Saskatchewan College of Physical Therapists
The SCPT Regulatory Bylaws
Amendments 2018

Table of Contents

1 Title

2 Definitions

MEMBERSHIP

3 Categories of membership
4 Practising membership
5 Restricted practising membership
6 Academic practising membership
7 Non-practising membership
8 Temporary membership
9 Honorary membership

LICENSURE

10 Licence year

11 Licence required
12 Insurance required
13 Full practising licence
14 Restricted practising licence
15 Academic practising licence
16 Temporary practising licence

PHYSICAL THERAPY PROCEDURES

17 Basic procedures
18 Specialized procedures

STANDARDS OF CONDUCT

19 General standards
20 Code of ethics

21 Concurrent treatment
22 Alternative therapies
23 Multi-disciplinary practices
24 Delegation of tasks to support workers
25 Performance of tasks by unregulated workers
26 Use of instruments or devices
27 Advertising

GENERAL

28 Demanding college meetings

29 Conflict of interest
30 Council review of delegated decisions
31 Former regulatory bylaws repealed
32 Coming into force

APPENDIX A

CODE OF ETHICS

Saskatchewan College of Physical Therapists
The SCPT Regulatory Bylaws
Amendments 2018

Title

1 These Bylaws may be referred to as The SCPT Regulatory Bylaws Amendments, 2016.

Definitions

2 In these Bylaws:

(a) "Act" means The Physical Therapists Act, 1998;

(b) "client" means a person for whom a physical therapist acts within a therapeutic relationship, the purpose of which is the treatment of a physical ailment;

(c) "recognized competency examination" means the physical therapy competency examination administered by the Canadian Alliance of Physiotherapy Regulators or an examination that is recognized by the council as equivalent of that examination;

(d) "recognized educational program" means a physical therapy education program that is recognized by the council pursuant to clause 19(1)(c) of the Act;

(e) "specialized physical therapy procedure" includes, acupuncture, dry needling, spinal manipulation and invasive techniques for the treatment of urogenital or rectal dysfunction.

MEMBERSHIP

Categories of membership

3 Membership in the college consists of the following categories:

(a) practising membership;
(a.1) extended access membership

(b) restricted practising membership;

(c) academic practising membership;

(d) non-practising membership;

(e) temporary practising membership; and

(f) honorary membership

Practising membership

4(1) Practising membership is available to an individual who meets the requirements of subsection 19(1) or (1.1) of the Act and submits a completed application in the form provided bythe college.

(2) Where an applicant for membership meets the requirements of subsection 19(1) of the Act and is registered as a physical therapist in another country, the applicant must demonstrate that he or she is a member in good standing and is fluent in English.

(3) Subject to obtaining a practising licence, practising membership entitles a member to:

(a) use the title "Physiotherapist" or "Physical Therapist" or any other word, title or designation, whether or not abbreviated, to indicate that the individual is practising as a member of the college;

(b) vote and hold office in the college;

(c) speak and vote at the annual and special meetings of the college;

(d) serve as a representative of the college when appointed to doso;

(e) receive a copy of college documents appropriate for distribution; and

(f) receive the publications of the college

Extended Access membership

4.1 (1) Extended Access membership is available to an individual who meets the requirements of subsection 19 (1.1) of the Act and submits a completed application in the form provided by the college.

(2) The applicant must demonstrate that he or she is fluent in English.

(3) Subject to obtaining an extended access licence, extended access membership entitles a member to:

(a) use the title "Physiotherapist" or "Physical Therapist" or any other word, title or designation, whether or not abbreviated, to indicate that the individual is practising with an extended access membership as a member of the college;

(b) speak but not vote at the annual and special meetings of the college;

(c) receive a copy of college documents appropriate for distribution; and

(d) receive the publications of the college

Restricted practising membership

5(1) Restricted practising membership in the college is available to an individual who:

(a) meets the requirements of clauses 19(1)(a), (b), and (c) of the Act;

(b) has successfully completed the written component of a recognized competency examination; and

(c) submits a completed application in the form provided by the college

(2) Subject to obtaining a practising licence, restricted practising membership entitles a member to:

