

# 2023 Registration Review Report

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Manitoba Chiropractors Association



Fair Registration Practices Office



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## Introduction

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The Fair Registration Practices Office (FRPO) issues this registration review report for the Manitoba Chiropractors Association (MCA) 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 June 2023.

To provide context, a brief description of MCA'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

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The Manitoba Chiropractors Association (MCA) is committed to the fair assessment and registration of internationally educated chiropractors.

MCA's licensure process for internationally educated chiropractors is straightforward, timely and effective. Since 2011, all of MCA's 73 internationally educated applicants (IEAs), many of whom are Canadians, successfully registered in some capacity, taking on average, a little over a year to do so. Almost all in this group, 97 per cent, trained in recognised academic programs in the United States.

Since the introduction of Manitoba's fairness legislation in 2009, MCA has worked co-operatively with FRPO and taken measures to support the registration of IEAs. Measures include:

- improving IEA registration information, introducing 'Steps to Registration' and 'Document Checklist' documents
- revising and streamlining documentation requirements; passport photos no longer need to be notarised and MCA recognises the security check conducted by the federal government as part of the immigration process

## Fair Practice Analysis

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### 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).

### MCA's compliance to necessary assessment criteria

MCA's assessment criteria and various requirements for registration are for the most part warranted and reasonable. Substantive qualifications include graduating a chiropractic education program recognised by the Council on Chiropractic Education Canada (CCEC) and completing the Canadian Chiropractic Examining Board (CCEB) exams.

FRPO raises the following concern:

1. MCA requires completion of a Council on Chiropractic Education of Canada (CCE(C)) recognised academic program or a program approved by MCA's board. This is stipulated both in MCA's registration information and MCA regulation.

Currently, there are two, CCE(C) accredited programs in Canada and 34 CCE recognised programs around the world. These 34 international programs are accredited by regulatory organisations, like CCE(C), that hold membership with the Council on Chiropractic Education United States (CCE(US)) or Council on Chiropractic Education International (CCE(I)). MCA recognises graduates of CCE(US) and CCE(I).

Graduates of recognised academic programs qualify and can apply directly to the Canadian Chiropractic Examining Board (CCEB) to write national exams. Graduates of chiropractic education programs not recognised by CCEB are directed by CCEB to contact their provincial regulating authority to see whether they may be deemed eligible.

MCA's website information, however, provides little information regarding whether such an eligibility assessment is possible for applicants in this circumstance. MCA's 'Steps to Registration' document directs applicants to consult with MCA to determine if they are qualified to write the CCEB exams; no further information is provided.

FRPO notes there does not appear to be any jurisdiction in Canada that offers consideration for applicants in this circumstance. Some provincial regulators expressly state that CCEC recognised academic training is a non-exemptible requirement.

FRPO understands from MCA however, that unlike other provincial regulators, in MCA's case, an eligibility assessment is possible for an applicant without CCE recognised academic training, but that this would only occur upon appeal. To explain: MCA's regulations — The Chiropractic Act, General regulation 66/86, 2(2)a — stipulates that applicants must be a graduate of a CCE(C) recognised program or a program approved by the board. Currently, MCA's board has approved CCE(C), CCE(US) and CCE(I) recognised programs. This means anyone who has not graduated from an accredited Doctor of Chiropractic Program (DCP) upon application is denied; however, if they appeal, the applicant has an opportunity to make the case and have their academic credentials assessed with the possibility of being approved by the board and so eligibility being conferred.

FRPO understands that to date, MCA has not had any applications from chiropractors without CCE recognised academic training and consequently, no one has engaged this type of appeal. MCA registration data over the last 12 years does not indicate any individual denied registration on the grounds of unrecognised academic training. Most of their applicants were educated in the United States and a few in Australia; all successfully registered.

FRPO raises two concerns with MCA's current policy and practice: firstly, assessing applicants for eligibility only upon appeal is not appropriate and secondly, clear and accurate information about MCA's CCEB exam eligibility assessment needs to be provided.

Internationally educated chiropractors deserve fair consideration regardless of whether their academic qualification are recognised by CCEB. Individuals with academic training commensurate or substantively equivalent to graduates of recognised CCE programs should be recognised.

