

UPDATE

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

REGISTRAR LEAVES CPTBC

On October 31, our Registrar, Susan Adams, left to accept a new position as Assisted Living Registrar. In the three and a half years she has been with us Susan has guided the College through a transition period which saw updates in technology, procedures/policies and governance. Her thorough knowledge and understanding of the Health Professions Act assisted committees and the Board in their work.

We thank Susan and wish her all the best in her new position.

Annick de Gooyer, B.Sc.P.T.
Chair, Board of CPTBC

ACTING REGISTRAR

The College welcomes Marilyn Atkins, Physical Therapist, who joins the CPTBC staff as Acting Registrar effective November 1, 2003. Marilyn has previously held the position of Acting Registrar and brings a wealth of experience to the position having been active on the CPTBC Board and various College committees for the past several years.

COLLEGE'S ACHIEVEMENTS FOR THE PAST YEAR

Over the past year, the College developed a **strategic plan** to guide it through 2003–2005. Each of the College Committees, the Board and Staff are now accountable for achieving the plan's goals.

The College continued to implement the **complementary model of governance** by reviewing its policies and procedures and establishing terms of reference for all Committees. In addition, the Board established a Nominations Committee to make recommendations to the Board about appointments.

An **organizational review** of the College was conducted by CJS Communications Inc., which looked at whether the

College has the resources, both human and technological, to fulfill all aspects of its mandate. The consultants concluded that **more staff and technological upgrades are necessary**, including payment by credit card, publication of the register on the web site, registrant access to the register on the web site, and online registration renewal. These upgrades will be implemented over the coming year and will offer registrants more options and flexible service.

The Continuing Competence Program was launched with publication of the **professional portfolio**. The Practice Advisor has responded to **numerous questions from registrants** about the application of the College's practice standards.

The Inquiry Committee is moving ahead with **alternate resolution approaches to resolving complaints**, which would involve registrants in a dialogue about how to address the issues raised by a complaint through a tailored consensual resolution. The approach would still protect the public interest but would be more collaborative.

CALL FOR NOMINATIONS

Are you interested in making a valuable contribution to your profession? Do you want to gain experience and insight into professional health regulation issues, including registration, inquiry, discipline, quality assurance, patient relations, legislation and finance? Are you interested in learning more about the *Health Professions Act* and the College's Bylaws and in gaining some insight into the legal process? If so, now is the time to consider serving on the College's Board.

Nominations for three board member positions, each to be elected for a two-year term, are now open. The deadline for nominations is February 27, 2004.

The Board has nine members, of which six are physical therapists elected by the College's registrants, three are public representatives appointed by the Ministry of Health. A student representative chosen from the second year class at UBC's School of Rehabilitation Sciences

IN THIS ISSUE

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COLLEGE'S ACHIEVEMENTS FOR THE PAST YEAR	1
CALL FOR NOMINATIONS	1
REGISTRATION REPORT	2
CONTINUING COMPETENCY PROGRAM UPDATE	3
MEMBER ADVISORY	4
Innovative Professional Portfolio Ideas—From Registrants	
Acupuncture Reminder	
Clinical Practice Statement No. 1—Clinical Records	
FREQUENTLY ASKED QUESTIONS	5
Is it appropriate for me to treat a patient who is already receiving physical therapy from another physical therapist?	
Should I work for a clinic that is not owned by a physical therapist?	
Do I have to complete a new portfolio every year?	
Is the term 'physical therapy' protected legally for use only by physical therapists?	
COMINGS AND GOINGS	5
INQUIRY SUMMARIES	5
WHO TO CONTACT AT THE COLLEGE	7

also attends the meetings. A physical therapist board member can serve a maximum of three consecutive two-year terms.

Board members are expected to attend all board meetings and to serve on one or more College Committees. Board meetings are held at least five times a year, usually on a Saturday, in Vancouver. Some Committee meetings occur around the same time as Board meetings to facilitate travel for out of town members.

Full registrants from all parts of the province, who practice either in the public or private sector, are encouraged to accept nominations for the three upcoming vacancies on the Board. Nomination forms can be obtained from the office.

REGISTRATION REPORT

Student Registration: Clinical Placements

The Academic Clinic Co-ordinator at the University of British Columbia (UBC), Patricia Lieblich, is the only

agent to both organize student clinical placements in BC and to approve physical therapy facilities to receive student clinical placements. This applies to both Canadian and international students.

