



# **OMFC REGISTRATION REVIEW**

## **Psychological Association of Manitoba 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 Psychological Association of Manitoba (PAM) as of July 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. Two senses of compliance are at work in the legislation. First and foremost, it refers to the fairness of assessment and registration practice, with particular attention drawn to the need for the fair consideration of internationally educated applicants. Secondly, it 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. It also stipulates that 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.

The OMFC undertook a registration review with PAM between January and July of 2013 (see appendices A & B). Several meetings were involved, documentation was gathered and reviewed, field work was conducted and PAM provided an Action Plan in response to the Fairness Commissioner's recommendations. PAM's Action Plan, as well as the OMFC'S review findings and the Fairness Commissioner's recommendations follow throughout this report.






## Registration Review Process

The OMFC's multi-step review process has several key phases: agreeing to a review schedule, documenting and understanding, evaluating and drafting the findings and recommendations, and achieving 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 Fairness Standard and Criteria Document

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For the purposes of the 2012/2013 registration review cycle, regulatory practice is evaluated against a single, broad fairness standard: ***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.*** In the Fairness Standard and Criteria Document, this fairness standard is defined by 14 elements, each further differentiated into one or more criteria.

For each criterion in the 'Fairness Standard and Criteria Document', green, yellow, and red check marks --    -- designate whether evidence is found indicating compliance, needs improvement, or non-compliance. Practices identified as needing improvement or non-compliant --  or  -- are followed by an analysis that explains the finding.

### Recommendations, Action Plan & Compliance Statement

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The Fairness Commissioner makes recommendations based on a consideration of the issues of non-compliance and areas that show opportunity for improvement. These are identified and explained in the 'Fairness Standard and Criteria Document' completed for the regulator.

The action plan, in turn, is drafted by regulators to respond to the Fairness Commissioner's recommendations. For each of the Fairness Commissioner's recommendations, regulators reply with a plan to address the concern as well as a timeline for the execution of the plan. Regulators are given opportunity to remark upon any recommendation made by the Fairness Commissioner.

Finally, 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.

### OMFC Support

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Addressing problematic practice can pose considerable challenges for regulators. No remedy may be readily at hand; third-parties may be involved; resources and expertise may be wanting. In these circumstances, the OMFC is committed to working with regulators to support and assist the development of innovative solutions and better practice.

## The Profession of Psychology in Manitoba

Psychologists research, counsel and teach across a wide range of topics related to the science of psychology or the discipline of how people think, feel and behave. They provide services to a broad range of clients -- individuals, families, organizations -- and work in a broad range of settings -- universities, schools, hospitals, and private practice.

Currently in Manitoba there is a shortage of registered psychologists. The Psychological Association of Manitoba (PAM) reports that Manitoba has one of the lowest ratios of psychologists to population in Canada. Consequently meeting the needs of the community is a challenge; waiting lists of 6 months to 1 year are not uncommon in the public system and 4 to 6 weeks for private practice.

Particularly in the cultural-sensitive field of psychology, growing the body of culturally diverse practitioners would enrich the services available for Manitoba's increasingly diverse population.

Unfortunately, few internationally educated psychologists trained outside of Canada and the United States have sought licensure in Manitoba. In part, this speaks to the North American model of academic training which requires a Doctoral degree. In many regions of the world, a Masters or Bachelors degree in psychology is the norm for the profession. In part, this is also a matter of PAM's licensing authority that authorizes the regulation of title and description of practice. Individuals can practice psychology in Manitoba so long as they do not represent themselves as psychologists or describe their activity as such. Many government employees are exempt from the legislation.

PAM is in the process of transitioning under Manitoba's new health legislation, *The Regulated Health Professions Act*, and soon will be authorized to regulate both the right to title and practice of psychology in the province.

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

The Psychological Association of Manitoba (PAM) regulates the title of psychology in the province of Manitoba under the authority of *The Psychologists Registration Act* (C.C.S.M. c. P190) and Regulations 31/2006, 57/2010, 32/2006 and 71/2011. PAM registers individuals as Psychologists, Psychological Associates, Psychologist Candidates, and Psychological Associate Candidates. With the exception of specified government employees, no person may use the title of *psychologist*, the *C.Psych.* designation, or use a title or description of services containing the words *psychological*, *psychology*, or *psychologist* unless they are registered with PAM.

### Qualifications

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Chief qualifications required for registration include a Doctoral or Master's Degree in Psychology accredited by the Canadian Psychological Association or for applicants trained outside of Canada or the United States, education judged equivalent by PAM's Registration Committee. Individuals must also possess supervised professional work experience and pass the Association of State and Provincial Psychology Boards' Examination for Professional Practice in Psychology (North American Exam) as well as PAM's oral and jurisprudence exams.

The nature of education, a Doctorate or Masters, as well as the extent of supervised practise required, depends on the category of registration involved.

Registration as a **Psychologist** requires a Psychology Doctoral Degree and the equivalent of two full-time years of supervised applied psychology practice.

Registration as a **Psychological Associate** requires a Psychology Master's Degree, and the equivalent of two full-time years of supervised applied psychology practice. To obtain independent practice privileges, a total of four (4) years of supervised practice is needed.

Candidate standing is available for those enrolled in Psychology Master's and Doctoral programs. Candidates are expected to complete a period of post-degree supervision and the North American Exam within two years of receiving their doctoral degree (for **psychologist candidates**) or within four to six years of receiving their master's degree (for **Psychologist**).

### Assessment and Review Process

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The steps in PAM's assessment and registration process are as follows:

#### **1: Assessment of Academic Qualification and Professional Work Experience**

Applicants complete PAM's application form, pay a \$200.00 application fee and submit the following documents:

- criminal record and child abuse registry checks performed by the police and child welfare agencies in the country in which the applicant worked \*



- official transcript of courses and grades for both undergraduate and graduate degrees \*
- statement verifying licensure in jurisdiction where the applicant was licensed
- references from three registered or licensed psychologists who have known the applicant and his or her work for at least one year
- for applicant trained outside of Canada and the United States, evaluation of degree by a recognized credential assessment service (World Education Services is preferred)
- identification of a primary supervisor
- appraisal form completed by the applicant's primary supervisor
- supervision record form documenting two years of full-time experience obtained under the supervision of a licensed psychologist (four years for psychological associate status)
- record of all supervised experience obtained

\* If documents are not in English, notarized translations are required.

