



COLLEGE OF OCCUPATIONAL
THERAPISTS OF MANITOBA

2010 Annual Reports

June 1, 2009 - May 31, 2010



Our Vision

Quality Occupational Therapy - Accountable to Manitobans

Our Mission

Our Mission is to protect the public by regulating, advocating and advancing safe, ethical and quality occupational therapy practice in Manitoba.

Our Mandate

The College must carry out its activities and govern its members in a manner that serves and protects the public interest.

-The Occupational Therapists Act



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Chairperson's Report

The 2009-2010 year was one of accomplishments, of refocusing goals and of readying ourselves for transition to the new RHPA.

COTM Council is continuously striving to ensure that we maintain focus on our purpose, which is to protect the public. Helping us in this task is a three-year strategic plan, which was developed in 2007-2008. This year the Council reviewed and updated this strategic plan and continue to refer to the goals outlined in the strategic plan frequently, in order to work toward our goals. Below are the strategic goals and the work we have done as Council this year toward achieving these goals.



MAINTAINING AND SUPPORTING AN EFFECTIVE GOVERNANCE MODEL

COTM is continually working on succession planning for Council members as well as a mentor program for new Council members.

COTM is excited to have welcomed four new public members this year. These members have joined various committees including one on Council. This allows every committee to have a minimum of one public member, which is sure to be an invaluable resource.

We continue to self-evaluate council effectiveness and efficiency and change processes as required from the information gained through these evaluations.

Looking forward, this coming year we plan to investigate whether or not there should be criteria for persons seeking appointment to the council and committees. This planning comes from legal recommendation.

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COTM COUNCIL

CHAIR: Cara Brown	Executive Committee Member	PUBLIC REPRESENTATIVES:	
VICE CHAIR: Joanna Quanbury	Coordinator of Governance Issues & Strategic Directions Executive Committee Chair	Karen Pirnie	Council Member Executive Committee Corresponding member Investigation Committee Member
REGISTRAR: Laurel Rose	Board of Assessors Chair	Lois Stewart-Archer	Practice Issues Committee Chair Council member Executive Committee Corresponding member
RECORDING SECRETARY: Melanie Read	Executive Committee Member Communications Committee Chair	David Rushforth	Council Member (to April 2010) Executive Committee Corresponding Member Board of Assessors Member
TREASURER: Ed Giesbrecht	Executive Committee Member	Michelle Masserey	Continuing Competence Committee Member Council member Executive Committee Corresponding member
Kendra MacKinnon	Investigation Committee Chair		
Leslie Johnson	Legislation Committee Chair		
Lynda Wolf	Continuing Competence Committee Chair		
EXECUTIVE DIRECTOR: Sharon Eadie		Gary Sawisky	Communications Committee member Inquiry Committee member

Council terms run from January 1st to December 31st; annual reports cover the period of June 1st to May 31st. The above represents the individuals holding the positions as of May 31, 2010.

Chairperson's Report (continued from page 2)

DEVELOPING RECIPROCAL COMMUNICATION WITH STAKEHOLDERS

This has been an area of focus this year. We used several modes to gather information on how we can improve communication between the College and the College's various stakeholders. Focus on communication is very timely as we plan for the implementation of the new Continuing Competence program.

A planning session specifically for communications was held with the Council and facilitated by a consultant in order to develop a specific plan for a review of our current communications, and the implementation of improved communication strategies within the College. One concrete result of this session was the alteration of the Communications Committee functions in order to delineate the work that is needed by the committee and work that will be conducted by the office.

An Independent Study project conducted by students at the University of Manitoba provided COTM with further information on how members prefer to receive information and what communication strategies they perceive to be most effective.

A CONTINUING COMPETENCE PROGRAM

In keeping with *The Occupational Therapists Act 2005* (part 5, section 15), the development and implementation of a Continuing Competence (CC) program continues to be a key area for Council. This year, the CC Committee completed their recommendations on what the Continuing Competence Program should look like. Thus, the focus for Continuing Competency work has now changed from visioning toward the planning of program implementation.

EFFECTIVELY MEETING REGULATORY REQUIREMENTS, REGISTRATION AND COMPLAINTS INVESTIGATION

The Board of Assessors (aka Registration Committee) and the Investigation and Inquiry Committees continue to make constant improvements to COTM processes and practices. COTM continues to be recognized for its work in developing standards for the review of applications from internationally educated occupational therapists. It was in recognition of this commitment that the Office of the Manitoba Fairness Commissioner provided funding for COTM's Executive Director to attend the CLEAR International Congress on the Regulation of Professions and Occupations in Dublin, Ireland (July 2009). The second annual orientation for the members of the Investigation and the Inquiry Committees along with COTM investigators was held this past May.

PLAN AND PREPARE FOR THE TRANSITION TO RHPA

COTM is well-positioned for the transition to the RHPA. We can be proud that our College has been asked to act as a resource for other health care regulatory associations who are less prepared for the transition.

We are currently focusing on the education of COTM members on "Reserved Acts" as outlined in the RHPA. COTM is looking forward to consultations with members to learn if they believe that the practice of occupational therapy in Manitoba includes "Reserved Acts".

The year ahead is filled with more exciting change with the implementation of the Continuing Competence Program and continued preparation for the RHPA.

Finally, a few thank you's are in order!

I would like to thank all volunteers on the College's Council and Committees for their time and service. We are able to be a highly effective team due to our individual efforts which are skillfully coordinated by our Executive Director. I would also like to specifically acknowledge our public members who come to the table with different perspectives, insightful questions and ideas, and a wealth of enthusiasm. Finally, thanks to our invaluable office staff who are a pleasure to work with and keep a tight ship.


