



**SPECIAL MEETING OF THE COUNCIL OF THE COLLEGE OF
PHYSIOTHERAPISTS OF ONTARIO
AGENDA**

September 20, 2021

4:00-5:00 pm

Virtual via Zoom

4:00 pm.

Special Council Meeting

1 Approval of the Agenda

Motion For Decision

**2 Backgrounder Solutions that will enable the College to grant Certificates
of Independent Practice**

For Direction

Adjournment



Motion No.: 1.0

**Special Council Meeting
September 20, 2021**

Agenda # 1: Approval of the agenda

It is moved by

and seconded by

that:

the agenda be accepted.

Backgrounder

Solutions that will enable the College to grant Certificates of Independent Practice

September 20, 2021

The current examination

The College of Physiotherapists of Ontario uses an examination held by the Canadian Alliance of Physiotherapy Regulators (CAPR) as a qualifying assessment to register physiotherapists for practice in Ontario. All the other Canadian physiotherapy regulators also use the examination as a qualifying assessment (although Quebec limits its use to Canadian PT graduates from other provinces who are seeking registration in Quebec).

The CAPR examination is a two-part examination.

Part 1 is a written examination. Candidates who successfully complete Part 1 are eligible for a provisional practice certificate of registration which allows them to work/practice under the supervision of another PT with minimal restrictions. PTs pay \$75.00 for a provisional practice certificate and these certificates remain valid for as long as the candidates have to wait to take the second part of the examination.

CAPR's written examination continues to be held and individuals continue to be granted provisional practice certificates, which enable them to practice.

Part 2 is a practical examination (an objective structured clinical examination (OSCE)) that PTs must successfully complete to obtain a certificate of independent practice. While candidates are allowed to attempt the examination 3 times, a candidate who is not successful at the first attempt is no longer eligible to hold a provisional practice certificate.

The current situation

CAPR held its last in-person Part 2 clinical examination in 2019. The declaration of the pandemic in March 2020 with the resultant widespread shutdowns, closures and ongoing distancing requirements ultimately resulted in CAPR cancelling the in-person clinical examinations scheduled for March and November of 2020.

CAPR attempted to replace the in-person clinical examination with a virtual examination to be held in March 2021 however this attempt was not successful and to the disappointment of regulators and candidates, the examination was cancelled.



CAPR once again revised its plans and proposed that it would offer an ongoing series of smaller virtual Part 2 examinations starting September 8, 2021, with the hope that the smaller sizes of the cohorts attempting the examination would result in a greater likelihood of success.

The College Council considered this proposal and agreed to give CAPR another opportunity to try to hold a successful virtual examination. At the same time Council determined that given the problems to date, the College, under the auspices of its Entry to Practice working group, which was established in March 2021 would also seek alternatives to the CAPR examination that would permit the College to fully register provisional practice holders.

Unfortunately, and once again to the dismay of regulators, candidates, and other stakeholders, after holding in the virtual examination in early September on three separate days, CAPR cancelled the entire series of virtual examinations when the technological platform was unable to provide successful, consistent, and reliable results.

The Problem

The inability to CAPR to hold clinical examination since November 2019 is causing significant problems for not only the Canadian physiotherapy regulators who use CAPR to provide examination services, but also for the candidates to wish to enter the professions, employers, and patients.

Because of CAPR's inability to provide an exam, the College in Ontario has more than 800 provisional practice certificate holders who have not been able to obtain a certificate of independent practice with the College.

As noted above, since the cancellation of the virtual examination in March 2021, the College has invested substantial time and resources to investigate alternatives and identify solutions to this problem.

This investigation comprised two main lines of inquiry, **alternative examinations**, and **regulatory amendments**.

Alternative examinations.

This line of inquiry began with a review of the College's registration regulation. Legal advice indicated that the College's registration regulation, while requiring an examination, did not define which examination must be used and left the decision on which examination to use to the Council.