For internationally educated psychologists (with the exception of those trained in the United State), PAM evaluates the applicant's academic credentials in-house against its 'Education Program Criteria' for Master and Doctoral academic programs in psychology.

Upon completed application, PAM informs applicants in writing within one to two months of their assessment result. Applicants are advised of the equivalence of their education and extent of supervised professional practice recognized, as well as their eligibility to proceed with the North American Exam.

## ***2. Complete the North American Exam***

The Examination for Professional Practice in Psychology (North American Exam) is administered by the Association of State and Provincial Psychology Boards. The exam is an online, 4-hour and 15-minute, multiple choice format exam that tests for foundational practice knowledge.

Documentation requirements for the exam require identification and confirmation from the regulating authority of the individual's eligibility to write the exam. Applicants pay a \$600.00 fee and schedule to write the exam at a Prometric Assessment Center (Winnipeg location is available). A variety of preparation materials, including practice exams are available on the Association of State and Provincial Psychology Boards website. PAM does not limit the number of exams attempts, although no more than four attempts are permitted in a 12 month period. Exam results are provided within a week and detailed exam feedback is provided upon request.

## ***3. Complete PAM's Oral and Jurisprudence Exam***

PAM's jurisprudence examination is an open book, multiple choice format exam designed to assess an applicant's knowledge of laws and regulations affecting the practice of psychology in Manitoba.

PAM's oral examination is the last requirement to be completed, and is not administered until all other requirements have been met.

The oral examination is a 90-minute interview conducted by a panel of three examiners. These examiners are registered psychologists with practice experience in the applicants intended area of practice. The exam is focused on determining whether the candidate appears ready to practice independently with respect to having the necessary practical skill set, theoretical knowledge base, awareness of ethical guidelines and ability to engage in reasoning and problem-solving around ethical dilemmas.

Passing the oral exam is mandatory for registration as a Psychologist (not required for Psychological Associate registration). Those applicants who do poorly or have concerns identified are given remedial opportunities to receive a passing grade. This may involve providing a written essay or being given direction to review material and re-take the oral exam.

#### **4. Register**

Upon meeting all of the above requirements, applicants must have malpractice insurance and pay a registration fee -- \$250.00 to \$985.00 depending on the category of registration. PAM processes the registration application within a few business days.

#### **Appeal Process**

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PAM's assessment and registration decisions are subject to appeal. Appeal information accompanies all of PAM's written assessment decisions that deny registration or subject it to condition. A two-step process, appeals must be filed with the PAM Registration Committee within 30 days of a decision. Unsatisfied appellants may then appeal, within 30 days of the decision, to PAM's Executive Committee who are independent of the original decision makers.

#### **Time and Cost**

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Depending on the circumstances of the applicant and the type of registration sought, upon completed application, the assessment and registration process will usually take one to three years to complete. The lion share of this process will involve the need to complete supervised practice requirements. There may also be significant delays involved in securing the required documentation and passing the North American Exam. PAM typically renders a decision within 30 to 60 days of receiving a completed application.

Direct cost for the registration process will range from \$1,100.00 to \$2,300.00 plus a credential assessment fee. There may be additional fees involved in securing documentation or possibly the translation of documents or if exam re-writes are required.

## Cost

Application fee	\$200
Credential Assessment	\$145 - \$245
Examination for Professional Practice in Psychology	\$600
Jurisprudence Examination	\$100
Oral Examination	\$400
Annual Membership Dues	
- Registered Psychologist	\$985
- Psychological Associate (Supervised Practice)	\$605
- Psychological Associate (Independent Practice)	\$985
- Psychologist Candidate	\$300
- Psychologist Associate Candidate	\$250

# Registration Review Findings

## Summary of Findings

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The Psychological Association of Manitoba (PAM) is committed to the fair assessment and recognition of Internationally Educated Psychologists (IEPs). A dedicated assessment strategy is in place for the registration of IEPs.

PAM has had little experience assessing IEPs trained outside of the United States. The current registrar has not had such an application throughout his five year experience with PAM.

For applicants trained in the United States, the assessment and registration process is straightforward and efficient. Applicants with professional registered psychological experience in the United States often require no academic upgrading, have already passed the North American exam and possess professional work experience acquired under a similar practice model. Those still in the process of graduate training face registration requirements not dissimilar to what they would find in many jurisdictions in the United States.

Lack of activity notwithstanding, PAM has put in place a reasonable strategy to assess IEPs trained outside of Canada and the United States. International academic qualifications are assessed against PAM's 'Educational Program Criteria' for Master and Doctoral Programs in psychology. Professional work experience is assessed against objective criteria and some accommodations are in place to allow for the recognition of experience that may occur in diverse regulatory environments. Conditional registration allows for applicants to meet supervised practice experience in the field and to support academic upgrading.

Without the press of experience, naturally some policies are underdeveloped. A reasonable level of English language proficiency is a registration requirement. PAM, however, has never encountered an issue, has no proficiency criteria established and assesses for proficiency informally through their interview process.

Key findings from PAM's registration review are listed below. These findings cover the range of fairness issues as defined by the Fairness Standard and Criteria document and roughly follow the order of this document (see pp. 12-23).

- The registration information for IEPs provided on PAM's website is for the most part reasonable. However some aspects of the information are not well organized and some are inaccurate and confusing. The website has recently been revised and PAM reports very positive feedback from its applicants. We find:
  - PAM provides a dedicated page for IEPs that links to the Province's occupational fact sheets that helpfully describes the registration process step-by-step. However, this information is light on detail and the fees are out of date.
  - PAM provides 'Educational Program Criteria' pages on its website that describe the guidelines and criteria that are used

to assess the equivalence of international academic programs against the North American standard.

