



OMFC REGISTRATION REVIEW

College of Midwives of Manitoba

Final Report (2012)

OFFICE OF THE MANITOBA FAIRNESS COMMISSIONER

Introduction

This report presents the results of the Office of the Manitoba Fairness Commissioner's (OMFC) registration review with the College of Midwives of Manitoba (College or CMM) as of May 2012.

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 ensure compliance to the Act, specifically the Fair Registration Practices Code, and to make recommendations to improve compliance. As the object of the Act is a call for fair registration practice, with particular attention drawn to the need for the fair consideration of internationally educated applicants, compliance refers primarily to the fairness of assessment and registration practice. Co-operation with the Fairness Commissioner is also a matter of compliance.

The Act stipulates that a registration review for any given regulator is to be undertaken at times specified by the Fairness Commissioner. It also stipulates that the content of a registration review is to include an analysis of the relevance and necessity of registration requirements for the practice of the profession, 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.

Final Registration Review Reports are public documents submitted to the Province's Minister of Immigration and Multiculturalism. The reports are comprised of the OMFC's Findings Report for the regulator, which details the results of the registration review, and the Action Plan submitted by the regulator to address any issues raised by the Fairness Commissioner's recommendations.

This report, then, presents the OMFC's June 2011, Findings Report for the College of Midwives of Manitoba together with the College's July, 2011 and February, 2012 Action Plans. In order of presentation, this includes:

- An overview of the registration review process undertaken with the College;
- A brief description of the College's assessment and registration practice;
- A summary of the registration review findings;
- Recommendations from the Fairness Commissioner;
- The College's Action Plans to address the issues raised by the recommendations;
- A statement from the Fairness Commissioner concerning the College's proposed Action Plan.

College's Registration Review Process

In consultation with regulators, the OMFC introduced a registration review process, including documentation and compliance evaluation tools, in the fall of 2009. The multi-step, registration review process has several key phases: documenting and understanding, evaluating and hearing feedback, and developing and agreeing to an Action Plan to move things forward. The process is designed to support meaningful reviews that concretely identify fairness issues and lead to progressive change.

The College volunteered to participate as one of three regulators in the Fairness Commissioner's pilot registration reviews. An evolving, novel process, some of the timelines for the review process were more extended than anticipated. The College's registration review began in November 2009 with the steps, activities and dates as follows:

CMM's Registration Review		
Step	Activity	Date
Process Documentation	<ul style="list-style-type: none"> • Research and review of CMM's registration materials by OMFC • Meetings between OMFC and CMM to complete the documentation of the assessment and registration process • Completed <i>Process Documentation Tool</i> presented to CMM 	<ul style="list-style-type: none"> • November 2009 • December 2009 July 2010 • July 2010
Compliance Evaluation	<ul style="list-style-type: none"> • Analysis and compliance assessment by OMFC • Completed <i>Compliance Evaluation Tool</i> presented to CMM • Debrief Meeting to discuss CMM's compliance evaluation and the Fairness Commissioner's recommendations • <i>Compliance Evaluation Tool</i> finalized with relevant feedback from CMM; final tool presented to CMM 	<ul style="list-style-type: none"> • March 2011 • April 2011 • May 2011
Findings Report	<ul style="list-style-type: none"> • Findings Report summarizing registration review results provided to CMM 	<ul style="list-style-type: none"> • June 2011

CMM's Registration Review		
Step	Activity	Date
	<ul style="list-style-type: none"> • Formal request to CMM for an Action Plan 	<ul style="list-style-type: none"> • June 2011
Action Plan	<ul style="list-style-type: none"> • CMM's Action Plan in response to the Fairness Commissioner's recommendations • Additional Recommendations from the Fairness Commissioner • CMM's additional Action Plans • The Action Plan forms the basis of the CMM's and the OMFC's relationship moving forward 	<ul style="list-style-type: none"> • July 2011 • January 2012 • February 2012
Final Report	<ul style="list-style-type: none"> • Final Registration Review Report presented to CMM • Registration Review Process Completed 	<ul style="list-style-type: none"> • May 2012

Overview of CMM's Registration Process

Instituted in 1997, the CMM is one of Manitoba's more recently established regulatory bodies. The College operates under the authority of *The Midwifery Act* (C.C.S.M. c. M125), the *Midwifery Regulations, Man. Reg. 68/2000* and the *CMM By-Law No. 1*. Since 2000, all midwives practicing and using the midwife designation in Manitoba must be registered with the College.

Routes to Licensure

There are two routes to licensure as a midwife with the College:

1. **Graduate from an Approved Midwifery Education Program** – the College recognizes several Canadian midwifery programs in the province and across the country.