The need for fair consideration is not only an obligation MCA has under Manitoba's fairness legislation, but also an obligation Canada has under the recently ratified Lisbon Recognition Convention and the impending Global Convention on the Recognition of Qualifications Concerning Higher Education.

Specifically, internationally educated chiropractors from signatory jurisdictions have a right to have their qualifications recognised unless there is evidence of a substantial difference. Section VI — Recognition of higher education qualifications, Article VI.1 stipulates where a recognising party — regulator, employer or educator — does not recognise the equivalence of an applicant's higher education credential, that party is obliged to identify the shortcoming or the difference. A similar provision is found in Article V of the Global Convention.

The recognising party, in other words, has a burden of proof to make the case for non-recognition. That none of the accrediting members of the Councils on Chiropractic Education International (CCE(I)), like CCE(C), plays a role in the accreditation of a foreign academic program is not sufficient ground to withhold or deny recognition. The ratification process for signatory countries involves governments working with their education institutions to ensure the availability of information needed by recognising parties to make a substantive equivalence determination.

CCE(C) has developed an education standard that articulates educational outcomes and competencies. This lays the groundwork for the MCA board to assess unrecognised academic qualification.

Given that there has been no demand to date to assess unrecognised academic credentials, little in the way of a new assessment strategy may be needed or necessary. MCA may need to require a credential assessment and be willing to make an equivalence determination.

Mindful of the current context and without calling for the implementation of a new formal assessment, there remains a need for MCA to commit to considering applicants in this situation — should it arise — and clarify its registration material about this possibility.

2. To apply to MCA, individuals must arrange the direct, third-party submission of their chiropractic college transcripts. The Canadian Chiropractic Examining Board (CCEB) also requires applicants arrange the direct submission of transcripts — with the option or an eligibility letter for near graduates — from the applicant's chiropractic program.

To be fair, documentation requirements should be no more onerous than necessary to satisfy the need to verify and establish qualification. In this case, MCA should work with CCEB to allow for the sharing of documents, synchronising this requirement and reducing the burden on applicants. Sharing documents will require consent from applicants and the development of authorisation forms.

FRPO understands the MCA has raised this issue with CCEB and that both parties are open to developing this documentation option where privacy authorisation may allow. FRPO also notes that to date, as most MCA applicants are graduates of recognised U.S. programs, applicants do not have issues arranging the direct, third-party submission of academic documents.

## 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.

### MCA's compliance to abide labour mobility obligations

MCA's labour mobility policies for individuals registered in other provincial jurisdictions applying for registration in Manitoba do not fully comply with provisions set out in the Canadian Free Trade Agreement and the New West Partnership Trade Agreement.

FRPO identifies the following concerns:

1. There is no specific application information on MCA's website for mobility applicants. Mobility applicants must contact MCA; MCA then provides an application form that identifies the various documentation requirements and fee required. FRPO understands that increasing applicants to Manitoba was raised at a recent strategic planning session and that MCA is committed to addressing the issue. Providing accessible, accurate website information is an obligation under CFTA and NWPTA.
2. MCA requires applicants with previous licensure to have practiced 120 hours within the last three years. Applicants failing to meet this requirement may be offered a license with terms and conditions such as a period of supervised practice, mentorship or refresher training as determined by the regulator. Although few mobility applicants to MCA will likely fail to meet this requirement, practice hour requirements are material and not permitted under CFTA or NWPTA.

If the applicant is considered current by the provincial regulator in their home jurisdiction at time of application to MCA, they must be considered qualified in this respect in Manitoba. Currency of practice issues should be dealt with as MCA does with its registered members, as a matter addressed at time of registration renewal.



3. Mobility applicants must arrange for the direct, third-party submission of education transcripts. This documentation requirement appears onerous, time delaying and unnecessary. The documentation, verification and assessment of educational qualification will have already occurred with the applicant's original, initial application to another provincial regulator and labour mobility obligations do not allow any re-assessment of training qualification.

FRPO understands that to date, mobility applicants have not had an issue with this requirement. MCA has raised this the possibility of document sharing with CCEB and would be open to a document sharing arrangement with other provincial regulators if candidates provide privacy related authorisations.

### 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.

#### [MCA's compliance to the duty to notify](#)

In preparation for this registration review, FRPO requested updates regarding changes to assessment and registration practice. Updating FRPO in response to this request, MCA complies with the duty to notify.