(a) use the title "Physiotherapist" or "Physical Therapist" or any other word, title or designation, whether or not abbreviated, to indicate that the individual is practising as a restricted practising member of the college;

(b) speak and vote at the annual and special meetings of the college;

(c) serve as a representative of the college when appointed to do so;

(d) receive a copy of college documents appropriate for distribution; and

(e) receive the publications of the college

Academic practising membership

6(1) Academic practising membership in the college is available to an individual who:

(a) meets the requirements of clauses 19(1)(a), (b), and (c) of the Act;

(b) has received an appointment to the academic staff of a university in Saskatchewan in a program described in clause 19(1)(c) of the Act; and

(c) submits a completed application in the form provided by the college

(2) Subject to obtaining a practising licence, academic practising membership entitles a member to:

(a) use the title "Physiotherapist" or "Physical Therapist" or any other word, title or designation, whether or not abbreviated, to indicate that the individual is practising as an academic member of the college;

(b) speak and vote at the annual and special meetings of the college;

(c) serve as a representative of the college when appointed to do so;

(d) receive a copy of college documents appropriate for distribution; and

(e) receive the publications of the college

Non-practising membership

7(1) Non-practising membership in the college is available to an individual who is eligible for registration as a practising member but is not currently practising physical therapy in Saskatchewan, and who submits a completed application in the form provided by the college.

(2) Non-practising membership entitles a member to:

(a) speak and vote at the annual and special meetings of the college;

(b) serve as a representative of the college when appointed to do so;

(c) receive a copy of college documents appropriate for distribution; and

(d) receive the publications of the college

Temporary practising membership

8(1) Temporary practising membership in the college is available to an individual who:

(a) wishes to be registered for a specific period of time in order to attend or instruct as a physical therapist at a continuing education course or event;

(b) meets the requirements of subsection 19(2) of the Act; and

(c) submits a completed application in the form provided by the college.

(2) Subject to obtaining a practising licence, temporary practising membership entitles a member to use the title "Physiotherapist" or "Physical Therapist" or any other word, title or designation, whether or not abbreviated, to indicate that the individual is practising as a temporary practising member of the college.

Honorary membership

9(1) Honorary membership in the college is granted by resolution of the council in recognition of distinguished service to the profession to an individual who:

(a) is a former practising member of the college who is retired from the practice of physical

therapy; or

(b) is not a physical therapist or is a physical therapist registered outside Saskatchewan.

(2) Honorary membership entitles a member to:

(a) speak but not vote at the annual and special meetings of the college;

(b) receive a copy of college documents appropriate for distribution; and

(c) receive the publications of the college.

LICENSURE

Licence year

10 The licence year of the college is the period commencing on April 1 in one year and ending on March 31 in the next following year.

Licence required

11 Every practising member shall obtain a licence in each licence year.

Insurance and criminal record check required

12 Every applicant for a practising licence of any kind shall:

(a) maintain professional liability insurance in an amount not less than $5,000,000 on any one client or $5,000,000 maximum for the policy year, with no deductible; and

(b) provide a satisfactory criminal record check.

Full practising licence

13(1) A practising member who submits a completed application in the form provided by the college is eligible to obtain a full practising licence, if the member:

(a) has completed 1200 practice hours of physical therapy practice anywhere in the world within the five-year period immediately preceding the date of the licence application;

(b) has successfully completed a recognized educational program within the four-year period immediately preceding the date of the licence application; or

(c) has successfully completed a recognized competency examination within the four- year period

immediately preceding the date of the licence application.

(2) A practising member who has not completed 1200 practice hours as described in clause (1)(a) is eligible to obtain a full practising licence but must satisfactorily complete a period of supervised practice:

(a) under the direction of a member with a full practising licence who is approved by the council;

(b) in a physical therapy facility or facilities approved by the council; and

(c) for the total additional number of hours that would be required to be obtained to be eligible for full practising licensure in the current licence year and the next licence year; and

(d) in accordance with a supervision agreement and a supervision plan approved by council, which plan is developed for the member by the member's supervisor and includes provisions for monitoring the member's practice, for personal intervention, and for any other matters that the member's supervisor or council considers necessary.