Cara Brown, COTM Chair

Executive Director's Report

The annual report covers the period of June 1st, 2009 to May 31st, 2010, but since it is written in August, it is difficult to ignore the events of the summer. Last year, I reported that in early July 2009, I had the amazing opportunity to participate in the first Council on Licensure, Enforcement and Regulation (CLEAR) International Congress on Professional and Occupational Regulation, in Dublin, Ireland. At the meeting, I learned the term *Meta Regulation* which, though a new term to many at the congress, was not a new concept. Many in the professional regulatory world are experiencing meta regulation which refers to “regulating the regulator”. I thought this was worth repeating from my 2009 report because it really does provide context to this report and the many activities of this past year.

THE REGULATED HEALTH PROFESSIONS ACT/HEALTH PROFESSIONS REGULATORY REFORM INITIATIVE (HPRRI)

In April 2009, Bill 18 – *The Regulated Health Professions Act (RHPA)* was introduced into the Manitoba Legislature. After the required readings and committee hearings, the Bill was amended prior to going to Third Reading and then receiving Royal Assent on June 11, 2009. Receiving Royal Assent means that the *RHPA* is now a law. However, the *RHPA* will not go into effect until a date set by proclamation following approval of regulations. These regulations will be developed over the next number of months/years for each profession.



There have been a number of meetings between Manitoba Health and the regulatory organizations this past year as we work to provide clarity to the provisions of the act and discuss implementation strategies. Please see the Legislation Committee report for further information.

FAIR REGISTRATION PRACTICES IN REGULATED PROFESSIONS ACT

My 2007-2008 report introduced readers to this new legislation which gives direction to all Manitoba regulatory organizations regarding their registration processes. This legislation received Royal Assent in 2007 and was proclaimed (went into effect) on April 15, 2009. This date marked the official opening of the Office of the Manitoba Fairness Commissioner (OMFC).

In November 2008, Ximena Munoz, the first Manitoba Fairness Commissioner, was appointed by the government. Ms. Munoz and her staff work with COTM and other regulators to ensure best practices are being used to review of all applicants. The legislation also includes annual reporting provisions and this past year COTM offered to be one of three organizations willing to be a test organization for the newly developed review of registration process. COTM will have the opportunity to give the OMFC feedback on their forms and process.

In its efforts to promote best practices in regulatory professions, the OMFC provided the funding for my participation in the CLEAR Congress in Dublin.

This supportive approach has been evident in the allocation of funding to the Manitoba regulatory colleges to assist in improving processes. The OMFC provided COTM with a modest amount of funding to examine its English language requirements and those of the three other OT regulators with English language requirements. The OMFC is currently developing a data dictionary of requirements related to the type of statistics, timing and anonymized/compiled applicant information that the office wishes to track.

The Fairness Commissioner's office has worked to provide the regulators with information on an array of subjects by holding workshops on such topics as Language Training and Settlement Services for Newcomers, Qualification Recognition and Employment Supports for Immigrants, Managing Cultural Differences, Language Assessment and Benchmarking, Immigration Classes, and Federal Immigration Legislation. These workshops have contributed greatly to our understanding of the larger system and the immigrant experience.

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Executive Director's Report (continued from page 5)

AGREEMENT OF INTERNAL TRADE AND THE OT MUTUAL RECOGNITION AGREEMENT

The *Agreement of Internal Trade* (AIT) was passed by the federal/provincial/territorial governments in 1994 and the first OT Mutual Recognition Agreement (MRA) was signed by all ten provincial OT regulators in 2001. A revised agreement was signed in 2006.

During the past two years, beginning in the summer of 2008, when Association of Canadian Occupational Therapy Regulatory Organizations (ACOTRO) received one year of funding through the federal government, work has been underway to develop a new Mutual Recognition Agreement for the occupational therapy profession based on the revised Chapter 7 – Labour Mobility Chapter of the *Agreement of Internal Trade*. This agreement, now called the Labour Mobility Support Agreement (LMSA), was signed in February 2010 by all ten provincial OT regulatory organizations.

The Council of the Federation worked to amend the AIT in order to promote greater compliance by regulatory organizations with the Agreement and to promote labour mobility across the country. The LMSA articulates our commitment to, and describes processes that, support labour mobility for registered occupational therapists in Canada. We continue to monitor the effects of other mobility agreements such as that between BC and Alberta, Ontario and Quebec, and Canada and other countries.

PAN CANADIAN FRAMEWORK

The Pan-Canadian Framework is a joint commitment by the federal, provincial and territorial governments to work together to improve the foreign qualification assessment and recognitions system in the country. It is a reference point for individual federal, provincial and territorial strategies. The Framework is not a legal document but a public commitment toward realizing a principles-based vision for improving qualifications assessment and recognition practice, with a priority placed on regulated professions.

Occupational therapy is one of the eight occupations identified in the framework for which the government will expect processes to be in place by December 31, 2010 to ensure availability of critical information for potential immigrants prior to arriving in Canada. This information must include regulatory authority contacts and assessment requirements.

In April 2010, representatives of Health Canada and Human Resources Skills Development Canada invited the OT regulators and CAOT representatives to discuss the goals of various OT constituents to achieve the vision of the Pan Canadian Framework. We await information as to how the work of ACOTRO may be supported by funding sources to assist ACOTRO to meet the vision of the Framework.

ASSOCIATION OF CANADIAN OCCUPATIONAL THERAPY REGULATORY ORGANIZATIONS (ACOTRO)

The work of ACOTRO has focused on the priorities identified in the 2005 Strategic Plan and relates to the areas of competency evaluation, resource development and enhancing the effectiveness of occupational therapy regulation in Canada, evaluating the services upon which regulators rely, and developing structures that will support the work of ACOTRO.

IEOT Assessment

Work continues in the development of assessment tools for internationally-educated occupational therapists – IEOT Assessment. This latest work includes finalizing an education benchmark and a resulting profession-specific credentials assessment. The final touches are being added to the *Third Edition of the Essential Competencies for the Practice of Occupational Therapists in Canada* – a document that refreshes the previous version and makes more explicit the differences in essential competencies for occupational therapists without a client focused practice.



