

THE COLLEGE OF OCCUPATIONAL THERAPISTS OF MANITOBA

ANNUAL REPORTS JUNE 1, 2008 - MAY 31, 2009

COUNCIL*

CHAIR	<i>Ernie McLean</i>	Executive Committee member
VICE CHAIR	<i>Cara Brown</i>	Executive Committee Chair
REGISTRAR	<i>Laurel Rose</i>	Board of Assessors Chair
RECORDING SECRETARY	<i>Joanna Quanbury</i>	Executive Committee member
	<i>Kendra MacKinnon</i>	Investigation Committee Chair
	<i>Ann Booth</i>	Legislation Committee Chair
	<i>Lynda Wolf</i>	Continuing Competence Committee Chair
	<i>Brenda Roznowski</i>	Communications Committee Chair
TREASURER	<i>Edward Giesbrecht</i>	Executive Committee member
PUBLIC REPRESENTATIVES	<i>Karen Pirnie</i>	Executive Committee (corresponding member) Investigation Committee alternate
	<i>Lois Stewart-Archer</i>	Executive Committee (corresponding member) Practice Issues Committee Chair
	<i>Shawnee Scatliff</i>	Executive Committee (corresponding member) Legislation Committee member
	<i>Ernie McLean</i>	Executive Committee member
EXECUTIVE DIRECTOR	<i>Sharon Eadie</i>	Participates in Board of Assessors, Legislation Committee, Practice Issues Committee, Executive Committee,

*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, 2009.

This annual report is available to anyone upon request.
Please contact the COTM office for a copy.

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CHAIRPERSON 2008 – 2009

Greetings,

The 2008-2009 year was an exhilarating one for the College of Occupational Therapists of Manitoba (COTM) and the Council as well as for me personally. I have been privileged and honoured to be the Chair of your Council. As some of you may know, I am not a member of COTM and I am not an occupational therapist. I am a public-appointed member. It has been a steep learning curve for me, but my years as Vice Chair and member of the Council have assisted me in this new endeavour.

Your Council has been very busy with the Labour Mobility Support Agreement, The Health Professions Act, Continuing Competency and some other issues. Our Mission and Vision Statements continue to guide the Council and Executive in their meetings and other functions as well as provided clear goals.

As you will read in the reports that follow, you will see all committees were quite busy this year. The reports represent many hours of work for the chairs and their committees. COTM volunteers come from many different OT practice areas and from all over the province. I also want to mention the dedicated public members that spend just as many hours working on behalf of COTM. COTM relies on volunteer service from OTs and the public. As you read on, please consider volunteering for a committee or nominating someone (or yourself) for Council next year. Feel free to approach someone on Council or a committee chair to discuss the opportunities available. COTM is your Council and you should participate.

In closing, I wish thank Sheryl, Sharon and Barbara for all their assistance and guidance over the past year.

Respectfully submitted,

Ernie McLean, MEM
Chairperson

EXECUTIVE DIRECTOR 2008 - 2009

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 share this with you as it provides context to this report and the many activities of this past year.

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

During this past year, COTM participated in the HPRRI through meetings with Manitoba (MB) Health and the other health professions in Manitoba. This preliminary work through 2008 culminated in MB Health putting forward a consultation document and draft Regulated Health Professions Act in January 2009. COTM sought input on the draft from members and the other OT regulators in Canada. Under the direction of the Chair of the Legislation Committee, COTM submitted a response to MB Health regarding the draft.

Bill 18 – *The Regulated Health Professions Act (RHPA)* was introduced into the MB Legislature in late April and after the required readings and committee hearings the Bill was amended prior to

going to Third Reading and then receiving Royal Assent. 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.

Please see the Legislation Committee report for further information.

FAIR REGISTRATION PRACTICES IN REGULATED PROFESSIONS ACT

In last year's report you were introduced to this new legislation which gives direction to all MB regulatory organizations regarding their registration processes. This legislation received Royal Assent in 2007 and was proclaimed (went into effect) on April 15, 2009. This also marks the official opening of the Office of the Manitoba Fairness Commissioner (OMFC).

In November 2008, Ximena Munoz, the first MB Fairness Commissioner was appointed by the government. Ms. Munoz will work with COTM and other regulators to ensure that best practices are being used in our review of all applicants. The legislation also includes annual reporting provisions.

Ms. Munoz is very familiar to COTM as she has been working with MB Immigration for many years and her department staff has been a significant assistance to COTM in our efforts to continuously improve our registration processes for international applicants.

