



# **OMFC REGISTRATION REVIEW**

## **Manitoba Chiropractors Association Final Registration Review Report (2013)**

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OFFICE OF THE MANITOBA FAIRNESS COMMISSIONER



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## Introduction

This Final Registration Review Report presents the results of the Office of the Manitoba Fairness Commissioner's (OMFC) registration review with the Manitoba Chiropractors Association (MCA) as of February 2013.

Registration reviews are conducted as part of the Fairness Commissioner's mandate to review the registration practices of regulatory bodies subject to *The Fair Registration Practices in Regulated Professions Act (Act)*.

The purpose of a registration review is to enable the Fairness Commissioner to determine a regulator's compliance to the Act and to make recommendations to improve compliance. Compliance refers first and foremost to the fairness of assessment and registration practice, with particular attention drawn to the need for the fair consideration of internationally educated applicants. It also refers to the co-operation of the regulator with the Fairness Commissioner.

The Act stipulates that a registration review for any given regulator is to be undertaken at times specified by the Fairness Commissioner. The content of a registration review is to include an analysis of the relevance and necessity of registration requirements, the timeliness of decision making, the reasonableness of fees and the registration of internationally educated individuals. This may involve the review of any third parties employed in the assessment and registration process.

The OMFC's review process culminates in a Final Registration Review Report, complete with an Action Plan from the regulator. This report is a public document submitted to the Province's Minister of Immigration and Multiculturalism and posted on the OMFC's website.

## Review Process

For the purposes of the 2012/13 registration review cycle, regulatory bodies with few internationally educated applicants and/or that rely heavily upon third parties for their assessment process participated in a self-assessment review process.

The review process had several steps: agreeing to a review schedule, arranging for the involvement of key staff and council members, participating in a two day self-assessment workshop, drafting an action plan and finalizing the plan in consultation with the Fairness Commissioner.

The process was designed to support meaningful reviews that concretely identify fairness issues and lead to progressive change.

### The Fairness Standard and Self-Assessment Workshop

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As a first review encounter with the OMFC, regulatory practice was evaluated against a single broad fairness standard as defined by the OMFC's *Fairness Standard and Criteria Document*:

***Dedicated and fair practices are applied for the assessment and registration of internationally educated applicants. Policies and procedures are documented, consistently followed and periodically reviewed to ensure their effectiveness.***

This fairness standard covers the full spectrum of fair assessment and registration practice and is defined with multiple elements and criteria in the *Fairness Standard and Criteria Document*.

Over the course of a two-day self-assessment workshop, the standard was explained and regulators examined their practice in light of the various elements and criteria involved. Special emphasis was placed on the importance of clear, complete and accurate assessment and registration information, fair third party assessment practice and the consideration of qualifications acquired through professional work experience. Solutions and best practice models were presented as regulators drafted action plans to address issues of concern.

### Action Plan & Compliance Statement

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Shortly after the workshop, regulators submitted board-approved Action Plans to the OMFC. Regulators met with the Fairness Commissioner to discuss the plans and in some instances, revisions were made.

The Action Plan contained in this report has been reviewed by the Fairness Commissioner and is comprised of actions needed to address fairness concerns and improve compliance to *The Fair Registration Practices in Regulated Professions Act*.

Concluding this report, the Fairness Commissioner's Compliance Statement provides comment on the suitability of the regulator's Action Plan and the overall compliance of the regulator's registration practice.

## Overview of the Assessment and Registration Process of the Manitoba Chiropractors Association

The Manitoba Chiropractors Association (MCA) licenses and regulates the practice of chiropractic in Manitoba under the authority of The Chiropractic Act (C.C.S.M. c. C100) and Regulations (66/86 and 100/2008). In order to practice chiropractic in Manitoba, and use the title 'Chiropractor' ("doctor of chiropractic: D.C."), persons must be licensed and registered with the MCA.

Chiropractors diagnose and treat patients whose health problems are associated with the body's muscular, nervous, and skeletal systems, especially the spine. In Manitoba most chiropractors work in private practice.

Provincial statistics indicate that 4 internationally educated chiropractors immigrated to Manitoba from 2005 and 2011.

### Qualifications

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Chief qualifications required to be licensed include possessing a doctorate of chiropractic from an academic program accredited by Canadian Federation of Chiropractic Regulatory and Educational Accrediting Boards or from an academic program judged equivalent. In addition, successful completion of the national exams administered by the Canadian Chiropractic Examining Board (CCEB) and a provincial Jurisprudence exam are required.