However, legal advice also indicated that an examination used by the College must include several very important characteristics:

- It must be a two-part examination that includes both written and practical components
- It must ensure legal defensibility in the face of examination challenges by being both:
 - o valid (it is an accurate assessment of the knowledge required for practice) and
 - o reliable (it must be able to assess result consistently)
- it must be based on the requirements for practice in Ontario (the CAPR exam is based on the Competency Profile for Physiotherapist in Canada)

In addition to these very specific requirements, it must meet general legislative obligations.

The Physiotherapy Act requires that the College ensure that the people its registers have the competencies require to provide safe and effective care to the people of Ontario

The obligations respecting fairness defined in the Regulated Health Professions Act require the College to assess candidates for registration in a fair and consistent manner.

The national obligations defined in CAFTA to ensure labor mobility for professions require all regulators to ensure that the tools they use to assess entry to practice permit are accepted by all Canadian jurisdictions to ensure the portability of registration in all Canadian jurisdictions.

With these requirements in mind, College staff conducted a review of the availability of alternative physiotherapy competency assessment examinations, both nationally and internationally for the Working Group to consider.

The table below summarizes this work

Review of the Availability of Physiotherapy Entry Examinations

Jurisdiction	Exam	Is it a practical examination? (Assesses clinical skills?)	Assesses Based on Canadian PT Competencies Profile for Physiotherapists in Canada?	Meets other requirements to permit its use as an alternative to the PNE?
United States	Federation of State Boards of Physiotherapy National Physical Therapy Examination	No – written multiple choice examination	No – based on US competency profile	No



Jurisdiction	Exam	Is it a practical examination? (Assesses clinical skills?)	Assesses Based on Canadian PT Competencies Profile for Physiotherapists in Canada?	Meets other requirements to permit its use as an alternative to the PNE?
Australia	Australia Physiotherapy Council Examination - assessment, written and practical	Yes, but the practical only applies for some international candidates. Practical includes 3 components	No	No
New Zealand	New Zealand Physiotherapy Council examination	Yes, but only applies candidates that are not able to demonstrate competency in alternative ways	No	No
United Kingdom (England, Scotland, Wales, Northern Ireland)	Physiotherapy Competence Examination of the Health and Care Professions Council	Yes	No	No
Canada – alternatives identified				
British Columbia	University of British Columbia alternate clinical evaluation process	Yes	Yes	Maybe – worth further assessment
Alberta	University of Alberta alternate clinical evaluation process	Yes	Yes	Maybe – worth further assessment
Saskatchewan	None			
Manitoba	None			
Ontario	None Although there might be willingness to develop an examination			Maybe – worth further assessment.



Jurisdiction	Exam	Is it a practical examination? (Assesses clinical skills?)	Assesses Based on Canadian PT Competencies Profile for Physiotherapists in Canada?	Meets other requirements to permit its use as an alternative to the PNE?
Quebec	Universite de Sherbrooke Physiotherapy Examination	Yes	Yes	No – the examination is held on a very small scale as part of the university program and is not suitable for use as larger scale examination program
New Brunswick	None			
Nova Scotia	None			
Prince Edward Island	None			
Newfoundland	None			
Commercial Exam Setting Agencies: Note: Discussions were held with commercial exam setting agencies which assured the College that they could set up and hold an examination for the College, that would meet all requirements, if they were contracted to do so.				
Canada	None with examinations currently available			College could ask them to provide a custom examination
US	None with examinations currently available			College could ask them to provide a custom examination

Summary of Discussions with Canadian Academic Physiotherapy Examination Providers

Based on the initial work done on the investigation of existing examination, staff on behalf of the Working Group then reviewed in much greater detail the examinations of British Columbia and Alberta to determine whether these examinations could be used by the College as replacements for the CAPR examination.



This review also included a detailed discussion with academics in Ontario to assess in greater detail the possibility that the Ontario academics programs may be able to develop an examination program that could be used by the College as an alternative to the CAPR examination.

Further detail is provided below.

British Columbia

Examination Description:

- Virtual examination held via Zoom.
- 7 Stations
- Content-based on the kinds of stations proposed for use CAPR in March 2021
- Did not incorporate extra security precautions beyond the Zoom platform.
- Examiners also acted as the patient actors.

