

June 4, 2007

PROMOTING GREATER PATIENT PROTECTION THROUGH AMENDMENTS TO THE REGULATED HEALTH PROFESSIONS ACT

The McGuinty government has made a number of amendments to the *Regulated Health Professions Act, 1991*. The amendments will simplify and improve the health regulatory colleges' complaints process, increase public access to information from the health colleges, and provide greater protection to patients seeking out treatments from health care providers not regulated under the act. The amendments include:

Health Regulatory Colleges – Complaint and Reports Process

The legislation will merge a number of functions of college committees in a single Inquiries, Complaints and Reports Committee. This will lead to a more efficient process by ensuring that patient concerns will now be considered quickly by a single committee. Currently, concerns from the public are channeled to different committees depending on the nature of the concern.

Increased Access to Information

Changes to improve public access to information include:

- Giving health colleges the freedom to confirm publicly whether a member is under investigation where the public may be at risk. Health colleges are currently not permitted to comment on investigations;
- Health colleges will be required to provide greater public access to information regarding their members including practice information, practice restrictions and any disciplinary action taken against that member so that Ontarians can make informed choices when choosing their care providers;
- Information which is accessible by the public must be made available to any person during normal business hours and be posted on the College's website. As soon as a person makes an inquiry about a member, the college must make reasonable efforts to ensure that the person is provided with a list of all the information that is available to them.

Increased Protection

Changes to improve public protection include:

- Posting on a health regulatory college's website:
 - findings of malpractice and professional negligence against one of its members;
 - all matters referred to its discipline committee;
 - every suspension or revocation of a member's certificate of registration.
- Where a health care professional has been found guilty of any offence, he or she will be required to report this to his or her regulatory college. If the offence relates to the health care professional's

suitability to practise, the health regulatory college will then make any subsequent finding of professional misconduct public on its website.

- Ensuring patients have access to information on discipline and incapacity decisions a regulatory college makes by requiring the posting of decision summaries on the college's website. This information will no longer be automatically removed from the web site after six years.
- Expanding the "harm clause" in the *Regulated Health Professions Act, 1991* (RHPA) to protect patients from serious bodily harm which will include "psychological harm" when receiving health treatment or advice.
- A new Inquiries, Complaints and Reports Committee which will have the authority to immediately order interim suspension of a regulated health professional after an investigation has been completed and quickly refer him or her to discipline if the committee believes the continued practice of the professional poses a serious public risk.
- Requiring facility operators (e.g., hospitals, long-term care facilities,) to report to health colleges any concerns about possible incapacity or incompetence of regulated health professionals (in addition to the existing requirement to report sexual abuse).

Supporting the Government's *HealthForceOntario* Human Resources Strategy

The *HealthForceOntario* human resources strategy is Ontario's plan to ensure that skilled health professionals are available now and in the future to provide needed services to Ontarians. The legislation supports this strategy by enabling improved sharing of information between health colleges and government for health human resources planning. Under the legislation, the government will be able to request information from colleges about the number of professionals entering a profession each year or about areas of the province in which there may be a shortage of professionals.

The legislation also supports *HealthForceOntario* by encouraging and facilitating greater inter-professional collaboration among regulated health professions. (E.g. facilitating members of different health professions to work in practice teams so as to enhance the quality of care provided in Ontario's health facilities.)

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