

2022 Registration Review Report

Manitoba Association of Registered Respiratory Therapists



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Introduction

The Fair Registration Practices Office (FRPO) issues this registration review report for The Manitoba Association of Registered Respiratory Therapists (MARRT) under authority of The Fair Registration Practices in Regulated Professions Act (act). Registration reviews are conducted at times specified by the director of fair registration practices and in accordance with the review provisions in the act, section 15.1, 15.2, and 15.3. The purpose of this review is to determine compliance with the legislation and to identify areas that may need improvement. Compliance to the legislation refers both to the fairness of assessment and registration practice, with particular attention to the fair consideration of internationally educated applicants, as well as the co-operation of the regulator with the director.

Manitoba's fairness legislation was amended in December 2021. This review is largely restricted to the consideration of compliance regarding three new duties in the Fair Registration Practices Code: a duty that assessment criteria be necessary, a duty to abide domestic trade agreements and a duty to notify FRPO regarding changes in assessment and registration practice. Outstanding issues raised in previous registration review reports may also be raised or result in further recommendation for action.

This registration review results in an FRPO statement of compliance for the regulator. Reviews that result in recommendations to change practice or policy contain an action plan response from the regulator, current as of November 2022.

To provide context, a brief description of MARRT's state of progress under fairness legislation to date precedes the compliance analysis. The report also includes appendices containing a flowchart of the registration process for internationally educated applicants, as well as registration data. Data is the latest information available at the time of review completion.

State of Progress

Since the introduction of Manitoba's fairness legislation in 2009, The Manitoba Association of Registered Respiratory Therapists (MARRT) has and continues to work co-operatively with FRPO. MARRT is committed to the fair assessment and registration of internationally educated applicants (IEAs).

MARRT has taken several steps to improve the fairness of its assessment and registration process including:

- working with other RT regulators on the development of a competency-based assessment process for IEAs that includes an opportunity for feedback and advice as to whether applicants should proceed from the first step, interview, to the second step, clinical assessment
- supporting the development of a project for internationally educated health professionals at the University of Manitoba designed to improve registration outcomes and workplace integration
- developing a candidate handbook for IEAs with details of the assessment and registration process

Fair Practice Analysis

I. Assessment criteria must be necessary – act, 8(4)

The criteria used in an assessment of qualifications must be necessary to assess competence in the practice of the profession.

With regard to substantive assessment criteria in a profession, for instance, the type and level of academic training required or the level of scrutiny brought to assess qualifications, FRPO recognises the authority of self-regulated professions setting these standards and will only question these requirements in the circumstance they are patently unreasonable. FRPO's evaluation focuses on the ways in which criteria and requirements may be unnecessary, unduly burdensome, or potentially result in forms of systemic discrimination, particularly as they may impact internationally educated applicants (IEAs).

MARRT's compliance to necessary assessment criteria

At this time, FRPO does not have concerns with the reasonableness and necessity of MARRT's assessment criteria and requirements for registration. Principle requirements include: academic qualifications and professional experience assessed as substantially equivalent to the Canadian education benchmark and successful completion of the Canadian Board for Respiratory Care's (CBRC) national entry-to-practice exam.

II. Duty to comply with domestic trade agreements – act,4(1)

A regulated profession must ensure that its registration practices comply with the obligations of a domestic trade agreement.

The Manitoba government has labour mobility obligations that extend to regulated occupations, under both Chapter 7: Labour Mobility of the Canadian Free Trade Agreement (CFTA) and Article 13: Labour Mobility of the New West Partnership Trade Agreement (NWPTA). In Manitoba, regulated professions are required to comply with labour mobility obligations under The Fair Registration Practices in Regulated Professions Act, section 4(1), The Labour Mobility Act, section 3(1) and for health professions, under The Regulated Health Professions Act, section 32(3).

In the regulated occupations, the purpose of these obligations is to provide labour mobility through license-to-license recognition. This needs to occur without any material requirements for training, experience, examinations or assessments — CFTA, Article 705, paragraph 1, NWPTA, Article 13, paragraphs 1 and 2.

MARRT's compliance to abide labour mobility obligations

MARRT's labour mobility policy for individuals registered in other provincial jurisdictions applying for registration in Manitoba complies with requirements set out in the Canadian Free Trade Agreement and the New West Partnership Agreement.

III. Notice of changes in registration practices – act, 5(2)

A regulated profession that proposes to change its registration practices, as described in the information provided under clause (1)(a), must notify the director of the proposed change, at the time and in the manner and form required by the director.

