



## PRACTICE DIRECTION

### Manitoba Practice Assessment Program Summative Assessment

Initial Approval: November 22, 2018

Effective Date: January 1, 2019

Reviewed with NO Changes

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Practice Directions set out requirements related to specific aspects of the practice of medicine. Practice Directions are used to enhance, explain, or guide members with respect to the subject matter relevant to the practice of medicine. Practice Directions provide more detailed information than contained in *The Regulated Health Professions Act*, Regulations, Bylaws, and Standards of Practice issued by the College. All members must comply with Practice Directions, per s. 86 of *The Regulated Health Professions Act*.

This Practice Direction is made under the authority of s. 85 of the RHPA with specific reference to s. 3.22 and 3.23 of the CPSM General Regulation.

Manitoba Practice Assessment Program Summative Assessment – Terms and Conditions per the Registrar for the purposes of CPSM General Regulation s. 3.22 & s. 3.23

#### 1. Eligibility for the Manitoba Practice Assessment Program (“MPAP”)

- 1.1. There are 2 aspects of eligibility for each candidate:
  - 1.1.1. referral by the College to the University;
  - 1.1.2. admission to MPAP by the University.

#### 2. Criteria for referral by the College to the University

- 2.1. Registration. The candidate must have registration with the College in one of the following categories: provisional - specialty limited, provisional - family limited.
- 2.2. Examination Attempts. The candidate must have attempted the MCC Qualifying Examination, Part 1 or, if eligible, Part 2.
- 2.3. Certification Attempts. The candidate must have attempted to obtain the College of Family Physicians of Canada (“CFPC”) certification or the Royal College of Physicians and Surgeons of Canada (“Royal College”) certification, if eligible. If a candidate states that he or she is not eligible for the certification process, the candidate must produce documentation from the CFPC or the Royal College verifying he or she is not eligible.
- 2.4. Practice. The candidate must be currently practising medicine in Manitoba, and must have had at least 2 years of continuous active practice in Manitoba. The continuous

active practice must be sufficient, in the sole discretion of the Registrar, to meet the University's assessment requirements.

- 2.5. Scope of Assessment. The candidate must provide a clear description of the scope of assessment which the candidate wishes to have performed, and the proposed scope of assessment must meet the following criteria:
  - 2.5.1. For family medicine, the scope must be structured to demonstrate competence of the candidate in the full spectrum of family medicine care for the patient population proposed (e.g. excluding paediatrics), subject to the right of the candidate to exclude anaesthesia and obstetrics.
  - 2.5.2. For other specialty or sub-specialty fields, the scope may be for the entire specialty or sub-specialty field, or may be a restricted practice within the specialty or sub-specialty field. In either case, the scope must be structured to demonstrate competence of the candidate in the full spectrum of medical care for the patient population within the entire specialty or sub-specialty field or within the patient population for the restricted practice within the specialty or sub-specialty field as the case may be. (For example, the scope may be orthopaedic surgery or orthopaedic surgery, limited to diabetic feet.)
  - 2.5.3. The Registrar retains the sole discretion to refuse to refer a candidate on the grounds that the proposed scope of practice is so restricted that successful completion of the assessment will not demonstrate the candidate is able to provide safe medical care.
- 2.6. Terms and conditions.
  - 2.6.1. During MPAP: Each candidate's registration and certificate of practice will be made subject to the following terms and conditions during his or her participation in MPAP:
    - 2.6.1.a. The candidate must:
      - fully cooperate in the MPAP; and
      - complete all requirements of the MPAP and comply with all terms and conditions of the MPAP within any time limits which the Director of the MPAP, acting reasonably, specifies.
    - 2.6.1.b. Registration and licensure will be revoked if the candidate is dismissed from the MPAP. Dismissal from the MPAP is within the sole discretion of the Director of the MPAP and, amongst other reasons, the MPAP may dismiss for:
      - failure or refusal to complete any requirements of the MPAP or comply with any terms and conditions of the MPAP.
      - failure to adhere to specified time limits.
  - 2.6.2. Upon completion of MPAP: The candidate must agree that, if successful in the assessment, his or her registration and certificate of practice will be subject to

terms and conditions which restrict his or her practice commensurate with the scope of the assessment performed, and that variance of the terms and conditions in the future will be subject to the requirements of re-entry of Inactive Physicians.

- 2.6.3. Further Terms and Conditions: In each case, the Registrar is responsible to review the question of whether additional terms and conditions are required to protect the public while the candidate participates in MPAP.
- 2.7. Time frame. The candidate must submit his or her application for referral no later than 30 months before the expiry of his or her registration. The Registrar may, in his or her sole discretion, waive the 30 month requirement.
- 2.8. Documentation and fee. The candidate must complete the application on the form required by the College and pay the fee for the documentation review and referral process. The fee is intended to cover the College's cost of review of the application for referral to MPAP and the movement to full registration if the candidate is successful. It does not include the cost of the assessment itself, which is to be dealt with by the University.