Graduates from approved programs must successfully write the College's Jurisdictional Exam and the Canadian Midwifery Registration Examination (National Exam).

2. **Graduate from the Multi-jurisdictional Midwifery Bridging Project (MMBP)** – Designed specifically for internationally educated midwives (IEMs), this program both assesses and gap trains IEMs for Canadian midwifery practice. Serving six jurisdictions: Manitoba, Saskatchewan, Alberta, British Columbia, Nova Scotia and the Northwest Territories, the program provides assessment, orientation, education, exposure to clinical practice, and mentorship.

MMBP graduates must successfully write the College's Jurisdictional Exam and the National Exam.

The College also supports inter-provincial mobility. Midwives that have been registered in other Canadian jurisdictions are recognized by the College. Some legally recognized material scope of practice exceptions apply.

With its participation in the MMBP in the last two years, the College has undergone a major shift in its assessment and registration process IEMs. The College no longer assesses IEMs directly, but employs the MMBP for this purpose. Consequently, much of the OMFC's registration review focuses on the compliance or fairness of the MMBP's policies and practices.

Following *The Fair Registration Practices in Regulated Professions Act*, the role of any third party in the assessment and registration process is evaluated as part of the registration review. As with any third party, the Fairness Commissioner's recommendations for any aspect of MMBP assessment practice are directed to the College as responsible for the service it employs. The College actively participated in the development of the MMBP and has a voice on the Partnership Forum that oversees it.

Application to the MMBP

The College directs IEMs interested to be licensed as a Midwife in Manitoba to apply to the MMBP for assessment and bridge training. The MMBP website provides information about the program, the practice of midwifery in Canada and a self-assessment tool.

To be eligible for the program, IEMs must meet eligibility requirements, based on inter-provincially harmonized standards, and complete an internet-based Application Portfolio. The MMBP provides assistance, in the form of application advisors, for IEMs to complete the extensive Application Portfolio.

Eligibility requirements include:

- Specified education and work experience criteria – there are different criteria for different ‘options’ of eligibility; one for those with formal education and work experience, one for those with little formal education but extensive work experience, and finally an accelerated option for near practice-ready applicants.
- English Language proficiency – a variety of language tests are accepted; lower scores are accepted to establish initial eligibility; higher scores are needed to enter the ‘Core Midwifery Phase’ of the program.

The Application Portfolio requires applicants to provide information and documentation about:

- midwifery education,
- midwifery clinical experience,
- prior midwifery registration,
- description of their current midwifery practice,
- proof of identity
- good character and professional conduct references

Note: Applicants to the MMBP can meet eligibility requirements and not be accepted into the program in the circumstance where the number of qualified applicants exceeds the available spots. The current MMBP policy is to allocate a number of spots for each jurisdiction and then, once these are committed, allow the most qualified applicants entry.

MMBP Assessment and Bridging Process

The MMBP has three phases:

1. The first phase requires IEM to meet any educational coursework requirements identified in the assessment of the Application Portfolio; e.g., coursework on the Canadian health care system and English language upgrading.
2. The 'Core Midwifery Phase' involves clinical assessments and the development of individually tailored gap training in theory and clinical practice. This includes an 'intensive' phase that requires a 5 to 6 week presence of the applicant in the jurisdiction where it is offered. Resource limitations and the small number of applicants currently restrict offering the intensive to one jurisdiction annually.
3. The final phase is a clinical placement, where IEMs practice under supervision. Trained preceptors evaluate the applicant's ability to safely practice in a Canadian context. At this stage, a criminal records check is required and the applicant must have an immigration status that permits employment and appropriate liability insurance.

Upon successful completion of the MMBP, applicants must then successfully write the National Exam and the College's Jurisprudence Exam.

Time and Cost of MMBP and CMM's Registration

While the cost and time for an IEM to register with the College will vary significantly depending on individual circumstance, a ballpark range can be seen by looking at the considerations below. The total likely time commitment will range between 9 months to several years. The costs will be in the thousands and for some will exceed five figures.

Timelines:

The MMBP runs annually, is 7 months in duration (3 months for the accelerated option) and has two fixed-date application windows which occur several months in advance of the program: this means the actual time commitment for IEMs to complete the MMBP (including time for application) is between 6 months to 2 years or more.

The National Exam is offered twice a year in Manitoba and is preceded by a 2 month application deadline. Exam results are provided within 4 to 6 weeks. The College's Jurisdictional Exam can be arranged anytime upon acceptance into the MMBP and the results are made known immediately.

Collecting and providing third-party documentation required for application to the MMBP, the CRMC's National Exam, and registration with the College – credential assessments, language test results, liability insurance documentation,

if applicable, certified translations, etc – also takes time and may cause significant delays.

