



OMFC REGISTRATION REVIEW

Manitoba Association of Optometrists Final Registration Review Report (2013)

OFFICE OF THE MANITOBA FAIRNESS COMMISSIONER

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Introduction

This Final Registration Review Report presents the results of the Office of the Manitoba Fairness Commissioner's (OMFC) registration review with the Manitoba Association of Optometrists (MAO) as of March 2013.

Registration reviews are conducted as part of the Fairness Commissioner's mandate to review the registration practices of regulatory bodies subject to *The Fair Registration Practices in Regulated Professions Act (Act)*.

The purpose of a registration review is to enable the Fairness Commissioner to determine a regulator's compliance to the Act and to make recommendations to improve compliance. Compliance refers first and foremost to the fairness of assessment and registration practice, with particular attention drawn to the need for the fair consideration of internationally educated applicants. It also refers to the co-operation of the regulator with the Fairness Commissioner.

The Act stipulates that a registration review for any given regulator is to be undertaken at times specified by the Fairness Commissioner. The content of a registration review is to include an analysis of the relevance and necessity of registration requirements, the timeliness of decision making, the reasonableness of fees and the registration of internationally educated individuals. This may involve the review of any third parties employed in the assessment and registration process.

The OMFC's review process culminates in a Final Registration Review Report, complete with an Action Plan from the regulator. This report is a public document submitted to the Province's Minister of Immigration and Multiculturalism and posted on the OMFC's website.

Review Process

For the purposes of the 2012/13 registration review cycle, regulatory bodies with few internationally educated applicants and/or that rely heavily upon third parties for their assessment process participated in a self-assessment review process.

The review process had several steps: agreeing to a review schedule, arranging for the involvement of key staff and council members, participating in a two-day self-assessment workshop, drafting an action plan and finalizing the plan in consultation with the Fairness Commissioner.

The process was designed to support meaningful reviews that concretely identify fairness issues and lead to progressive change.

The Fairness Standard and Self-Assessment Workshop

As a first review encounter with the OMFC, regulatory practice was evaluated against a single broad fairness standard as defined by the OMFC's *Fairness Standard and Criteria Document*:

Dedicated and fair practices are applied for the assessment and registration of internationally educated applicants. Policies and procedures are documented, consistently followed and periodically reviewed to ensure their effectiveness.

This fairness standard covers the full spectrum of fair assessment and registration practice and is defined with multiple elements and criteria in the *Fairness Standard and Criteria Document*.

Over the course of a two-day self-assessment workshop, the standard was explained and regulators examined their practice in light of the various elements and criteria involved. Special emphasis was placed on the importance of clear, complete and accurate assessment and registration information, fair third party assessment practice and the consideration of qualifications acquired through professional work experience. Solutions and best practice models were presented as regulators drafted action plans to address issues of concern.

Action Plan & Compliance Statement

Shortly after the workshop, regulators submitted board-approved Action Plans to the OMFC. Regulators met with the Fairness Commissioner to discuss the plans and in some instances, revisions were made.

The Action Plan contained in this report has been reviewed by the Fairness Commissioner and is comprised of actions needed to address fairness concerns and improve compliance to *The Fair Registration Practices in Regulated Professions Act*.

Concluding this report, the Fairness Commissioner's Compliance Statement provides comment on the suitability of the regulator's Action Plan and the overall compliance of the regulator's registration practice.

Overview of the Assessment and Registration Process of the Manitoba Association of Optometrists

The Manitoba Association of Optometrists (MAO) regulates the practice of optometry in Manitoba. It operates under the authority of *The Optometry Act* (C.C.S.M. c. O70) and Regulations (456/88 R and 118/2003). Only persons licensed and registered with the MAO may practise optometry and use the title or professional designation 'Optometrist' in Manitoba.

Optometrists engage in the examination, diagnosis, treatment and prevention of diseases and disorders of the eye. They prescribe and fit eyeglasses and contact lenses and recommend therapies to correct vision problems.

Provincial statistics indicate that 7 internationally educated optometrists immigrated to Manitoba from 2005 to 2011.