CAOT conference

In the area of resource development, ACOTRO continues to host a sponsored session at each Canadian Association of Occupational Therapists (CAOT) conference – the topic in 2010 was a presentation regarding the use of the Essential Competencies by OT regulators and by occupational therapists.

CNNAR

ACOTRO continues to support the work of the Canadian Network of National Associations of Regulators (CNNAR) – the third conference will be held in November 2010 (the previous conference was in November 2008) and is entitled *Focus on Qualification Assessment and Recognition*.

NOTCE

As governments introduce legislation to promote fair registration practices, there is now a greater emphasis on regulators achieving confidence in the external services used in their assessment of internationally educated occupational therapy (IEOT) applicants. ACOTRO has had a long term commitment to conducting a review of the National Occupational Therapy Certification Examination (NOTCE). The researchers conducted the review during the 2008-2009 period submitting a report to the Board of CAOT and to ACOTRO in June 2009. It provided a list of recommendations and CAOT, as the NOTCE examination manager, is coordinating the action plans related to the recommendations. CAOT and ACOTRO continue to meet to make progress toward addressing the recommendations.

Occupation-specific language assessment tool

I had the opportunity to represent ACOTRO on a working group funded by the Alliance of Physiotherapy Regulators, the College of Physiotherapists of Ontario, and the College of Occupational Therapists of Ontario, to begin to examine the issue of developing an occupation-specific language assessment tool applicable to physiotherapists and occupational therapists.

Bylaws

Lastly, ACOTRO has been striving to modify its structures to support the increasing complexity of the work of the organization. A key initiative has been the development of by-laws and objects to support its application for corporate status. The incorporation of ACOTRO will allow the organization to receive funds from government agencies – to date all government funds are directed to ACOTRO via one of the provincial regulators. The By-laws were approved in June 2010 and will form the key basis to our application for incorporation with Industry Canada.

OCCUPATIONAL THERAPY LEADERSHIP FORUM

Each year, a Leadership Forum is held the day prior to the first full day of the CAOT national conference. I represented the OT regulators on the planning committee and was one of five ACOTRO representatives at the OT Leadership Forum to discuss “Use of Title” – more specifically, we addressed issues related to OT’s moving into areas outside of “traditional practice” such as policy development, academia, government, management, research, etc. ACOTRO examined the topic with representatives of the national professional organization (CAOT), the university programs (ACOTUP), the national research foundation (COTF), and the provincial professional organizations (PAC).

As follow up to the forum, a small working group will be developing a position paper on the topic, and each constituent group will identify to the OT Coordinating Council (OTCC) activities that may assist in furthering the aim of clarity on the topic, a better understanding of the issues, and assistance to OT’s to help determine if they are practising occupational therapy.

It is felt that the Third Edition of the ACOTRO Essential Competencies, currently in development, have the potential to provide significant clarity around this issue.

Executive Director's Report (continued from page 7)

CANADIAN INSTITUTE FOR HEALTH INFORMATION

In November 2007, the first report of the Occupational Therapy Workforce in Canada was released. It was based on the 2006 data that each jurisdiction in Canada submitted to CIHI. We are currently preparing submission of the 2010 data and awaiting the 2009 report – the fourth CIHI OT Database Report. Representatives of the OT regulatory organizations will meet with CIHI in September 2010. The submission of the 2010 data will mark the end of funding by Health Canada to develop and maintain the CIHI OT Database. Funding will now be managed internally by CIHI.

IMMIGRATION

During the past number of years we have received funding from MB Immigration. In the past year we applied for, and received, funding from the Office of the MB Fairness Commission to examine the current English language policies used by OT regulators in Canada.

SCHOOL OF MEDICAL REHABILITATION/MASTER OF OCCUPATIONAL THERAPY

It has been rewarding for me to continue to participate in a number of ways with the MOT students. I have attended some of the MOTII classes to discuss professional regulation issues and registration. I was able to assist in some of the MOTI work on various pieces of legislation that are relevant to occupational therapy practice, and along with a representative of Manitoba Health's legislative unit, attended a session of the MOTI class on significant MB legislation. I represented COTM on a committee to look at Essential Skills and accommodation policies. I continue to be a part of the MOT Program Committee. New this year was the involvement of COTM in working with two students as part of their Independent Study Project. The students examined the manner in which COTM might conduct consultations and provide education of members on key items. They used the new RHPA, and specifically the area of reserved acts, as a focus of their research. Their findings and recommendations are being considered by the Legislation Committee, the Communications Committee and the Continuing Competence Steering Committee.

COMMITTEE SUPPORT

This past year has seen significant activity in the several committees to which I provide staff support, such as the Board of Assessors (policy development, Office of the Fairness Commissioner, and national project liaison), Practice Issues Committee (code of ethics and standards work), Continuing Competence Steering Committee (implementation of operational aspects), Legislation Committee (implementation of the RHPA), and the Executive Committee.

COTM STAFF

Executive Director:

Sharon Eadie

sharon.eadie@cotm.ca

Registration & Financial
Coordinator

Carmen Funk

carmen.funk@cotm.ca

Operations & Special Projects
Facilitator

Carolyn Peterson

carolyn.peterson@cotm.ca


Causal Staff

Barb Kosheluk

OFFICE

The Fall of 2009 seems like a very long time ago; nevertheless, we did spend time in working with 120 Maryland colleagues in pandemic planning as everyone prepared for H1N1.

Barb Kosheluk, COTM Registration and Financial Coordinator, retired as of December 31, 2009; however she continues to provide office support one day a week to assist in the orientation of our new Registration and Financial Coordinator, Carmen Funk. It has provided Barb with the opportunity to assist with the development of the office as we continue to grow as an organization in size and responsibility.



