# RECOGNITION AGREEMENT FOR COMPLIANCE OF THE CANADIAN CHIROPRACTIC REGULATORY BOARDS AND THE CANADIAN CHIROPRACTIC PROFESSION WITH THE LABOUR MOBILITY CHAPTER OF THE AGREEMENT ON INTERNAL TRADE

As approved by the CFCRB Board of Directors, November 26, 2005

The Canadian Federation of Chiropractic Regulatory Boards (CFCRB) is pleased to provide the following agreement and the terms contained within, for consideration by the Chiropractic profession.

#### A. GENERAL CONSIDERATIONS

# **Signatories**

Each provincial/territorial chiropractic regulatory board shall be a signatory to this agreement.

## **Objectives**

The objective of this agreement is to implement the Labour Mobility Chapter of the Agreement on Internal Trade for the Canadian Chiropractic profession.

# **Agreed Principles**

Whereas the government's initiative called the Agreement on Internal Trade (AIT) included the Federal government as well as all Provincial governments and Territorial governments as signatories and,

Whereas the purpose of the AIT is to remove or reduce barriers to inter-provincial movement of workers, goods, services, and investments and,

Whereas Chapter 7 of the AIT covers labour mobility, and its purpose is to enable any worker who is qualified in an occupation in one province or territory to be granted access to employment opportunities in any other province or territory and,

Whereas professional regulatory bodies including those concerned with the licensure and regulation of chiropractors have an important role in removing labour mobility barriers and,

Whereas the CFCRB undertook to provide a leadership role with respect to the chiropractic profession's response to the labour mobility chapter of the AIT and,

Whereas the CFCRB has undertaken extensive deliberations with respect to discovering areas of commonality and difference in existing legislation and regulations, and has developed recommendations for the implementation of the AIT in the chiropractic profession;

THEN, BE IT RESOLVED THAT;

WE THE UNDERSIGNED ARE FORMALLY COMMITTED TO IMPLEMENT THE AGREEMENT AS DESCRIBED UNDER SECTION B AND C.

#### **B. SPECIFIC CONSIDERATIONS**

## **Assumptions**

- 1. Any measure adopted or maintained relating to licensing should relate principally to competence. Competency is defined as a set of knowledge, skills, and abilities obtained through formal or non-formal education, work experience, or other means required to perform an occupation. This means that the principle criteria for granting licensure should be based on the ability to perform the occupation.
- 2. There does not need to be a uniform scope of practice within the chiropractic provincial/territorial jurisdictions to meet the obligations of the Labour Mobility Chapter of the AIT.
- 3. In case of legitimate objectives, refer to section 709 of the AIT.

#### **Definitions**

CCA - is the acronym for the Canadian Chiropractic Association.

CCEC - is the acronym for the Council on Chiropractic Education of Canada.

CFCRB - is the acronym for the Canadian Federation of Chiropractic Regulatory Boards.

CCEB - is the acronym for the Canadian Chiropractic Examining Board.

Currently Practising Practitioner - Currently practising practitioner means a practitioner registered with a provincial/territorial board:

a. without individual terms, conditions or limitations.

- b. entitled to practise the entire scope of chiropractic.
- c. in good standing with that province/territory with respect to payments of all fees, fines, costs, penalties or other monetary amounts.
- d. who has met minimum practice experience and/or continuing education requirements to maintain his/her licensure with that provincial/territorial board.

And, would meet, in the new province/territory, the current experience, language proficiency, immigration status, good conduct requirements, continuing competency stipulations and similar requirements.

Lapsed Practitioner - Lapsed practitioner means a practitioner registered or previously registered with a provincial/territorial regulatory body who:

- a. has not maintained his or her active registration/licensure status and not fulfilled the minimum practice experience and/or continuing education requirements to maintain active registration/licensure status in a province or territory prior to the expiration of their registration/licensure.
- b. is in default of paying registration/licensure fees, fines, costs, penalties or other monetary amounts.

Lapsed practitioners who have failed to maintain their active registration/licensure status and have not fulfilled the minimum practice experience and/or continuing education requirements associated with his or her licensure, would be able to take advantage of the provisions of the MRA if they regain full registration, without terms, conditions or limitations in that province/territory. This is contingent on the practitioner meeting the current experience, language proficiency, immigration status, good conduct requirements, continuing competency stipulations and similar requirements in the new province/territory. Lapsed practitioners who regain full registration by payment of all outstanding amounts would be able to take advantage of the provisions of the MRA upon regaining full registration/licensure in the province/territory they are coming from.

