



- P1. President's Message
- P2. Practice Guideline 24
- P2. New Website Renewal Process

- P4. SPA Article - Risk Management and Liability Insurance
- P5. Triple P Project

President's Message

The past few months the SCPT has been very busy developing our new website and records management system with in1touch. I would like to thank the SCPT staff, Lynn Kuffner and Tammy MacSymetz, for the impressive amount of work they have put into this project. The new website is now live at scpt.org, and the records management system has been working smoothly for our new graduates applying for licenses in November. There is further information in this issue regarding how the new system will impact the license renewal process, so be sure to read that prior to renewal!

This issue also includes a number of important articles related to telerehabilitation, the Extended Access MOU, an update on the Triple P Project and the final Essential Competencies and Entry to Practice Milestones documents.

Council has decided to pursue the development and potential submission of an Omnibus Bill to address the need for protective wording in our legislation to allow for a self-reflective component of continuing competency, similar to the protective wording in the SRNA Act. This was suggested to us by the Ministry representatives during our annual meeting with them in August as an alternate option to opening the Act. An Omnibus Bill seeks to amend, repeal or enact several Acts, thus the interest of other regulators is required. This option was then discussed with NIRO (Network of Inter- Regulatory Organizations), with seven other regulators expressing interest. Council has referred this to the Legislation Committee to work with legal counsel on development of a draft bill to take back to NIRO. There will be further discussion regarding the progress of this at AGM 2018.

The next few months will be focused on preparing for incorporation and annual membership renewal as well as continuing Council work on a variety of issues. Our council minutes are posted on our website and I encourage you to review these for a summary of Council activity throughout the year.

As always, feel free to contact me at president@scpt.org or Lynn at edr@scpt.org if you have any questions, concerns, or require further information.



Respectively submitted by
Brandy Green

NEW SCPT Practice Guideline # 24 – Telerehabilitation

Over the past number of years, SCPT council and committees have worked extensively on the development of a Saskatchewan College of Physical Therapists (SCPT) practice guideline in the area of Telerehabilitation.

Telerehabilitation is defined as: “the provision of physiotherapy services which involves communication with a patient who is remotely located from the primary physiotherapist providing service. It can include (but is not limited to) mediums such as videoconferencing, email, apps, web-based communications, and wearable technology. Personnel may or may not be present with the patient. All of the professional behaviors involved in the exchange of information are the same as if the patient is in direct contact with the Physical Therapist.”

This guideline was initiated following the submission to all physical therapy regulators of a national memorandum of understanding regarding cross border physical therapy. This national memorandum was reviewed carefully by Council and by the legislation committee and a number of recommended changes were then submitted to the national registrars committee for their consideration. The SCPT council was

pleased that the suggested changes were incorporated into the final document and the Memorandum was approved in principal in 2016. Further work occurs at a legislation level to allow for implementation of all aspects of the Memorandum including work on the development of an extended access licensure category.

During the memorandum review process, it became apparent that there was a need for a provincial practice standard regarding the provision of telerehabilitation and this issue was referred to the Professional Standards of Practice Committee (PSOP).

The PSOP committee (along with content experts in this area) undertook an extensive review of available literature and current practice guidelines and regulatory legislation across Canada. The final result of this review was the submission of SCPT Practice Guideline #24 – Telerehabilitation to Council for their consideration at the September 2017 meeting. **This guideline was approved and can be accessed on our new website (http://www.scpt.org/document/3571/Practice_Guideline_24_Telerehabilitation.pdf).**