Sharon Eadie, COTM Executive Director

Treasurer's Report

The primary role of COTM is to fulfill the regulatory responsibilities of our profession as mandated by the province of Manitoba. Consequently, expenses are primarily fixed operating costs and support for administering these regulatory responsibilities. These responsibilities increase as our mandate expands, as does the 'cost of doing business'. Income for COTM is obtained almost exclusively through membership fees. While membership has grown modestly over the past few years, this trend appears to be approaching a plateau. COTM is cognizant of the need to responsibly manage the financial sustainability of its mandate. Overall, COTM's financial position this year is largely unchanged. There was a net operating loss, with Expenses exceeding Revenues by \$12,074.00 (see Page 18).

Revenue: Actual income was \$6,182.00 lower than budgeted this year. Although membership grew, the increase was less than projected, and is reflected in the lower revenue.

Expenses: Overall expenses were \$15,117.00 higher than budgeted. The Continuing Competence committee expended less than budgeted while Council and Committee expenses were higher. Professional fees, primarily related to legal counsel, are subject to variability depending upon the number and complexity of cases dealt with by the Investigation Committee.

Reserve Fund

The Reserve Fund provides for the following expenditures:

1. Discipline hearings
2. Sick time accumulation
3. Capital expenditures (extending beyond one budget year)
4. Contingency funds
5. Major projects
6. Leasehold improvements

The following is the value of COTM's investments as of May 31, 2010. This amount does not take into consideration undepreciated capital assets, bank balance, and year-end liabilities. It represents the funds invested at year end.

SCU Term Deposit & Shares: \$161,347.11
TOTAL: \$161,347.11



Ed Giesbrecht, COTM Treasurer

RESERVE FUND

Value of the Reserve Fund as of May 31, 2010

Restricted Reserve	\$149,852.57
Unrestricted Reserve	\$16,000
Current Earnings	(\$12,073.50)
TOTAL	\$153,752.07

2010 - 2011 PROPOSED BUDGET

The budget approved by the Council for the 2010/2011 fiscal year anticipates neither a surplus nor a loss. The Projected Budget for the 2010/2011 year and last year's Projected Budget are listed in the COTM AGM booklet on Page 9. Income for 2010/2011 reflects a small increase in investment income and no change in registration activity. Budgeting expenses include the following:

The Wages budget line reflects the completed staff transition this past year, including the Registration and Financial Coordinator position increase from .6 to 1.0 EFT and staff COL adjustments.

For more details on COTM's financial information please refer to the Auditor's Report and COTM's fiscal year 2010/2011 Projected Budget.



2009 - 2010 Data

(June 1, 2009—May 31, 2010)

Registered OTs as of June 1, 2009	544
Practising	487
Non-practising	56
Provisional	1
Temporary	0

Number of Applications Received	40
Processed	40
Rejected	0

New Registrations issued	
June 1, 2009 - May 31, 2010 (+)	42
Practising	42
Non-practising	0
Provisional	0
Temporary	0

Reinstatements issued	
June 1, 2009 - May 31, 2010 (+)	0
Practising	1
Non-practising	1
Provisional	0

Resignations (-)	9
Practising	7
Non-practising	2
Provisional	0
Temporary	0

Non-renewal of membership (-)	5
Practising	5
Non-practising	0
Provisional	0

June 1, 2010 Data

Registered OTs as of June 1, 2010:	572
Practising	517
Non-practising	55
Provisional	0
Temporary	0

Registrar's Report

The registration year of 2009 – 2010 continued, from a regulatory perspective, to be a balancing act between meeting the requirements of the *Occupational Therapists Act* and working to integrate the requirements of the *Registered Health Professions Act* and the policies of the Office of the Manitoba Fairness Commissioner.

I had the opportunity to attend a seminar for Self-Regulated Health Professions in November 2009 where the *Regulated Health Professions Act* and the *Fair Registration Practices in Regulated Professions Act* were reviewed.

Also discussed were the guidelines for meeting the requirements of the *Agreement for Internal Trade*. I'm pleased to report that much of the tremendous, innovative work that has taken place over previous years within the College has positioned us well for the future as we anticipate the changes that will

come. Additional details regarding the work of the Registrar and the Board of Assessors can be found in the report of the Board of Assessors.



Respectfully submitted,

Laurel Rose

Laurel Rose, COTM Registrar

COTM Committee Reports

(Committees as of May 31, 2010)

COTM COUNCIL 2009



Back Row: Lynda Wolf, Lois Stewart-Archer, Laurel Rose, Kendra MacKinnon
Front Row: Joanna Quanbury, Karen Pirnie, Ann Booth, Ed Giesbrecht
Missing: Ernie McLean, Brenda Roznowski, Shawnee Scatliff

Board of Assessors

The Board of Assessors (BOA) is chaired by the Registrar and focuses its attention on matters pertaining to registration of members of COTM. In the registration year of 2009-2010, BOA work included:

- Review of Labour Mobility Support Agreement as delegated by Council
- Discussion of the CAOT National OT Certification Examination Review
- Review of academic eligibility of two international applicants
- Updating of the Terms of Reference of the Board of Assessors and Position Description for the Registrar
- Review of requests for removal of conditions from the licenses of two members
- Development of three new registration policies: Registration Misconduct policy, Reinstatement policy and Re-registration policy

As we transition into a new registration year, the BOA continues its work on development of a Temporary Registration policy and a review of the OT Act Regulation as delegated by Council.

COMMITTEE MEMBERS

- Laurel Rose (Registrar)
- Julie Huish
- Elisha Watanabe
- Amy Braunstein

Board Objectives: In accordance with the By-Laws, the Council shall appoint a Board of Assessors to consider and decide on applications for registration under Section 9 (of The Occupational Therapists Act [2002]).

Executive Committee

The Executive Committee met five times this past year. The Executive Director attends the meetings as a resource to the committee. The Executive Committee tends to focus on Council governance and planning, human resources and finance. The committee receives a discipline activity report, an Executive Director report and a financial report at each meeting.

Council orientation was planned and implemented in January; this is an annual event. The Executive Committee coordinated a review of position descriptions for each officer and the terms of reference of all committees in preparation for approval by the Council. At each meeting, the Executive Committee prepares the agenda for the subsequent Council meeting.

