

ON CALL

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August 2017



College of
Midwives
of Ontario

Ordre des
sages-femmes
de l'Ontario

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MESSAGE FROM THE PRESIDENT

Share your feedback on our Professional Standards consultation



Dear midwives, stakeholders, and members of the public,

As the newly elected Council President of the College of Midwives of Ontario, I wanted to take this opportunity to introduce myself, and to share some information about an important consultation that we've started at the College.

In addition to serving as your Council President, I'm also a practising midwife. After moving to Uxbridge in 2006, I founded Uxbridge Community Midwives. I am proud to work with organizations that promote the education and training of future generations of midwives to ensure that midwifery is safe and accessible, and I bring my dedication to safe and excellent midwifery care in the public interest into this new role.

At our June 28th meeting, Council approved a plan to streamline our standards. We're planning to accomplish this through simplifying, and reducing the number of our standards of practice, and moving to a more principles-based approach to developing our standards. We've now started our first public consultation on our Professional Standards. [You can read more about our plan here.](#)

As a practising midwife, I know that these proposed changes will impact the way that I practise, and I'm encouraging all midwives to take a few minutes and give your feedback. We've also prepared a survey for midwives to fill out which you can access by [clicking here](#). Your feedback is critical, and we will give you another opportunity to share your comments later this fall. This first round of consultation has been extended to September 1st.

While midwives may find themselves the most affected by these changes on a day-to-day basis, we are also asking stakeholders and members of the public to share their feedback. [To find out how to give your feedback click here.](#)

Sincerely,

A handwritten signature in black ink that reads "Tiffany Haidon". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Tiffany Haidon
Council President
College of Midwives of Ontario

Professional Standards Public Consultation:
[Click here to find out more, and let us know what you think!](#)

MESSAGE FROM THE REGISTRAR

College of Midwives of Ontario Council Elections and Meeting Information



I want to take this opportunity to thank all midwives who voted for our College of Midwives of Ontario Council over the month of June. A total of 204 members cast their votes; 24.29% of all eligible voters.

Midwives Lisa Nussey, Claire Ramlogan- Salanga, and Edan Thomas were elected to Council, and their three year term will commence in October 2017. Congratulations to our newly elected Council members.

The College and Council would like to take this opportunity to thank Carron Canning and Claudette Leduc for their contributions to our Council over the years, their devotion to the families that our College serves to protect, and for their willingness to run for election this year.

We also thank midwives Christi Johnston, Shannon Cameron, and Crystal Hall for putting their names forward as candidates in this election.

Three new public members have been appointed to the College's Council, and we are looking forward to our first meeting with Deirdre Brett, Susan Lewis, and John Stasiw. We are grateful to outgoing public members Caroline Brett and Philip Playfair for their time on Council.

The College of Midwives of Ontario Council met June 28th, and midwife Tiffany Haidon was acclaimed as Council President. Please join us in welcoming Tiffany in this role, and read her first letter as our Council President on page three of this newsletter.

Our heartfelt appreciation is owed to outgoing Council President Barbara Borland, who has concluded her 9th consecutive year on Council and 5th year as president. Barb guided the College in its senior staffing transition in 2013, and since then has provided me with the support one would expect of a skilled and caring midwife. Thank you, Barb, for your leadership and guidance.

All of our Council meetings are open to members and the public, and we post our meeting materials online prior to our meetings. Review [materials from past meetings here](#), and check two weeks before our next meeting on October 12th to see [the agenda and materials](#).

We're always happy to hear from midwives, members of the public, and stakeholders, so please be in touch if you have any questions or comments about our Council meetings, or if you'd like to discuss any other College business.

Sincerely,

A handwritten signature in black ink that reads "Kelly Dobbin".

Kelly Dobbin
Registrar & CEO
College of Midwives of Ontario



REMINDER:

Registration, APR & QAP

All midwives are required to renew their registration and submit their Active Practice and Quality Assurance Program reports by October 1st 2017.

Click [here](#) to find out more about your registration renewal, Active Practice and Quality Assurance Program reports.

BILL 87, *Protecting Patients Act, 2017*

Bill 87, the Protecting Patients Act, 2017 was given royal assent by the Ontario Legislature on May 30, 2017. This Bill affects the *Regulated Health Professions Act, 1991* (RHPA) and impacts the way that our College regulates midwives. Read more about this important legislation below to find out how it affects midwives and midwifery clients.