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

AGREEMENT OF INTERNAL TRADE AND THE OT MUTUAL RECOGNITION AGREEMENT

The *Agreement of Internal Trade* 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 this past year, beginning in the summer of 2008, the Association of Canadian Occupational Therapy Regulatory Organizations (ACOTRO) received funding through the federal government 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*. 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.

With the assistance of a consulting team and the participation of key individuals from the regulatory colleges, ACOTRO was able to create a new MRA – now entitled the *Labour Mobility Support Agreement*. It is anticipated that this agreement will be signed off by the OT regulators later this year.

ASSOCIATION OF CANADIAN OCCUPATIONAL THERAPY REGULATORY ORGANIZATIONS (ACOTRO)

The work of ACOTRO has focused on the priorities identified in the 2005 Strategic Plan and relate 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.

Work continues in the development of assessment tools for internationally-educated occupational therapists. This latest work includes the development of an educational benchmark and an updating of the Essential Competencies.

In the area of resource development and furthering the understanding and effectiveness of regulation in Canada, ACOTRO has moved toward using a secure web-based service to allow greater collaboration and archiving of our deliberations. ACOTRO continues to host a sponsored session at each Canadian Association of Occupational Therapists (CAOT) conference – the topic in 2009 was by a lawyer specializing in professional regulation regarding avoiding the pitfalls of practice.

ACOTRO continues to support the work of the Canadian Network of National Associations of Regulators (CNNAR) – the second annual conference for regulators was held in November 2008. Among other things the meeting provided the government with the opportunity to dialogue with

regulators from across the country on the new *Agreement of Internal Trade*. The Ontario Fairness Commissioner also spoke about the work of her new office in that province.

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). This report is pending at the time of the writing of this report.

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.

During this reporting period, ACOTRO, ACOTUP and CAOT have participated in the development of an occupational therapy web portal for occupational therapists from other countries exploring practice, employment, registration and life in Canada.

Representatives of these three organizations meet on a semi-annual basis to share and plan through a liaison called the Occupational Therapy Council of Canada.

In June of this year, Kathy Corbett, Registrar of the College of Occupational Therapists of B.C. completed her term as Chair of ACOTRO – having served for eight years – and I completed my term as Vice Chair of ACOTRO. Barb Worth, Registrar of the College of Occupational Therapists of Ontario (COTO), and Coralie Lennea, Executive Director with the Saskatchewan Society of Occupational Therapists (SSOT) have taken on the positions of Chair and Vice-Chair respectively.

CANADIAN ASSOCIATION OF OCCUPATIONAL THERAPISTS

At this past CAOT Conference in Ottawa, I had the opportunity to provide the regulatory perspective to the topic of OT recruitment and retention as part of the CAOT Professional Issues Forum. It was an invaluable opportunity to work closely with the CAOT Director of Professional Standards, an employer / OT manager, a researcher, and a private practice / small business owner / entrepreneur in exploring and presenting on this topic.

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. The second report, which adds in the 2007 data was released with much fanfare during early November 2008. We are currently preparing submission of the 2009 data and awaiting the 2008 report. Representatives of the OT regulatory organizations will meet with CIHI in September 2009.

IMMIGRATION

During the past number of years we have received funding from MB Immigration through the MB Immigrant Integration Program to support our work in enhancing our processes. We did not apply for funding this year and focused our efforts on the ACOTRO IEOT Assessment project work and the redevelopment of the *Labour Mobility Support Agreement*.

Much of our past provincially-supported project work, developed with MB Immigration funding, is being used as a foundation for much of the national work – this is a great source of pride for COTM.

COTM has, in the past, put much energy into developing resources and processes related to assessing OT English language ability. Though some of this work has taken on different significance with the provisions of the *OT Act*, our research, resources and experience are now contributing to projects out of McMaster University, the Red River College Language Centre, and language projects in B.C.

SCHOOL OF MEDICAL REHABILITATION / MASTER OF OCCUPATIONAL THERAPY

It has been rewarding for me 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 forms of legislation that is relevant to occupational therapy practice, and along with a representation of MB Health's legislative unit, added a session of the MOTI class on significant MB legislation. COTM has been represented on a committee by Julie Huish to examine policies and processes related to criminal history checks. I continue to be a part of the MOT Program Committee.

COUNCIL MATTERS

The Chair and Executive Committee reports highlight some of the significant activities in this area. Of tremendous significance is that COTM has its first non-occupational therapy Council Chair – this milestone was reached when Ernie McLean was appointed by Council in January 2009. As a regulatory organization, responsible to serve and protect the public interest, this speaks to the commitment of COTM to this mandate.