The Executive Committee is also responsible to explore practical and effective strategies to deal with any area for improvement identified in the annual Council self-evaluation, which is conducted each October. This year the committee is examining the Council evaluation process itself to make it less onerous.

The committee received and approved the recommendations of an external reviewer regarding the detailed salary and benefits benchmarks review conducted every three years for COTM staff. Changes were incorporated into the 2010-2011 annual budget.

The committee coordinated a mid-term strategic planning session to map a direction related to COTM communications primarily with members. This is seen as a priority in light of key upcoming activities, such as the *Regulated Health Professions Act* and the COTM Continuing Competence Program, which require member understanding and involvement.

The committee invested significant time to considering needed changes to the By-laws (see General Meeting Notice) especially in the area of proxies and quorum in light of the lack of quorum at the 2009 Annual AGM.

COMMITTEE MEMBERS

- Joanna Quanbury (Chair)
- Cara Brown
- Ed Giesbrecht
- Melanie Read
- All Public Members

Committee Objectives: To assist the Council by monitoring and supervising the day-to-day management of COTM's affairs, decision making between Council meetings and supervising the performance of the Executive Director.

Investigation Committee

One complaint involving one member was reviewed during the period of June 1, 2009 to May 31, 2010. This was a new complaint. This file was reviewed by the Investigation Committee with a recommendation the complaint be dismissed. A Notice of Decisions and Reasons was provided to the complainant and the complainant did not appeal this decision.

While COTM received inquiries regarding additional concerns, no complaints arose from these concerns and they were therefore not referred to the Investigation Committee.

The second annual Investigation and Inquiry Orientation was facilitated by Sharon Eadie (Executive Director) and COTM legal counsel Gordon McKinnon and Bill Gange. COTM continues to support the learning needs of the members of the Investigation Committee, the Inquiry Committees, COTM Investigators, and COTM Staff through this educational meeting.

The one-day orientation reviewed the complaints process with specific attention to the changes associated with the *Regulated Health Professions Act*. Additionally, it reviewed the processes the Investigation Committee utilizes to reach a decision and generated dialogue for improved understanding of the relationship between the Investigation and Inquiry Committees. A detailed discussion and overview of a Hearing enabled participants to envision both the physical structure and formal procedures that would be necessary should a hearing be required. This informative orientation closed with review and general discussion of a variety of case studies.

The Investigation Committee continues to value the guidance of professional legal advice to facilitate development of the committee. The Investigation Committee feels these services are hugely beneficial and necessary to address some of the more complicated matters.

The committee wishes to thank the individuals who continue to act in the role of investigators: Linda Bailes, Lisa Diamond-Burchuk, and Nicole Beauchesne-Dedio.

COMMITTEE MEMBERS

- Kendra MacKinnon (Chair)
- Lena Kublic
- Christine Froese

PUBLIC MEMBER

- Karen Pirnie

Committee Objectives: The Investigation Committee is responsible to carry out the provisions of Section 17 to 30 of The Occupational Therapists Act (2002).

Inquiry Committee

In May, members of the Investigations Committee, the Inquiry Committee, Investigators and COTM staff participated in a one day Investigation and Inquiry Orientation.

Gordon McKinnon and Bill Gange (COTM legal counsels) were also in attendance and provided a very comprehensive overview of the complaints process, the difference between the Occupational Therapists Act and the Regulated Health Professions Act, jurisdiction of regulators over complaints issues and an overview of hearings. Case studies relevant to OT practice were reviewed.

The plan is to hold these orientation sessions on an annual basis in order to keep committee members familiar with the processes involved in conducting a hearing on matters referred to it by the Complaints Investigation Committee.

COMMITTEE MEMBERS

- | | |
|-------------------|-------------------|
| • Linda Bailes | • Kathy Richen |
| • Michael Shumsky | • Tamara Rogers |
| • Kimberly Roer | • Barbara Siemens |
| • Lynda Day | • Carolyn Bergen |

- Andrea Auch

PUBLIC MEMBERS

- Gary Sawisky
- Michelle Masserey

Committee Objectives: The Inquiry Committee is responsible to carry out the provisions of Part 6, Sections 31 to 45 of The Occupational Therapists Act (2002).

Continuing Competence Committee

In August 2009, the COTM Council adopted the report *Serving Competence: A Proposed Occupational Therapy Continuing Competence Program for Manitoba* which was submitted by the Continuing Competence Committee. This report recommended the implementation of a two-stage COTM Continuing Competence program over a five year timeline.

Reflecting the recommendations of the *Serving Competence* report, the following actions have been taken:

- The Continuing Competence Committee has evolved into two committees, the Continuing Competence Steering Committee and an Advisory Committee. The Steering Committee is a constitutional committee that reports to Council. The Advisory Committee has been developed as a subcommittee of the Steering Committee.
- Terms of reference have been developed for both committees.
- The Continuing Competence Environmental Scan continues to be developed by the COTM Continuing Competence Program Developer under the auspices of the Association of Canadian Occupational Therapy Regulatory Organizations (ACOTRO).
- A research proposal has been developed for an administrative research project to study the effects of the implementation of the continuing competence program.
- Extraction of the key information for member and public distribution from the *Serving Competence* report has been conducted; preparation for distribution is underway.

STEERING COMMITTEE MEMBERS

- Lynda Wolf (Chair)
- Pearl Soltys
- Sharon Eadie

Committee Objectives: To develop a Continuing Competence program for COTM members in accordance with Part 5 of The Occupational Therapists Act [2002].

Communications Committee

In May 2010, Council held a facilitated planning meeting to review the Strategic Directions. A large focus was on the Communications Committee and revising the current objectives, goals and action plan. These changes are subject to approval from the Council.

The following steps in our new action plan have been initiated:

- The terms of reference for the Communications Committee have been modified, subject to final approval from the Council.
- A communications audit of COTM member-focused communication over a recent 18 month period (Jan 09 - June 10) is in process, to be completed in the fall of 2010.
- A Master of Occupational Therapy (MOT) Independent Study report will be reviewed to gain insight on member engagement and consultations.
- The Committee will be advisory as COTM begins to develop the communications plan related to the Continuing Competence Program (CCP).