Fees:

Application to the College is \$200.00 and application to the MMBP is \$300.00. The MMBP's accelerated option application is more involved and costs \$800.00. The cost for the 7 month program is \$4335.00. The accelerated option is \$2255.00. In addition, there will be costs associated with credential assessments, language tests, criminal records check, etc. There may also be additional associated costs depending on the particulars of the applicant's MMBP program; e.g. the costs language upgrading courses, computer access, liability insurance etc. The 5 to 6 week commitment in the location of the 'intensive' phase of the program, if it is out-of-province, will represent a significant cost for applicants.

The fee for the National Exam is \$750.00. The College requires \$1500.00 registration fee.

Summary of Findings

The OMFC reviews regulatory practice systematically, following the Province's Qualifications Recognition Process Model. The assessment and registration process is analyzed from the perspective of the applicant, as a set of key steps on the journey from pre-migration through to labour market entry as a recognized professional.

From this perspective, the OMFC's review of the College's assessment and registration practice found:

Preparation and Pre-migration Assessment

- The College and National Body provide IEMs with a well defined model of Canadian midwifery practice. IEMs are given a clear sense of how it differs from other models found internationally.
- A welcoming tone is evident throughout the College's, the National Body's and the MMBP's literature emphasizing the value and contribution midwives of culturally diverse backgrounds make to the profession.
- The registration information provided on the College's website is outdated and lacks critical information about the College's registration process.
- The MMBP provides accurate, clear and complete information about its program. This includes information about its assessment methods and formats, fees and timelines, and documentation requirements.
- The MMBP's on-line self-assessment tool allows IEMs the opportunity, pre-migration, to evaluate their credentials and qualifications against those needed for MMBP eligibility.

Assessment

- In circumstances where the number of eligible applicants exceeds the number of available MMBP spots, IEMs face the possibility of an indefinite delay in their registration.
- In collaboration with Red River College, the College has been involved in developing benchmarks for English proficiency. The English proficiency requirements of the MMBP are targeted for safe and competent practice. Occupationally-specific language courses are available for midwives at Red River College, subject to demand.
- A variety of language tests are accepted by the MMBP. Expiration dates are applied to language test results.
- Individual support and advice is provided to IEMs throughout the MMBP program. This includes support with their Application Portfolio and at other critical stages of the assessment process. The program assessors, advisors and educators are committed that all who enter the program, if properly

supported and willing, should be successful: a “philosophy and commitment to coaching” and “providing individualized support”.

- Communication with applicants in the MMBP is timely and systematic.
- An appeal process is in place for the MMBP. Appeals are limited to decisions in accordance with policy.
- Applicants are given detailed assessment results throughout their MMBP program. IEMs are provided detailed result by the CMRC on their National Exam results.
- Timeliness, affordability and accessibility of the MMBP and the College’s registration process will be barriers for many IEMs.

Recognition of Competence

- The MMBP provides a dedicated strategy to assess and gap train IEMs. A variety of assessment tools are employed; standards, criteria and rationale for assessment methods are well articulated; assessment methods are designed to recognize qualifications acquired through education and work experience. The bridging is tailored to the specific needs of the individual and all IEMs are provided orientation to the Canadian model of midwifery and clinical work placements.

Fairness Commissioner's Recommendations

As a result of the OMFC's registration review of the College of Midwives of Manitoba and to improve compliance to *The Fair Registration Practice in Regulated Professions Act*, the Fairness Commissioner recommends:

1. *That* the College provide clear, complete and accurate information about its assessment and registration process. A new information package is called for that includes details about:
 - Registration and documentation requirements
 - Alternative documentation and access to records
 - Language proficiency requirements, language assessment and upgrading opportunities
 - The Jurisprudence Exam and the National Exam
 - The appeals process and rights of appeal
 - The relationship between the College and the Multi-Jurisdictional Midwifery Bridging Program
 - Timeline and fee information for the College, the MMBP and the National Exam
 - Student Registration and the possibility of supervised practice in the Assessment and Bridging Program.
2. *That* the College approach the MMBP to develop a strategy to deal with qualified applicants when demand exceeds the number of available spots.
3. *That* the College work with the MMBP to reduce the cost and time of the program and registration process. This needs to include an exploration of the possibility of offering the five to six week 'Intensive I' in Manitoba.
4. *That* the College request the MMBP and National Body review their expiration policies for language test scores to ensure they are applied appropriately.
5. *That* the College request the MMBP review its appeal policy restricting appeals only to decisions not in accordance with policy.

In addition to the above June 2011 recommendations, the Fairness Commissioner also recommends as of January 2012:

6. *That* the College develop and implement an alternative route to registration for IEMs for whom the MMBP is not accessible.
7. *That* the College assess and give fair consideration to applications for student registration from applicants from non-approved midwifery education programs.

