

SCOPE OF PRACTICE

Members of the College of Occupational Therapists of Manitoba are accountable for the practice they provide to the public. This guidance document is offered by COTM to assist you in deciding about personal scope of practice.

In the absence of a COTM Council approved position on a particular activity, you will have to make your own assessment as to whether you can take on the activity.

Background

While the legislated scope of practice is defined in *The Occupational Therapists Act (The Act)*, it is sufficiently broad and flexible to allow for interpretation. This creates some ambiguity as to the therapeutic activities occupational therapists are authorized to perform.

The scope of practice is described in Section 2 of *The Act* as follows:

Practice of occupational therapy

The practice of occupational therapy is the application of occupational therapy knowledge, skills and judgment in the

- (a) promotion of health and optimal occupational performance;
- (b) prevention of disability; and
- (c) assessment and resolution of occupational performance issues.

COTM has a position that the practice of occupational therapy includes the roles of educator, researcher, manager and other adjunct clinical roles such as case manager, clinical coordinator, etc.

If you are wondering if a new practice area or intervention would be considered acceptable to COTM you should consider the following questions:

Is there any legal reason why I should not be engaging in this activity?

There are some skills that are called reserved acts, protected acts or reserved activities that can only be done by individuals registered by certain regulatory authorities.

In some cases, there may be industry restrictions.

Though COTM may be able to assist in some instances, in others you may need to do this exploration yourself.

Do I have the skills to carry out the professional activity?

You must be able to demonstrate proficiency at an acceptable level in order to carry out the intervention. Though COTM does not direct the manner in which the skills and knowledge are acquired, it is advisable that you can document in some manner how you gained these competencies. The required competencies must also extend to managing risks associated with the equipment used to execute the activity.

How does this new modality or intervention relate to the practice of occupational therapy?

You must be able to articulate the manner in which the new technique is the practice of OT. A technique or activity on its own is neutral. COTM has an expectation that it is used to assess or to meet challenges with your clients' occupations

consistent with the purpose of occupational therapy regardless of the modality. The new modality should form part of a logical evolution of occupational therapy practice.

Is there evidence to support the practice as being safe, effective, and beneficial to my clients?

As an occupational therapist there is a requirement that your practice be evidence-informed. Therefore, if you wish to use complementary or alternative therapies you must be able to demonstrate that the intervention is supported by evidence and science and is in keeping with professional, ethical and legal obligations. Clients must be allowed to question the use of the modality, must be given the option to choose conventional methods and any conflicts of interest must be resolved in favour of the client.

Can I be fully accountable for my practice?

You must be able to assume full responsibility for the effective provision of the service you are offering. This includes being accountable to COTM and to your clients and to colleagues for the quality and effectiveness of the service. It is also necessary that clients are aware that you are providing the service as a registered occupational therapist.

Does my employer support my participation in this activity?

If you have an employer, you need to be confident that you have their support to carry out this part of your practice.

What are the risks associated with proceeding with a new activity?

You may be challenged by others when you take on a new activity. Even going through the steps outlined in this document may not prevent a colleague, client, other regulator or COTM from expressing concern to you, to your employer or perhaps to COTM about your practice. You need to be prepared to demonstrate the rationale for choosing your course of action.

What else might I need to consider?

Of importance is attention to the equipment used for the intervention. Some professions provide a great deal of direction and have stated expectations related to the management of specific equipment regularly used in that profession. In the absence of this type of direction from COTM, occupational therapists still have an obligation to attend to the equipment in order to mitigate risk of harm and support efficacy of treatment. The COTM Managing Client Information: Meeting Regulatory Obligations document also addresses issues related to equipment used in practice.

What should I know about the RHPA and my scope?

The Regulated Health Professions Act (RHPA) provides for a reserved act model of public protection. This means that there are twenty-one high risk activities that have been identified which will be assigned to professions for whom this is considered part of that profession's scope of practice. The regulators will further determine which of its members has the competencies to carry out the reserved act(s).

COTM will provide additional information about Scope of Practice and how it may change as we move under the RHPA.

For a list of the reserved act in the RHPA: <https://web2.gov.mb.ca/laws/statutes/2009/c01509e.php>

See Part 2 of the RHPA which is entitled Reserved Acts.

What if I am still unclear as to COTM's position on my potential change in scope of practice?

By all means you can still contact COTM – you should direct your questions to the Executive Director at sharon.eadie@cotm.ca

For more information, please contact COTM at (204) 957-1214 or by email at OTinfo@cotm.ca

This publication is provided for general information. For more specific information see

The Essential Competencies of Practice for Occupational Therapists in Canada,

The COTM Code of Ethics for Occupational Therapists and

The Occupational Therapists Act and Regulation.

COTM publications are available on our website at www.cotm.ca