Goals for the upcoming year include:

- Ensuring a consistent “look” and key messaging strategy for COTM member-focused communication. This will be informed by the findings of the MOT Independent Study and related research, as well as information gained from COTM’s internal audit.
- Acting in an advisory capacity with the development of the communications strategy for the CCP.

COMMITTEE MEMBERS

- Melanie Read (Chair)
- Lorna Parent

PUBLIC MEMBERS

- Gary Sawisky

Committee Objectives: To create strategies of effective reciprocal communication between Council and membership, consumers/public, and other stakeholders in Manitoba. As directed by the Council, implement communication strategies to ensure an informed and engaged membership and public regarding COTM strategic directions and business as it affects those to whom it applies.

Legislation Committee

The Legislative Committee is responsible to co-ordinate the efforts of COTM to affect legislation and policy changes, including those related to the *Occupational Therapists Act and Regulations* and the *Regulated Health Professionals Act (RHPA)*.

During the 2009/2010 year the committee did not come together, but through the Chair, there was oversight of the work to:

- Identify and collect from other OT regulatory colleges information regarding controlled actions/reserved acts assigned to occupational therapists to inform COTM in its work with Manitoba Health
- Participate in development of the many provisions of the RHPA with Manitoba Health and other Manitoba regulatory organizations.

As the RHPA has not received Royal Assent, the focus of the committee for 2010-11 is to identify a plan for implementation of the RHPA including:

- Contributing to government work on Lieutenant Governor in Council and Ministerial Regulations for COTM and other colleges
- Developing Council (i.e. Occupational Therapy) regulations
- Working in concert with the COTM Board of Assessors which is providing leadership to the development of provisions regarding registration matters
- Review consultation and communication approaches related to working with the COTM membership in order to seek input in COTM's preparation of the Regulations and to enhance member's familiarity with the RHPA, especially with respect to the Reserved Acts regime of the RHPA
- Working with the private practice community to develop a plan for parts of the RHPA related to "Practice in Association" and "Business Arrangements" (incorporation)

Implementation of the RHPA will occur for Manitoba's more than twenty health professions over the next several years. The RHPA is now law but will not be enacted until the regulations for the first of the regulatory organizations have been passed by Cabinet. The RHPA will govern Manitoba occupational therapists and affect their practice only after the occupational therapy regulations have been passed.

We continue to maintain active liaison with other health regulators and Manitoba Health through Sharon Eadie, COTM Executive Director.

Practice Issues

The committee's primary focus this year was that of preparing accompanying documents for the full utilization of the 2009 *Code of Ethics* – work that we have referred as Code of Ethics, Phase Two. The major thrust at this point is the application of a framework for ethical decision-making, presented through scenarios/vignettes based on ethical based challenges found in OT practice.

Other action items this past year included: Review of the 2009 Code of Ethics with an emphasis on items flagged by COTM members which has resulted in a recommendation to Council for minor revision of the *Code of Ethics*, review and adoption of a *Duty of Care* document (based on work of the MB Pharmaceutical Association, the College of Registered Nurses

COMMITTEE MEMBERS

- Leslie Johnson (Chair)
- Leanne Leclair

Committee Objectives: To monitor changes in legislation and government policy which may affect the practice of occupational therapy as it impacts consumers/public in Manitoba, and as directed by the Council, to coordinate efforts by COTM to effect legislation and policy changes, including those directly related to The Occupational Therapists Act.

COMMITTEE MEMBERS

- Lois Stewart Archer
(Chair, Public Member)
- Natalie Macleod Schroeder
- Jill Moats

Committee Objectives: Under the direction of the Council, the committee is responsible to investigate, debate and provide recommendations to the Council on current occupational therapy practice issues relevant to the mandate of COTM.

Practice Issues (continued)

of Manitoba and the College of Physicians and Surgeons of Manitoba), review of COTM's guideline entitled *Occupational Therapy Consultation to Third Parties*, further review of the *Weighted Blanket Position Statement* (prepared by the Ordre des Ergothérapeutes du Québec / College of Occupational Therapists of Québec) (this was distributed to the COTM membership in 2008), and commencement of a review of a *Standard for Occupational Therapy Assessments* (College of Occupational Therapists of Ontario).

Phase three of the Code of Ethics work will cover the implementation plan with an emphasis on education and dissemination of information, such as the decision making tool and scenarios, and if needed, further consideration for revisions to the Code based on enforcement via the complaints investigation process and use by and feedback from members. We thank you for being engaged as active participants in the work of the committee and we expect to again draw on your expertise and skills in the final phases of the development of a Code of Ethics which embodies the ethical commitments of the profession as articulated by COTM.

Minor amendments to the Code will be proposed to the membership at the 2010 General Meeting, which will follow the Annual General Meeting.

Nominations Coordinator's Report

Each year, members are asked to confirm the possibility that they may wish to volunteer on the Council of COTM when they complete their COTM/MSOT Renewal Forms. I would like to extend my sincere thanks to the number of you who considered putting your names forward.

Two therapists have been nominated for positions on Council. Consistent with COTM Nomination Rules of Procedure, the secretary of COTM will be asked to cast one ballot in favour of the Slate of Candidates presented by the Nominations Coordinator. The mail-in ballot procedure for elections was not implemented this year, given that the nominee will be elected by acclamation at the AGM.

The nominees are:

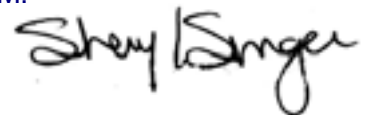
Christine Froese, O.T. Reg. (MB)

Laurel Rose, O.T. Reg. (MB)

Brief resumes from the candidates form part of the Annual General Meeting package.