Result

- The examination was small scale (75 people)
- It appeared to demonstrate an ability to discriminate against those who are competent and those whose ability to practice safely and competently is in question.

Other Considerations

- BC does not consider this examination as counting toward one of the three attempts that an individual has to pass the CAPR examination as the examination was an option – no one was required to take it and it is not BC's defined examination.
- The reason that BC held the examination is because the certificate that they grant which is equivalent to the provisional practice certificate is only valid for 18 months.

Would they do an Examination for Ontario?

They indicated that while it might be possible to would hold an examination, they would prefer that any further examination be in person in BC and that it would take a considerable time to set up as they would need to redevelop scenarios.

Ultimately it was their recommendation that Ontario seek another solution, perhaps with the assistance of the Ontario academic community.

Alberta



Examination Description:

- In person examination
- 12 stations
- Separate standardized patients and examiners

Assessment

- Post examination cut score development.

Result

- Small scale (80 people)
- It appeared to demonstrate an ability to discriminate against those who are competent and those whose ability to practice safely and competently is in question.

Other Considerations

- University of Alberta does a comprehensive OSCE for all students at the end of its program and have lots of experience in offering them.
- They have previously held virtual OSCEs for graduate students and have learned that there are higher risks associated with virtual examinations.
- Alberta has a well-developed network of standardized patients for use in their examinations.
- As with BC, Alberta does not consider this examination as counting toward one of the three attempts that an individual has to pass the CAPR examination as the examination was an option – no one was required to take it and it is not Alberta's defined examination.

Would they do another Examination for Ontario?

- They indicated that while it might be possible to hold an examination, they would only do it in person in Alberta. They are concerned about their ability to hold another examination due to limits on the ability of their examiners to commit.
- Ultimately it was their recommendation that Ontario seek another solution, perhaps working the University of Toronto to develop an in-person examination that the College could use – this would likely be a simpler process than having an in-person examination in Alberta.

Ontario

Staff investigated with academics in Ontario their ability to put on an examination.

The College determined the following:



- It might be possible for the Ontario PT programs to hold an examination on behalf of the College however it would be of great benefit to get assistance from Alberta and BC.
- Such an examination could likely be virtual or in person however it would likely have to be relatively small scale (less than 150 people).
- Ontario would not be able to clear an entire backlog of over 800 people without further sittings of the examination and additional question development, which adds considerable time.

Other Considerations

- The kind of examination based on the bridging program in Ontario is not suitable as a long-term replacement for the CAPR examination.
- This kind of examination would be best as an alternative approach to the current approach.
- Any examination of this type cannot approach the well-established reliability and validity of the CAPR examination due to the CAPR examination's longevity.

Relevant Points

When considering whether to pursue these kinds of alternative examination, the Working Group considered the research considering the following kinds of information.

- None of the alternative examination programs that were looked at closely were intended to deal with people who have failed the clinical examination already and have not been able to work with provisional practice certificates (or similar certificates in other jurisdictions).
- It is this group that has been most disadvantaged, and no mechanisms are currently in place to deal with, except to wait for the PCE.
- Ontario has more than 800 people who are currently waiting for an examination. Of these 128 are carry overs from the cancellation of the examination in March 2020.
- Some provinces have an 18-month limit on their certificates of registration of provisional practice, which is why they felt extreme pressure to find an alternative to the PCE so people could continue to practice.
- Everyone in Ontario who has a provisional practice certificate can continue to work and has their certificate renewed while waiting for the next PNE.
- If the College wishes to use an examination that is different from the PCE as an alternative to that examination of the CAPR examination process is not successful in



September, it will have to have approval from Council that this is an examination set or approved by Council.