- Supervised practice requirements outlined on PAM's 'Guidelines for Applicants for Registration' webpage are not fully clear.
  - Extensive information is provided by the Association of State and Provincial Psychology Boards (ASPPB) about the North American 'Examination for Professional Practice in Psychology'. PAM's website provides links to this information.
  - Little information is provided about PAM's Oral Examination; for information applicants are advised to contact the association. Only general information is provided about the content of the exam.
  - Documentation requirements are clear. A helpful 'application checklist' is provided.
  - Assessment timelines and key assessment dates are not provided; nor are applicants provided realistic time and cost range information or information about professional upgrading opportunities.
- PAM's Registrar provides strong personal support and assistance to applicants throughout the registration process.
  - A variety of standards documents are at hand that lay the foundation for rational regulation. These include PAM's 'Core Competencies for Professional Practice in Psychology' document and the Canadian Psychologists Association's 'Code of Ethics for Psychologists' and their 'Guidelines for Providers of Psychological Services' document. PAM is currently gathering member feedback on a draft Code of Conduct.
  - For the most part, documentation requirements are reasonable. However, IEPs are required to arrange for the third party submission of university transcripts twice: once to an approved credential assessment agency and then again to PAM. Further, Criminal and Child Abuse Registry Checks are required from the applicant's home country.
  - PAM will consider alternative documentation in the circumstance that an applicant cannot with good reason supply required documents. This policy is not presented in PAM's information package.
  - World Education Services (PAM's preferred credential assessment agency) is a member of the Alliance of Credential Evaluation Services of Canada and so committed to its comprehensive 'Quality Assurance Framework' which lays out a variety of practice standards directed at ensuring fair and objective assessments.
  - The Examination for Professional Practice in Psychology (North American Exam) is subject to extensive psychometric scrutiny by the Association of State and Provincial Psychology Boards. Review

opportunities for the exam are limited to re-scoring and computer malfunction issues.

- Preparation supports and sample exams are provided for the North American Exam by the Association of State and Provincial Psychology Boards.
- PAM has taken several measures to ensure the validity and reliability of its assessments. Objective criteria are established for the assessment of international academic programs and qualifying work experience. A 'scoring rubric' has recently been developed for PAM's Oral Examination and the interview is videotaped to capture a record of the proceedings.
- International work experience is assessed and recognized. Applicants have the opportunity to meet supervised practice requirements under conditional license.
- While having little experience with applicants trained outside of Canada or the United States, PAM is willing to factor the circumstances of applicants from diverse regulatory environments in terms of its policies concerning the recognition of professional work experience and letters of reference.
- English language proficiency is a registration requirement. However PAM has no established criteria and proficiency is assessed informally.
- Detailed written reasons accompany PAM's unfavorable assessment letters. Information regarding possible remedial options are identified.
- For the North American Exam, detailed assessment results, which identify subject matter areas where the applicant failed to meet standard, are available upon request. For those who fail the exam, this information supports future exam preparation.
- PAM has recently taken steps to improve the timeliness of its assessments. Written application results are now delivered within 60 days or less.
- All of PAM's assessment and registration decisions that deny registration or subject to condition are subject to appeal. PAM has a two-step appeal process that supports relational fairness – first to the examination committee and then to a more formal review with PAM's Executive Council. Appeal information accompanies unfavorable assessment result letters, but is not otherwise provided in PAM's registration material.

## Commendable Practices

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A number of PAM's assessment and registration practices deserve to be recognized as exemplary, fair practices. Most of these will have already been described above or in other areas of this report, but the most significant bear repeating.

- PAM recently moved to provide better reasons for unfavorable assessment decisions. Applicants now receive clear explanation of any gaps in qualification and information about remedial steps to meet standard.
- PAM's licensing regime – 'Psychologist', 'Psychological Associate', 'Psychologist Candidate' and 'Psychological Associate Candidate' – supports various levels of recognition and timely entry into practice for applicants with diverse sets of qualifications.
- Reasonable measures are in place to recognize internationally acquired work experience.

## Fairness Standard & Criteria Document – PAM Review Findings

<b>Standard: Dedicated and fair practices are in place for the assessment and registration of internationally educated applicants. Policies and procedures are documented, consistently followed and periodically reviewed to ensure effectiveness.</b>					
Elements	Criteria	Assessment			Office of the Manitoba Fairness Commissioner's Findings
		Compliant	Improvement Needs	Non-compliant	
1. Applicants are provided clear, complete and accurate information about assessment and registration process.	1. Qualification requirements and the criteria used to assess qualifications.		✓		<p>Qualification requirements and the criteria used to assess qualifications are for the most part reasonably clear. At places, information provided on PAM's website is inaccurate, lacks detail and is somewhat confusing. There are a few issues:</p> <ol style="list-style-type: none"> <li>1) On PAM's 'Guidelines for Applicants for Registration' webpage, it is stated that "Registration as a Psychological Associate (Supervised Practice) requires either a) a Psychology Doctoral Degree (alone) or b) a Psychology Master's Degree and the equivalent of two full-time years of post-Master's degree applied psychology practice experience under the supervision of a registered psychologist." PAM reports, however that they would not register someone with a doctorate as a Psychological Associate. Rather, they would be registered as a Psychologist Candidate. Further, for Psychological Associates, either two years of supervised practice or 4 years of supervised independent practice is required. This needs to be clear in the registration information.</li> <li>2) Little information is provided on PAM's website about its Oral Exam. Fee and scheduling information is provided and applicants are told to contact the association for information. PAM discloses little details about the content of the exam. Information about the length, format and content of the exam should be provided. PAM has recently developed a scoring rubric for the interview; the rubric or some version of the criteria for passing the interview should be articulated for applicants. It would also be helpful if this information contained more information about its purpose and role in PAM's assessment process. This is a mandatory requirement for registration; however, pass rates are high and remedial solutions are offered for those who do poorly.</li> </ol>



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

Elements	Criteria	Assessment			Office of the Manitoba Fairness Commissioner's Findings
		Compliant	Improvement Needs	Non-compliant	
1. Applicants are provided clear, complete and accurate information about assessment and registration process.	1. Qualification requirements and the criteria used to assess qualifications.		✓		3) PAM's registration material gives the impression that registration confers a right to practice. <i>The Psychologist Registration Act</i> confers right to title and right to the description of practice as psychological. Exemptions for government employees (hospitals, schools, etc.) are also stipulated in the legislation. A better explanation of licensure rights would be helpful.  We note the personal support and assistance applicants receive from PAM's staff throughout the registration process, to some extent mitigate the concerns we are identifying with the quality of information found on the website.
1. Applicants are provided clear, complete and accurate information about assessment and registration process.	2. Documentation requirements.	✓			
1. Applicants are provided clear, complete and accurate information about assessment and registration process.	3. Fees and fee payment options.		✓		Fees are listed on PAM's website. However, there is no mention of fee payment options.
1. Applicants are provided clear, complete and accurate information about assessment and registration process.	4. A realistic sense and range of the full costs involved in the process, including common associated costs.		✓		Specific fees are listed --e.g. PAM's application fee, Oral exam, etc. -- but no realistic estimate of the full cost range of the process or of any common associated costs are provided. A realistic estimate of the cost range of registration, including associated costs, would support proper planning for applicants.
1. Applicants are provided clear, complete and accurate information about assessment and registration process.	5. Financial support opportunities.		✓		There is no mention of financial support opportunities in the registration material. PAM reports being willing to provide links to information about Provincial programs on its website.