(3) Subsections (1) and (2) do not apply to an application for an initial licence from an applicant who becomes a member in accordance with subsection 19(1.1) of the Act.

Extended Access Licence

13.1(1) An extended access member who submits a completed application in the form provided by the college is eligible to obtain an extended access licence.

(2) A member who holds an extended access licence may only provide physical therapy services, using information and communication technologies or in person, to patients located in Saskatchewan:

(a) for the purpose of continuing to provide patient care to patients whose physiotherapy began in the primary jurisdiction and who would benefit from continued and time-limited service in the secondary jurisdiction; or

(b) where services are not otherwise available in the secondary jurisdiction and the patient would benefit from such services.

(3) For the purposes of this section:

(a) "primary jurisdiction" means the other Canadian jurisdiction in which the member is currently registered and in which the majority of their practice **is** physically situated;

(b) "secondary jurisdiction" means Saskatchewan.

Restricted practising licence

14(1) A restricted practising member who submits a completed application in the form provided by the college is eligible to obtain a restricted practising licence.

(2) A restricted practising licence is valid for a maximum of 24 months, during which time the member must successfully complete the oral/practical component of a recognized competency examination and obtain a full practising licence.

(3) A member who holds a restricted practising licence may only practise:

(a) under the direction of a member with a full practising licence who is approved by the council;

(b) in a physical therapy facility or facilities approved by the council; and

(c) in accordance with a supervision agreement and a supervision plan approved by council, which plan is developed for the member by the member's supervisor and includes provisions for monitoring the member's practice, for personal intervention, and for any other matters that the member's supervisor or council considers necessary.

Academic practising licence

15 (1) An academic practising member who submits a completed application in the form provided by the college is eligible to obtain an academic practising licence.

(2) An academic practising licence ceases to be valid if the member ceases to hold an academic appointment described in clause 6(1)(b).

(3) A member who holds an academic practising licence may practise only in the department of the university in which he or she holds an academic appointment and only to the extent required by the teaching, research and service requirements of that appointment.

Temporary practising licence

16(1) A temporary practising member is eligible to obtain a temporary practising licence for the period commencing on the first day of the event or continuing education course in Saskatchewan for which they have obtained temporary registration until midnight on the last day of the event or continuing education course.

(2) Physical therapists who are accompanying an athlete or team from another country, province or territory and who will provide physical therapy only to that athlete or team do not require a licence.

PHYSICAL THERAPY PROCEDURES

Basic procedures

17 Basic physical therapy procedures are those that may be performed through successful completion of educational programs necessary for membership in the college**.**

Specialized procedures

18(1) No member shall perform a specialized physical therapy procedure unless he or she has completed an educational program described in this section and recognized by the council.

(2) To be recognized by the council, a course in acupuncture must meet the following criteria:

1. Curriculum

   (a) minimum of 90 hours of instruction including both theoretical and practical components; and

   (b) course content must include, but is not limited to: theoretical basis of acupuncture, safety, infection control, indications, contraindications, precautions, point location and relevant anatomy, needling technique;

2. Examination

   (a) a formal written and practical examination must be utilized to determine level of competency;

3. Principal Instructor and External Examiner

   (a) must hold an AFCI, University of Alberta or equivalent certification in acupuncture;

   (b) must have a minimum of five years' experience following certification; and

   (c) must have previous experience participating in a course, for example as an instructor, lab demonstrator or teaching assistant.

(3) To be recognized by the council, a course in dry needling must meet the following criteria:

1. Curriculum

   (a) minimum of 90 hours of instruction including both theoretical and practical components; and

   (b) course content must include, but is not limited to: theoretical basis of dry needling, safety, infection control, indications, contraindications, precautions, point location and relevant

anatomy, needling technique;

2. Examination

(a) formal written and practical examination must be utilized to determine level of competency;

3. Principal Instructor

(a) must hold an AFCI, University of Alberta or equivalent certification in dry needling;

(b) must have a minimum of five years' experience following certification; and

(c) must have previous experience participating in a course, for example as an instructor, lab demonstrator or teaching assistant.

(4) For the purposes of subsection (2) and (3), the number of hours of instruction in a course includes the hours required in any pre-requisite courses.