### **3. Admission to MPAP by the University**

- 3.1. Application. The candidate must complete the application package required by the University and supply all of the information required by the University to permit it to determine whether the candidate is eligible for assessment.
- 3.2. Time frame. The candidate must submit required documentation to the University no later than 24 months before the assessment, or such lesser time as the University may approve. The University, in its sole discretion, may waive the 24 month requirement.
- 3.3. Sufficient data. The University, in its sole discretion, will determine whether the candidate has sufficient data about his or her practice to complete the assessment.
- 3.4. Fee. The candidate must pay the fee assessed by the University for the assessment. The cost of the assessment will be set by the University and paid by the candidate directly to the University.
- 3.5. Assessment. The candidate must participate in the assessment within the time frame and in compliance with the requirements and policies fixed by the University.
- 3.6. Report of the University. The College will have no role in the actual assessment or in the appeal process afforded by the University. The University will be responsible to provide a written report respecting the candidate's participation in the assessment process and a classification of the candidate in one of the following categories:
  - 3.6.1. Successful. By this designation, the University confirms that a candidate is suitable for independent practice within the scope of practice in which the candidate was assessed.

- 3.6.2. Partially Successful; Suitable for Remediation. By this designation, the University confirms that the candidate is suitable for independent practice within specified components of the scope of practice, and is a suitable candidate for remediation in the remaining components of the scope of practice. The University will state its opinion as to the degree of supervision required by the candidate in order to practice safely while undergoing remediation.
- 3.6.3. Unsuccessful. By this designation, the University confirms that the candidate is not suitable for independent practice within the scope of practice in which the candidate was assessed and that the candidate requires retraining.

The University will provide the College with a letter stating the outcome for the candidate, and will only provide a copy of the written report to the College upon the written request of the College. Generally speaking, the College will regard the letter as sufficient for candidates who are successful or unsuccessful, similar to a final in-training evaluation. However, for the candidates who are partially successful, the College will request the full report to assess the candidate's ability to practice safely while undergoing remediation.

- 3.7. Remediation option. Where the University recommends a candidate as suitable for remediation, it will specify the required remediation and design a remediation plan for the candidate where possible. Participation in remediation is subject to the following conditions:
- 3.7.1. the remediation must be completed within 6 months. (Any candidate who requires longer than 6 months may be a candidate for retraining, but will not be permitted to participate in the remediation option.)
- 3.7.2. the candidate must fully cooperate in the remediation process and complete all aspects of the remediation program designed for the candidate by the University in accordance with the time frames specified by the University.
- 3.7.3. the candidate will be solely responsible for all costs associated with the remediation.
- 3.7.4. if the candidate successfully completes the remediation, the candidate must participate in a reassessment process, limited to the areas which were the subject of the remediation, within the time frame specified by the University. The candidate must pay all costs associated with a reassessment, as determined by the University.

#### 4. Registration

##### 4.1. Successful completion of MPAP

Upon receipt of notice that a candidate has received a “successful” designation, the College will convert the candidate’s registration to full registration, subject to any terms and conditions based upon the scope of the assessment and to any other terms and conditions required in the specific case. The cost of this conversion is included in the initial fee.

##### 4.2. Unsuccessful completion of MPAP

Upon receipt of notice that a candidate has received an “unsuccessful” designation, the College will cancel the candidate’s registration and certificate of practice. Note that when a physician is required by the College to immediately cease practice, the physician is notified that he or she has the following on-going responsibilities:

- 4.2.1. provide appropriate notice to patients with respect to the physician’s absence from the office;
- 4.2.2. facilitate requests for transfer of records; and
- 4.2.3. attend regularly to the office for the purpose of reviewing mail, including any test results that may be received.

##### 4.3. Partially successful completion of MPAP

Upon receipt of notice that a candidate has received a “partially successful; suitable for remediation” designation, the College will notify the candidate that he or she has the option of participating in a remediation plan in accordance with the requirements for remediation set out above. If the candidate does opt to participate in the remediation, his or her registration will be continued as provisional, and his or her certificate of practice will be made subject to any requirements for supervision specified by the University. The candidate will be solely responsible for arranging supervision satisfactory to the College, and the candidate will be solely responsible for the cost of the supervision. If the candidate does not successfully complete the remediation or does not successfully complete the reassessment following the remediation, the College will cancel the candidate’s registration and certificate of practice.

- 4.3.1. A candidate who has received a “partially successful; suitable for remediation” designation may request additional restrictions on his or her practice to exclude from his or her practice the areas where remediation is required. When such a request is made, the Registrar will obtain a complete copy of the report from the University to assess whether the candidate is able to deliver safe medical care within the further limited scope of practice. If, in his or her discretion, the Registrar is satisfied that the candidate is able to provide safe medical care within the further limited scope of practice, the College will issue full registration and certificate of practice to the candidate, subject to the

terms and conditions commensurate with the further limited scope of practice.

#### **5. Notice of Reporting Obligation**

It is possible that physicians who act as assessors will form the opinion that the candidate is unable to practice medicine safely or that the candidate appears to pose a serious risk of harm to a third party. In such cases, the physician has legal and/or ethical responsibilities to notify the College and provide full particulars. The Registrar will address the matter through a referral to the Physician Health Program or the Investigation Committee as deemed appropriate by the Registrar.

#### **6. Release of Information**

If a candidate obtains a “partially successful” outcome and is approved to continue practice while undergoing remediation, full particulars of the assessment results and the required remediation must be provided to:

- 6.1. the candidate’s practice supervisor;
- 6.2. the Chief Medical Officer of any Regional Health Authority where the candidate has privileges;
- 6.3. such other physicians who work with the physician as the Registrar, acting reasonably, believes must be notified in order to protect the public interest.

#### **7. Approved leave from MPAP**

A provisional (MPAP) member may move to the non-practicing class as set out in the CPSM General Regulation s.3.34(2) due to a medical condition, while on a statutory leave (such as maternity or paternity leave), or an approved leave. The following are approved leaves:

- 7.1. a death in the family;
- 7.2. a serious illness or injury of a family member.