Qualifications

Principal qualifications required to be licensed by the MAO include possessing a Doctor of Optometry degree from an optometry program accredited by the Accreditation Council on Optometric Education (ACOE), or an academic program judged equivalent by MAO's Board of Examiners. There are two accredited programs in Canada and more than twenty accredited programs in the United States.

Individuals trained outside of North America or with academic training unaccredited by ACOE must complete bridge training at the International Optometric Bridging Program at the University of Waterloo in Ontario.

Applicants must also pass the Canadian Assessment of Competence in Optometry Exam (National Optometry Exam) administered by the Canadian Examiners in Optometry (CEO) and the MAO's exam on Manitoba jurisprudence.

Assessment and Registration Process

Applicants with ACOE accredited academic training initiate the registration process by applying to the Canadian Examiners in Optometry to write the National Optometry Exam. Applicants complete an application form, pay a \$3,175.00 fee and supply the following documents:

- Verification of Eligibility from Candidate's School of Optometry or verification of graduation from an ACOE-accredited school of optometry from Registrar
- If applicable verification of Registration/Good standing from Regulator
- Photo ID

The National Optometry Exam is a five-day written and clinical evaluation held in May/June of each year at the University of Montreal (French) and University of Waterloo (English). A fall sitting is also scheduled in October at the University of Waterloo.

Upon successfully completing the National Optometry Exam, the applicant must next apply to the MAO, completing a MAO application form, paying a \$400.00 application and exam fee, and supplying the following documents:

- recent notarized photograph certifying proof of identity and current legal name;
- original mark transcripts certifying the applicant's graduation from an approved Optometry program, as well as any degree program the applicant intends to include with his/her signature as an Optometrist (e.g. BSc);
- evidence of good standing in every other jurisdiction in which the applicant is or has been registered during the previous seven years.

Applicants must also successfully complete MAO's jurisprudence examination. The examination is a one-hour short answer, multiple choice, and true or false examination based on the Optometry Act, Optometry Regulation and MAO By-Laws. This exam may be written in conjunction with the National Optometry Exam or may be written in the MAO office. Alternatively, applicants may apply to have the Manitoba jurisprudence exam proctored in another location.

Internationally Educated Applicants & the Optometric Bridging Program

Individuals with academic training from outside of North America or academic programs unaccredited by the ACOE must, prior to writing the National Optometry Exam, complete the International Optometric Bridging Program (IO Bridging Program), which is offered at the University of Waterloo's School of Optometry in Ontario.

Applicants first apply and complete the IO Bridging Program and then must proceed as above; completing the National Optometry Exam and applying to the MOA.

Individuals apply to the IO Bridging Program for an Optometric Qualification Assessment, and supply the following documentation and fees:

- Language fluency test (all internationally educated IOBP applicants) – The current requirement is the Canadian Language Benchmark (CLB) Level 8.
- Academic credential authentication and verification to determine if the applicant's optometric training is substantially similar to that offered by North American optometry schools accredited by the Accreditation Council on Optometric Education.
 - Authentication of credentials is done by WES. Cost for the WES credential assessment is \$425.00
 - Once authenticated by WES, the assessment of credentials is done by the College of Optometrists of Ontario for all applicants who plan to apply for registration in Manitoba.

If the applicant's credentials, education and training are judged equivalent to the credentials awarded by an ACOE accredited school, the candidate is eligible to complete a Prior Learning Assessment (PLA).

The PLA assesses the person's current knowledge, skill and judgement as it relates to the practice of optometry in Canada. It consists of a written and clinical component – a multiple choice test of optometric knowledge and its clinical application and a half-day assessment of optometric clinical skills using a four-station objective, structured, clinical evaluation or OSCE. The written portion of the PLA is administered by the Canadian Examiners in Optometry, and the clinical portion of the PLA is administered by the International Optometric Bridging Program.

The cost of the PLA is \$2,000.00 (\$1,200.00 for the written portion and \$800.00 for the clinical component).

The results the Optometric Qualification Assessment determine the applicant's eligibility to apply for the IO Bridging Program and the character of the program required.

Two bridging streams are possible: an 8-week and a 48-week program. The IOB Program includes classroom lectures, clinical instructions and internship rotations.