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

Elements	Criteria	Assessment			Office of the Manitoba Fairness Commissioner's Findings
		Compliant	Improvement Needs	Non-compliant	
1. Applicants are provided clear, complete and accurate information about assessment and registration process.	6. Timelines and key dates.		✓		Little timeline and key date information is provided on PAM's website. The length of supervised practice required is specified for the different registration categories. Reasonable timeline information can be found about the North American 'Examination for Professional Practice in Psychology' on ASPPB's website. PAM reports that upon completed application, applicants will receive a written response within 1 – 2 months. The ASPPB exam must be written within 60 days of application approval. All critical timeline information should be made clear in the registration material.
1. Applicants are provided clear, complete and accurate information about assessment and registration process.	7. A realistic sense and time range of how long the entire process often takes.		✓		No realistic time range information is provided in the registration material. According to PAM, depending on the circumstance of the applicant and the category of registration involved, the registration process will likely require 1 to 3 years. A realistic time range picture for PAM's various registers would support proper planning.
1. Applicants are provided clear, complete and accurate information about assessment and registration process.	8. Step-by-step, easy-to-navigate path of the registration process.	✓			
1. Applicants are provided clear, complete and accurate information about assessment and registration process.	9. Information provided about opportunities for general and occupation-specific upgrading.		✓		No information about opportunities for general and occupation-specific upgrading opportunities is provided. Introducing this information into the registration material would be beneficial to support planning.
2. Standards of practice are identified and periodically reviewed.		✓			

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

Elements	Criteria	Assessment			Office of the Manitoba Fairness Commissioner's Findings
		Compliant	Improvement Needs	Non-compliant	
3. Required qualifications are relevant and necessary for competent professional practice.		✓			
4. Documentation requirements are reasonable. Alternative documentation opportunities are available and explained to applicants	1. Difficult-to-provide documents – e.g. originals, syllabus – are warranted.		✓		PAM's documentation requirements are for the most part reasonable. However, applicants must arrange for the third party submission of educational transcripts twice; once to WES or an approved credential assessment agency and then again to PAM. This appears unnecessary as the credential assessment agency will verify the authenticity of the applicant's documents. We note the College of Psychologists of Ontario accepts transcript copies that have been certified by WES, so that applicants do not need to arrange for the same documentation twice. PAM reports that this has not been an issue for its applicants to date.
4. Documentation requirements are reasonable. Alternative documentation opportunities are available and explained to applicants	2. Alternative documentation opportunities are available and clearly explained.		✓		The possibility of alternative documentation is not mentioned in the registration material. PAM reports that "if documents are unavailable for legitimate reasons (e.g., destruction of institution) alternatives would be considered, however to date we have not run into this problem."
4. Documentation requirements are reasonable. Alternative documentation opportunities are available and explained to applicants	3. Criminal records policy is warranted and clearly explained.		✓		PAM requires a criminal record and child abuse registry check from the applicant's home country. The Federal Government conducts criminal records searches as a condition of immigrating. These checks are completed before individuals are granted their visas. Anyone with a residency card, for instance, has undergone a records check by the CIC. These checks are as thorough and depending on the region, often more thorough than what can be supplied by the applicant.  The Fairness Commissioner asks that Manitoba's regulators accept the CIC records check, as evidenced by possession of a residency card, to avoid a redundant and often delaying documentation requirement. We respect that the records check needs to be current and that consequently there may be circumstances in which individuals will need to supply a check for their time in Canada.

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

Elements	Criteria	Assessment			Office of the Manitoba Fairness Commissioner's Findings
		Compliant	Improvement Needs	Non-compliant	
5. Any third party assessments in the registration process are transparent, objective, impartial and fair.	1. Applicants are provided clear, complete and accurate information about the role of third party assessments in the registration process.	✓			
5. Any third party assessments in the registration process are transparent, objective, impartial and fair.	2. Measures are in place to ensure third party assessment policy and practice is fair.	✓			
5. Any third party assessments in the registration process are transparent, objective, impartial and fair.	3. Third party assessment decisions are subject to appeal.		✓		Other than provisions for re-scoring and computer malfunctions, no further review or appeal opportunities are provided for the Association of State and Provincial Psychology Boards' North American licensing exam, the Examination for Professional Practice in Psychology (EPPP). Although the Association of State and Provincial Psychology Boards has taken significant psychometric measures to ensure the fairness of the exam, this does not obviate the need of a formal appeal opportunity.
6. Assessment of qualifications is transparent, objective, impartial and fair.	1. Valid and reliable methods of assessment are employed for internationally educated applicants.	✓			
6. Assessment of qualifications is transparent, objective, impartial and fair.	2. Assessment methods and tools are subject to psychometric scrutiny and cultural review.	✓			

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

Elements	Criteria	Assessment			Office of the Manitoba Fairness Commissioner's Findings
		Compliant	Improvement Needs	Non-compliant	
6. Assessment of qualifications is transparent, objective, impartial and fair.	3. Multiple assessment methods are available. Applicants have the opportunity to demonstrate competence.	✓			
6. Assessment of qualifications is transparent, objective, impartial and fair.	4. Knowledge and skills acquired through work experience are assessed, including international work experience.	✓			
6. Assessment of qualifications is transparent, objective, impartial and fair.	5. International educational credentials are subject to a reasonable, valid equivalency assessment: reasonable measure has been taken to acquire an informed understanding of the content of international educational programs and their equivalence to Canadian programs.	✓			
6. Assessment of qualifications is transparent, objective, impartial and fair.	6. The regulator has objective standards and criteria to assess knowledge and competencies acquired through work experience.	✓			