About Bill 87

Bill 87 was first introduced in December 2016 and was considered by the Standing Committee on the Legislative Assembly from April 12, 2017 to May 17, 2017. College of Midwives of Ontario Registrar Kelly Dobbin [spoke to the committee](#) about the effects this legislation would have on midwives and our College, and submitted a joint letter along with many health regulators. [Click here](#) to read the letter.

How does Bill 87 affect midwives?

The entirety of Bill 87 and a summary of its impacts on health care in Ontario is posted on the Ontario Legislative Assembly's website [here](#). You can also [click here to see an overview of the changes to the RHPA](#). Some of the changes that impact midwives are listed below, but for a full understanding of all of the changes that Bill 87 makes, [please take a look at the legislation](#).

Bill 87 major changes

Discipline Committee & Inquiries, Complaints, and Reports Committee

- The Registrar can approve withdrawals of complaints by complainants when they are in the public interest. In the case of a withdrawal, the complainant and member must be notified within 14 days of the withdrawal being accepted.
- The Inquiries, Complaints, and Reports Committee (ICRC) and Discipline Committee can no longer impose gender-based restrictions on a registrant (e.g. a male registrant can only practise on male patients/clients).

- The ICRC can now order an interim suspension of a registrant when it receives a complaint or appoints an investigator, if the ICRC believes that the registrant's conduct or behaviour is likely to put patients/clients at risk. Previously the ICRC could only order an interim suspension at the time of referral to the Discipline Committee.

- For the purposes of a mandatory revocation, the definition of sexual abuse has been expanded. Touching of a sexual nature of a patient's/client's genitals, anus, breasts, or buttocks is now considered sexual abuse which will result in mandatory revocation of a midwife's registration.

- Additionally, in the event of a finding that requires mandatory revocation where a penalty hearing is deferred, a registrant's certificate will be immediately suspended.

- If there's a finding of sexual abuse and revocation is not ordered, the minimum penalty ordered by the Discipline committee must include a suspension. Previously the required minimum penalty included an oral reprimand only.

- The Minister can create regulation to advise a College how they should investigate and prosecute sexual abuse cases.

Continued on page 7.

BILL 87, *Protecting Patients Act, 2017* continued

Mandatory Reporting Obligations

- The fines for failing to report sexual abuse have increased to \$50,000 for individuals and to \$200,000 for corporations.

- Members must report to colleges if they have been charged with an offence, if a court has imposed any bail conditions or other restrictions, or if restrictions have been agreed to by the registrant. This change is not yet in force however, last year the College changed its By-laws to require members to report this information. In addition, the College's by-laws were amended to allow the posting of criminal charges and findings, as well as charges and findings under the Health Insurance Act or the Controlled Drugs and Substances Act, as well as a summary of any currently existing conditions or restrictions relating to custody or release imposed by a court or other lawful authority.

- Members must report if they are registered to practise another regulated profession inside or outside Ontario. They must report any findings of professional misconduct or incompetence by those regulators. This change is not yet in force however, College by-laws already require members to report this information. In addition, College by-laws were amended last year to allow the posting of a Member's registration or licensure history in any profession in any jurisdiction to the extent that the information is publicly available.

Public Register

- More information will be available on a midwife's profile on the Public Register.

- All Specified Continuing Education or Remediation Program(s) (SCERP) required by the Inquiries, Complaints, and Reports Committee (ICRC) in decisions released as of May 30, 2017 are posted permanently to the Public Register. Last year the College changed its by-Laws to allow the posting of SCERPS with a monitoring component to be posted for 2 years. Bill 87 supersedes this by-law.

- All oral cautions issued by the ICRC in decisions released as of May 30, 2017 are posted permanently to the Public Register. Last year the College changed its by-laws to allow the posting of oral cautions for 3 years. Bill 87 supersedes this by-law.

- A copy of the allegations of every matter referred to the Discipline Committee that has not been fully resolved must be posted, along with the date and status of the referral.

- Discipline findings posted on the Public Register must contain a synopsis of the finding and of the content of the reprimand (if applicable).

- All Acknowledgment & Undertakings (A&U) must be posted on the public register until they are fulfilled.

- The date of death of former members must be posted, if known.

- The Minister is also able to make a regulation requiring additional information be placed on the Public Register.