Meeting the minimum eligibility requirements does not guarantee acceptance into a bridging program. The application process is competitive. Individuals are ranked based on their performance on the Prior Learning Assessment.

The cost of the IOBP is \$8,000.00 for the 8-week program, and \$40,000.00 for the 48-week program.

Appeal Process

MAO's By-law contains provisions for an applicant who is denied registration to appeal to the Council of the Manitoba Association of Optometrists. Applicants must make appeal in writing stating the reasons why they feel the refusal was unwarranted. Provisions for appeal are also in place for the National Optometry Exam: appeals are heard by the by the Canadian Examiners in Optometry.

Time and Cost

Time

The time required for registration as an optometrist vary significantly depending on the circumstances of the applicant. North American trained applicants may require as little as 6 months or less to complete the process -- successfully passing the National Optometry Exam and being registered by the MAO. Applicants that require bridge training will require a longer period: two to four years may be a realistic time range. Approximate timelines involved in the specific components of the assessment and registration process include up to two years for application and admission to the International Optometric Bridging Program, 8 or 48 weeks to complete the International Optometric Bridging Program with fixed start dates, up to 6 months to apply and complete the National Optometry Exam (fixed date exam: re-writes may be required), 4 weeks for a registration decision upon completed application from the MAO.

Fees

Total cost of the registration process also varies significantly depending on the circumstances of the applicant. Approximate minimum would be \$3,600.00 for North American applicants. For those applicants requiring bridge training, the minimum cost would involve either \$14,000.00 or \$46,000.00. Significant associated cost will be involved as the bridging program is only offered at the University of Waterloo in Ontario. The National Optometry Exam also requires out of province travel and rewrites for parts of the exam may be required.

Manitoba Association of Optometrists' Action Plan

In response to the self-identified Compliance Issues, the Manitoba Association of Optometrists proposed the following action plan as of March 2013. The plan is reprinted under the 'MAO's Planned Actions' column in the table below.

The MAO's Action Plan will form the basis of its relationship with the OMFC moving forward. The plan is monitored by the OMFC and will be tracked in the 'Completion Date' box of the Action Plan as it comes to fruition. As the report will be available online, this allows any interested party to see the progress to date.

Compliance Issues	MAO's Planned Actions	Short Term Less than 3 months	Medium Term 3 months to 1 year	Long Term 1 year or more	Completion Date
<p>There is a need for a dedicated landing page for internationally educated applicants.</p> <p>Better information needs to be provided for qualification requirements and criteria used to assess qualifications.</p>	<p>Obtain OMFC web site template. Create dedicated landing page for international applicants including general intro and link to International Optometric Bridging Program. Invite applicants to contact MAO office by email, phone or in person for additional information.</p> <p>Provide link to the International Optometrist Bridging Program (IOBP) site for qualification requirements and criteria used to assess information. Provide information about IOBP as third party assessor and provider of bridging program</p> <p>Provide info on requirements for registration in Manitoba - to qualify to write the national optometry exam (CACO), international applicants must first complete the IOBP.</p>	<p>✓</p> <p>✓</p> <p>✓</p>			
<p>Need to provide information about the full costs involved in the registration process and about financial support opportunities.</p>	<p>Provide general info re IOBP fees and costs (with currency date); refer applicants to the IOBP site for details. Provide info re MAO registration fees and annual Dues. Advise that candidates are responsible for travel and accommodation costs for IOBP</p> <p>Reference federal and provincial funding programs, with links (OMFC to provide). Encourage applicants to inquire with federal and provincial immigration programs.</p>	<p>✓</p> <p>✓</p>			