The purpose of notification is to ensure FRPO has accurate, up-to-date information about the registration practices of Manitoba regulators. This supports FRPO's oversight role and allows for proactive discussion about the fairness of proposed changes.

MARRT's compliance to the duty to notify

In preparation for this registration review, FRPO requested updates regarding changes to assessment and registration practice. MARRT responded to this request and is in compliance with the duty to notify.

IV. Duty to provide information – act, 5(c)

A regulated profession must provide the following information, in a clear and understandable form, to individuals applying or intending to apply for registration by the regulated profession:

FRPO raised concern in the last review with regards to MARRT's applicant information. In response, MARRT developed a candidate manual for IEAs. Many aspects of this manual require improvements and clarifications. At the time of writing this report, MARRT is revising this manual with plans to clarify information that is unclear and to expand information to include all applicant groups, including individuals applying under domestic trade agreements. The office is hopeful identified issues will be addressed through this work.

Recommendations

The Fair Registration Practices Office sees the following opportunity for The Manitoba Association of Registered Respiratory Therapists to improve compliance to The Fair Registration Practices in Regulated Profession Act:

1. Continue to review and improve applicant information on assessment and registration processes and requirements, consulting with FRPO when possible.

Regulator Action Plan

In response to the recommendation made by the Fair Registration Practices Office, The Manitoba Association of Registered Respiratory Therapists committed to the following action plan, current as of November 2022:

Recommendation	Action(s)	Anticipated Completion Date
<p>1. Continue to review and improve applicant information on assessment and registration processes and requirements, consulting with FRPO when possible.</p>	<p>1. Revise the current Internationally Educated Applicant Guide with a focus on:</p> <ul style="list-style-type: none"> • enhancing the instructions and requirements • reviewing for the use of plain language • introducing checklists and bullet points to itemise requirements • using visuals, charts, diagrams, and illustrations where appropriate • incorporating all application streams into one primary document to create an Application Guide that includes a section for each the following areas: domestic applicants from within Manitoba; domestic applicants from a self-regulated jurisdiction from within Canada; domestic applicants from within a jurisdiction within Canada that is not self-regulated; and internationally educated applicants <p>2. Continue to improve the information provided on MARRT’s website including an FAQ section for applicants to MARRT.</p> <p>3. Meet with the Dean, College of Rehabilitation Sciences to discuss opportunities for bridging or gap training within the University of Manitoba Respiratory Therapy program to address remedial gaps identified through the assessment process.</p>	<p>May 2023</p> <p>Ongoing</p> <p>Meeting date TBD</p>

Recommendation	Action(s)	Anticipated Completion Date
	<p>4. Create Language Proficiency Policy.</p> <p>5. Labour Mobility — As members of the National Alliance of Respiratory Therapy Regulated Bodies (NARTRB), labour mobility is strongly supported through a harmonised approach that is currently in place. The form and process used when RRTs move from one self-regulated jurisdiction to another is currently under review and it is anticipated that the revised form will be ready for approval at the spring 2023 NARTRB meeting.</p>	<p>April 2023</p> <p>Spring 2023 — NARTRB meeting date TBD</p>

<p align="center">Manitoba Association of Registered Respiratory Therapists</p> <p align="center">Comments</p>
<p>MARRT’s website is a continuous improvement project and the need for revisions and updates are addressed on an ongoing basis. The creation of new processes and information may take a bit longer, such as the FAQ section(s) and is part of the continuous improvement plan.</p> <p>The completion dates are estimated and are somewhat dependent on input and approval from bodies and committees whose timelines are outside of the control of MARRT’s Executive Director Registrar. MARRT will endeavour to complete the action items by the dates indicated or sooner.</p>