### Assessment and Registration Process

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Applicants initiate the assessment and registration process by contacting the MCA; confirming whether their academic credentials qualify them to write the national CCEB exam.

#### *Complete National Exam*

The CCEB exam is divided into three components.

Component A – basic and applied sciences

Component B – clinical decision making and diagnostic imaging

Component C – clinical skills evaluation

The CCEB examination is intended to test for minimal competency to enter chiropractic practice in Canada. It is built and designed from a blueprint which is based on what Canadian chiropractors encounter in everyday practice situations.

Component A and B exams consist of multiple choice questions. Component A tests basic chiropractic knowledge. Component B tests the application of that knowledge to clinical situations. Component C is an observed structured clinical encounter (OSCE) which tests a candidate's clinical skills application.

Candidates with over three years of work experience in a regulated practice environment may be exempt from taking Component A. Some candidates may be required to complete all three components.

### ***Apply to the MCA***

When an applicant has completed their CCEB examination requirements, they will apply for registration with the MCA. The following documentation will be required:

- original pre-chiropractic university transcripts
- transcripts from an accredited doctor of chiropractic educational program
- recent notarized photograph
- the names and addresses of two professional references
- application fee: \$325.00

Once all these requirements have been met, the prospective member may then write the Manitoba provincial Jurisprudence examination. This exam is currently provided on an as needed basis.

### ***Jurisprudence Examination***

The Manitoba Jurisprudence examination is an open book, multiple-choice exam that tests for knowledge related to The Chiropractic Act, Manitoba Regulations, By-Laws and Standards of Practice. The exam is written at the MCA office in Winnipeg and can usually be arranged within a few days' notice. There is no fee to write the exam as it is included in the application fee of \$325.00.

Prior to writing the Jurisprudence examination, the candidate receives a study package which contains all of the subject matter of the examination.

### ***Registration***

After successful completion of the Jurisprudence exam, the prospective member will be required to complete the following:

- application for membership to the Canadian Chiropractic Association;
- confirmation as to when the new member intends on commencing practice;
- payment of MCA membership dues;
- arrange for malpractice liability coverage which established minimum coverage of \$2 million per claim (\$4 million aggregate per year). Cost is approximately \$1,416.00 (2013) and is subject to change. Many members belong to a membership program known as the Canadian Chiropractic Protective Association.

### ***Appeal Process***

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Registration decisions that deny or condition registration can be appealed to the Board of the MCA. Appeal must be made by the applicant within 30 days from receipt of the decision. Further appeal from a decision of the MCA Board may be taken to a judge of the Court of Queen's Bench of Manitoba within two months from the date of the order or decision of the board.

National examination results are appealable to the CCEB.



## Time and Cost

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The time to be assessed and registered varies depending on the circumstance of the applicant. The MCA reports the typical timeframe is about a year. Applicants from non-accredited academic programs will require an additional 3 to 6 months. There will likely be time required to secure the required documentation and any exam re-writes will also extend the process.

Direct costs to register total approximated \$8,500.00. Additional costs may be incurred securing documentation, translating documents, preparing for exams. Significant additional costs will be incurred if exam re-writes are required.

### Fees

The costs associated with the CCEB examinations are as follows:

Component A – Basic & Applied Sciences	\$750.00 (Canadian Sites) \$1,125.00 (Australia)
Component B – Clinical Decision Making & Diagnostic Imaging	\$750.00 (Canadian Sites) \$1,125.00 (Australia)
Component C – Clinical Skills Evaluation	\$1,500.00
Administration	\$150.00
Late Fee (Components A & B)	\$375.00
Retabulation	\$150.00
Replacement CCEB Certificate	\$150.00
Appeals	\$100.00, \$250.00 or \$500.00 depending on the level of the appeal.

For 2013, the approximate cost of these assorted fees and assessments are as follows:

• License application fee	\$325.00
• CCA Dues	\$235.00
• MCA Dues	\$3,165.00
• Malpractice liability protection (cost will vary dependent on carrier) Average	\$1,416.00 - \$2,500.00

## **Manitoba Chiropractors Association's Action Plan**

In response to the self-identified Compliance Issues, the Manitoba Chiropractors Association proposed the following action plan as of February 2013. The plan is reprinted in its entirety under the 'MCA's Action Plan' column in the table below.

