



## **Application for Designation of Health and Social Services Profession** ***Health and Social Services Professions Act***

### INSTRUCTIONS TO APPLICANTS

A group of people practicing a profession or an organization/association representing a health or social services profession may apply to be designated as a profession regulated under the *Health and Social Services Professions Act* (HSSPA).

An application can be made by writing a letter to the Minister of Health and Social Services asking for regulation of the profession. In the letter, please respond to every criteria question that begins on page 4 of this document. There is no page limit. Take as much space as needed. If a question is “not applicable”, please explain why it is not applicable to your profession.

For definitions of terms used in this document please refer to the glossary of terms at the back of this document. Terms in the glossary are in **bold** in this document.

There is no fee to apply to be regulated.

Supporting material can be attached to your letter. Some questions may specify types of information requested. Support materials should be specific about the benefits, importance or details of regulating the profession, not about the profession generally. Support materials from within Canada are preferred, but material referring to other jurisdictions will be considered if provided. Some examples of support material that can be included are:

- Letters of support from other professionals
- Letters from associations, unions, etc.
- Scope of practice document
- Codes of ethics and professional conduct guidelines
- Complaints procedures
- Regulations under an Act or other relevant legislation or by-laws
- Letters of government commitment/ actions plans committing to the profession
- Proof of professional liability insurance
- Planning documents
- Media articles
- Scientific journals or literature

Send the completed application to:

Minister of Health and Social Services  
c/o Deputy Minister, Department of Health and Social Services  
Government of the Northwest Territories  
Box 1320  
Tatsaotìne Building – 7th floor  
YELLOWKNIFE, NT X1A 2L9  
Phone: 867-767-9052  
Fax: 867-873-0266  
Email: [hsspa@gov.nt.ca](mailto:hsspa@gov.nt.ca)

## **CRITERIA FOR EVALUATION**

The criteria come from section 4 of the *Health and Social Services Professions Act*.

The criteria raise areas that should be considered when deciding whether or not to designate a profession.

Criteria will be used to help determine which professions should be designated under the HSSPA, and to determine when a profession should be designated (i.e. if several professions are applying to be designated under the HSSPA, the sequence in which they may be developed).

## **ONCE YOUR APPLICATION IS RECEIVED**

Once the Minister has received the letter of application from the profession, it will usually be reviewed by a committee for investigation of merits of regulation of the profession within six months. The Minister will then provide the application with a recommendation to **Cabinet** on whether or not the profession should be regulated. **Cabinet** makes the decision about whether or not to designate your profession for regulation.

The **applicant** will be notified of the outcome of the decision on whether or not to designate the profession.

If the profession is designated for regulation, the Department of Health and Social Services may involve representatives of the **applicant** profession and will work with the Department of Justice to complete the formal profession-specific Regulation under the HSSPA. This may take up to a year, or even longer.

During the course of reviewing the letter of application and completing the profession-specific Regulation, the Department of Health and Social Services will conduct research regarding how the profession is regulated in other provinces and territories in Canada.

## **ACCESS TO INFORMATION**

The application, as well as any records of information in any form produced by or for the committee during the course of, or for the purpose of, investigation into the merits of regulation of a particular profession, are documents in control of the Department of Health and Social Services for the purposes of the *Access to Information and Protection of Privacy Act* and may be subject to release under that Act.

## CRITERIA QUESTIONS<sup>1</sup>

The questions are grouped into categories.

### General

1. Provide the **applicant(s)** full contact information, including full name, position title, email address and mailing address.
2. Specify which profession is being applied for: (example: Psychologists)
3. Is there a professional association for the profession (local to NWT or national)? If the professional association is not the **applicant**, provide the name of the association.

### Membership Support and Willingness to be Regulated

4. How many professionals currently practice the profession in the Northwest Territories?
5. Does the **applicant** represent a majority of the members of the profession in the Northwest Territories?
6. Do the members of the profession want regulation? Indicate the level of support by members of the profession for being regulated. Please describe any consultation process undertaken and the response/results achieved.
7. Are members of the profession currently subject to regulation in any Act in the NWT or federal (Canada) Act? If yes, please specify which legislation.
8. Is the practice of the profession commonly regulated in other jurisdictions? If so, please specify the other jurisdictions.
9. Has the profession considered regulation as a distinct subsection within a profession already being regulated and, if so, have they rejected this route? If so, what were the reasons for rejecting this approach? (example: Psychiatric Nurses are a distinct subsection of the Nursing profession)

---

<sup>1</sup> Questions adapted from Manitoba *Questionnaire to be completed by Professions seeking regulation under the Regulated Health Professions Act*.

## Body of Knowledge and Scope of Practice

10. Describe the **body of knowledge** of the profession. Describe what members of the profession do, including any different levels of practitioner. Specify what diagnoses (if any) and assessments they make. Specify the treatment modalities and services provided.