International students are now required to provide a letter from the applicant's clinical coordinator that indicates the applicant is eligible and in good standing with their University to do an international placement. This process is already in place for Canadian students.

Employers who have student placements are asked to confirm their student placement's registration status with the College, **prior to their arrival**. The College sends each student placement applicant a letter of confirmation or you may call the College directly.

If you wish to apply for affiliation with UBC for the student placement programme, please contact: Patricia Lieblich, email:lieblich@interchange.ubc.ca or telephone: 604.822-7413.

Guidelines to Complete your 2004 Renewal Form

- Provide the College with your updated mailing address.
- Watch for your renewal form by November 15. If it does not arrive: **CALL THE COLLEGE IMMEDIATELY.**
- **You may not pre-submit your renewal form.** If you are going to be out of town, designate someone to complete the form and return it to the College by the deadline, on your behalf.
- If you wish to change your registration status from inactive to full, contact the College **NOW** to request an application to submit with your renewal form as soon as you receive it as you must still meet the December 31 deadline.
- Do not mail cheques or proof of insurance to the College separately from the renewal form.
- **FILL IN THE FORM COMPLETELY** and provide signature, proof of insurance and answer **ALL** questions completely. Make sure the form and all information is completed correctly. Common cheque errors include addressing the cheque to PABC instead of CPTBC, the wrong date or amount. **Do** enter your practice hours accurately.

- **Don't improvise:** If the questions on the renewal form don't precisely reflect your situation please choose the answer provided that is closest.
- **Malpractice insurance:** no proof is required if you work in a location that is identified by its name as being a hospital or if you are insured through CPA*. All others must submit a hard copy proof of malpractice insurance (minimum \$3million per occurrence) with their renewal. Your employer **may not** submit a list to the College separately.
- **CPA** does not always provide the College with confirmation of your malpractice insurance before the December 31 deadline and, in some cases, not even before the January 31 late fee deadline. Also, if you are listed with CPA in a province other than BC, we will not be given proof of your insurance at all. If the College does not have confirmation from CPA that you have malpractice insurance, your registration will be cancelled. You may apply for reinstatement once proof of insurance through CPA is received by the College, and you pay the reinstatement fee.
- It is recommended you: **RETURN THE RENEWAL FORM, COMPLETED ACCURATELY, IMMEDIATELY. Although the deadline for submission of your renewal form is December 31, this does not allow time for any problems or corrections that may arise. Return your renewal form, cheque and proof of malpractice insurance immediately to ensure you meet the deadline of December 31.**
- **Your renewal form will be returned to you if it is in any way incomplete. If it is not returned to the College by the deadline of January 31, completed correctly, your registration will be cancelled effective February 1, 2004. With your registration cancelled you may not work until your registration has been reinstated.**

CONTINUING COMPETENCY PROGRAM UPDATE

This is a reminder that the continuing competency year has been changed to make it more convenient to report practice hours annually at registration renewal. For 2003, the continuing competency year runs from January 1st to September 30th. After this transition year the continuing competency year will run from October 1st to September

30th. By adjusting these dates you will be able to report your practice hours on your renewal form without having to estimate your hours to the end of the calendar year, as was required in previous years. The date changes apply to the completion of the professional portfolio as well as the recording of practice hours.

At this point, the Continuing Competency Sub-committee is developing a review process scheduled to begin in Fall 2004. Proposed amendments to the *Health Professions Act* include legal protection for continuing competency documents, which will prevent them from being used in court or a professional regulatory proceeding (i.e., an inquiry investigation or discipline hearing under the Act). The College's review process has been postponed to the fall of 2004 to ensure that the legal protection of continuing competency records will be in place.

The review process for the professional portfolio is being developed by the Continuing Competency Sub-committee in conjunction with the Registration Committee. The College will continue to update registrants as the review process is finalized.

If you are interested in volunteering for the Continuing Competence Sub-committee please contact the Nominations Working Committee via the office. Registrant feedback about the continuing competency program is welcome and should be directed to the Practice Advisor.

The College is committed to helping registrants meet the continuing competency requirements. If you are interested in having the Practice Advisor address registrants in your area please contact Neil Pearson at neil_pearson@cptbc.org or call 604-730-9193.