Recruitment is a vital part of COTM's succession planning and it was recommended that the COTM Nominations Coordinator be a former COTM Council member. As a former Council (board) member, I accepted this appointment and welcome the opportunity to continue to be involved with the COTM.

Coordinator Objectives: To facilitate the work of recruiting potential Council members for election by the membership.



Sheryl Singer, Nominations Coordinator

COIM Financial Statements - Auditor's Report

May 31, 2010

Deloitte & Touche LLP
360 Main Street
Suite 2300
Winnipeg MB R3C 3Z3
Canada

Tel: (204) 942-0051
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AUDITORS' REPORT

To the Members of
The College of Occupational Therapists of Manitoba

We have audited the statement of financial position of The College of Occupational Therapists of Manitoba as at May 31, 2010 and the statements of operations, changes in net assets and cash flows for the year then ended. These financial statements are the responsibility of the Company's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with Canadian generally accepted auditing standards. Those standards require that we plan and perform an audit to obtain reasonable assurance whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation.

In our opinion, these financial statements present fairly, in all material respects, the financial position of the Company as at May 31, 2010 and the results of its operations and its cash flows for the year then ended in accordance with Canadian generally accepted accounting principles.

Chartered Accountants

Winnipeg, Manitoba

August 16, 2010

COIM Financial Statements

May 31, 2010

THE COLLEGE OF OCCUPATIONAL THERAPISTS OF MANITOBA Statement of Operations Year Ended May 31, 2010

	2010	2009
REVENUE		
Registration and license fees	\$ 193,818	\$ 187,570
Other registration income	-	450
Investment income	9,114	7,691
Other income	1,200	1,428
Expense recoveries - rent	900	900
Expense recoveries - phone	444	444
Expense recoveries - salary	6,500	6,300
	211,976	204,783
EXPENSES		
Amortization	1,671	2,625
Association dues	1,296	1,286
Council expenses and meetings	14,956	13,193
Casual labour	3,920	73
Continuing competence	10,267	10,934
Education and training	700	1,023
Insurance	2,692	2,512
Maintenance	-	96
Miscellaneous	25	22
Printing	3,389	2,593
Professional fees	26,933	35,493
Projects	1,791	14
Rent	11,666	11,492
Service charges	551	572
Supplies	3,771	1,764
Telephone and postage	8,817	8,180
Wages, secretarial services and benefits	131,605	115,049
	224,050	206,921
EXCESS OF EXPENSES OVER REVENUE	\$ (12,074)	\$ (2,138)

THE COLLEGE OF OCCUPATIONAL THERAPISTS OF MANITOBA
Statement of Changes in Net Assets
Year Ended May 31, 2010

	Unrestricted	Reserve Fund	2010	2009
BALANCE, BEGINNING OF YEAR	\$ 16,001	\$ 149,852	\$ 165,853	\$ 167,991
EXCESS OF EXPENSES OVER REVENUE	(12,074)	-	(12,074)	(2,138)
INTERFUND TRANSFERS (Note 6)	12,074	(12,074)	-	-
BALANCE, END OF YEAR	\$ 16,001	\$ 137,778	\$ 153,779	\$ 165,853

THE COLLEGE OF OCCUPATIONAL THERAPISTS OF MANITOBA
Statement of Financial Position
May 31, 2010

	2010	2009
ASSETS		
CURRENT		
Cash	\$ 14,246	\$ 19,332
Short-term investments (Note 4)	161,347	174,214
Accounts receivable	12,179	10,783
Prepaid expenses	1,835	123
	189,607	204,452
CAPITAL ASSETS (Note 5)	3,001	2,696
	\$ 192,608	\$ 207,148

LIABILITIES

CURRENT

Accounts payable	\$ 38,829	\$ 41,295
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NET ASSETS

Unrestricted	16,001	16,001
Reserve Fund	137,778	149,852
	153,779	165,853
	\$ 192,608	\$ 207,148

APPROVED BY THE COUNCIL

..... Council Member

..... Council Member

THE COLLEGE OF OCCUPATIONAL THERAPISTS OF MANITOBA

Statement of Cash Flows

Year Ended May 31, 2010

	2010	2009
OPERATING ACTIVITIES		
Excess of expenses over revenue	\$ (12,074)	\$ (2,138)
Items not affecting cash		
Amortization	1,671	2,625
Amortization of deferred contributions	-	(864)
	(10,403)	(377)
Changes in non-cash operating working capital items		
Accounts receivable	(1,396)	(5,544)
Prepaid expenses	(1,712)	(123)
Accounts payable	(2,466)	14,169
	(15,977)	8,125
INVESTING ACTIVITIES		
Decrease in short-term investments	12,867	3,256
Purchase of capital assets	(1,976)	(2,673)
	10,891	583
NET (DECREASE) INCREASE IN CASH POSITION	(5,086)	8,708
CASH POSITION, BEGINNING OF YEAR	19,332	10,624
CASH POSITION, END OF YEAR	\$ 14,246	\$ 19,332

THE COLLEGE OF OCCUPATIONAL THERAPISTS OF MANITOBA

Notes to the Financial Statements

May 31, 2010

1. DESCRIPTION OF BUSINESS

The College of Occupational Therapists of Manitoba (C.O.T.M.), formerly The Association of Occupational Therapists of Manitoba (A.O.T.M.), was incorporated under the Corporations Act of Manitoba. The Company is a regulatory organization administering The Occupational Therapists Act in Manitoba, and is responsible for the registration of occupational therapists and the investigation of complaints made against C.O.T.M. members. The Company is a non-profit organization for the purposes of the Income Tax Act and accordingly is exempt from income taxes.

2. CHANGES IN ACCOUNTING POLICIES

On April 1, 2009, the Company adopted the changes made to Sections 1540, 4400, 4430 and 4460 and the new recommendations of Section 4470 of the Canadian Institute of Chartered Accountants ("CICA") Handbook.