- If the College designates an alternative examination and individuals with a provisional practice certificate take it, those who are not successful will lose their certificates and their ability to practice.
- Some certificate holders in other jurisdictions have been reluctant to take the alternative examination due to concerns about whether their certificate will be recognized in other Canadian jurisdictions.
- At least one College (Nova Scotia) has expressed concern to its labor mobility coordinator about the use of alternative examinations to the PCE without national discussion of the appropriateness of this decision. The outcome of this concern is not yet known.
- The College has sought legal advice as to whether it would be required to recognize the certificates of individuals who used an alternative examination to gain entry to the profession. The advice provided indicated that:

For individuals who are issued a Certificate or Licence which is unrestricted and equivalent the Independent Class Certificate, the labor mobility provisions intend that they are to be issued a certificate without further competency-based examination. Obviously, there are exceptions for applicants who do not meet certain of your other registration requirements.

- Alberta and BC have received similar advice from their legal advisors.
- It is currently unknown how the concern identified by Nova Scotia will affect this at the national level.

Based on this review of the availability of physiotherapy clinical competency examinations, the Working Group determined there was a viable solution to the problem that used examinations as a solution – the development of a custom examination through an RFP process.

1. Request for proposal for a clinical examination

This is the scenario which would have the College issue a request for proposal to examination setting agencies for the development of a clinical examination.

To find a solution to the examination challenge, the Working Group immediately developed an RFP that would be available for distribution if CAPR was unable to successfully hold its virtual examination in September.

After the unfortunate cancellation of the CAPR virtual examination in September, the RFP was issued and the College anticipates that once a developer is chosen, clinical examinations for registration purposes will be available early in 2022.



2. Development of shared examination in conjunction with other regulatory Colleges

While this information was not in the hands of the Working Group when they considered the examination issue, since the cancellation of the CAPR examination, staff have been in conversation with other physiotherapy regulators in Canada, especially those in the west, and an interest in the development of a shared clinical examination has emerged.

These discussions have the potential to develop a joint clinical examination that would have the potential to be available prior to the end of this calendar year. These discussions are ongoing.

3. CAPR in person examination.

In addition to the option noted above, a CAPR in person clinical examination that would be available at some point in the next year is also a potential solution. CAPR's intention to revert to an in person clinical examination that would be available at some point next year was included in their cancellation announcement. This could conceivably be a solution the College could use if it actually becomes available prior to other tools. The College will watch the development process.

Amendments to the regulation

As noted above, in addition to the alternative to the examination solutions identified above, at the direction of the College President, the College also undertook a careful review of its existing registration regulation to assess whether there are changes to the regulation that it could pursue to facilitate the registration of candidates who are waiting for the PCE clinical examination.

This review identified three conceivable regulation-based solutions to the current registration situation that could be activated.

1. Emergency Certificates of Registration

This is the development of a regulation change that would enable to the College to issue Emergency Certificates of Registration during pandemics or other health emergencies that



require additional PT resources. Some other health regulators use this kind of certificate to enable them to grant certificates to candidates in circumstances where they would not normally be entitled to obtain these certificates, but where their services are required in a health emergency.

While this kind of regulatory amendment would enable the College to grant certificates in a health emergency, these certificates would only be valid for the duration of the health emergency and when it was over, candidates would revert to the prior registration status and would have to meet normal registration requirements.

The College has discussed this type of regulation amendment with government, who have suggested that the addition of this kind of class of registration is possible however it would require the typical regulation development process, which takes at least a year or longer.

2. Amendment to examination requirements

This is the development of a regulation change that would enable the College to have more flexibility in what assessment tools it may choose to use for the assessment of competence to grant certificates of registration. As noted above the College does have the flexibility to define which examination it will use to assess competence however the regulation currently restricts this flexibility by prescribing a two-part registration examination that includes both written and clinical components.

If a regulation change of this type were approved by government, then the College may be able to use other types of assessment tools to assess competency and enable the granting of certificates of registration.

A regulation of this type would require the typical regulation development process, which takes at least a year or longer, however given the current situation it is possible that changes may be accelerated in order to facilitate the registration of candidates.

3. Amendment to provide additional discretion to the registration committee

This is the development of a regulation change that would provide the registration committee with more discretion to deal with existing restrictions on the granting of certificates.

If a regulation change of this type were approved by government, then the Committee may be able to use discretion to deal with unusual circumstances like a pandemic.