OFFICE

Barb Kosheluk, COTM Registration and Financial Coordinator – previously referred to as Administration Assistant - will be retiring in January 2010 after almost 15 years with COTM. In anticipation of this departure, COTM hired her replacement in May 2009 to provide eight months of orientation. Unfortunately, the incumbent resigned in late June. We are currently recruiting for a new Registration and Financial Coordinator.

MEETING WITH MEMBERS

This past year I presented to the Private Practice Group annual symposium – the symposium topic was on ethical and legal responsibilities in practice.

I also met with a staff group regarding the draft *RHPA* and will join them in the coming months to discuss the draft Code of Ethics.

I welcome the opportunity to meet with staff groups and to discuss practice questions with you.

Respectfully submitted,

Sharon Eadie, O.T. Reg. (MB)
Executive Director

TREASURER 2008 - 2009

Despite a year of global economic turmoil, as well as changes in staffing and financial institutions, the COTM financial position is largely unchanged. A small net operating loss was incurred this year, with an excess of Expenditures over Revenue of \$2,138.00 (see Page 1 of the Financial Statements and/or Page 19 of the Annual Report Booklet).

Revenue: Actual income was \$20,433.00 higher than budgeted this year and when the recovered expenses are removed is \$12,789.00 higher than budgeted. As with previous years, increasing membership has produced higher income through annual dues. A gross surplus of \$11,420.00 was generated, but expenditures for membership refunds reduced this amount to \$7,570.00. This past year we moved our banking and investment accounts to the Steinbach Credit Union. In addition to providing increased protection to the principal, we realized a substantially larger return on investment \$4,691.00 greater than budgeted. It should be noted that these prudent and proactive changes were the direct result of our administrative group's initiative. Additional income of \$1,428.00 was generated through non-budgeted sources, while other registration income was lower than anticipated.

Expenses: Overall expenses during the 2008/2009 fiscal year were \$23,031.00 higher than budgeted and when the recovered expenses are removed are \$15,387.00 higher than budgeted. Some expense lines reported less than the budgeted amount. The Continuing Competence committee had fewer expenses than anticipated and the staff education/training account was under utilized this year. The primary contributors to exceeding budgeted expenses were wages and professional fees. When recovered costs for time spent on MSOT business are factored in, wages are approximately \$4,250.00 above budget, largely due to vacation payout. This is reflective of the evolving workload that has been produced through increasing membership size and broader involvement in provincial and national issues. Professional fees, primarily those related to legal counsel, have been rising over the past several years and exceeded budget by \$19,493.00. This is a consequence of increasing Investigation Committee responsibilities as membership numbers grow, as well as the complexity of these investigations, in addition to the need to develop additional complaints investigation policies, the orientation of committees involved with complaints processes and the review of the draft *Regulated Health Professions Act*.

Reserve Fund

The following is the value of COTM's reserve fund as of May 31, 2009.

Restricted Reserve	\$151,991.00
Unrestricted Reserve	\$16,000.00
Current Earnings	(\$2,138.00)
Total	\$165,853.00

The Reserve Fund provides for the following expenditures:

1. Discipline hearings
2. Sick time accumulation
3. Capital expenditures (that extend beyond one budget year)
4. Contingency funds
5. Major projects

The following is the value of COTM's investments as of May 31, 2009. 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	\$174,214.00
Total	\$174,214.00

2009 – 2010 Proposed Budget

The budget approved by the Council for the 2009/2010 fiscal year anticipates a surplus of \$918.00. The Projected Budget for the 2009/2010 year as well as last year's Projected Budget are listed in the COTM AGM Booklet on Page 7. As with previous years, Income for 2009/2010 reflects an anticipated increase in registration activity. Budgeting expenses include the following new items and increases:

- Insurance will increase to \$3,500.00 to reflect the inclusion of Errors and Omissions Insurance.

- Professional Fees will be increased to \$25,000.00. Use of legal counsel in advising the Investigation Committee has been steadily increasing in recent years. The benefits of this counsel in supporting this committee and in achieving effective outcomes has been undeniable (see committee reports) and this expense has been a worthwhile investment.
- A temporary budget line is created for a new staff position. The demands of operating an evolving COTM are rising. Our current Registration and Financial Coordinator will be retiring at the end of 2009 and hiring a new coordinator with a brief period of overlap will accommodate for a smoother transition. Furthermore, the Registration and Financial Coordinator position will increase from a .6 EFT to a 1.0 EFT to better address the support needs of COTM. These changes will be reflected in a 12% increase in the Wages budget line for 2009/2010, but in 2010/2011 will only reflect a 6% increase over the current budget line (when regular salary adjustments are factored in).

For more details on COTM's financial information please refer to the Auditor's Report and COTM's fiscal year 2009/2010 Projected Budget.