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

Elements	Criteria	Assessment			Office of the Manitoba Fairness Commissioner's Findings
		Compliant	Improvement Needs	Non-compliant	
7. Staffs responsible for assessment, appeals and working with internationally educated applicants received appropriate training and possess relevant expertise	1. Training for the assessment academic qualifications.	✓			
7. Staffs responsible for assessment, appeals and working with internationally educated applicants received appropriate training and possess relevant expertise	2. Training for the assessment of work experience	✓			
7. Staffs responsible for assessment, appeals and working with internationally educated applicants received appropriate training and possess relevant expertise	3. Appeal training	✓			
7. Staffs responsible for assessment, appeals and working with internationally educated applicants received appropriate training and possess relevant expertise	4. Cross-cultural training.	✓			

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

Elements	Criteria	Assessment			Office of the Manitoba Fairness Commissioner's Findings
		Compliant	Improvement Needs	Non-compliant	
8. English and French language proficiency requirements for registration and professional practice are reasonable.	1. French or English language proficiency levels are identified and based on the language demands of the profession.		✓		<p>English language proficiency is a registration requirement. Applicants are subject to an <i>informal</i> evaluation during PAM's oral exam/interview. PAM reports that to date they have not had an issue with an applicant struggling with English language proficiency.</p> <p>There is a need to identify the specific levels of English language proficiency required based on the language demands of the profession.</p> <p>It may be beneficial for the profession to identify and promote practitioners with foreign language capabilities and culture knowledge to better serve culturally diverse segments of Manitoba's population.</p>
8. English and French language proficiency requirements for registration and professional practice are reasonable.	2. Level of language proficiency identified at key points in the registration process – e.g., entry to practice vs. application or entry to gap training.		✓		<p>Level of English Language proficiency has not been identified for the EPPP exam. PAM reports that if applicants are successful, they likely possess a reasonable degree of proficiency. In PAM's assessment process, English language proficiency is informally assessed as part of the last step required before entry to practice.</p>
8. English and French language proficiency requirements for registration and professional practice are reasonable.	3. The identification of the nature and type of communicative demands for professional practice and the assessment process		✓		<p>The nature of linguistic and communicative demands for professional practice and the assessment process have not been identified. While PAM, to date, has had no experience with second language applicants, information about the level of language proficiency required for competent practice and the assessment process would be helpful for these applicants in the future.</p>
8. English and French language proficiency requirements for registration and professional practice are reasonable.	4. The appropriate use of language proficiency tests, expiration dating and test-scores.				Not applicable.

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

Elements	Criteria	Assessment			Office of the Manitoba Fairness Commissioner's Findings
		Compliant	Improvement Needs	Non-compliant	
8. English and French language proficiency requirements for registration and professional practice are reasonable.	5. A variety of English language test are recognized				Not applicable.
9. Assessment and registration process is relationally fair.	1. Written reasons accompany assessment results.	✓			
9. Assessment and registration process is relationally fair.	2. Detailed feedback is provided about qualification gaps.	✓			
9. Assessment and registration process is relationally fair.	3. Applicants have the opportunity to discuss assessment and registration decisions of concern.	✓			
9. Assessment and registration process is relationally fair.	4. Applicants without appropriate qualifications receive advice and information about alternative careers.	✓			
10. Registration process allows for different levels of recognition.	1. Opportunity for restricted or conditional license and supervised practice.	✓			



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

Elements	Criteria	Assessment			Office of the Manitoba Fairness Commissioner's Findings
		Compliant	Improvement Needs	Non-compliant	
10. Registration process allows for different levels of recognition.	2. Re-assessment only required in areas where competence has not been demonstrated.	✓			
10. Registration process allows for different levels of recognition.	3. Time-frames for re-assessment are consistent with currency of practice standards.	✓			
11. A fair appeal or review process is available.	1. All assessment and registration decisions that deny or condition registration are subject to appeal	✓			
11. A fair appeal or review process is available.	2. Appeal or review committee members are independent from those responsible for the original decision	✓			
11. A fair appeal or review process is available.	3. Timely hearings and appeal decisions	✓			
11. A fair appeal or review process is available.	4. Detailed, written reasons are provided to appellants for unfavorable decisions.	✓			

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

Elements	Criteria	Assessment			Office of the Manitoba Fairness Commissioner's Findings
		Compliant	Improvement Needs	Non-compliant	
11. A fair appeal or review process is available.	5. Applicants are advised of their right to appeal.		✓		Appeal information is not provided in the registration information. Applicants are advised of their right of appeal in any written assessment decision that denies registration or subjects it to condition. Beyond appeal information accompany assessment letters, we suggest it would be helpful if appeal information were provided in PAM's registration material.
11. A fair appeal or review process is available.	6. Appeal information accompanies any assessment and registration decision subject to appeal.	✓			
12. Legal exceptions notwithstanding, applicants have full and timely access to their assessment results and records associated with registration.	1. There is a process under which requests for records are considered. Fees for access to records are reasonable and do not exceed cost recovery.	✓			
12. Legal exceptions notwithstanding, applicants have full and timely access to their assessment results and records associated with registration.	2. Applicants are informed of their access to records and the process for requesting records.		✓		Applicants have access to records upon request. No information about access to records is presented in the registration material.
13. Fees involved in the assessment and registration process are reasonable.	1. Fees do not exceed cost recovery.	✓			

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

Elements	Criteria	Assessment			Office of the Manitoba Fairness Commissioner's Findings
		Compliant	Improvement Needs	Non-compliant	
14. Assessment and registration process is timely.	1. Reasonable measure is taken to ensure the prompt processing of applications and assessments.	✓			
14. Assessment and registration process is timely.	2. Communication with applicants is timely and systematic.		✓		<p>PAM has had challenges in the past with timely responses for applicants and has taken a variety of measures to improve timely responses for applicants. As a result, delays are now typically an issue with incomplete applications and missing documents. Currently it is incumbent upon applicants to ensure complete application material and documents.</p> <p>A more pro-active communication strategy, where PAM would contact applicants with missing documents would further promote timeliness. PAM reports that this form of accommodation would pose a resource challenge.</p>
14. Assessment and registration process is timely.	3. Assessment and registration process is structured efficiently and minimizes unnecessary delays.	✓			