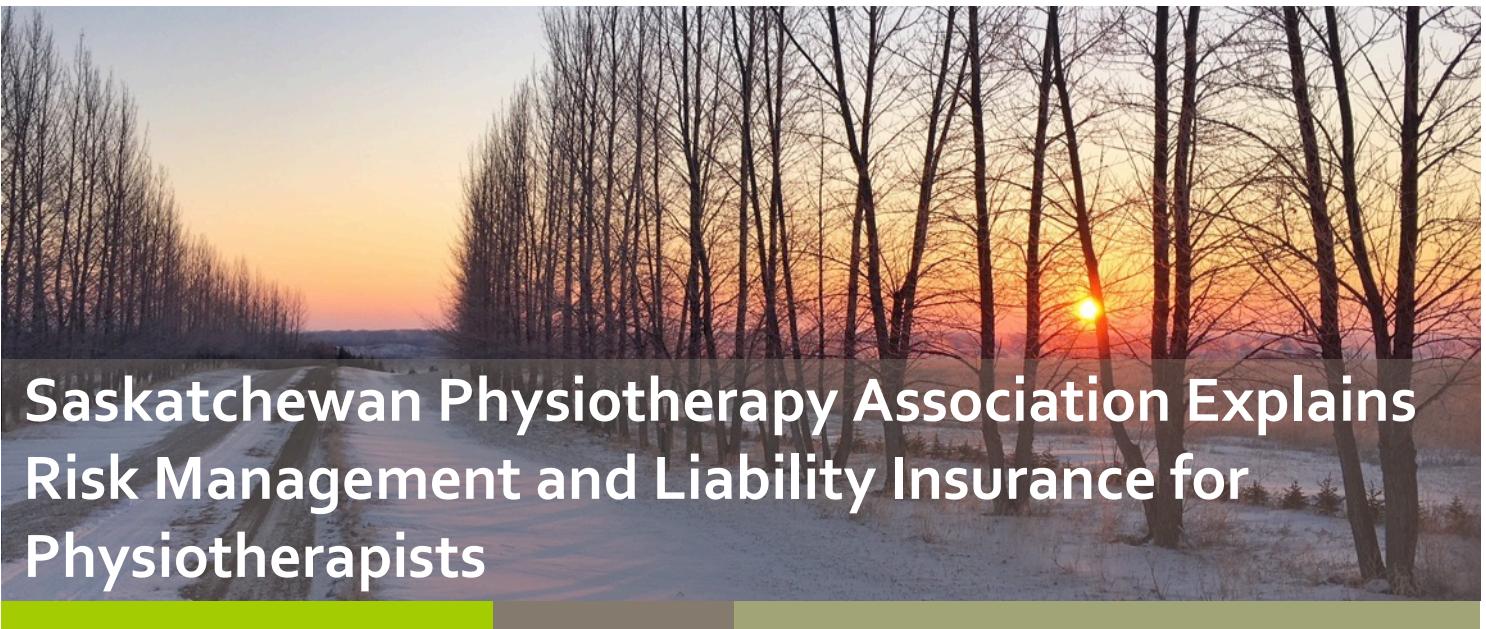
In the guideline, telerehabilitation standards are presented related to licensing requirements, regulation, informed consent, technological considerations, and other factors to consider when providing telerehabilitation services to physical therapy clients within, and in some cases outside of, Saskatchewan. It is important to note that this guideline applies both for intra (in province) and inter (between province) provision of telerehabilitation care for physical therapy clients.

Please take some time to carefully review and reflect on this information as it relates to your current and future practice.

If you have any questions or require further information do not hesitate to contact our Executive Director and Registrar at edr@scpt.org. The SCPT wishes to thank the legislation committee, the professional standards of practice committee, and the content experts who assisted with the development of this guideline

Website Renewal Process

The SCPT launched its new website earlier this Fall. Our renewal process will continue to be online this year. Please familiarize yourself with navigating our new website and accessing your profile. Your user name will now include “scpt” with your license number ie. scpt##### with the same password. All initial applications are available online. The documentation required for initial applications, professional corporation permits and professional corporation renewals are the same, but will need to be uploaded during the application/renewal process. If any assistance is required to access your profile or to upload a document, please contact the SCPT office.