Respectfully submitted,

Ed Giesbrecht, O.T. Reg. (MB)
Treasurer

REGISTRAR 2008 - 2009

2008-2009 Data (June 1, 2008 to May 31, 2009)

Registered OTs as of June 1, 2008	523
Practising	481
Non-practising.....	40
Provisional	2
Temporary	0

Number of Applications Received.....	40
Processed.....	40
Rejected.....	0

New Registrations issued June 1, 2008 to May 31, 2009 (+)	41
Practising	40
Non-practising.....	0
Provisional	1
Temporary	0

Reinstatements issued June 1, 2008 to May 31, 2009 (+)	2
Practising	1
Non-practising.....	1
Provisional	0

Resignations (-)	17
Practising	12
Non-practising.....	4
Provisional	1
Temporary	0

Non-renewal of membership (-)	5
Practising	2
Non-Practising	3
Provisional	0

June 1, 2009 Data

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

2008 – 2009 may be remembered as a year of recession in the economy, but we are pleased to see a continued growth in the professional community of Occupational Therapists registered in Manitoba. We continued to receive a number of late renewals this year, and those therapists were charged a late fee accordingly. The cost of late renewals to COTM can be substantial given the extra work it generates within the office, and the monetary costs of registered letters to members.

I would also like to take this opportunity to remind members of their obligation to carry insurance for the entire duration of the membership year which runs from June 1st to May 31st in any given two year period. In many cases, our members are covered by the insurance carried by their employer. For those members using insurance purchased privately, such as the plan available through CAOT, please ensure that your coverage continues through the full period of registration in Manitoba.

Please see the report of the Board of Assessors for additional information about registration matters.

Respectfully submitted,

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

BOARD OF ASSESSORS 2008 - 2009

Committee Members:	Public Member:
Laurel Rose, Chair	David Rushforth
Amy Braunstein	
Julie Huish	
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 <i>The Occupational Therapists Act [2002]</i>).	

The work of the Board of Assessors (BOA) is to assist the Registrar with matters pertaining to registration. This year, it seemed that much of the discussion around the BOA table pertained to the ongoing activity related to the *Health Professions Regulatory Reform Initiative/Regulated Health Professions Act*, the *Labour Mobility Support Agreement*, and the *Agreement of Internal Trade*. The BOA engaged in lively discussion regarding the sections of each of these initiatives/agreements which would affect the registration of occupational therapists in Manitoba.

The BOA is also charged with the responsibility of establishing registration policies and procedures, as needed. The changing regulatory framework in Manitoba (*RHPA*) has prompted further review of our existing policies, and renewed discussion surrounding policies in the development stage.

An additional role of the BOA is to review applications from internationally educated occupational therapists to determine academic eligibility. Julie Huish has been retained by COTM to perform these academic reviews and present the information to the BOA. This year reviews were presented using the usual COTM method and a piloting of the *Academic Review Tool* developed by the College of Occupational Therapy of Ontario. To facilitate this work and support the requirements of the *Fair Registration Practices for Regulated Professions Act*, Julie participated in a training program at the World Education Services (WES) in Toronto and in a meeting with the COTO and the College of Occupational Therapists of BC regarding the *Academic Review Tool*.

The *Fair Registration Practices for Regulated Professions Act* also requires that any committee that is hearing appeals should be trained in this type of process. To this end, Ernie McLean, Laurel Rose and Sharon Eadie were registered to attend the Law Society workshop on managing appeal hearings and understanding administrative law, presented by professional regulation lawyer, Richard Steinecke of Ontario.

The aforementioned activities made for an interesting and busy year for the Board of Assessors, and I anticipate the coming year will continue along the same vein!

Respectfully submitted,

Laurel Rose, O.T. Reg. (MB)
Chair, Board of Assessors

EXECUTIVE COMMITTEE 2008 - 2009

Committee Members: Cara Brown, Chair Ernie McLean, Vice chair Joanna Quanbury, Secretary Edward Giesbrecht, Treasurer	Public Members: (corresponding) Karen Pirnie Lois Stewart-Archer Shawnee Scatliff
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.	

The Executive Committee met five times this past year. The Executive Director attends the meetings as a resource to the committee. Many agenda items from this committee are brought forward to Council for approval (budget, policy revision, committee terms of reference). The Executive Committee tends to focus on Council issues, staffing and finance.

Council orientation was planned and implemented in January due to several new members on Council. The Executive Committee completed an annual review of the Terms of Reference for the committee. The Executive Committee also prepares the agendas for all Council meetings.

Hiring was done of a new full-time office staff member in May 2009 with the intention of allowing a thorough orientation to the COTM office and procedures prior to the retirement of Barb Kosheluk in January 2010. Unfortunately, the new employee left COTM shortly after their hire due to another opportunity. Recruitment for another staff member is currently underway.