## Recommendations

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The Fair Registration Practices Office sees the following opportunities for the Manitoba Association of Chiropractors to improve compliance to The Fair Registration Practices in Regulated Profession Act:

1. Commit to providing fair consideration and assessment for internationally educated chiropractors trained in unrecognised chiropractic programs and provide clear and complete information about this possibility.
2. Work with the Canadian Chiropractic Examining Board to formalise the ability to share applicant documents whenever authorised by candidates.
3. With regard to labour mobility applications:
  - introduce clear, complete and website-accessible information about the requirements and application process and forms
  - remove the currency of practice requirement
  - remove the requirement for the third-party submission of academic transcripts and education credentials whenever authorised by candidates

## Regulator Action Plan

In response to the recommendations made by the Fair Registration Practices Office, the Manitoba Chiropractors Association committed to the following action plan, current as of June 2023:

Recommendation(s)	Action(s)	Anticipated Completion Date
<p>1. Commit to providing fair consideration and assessment for internationally educated chiropractors trained in unrecognised chiropractic programs and provide clear and complete information about this possibility.</p>	<p>MCA commits to assessing applicants with unrecognised academic training, reviewing assessment policy to this end and revising MCA’s registration information.</p>	<p>Within three months</p>
<p>2. Work with the Canadian Examining Board of Canada to formalise the ability to share applicant documents whenever authorised by candidates.</p>	<p>MCA recognised the value in this and immediately reached out to CCEB to determine feasibility. There are steps, which must occur at CCEB — external of MCA — to allow for a change in their protocols that would capture candidate authorisation to release. CCEB indicates platform will take time — therefore in the interim, MCA is adding an authorisation section to the application form to allow candidate to direct that CCEB provide the transcript filed with CCEB directly to the MCA — CCEB has indicated that they will provide the information if written authorisation is received from candidate.</p>	<p>12 to 18 months – subject to CCEB moving ahead with discussed change of protocols.</p> <p>MCA Application form for interim measure within three months</p>

Recommendation(s)	Action(s)	Anticipated Completion Date
<p>3. With regard to labour mobility applications:</p> <ul style="list-style-type: none"> <li>introduce clear, complete and website accessible information about the requirements and application process and form</li> <li>remove the currency of practice requirement</li> <li>remove the requirement for the third-party submission of academic transcripts and education credentials, whenever authorised by candidates.</li> </ul>	<p>MCA commits for mobility application streamlining where possible to remove both the currency requirement and the requirement for third-party submission of education documents. — To clarify, if there is a letter of good standing from another province, MCA will accept copies — additionally an interim measure for an applicant to authorise release from CCEB of their transcripts may be even more streamlined for the applicant rather than providing copies that they must prepare.</p> <p>MCA commits to website review and improvements to provide clear, complete and website accessible information about requirements and application process and application form.</p>	<p>Within three months</p>

<p style="text-align: center;"><b>Manitoba Chiropractors Association</b></p> <p style="text-align: center;"><b>Comments</b></p>
<p>The MCA appreciates the FRPO’s patience and willingness to collaborate on the information.</p>

## Compliance

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FRPO's 2023 registration review of the Manitoba Chiropractors Association (MCA) 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.