## Fairness Commissioner's Recommendations

As a result of the OMFC's registration review of the Psychological Association of Manitoba (PAM) and to ensure compliance to The Fair Registration Practices in Regulated Professions Act, the Fairness Commissioner recommends:

1. With regard to the assessment and registration information, *that* PAM provide clear, complete and accurate information about:
  - a. The qualification requirements for the various categories of registration;
  - b. The purpose, content, format and scoring criteria for PAM's Oral Interview and Exam;
  - c. The right to title and description of practice PAM's licensure confers;
  - d. Fee payment options, financial support opportunities and professional upgrading opportunities;
  - e. Assessment result timelines, key dates and realistic time and cost range for the registration process;
  - f. Access to records and the possibility of alternative documentation.
2. With respect to the appeal process:
  - a. *That* PAM provide complete, clear and accurate appeal information in the registration material, including timelines and the process to initiate appeal;
  - b. *That* the Examination for Professional Practice in Psychology be subject to appeal and that PAM contact the Association of State and Provincial Psychology Boards responsible for the administration of the Examination for Professional Practice in Psychology to request formal appeal opportunities be established.
3. *That* with regard to PAM's documentation requirements, applicants are no longer required to arrange for the third party submission of educational transcripts twice; once to WES or an approved credential assessment agency and then again to PAM.
4. *That* for permanent residents, PAM no longer requires criminal record and child abuse registry checks from their country of origin.
5. With respect to PAM's English language proficiency requirement:
  - a. *That* PAM identify English language proficiency criteria based on the demands of professional practice, as well as identify the proficiency

demands of the assessment process;

- b. *That* PAM provide information about the importance of English language proficiency and how applicants may meet the requirement.
6. *That* PAM implement a pro-active communication strategy, contacting applicants whose applications are incomplete or have missing documents.

## Psychological Association of Manitoba's Action Plan

In response to the Fairness Commissioner's Recommendations, the Psychological Association of Manitoba proposed the following action plan as of July 2013. The plan is reprinted in its entirety under the 'PAM's Planned Action(s)' column in the table below.

The PAM'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.

OMFC's Recommendation	PAM's 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>1. With regard to the assessment and registration information, <i>that</i> PAM provide clear, complete and accurate information about:</p> <ul style="list-style-type: none"> <li>a. The qualification requirements for the various categories of registration;</li> <li>b. The purpose, content, format and scoring criteria for PAM's Oral Interview and Exam;</li> <li>c. The right to title and description of practice PAM's licensure confers;</li> <li>d. Fee payment options, financial support opportunities and professional upgrading opportunities;</li> </ul>	<p>PAM will undertake a review and revision of its Registration Information, as posted on its website. In so doing, information re: the various classes of registration and their respective requirements will be clarified, and written in language that is more easily understood. We will also provide additional information on the PAM oral exam, including material outlining the scoring rubric being developed.</p> <p>Included in the above revisions will be a clearer description of the various titles available to PAM registrants, and the rights/privileges attached to each.</p> <p>Finally, once PAM receives information from the OMFC on financial support opportunities available to IEAs, it will place links to this information on its website under the section specifically designated for IEAs.</p>		<p>✓</p> <p>✓</p> <p>✓</p>		

OMFC's Recommendation	PAM's 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>e. Assessment result timelines, key dates and realistic time and cost range for the registration process;</p> <p>f. Access to records and the possibility of alternative documentation.</p>	<p>In the website section that outlines registration requirements, PAM will add information which speaks to typical time frames for completion of registration requirements, noting that cases will vary depending on the speed with which applicants forward documentation to PAM, and how quickly supervision and exams are completed.</p> <p>PAM will inform applicants (through its website) of their right to receive portions of their application file (on request), excluding information that held reasonable expectations of privacy (e.g., letters of reference) or security (e.g., examinations) upon initial submission to PAM.</p>		<p>✓</p> <p>✓</p>		
Regulator's Comments:					



OMFC's Recommendation	PAM's 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>2. With respect to the appeal process:</p> <p>a. <i>That</i> PAM provide complete, clear and accurate appeal information in the registration material, including timelines and the process to initiate appeal;</p> <p>b. <i>That</i> the Examination for Professional Practice in Psychology be subject to appeal and that PAM contact the Association of State and Provincial Psychology Boards responsible for the administration of the Examination for Professional Practice in Psychology to request formal appeal opportunities be established.</p>	<p>In its Registration Information on the PAM website, we will create a separate tab labeled Appeals, where information on the appeal process will be provided. This information will also be added to decision letters, where a registration denial is made.</p> <p>PAM will communicate this request to ASPPB (the owner of the EPPP), with the understanding that the decision making power on this lies solely with ASPPB.</p>	<p>May 2013</p>	<p>✓</p>		

OMFC's Recommendation	PAM's Planned Action(s)	Short Term Less than 3 months	Medium Term 3 months to 1 year	Long Term 1 year or more	Completion Date
Regulator's Comments:					
3. That with regard to PAM's documentation requirements, applicants are no longer required to arrange for the third party submission of educational transcripts twice; once to WES or an approved credential assessment agency and then again to PAM.	Provided WES (or whatever 3 <sup>rd</sup> party assessor is used) will provide copies of these transcripts to PAM, we will not require applicants to resubmit them to us. We do require copies of these transcripts however, in order to determine the appropriate practice areas (rosters) into which applicants should be placed. The 3 <sup>rd</sup> party assessor cannot and will not determine this, and transcripts are an invaluable source of data to assist in this determination.		✓		
Regulator's Comments:					

OMFC's Recommendation	PAM's Planned Action(s)	Short Term Less than 3 months	Medium Term 3 months to 1 year	Long Term 1 year or more	Completion Date
4. <i>That</i> for permanent residents, PAM no longer requires criminal record and child abuse registry checks from their country of origin.	Provided the CIC checks also speak to issues of child abuse/endangerment, PAM will agree to use the CIC checks in lieu of locally obtained ones. We do however reserve the right to request updated local checks of IEAs once they are registered, as we may for all other registrants.		✓		
Regulator's Comments:					