Planning for contingencies and vacation of the Executive Director is being reviewed to ensure COTM is able to effectively respond to urgent matters under all circumstances. Succession planning for our dedicated public members is underway. The purchase of errors and omissions insurance was made over the past year after a discussion at a general Council meeting. The Executive Committee also assisted with development of the budget, including the allocation of any surplus to the appropriate reserve funds.

Starting May 2009, the Vice-Chair of the COTM Council took on the additional responsibility of being the Chair of the Executive Committee. The potential benefits with this change were discussed and approved at a Council meeting. The potential benefits include,

- a) Increased investment in governance of COTM by the Vice-Chair of COTM,
- b) Increased ability of the Chair of COTM Council to engage in discussion and debate at COTM Executive meetings.

Respectfully submitted,

Cara Brown, O.T. Reg. (MB)
Chair, Executive Committee

LEGISLATION COMMITTEE 2008 - 2009

Committee Members: Ann Booth, Chair Leanne Leclair Lorraine Mischuk	Public Member: Shawnee Scatliff
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 <i>The Occupational Therapists Act</i> .	

In 2006, the provincial government and Manitoba Health initiated a process to develop one act to govern all of the regulated health professions – this process is known as the *Health Professions Regulatory Reform Initiative* (HPRRI). The two purposes were to develop a single, common statute to replace multiple stand-alone health profession acts and to develop a common integrated regulatory framework. As a member of the committee Sharon Eadie is the COTM representative to MB Health and to the regulators collective. The key areas of activity in 2007 and 2008 have been to:

- Participate in development of the *Regulated Health Professions Act* by clarifying, reviewing items and specifically responding to the proposed complaints and discipline sections.
- Identify and collect a list of controlled actions in other provinces which may be included in the *Regulated Health Professions Act*.
- Participate in the development of the proposed general list of restricted actions.

The key focus of the committee for 2008-09 will be to develop a consultative process and plan for the section on Restricted Actions.

Although the full committee has not met, I would like to thank the following individuals for agreeing to be members and consultants to the process: Leanne Leclair, Lorraine Mischuk, Shawnee Scatliff (public member) and Sharon Eadie as the liaison to the Regulator Collective & Manitoba Health.

Respectfully submitted,

Ann Booth, O.T. Reg. (MB)
Chair, Legislation Committee

PRACTISE ISSUES COMMITTEE 2008 - 2009

Committee Members:	Public Member:
Lois Stewart Archer, Chair	Lois Stewart Archer
Gillian Moats	
Natalie MacLeod Schroeder	
Staff Support:	
Sharon Eadie	
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.	

The Practise Issues Committee's primary focus this year was that of revising the 1995 *Code of Ethics*. The dedicated and keen four-member committee presented a draft copy for discussion at the January HSC OT staff rounds. Comments and suggestions were added to the draft which was presented in February to COTM's Council for review and approval to begin consultations. Peer-2-Peer online survey and 2 facilitated focus groups allowed for OT input. Further consultations by OTs, Ethics experts, public members on Council, and pertinent regulatory bodies in a variety of roles and settings were sought and revisions made. As per COTM's policies and guidelines, legal review was also sought and in August, Council sanctioned presentation to the members at the annual general meeting (AGM) in October for their approval.

Discussion and approval by the membership at the AGM marks the end of phase one. Phase two will include development of glossary, bibliography and reference lists, decision-making algorithm, ethical models, and discussion surrounding application of the Code in selected circumstances. Phase three will cover the implementation plan which addresses plan for education and dissemination, enforcement, and revision-date.

We thank you for your willingness to participate, confidence in voicing your comments, and enthusiasm in engaging in critical reviews. This was key. We will again draw on your expertise, knowledge, and skills in the final phases of the development of a *Code of Ethics* which embodies the ethical commitments of your organization, COTM.

Respectfully submitted,

Lois Stewart-Archer, RN, MN, CNS, CPMHN(C)
Chair, Practice Issues Committee

INVESTIGATION COMMITTEE 2008 – 2009

Committee Members:	Public Members:
Andrea Funk, Chair (to December 31, 2008)	
Kendra MacKinnon, Chair (as of January 1, 2009)	Allen Bleich
Lena Kublick	Karen Pirnie (Alternate)
Christine Froese (Alternate)	
Committee Objectives: The Investigation Committee is responsible to carry out the provisions of Section 17 to 30 of <i>The Occupational Therapists Act (2002)</i> .	

The Investigation Committee is responsible to carry out the provision of Section 17 to 28 of *The Occupational Therapists Act (2002)*.

