

# ON CALL



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CMO NEWSLETTER



College of  
Midwives  
of Ontario

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# Proposed Changes: Midwifery Scope of Practice & Regulations

The College has long sought to make changes to legislation and regulations to improve the effectiveness and efficiency of its programs. This is in response to best practices in regulation, removing barriers to the delivery of safe and quality midwifery care, and improvement of the client experience in the health care system. However, changing legislation and regulations is a lengthy and thorough process that requires government and stakeholder support and significant College resources. Currently, we are well positioned to dedicate the necessary human resources to lead a fulsome review and propose changes. All legislation and regulations that define and inform the practice and regulation of midwifery have been included in this review.

At present, the College is conducting targeted consultations with our stakeholders, including the Ministry of Health and Long Term Care, the Office of the Fairness Commissioner, the Association of Midwives of Ontario, the Midwifery Education Programs, and other stakeholders.

The College is committed to ensuring that members' voices are included in the review and inform our final recommendations. A fulsome consultation process will take place in the coming months, including at [Member Education Day Forums](#) scheduled for November 2016.

# Midwives Using Electronic Communication

As electronic communication is frequently used in the practise of midwifery, there are important safeguards midwives should consider implementing to minimize risks of breaching client privacy and/or failing to meet standards of practice. The following are some suggestions:

- Provide clients with informed choice discussions regarding the risks and benefits of communicating electronically
- Recommend asking clients to sign a consent form, based on your community's needs
- Develop a policy or protocol regarding electronic communications with clients and colleagues, which can include the following:
  - subject matters that are appropriate for electronic communication as opposed to in-person visits
  - the timeframe within which electronic messages will be responded to
  - measures that should be taken to ensure the safekeeping of client information on electronic devices (e.g. password protection and encryption)
- Ensure appropriate documentation of electronic communications with clients in their medical records
- Be mindful when using a public server

Breaching client privacy and/or a standard of practice can have serious consequences for midwives. For example, they may be sued in court and/or found to have committed professional misconduct. Therefore, it is recommended that they consider the suggestions noted above and any additional factors pertaining to electronic communications that are relevant to their practise of midwifery.

## Additional Resources

- CMO's Guide on [Compliance with Personal Health Information & Protection Act \(PHIPA\)](#)
- Association of Ontario Midwives (AOM) webinar: Protecting Client Privacy in the Electronic Environment. Wednesday April 6, 2016 (also archived on the AOM's member webpage)

# Midwives Using Social Media

Social media such as Facebook, YouTube, Twitter, blogs and websites can be effective tools for midwives to connect professionally with clients, colleagues, and the public. However, their highly accessible nature can pose risks to midwives' professional obligations, including maintaining appropriate boundaries<sup>1</sup> and safeguarding client privacy<sup>2</sup>.

The following are some suggestions for midwives to consider regarding their use of social media:

- Consider whether becoming a friend of a client or following them on social media will blur professional boundaries
- Be conscious of posting photos and posts that may breach client privacy
- Discuss with clients that social media is not an appropriate forum to discuss personal health information, including clinical and time-sensitive matters
- Develop a policy or protocol regarding the use of social media at your practice. You may wish to include provisions regarding the following:
  - The goal/purpose for using social media
  - Who will be responsible for making posts
  - What information is appropriate to post about
  - Who is appropriate to friend or follow on social media
  - Appropriate security settings
  - Guidelines regarding personal social media use

Crossing professional boundaries and/or failing to safeguard client privacy can have serious consequences for midwives. For example, they may be sued in court and/or found to have committed professional misconduct. Therefore, it is recommended that they consider the suggestions noted above and any additional factors relevant to meeting their professional obligations while using social media.

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<sup>1</sup> For more information, see [CMO's Guideline on Appropriate Professional Behaviour](#).

<sup>2</sup> For more information, see [CMO's Guide on Compliance with Personal Health Information & Protection Act](#).

## Additional Resources:

- HIROC Risk Note: [Communicating Through Social Media](#)
- Association of Ontario Midwives (AOM) 2014 Webinar on Social Media (available on the Member's Only webinar archive)

# Discipline Hearing Summary

Mélanie Guérin

## **Discipline Committee Decision Summary**

On December 2, 2015, a panel of the Discipline Committee of the College of Midwives of Ontario found Ms. Mélanie Guérin guilty of professional misconduct for i) contravening the Midwifery Act, 1991, the Regulated Health Professions Act or the regulations thereunder (specifically, practising illegally); ii) practising midwifery while her certificate of registration was suspended; and iii) engaging in disgraceful, dishonourable or unprofessional conduct.