Compliance Issues	MAO's Planned Actions	Short Term Less than 3 months	Medium Term 3 months to 1 year	Long Term 1 year or more	Completion Date
Better information about timelines and key dates as well as information about length of time for the entire process should be provided.	Provide information on MAO website about timelines and links to key dates (IOBP program), as well as length of time for best and least qualified applicants to complete IOBP from start to finish, including timelines on initial credential assessment. Information to include note that IOBP admission is competitive and there is no guarantee of eventual admission to IOBP, even for well-qualified applicants. Link to IOBP program for length of time program may take.	✓			
A step by step “map” of process is needed. Preparation information should be provided.	Create a flow chart showing process. Make recommendations on actions that can be taken prior to leaving home country (i.e. language training, language testing). Add information about IOBP to MAO international applicants’ page.		✓		
Information about the possibility of alternative documentation needs to be introduced. MAO anticipates introducing a criminal records check requirement and needs to consider whether checks will be required from an applicant’s home country.	Find out whether IOBP accepts document alternatives. Include statement on MAO website that document alternatives are considered on a case by case basis if original documents are not available. Find out from OMFC what a federal criminal records check entails. Once the new Optometry Regulation is in place, MAO will require criminal records checks for international applicants (from date of arrival in Canada) as well as Canadian applicants.	✓ ✓			

Compliance Issues	MAO's Planned Actions	Short Term Less than 3 months	Medium Term 3 months to 1 year	Long Term 1 year or more	Completion Date
Need to provide information on IOBP appeal process. If appeal opportunities exist for the credential assessment and the PLA process, it also needs to be introduced.	Find out if IOBP has appeal processes for credential assessment, PLA and IOBP program. Ask that this information be included on IOBP site or, if not, include on MAO site.	✓			
An English or French language proficiency requirement is under consideration by the MAO. There is a need to make clear the importance of French or English language proficiency to practice safely.	Add comments to the MAO website about the need for English language competency in order to communicate effectively with patients and medical practitioners. Reference the fact that the College of Physicians and Surgeons requires, by policy, that all practitioners must be able to communicate in English and that in order to practice to the full extent of licensing, optometrists must be able to communicate with physicians.	✓			
Level of language proficiency is only identified at intake to IOBP.	Only identified at intake to IOBP – note the comments above about consideration re further testing.		✓		
Uncertain about IOBP appeal policies.	Find out from IOBP whether there is a right to appeal any or all assessment decisions, from credential assessment through the end of the IOBP program. Registration decisions are made by the Board of Examiners and are appealable to the Council of the Manitoba Association of Optometrists.	✓			

Compliance Issues	MAO's Planned Actions	Short Term Less than 3 months	Medium Term 3 months to 1 year	Long Term 1 year or more	Completion Date
<p>Uncertain if appeal or review committee members are independent from those responsible for the original decision for IOBP.</p> <p>Uncertain about IOBP policies concerning:</p> <ul style="list-style-type: none"> • timely hearings and appeal decisions; • detailed, written reasons for unfavourable decisions; • how applicants are advised of their right to appeal; • whether appeal information accompanies any assessment and registration decision subject to appeal 	<p>Find out from IOBP whether their review committee members (if any) are independent from those responsible for original decision. In the case of appeals to the MAO Council, members of the Board of Examiners (which makes registration decisions) cannot be members of Council. However, the Board of Examiners is chaired by the Registrar, who is also a member of Council. As this is part of the Optometry Regulation, this cannot be changed. Consideration will be given to policy requiring the Registrar to recuse himself from appeal decisions.</p> <p>Determine IOBP appeal policies.</p> <p>No MAO policies currently exist with respect to these criteria for fair appeal. MAO Council will be asked to consider and create appropriate policies.</p>	<p>✓</p> <p>✓</p>	<p>✓</p> <p>✓</p>		

Compliance Issues	MAO's Planned Actions	Short Term Less than 3 months	Medium Term 3 months to 1 year	Long Term 1 year or more	Completion Date
Uncertain about IOBP policies concerning an applicant's access to assessment results and records associated with registration.	<p>Find out from IOBP what access candidates have to their assessment results, as well as the cost of access.</p> <p>Request that IOBP include information about right to access records (whatever that policy is) on their website.</p>	<p>✓</p> <p>✓</p>			

Fairness Commissioner's Statement of Compliance

The Manitoba Association of Optometrists' Action Plan is a constructive response to the registration review. The Association's proposed actions will support fairer practice and improve its compliance to *The Fair Registration Practices in Regulated Professions Act*.