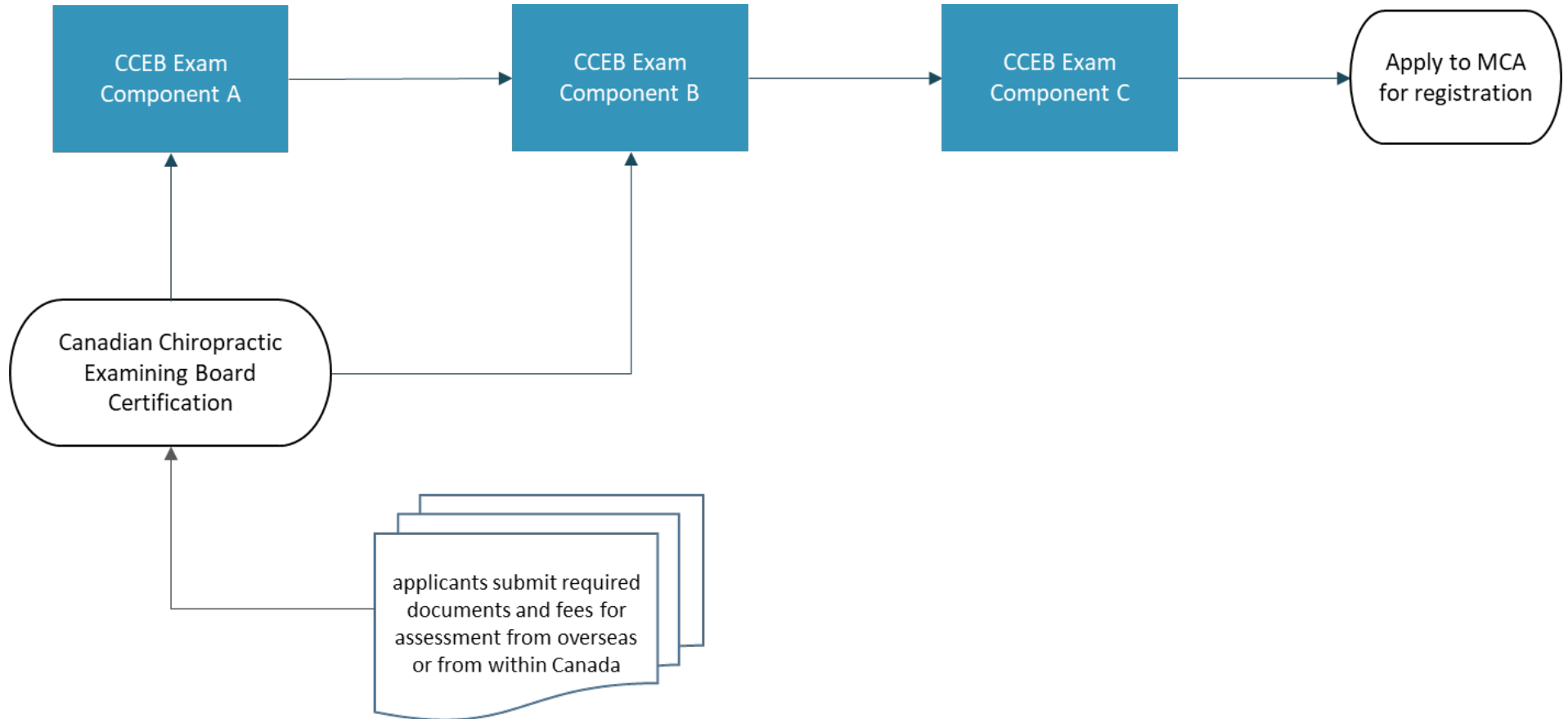
FRPO finds MCA compliant with the duty to notify FRPO regarding changes in assessment in registration practices.

FRPO raises a concern under the duty to necessary assessment criteria about the need to provide fair consideration and assessment for internationally educated chiropractors trained in unrecognised chiropractic programs. There is also a need to ensure applicants can arrange to have their third party documents shared from Canadian Chiropractic Examining Board.

With regard to the duty to abide labour mobility obligations, FRPO identifies a need for MCA to remove its currency of practice requirement and the requirement for the third party submission of education documents. There is also a need for complete and accurate application information.

MCA's action plan is a timely and commendable response to address FRPO's concerns. Although some of these actions will depend in part on other parties, FRPO has confidence in their implementation, better ensuring fair practice and compliance to The Fair Registration Practices in Regulated Professions Act.

## Appendix 1 – Registration Process for Internationally Educated Applicants



Manitoba  
Chiropractors  
Association



**290**  
Registered  
Members

(As of December 2022)

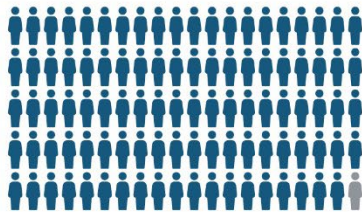
2011-2022 Internationally Educated Applicant Data



**73**

applications

Application Outcomes



registered - **99%**

in process - **1%**



Top Countries of Education



applicants were educated in **2**  
different countries



Median Time to Registration

**1.1** years

2012-2022 Domestic Applicant Data



**44**

applications

**47 (107%)**

registrations