There are additional changes that are awaiting regulation and/or additional information to further clarify the requirement, for example committee structure and third party production orders.

These changes to the RHPA affect midwives, the public, and the way we operate as a College. This means that some of our current by-laws are inconsistent with the changes set out in Bill 87.

Midwives and the public should be aware that the RHPA supersedes our College by-laws, and we will be amending our by-laws to ensure they are consistent.

Our Council and Committees will meet over the next few months to discuss these changes and make decisions around implementation. We will continue to update members and the public throughout this process.

NEW POLICY DEVELOPMENT PROCESS

Learn how the College's move towards risk-based regulation will affect the way we create policy, and about our new Regulatory Impact Assessment Statement.

The College of Midwives of Ontario committed to reshaping our approach to regulation in 2016. Instead of prescriptive, “rules-based” regulation, we are moving towards risk-based regulation.

As part of our move towards risk-based regulation, we developed a rigorous approach to policy making to ensure that policy decisions are based on a proper evaluation of risk, solid evidence, and a thorough analysis of options and impacts.

This process ensures that regulatory tools are not adopted as the default solution but rather introduced to mitigate risk when other non-regulatory options are unable to deliver the desired results.

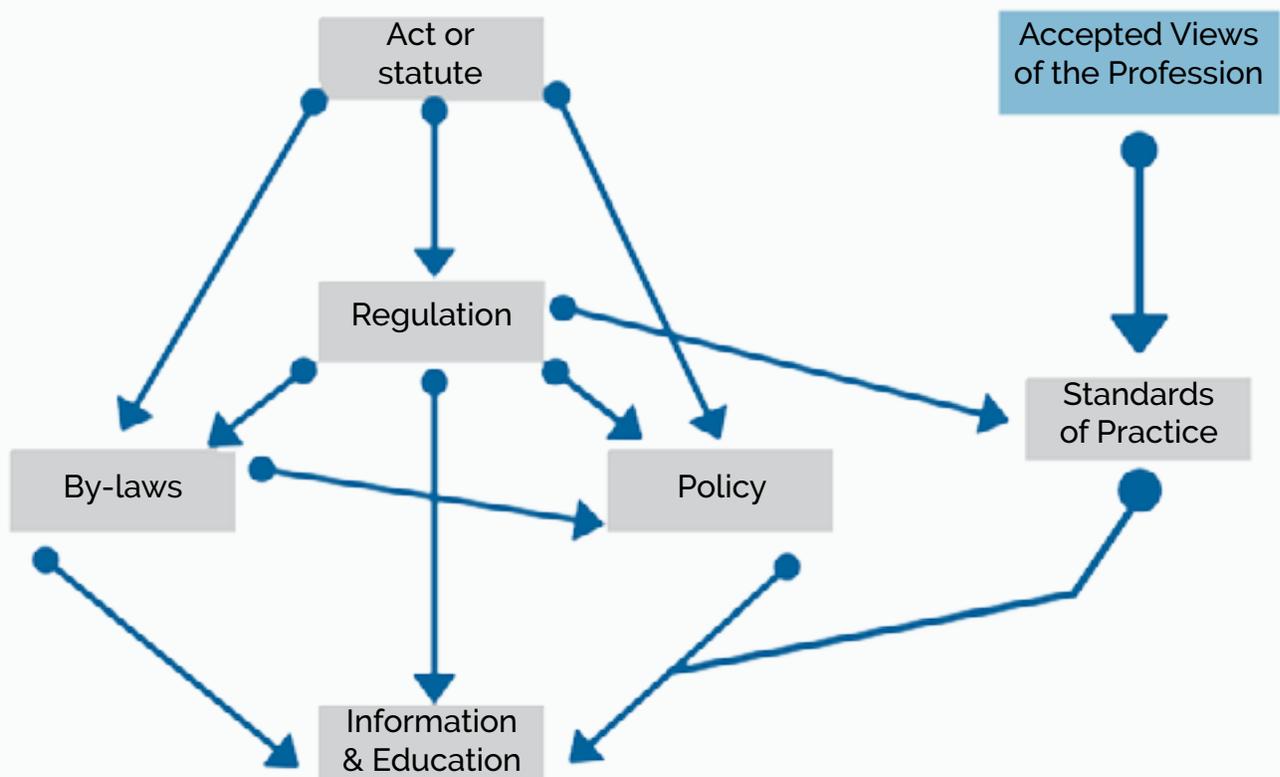
The College has a number of different forms of authority to regulate and guide the profession, including acts or statutes, regulations, by-laws, standards of practice and policies.