(5) Notwithstanding any other provision of these bylaws, a member who completed a course in dry needling that was recognized by the council at the time it was completed, may continue to perform those specialized physical therapy procedures within the limits of the member's education and training.

(6) To be recognized by the council, a course in spinal manipulation must:

(a) be included in a recognized educational program:

(b) be provided by a member organization and meet the standards of the International Federation of Orthopedic Manipulative Physical Therapists; or

(c) provide education to the same level as a course described in clause (a) or (b).

(7) To be recognized by the council, a course in the treatment of urogenital and rectal dysfunction with invasive techniques must include a practical component, an evaluation of the participant's knowledge and skill, and certification indicating successful completion of the course.

STANDARDS OF CONDUCT

General standards

19(1) No member shall:

(a) abuse a client, whether physically, sexually, verbally, psychologically or in any other manner;

(b) knowingly endanger the safety of a client;

(c) engage in the practice of physical therapy while impaired by alcohol or drugs;

(d) influence a client to change the client's last will and testament;

(e) wrongfully abandon a client;

(f) misappropriate property belonging to a client, employer or fellow employee;

(g) disclose confidential information about a client except as required or permitted by law;

(h) falsify or fail to maintain a client record;

(i) fail to inform an employer of the physical therapist's inability to accept specific responsibility in areas where special training is required or where the physical therapist does not feel competent to function without supervision;

(j) fail to report the incompetence or misconduct of a member or colleague;

(k) fail to comply with established standards of practice;

(l) fail without reasonable cause to respond to inquiries from the college regarding alleged professional misconduct or professional incompetence;

(m) conspire to participate in any act of professional misconduct;

(n) counsel a person to participate in any act of professional misconduct;

(o) obtain registration by misrepresentation or fraud.

(2) For the purposes of clause (1)(a), "sexual abuse" includes:

(a) sexual intercourse or any other form of sexual activity between a client and a member;

(b) touching of a sexual nature between a client and the member including:

(i) touching or massaging breasts or pelvic area, or any sexualized body part for any

purpose other than that required for therapeutic evaluation or treatment;

(ii) kissing of a sexual nature.

(c) behaviour or remarks of a sexual nature between a client and member including:

(i) verbal or written comments, inappropriate procedures, gestures or expressions that are seductive or sexually demeaning to the client;

(ii) deliberately watching a client dress or undress, except for the purpose of assessment where the client has provided specific consent;

(iii) failure to explain to the client the relevance of a procedure involving the breast or pelvic area;

(iv) failure to receive consent for a procedure involving the breast or pelvic area;

(v) subjecting a client to an examination of the breast or pelvic area in the presence of students or others without obtaining specific consent;

(vi) questioning the client regarding the client's sexual performance, history, or orientation unless relevant to the client's assessment or treatment;

(vii) discussion of a client's sexual performance, history or orientation unless clinically relevant.

Code of ethics
20 The Saskatchewan College of Physical therapists adopts, and all registrants shall comply with the *Code of Ethical Conduct* as approved by the Registrars Committee of The Canadian Alliance of Physiotherapy Regulators in May 2016 and as amended from time to time.

Concurrent treatment
21 No member shall provide physical therapy treatment to a client where**:**

(a) the client is receiving treatment from another health care provider who has a dissimilar or conflicting treatment philosophy, approach or client care objectives;

(b) the other health care provider treating the client has not been notified; or

(c) the physical therapy services provided constitute duplication.

Alternative therapies

22(1) Members who engage in the practice of physical therapy and who also provide other services to clients shall ensure that they do not hold themselves out as a physical therapist when providing those other services or refer to the provision of those other services as physical therapy treatment.

(2) A member shall ensure that clients and third-party payers, if involved, are fully informed of which service provided to them is a physical therapy service and which is not, and shall keep clear and separate records, including billings, of physical therapy services and alternative therapy services provided.

(3) For the purposes of this section, "practice of physical therapy" means the use by a physical therapist of their specific knowledge, skills and professional judgment to improve individuals' functional independence and physical performance, manage physical impairments, disabilities and handicaps, and promote health and fitness.