OMFC's Recommendation	PAM's 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>5. With respect to PAM's English language proficiency requirement:</p> <p>a. <i>That</i> PAM identify English language proficiency criteria based on the demands of professional practice, as well as identify the proficiency demands of the assessment process;</p> <p>b. <i>That</i> PAM provide information about the importance of English language proficiency and how applicants may meet the requirement.</p>	<p>PAM will work with content experts (hopefully facilitated through the OMFC) to establish the English language proficiency benchmark for the practice of Psychology, as well as for the process of application to PAM.</p> <p>PAM will look to the OMFC and other experts in EAL and language proficiency to assist in guiding IEAs as they work towards gaining requisite language proficiency. The rationale for English language proficiency will be explained in the IEA section of the PAM website.</p>			<p>✓</p> <p>✓</p>	
<p>Regulator's Comments: As PAM has never before assessed language proficiency, we are hopeful that the OMFC can assist with this process.</p>					

<b>OMFC's Recommendation</b>	<b>PAM's Planned Action(s)</b>	<b>Short Term Less than 3 months</b>	<b>Medium Term 3 months to 1 year</b>	<b>Long Term 1 year or more</b>	<b>Completion Date</b>
6. That PAM implement a proactive communication strategy, contacting applicants whose applications are incomplete or have missing documents.	Meeting this recommendation will be difficult, as to do so will require efforts that are currently beyond the reach of PAM's staffing and financial resources. Until such time as we can do so however, we will clearly highlight the importance of applicants keeping abreast of their applications and regularly checking with the Registrar to determine the status of their applications. This is the system currently in place, which for the most part, has been working well.			✓	
Regulator's Comments:					

## Fairness Commissioner's Statement of Compliance

The Psychological Association of Manitoba's Action Plan is a constructive response to the recommendations that resulted from the OMFC's registration review. These actions will support fairer practice and are fully consistent with the requirements under *The Fair Registration Practices in Regulated Professions Act*.

Although the Association has had little experience to date with internationally trained psychologists outside of the United States, this may change as they transition under *The Regulated Health Professions Act* and its regulating authority is expanded to both right to title and practice.

In light of our review, I am encouraged by the flexible and efficient registration practices that are in place for the Association's current North American applicants. Within the limits of our resources, we will support the Association in the areas of its Action Plan where it has identified a need for support. I look forward to a continued, positive relationship moving forward