The MCA's Action Plan will form the basis of its relationship with the OMFC moving forward. The plan is monitored by the OMFC and will be tracked in the 'Completion Date' box of the Action Plan as it comes to fruition. As the report will be available online, this allows any interested party to see the progress to date.

Compliance Issues	Planned Action(s)	Short Term Less than 3 months	Medium Term 3 months to 1 year	Long Term 1 year or more	Completion Date
<p>The MCA recognizes the need to provide Applicants with clear, complete and accurate information about the assessment and registration process. In particular:</p> <ul style="list-style-type: none"> <li>• Qualification requirements and the criteria used to assess qualifications.</li> </ul>	<p>The MCA will establish a registration package to be forwarded to applicants which outlines qualification requirements and the criteria used to assess qualifications.</p> <p>The MCA will create a dedicated page on their public website intended for viewing by international applicants. Likewise, the website will contain information related to:</p> <ol style="list-style-type: none"> <li>a) the history of the chiropractic profession in Manitoba;</li> <li>b) how the profession is organized in Canada;</li> <li>c) a definition of various terms such as “accredited schools” including a short explanation as to how schools achieve accreditation;</li> <li>d) an explanation as to what the regulator’s expectations are with respect to the applications of those who have not graduated from an accredited school;</li> <li>e) the manner in which a typical chiropractor conducts their practice in Manitoba;</li> <li>f) a notation that previous registration in another jurisdiction is not required, but will outline the potential significance of having previously practiced in a regulated jurisdiction;</li> <li>g) a review of the qualifications and application appeal process.</li> </ol>		<p>May 2013</p> <p>May 2013</p>		

Compliance Issues	Planned Action(s)	Short Term Less than 3 months	Medium Term 3 months to 1 year	Long Term 1 year or more	Completion Date
<ul style="list-style-type: none"> <li>Documentation requirements (criminal record check)</li> </ul>	<p>The MCA is prepared to eliminate the requirement for an applicant to provide a criminal record check from their country of origin based on the presumption that the federal government has already completed a comprehensive check as part of the immigration process which equals or surpasses the MCA's regulatory requirements.</p> <p>The MCA will continue to require that an applicant provide a criminal reference check related to the time that they have been a resident of Canada.</p>		May 2013		
<ul style="list-style-type: none"> <li>Fees and fee payment options.</li> <li>A realistic sense and range of the full costs involved in the process, including common associated costs.</li> </ul>	<p>The MCA will undertake to add information related to application fees and membership dues on its applicant information package (website in particular). This will include a general time line for a typical applicant. This information will include information related to the member's requirement for professional malpractice coverage and will direct them to options in this regard, including approximate costs. Links to providers may be provided with a note that information related to cost may change from time to time.</p>		May 2013		

Compliance Issues	Planned Action(s)	Short Term Less than 3 months	Medium Term 3 months to 1 year	Long Term 1 year or more	Completion Date
<ul style="list-style-type: none"> <li>Financial support opportunities</li> </ul>	<p>The MCA will include information related to any federal or provincial financial supporting opportunities available to applicants. E.g. micro-loan program. Information will be sought from OMFC related to potential funding sources which will be added to our information.</p> <p>Likewise, the MCA will dialogue with the association's financial institution as to what financial support initiatives might be available to new applicants.</p>		<p>May 2013</p> <p>May 2013</p>		
<ul style="list-style-type: none"> <li>Step-by-step, easy-to-navigate path of the registration process.</li> </ul>	<p>The MCA will improve its communications by including a flow chart outlining the registration process as well as a numbered sequencing of steps, including a typical time line, in the registration process.</p>		<p>May 2013</p>		
<ul style="list-style-type: none"> <li>Information provided about opportunities for general and occupation-specific upgrading.</li> </ul>	<p>The MCA will include information related to what opportunities chiropractors have to enhance their practice by way of supplementary designations.</p>		<p>May 2013</p>		