Matters involving three members were reviewed during the period June 1, 2008 to May 31, 2009. All of these matters were new complaints.

One file was reviewed by the Investigation Committee with a recommendation the complaint be dismissed. The complainant did not appeal this decision.

In the second file, the Investigation Committee Chair was appointed investigator into allegations involving one member. The information was reviewed by the Investigation Committee with a recommendation that no action of any kind be taken. The complainant did not appeal this decision.

In the third file, an investigation was conducted by an appointed investigator into allegations involving one member. At the time of this annual report, the committee had not yet met to review and deliberate regarding the investigator's report.

The complaints received by the Investigation Committee vary in nature. Complaints have originated from a variety of sources including colleagues, family members, and clients. The complaints reflect the differing expectations between complainants and members regarding the scope and quality of services provided by members.

COTM is responsible to investigate complaints related to unskilled practice, unfitness to practice / incapacity, and professional misconduct. The occupational therapy members of the committee determine if the member's practice has fallen below the threshold for concern and the public representatives of the committee assist to ensure that due process is followed. Collectively the committee members work to determine the needed action to any complaint as per *The OT Act*.

In May, members of the Investigation Committee, the Inquiry Committee Chair, the members on the Roster of the Inquiry Committee, COTM investigators, and COTM staff participated in a one-day orientation provided by Sharon Eadie (Executive Director, COTM) and Gordon MacKinnon (Legal Counsel) on self-regulation, the role of COTM, and the complaints investigation provisions of the draft *Regulated Health Professions Act*. Gordon MacKinnon provided an excellent overview of the complaints investigation and discipline process, as well as an introduction to the key features of the Inquiry Committee and the key principles and considerations in conducting a hearing. The plan is to hold this event on an annual basis with the intent of adding case studies to the agenda.

The Investigation Committee has valued the opportunity to have professional legal advice when dealing with more complicated matters. The Investigation Committee feels these services are hugely beneficial and necessary to address some of the complaints reviewed by the Investigation Committee. Legal support has also been utilized in this past year to develop a number of draft

policies and procedures related to receiving and managing complaints. These draft policies will be put before the committee in the coming year, prior to their review and approval by council.

In closing I wish to acknowledge the three COTM members who continue to be available for appointments as investigators: Barb Kowalski, Lisa Diamond-Burchuk, and Nicole Beauchesne.

Respectfully submitted,

Kendra MacKinnon OT Reg. (MB)
Chair, Investigations Committee

INQUIRY COMMITTEE 2008 – 2009

Committee Members: Linda Bailes, Chair Michael Shumsky Kimberley Roer Lynda Day Andrea Auch Kathy Richen Tamara Rogers Desmond Connor Carolyn Bergen Barb Siemens	Public Members: Gary Sawisky Michelle Masserey David Rushforth
Committee Objectives: The Inquiry Committee is responsible to carry out the provisions of Part 6, Sections 31 to 45 of <i>The Occupational Therapists Act (2002)</i> .	

The Inquiry Committee has been established with the appointment of ten occupational therapists to the roster in a manner that is consistent with *The Occupational Therapists Act (2002)*. The establishment of the Committee is necessary to fair administrative processes and will take the form of a roster of 2-3 public representatives and approximately 10 occupational therapist members from which a hearing panel can be composed in order to conduct an inquiry. It is critical that individuals not be asked to join the committee only when a matter is referred to the Inquiry Committee – this process could be construed as unfair to the investigated member. Past members of COTM, who are now retired from occupational therapy practice, are eligible to sit on the Inquiry Committee.

In May, members of the Investigation Committee, the Inquiry Committee Chair, the members on the Roster of the Inquiry Committee, COTM investigators, and COTM staff participated in a one-day orientation provided by Sharon Eadie (Executive Director, COTM) and Gordon MacKinnon (Legal Counsel) on self-regulation, the role of COTM, and the complaints investigation provisions of the draft *Regulated Health Professions Act*. Gordon MacKinnon provided an excellent overview of the complaints investigation and discipline process, as well as an introduction to the key features of the Inquiry Committee and the key principles and considerations in conducting a hearing. The plan is to hold this event on an annual basis with the intent of adding case studies to the agenda.

Respectfully submitted,

Linda Bailes, O.T. Reg. (MB)
Chair, Inquiry Committee

CONTINUING COMPETENCE COMMITTEE 2008 - 2009

Committee Members:

Lynda Wolf, Chair
Scott Glasier
Christine Froese
Eva St. Lawrence

Public Member:

Michelle Masserey

Continuing Competence Program Developer:
Pearl Soltys

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

The work of the Continuing Competence Committee has culminated with the submission of the report, *Serving Competence: A Proposed Occupational Therapy Continuing Competence Program for Manitoba* to the COTM Council on June 16, 2009.