## **Facts**

The Member admitted that she engaged in professional misconduct and the Member and the College jointly agreed that the Member provided care to approximately 31 clients while suspended during three separate intervals between 2012-2015.

In the agreed statement of facts between the College and the Member, it was stated that the Member sincerely regretted that she was late in making her annual payments to the CMO and that she continued to practise midwifery while her certificate of registration was suspended. It was further stated that if the Member were to testify, her evidence would be that she was experiencing severe financial difficulties and family problems during the times in question and that she was extremely embarrassed that she was unable to pay her dues at the time and had since repaid all of them.

## **The Findings**

It was clear to the Panel that the Member practised midwifery while her Certificate of Registration was suspended for non-payment of fees. While the Panel acknowledged extenuating circumstances in the Member's life that might have contributed to her conduct, they were satisfied that a finding of professional misconduct was warranted. The Panel regarded the Member's conduct as undermining the public's confidence in the College's ability to self-regulate and exposing the public to unnecessary danger.

Continue reading on next page...

# Discipline Hearing Summary (continued)

## Penalty

Based on a joint submission by the College and the Member, the Panel made the following order:

1. Requiring Ms. Guérin to appear before a panel of the Discipline Committee to be reprimanded, with the fact of the reprimand to appear on the public register of the College;
2. Directing the Registrar to suspend Ms. Guérin's certificate of registration for six (6) weeks, to be served on dates set by the Registrar. Two (2) weeks of the suspension will themselves be suspended (i.e. so that Ms. Guérin would serve four (4) weeks suspension) if Ms. Guérin successfully completes the Jurisprudence Course and Exam by April 2, 2016, failing which she will be required to serve the remaining two (2) weeks of suspension beginning immediately on April 2, 2016;
3. The Registrar is directed to impose the following terms, conditions and limitations on Ms. Guérin's certificate of registration:
  - a. Ms. Guérin is required to successfully complete, at her own expense and to the Registrar's satisfaction, the College's Jurisprudence Course and Exam no later than June 2, 2016;
5. Ms. Guérin is required to pay to the College costs in the amount of \$1,000.00, by way of post-dated cheques in the amount of \$41.66 each beginning January 1, 2016, and running consecutively for 24 months thereafter until paid in full.
6. The Panel was satisfied that this order met the principles of protecting the public, general deterrence, specific deterrence and remediation.

In particular, the Panel was confident that upon completing the jurisprudence course, the Member would understand and meet her professional obligations, which in turn would ensure public protection. They were also confident that the order would make it clear to the membership that failure to maintain registration with the College while practising midwifery constitutes professional misconduct. They were further satisfied that the order would prevent the Member from repeating such conduct in the future and that the educational component of the order would enable the Member to better meet her professional obligations and responsibilities going forward.

# Program Updates



## Registration

Certificates of Registration are now available for download electronically through the [Member Portal](#). These changes were made to improve access for members.

### What members need to know:

- All registered members, with the exception of Inactive members, are now able to print and/or download a Certificate of Registration directly from the member portal.
- Registrants in the Supervised Practice class or the General (with new registrant conditions) class will now be asked to print a Certificate of Registration directly from the member portal to display at their place of practice.
- The new certificates do not expire as in previous years. Once the class of registration changes from Supervised Practice or General (with new registrant conditions) to General, the member will then receive a printed certificate embossed with a gold seal from the College.
- All members can download a registration wallet card from the [Member Portal](#) at any time.

### General Registrants

Members currently holding a General Certificate in the previous design will continue to display that certificate at their place of practice, however, will be able to access a copy of the new electronic certificate through the member portal, if needed. A replacement certificate due to loss, damage, or a name change will be issued from this point forward in the new design for a fee of \$100.

### Inactive Registrants

Although Inactive registrants will not have access to a Certificate of Registration while holding an inactive class of registration with the College, a Registration Wallet-Card is available for download from the member portal to confirm registration with the College.

# Program Updates

## Alternate Practice Arrangements (APA)

Select forms for Alternate Practice Arrangements have been updated to writable PDF for ease of use and submission.

Click the links below to find all forms related to the Alternate Practice Arrangement Programs, including:

- [Type 1 – Modified Primary Care, Initial and Renewal Applications](#)
- [Type 2 – Second Birth Attendant, Initial and Renewal Applications](#)

Information relating to your Alternate Practice Arrangement is now on the Public Register, please notify the College immediately if changes to your program are taking place, including:

- New Primary Care Arrangements with other health care providers
- Change in Second Birth Attendant (leaving the practice, or new application)

For more information please contact Rachel Rapaport Beck at 416 640 2252 ext. 232 or [r.beck@cmo.on.ca](mailto:r.beck@cmo.on.ca)

## Quality Assurance Program (QAP)

### Who needs to report on QAP?

All members registered in General Class (including New Registrants) and Supervised Practice class, must report on participation in QAP activities.