Multi-disciplinary practices

23 Where a member is providing physical therapy services in a multi-disciplinary setting, the member shall ensure that:

(a) the client is informed of the differences in the roles of the physical therapist and that of other health care providers and of the client's right to refuse any or all parts of an assessment or treatment regardless of who is providing it; and

(b) specific entries are kept of physical therapy services provided.

Assignment of tasks to support workers

24(1) A member is responsible for assessing the knowledge, training, experience and ability of a support worker and shall only assign tasks to the support worker that the support worker has the knowledge, training, experience and ability to perform.

(2) A member shall not assign any of the following tasks to a support worker:

(a) initial review, assessment or reassessment of clients;

(b) interpretation of referral diagnosis or prognosis;

(c) interpretation of assessment findings, treatment procedures and goals or treatment;

(d) interpretation of subsequent assessment findings, treatment procedures and goals of treatment;

(e) planning, initiation and modifying to advance a treatment program;

(f) any tasks or procedures that put the client at a high risk or require continuous clinical judgment during their use;

(g) discharge planning;

(h) the determination of caseload management;

(i) delivery of client education unless using approved pre-set packages/handouts of educational material.

(3) A member shall only assign the task of laser or ultrasound treatment to a support worker when:

(a) the support worker has received formal instruction and hands-on training in the use of laser and ultrasound that meets the requirements of The Radiation Health and Safety Regulations, 2005;

(b) the member has ensured that the support worker demonstrates competency and safety in the application of the tasks assigned;

(c) and the member has determined the dosage and adequately evaluated the client's response to treatment.

(4) A member shall adequately and appropriately supervise a support worker in the support worker's performance of assigned tasks.

Performance of tasks by certain unregulated workers

25 A member who owns a facility providing physical therapy services shall ensure that a client who is known or suspected to have an acute or chronic disease process or injury is screened by a physical therapist to determine that the client can safely proceed with a specific exercise program or other treatment prior to seeing an unregulated health care provider who is employed by the member in the facility.

Use of instruments or devices

26 No member shall use any instrument or device in the provision of physical therapy services unless:

(a) the instrument or device is appropriately maintained and calibrated;

(b) the member has successfully completed any necessary training to become familiar with the use of the instrument or device and its clinical application; and

(c) the client is informed of the limitations of the results and the steps to be taken based on the results.

Advertising

27(1) No member shall offer to guarantee a cure either verbally or in writing or by advertising or otherwise.

(2) No member shall engage in any advertising, promotion, or other marketing activities that:

(a) are inaccurate or capable of misleading the public either directly or indirectly;

(b) misrepresents facts;

(c) compares either directly, indirectly or by innuendo, the member's services or ability with that of any other practitioner or clinic, or promise or offer more effective service or better results than those available elsewhere;

(d) deprecates another member or clinic as to service, ability or fees;

(e) create an unjustified expectation about the results the member can achieve;

(f) are made under any false or misleading guise, or takes advantage, either physically, emotionally, or financially of any client, or uses coercion, duress, or harassment;

(g) are incompatible with the best interests of the public or members, or tends to harm the standing of the physical therapy profession generally;

(h) contain any testimonial or disclose the names of clients; or promote a specific brand of drug, device, or equipment.

(i) Endorses any product for financial gain.

GENERAL

Demanding college meetings

28 For the purposes of clause 6(2)(b) of the Act, the number of members required to demand a special meeting of the college is the number equal to 10% of the practising members.

Conflict of interest

29(1) A conflict of interest exists whenever a member has a vested interest in the outcome of a decision or proceeding involving the college, and includes any of the following situations:

(a) where the member is involved in negotiating wages and/or employment contracts, or completing performance appraisals for college staff who may be related to that member;

(b) where the member is involved in determining or reviewing credentials and registration or licensing eligibility for an applicant or another member who may be related to that member;

(c) where the member is involved in the investigation or discipline hearing process affecting another member who may be related to that member;

(d) where the member or family member might personally or financially benefit from decisions or information gained from involvement on council or a college committee.

(2) A member of the college serving in an official capacity as a council member, committee member or representative of the college shall declare a conflict of interest where one exists.