A regulation of this type would require the typical regulation development process, which takes at least a year or longer, however given the current situation it is possible that changes may be accelerated in order to facilitate the registration of candidates.



What should Council Consider?

Given that the work undertaken by the College in the last three months suggests that there are at least 6 different solutions the College could pursue to manage the need to register current candidates waiting for the CAPR examination, Council may wish to consider which one/s the College should pursue as a priority.

Council may wish to consider its priority setting considering factors such as:

- The need to ensure public safety
- The need to address public concern
- The need to address the registration issue expediently
- The need to direct the most effective and efficient use of resources



Appendix 1

Proposed Criteria for Assessment of Alternative Examinations

Any examination that is proposed as an alternative to the current PCE should:

- assess practical skills (i.e., clinical skills)
- assess the entry to practice competency skills required in Canada
- be valid (i.e., measures what it is intended to measure). Different exams have different degrees of validity
- be reliable (i.e., provide stable and consistent results). Different exams have different degrees of reliability.

Validity and reliability are important from a legal defensibility standpoint. People who are unsuccessful on examinations may challenge them based on the validity and reliability of the examinations.

Other criteria for choosing an alternative examination should probably include factors such as:

- Cost – examination costs can vary substantially. How much will the development of the alternative cost the College/applicants?
- Time – examinations can take considerable time to develop. How much time will development of a particular tool take?
- Virtual or in-person. During a pandemic this may be an important consideration.
- Duration. Is the examination intended for long term use or as a short-term alternative?

Proposed criteria for who may be eligible to use/not use the alternative examination.

The following are eligibility criteria proposed to identify those who may be eligible to be assessed by an alternative examination:

- Registered with Provisional certificate on the date that the COVID-19 pandemic was declared by the World Health Organization, March 11, 2020, and



- Registered with Provisional certificate for the entire period beginning March 11, 2020, and continuing until their attempt at the alternative clinical examination, and
- Registered to complete one of the cancelled clinical components of the PCE in June 2020, November 2020, March 2021. (Note: these individuals will have been in practice approximately 18 months without a demonstrated risk to the public).

The following are eligibility criteria proposed to identify those who are NOT able to choose the alternative examination:

- Those who have attempted the Clinical Component of the PCE prior to the pandemic and who were unsuccessful in their attempt(s) to pass the examination.
- Those Provisional practice certificate holders who are involved in a current conduct investigation of their physiotherapy practice or who have a history of a conduct investigation and have a finding.
- Former PCE candidates and applicants to the College who have exceeded the permitted number of examination attempts permitted for the completion of the clinical component of the PCE.

Criteria for choice

For those Provisional practice certificate holders who are eligible to use the alternative clinical competency examination, they should be given the option of completing the alternative examination, or to await the availability of the Clinical Component of the PCE administered by CAPR.

Consider criteria for linkage to organization eligibility rules

Considering the use of an alternative clinical competency examination will also require consideration of how the use of the alternative links to the broader rules that relate to the CAPR examination and the College's registration policies.

- In the context of CAPR, is an unsuccessful attempt on an alternative examination equivalent to an unsuccessful attempt on the CAPR examination? If so, does it count against the individual's three tries on the PCE?
- In the context of the College, an unsuccessful attempt on the alternative examination would be treated the same way as an unsuccessful attempt on the CAPR examination and the individual would have their provisional practice certificate revoked.



Appendix 2

Frequent Asked Questions in Relation to Pandemic related examination issues

1. Why has the College continued with CAPR's Physiotherapy Competency Exam to date?

Registering candidates in independent practice as quickly as possible has always been the College's primary goal. However, our options to do so are defined within the current parameters of the regulation. The regulation speaks to the practical component of the examination which to date has been the Physiotherapy Competency exam – Clinical.

The Canadian Alliance of Physiotherapy Regulators (CAPR) is the agency that the College currently uses to obtain registration credentialling and examination services.

During the pandemic, CAPR has continued to provide credentialling services for prospective College registrants. CAPR has also successfully delivered the written component of the Physiotherapy Competency Exam (PCE), enabling applicants to register in provisional practice.

