able to provide the College with evidence to substantiate this when your portfolio is reviewed.



INQUIRY SUMMARIES

030902A-D & 030919 Professional Misconduct

The Respondents wrote letters to the editor of a local newspaper questioning the actions of a facility which had terminated the employment of certain physical therapists. The Complainants variously alleged that these letters were unprofessional and unethical and had led to a perception in the community that the remaining physical therapists lack the skills to perform their jobs. The Committee considered that while it does have jurisdiction over the alleged conduct, the evidence before it did not, on its face, violate the College's Code of Ethics and therefore would not amount to professional misconduct. The letters were phrased in the form of questions, which the Committee considers to be a reasonable exercise of freedom of speech in a free and democratic society.

010907 Professional Misconduct

As a result of an investigation into a complaint about billing irregularities, Ms. Marcia Doucet has entered into an Undertaking with the effect that her registration in the College has been suspended for a period of twelve months commencing December 1, 2003. Ms. Doucet has also consented to not bill M.S.P. for a period of three calendar years after the lifting of the suspension.

021029 Incompetence and Professional Misconduct

A patient alleged her Physical Therapist, judging she had the physical capacity to return to full time employment, discharged her prematurely from an ICBC rehabilitation program while she was still experiencing physical problems. The Inquiry Committee found that this behaviour, if proven, would amount to professional misconduct. The Committee found that there was no evidence that the Physical Therapist had failed to follow the minimal treatment standard. The Committee took no further action.

030918 Professional Misconduct

The Inquiry Committee investigated a registrant who advertised nutritional supplements using the designation Physical Therapist. The Physical Therapist committed not to repeat the conduct in question. The Committee was

satisfied with her response and took no further action.

030128 Incompetence and exacerbation of Injury

A patient alleged that his Physical Therapist incorrectly performed a Jamar grip test, wrote an internally contradictory report and that her conclusions were biased and one-sided. The Inquiry Committee found that these allegations, if proven, would amount to professional misconduct or incompetence. The Committee found that there was no evidence that the physical Therapist had failed to follow the minimal treatment standard or was in conflict of interest. The Committee took no further action. The Board refused the appeal.

030120 Professional Misconduct

The husband of a patient who had a stroke alleged that a Physical Therapist had assessed his wife without consent, pestered the family to buy a ceiling lift and retaliated against them when they did not purchase the lift by making an assessment that resulted in the cessation of Ministry of Health benefits. This complaint raised concerns about possible professional misconduct. The Committee found that there was no evidence that the Physical Therapist had failed to follow the minimal treatment standard or was in conflict of interest. The Committee took no further action.



WHO TO CONTACT AT THE COLLEGE

Marilyn Atkins

Acting Registrar to April 30, 2004
Inquiry and Discipline

Brenda Hudson

Registrar from May 3, 2004
Inquiry and Discipline

Neil Pearson

Locum Practice Advisor: professional portfolios, practice hours and practice questions.
Email: neil_pearson@cptbc.org

Joan Morton

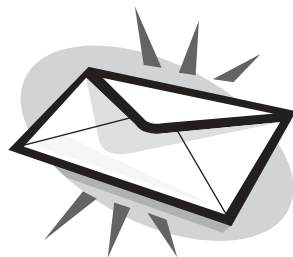
Registration Co-ordinator: registration, incorporation, newsletter.
Email: joan_morton@cptbc.org

Arlene Gloria

Student and courtesy registration
Email: arlene_gloria@cptbc.org

Anna Gloria

General enquiries
Email: anna_gloria@cptbc.org



PLEASE ADDRESS ALL NEWSLETTER ITEMS AND QUERIES TO:

Newsletter Editor
College of Physical Therapists of B.C.
302-1765 West 8th Avenue
Vancouver, BC V6J 5C6
Phone: (604) 730-9193
Fax: (604) 730-9273
Email: info@cptbc.org



Update is a publication of the College of Physical Therapists of British Columbia and is intended to keep registrants informed about current professional issues. It is published three times a year—Spring, Summer and Fall. The deadlines for submissions are January 15, May 15, and August 15.

ADVERTISING RATES AND DEADLINES

Advertisements for employment opportunities and educational/course announcements are suitable for publication.

Deadlines: January 15, May 15 & August 15

Rates:	\$50	up to 3¼" x 3¼"
	\$75	3¼" x 4½"
	\$100	3¼" x 8½"
	\$200	full page

PUBLISHED BY

College of Physical Therapists of BC
302 – 1765 West 8th Avenue,
Vancouver, BC V6J 5C6
Phone: (604) 730-9193
Fax: (604) 730-9273
Website: www.cptbc.org
Email: info@cptbc.org

**ARE YOU MOVING?
CHANGING YOUR STATUS?
CHANGING YOUR NAME?
MAIL THE APPLICABLE COUPON TO:**

Registration Co-ordinator
College of Physical Therapists of B.C.
302-1765 West 8th Avenue
Vancouver, BC V6J 5C6
Phone: (604) 730-9193
Fax: (604) 730-9273
Email: info@cptbc.org



MOVING OR CHANGING JOBS?

Name: _____

Full: _____ Inactive: _____ Interim: _____

Effective date of change: _____

New Home Address

Phone/Fax: _____

Email: _____

New Business Address

Name: _____

Address: _____

Phone/Fax: _____

Email: _____

CHANGING YOUR NAME?

Reg No. _____

From: _____

To: _____

Attach a copy of official change of name form or marriage certificate and \$25 each for a new certificate or registration card.

CHANGE MY REGISTRATION STATUS

(Print Name) & Registration Number

Signature

I am a full registrant in good standing with the CPTBC and intend to cease practice as a physical therapist in British Columbia. If I choose inactive registration, I understand that as an inactive registrant I no longer need to carry malpractice insurance, may not work in BC as a physical therapist and **MUST** renew my registration by December 31. Please change my registration status to:

- Cancelled in good standing
 Retired
 Inactive*

on _____ (m/d/y)

GOING INACTIVE

***If you choose inactive registration, please be aware of the following:**

1. You must be a full registrant to qualify for inactive status. You must request this change in writing, either with this form, with a letter to the Registration Co-ordinator or on your annual renewal form, which will be sent to you by November of each year.
2. You **must** change to inactive registration in BC if you no longer carry malpractice insurance.
3. There is no refund in whole or part of the annual registration fee when you change status during the year.
4. Inactive registrants may not work as a physical therapist in any capacity, either clinically or non-clinically **and must report practice hours on renewal of registration.**
5. Inactive registrants continue to be listed in the register, receive the newsletter and any College mailouts.
6. To change from **inactive to full** registration **at any time during the year** you must first contact the office and obtain an application package. Allow three weeks for processing. Call the Registration Co-ordinator if you have any questions.