Locum Practice Advisor Hired

The College is pleased to announce that Neil Pearson has accepted the position of Locum Practice Advisor, for a term of one year, to cover Susan Paul's maternity leave.

Neil graduated from the Physiotherapy program at Queen's University in 1985, and he completed his Master's degree at Queen's in 1993. Neil spent the first four years of his physiotherapy career in public practice, and since then he has worked in private practice. There has been a consistent focus on adult education throughout Neil's career as reflected by his experience both in roles

supporting continuing clinical education in the workplace, as well as presenting courses to peers and clients, and within the Physiotherapy Schools at Queen's and UBC. Neil has experience in roles where he was responsible for both responding to questions about clinical practice and to complaints from clients and insurers. For the past two and a half years he has worked in multidisciplinary teams at Orion Health Vancouver Pain Clinic, and he will continue in that role part-time over the next year.

MEMBER ADVISORY



Innovative Professional Portfolio Ideas— From Registrants

Congratulations to the physical therapists at Ridge Meadows Hospital in Maple Ridge who have come up with a way to make recording practice hours easier. One physical therapist in the department is responsible for updating a master list of inservices and continuing education available within the department, including dates and topics of presentations, and the time involved. The department then developed a template, which includes the four categories of practice hours (clinical practice, non-clinical practice, professional service, and continuing education). Each physical therapist keeps a copy of this template at their workstation, updates it against the master list of inservices, and records practice hours under each of the categories throughout the year. This template then serves as a record of their practice hours and can be inserted into their professional portfolios at the end of the year.

A number of facilities have told us that they are getting together as a group, either by department or in some cases as sole practitioners who meet for inservices, to complete the regulatory review section of the portfolio. By reading through the section as a group they find it generates useful discussion about different ways physical therapists interpret the practice standards in their practice. It also means that when they are finished the meeting they have completed a third of their portfolio!

Penny Chamberlain, a physical therapist at Royal Jubilee Hospital in Victoria, has used the regulatory review section of the portfolio to guide departmental chart reviews. By using the section on documentation, which is taken from the Clinical Practice Statement No 1 – Clinical Records, Penny now has a template to form the basis of their chart audit. Thanks for the great idea Penny!

Acupuncture Reminder

As of September 1, 2003 Physical Therapists using acupuncture or intramuscular stimulation, at minimum, must have successfully completed one of the following:

- Level 1 (Part 1, 2A, 3A) of the AFCI written and oral examinations;
- University of Alberta, Faculty Extension's examination for the Certificate Program in Medical Acupuncture;
- IMS course through the Institute of the Study and Treatment of Pain (ISTOP), including examination and internship; or
- Equivalent academic training or a combination of academic training and practical work experience, satisfactory to the Acupuncture Credentialing Sub-committee.

If you have not completed your acupuncture training and testing by September 1, 2003 you must stop practising acupuncture on clients until you successfully complete your training and examinations.

For information on upcoming courses please contact:

Certificate Program in Medical Acupuncture, University of Alberta:*

Erin McKay

(p) 780-492-7237

(f) 780-492-9439

e-mail: erin.mckay@ualberta.ca

<http://www.extension.ualberta.ca/acupuncture>

*More information available on the CPTBC website, click on FAQ heading and see PDF file for more course information.

AAFCI

Cheryll Kwok

(p) 416-752-3988

(f) 416-752-4398

e-mail: info@afcinstitute.com

www.afcinstitute.com

ISTOP

(p) 604-264-7867

(f) 604-264-7860

e-mail: istop@istop.org

www.istop.org

Clinical Practice Statement No. 1— Clinical Records

The College has hired a physical therapist to revise Clinical Practice Statement No. 1—Clinical Records.

The new CPS will be substantially shorter and will reflect the minimal standards for clinical record keeping. An Advisory Statement will be published to offer recommendations about how to meet the practice standard. The Quality Assurance Committee, and other physical therapists, who represent a variety of practice settings, are commenting on a first draft of the proposed amendments. When the amendments are complete, the draft version of the CPS will be published for comment.

FREQUENTLY ASKED QUESTIONS

Is it appropriate for me to treat a patient who is already receiving physical therapy from another physical therapist?