Between October 2008 and June 2009, our committee met eight times. Our meetings were filled with discussion, questions, debate and reflection. Over this relatively brief period, we continued to review most, if not all, of the available literature about continuing competence programs and occupational therapy. Pearl Soltys, Program Developer, conducted a nation-wide environmental scan of continuing competence programs. This made it possible for our committee to review and analyze the concepts and components of continuing competence programs across Canada while considering them from within the Manitoba perspective. In the process, we have developed a continuing competence proposal that includes updated assumptions, revised objectives, selected competence activities to meet these objectives, and a rationale for a staged continuing competence program. The committee has attempted to develop a continuing competence program that meets COTM's regulatory obligations to consumers while promoting the reflective practice and professional development of individual occupational therapists across the province.

The Continuing Competence Committee has recommended the disbandment of the current Committee. It also recommends the creation of a new Continuing Competence Committee with a new Terms of Reference to act as a resource to COTM in the implementation of the Continuing Competence Program.

Respectfully submitted,

Lynda Wolf, OT Reg. (MB)

COMMUNICATIONS COMMITTEE 2008 - 2009

Committee Members:

Brenda Roznowski, Chair
Lorna Parent
Kendra MacKinnon

Public Member:

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.

None available at this time – to be presented at the Annual General Meeting.

NOMINATIONS COORDINATOR 2008 - 2009

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

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. My particular thanks go those who agreed to stand for nomination.

Two therapists have been nominated for two positions. 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 nominees will be elected by acclamation at the AGM.

The nominees are:

Edward Giesbrecht, O.T. Reg. (MB)

Melanie Read, O.T. Reg. (MB)

A brief resume from each of the candidates forms 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.

Respectfully submitted,

Sheryl Singer, O.T. Reg. (MB)
Nominations Coordinator

Financial Statements of
**THE COLLEGE OF OCCUPATIONAL
THERAPISTS OF MANITOBA**

May 31, 2009



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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, 2009 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, 2009 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 14, 2009

THE COLLEGE OF OCCUPATIONAL THERAPISTS OF MANITOBA
Statement of Operations
Year Ended May 31, 2009

	2009	2008
REVENUE		
Registration and license fees	\$ 187,570	\$ 179,103
Other registration income	450	675
Investment income	7,691	7,454
Other income	1,428	2,118
Expense recoveries - rent	900	855
Expense recoveries - phone	444	444
Expense recoveries - salary	6,300	5,244
	204,783	195,893
EXPENSES		
Amortization	2,625	3,100
Association dues	1,286	1,264
Council expenses and meetings	13,193	8,973
Casual labour	73	1,494
Continuing competence	10,934	6,354
Education and training	1,023	274
Insurance	2,512	1,386
Leasehold improvements	-	744
Maintenance	96	260
Miscellaneous	22	22
New legislation	-	3,811
Printing	2,593	2,128
Professional fees	35,493	13,835
Projects	14	-
Rent	11,492	10,943
Service charges	572	598
Supplies	1,764	1,904
Telephone and postage	8,180	7,697
Wages, secretarial services and benefits	115,049	90,883
	206,921	155,670
EXCESS OF (EXPENSES OVER REVENUE)		
REVENUE OVER EXPENSES	\$ (2,138)	\$ 40,223

THE COLLEGE OF OCCUPATIONAL THERAPISTS OF MANITOBA

Statement of Changes in Net Assets

Year Ended May 31, 2009

	Unrestricted	Invested in Capital Assets	Reserve Fund	2009	2008
BALANCE, BEGINNING OF YEAR	\$ 13,356	\$ 2,648	\$ 151,987	\$ 167,991	\$ 127,768
EXCESS OF REVENUE OVER EXPENSES (EXPENSES OVER REVENUE)	487	(2,625)	-	(2,138)	40,223
INTERFUND TRANSFERS (Note 6)	(538)	2,673	(2,135)	-	-
BALANCE, END OF YEAR	\$ 13,305	\$ 2,696	\$ 149,852	\$ 165,853	\$ 167,991