#### **Terms**

- T.1 Provincial/territorial regulatory boards will require all who apply for registration to have passed the examinations of the Canadian Chiropractic Examining Board (the CCEB Written Cognitive Skills Examination and CCEB Clinical Skills Examination) or the considered equivalent by the provincial/territorial board.
- T.2 Provincial/territorial regulatory boards have the option of testing for legislation and ethics (a "jurisprudence" examination), and will do so in such a manner that it does not pose an undue barrier to movement under the AIT. This requirement may be met in one of several ways, for example:
  - an "open book" style of examination,
  - timely rewrites if a candidate does not pass,
  - providing an orientation session instead of an examination, and

- other mechanisms suitable to rapidly endorsing the candidate into the province/territory's jurisdiction.
- T.3 Current practising registrants of one province/territory, applying to a different province/territory for registration, who *can* demonstrate past and present good standing, shall be eligible to sit the legislation and ethics exam as outlined in T.2, provide appropriate application documents, pay the licensure fees, and be registered in the new province/territory.
- T.4 A lapsed registrant who applies for registration in a new province/territory will be treated by the new province/territory in the same manner as that province/territory treats its own registrants who have become lapsed.
- T.5 Provincial/territorial regulatory boards may seek the authority, via amendments to their individual statutes, regulations and bylaws, to be able to grant conditional (temporary) licenses to applicants from other provinces/territories while certain registration requirements are being met.
- T.6 A requirement for registration with any provincial/territorial regulatory board shall be graduation from a CCEC accredited educational institution or the considered equivalent by the regulatory board.
- T.7 Differences in legislative and regulatory requirements that relate to enforcement are not relevant to entry to practice and need not be reconciled by the provincial/territorial jurisdictions in order to attain compliance with the AIT.
- T.8 Provincial/territorial regulatory boards shall endorse and utilize, in all appropriate instances, the "Letter of Good Standing" presented in Appendix A.
- T.9 Provincial/territorial regulatory boards may participate in a CCEB Clinical Skills Examination. The CCEB Clinical Skills Examination shall include the following parameters:
  - There will be no set number of times that a candidate is allowed to rewrite the CCEB Clinical Skills Examination after failing it.
  - There shall be a national body responsible for the CCEB Clinical Skills Examination which has representation from each provincial/territorial regulatory board.
  - The CCEB Clinical Skills Examination should be held a minimum of twice per year, in three Canadian sites where numbers warrant, and shall be made available to candidates in Canada's two official languages.

- The CCEB Clinical Skills Examination should be developed and administered in a cost effective, fiscally responsible manner, and should be reliable, valid, and psychometrically and legally defensible.
- T.10 Candidates must register with one of the provincial/territorial regulatory boards within one year of passing the CCEB Clinical Skills Examination or recognized equivalent.

#### C. ADMINISTRATIVE ISSUES

The agreement requires an ongoing mechanism to review implementation and recommend changes. This can best be accommodated by scheduling an annual review of AIT related issues at each CFCRB spring Board of Directors meeting. This would eliminate the need for extra meetings or the creation of new structures.

The provincial/territorial regulatory boards recognize and agree that the implementation measures that they each will undergo may ultimately have to be financed on their own. Implementation will involve legal costs that each province/territory will undoubtedly incur in order to bring their respective legislative statutes in line with the changes required by the AIT. This is a difficult cost to estimate, as the extent of the changes that will be required in each province/territory is uncertain.

The provincial/territorial regulatory boards recognize the following communication mechanisms:

- Submission for ratification of this Recognition Agreement to the Board of Directors of the CFCRB.
- Submission for ratification of this Recognition Agreement to the provincial/territorial regulatory boards.
- Distribution to professional stakeholders (associations, educational institutions, students, etc.).

It would be fair, and not an undue barrier, for each provincial/territorial regulatory board to charge an administrative fee for the registration of applicants.

An attempt to harmonize the timing of the CCEB exams (in order to minimize the time it takes for an applicant to become fully licensed to practice in Canada) should be made. It is recognized that this will be an evolutionary process, as experience in the provision and timing of the two examinations is slowly attained.

The CFCRB and its members will assist the CCEB with the recruitment of examiners through the use of mailings and personal contacts; and through the providing of information concerning practitioners regarding chiropractic educational institution of graduation, years in practice, gender, and office phone, fax and address.

The CFCRB, on behalf of its members, shall take all reasonable steps to ensure that there is:

- (a) an annual report presented to the CFCRB at its fall Board meeting; and
- (b) an independent, external review of the CCEB Clinical Skills Examination conducted on a timely basis, including every five years.

#### **Effective Date**

This Recognition Agreement will come into force following ratification by the provincial/territorial regulatory boards, the provincial/territorial governments and the federal government.

# Signatories

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College of Chiropractors of Alberta
British Columbia College of Chiropractors
Manitoba Chiropractors' Association
New Brunswick Chiropractors' Association
Newfoundland & Labrador Chiropractic Board
Nova Scotia College of Chiropractors
College of Chiropractors of Ontario
Council of the Prince Edward Island Chiropractic Association
Ordre Des Chiropraticiens du Québec
Chiropractors' Association of Saskatchewan
Chiropractic Registrar Government of Vukon