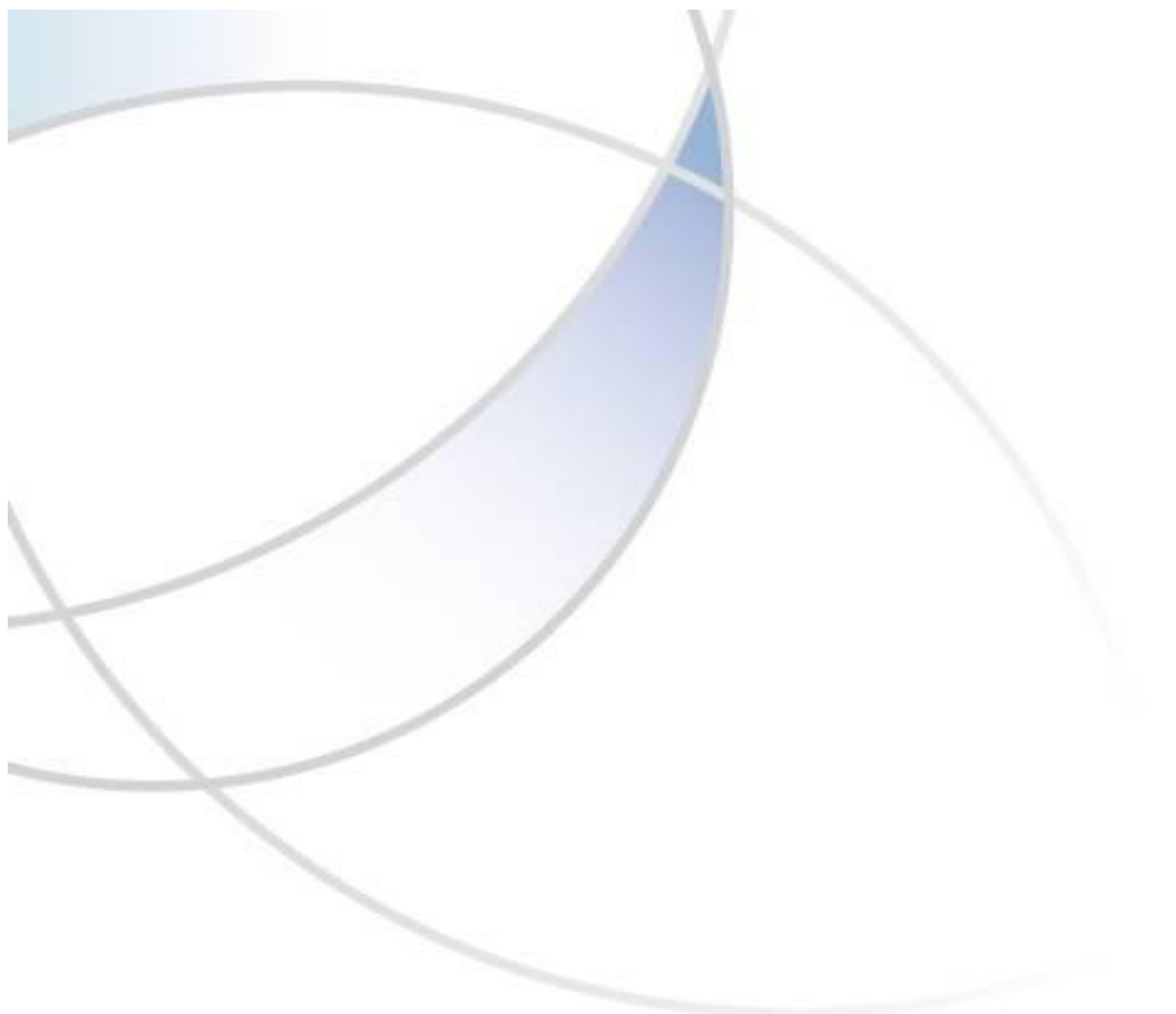
Although the Association has had only a few applicants trained outside of North America, its experience to date has been very positive. Acting to improve the quality of registration information on a variety of fronts and taking several measures to better ensure fair process will support similar positive experiences moving forward.

We appreciated the participation of the Association's staff and board members at the OMFC review workshop and their willingness to work to improve the process. We look forward to our work together moving forward.



Ximena Munoz

Manitoba Fairness Commissioner



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