The College often receives questions about concurrent physical therapy treatment. For example, a client is receiving home care physical therapy and attends an outpatient physiotherapy clinic for treatment of the same condition. When considering if it is appropriate to have concurrent physical therapy treatment the individual scenario must be considered in conjunction with College regulation. Section 55(3.4) of the College Bylaws states that "Physical therapists shall have a clear rationale for concurrently treating clients with other health professionals." Advisory Statement No. 4—Concurrent Treatment Practices contains recommendations to minimize the potential for liability should the patient have a poor outcome while receiving concurrent treatment. After reviewing the relevant regulation the physical therapist must use their professional judgment to decide if there is clear rationale for concurrent physical therapy treatment.

Should I work for a clinic that is not owned by a physical therapist?

If you are considering working as a physical therapist for a facility which is not owned by a physical therapist the following regulation will be of interest to you. Section 57(3) of the College Bylaws states that "A registrant must not enter into an agreement whereby he or she pays rental or other overhead costs based on a percentage of client billings received to an individual who is not a member of the College." Section 57(1)(d) states "A registrant must not pay fees to any person who refers a client or receive fees from any person to whom a client is referred."

Advisory Statement No. 11—Employment of Physical Therapists by Non Physical Therapists offers recommen-

dations for physical therapists to consider before entering into a contract with non physical therapists.

Do I have to complete a new portfolio every year?

Yes, the portfolio must be completed annually by all full and limited registrants. Inactive registrants must only complete the section of the portfolio dealing with practice hours. You will receive a new portfolio in September, for use from October 1st, 2003 to September 30th, 2004.

Is the term 'physical therapy' protected legally for use only by physical therapists?

This is a question that comes up weekly at the College as registrants send in articles and advertising where someone other than a physical therapist is stating that they provide 'physical therapy'. In consultation with the Canadian Alliance of *Physiotherapy* Regulators, physical therapy regulators across the country, the College Board, and the Ministry of Health Planning, the College has clarified its ability to protect the use of the practice term 'physical therapy'.

Under the Physical Therapists Regulation, the practice of 'physical therapy' is reserved exclusively to physical therapists, which allows the College to seek to prevent the use of the term by non-registrants. However, under the pending shared scopes of practice model that the Health Professions Council has recommend, which reserves potentially harmful acts to specific health professions, the practice term 'physical therapy' will no longer be protected.

The Physical Therapists Regulation protects the titles "physical therapist" and "physiotherapist" and these titles will remain protected should the shared scopes of practice model be implemented.

For more information on the proposed shared scope of practice model and physical therapy reserved acts see www.healthplanning.gov.bc.ca/leg/hpc/review/part-i/update-phystherap.html.

COMINGS AND GOINGS

Anne Voute retired, effective September 30, 2003, from being the Chair and a member of the Quality Assurance Committee. Thank you Anne for leading this Committee.



INQUIRY SUMMARIES



020830 – incompetence

A patient complained that a physical therapist who performed acupuncture had hurt her. Upon investigation, the Committee concluded that it did not have cause to take further action against the physical therapist for her qualifications to practice acupuncture, or the treatment she performed, whether the equipment used had the appropriate approvals under Clinical Practice Statement No. 2—Electrotherapy, or whether she had followed accepted standards of practice. However, the Committee requested that the physical therapist consent to a reprimand for failure to ensure that the equipment had been properly maintained in accordance with CPS#2.

021011 – professional misconduct and incompetence

A patient with an L5-S1 posterolateral protrusion complained that a physical therapist performed a manipulation to correct an upslip of the sacro-iliac joint without obtaining her consent and which caused her harm. After investigation, the Committee found insufficient evidence to suggest that the physical therapist had failed to conduct a proper assessment, otherwise follow the minimal treatment standards or obtain consent to the overall treatment plan. There was some question about whether specific consent had been obtained to the distraction technique. In the Committee's view, a distraction technique could not cause or exacerbate and L5-S1 posterolateral protrusion. The physical therapist agreed to improve his communication with his patients and to put a list of non-standard abbreviations in his clinical records so that they are easily understandable by any reader. He also agreed to meet with a member of the Inquiry

Committee to discuss the Committee's recommendations about how to obtain fully informed consent.

021016 – professional misconduct

A physical therapist complained that another physical therapist was not following the minimal treatment standards and may have billed inappropriately with respect to a particular patient for a work-related injury. There was no evidence to support the allegations.

