

ACSW Responds to Alberta Health's Proposals to Amend the *Health Professions Act*

August 24, 2020

Dear ACSW Members,

On July 30, 2020 we shared information with you regarding the government consultation on proposals to amend the *Health Professions Act (HPA)* as outlined in [Proposals to Amend the Health Professions Act to Improve Regulatory Effectiveness and Efficiency: Discussion Paper](#). The ACSW invited members to provide feedback and contribute to the discussion on these proposals. We thank all those who responded and shared their questions, comments, and feedback.

What does this mean for Social Workers?

The stated goals of the proposed amendments are to modernize provisions of the *Health Professions Act*, improve regulatory effectiveness and efficiency, and to reinforce the patient-centred goals of the health system. From the information provided it was not clear how these stated objectives would be successfully achieved, however the proposals in the discussion paper are possible changes under consideration by the Government. These proposals in addition to prior amendments to the *HPA*, threaten the regulation models utilized by the health professions in Alberta. These proposals appear to reduce the authority of professions to govern themselves and increase government oversight. We have maintained that social workers can be trusted to regulate the profession, and that we can do so in the public interest, utilizing our existing integrated mandate of regulatory body, professional association, and social policy advocacy.

ACSW Response

The ACSW highly values the mandate of professional regulation to protect the public and act in the public interest. The ACSW engages in professional regulation of social workers with a high degree of diligence to fully carry out every aspect of professional regulation mandated under the *HPA*. It is the ACSW's position that any amendments to the *HPA* should increase the efficiency and effectiveness of professional regulation and the role of regulatory colleges to wholesomely participate in professional regulation.

The [Proposals to Amend the Health Professions Act to Improve Regulatory Effectiveness and Efficiency: Discussion Paper](#) contains 17 proposals and several options for amendments within these proposals. The proposals significantly lacked the detail and rationale needed to fully understand the impacts that these proposed changes would bring. For this reason, ACSW *did not support* or *conditionally supported* most of the proposals.

Below is a summary of the ACSW position and response to each proposal:

- 1. Enhance the ability of government and regulated health professionals to respond to public health emergencies**

The ACSW **conditionally supports** this proposal. Considering the ongoing COVID-19 pandemic, we see the need for flexibility in the government's ability to respond to public health emergencies. However, there are concerns about the Health Minister's unchecked authority without appropriate consultation. If this shift is meant to improve legislative effectiveness clear limits would need to be implemented.

2. **Mandate the separation of colleges from professional associations and labour unions.**

The ACSW **does not support** this proposal. Like other social work bodies across Canada with integrated regulatory and association mandates we argue that public interest is well-served and protected without separation. Our current integrated model is self-funded and increases efficiency and effectiveness for all involved. For more see the ACSW briefing note [The Regulatory College and Professional Association: An Integrated Model](#).

3. **Enable and enhance the regulation of multiple professions within colleges (amalgamation).**

The ACSW **does not support** this proposal. We are resistant to significant changes that would erode the ability for regulation to recognize the unique qualities of the social work profession.

4. **Establish a centralized registry of health professionals in Alberta.**

The ACSW **supports** this proposal. The ACSW is currently required to collaborate with the government on a centralized registry through the Provincial Provider Registry (PPR). The ACSW did not support the second option to centralize registration within a government department.

5. **Revise the professional complaints and discipline process**

The ACSW **does not support** options 1, 2, and 3 of this proposal. Option 1 indicates an additional layer of triage and feedback that would likely not improve efficiency or effectiveness and may increase confusion in this area for the public. Option 2 has the potential to see an increase and duplication of costs for the ACSW. Option 3 would be a substantial change in the role regulatory bodies serve.

The ACSW **conditionally supports** option 4. We support a complaints process that is more patient-centred, efficient, and transparent. The ACSW currently meets most of the requirements proposed here.

6. **Strengthen existing laws aimed at banning Female Genital Mutilation or Cutting (FGM/C) in Alberta.**

The ACSW **conditionally supports** this proposal. The ACSW supports the banning of FGM/C in Alberta. However, the ACSW believes there would be a more appropriate mechanisms to address this other than the *HPA*.

