

2023 Registration Review Report

College of Paramedics of Manitoba



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Introduction

The Fair Registration Practices Office (FRPO) issues this registration review report for the College of Paramedics of Manitoba (CPMB) under authority of The Fair Registration Practices in Regulated Professions Act (act). Registration reviews are conducted at times specified by the director of fair registration practices and in accordance with the review provisions in the act, section 15.1, 15.2, and 15.3. The purpose of this review is to determine compliance with the legislation and to identify areas that may need improvement. Compliance to the legislation refers both to the fairness of assessment and registration practice, with particular attention to the fair consideration of internationally educated applicants, as well as the co-operation of the regulator with the director.

Manitoba's fairness legislation was amended in December 2021. This review is largely restricted to the consideration of compliance regarding three new duties in the Fair Registration Practices Code: a duty that assessment criteria be necessary, a duty to abide domestic trade agreements and a duty to notify FRPO regarding changes in assessment and registration practice. Outstanding issues raised in previous registration review reports may also be raised or result in further recommendation for action.

This registration review results in an FRPO statement of compliance for the regulator. Reviews that result in recommendations to change practice or policy contain an action plan response from the regulator, current as of March 2023.

To provide context, a brief description of CPMB's state of progress under fairness legislation to date precedes the compliance analysis. The report also includes an appendix containing a flowchart of the registration process for internationally educated applicants.

State of Progress

In June 2018, the Practice of Paramedicine Regulation was enacted under the Regulated Health Professions Act (RHPA), designating paramedicine as a self-regulated health profession in Manitoba and establishing the College of Paramedics of Manitoba. In December 2021, the Fair Registration Practices in Regulated Professions Act was amended, bringing CPMB under the act.

CPMB is working co-operatively with FRPO and is committed to the fair assessment and registration of internationally educated paramedicine professionals. CPMB has participated in an orientation to the FRPO and understands their obligations under fairness legislation. They consult the FRPO as they continue to develop new policies, working to ensure compliance with the act. FRPO appreciates the opportunity to collaborate with this new profession as it introduces policies and practices to assess internationally educated applicants (IEA) in a manner that is transparent, objective, impartial and fair.

Fair Practice Analysis

I. Assessment criteria must be necessary – act, 8(4)

The criteria used in an assessment of qualifications must be necessary to assess competence in the practice of the profession.

With regard to substantive assessment criteria in a profession, for instance, the type and level of academic training required or the level of scrutiny brought to assess qualifications, FRPO recognises the authority of self-regulated professions setting these standards and will only question these requirements in the circumstance they are patently unreasonable. FRPO's evaluation focuses on the ways in which criteria and requirements may be unnecessary, unduly burdensome, or potentially result in forms of systemic discrimination, particularly as they may impact internationally educated applicants (IEAs).

CPMB's compliance to necessary assessment criteria

CPMB's assessment criteria and various requirements for registration, for the most part, appear to be warranted and necessary.

CPMB's language proficiency policy has many progressive aspects. First language speakers, those educated in English or living and working in a place where English is the official language and those who can show evidence of safe practice in the field in English, are exempt from testing. In addition, a range of language tests are accepted as evidence of proficiency. However, expiry dating of language test results is unduly restrictive. CPMB's first-step, national body, the Canadian Organization of Paramedic Regulators (COPR) requires test results be current within six months of application. CPMB requires results be current within one year of application. Under these current policies, applicants are at risk of unwarranted, repeat language testing.

Language testing agencies commonly apply two-year expiration dating to language test results. The two-year standard is based on a consideration of language attrition in the circumstances of individuals not using the language after testing.

Given this context and rationale, for applicants who have met standard on a language test, retesting should be the exception to the rule. Retesting should only be required when circumstances suggest it is warranted; for instance, where applicants have not used English for an extended period of time or where there is evidence the applicant is struggling with the language. Requiring applicants be tested within six months or a year of application will not be fair for many of those who have already met standard with an older test.