Saskatchewan Physiotherapy Association Explains Risk Management and Liability Insurance for Physiotherapists

Did you know? Physiotherapists can be subject to complaints even in circumstances where they have followed practice standards. This can include:

1. **College Complaints:** where a physiotherapist receives notification from the regulatory College, (Saskatchewan College of Physical Therapists or SCPT) that a patient, caregiver, employer, or other has made a complaint about the care they received and/or the actions or conduct. There are legal costs associated with defending the physiotherapist regardless of the validity of the claim. In addition, fines can be imposed. 38% of claims in Saskatchewan have been college complaints*.
2. **Civil Claims:** where a physiotherapist is served with a statement of claim from a lawyer threatening legal action on behalf of an injured patient. (62% of claims in Saskatchewan*). In this type of claim, there are legal expenses to defend the physiotherapist and the patient could be awarded an amount of money (settlement or judgment imposed on the defendant) to compensate them financially for any damages they incurred as a result of the injury.
3. **Criminal Claims:** less commonly, a physiotherapist can be charged with a criminal offence related to their professional practice. This type of claim generally involves allegations of sexual abuse of patients. There have been no criminal claims in Saskatchewan*.

Public practice settings such as health regions commonly carry various types of insurance to protect their organization and employees, but how much do you know about what these policies cover?

It turns out there are important gaps in the insurance available from employers such as the health region, including a lack of

coverage to respond to complaints made to the regulatory Colleges. This is one of the reasons why many physiotherapists working in public practice choose to purchase individual professional liability insurance coverage in addition to their employers' coverage.

However, according to a recent SPA survey of public practice physiotherapists, 40% (71 respondents with 48% being SPA/CPA members and 52% being nonmembers), a significant number of respondents, are still unsure of whether insurance, in addition to that provided by their employer, is important.

To answer this question, SPA contacted Evert van Olst, Legal Counsel with the Saskatoon Regional Health Authority (SRHA) to seek clarification on the professional liability insurance coverage for physiotherapists available through the SRHA. Read on for an inside look at that conversation.

Armed with this information we think you'll agree that if you are looking for comprehensive protection that responds to cover you in a variety of claim circumstances and is not tied to your place of work, you are best served by having your own, individual insurance policy.

Questions and Answers:

SPA: What liability insurance coverage is provided through the health region for public practice physiotherapists? In the event of a claim against a physiotherapist, what are the potential costs that they could be personally liable to cover? What legal services would be provided to represent them as individuals?

Mr. van Olst: All employees, including physiotherapists, are covered by SRHA for civil claims against them by patients/families as a result of the performance of their duties. This coverage is a combination of purchased insurance and self-

(Continued)

insurance. The coverage is, from the employee's perspective, total, meaning legal costs and any settlement or judgment is covered. The employee would be expected to cooperate fully in the defence, of course. Criminal charges are not covered. There are no maximum claim amounts.

SPA: If there is a formal complaint initiated by a client to the Saskatchewan College of Physical Therapist would the insurance coverage through the health region be sufficient to cover legal services and costs associated with advising the therapist, pay for any penalties assessed by SCPT, or wage replacement to attend hearings and defend the therapist?

Mr. van Olst: The coverage does not extend to claims against an employee to their regulatory body. However, SRHA has, on a case-by-case basis, provided legal support in such cases. Factors that are involved include whether management supports the employee as opposed to the complaint being also part of employer discipline against an employee.

SPA: There was a college regulatory complaint in which the member was found innocent and incurred costs in excess of \$100,000. Although the costs associated with defending physiotherapists with complaints is typically less than this, several members are concerned about risk associated with this. Can you provide more information as to the percentage of the time the health region covers the costs associated with managing a regulatory complaint?

Mr. van Olst: Not able to give percentages. This is a rare event.

SPA: Does the coverage through the health region extend into retirement or while on a leave of absence? Is there coverage for non-health region related work, such as volunteer community events?

Mr. van Olst: Coverage that exists would extend to a retired employee and one on leave. Volunteer work outside of the SRHA environment would likely not be covered.

SPA: What would happen in the case of a multi-disciplinary team where several members of the team are served and are defendants in a claim and there are complexities in terms of who should be liable / responsible for damages to a plaintiff? Would the health region provide legal representation for the therapist acting in the best interests of the therapist?

Mr. van Olst: Where several employees are sued, SRHA would attempt to act in the best interests of SRHA and the employees. How this would be achieved is based on the specific facts of the case and is impossible to answer hypothetically.

SPA: Is wage replacement available while the PT is attending to legal matters?

Mr. van Olst: This is usually addressed in the union collective agreement.