We also have non-regulatory tools available to use; information and education instruments developed with a simple objective of providing information or raising awareness of a particular issue. These instruments are often introduced to reinforce regulatory measures. Unlike regulatory tools, information and education instruments do not impose any requirements or restrictions; rather, information is available for practitioners to use if they find it relevant and useful.

We have defined all of our regulatory tools and non-regulatory tools, to help us determine which tool is best for which end result. [You can read the definitions of these tools here.](#)

Learn how our governing documents interact, impact one another, and how new documents are created. For a deeper understanding, [read the definitions here.](#)

Continued on page 9.



NEW POLICY DEVELOPMENT PROCESS continued

Regulatory Impact Assessment Statement

Our Regulatory Impact Assessment (RIA) Statement is our new tool for policy development.

Our regulatory impact assessment is an assessment of the expected impact of each regulatory or policy initiative that must be done before any regulatory measure is introduced or revised. The results of this analysis are, in effect, a justification of the need for regulation. Regulatory impact assessment is designed to help decision-makers (e.g. staff, Committees):

1. Understand the impact of decisions;
2. Structure ideas,
3. Test assumptions; and
4. Think beyond a regulation-based solution as the default.

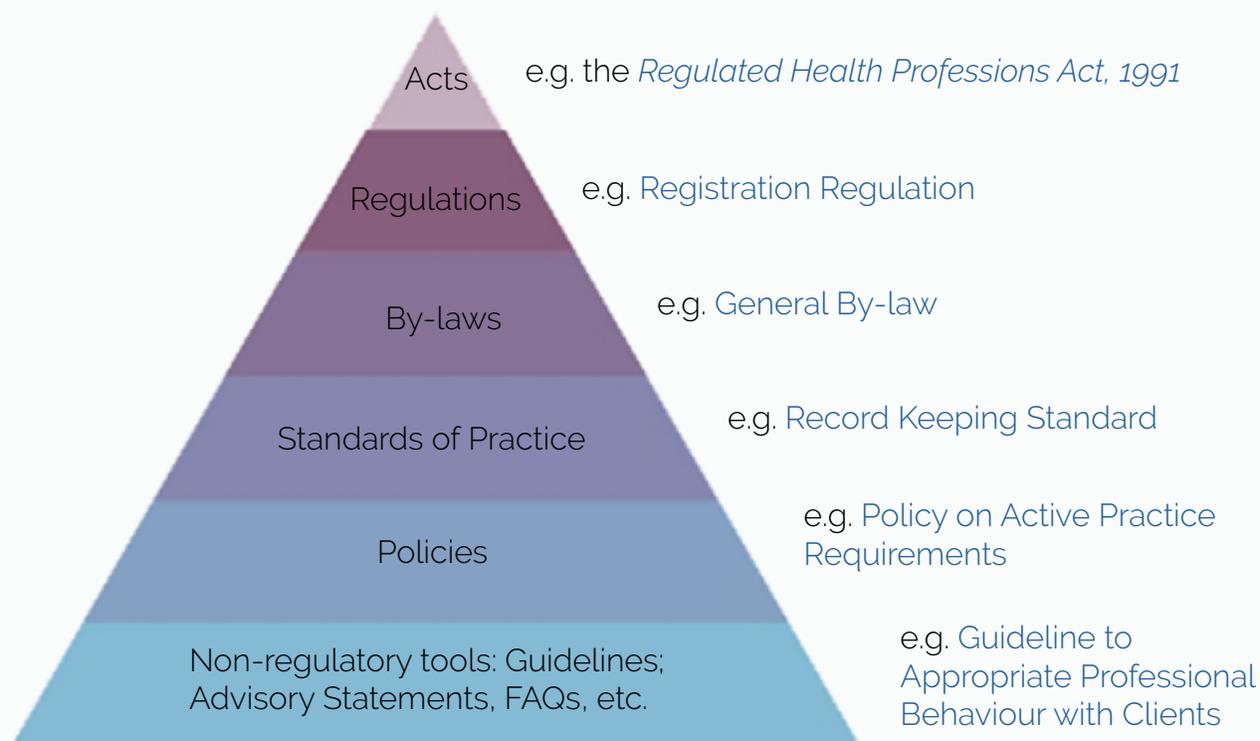
Every policy proposal designed to introduce a regulatory tool must be accompanied by a regulatory impact assessment (RIA) statement. This tool is designed to encourage rigour and better policy outcomes from the beginning and

addresses the following questions:

1. What is the problem you are trying to solve? Is it about risk of harm?
2. Are the risks you have identified currently managed?
3. Are there any alternatives to regulation that mitigate identified risks? Can the issue be resolved locally?
4. Will the burden imposed by regulation be greater than the benefits of regulation?
5. What regulatory measures are you recommending to introduce?
6. How are you planning to implement and evaluate your proposed policy option?

You can see our RIA statement tool by [clicking here](#), and see how the tool is being used in our June Council package by [clicking here](#).

Hierarchy of the College's Governing Documents



INTERIM SELF-ASSESSMENT QUESTIONNAIRE

Upcoming Changes to the Quality Assurance Program

In November 2016, the College held member focus groups in four locations across the province (Toronto, Ottawa, Thunder Bay & Guelph) to discuss the Quality Assurance Program (QAP). We also reached out to rural and remote midwifery practice groups to obtain a better understanding of the challenges that members practicing in rural and remote environments face in meeting QAP reporting requirements.

The focus groups and questionnaires from rural and remote practices provided valuable information about what works in the current program and what challenges are encountered in meeting the program's requirements.

Some of the things we heard were that people wanted a longer reporting cycle, that the Quality of Care Evaluations and the Self-Assessment Questionnaire (SAQ) do not meet the goals of the QAP, and that the flexibility of the Continuing Professional Development activities supported the goals of the QAP.

We also heard that members required more guidance about what the College does with Quality Assurance information and how to conduct rigorous peer case reviews. [To read the report on the QAP, click here.](#)

The feedback received will inform the upcoming changes to the QAP; however, the new program will not be implemented until the Quality Assurance Regulation has been approved by the Ministry of Health and Long-Term Care (MOHLTC). The proposed revisions to the Quality Assurance Regulation

were posted to the [College website for public consultation in December 2016](#). Council approved the proposed changes at their March 22, 2017, meeting, and the regulation will be submitted to the MOHLTC for their review.

The proposed changes to the regulation will allow the College to create a more flexible QAP that meets the goals of the QAP while responding to best practices in the field of Quality Assurance.

Because of all the negative feedback the College received about the SAQ both before and after the focus groups, the College's Quality Assurance Committee recently approved a revised SAQ which will be in place until the new QAP is rolled out. This [interim SAQ](#) and accompanying guideline will be posted to the Member Portal in the coming months.

There are no changes to how members will report on QAP activities for the 2016-2017 reporting year. To review the program's current requirements, please [review the information and guidelines posted on our website](#). QAP reports can be accessed through the [Member Portal](#) throughout the reporting year allowing members to easily log in and add activities as they occur.

QAP reports for the October 1, 2016 – September 30, 2017 reporting period are due no later than October 1, 2017.

Should you have any questions regarding the QAP, please contact qap@cmo.on.ca.

INFORMATION & UPDATES

2017 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 2017 Council will meet:

**OCT
12**

2017

**DEC
13**

2017

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



Quick Stats

Total of 853 currently registered midwives as of July 25, 2017

- 629 General
- 70 General with new registrant conditions
- 3 Supervised Practice
- 151 Inactive



College of Midwives of Ontario Council members at their meeting on June 28th, 2017

INFORMATION & UPDATES

Postpartum ultrasounds in Independent Health Facilities



Midwives have the authority to order pregnancy diagnostic ultrasounds and pelvic diagnostic ultrasounds under the Controlled Acts Regulation of the RHPA. However, the Schedule of Facility Fees for Independent Health Facilities (IHF Schedule) states “Ultrasound for normal, complicated or high risk pregnancy (but not for the postpartum period) rendered in an Independent Health Facility is insured when referred by a midwife who is a member of the College of Midwives of Ontario.” This has been interpreted by IHFs to mean that postpartum ultrasounds are uninsured.

A restriction on payment in the IHF setting presents a barrier to optimal care, and would be arbitrary, as midwives can order these ultrasounds in the hospital setting.