7. **Authorize the performance of restricted activities through Lieutenant Governor regulation rather than professional regulations.**

The ACSW **conditionally supports** this proposal. We seek to ensure ACSW has a role in specifying and regulating their authorized restricted activities. The ACSW would support this proposal if it is focused on legislative efficiency, the Lieutenant Governor in Council is appropriately resourced, and the ACSW is consulted around potential scope of practice changes.

8. Move the provisions for restricted activities as set out in Schedule 7.1 in the Government Organization Act (GOA) to the HPA and repeal Schedule 7.1.

The ACSW **supports** this proposal. It has been cumbersome to additionally refer to the GOA Schedule 7.1 when addressing restricted activities.

9. Amend the common provisions of the HPA to address matters that are currently addressed uniformly among health professional regulations

The ACSW **conditionally supports** this proposal. The ACSW agrees that the relocation of elements common to all the regulations to common provisions of the *HPA* would improve efficiency and effectiveness.

10. Enable colleges to address continuing competence programs

The ACSW **supports** this proposal. The ACSW currently manages the continuing competency program for social workers.

11. Enable colleges to address the use of professional title

The ACSW **supports** this proposal. The ACSW has previously proposed the use of the “provisional” designation with the titles currently provided for social workers in the *HPA*. The ACSW has also advocated for the protected title “psychotherapist”. The full response highlights that converting role titles with shared scopes of practice into protected titles can cause confusion for the public, employers, and professionals.

12. Provide for the approval of regulations by the Minister rather than the Lieutenant Governor in Council

The ACSW **conditionally supports** this proposal. While the ACSW understands that this change can address efficiencies in the review and approval of regulations, we are concerned that the Office of the Minister of Health is unable to operate apolitically and not in the public interest.

13. Allowing professions to provide services through professional corporations

The ACSW **supports** this proposal. This proposal may support the ability of social workers to create professional corporations in the future in a way that also meets the public interest.

14. Address and allow miscellaneous changes to the HPA

The ACSW **conditionally supports** this proposal. The ACSW requires more information about the 13 miscellaneous changes contained in this proposal to fully understand the impact on social

workers. The ACSW supports collaboration, appropriate information sharing and mandatory registration.

15. Provide that the *Health Information Act* applies to all health professions

The ACSW **conditionally supports** this proposal. The ACSW requires more detailed information and further consultation about this proposal. While this change may provide for improvements for some social workers and reduce barriers, the full impacts are not understood. ACSW would require assurance that this will not cause unforeseen consequences for social workers practicing in fields outside the health system.

16. Allow the Minister to form ad hoc advisory committees under the HPA

The ACSW **supports** this proposal. The ACSW supports an amendment that will embrace the public interest with professional input.

17. Formally establish the Alberta Federation of Regulated Health Professions under the HPA

The ACSW **does not support** this proposal. The ACSW is a member of the Alberta Federation of Regulated Health Professions (AFRHP) and we support the Federation's position to remain independent. The Federation plays an important role in fostering collaborative relationships between Colleges and government.

What can Social Workers do now?

Social workers are trusted professionals who are accountable to the people we serve, the profession and society. Social workers acknowledge the place of privilege we hold and the potential for harm should that privilege be misused. It is in the public's best interest for social work to have a strong professional identity that guides the safe and competent practice of regulated social workers. Social workers can continue to be trusted to act in the public interest. What is good for the public is good for social work.

The ACSW encourages our members to:

- Get informed about professional regulation and these proposed changes to the *HPA*
- Connect with your professional social work networks
- Share information
- Contact your local MLA to express you are an engaged social worker and that the social work profession can continue to regulate without an increase of government oversight

These actions will strengthen the profession and support the ACSW's position to protect public interest in the professional regulation of social work in Alberta.

The ACSW, with the full support of the ACSW Council, have submitted a formal response to the proposed amendments on August 18, 2020. The full submission can be viewed here: [ACSW Response to the Proposals to Amend the Health Professions Act](#).

As this legislative process continues, the ACSW is committed to keeping you informed with the most current information. If you have any comments or questions, please contact us at acsw@acsw.ab.ca