### When are QAP reports due?

On or before October 1, 2016

### What is the reporting period?

Members must report on QAP activities that occurred from October 1, 2015, to September 30, 2016.

### What are the QAP reporting requirements?

Members are required to report on the following:

- 3 Continuing Education & Professional Development Activities
- 6 Peer Case Reviews
- 3 Quality of Care Evaluation Action Records

Visit the QAP page to learn more about: [Proration, Inactive Class, Non-Compliance and Exemptions](#).



## Reminders

### Midwifery care for ALL

Midwives provide care to all residents of Ontario regardless of their OHIP or immigration status. Clients who are residents of Ontario are entitled to midwifery services and Midwifery Practice Groups are paid for this care. Midwifery Practice Groups are now able to access funding for the necessary lab services and other care related to pregnancy for uninsured clients. These tests include: referrals for anaesthetic, obstetric and other physician care, surgical assist (for caesarean section), lab work (including prenatal genetic testing), and ultrasound.

This important aspect of midwifery care in Ontario is also rooted in the Code of Ethics of the CMO in that midwives provide care which respects individuals' needs, values and dignity, and does not discriminate on the basis of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status or disability.

### Has your information changed?

As set out in article 14.06 of the College's [General By-Law](#), all registered midwives have a professional obligation to notify the College within 14 days of any change to:

- your name that differs from the [College's Public Register](#);
- your residential address, telephone number and personal email address;
- the name, business address and business telephone number of every practice with which you are affiliated, whether as a sole proprietor, a partner, an associate or in some other capacity as a midwife;
- the name of each hospital, birth centre and health facility in Ontario where you have privileges, as well as the date that each privilege was granted and terminated;
- any of the information required to be provided to the College pursuant to paragraphs (b) through (l) of [By-law 14.05](#).

The failure to provide accurate information to the College in a timely fashion may constitute professional misconduct, under Ontario Regulation 388/09, made under the Midwifery Act, 1991. For further details about the information that members are required to provide to the College, please refer to Article 14 of the College's [General By-law](#). You can make all information changes through the [Member Portal](#).



## General Information

### 2016 Council Meetings

All Council meetings are public and members are encouraged to attend. Council meets in Toronto at the College office at 21 St Clair Ave E, Suite 303. In 2016 Council will meet:

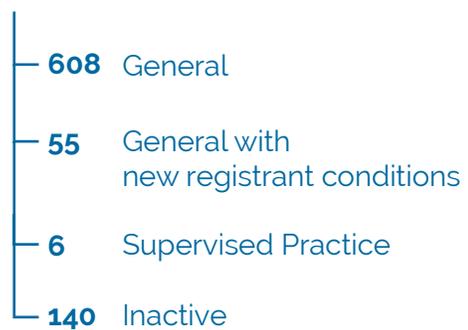
OCT <b>13</b>	DEC <b>07</b>
2016	2016

Council meeting [agendas](#) are available on our website.



### Quick Stats

Total of 809 currently registered midwives as of July 29th, 2016.



## Follow us



## CMO Staff Profile



Gina Dawe has a Bachelor of Arts from the University of Toronto in Commerce and Italian. She has twenty years of experience in the regulatory health sector, previously with the College of Opticians of Ontario and currently with the College of Midwives of Ontario. As Senior Registration Coordinator with the College of Midwives, Gina is responsible for all aspects of member registration, including examinations, initial registrations, renewals, membership reports, and compliance with the requirements of the Office of the Fairness Commissioner; and administrative support of the work of the Registration Committee. Outside of work, Gina is an avid reader, enthusiastic traveler and baker of the world's best cheesecake. Gina has two teenage children whom she enjoys long runs with and listening to their impromptu violin and guitar recitals.

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## CMO Council

### Elected Professional Members

Barbara Borland | President  
Tiffany Haidon | Vice President  
Carron Canning  
Claudette Leduc  
Lilly Martin  
Isabelle Milot  
Wendy Murko  
Jan Teevan

### Public Members

Caroline Brett  
Rochelle Dickenson  
Jennifer Lemon  
Philip Playfair  
Gemma Salamat  
Fern Sager

We welcome your feedback. Email your comments to: [admin@cmo.on.ca](mailto:admin@cmo.on.ca)

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