8. *That* the College review its practices to ensure the review, transition or absence of policies does not interfere with and delay the assessment of applications and the delivery of merit-based registration decisions.

CMM's Action Plan

In response to the Fairness Commissioner's recommendations, the College of Midwives of Manitoba proposed the following Action Plans as of July 2011:

1. With regard to the Fairness Commissioner's recommendation to provide clear, complete and accurate registration and assessment information, the CMM has begun to develop a new information package.

Information regarding registration and documentation requirements – application, application guidelines and a checklist – is now available on the CMM's website. Next phases involve providing information regarding the National Exam, the appeals process, the relationship between the CMM and the MMBP, student registration and timelines. The CMM website will provide direct links to the MMBP policies concerning alternative documentation and language proficiency requirements.

The CMM has engaged a plain language website review with the OMFC and has requested OMFC funding for website development.

2. With regard to the Fairness Commissioner's recommendation to reconsider the 'take-the-most-qualified-first' when supply exceeds demand for the acceptance into the MMBP, the CMM will bring this matter to the MMBP's All-Partners Forum as a participating member December, 2011. At least in the near future, evidence does not suggest demand will exceed supply. Increasing capacity of the MMBP to match the number of eligible applicants will depend on funding support.
3. With regard to the Fairness Commissioner's recommendation to work to reduce the cost and time of the MMBP and offer the Core Intensive in Manitoba, the CMM and the MMBP recognize and are committed to ensuring accessibility. The current MMBP sustainability plan involves rotating the location of the intensive among some of the participating jurisdictions: Manitoba is anticipated to host the intensive in 2013. Current fees for the MMBP are well below cost recovery and not out of line with other professional bridging programs. Funding requests will be made to the provincial governments of participating jurisdictions prior to October 2011.
4. and 5. With regard to the Fairness Commissioner's recommendation for a review of the MMBP's language test expiration policies and appeal policies, the CMM will recommend to the MMBP that language test score and appeal policies be reviewed as per the information provided by the OMFC. By September 2011, we will suggest this be a part of the MMBP's upcoming review of its application process.

In response to the Fairness Commissioner's additional recommendations, the College of Midwives of Manitoba proposed the following Action Plans as of February 2012:

6. With regard to the Fairness Commissioner's recommendation to develop an alternative route to registration, the CMM has launched a two pronged approach. Accessibility is being addressed as the MMBP evolves out of its piloting phase: a rolling assessment will be introduced so that applicants will be informed sooner of their eligibility; the accelerated option is being revised and broadened in a manner that will increase the number of near practice-ready applicants in this shorter program; and the CMM is seeking funding for individual candidates, including 'return for service agreements' with the provincial government.

Secondly, the CMM has entered into planning with the University College of the North (UCN) to provide an assessment and advance standing process that will provide an alternative route to registration for IEMs who may not qualify for the MMBP.

7. With regard to the Fairness Commissioner's recommendation for the College to allow student registration for applicants from non-approved midwifery education programs, the CMM is working with the UCN to offer a 'visiting student' course that will allow for this possibility. This will give internationally educated midwifery students the opportunity to access Manitoba midwives as preceptors and exposure to midwifery practice in the province.
8. With regard to the Fairness Commissioner's recommendation to review its practices to ensure that the absence or transition of policies does not interfere or delay assessment and the delivery of registration decisions, the CMM believes that with the actions being implemented, along with the CMM's willingness to work within our means and with the OMFC, other stakeholders and our members to ensure transparent, objective, impartial and fair registration practice, this recommendation is and will continue to be fulfilled.

Fairness Commissioner's Concurrence

The CMM's Action Plan is for the most part a progressive, comprehensive response to the recommendations resulting from the registration review. We remain concerned with the CMM's need to ensure that applicants receive timely, merit-based registration decisions amidst the change and evolution of registration policies.

The CMM is clearly committed to growing the profession of midwifery in the province and establishing a strategy that supports the recognition and integration of IEMs. This is evident in the CMM's continuing work with multiple stakeholders establishing a novel, multijurisdictional assessment and bridging program for IEMs and re-establishing a midwifery education program flexible to the needs of IEMs at the University College of the North. We truly appreciated the CMM's co-operation and openness during the registration review process and their continued willingness to work towards fairer registration practices for IEMs.



OFFICE OF THE MANITOBA
FAIRNESS COMMISSIONER

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

E-mail: omfc@gov.mb.ca

Tel.: 204.945.7353

Fax : 204.948.4712

Toll Free : 1.800.282.8069 ext. 7353

www.manitobafairnesscommissioner.ca