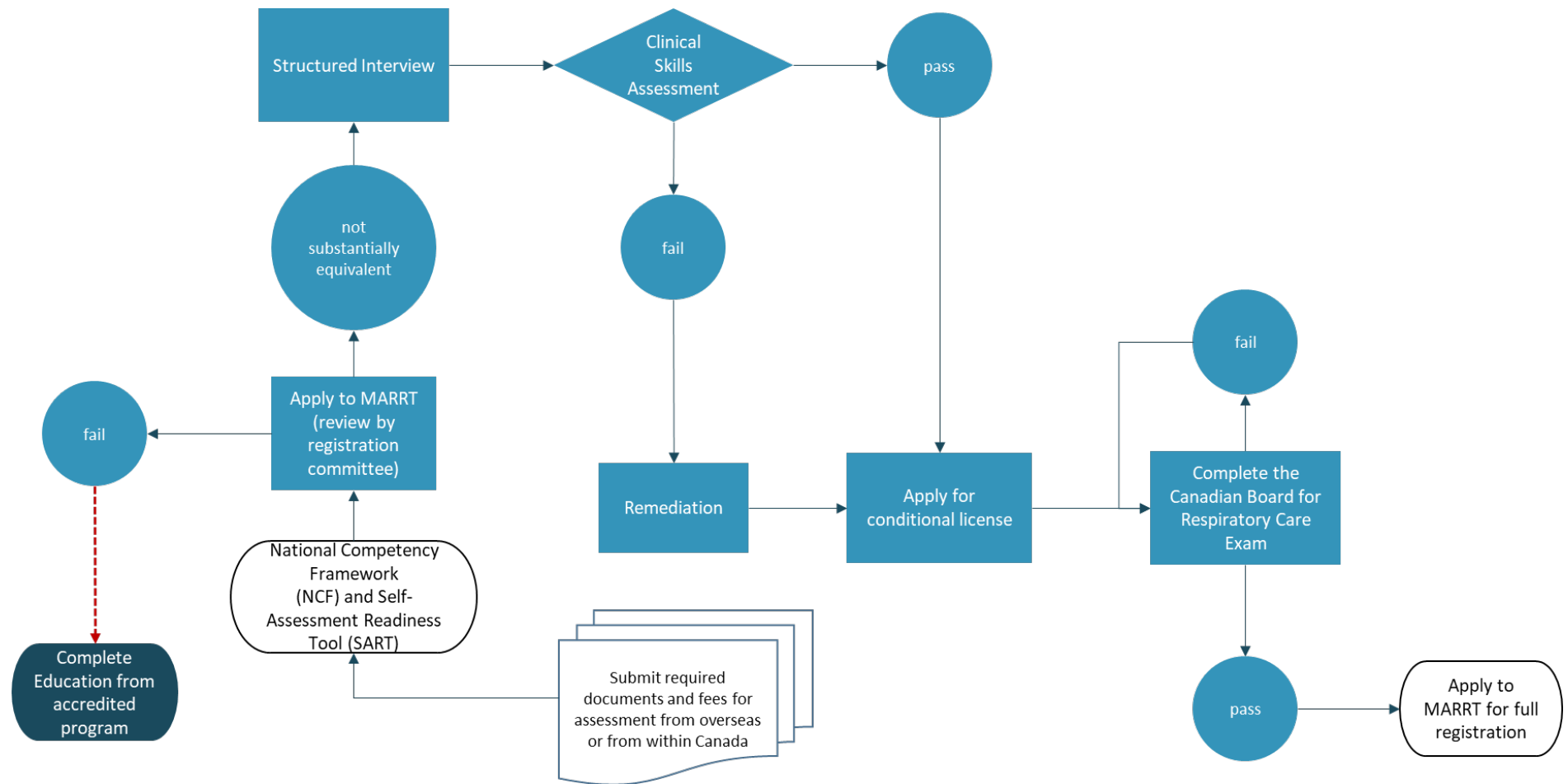
Compliance

FRPO's 2022 registration review of The Manitoba Association of Registered Respiratory Therapists (MARRT) examines their compliance to three duties in the Fair Registration Practices Code of the act; assessment criteria are necessary, labour mobility obligations are respected and FRPO is notified regarding changes in assessment and registration practice.

FRPO finds MARRT compliant with all of the above duties but raises a concern with regard to the clarity and thoroughness of their applicant information.

MARRT's action plan commitment is a positive, productive response to FRPO's recommendation. It will address this concern and help ensure better compliance to The Fair Registration Practices in Regulated Professions Act.

Appendix 1 – Registration Process for Internationally Educated Applicants



Manitoba Association of
Registered Respiratory
Therapists



373
**Registered
Members**
(As of December 2021)

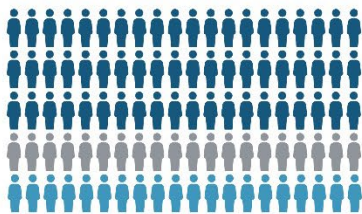
2011-2021 Internationally Educated Applicant Data



<10

applications

Application Outcomes



registered - **60%** | in process - **20%** | file closed - **20%**

Closed File Status



100%
not approved



Top Countries of Education



United States

All applicants were from
the United States.



Median Time to Registration

3 months

2012-2021 Domestic Applicant Data



223

applications

216 (97%)

registrations