Section 25.04 from the SAHO & HSAS Collective Bargaining Agreement April 1, 2013 to

March 31, 2018 indicates (a) An Employee summoned for jury duty or subpoenaed, as a witness for court shall be paid any difference between payment by the court and that normally received as wages by the Employee.

(b) When an Employee is subpoenaed as a witness for court in a matter arising out of the performance of her duties, at a time when she would not otherwise be working, it shall be treated as time worked.

(c) Except by mutual agreement, Employees shall not be required to attend work whereby the Employee's combined hours of work and jury duty/witness time exceed the regular scheduled daily hours of work of a full-time Employee in the work area.

SPA: If a civil law suit is filed and the physiotherapist has both SRHA and privately purchased insurance, which coverage would be used primarily?

Mr. van Olst: SRHA coverage would be utilized primarily.

SPA: Is there a great variance in coverage when comparing other regions across the province? How will this change once physiotherapists are working under one health authority?

Mr. van Olst: Sorry, I am not able to comment on this. There will continue to be coverage for civil claims for employees acting within the scope of their employment.

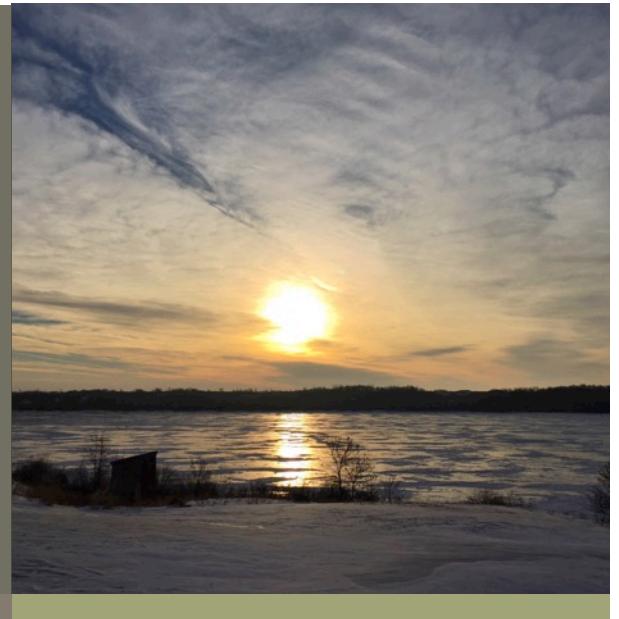
As an SPA member, you have access to a members-only insurance program that offers a full range of coverages specifically designed to meet the unique practice risk and needs of physiotherapists.

The CPA Professional liability insurance policy is comprehensive, cost-effective, and protects you for your full scope of practice wherever you practice in Canada. Click [here](https://physiotherapy.ca/sites/default/files/cpa_pli_brochure_1.pdf) (https://physiotherapy.ca/sites/default/files/cpa_pli_brochure_1.pdf) for more information. Physiotherapists working primarily in the public sector are eligible for a 15% discount on their insurance premiums. A key area of support the SPA and CPA provide physiotherapists is in the area of patient safety and risk management. CPA has developed numerous resources to educate therapists on how to minimize risk. Visit CPA's website for tips on informed consent, home exercise programs, apology legislation and more at <https://physiotherapy.ca/resources>.

*Based on claims made between 2009-2016 against physiotherapists participating in the CPA insurance program.

Triple P Project

The Triple P project has been completed leading to a new Essential Competencies document for physiotherapy and entry-to-practice milestones. As of the end of July 2017, all NPAG (National Physiotherapy Advisory Group) organizations officially accepted and adopted the new Essential Competencies and Milestones document. Survey results and the final version of the document will be available in English and French on the NPAG website by the end of December 2017. As a part of the Triple P Steering committee, I would like to sincerely thank all those who participated in the survey. – Brandy Green, SCPT President



Saskatchewan College of Physical Therapists

105A – 701 Cynthia Street, Saskatoon SK, S7L6B7

p. 1.306.931.6661

Lynn Kuffner, Executive Director & Registrar, edr@scpt.org

Tammy MacSymetz, Office Manager, admin@scpt.org