II. Duty to comply with domestic trade agreements – act, 4(1)

A regulated profession must ensure that its registration practices comply with the obligations of a domestic trade agreement.

The Manitoba government has labour mobility obligations that extend to regulated occupations, under both Chapter 7: Labour Mobility of the Canadian Free Trade Agreement (CFTA) and Article 13: Labour Mobility of the New West Partnership Trade Agreement (NWPTA). In Manitoba, regulated professions are required to comply with labour mobility obligations under The Fair Registration Practices in Regulated Professions Act, section 4(1), The Labour Mobility Act, section 3(1) and for health professions, under The Regulated Health Professions Act, section 32(3).

In the regulated occupations, the purpose of these obligations is to provide labour mobility through license-to-license recognition. This needs to occur without any material requirements for training, experience, examinations or assessments — CFTA, Article 705, paragraph 1, NWPTA, Article 13, paragraphs 1 and 2.

CPMB's compliance to abide labour mobility obligations

CPMB's labour mobility policies for individuals registered in other provincial jurisdictions applying for registration in Manitoba comply with requirements set out in the Canadian Free Trade Agreement and the New West Partnership Agreement.

III. Notice of changes in registration practices – act, 5(2)

A regulated profession that proposes to change its registration practices, as described in the information provided under clause (1)(a), must notify the director of the proposed change, at the time and in the manner and form required by the director.

The purpose of notification is to ensure FRPO has accurate, up-to-date information about the registration practices of Manitoba regulators. This supports FRPO's oversight role and allows for proactive discussion about the fairness of proposed changes.

CPMB's compliance to the duty to notify

In preparation for this registration review, FRPO requested updates regarding changes to assessment and registration practice. CPMB responded to this request and is in compliance with the duty to notify.

Recommendations

The Fair Registration Practices Office sees the following opportunity for CPMB to improve compliance to The Fair Registration Practices in Regulated Profession Act:

1. Extend the validity period for language proficiency test scores to a minimum of two years, only requiring retesting when warranted.

Regulator Action Plan

In response to the recommendation made by the Fair Registration Practices Office, the College of Paramedics of Manitoba committed to the following action plan, current as of March 2023:

Recommendation	Action(s)	Anticipated Completion Date
<p>1. Extend the validity period for language proficiency test scores to a minimum of two years, only requiring retesting when warranted.</p>	<p>1. We will be discussing this with COPR as they do the initial evaluation of international applicants and they have a six-month requirement for English Language proficiency testing. This will include regulators from other provinces, and where needed ask the other provincial regulators to consult with their Provincial Fair Registration Practices Office. We will attempt to have change instituted at COPR, but cannot give a timeline.</p>	TBD
	<p>2. As discussed, once equivalency is established by COPR, the international candidate is required to write the COPR entry to practice exam at the level their equivalency was established at. Should they successfully complete the English COPR exam, CPMB deems them to be proficient in English.</p>	Existing
	<p>3. We will change our policy on English Language Proficiency testing requirement to two years.</p>	March 24, 2023

Compliance

FRPO's 2023 registration review of the College of Paramedics of Manitoba (CPMB) examines their compliance to three duties in The Fair Registration Practices Code of the act; assessment criteria are necessary, labour mobility obligations are respected and FRPO is notified regarding changes in assessment and registration practice.

FRPO finds CPMB compliant with the duty to abide labour mobility obligations and to notify FRPO regarding changes in assessment in registration practices.

FRPO raises a concern about the validity period applied to language proficiency test results, both by CPMB and by their national third-party assessor, COPR.

CPMB's action plan commitment is positive. Their commitment to address immediately their own policy helps ensure fair practice and compliance with The Fair Registration Practices in Regulated Professions Act (act). That they will raise the matter with COPR and advocate for change indicates acknowledgement of their obligation under the act to take responsibility for their third-party assessor and has potential to result in a progressive change that will affect IEAs applying from jurisdictions across Canada.

Appendix I – Registration Process for Internationally Educated Applicants