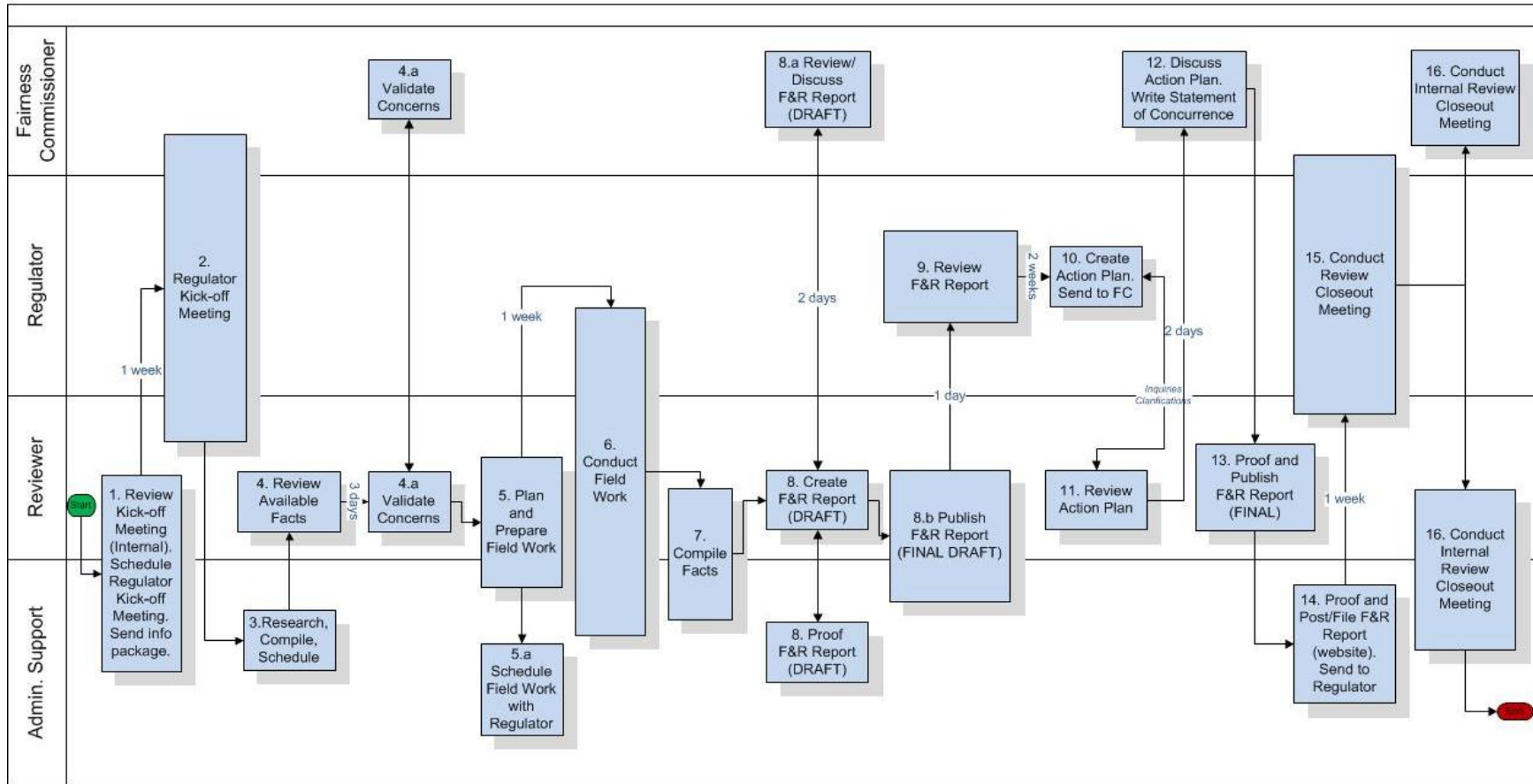


Ximena Munoz

Manitoba Fairness Commissioner

# Appendix A

## OFFICE OF THE MANITOBA FAIRNESS COMMISSIONER Registration Review Process

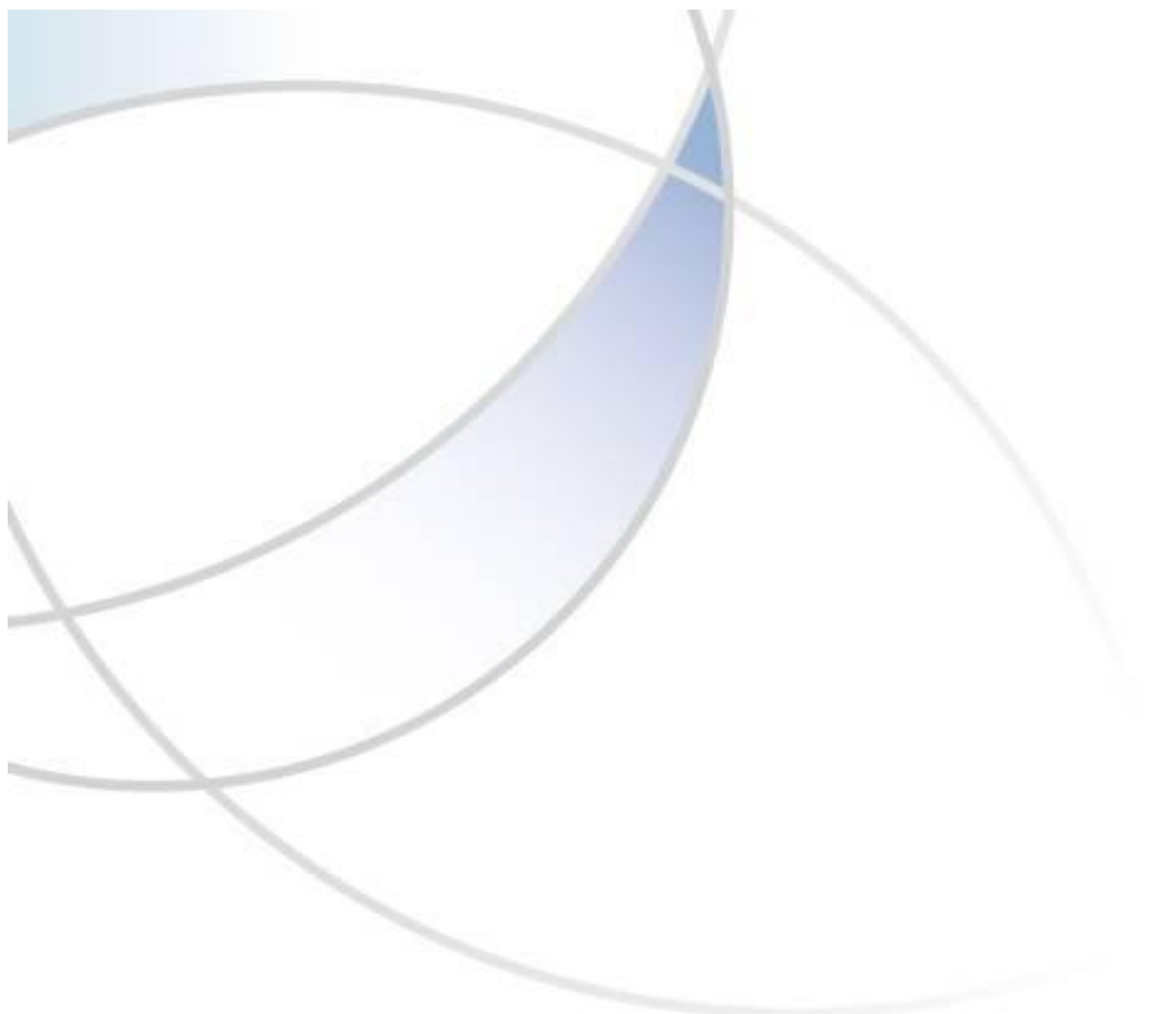


## Appendix B

<b>PAM's Registration Review</b>		
<b>Activity</b>	<b>Description</b>	<b>Date</b>
<b>Block Meeting</b>	<ul style="list-style-type: none"> <li>Meeting between OMFC, PAM and other regulators in the block of reviews for this period</li> <li>Registration review process presented</li> <li>Review schedule set</li> <li>Documentation requested</li> </ul>	<ul style="list-style-type: none"> <li>January 7, 2013</li> </ul>
<b>Kick-Off Meeting</b>	<ul style="list-style-type: none"> <li>Launch of PAM's registration review</li> <li>Key decision makers from regulator in attendance</li> <li>Collect requested documentation</li> <li>Fieldwork planned</li> </ul>	<ul style="list-style-type: none"> <li>January 15, 2013</li> </ul>
<b>Fieldwork</b>	<ul style="list-style-type: none"> <li>Collect information otherwise unavailable through public information and policy documents</li> <li>Clarify information and acquire a more in-depth understanding of policy and practice</li> </ul>	<ul style="list-style-type: none"> <li>January 31, 2013</li> </ul>
<b>Findings and Recommendations Report</b>	<ul style="list-style-type: none"> <li>PAM receives a report with the review findings, the Fairness Commissioner's recommendations and a request for an Action Plan</li> <li>Findings and Recommendations Meeting</li> </ul>	<ul style="list-style-type: none"> <li>February 11, 2013</li> <li>February 12, 2013</li> </ul>
<b>Action Plan</b>	<ul style="list-style-type: none"> <li>PAM's Action Plan submitted to OMFC</li> </ul>	<ul style="list-style-type: none"> <li>February 27, 2013</li> </ul>
<b>Final Registration Review Report</b>	<ul style="list-style-type: none"> <li>Final report submitted to PAM; report contains the review findings, the Fairness Commissioner's recommendations, PAM's Action Plan, and the Fairness Commissioner's Compliance Statement</li> </ul>	<ul style="list-style-type: none"> <li>April 5, 2013</li> </ul>
<b>Registration Review Closeout Meeting</b>	<ul style="list-style-type: none"> <li>Discuss review results &amp; Action Plan</li> <li>Final report uploaded to OMFC's website</li> </ul>	<ul style="list-style-type: none"> <li>July 3, 2013</li> </ul>







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