Section 4400 has been amended in order to eliminate the requirement to treat net assets invested in capital assets as a separate component of net assets and, instead, permit a not-for-profit organization to combine investment in capital assets with unrestricted net assets when no investment in capital assets is internally restricted. As a result, effective June 1, 2009, the Company has combined the net assets in capital assets balance of \$2,696 with the opening balance of unrestricted net assets in the Statement of Change in Net Assets.

The adoption of these new standards was for disclosure only and had no other significant impact on the financial statements.

3. SIGNIFICANT ACCOUNTING POLICIES

The Company has elected to use the exemption provided by the Canadian Institute of Chartered Accountants (CICA) permitting not for profit organizations not to apply Sections 3862 and 3863 of the CICA Handbook which would otherwise have applied to the financial statements of the Organization for the year ended May 31, 2010. The Company applies the requirements of Section 3861 of the CICA Handbook.

The financial statements are prepared in accordance with Canadian generally accepted accounting principles and include the following significant accounting policies:

a) *Fund accounting*

The Unrestricted net assets of the Company account for all revenue and expenses relating to the operations of C.O.T.M. The Reserve Fund is to provide for the future costs of discipline hearings and legislative amendments, significant capital expenditures, supplemental employee costs, special projects and development programs.

b) *Revenue recognition*

The Company follows the deferral method of accounting for contributions. All other revenue is recorded on an accrual basis. Registration fees are recognized in the fiscal period to which they relate.

THE COLLEGE OF OCCUPATIONAL THERAPISTS OF MANITOBA

Notes to the Financial Statements

May 31, 2010

3. SIGNIFICANT ACCOUNTING POLICIES (continued)

c) Capital assets

Capital assets in excess of \$500 are recorded at cost and are amortized on a straight-line basis over the following terms:

Computer equipment and software	3 years
Office equipment	5 years

d) Financial instruments

Financial assets and financial liabilities are initially recognized at fair value and their subsequent measurement is dependent on their classification as described below. Their classification depends on the purpose, for which the financial instruments were acquired or issued, their characteristics and the Company's designation of such instruments.

<u>Classification</u>	
Cash	Held for trading
Short-term investments	Held for trading
Accounts receivables	Loans and receivables
Accounts payable	Other liabilities

Held for trading

Held for trading financial assets are financial assets typically acquired for resale prior to maturity or that are designated as held for trading. They are measured at fair value at the balance sheet date. Fair value fluctuations including interest earned, interest accrued, gains and losses realized on disposal and unrealized gains and losses are included in income.

Loans and receivables

Loans and receivables are accounted for at amortized cost using the effective interest method.

Other liabilities

Other liabilities are recorded at amortized cost using the effective interest method and include all financial liabilities, other than derivative instruments.

Effective interest method

The Association uses the effective interest method to recognize interest income or expense which includes transaction costs or fees, premiums or discounts earned or incurred for financial instruments.

Financial risk

Financial risk is the risk to the Company's earnings that arises from fluctuations in interest rates earned on investments, and the degree of volatility of these rates. The Company does not use derivative instruments to reduce its exposure to interest rate risk.

THE COLLEGE OF OCCUPATIONAL THERAPISTS OF MANITOBA
Notes to the Financial Statements
May 31, 2010

3. SIGNIFICANT ACCOUNTING POLICIES (continued)

d) Financial instruments (continued)

Credit risk

Credit risk arises from the potential that a counterparty will fail to perform its obligations. Credit risk on short-term investments is managed by placing the investment portfolio with a major Canadian financial institution.

Fair value

The fair value of accounts receivable, and accounts payable approximate their carrying value due to their short-term maturity.

e) Future accounting changes

The Accounting Standards Board ("AcSB") will be replacing Canadian generally accepted accounting principles with International Financial Reporting Standards (IFRS) for publicly accountable profit-oriented enterprise with January 1, 2011 as the changeover date. While these standards are not developed with reference to not-for-profit organizations, the AcSB has agreed that a not-for-profit organization can apply IFRS if that approach meets the needs of the users of its financial statements.

The AcSB has developed a made in Canada alternative set of financial reporting standards for private profit-oriented enterprises. The AcSB has agreed to consider permitting not-for-profit organizations to apply the standards for private enterprises, together with additional standards addressing their unique transactions and circumstances.

Accordingly, the needs of not-for-profit organizations will be considered in the development of the private enterprise standards.

In March 2010, the AcSB issued an Exposure Draft which provides not-for-profit organizations in the private sector the option to follow accounting principles that are not substantively different from the current accounting policies for not-for-profit organizations. These new standards would be effective for financial years beginning on or after January 1, 2012. The current standards applicable to not-for-profit organizations will remain in effect until organizations have adopted the new standards.

4. SHORT-TERM INVESTMENTS

	<u>2010</u>	<u>2009</u>
Term deposits and shares – at market	\$ 161,347	\$ 174,214

THE COLLEGE OF OCCUPATIONAL THERAPISTS OF MANITOBA

Notes to the Financial Statements

May 31, 2010

5. CAPITAL ASSETS

	2010			2009
	Cost	Accumulated Amortization	Net Book Value	Net Book Value
Computer equipment and software	\$ 13,443	\$ 10,442	\$ 3,001	\$ 2,574
Office equipment	8,720	8,720	0	122
	<u>\$ 22,163</u>	<u>\$ 19,162</u>	<u>\$ 3,001</u>	<u>\$ 2,696</u>

6. INTERFUND TRANSFERS

During the year, inter-fund transfers in the amount of \$12,074 from the Reserve Fund (2009 - \$2,135) were made under Council approval.

7. CAPITAL DISCLOSURES

The objective of the Board of Directors of the Company, when managing capital, is to safeguard the ability to continue as a going concern. The Board sets the amount of capital in proportion to risk. The Board manages the capital structure and makes adjustments to it in the light of changes in economic conditions and the risk characteristics of the underlying assets.

8. COMMITMENT

The Company is currently negotiating the final terms of the lease for its office space that extends to September 30, 2012. Annual lease payments are expected to be \$8,614.