030107 – professional misconduct

A patient, who suffered from osteoporosis, complained that a physical therapist had behaved unprofessionally and caused her harm when explaining how to perform core-stabilization exercises. The Committee took no further action as there was no evidence to substantiate the allegations. It appeared however that there was a gap between the patient's expectations and the treatment she received.

HISTORICAL SUMMARY OF COMPLAINTS MADE TO THE COLLEGE OF PHYSICAL THERAPISTS OF BC

Based on published summaries of complaints in the Update from 1994–2003

	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003
Professional Misconduct:								10	19	14
Advertising			1			1	3		2	2
Billing/fraud/false report				1	5	6	3	3	3	1
Communication				3	1	3	1	1		1
Conflict of interest					1					
Release of records			1		1	1				
Sexual impropriety				1		1	2	2	1	1
Inappropriate delegation		1	1	2			1	3		
Practicing while not registered	5					1	1			
Breach of terms of undertakings				1				1		
Mental ailment/Alcohol addiction						1			1	2
Unskilled Practice:										
Competence	2	1	3	4	3	1	4	11	14	3
Charting	2	1	4	5	5	5	4		1	1
Communication						4				2
Increase pain after treatment					4	5	3	8	6	1
Standards		1	2	1	1					1
Burns				1	1	1		1	1	
Acupuncture					1		3			
Total*	7	3	9	12	16	22	17	28	28	21

Last issue of Update reviewed for summary: Summer 2003.

Beginning in 2001 the broad heading of Professional Misconduct was used in Update summaries.

*Some complaints are entered into more than one category.

Sindy Dee Gill

A Discipline Panel has found that former Registered Physical Therapist Sindy Dee-Gill (also known as Sarinder Gill Thomas, Daneale Dee-Geyl, Sarinder K. Gill, Sarinda Gill, and Sindy Gill) has engaged in professional misconduct by abusing her professional position of trust with patients. It found she used her professional position to influence three of her patients to loan her a total of \$29,000, contrary to the standard and code of ethics of the profession. The panel found that her actions displayed a flagrant disregard for the well-being of her patients and she took advantage of them. The Panel found that her prior inquiry and discipline record constituted an aggravating circumstance. It said that previous incidents of misconduct establish a pattern of wrongdoing in increasing severity and apparent ungovernability. Increased severity of penalty not only appears to have failed to stop or even to diminish her misconduct, but it in fact become even more egregious.

The panel concluded that there is no real prospect of Ms. Dee-Gill practising physical therapy without there being a concomitant grave and constant risk that she would take advantage of her patients and seriously jeopardize their well-being. Under the *Health Professions Act*, the panel found that since Ms. Dee-Gill is no longer a registrant of the College, it is unable to impose limits or conditions on her practice, suspend her or cancel her registration. However, it was clear that in light of its assessment of the risk of harm to her patients if she were to continue to practise, if she was still a registrant, it would have had no choice other than to cancel her registration because that is the only penalty which would protect the public. Under the circumstance and given the seriousness of her misconduct, its large monetary aspect, and the fact that it is impossible to suspend or cancel her registration, the panel ordered that she be fined \$10,000 payable forthwith and that costs be assessed against her not to exceed \$15,000.

PLEASE ADDRESS ALL NEWSLETTER ITEMS AND QUERIES TO:

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WHO TO CONTACT AT THE COLLEGE

Marilyn Atkins

Acting Registrar: 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

General enquiries, student memberships

Email: arlene_gloria@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

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

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302-1765 West 8th Avenue
Vancouver, BC V6J 5C6
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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.

**GOING INACTIVE/
LEAVING THE PROVINCE?**

I am a full registrant in good standing with the CPTBC and intend to cease practice as a physical therapist in British Columbia on _____ (m/d/y).

I hereby apply for inactive status to be effective from _____ (m/d/y). I understand that as an inactive registrant I no longer need to carry malpractice insurance but must renew my registration by December 31.

(Print Name)

&

(Signature)

Registration Number

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.
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. To renew your annual registration as inactive pay the \$40 fee when you submit your renewal form to the office by December 31 to avoid cancellation of your registration. **Please notify the office of any change of address.**
6. Inactive registrants continue to be listed in the register, receive the newsletter and any College mailouts.
7. 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.