Specify which of these areas of practice, treatment modalities, and services are

- a) performed exclusively by members of the profession.
- b) also performed by other regulated health professions.
- c) also performed by other unregulated health professions.
- d) are performed in conjunction with other regulated health professions.
- e) overlap in practice with other health professions.
- f) differ from other health professions.

Include references to, and copies of, scientific literature and other published information.

11. Specify the diagnostic tools, equipment and methods used by members of the profession.

12. Provide a proposed **scope of practice** and relate it to the profession's **body of knowledge**. Include references to, and copies of, scientific literature and other published information.

For professions currently regulated in the Northwest Territories, please describe any proposed changes or proposed expansion to the existing scope of practice.

With respect to the proposed **scope of practice**:

- a) What **reserved acts** (if any) should members of the profession be authorized to perform?

If you are proposing a new **reserved act**, please describe whether this act would be exclusive to your profession or whether there are opportunities for sharing of the act. If there are opportunities for sharing, please describe any consultation that has taken place with other impacted professions or regulators.

- b) What specific acts (if any) should members of the profession be permitted to delegate to others? Specify the circumstances when members of the profession may choose to delegate.
- c) What are the limitations of practice (if any) for members of the profession? Are there acts within this field of health care or social services which practitioners should not perform? What diagnostic/assessment abilities, treatment modalities and services are not part of the **scope of practice** for members of the profession?
13. Are members of the profession directly or indirectly supervised in the performance of their duties and responsibilities by other regulated practitioners or administrators of regulated institutions?
14. Are members of the profession currently performing **reserved acts** under the delegation of regulated professionals?
15. If there is a professional association for the profession, does the professional association set standards of practice for diagnostic/treatment modalities and services based on the identified **body of knowledge**? Please explain. Are these standards enforced? Please explain. Provide a copy of the standards of practice and ethical guidelines, if any.

### Risk of Harm

16. Specify which diagnoses/assessments, treatment modalities and services, or incorrect diagnosis, treatment or services, entail a risk of harm to patients/clients.
17. To what extent has the public's health, safety or well-being been endangered because your profession has not been regulated? Provide examples of patients/clients being harmed by a practitioner who performed services incompetently or inappropriately, unethically or while impaired in the Northwest Territories or elsewhere in Canada. Include references to, and copies of, scientific literature and other published information.
18. How will regulation decrease the risk of harm of the profession's treatments and services to patients/clients?

19. Please describe any policies or procedures for complaints regarding services provided by members of the profession. If there are complaints policies / procedure documents, please provide. Are there any statistics of complaints about your profession?
20. What percentage of members of the profession normally carry liability insurance coverage? Does the professional association urge its members to carry liability insurance coverage? What is the amount of liability insurance normally carried?

### Education

21. Describe where educational and clinical/practical training programs are available for the profession in the Northwest Territories and elsewhere in Canada. Specify theoretical and clinical/practical experiences. Relate the education and training to the diagnostic/assessment abilities, treatment modalities and services.
22. What academic/vocational/technical education/training, post-graduate and continuing education or training is required by your group of professionals?

### Public Interest

23. Why is it in the public interest to regulate the profession?
24. Is there a demonstrable public need for regulating the profession? Please describe any process undertaken to determine the public need and the response/results achieved.
25. Provide evidence of the profession's commitment to the public interest through its communications, policies and/or procedures.
26. Explain how the proposed **scope of practice** is in the public interest and provides adequate public protection while not unduly restricting the public's choice of health or social services providers.
27. Describe the potential economic impact of regulation on: practitioner/professional availability, education and training programs, the enhancement

of quality of your profession's services, and the price, access and efficiency of services?

Other

28. Anything else you want to mention (other benefits, risks, costs, etc.) with regulating or not regulating the profession?

End of Questions



## GLOSSARY

Applicant – the group or organization/association applying for designation.

Cabinet – a common term for the Executive Council established by the *Legislative Assembly and Executive Council Act*. It is responsible for the overall management and direction of the executive of the Government of the Northwest Territories, including matters of policy. Cabinet is made up of the Premier and Ministers. The Premier is Chair of Cabinet.<sup>2</sup>

Body of Knowledge - a distinct or unique set of concepts, terms and activities in the practice of the profession (i.e., what the profession does and how the profession practices).

Reserved Acts – services that may be reserved in the Regulations of the HSSPA to be provided exclusively by a registered member of a designated profession.

Reserved Titles – titles that are reserved in the Regulations of the HSSPA solely for members of a designated profession. For example, the title “paramedic” can only be used by registered members under the *Emergency Medical Services Providers Regulations*.

Scope of Practice – the range of services a qualified health or social services professional with appropriate training, knowledge, and experience may practice within the rules, regulations, and boundaries.

Treatment Modalities – the methods or approaches to treat a patient/client for a particular condition. For example, individual therapy and group therapy are treatment modalities.

---

<sup>2</sup> *Executive Council Submissions Handbook*. Published by Cabinet Secretariat, Department of Executive and Indigenous Affairs, Government of the Northwest Territories, p. 6-7.