THE COLLEGE OF OCCUPATIONAL THERAPISTS OF MANITOBA

Statement of Financial Position

May 31, 2009

	2009	2008
ASSETS		
CURRENT		
Cash	\$ 19,332	\$ 10,624
Short-term investments (Note 4)	174,214	177,470
Accounts receivable	10,783	5,239
Prepaid expenses	123	-
	<u>204,452</u>	<u>193,333</u>
CAPITAL ASSETS (Note 5)	<u>2,696</u>	<u>2,648</u>
	<u>\$ 207,148</u>	<u>\$ 195,981</u>
LIABILITIES		
CURRENT		
Accounts payable	\$ 41,295	\$ 27,126
DEFERRED CONTRIBUTIONS	-	864
	<u>41,295</u>	<u>27,990</u>
NET ASSETS		
Unrestricted	13,305	13,356
Invested in capital assets	2,696	2,648
Reserve Fund	149,852	151,987
	<u>165,853</u>	<u>167,991</u>
	<u>\$ 207,148</u>	<u>\$ 195,981</u>

APPROVED BY THE COUNCIL

..... Council Member

..... Council Member

THE COLLEGE OF OCCUPATIONAL THERAPISTS OF MANITOBA
Statement of Cash Flows
Year Ended May 31, 2009

	2009	2008
OPERATING ACTIVITIES		
Excess of (expenses over revenue)		
revenue over expenses	\$ (2,138)	\$ 40,223
Items not affecting cash		
Amortization	2,625	3,100
Amortization of deferred contributions	(864)	(948)
	(377)	42,375
Changes in non-cash operating working capital items		
Accounts receivable	(5,544)	(38)
Prepaid expenses	(123)	-
Accounts payable	14,169	8,410
	8,125	50,747
INVESTING ACTIVITIES		
Increase in short-term investments	3,256	(47,453)
Purchase of capital assets	(2,673)	-
	583	(47,453)
NET INCREASE IN CASH POSITION	8,708	3,294
CASH POSITION, BEGINNING OF YEAR	10,624	7,330
CASH POSITION, END OF YEAR	\$ 19,332	\$ 10,624

THE COLLEGE OF OCCUPATIONAL THERAPISTS OF MANITOBA
Notes to the Financial Statements
May 31, 2009

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 June 1, 2009, the Company adopted CICA 1535, Capital disclosures. This standard requires the disclosure of information related to the objectives, policies and processes for managing capital.

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, 2009. 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 Company also discloses the component of net assets invested in capital assets. 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.

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

THE COLLEGE OF OCCUPATIONAL THERAPISTS OF MANITOBA
Notes to the Financial Statements
May 31, 2009

3. SIGNIFICANT ACCOUNTING POLICIES (continued)

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.

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 cash, short-term investments, accounts receivable, and accounts payable approximate their carrying value due to their short-term maturity.

THE COLLEGE OF OCCUPATIONAL THERAPISTS OF MANITOBA

Notes to the Financial Statements

May 31, 2009

3. SIGNIFICANT ACCOUNTING POLICIES (continued)

d) Future accounting changes

In November 2008, the Canadian Institute of Chartered Accountants issued amendments to Section 1540, Cash flow statements, Section 1751, Interim financial statements, Section 4400, Financial statement presentation by not-for-profit organizations, Section 4430, Capital assets held by not-for-profit organizations, Section 4460, Disclosure of related party transactions by not-for-profit organizations and issued Section 4470, Disclosure of allocated expenses by not-for-profit organizations. These new standards are effective for fiscal years beginning on or after January 1, 2009, specifically June 1, 2009 for the Company.

Sections 1540 and 1751 have been amended to include not-for-profit organizations within their scope.

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 present such an amount as a category of internally restricted net assets when it chooses to do so. It also clarifies that revenues and expenses must be recognized and presented on a gross basis when a not-for profit organization is acting as a principal in transactions.

Section 4470 establishes disclosure standards for a not-for-profit organization that classifies its expenses by function and allocates its expenses to a number of functions to which the expenses relate.

The Company does not expect that the adoption of these new standards will have a material impact on its financial statements.

4. SHORT-TERM INVESTMENTS

	2009	2008
Term Deposits and Shares	\$ 174,214	\$ -
Money Market Fund	-	161,000
Income Fund	-	16,470
	<u>\$ 174,214</u>	<u>\$ 177,470</u>

THE COLLEGE OF OCCUPATIONAL THERAPISTS OF MANITOBA
Notes to the Financial Statements
May 31, 2009

5. CAPITAL ASSETS

	2009			2008
	Cost	Accumulated Amortization	Net Book Value	Net Book Value
Computer equipment and software	\$ 11,468	\$ 8,894	\$ 2,574	\$ 1,285
Office equipment	9,582	9,460	122	1,363
	<u>\$ 21,050</u>	<u>\$ 18,354</u>	<u>\$ 2,696</u>	<u>\$ 2,648</u>

6. INTERFUND TRANSFERS

During the year, interfund transfers in the amount of \$538 to the Reserve Fund (2008 - \$49,778) 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.