Compliance Issues	Planned Action(s)	Short Term Less than 3 months	Medium Term 3 months to 1 year	Long Term 1 year or more	Completion Date
<p>The MCA recognizes the need to ensure that documentation requirements are reasonable. In particular:</p> <ul style="list-style-type: none"> <li>• Difficult-to-provide documents – e.g. originals, syllabus – are warranted.</li> </ul>	<p>As noted above, the MCA will remove the requirement for international criminal record checks provided that this information is readily available from another source (federal immigration – landed immigrant/permanent resident card) and meets our required parameters.</p> <p>The MCA is prepared to work with the OMFC to review what other protocols might be acceptable with respect to “difficult-to-provide” documents.</p> <p>The MCA will investigate the possibility of coordinating with the CCEB such that an applicant will only have to submit original academic transcripts to one of the two bodies.</p> <p>The MCA will review the need to have applicants provide a notarized copy of photographs, and will consider receipt of a government issued photo ID as being sufficient.</p>		May 2013		

Compliance Issues	Planned Action(s)	Short Term Less than 3 months	Medium Term 3 months to 1 year	Long Term 1 year or more	Completion Date
<p>The MCA recognizes the need to ensure that staff responsible for assessment and appeals, and that work with internationally educated applicants, receive appropriate training and possess relevant expertise. In particular:</p> <ul style="list-style-type: none"> <li>• Training for the assessment of academic qualifications</li> </ul>	<p>On a national basis, chiropractic regulators have banded together to review training required with respect to assessment and appeals. This is a work in progress. The proposed review panel will be known as the Chiropractic Review Committee (CRC).</p>			November 2014	
<ul style="list-style-type: none"> <li>• Appeal training</li> </ul>	<p>As noted above, the CRC training is a work in progress, but the MCA is committed to the process of its creation and training. Appeals related to the CCEB examinations are adequately covered in this respect.</p> <p>Secondly, with respect to appeals for MCA registration decisions with respect to eligibility to practice in Manitoba, the MCA is prepared to provide training on an ad hoc basis to the board of directors as is required, including the solicitation of legal advice in that regard.</p>				

Compliance Issues	Planned Action(s)	Short Term Less than 3 months	Medium Term 3 months to 1 year	Long Term 1 year or more	Completion Date
<p>The MCA recognizes the need to ensure that English and French language proficiency requirements for registration and professional practice are reasonable. In particular:</p> <ul style="list-style-type: none"> <li>• French or English language proficiency levels are identified and based on the language demands of the profession.</li> <li>• Level of language proficiency identified at key points in the registration process – e.g. entry to practice v. application or entry to gap training.</li> </ul>	<p>The MCA will specifically include information in its registration materials related to language proficiency issues as they relate to chiropractic practice in the province of Manitoba.</p> <p>The MCA acknowledges the need to communicate the language requirements related to exams part B &amp; C earlier in the registration process, as well as at key points in the process.</p> <p>Documentation to be amended to denote that professional practice in Manitoba is conducted primarily in the English language.</p>		<p>May 2013</p> <p>May 2013</p> <p>May 2013</p>		



Compliance Issues	Planned Action(s)	Short Term Less than 3 months	Medium Term 3 months to 1 year	Long Term 1 year or more	Completion Date
<ul style="list-style-type: none"> <li>The identification of the nature and type of communicative demands for professional practice and the assessment process</li> </ul>					
<p>The MCA recognizes the need to ensure that there is a fair appeal or review process available. In particular:</p> <ul style="list-style-type: none"> <li>Applicants are advised of their right to appeal.</li> </ul>	<p>The MCA will include information related to appeals on their registration material and public website.</p>		<p>May 2013</p>		

Compliance Issues	Planned Action(s)	Short Term Less than 3 months	Medium Term 3 months to 1 year	Long Term 1 year or more	Completion Date
<p>The MCA recognizes that, legal exceptions notwithstanding, applicants should have full and timely access to their assessment results and records associated with registration.</p> <p>In particular:</p> <ul style="list-style-type: none"> <li>Applicants are informed of their access to records and the process for requesting records.</li> </ul>	<p>MCA will undertake to add information related to protocols concerning access to records on their registration material and public website.</p>		<p>May 2013</p>		

## Fairness Commissioner's Statement of Compliance

The Manitoba Chiropractors Association's (MCA) Action Plan is a constructive response to the registration review. The activities and changes the MCA has committed to addressing over the next two years are positive and will improve the compliance of their assessment and registration process under The Fair Registration Practices in Regulated Professions Act.

We appreciate the keen energy and integrity the Association brought to our self-assessment workshop. They participated with an open mind to learn about fairness in the assessment and recognition of internationally educated professions and to reflect and examine their policies and practices in that light.