In our mandate of protecting the public, and ensuring quality midwifery care, we wrote to the Ministry of Health for some clarification on this matter. The Ministry advised that this interpretation of the IHF Schedule was incorrect, and that midwives are able to order ultrasounds in the postpartum period, even in an IHF.

According to the Ministry of Health, this language in the IHF Schedule is meant to indicate that postpartum ultrasounds cannot be claimed as pregnancy ultrasounds. In the postpartum period, midwives are able to order insured pelvic ultrasounds. There are no OHIP payment rules that block payment to a physician for a pelvic ultrasound when the service is ordered by a midwife.

In order to clarify this situation, the Ministry of Health’s Health Services Branch is going to send a bulletin to IHFs, and will propose amendments to the IHF Schedule and to the section 9 of the Diagnostic Ultrasound Preamble in the Schedule of Benefits for Physician Services. We will share these documents with you when we have them.

Updates from past issues - IPAC

We had some good feedback from our [Infection Prevention and Control \(IPAC\) article in our last newsletter](#), and wanted to take this opportunity to share a couple of new resources from Public Health Ontario. New Public Health resources that support the prevention and investigation of IPAC lapses can be [found here](#). If you missed the original article and list of resources, [click here](#).

Public Health units investigate IPAC lapses and provide support and resources as outlined in the Ministry of Health and Long-Term Care’s Ontario Public Health Standards and Protocols. Public Health notifies the College either prior to an inspection or shortly after it has been conducted.

The College’s role is to monitor the investigation, and may respond to IPAC complaints and reports according to its authority under the *Regulated Health Professions Act, 1991*. If you have any further questions about the College’s role with IPAC investigations, please get in touch at conduct@cmo.on.ca.

We welcome your feedback on our newsletters, and encourage you to get in touch if you would like more information on any article, or if you would like to request an update on any of the information we have shared here. Email cmo@cmo.on.ca to let us know what you think.

STAFF DIRECTORY

Staff Profile – Zahra Grant



Zahra has an Honors BSc from U of T in Human Biology and Equity Studies. She maintains a passion for women’s health and community engagement and loves that her work at the College juxtaposes these interests by supporting the profession of midwifery with its objective of regulation under the mandate of public interest. Zahra has three children; Yusuf (7), Deen (3), and Shahada (1) who entered the world with the invaluable support, care, and knowledge of midwives. When not working or chasing after her children, Zahra enjoys a good book with a cup of coffee or shaking her tail feather to some good tunes (preferably Beyonce.)

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CMO Council (as of August 2017)

Elected Professional Members

Tiffany Haidon, President
Carron Canning
Claudette Leduc
Lilly Martin
Isabelle Milot
Wendy Murko
Jan Teevan

Public Members

Jennifer Lemon, Vice President
Deirdre Brett
Rochelle Dickenson
Susan Lewis
Gemma Salamat
John Stasiw

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Save the Date

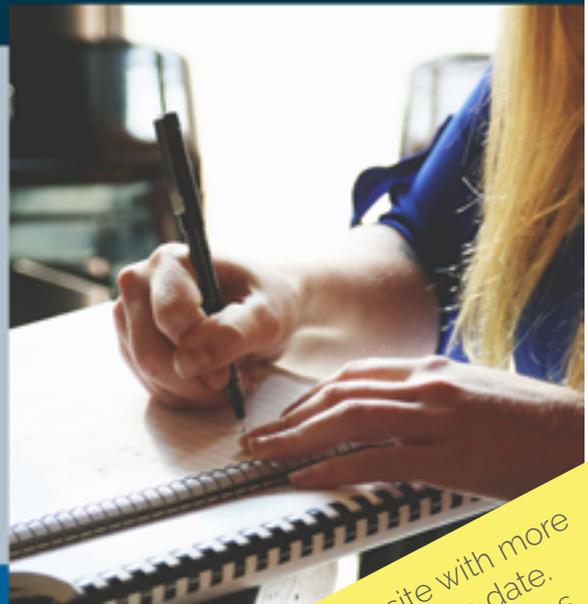
Member Education Day

November 1, 2017

The Lucie & Thornton Blackburn
Conference Centre
80 Cooperage Street, Toronto

Join us this year to learn about the changes to our Professional Standards, & **give your feedback.**

We will be joined by keynote speaker Dr. Zubin Austin, who will be giving a presentation on competency and professionalism.



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We'll update our website with more information closer to the date.
Click here to check for updates.