(3) Where a conflict of interest exists but is not declared as required by subsection (2), any other member of council or a committee who is aware of the conflict may declare it.

(4) Any dispute that arises about the existence of a conflict of interest is to be decided by a resolution of the council or committee, as the case may be.

(5) The presiding officer at a meeting at which a conflict of interest is declared shall ensure that a member identifying a conflict of interest leaves the meeting during consideration of the issue to which the conflict relates, and the secretary of the meeting shall record the fact and time of the departure of the member in the minutes.

(6) A member who represents the college shall not assume a position if a conflict of interest is identified.

(7) A member of the Professional Conduct Committee or the Discipline Committee who has a conflict of interest in relation to a particular complaint shall declare that interest and shall not take part in the investigation or hearing of the complaint.

Council review of delegated decisions

30 A person who applies for a review of a decision delegated to the Executive Director pursuant to subsection 20(4) of the Act shall forward his or her application to council in writing, stating the reasons for the application, within 30 days of having received the decision of the Executive Director.

Former regulatory bylaws repealed

31 All former regulatory bylaws of the college are repealed.

Coming into force

32(1) In accordance with subsection 13(8) of *The Physical Therapists Act, 1998*, these bylaws come into force when they are approved by the Minister and published in *The Saskatchewan Gazette.* (Published March 4, 2016)

Certified to be a true copy of *The* Saskatchewan *College of Physical Therapists Regulatory Bylaws* approved by the members of the Saskatchewan College of Physical Therapists at its annual meeting held on April 25, 2015.

CERTIFIED TRUE COPY:
Lynn Kuffner, Executive Director,
Saskatchewan College of Physical Therapists
Dated: November 30, 2015

APPROVED BY:
Honourable Dustin Duncan,
Minister of Health.
Dated: February 26, 2016

APPENDIX A

CODE OF ETHICS

1. Physical therapists shall respect the client's rights, dignity, needs, and values.

2. Physical therapists may not refuse care to any client on grounds of race, religion, ethnic or national origin, age, sex, sexual orientation, or social or health status.

3. Physical therapists must respect the client’s right to be informed about the effects of treatment and inherent risks.

4. Physical therapists must give clients the opportunity to consent or decline treatment or alterations in the treatment regime and must obtain consent before providing any treatment or alterations in the treatment regime.

5. Physical therapists shall confine themselves to clinical diagnosis and management in those aspects of physical therapy in which they have been educated and which the profession recognizes.

6. Physical therapists shall assume full responsibility for all care they provide.

7. Physical therapists shall not treat clients when the medical diagnosis or clinical condition indicates that the commencement or continuation of physical therapy is not warranted or is contraindicated.

8. Physical therapists shall request consultation with, or refer clients to, colleagues or members of other health professions when, in the opinion of the physical therapist, such action is in the best interest of the client.

9. Physical therapists shall document the client's history and relevant subjective information, the physical therapist's objective findings, clinical diagnosis, treatment plan and procedures, explanation to the client, progress notes and discharge summary.

10. Physical therapists shall respect all client information as confidential and shall not communicate client information to any person without the consent of the client except when required by law.

11. Physical therapists, with the client's consent, may delegate specific aspects of the care of the client to a person deemed by the physical therapist to be competent to carry out the care safely and effectively.

12. Physical therapists are responsible for all duties they delegate to persons under their supervision.

13. Physical therapists shall recognize their responsibility to improve standards of health care.

14. Physical therapists shall comply with all laws and bylaws pertaining to the practice of physical therapy.

15. Physical therapists shall report, to the appropriate authorities, any member of the profession who appears to be incompetent or whose conduct while practising as a physical therapist appears to be unethical or illegal.

16. Where a direct fee is charged, physical therapists shall inform clients, in advance, of the fee and shall ensure that the fee is commensurate with the service provided.

17. Physical therapists shall conduct themselves in such a manner as to merit the respect of society for the profession and its members.

18. Physical therapists shall ensure their professional judgment and integrity are not compromised by motives of profit.

19. Physical therapists shall maintain an optimum standard of practice by exercising competent professional judgment and by continually striving to improve their knowledge and professional skills.