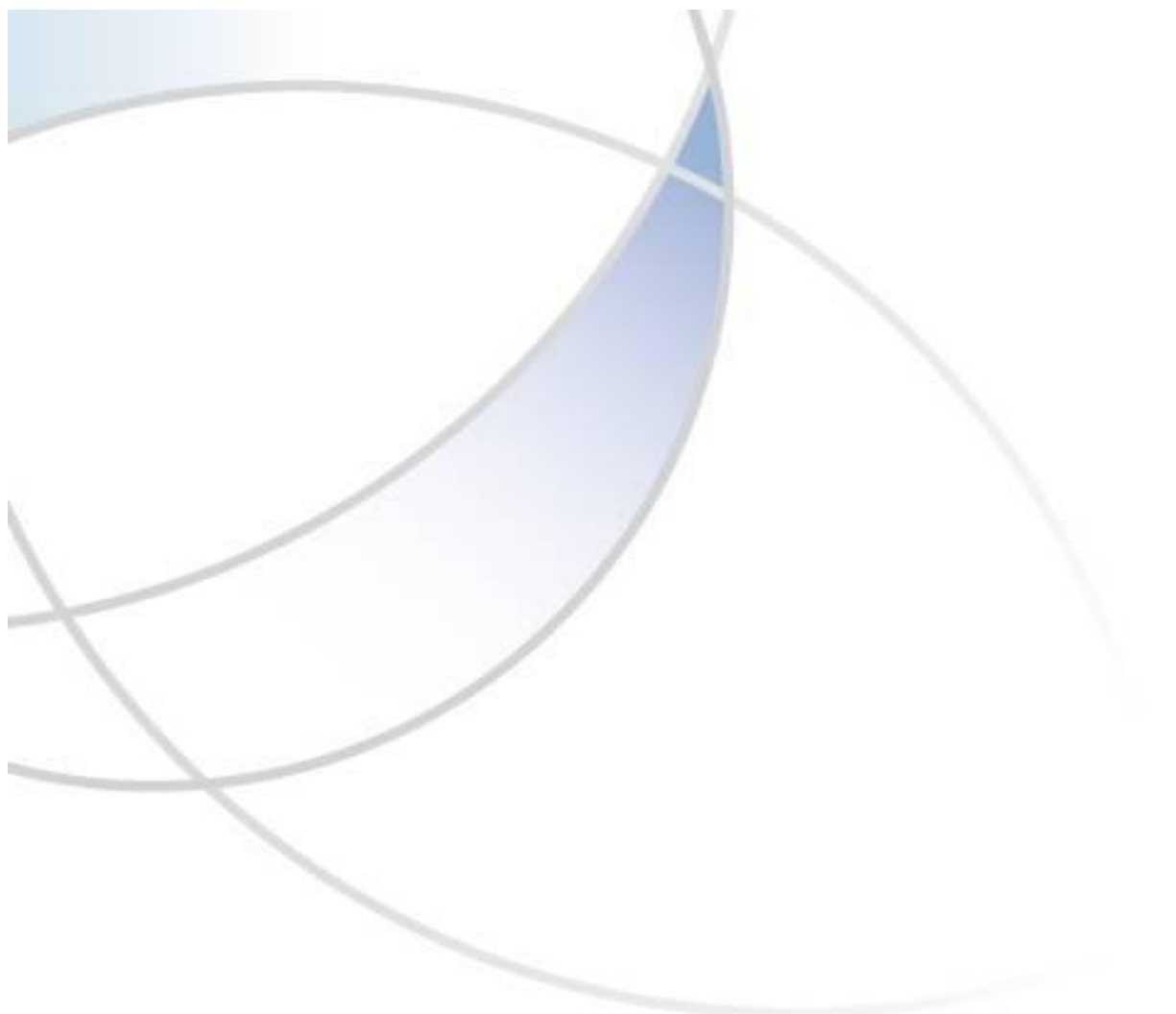
We look forward to a continued positive and fruitful relationship.



Ximena Munoz

Manitoba Fairness Commissioner





OFFICE OF THE MANITOBA  
FAIRNESS COMMISSIONER

301-155 Carlton Street, Winnipeg, MB R3C 3H8

E-mail: [omfc@gov.mb.ca](mailto:omfc@gov.mb.ca)

Tel.: 204.945.7353

Fax : 204.948.4712

[www.manitobafairnesscommissioner.ca](http://www.manitobafairnesscommissioner.ca)