The College appreciates the complexity of delivering a clinical exam virtually and we were hopeful and consistently reassured that CAPR would be able to successfully deliver the clinical component.

In considering the requirements of the regulation and the length of time it would take to develop, implement, and deliver a comparable alternative or request changes to the regulation, we believed CAPR's relaunch of the exam on September 8 was the fastest way to register candidates.

Unfortunately, the relaunch did not go as planned and CAPR cancelled the examination and stated an intention to return to in person examination next year.

2. Why not change the regulation?

The College cannot unilaterally make the decision to change the regulation. While we can submit proposed changes to the government, changes often take a minimum of one year to be approved, if not more.

Changes to the regulation are also not guaranteed. In submitting regulation changes the College needs to demonstrate that the proposed changes are in the public's interest and that there is evidence of extensive consultation.

While requesting changes to the regulation is certainly something we are prepared to explore, it will not quickly facilitate registering the candidates waiting to challenge the clinical exam.



3. Why did the College decide to put out an RFP?

After conducting extensive research and carefully considering the available options, we did not find a suitable alternative for a clinical exam that was readily available, valid, and reliable. As such, we have decided to broaden our search for an alternative clinical exam.

An RFP allows us to consider options from multiple organizations to make the best decision for candidates within our legislative requirements.

4. What is the College doing right now to move the process forward?

Currently the College is considering every available solution that could be considered as an alternative exam within the expectation defined by the current regulation. If we find a suitable option, we will aim to implement it as quickly as possible to address the backlog of candidates. Any option considered by the College will need to ensure public safety and a fair registration process for all candidates.

We have also issued a request for proposals for an alternative clinical examination.

We are also in regular discussions with provincial physiotherapy regulators across the country to explore the future of the exam and alternatives to it, entry to practice issues and physiotherapy licensing in Canada. The College is required to ensure that licensing practices align with interprovincial trade agreements. Such practices allow physiotherapists who are licensed in one province the ability to register in another province without having to complete additional licensing requirements.

5. What has the College done to find a solution to the delayed PCE?

Council directed the Entry to Practice Working Group to explore other options for examination that would fulfil the requirements of the Regulation. While several examinations were identified, most were not the practical exams that the regulation requires. While some provinces, in particular Alberta and British Columbia were able to implement alternative practical examinations with the assistance of the universities, these options are not feasible for the volume of candidates in Ontario.

6. Why does the College have to require a clinical exam?

The College's [Registration Regulation \(532/98\)](#) requires an applicant to pass a clinical examination to be registered in independent practice.

The College can decide what examinations it will use to assess the competency of applicants. However, any alternative to the CAPR examination must meet the requirements of the



Registration Regulation. The exam must contain both written and practical (i.e., clinical) components, be based on Canadian competencies, and must be sufficiently consistent in its testing (reliability), and accurate in what it tests for (validity). This is to ensure the examinations are fair to all applicants and can withstand legal challenges when individuals are unsuccessful.

Changing the existing requirement for a clinical exam is a difficult process, as the requirement for a clinical exam is legislated. Changes to the regulation are not guaranteed to be made upon request and must be justified based on the College's obligation to protect the public interest.

7. Can the College use an emergency registration provision to register people during the pandemic?

The College's Registration Regulation does not allow the College to issue certificates for Emergency Registration. Nor has the Government of Ontario asked the College to fast track the registration of students, or individuals who have resigned or retired to support the response to the pandemic.

The College of Nurses of Ontario enacted the Emergency registration of nursing in April 2021 in order to support the province's response to the pandemic. The Ontario College of Pharmacists enacted Emergency registration provisions in March 2021 for the same reason. These are temporary certificates of registration, and once the pandemic is over, people will be required to complete the examinations that are required.

8. What should people expect from the College over the coming months?

The College is committed to finding and implementing a path to full registration for candidates that meets the legislative requirements, is fair to all candidates and supports patient safety. We will continue to work with stakeholders in pursuit of this goal.

We will continue to provide regular updates on our website and social media channels, and we welcome constructive conversations about entry to practice and the clinical exam.