

NBASLPA

Regulatory Bulletin

"Keeping registrants informed."

April 2024

New Brunswick Association of Speech-
Language Pathologists & Audiologists

New Look!

Recent data analytics from the most recent *NBASLPA Regulatory Newsletter* revealed only 50 registrants opened it, with an average engagement period of only 45 seconds. We have updated the look of the *NBASLPA Regulatory Newsletter* to keep you informed in a way that is hopefully more engaging, with only the highlights of *regulatory updates and topics you need to know*. Henceforth, the *NBASLPA Regulatory Newsletter* will be known as the *NBASLPA Regulatory Bulletin*.

The purpose of the *NBASLPA Regulatory Bulletin* is to communicate regulatory updates and requirements to registrants, as well as to offer support and guidance regarding registrant responsibilities concerning public protection and complaint mitigation. *Let's work together to keep New Brunswick residents safe!*

Please feel free to share your reflections on the revised Regulatory Bulletin! You can provide your thoughts by completing the following survey, letting us know, for example, if you appreciate the improvements and how we can further engage registrants in the regulatory process for the sake of public protection. Kindly read the newsletter in its entirety before responding to the survey. <https://forms.microsoft.com/r/wcFTZApqSK>

Logo Submissions

Thank you to all registrants who have submitted *CASLPNB (College of Audiologists and Speech-Language Pathologists of New Brunswick)* logos for consideration. All logos will be presented at the April 2024 Executive Council meeting for deliberation. There have been some interesting logo submissions, and we appreciate your interest in our rebranding process!

Bylaw 14.11

"Any member who changes his place of employment or employment status must notify the Registrar in writing of such change within 30 days thereof."

Please contact the NBASLPA office immediately if you have had a change of employment or employment status.

Amended Act

We are pleased to inform you that we received notice on April 1st that the Department of Health has approved the bill for the proposed amended Act. We are optimistic it will be sent to the King's printer within the next two weeks. Our legal team is diligently working towards submitting the amended Act to the Clerk of the Legislative Assembly for the upcoming sessions in May/June 2024. Stay tuned for further updates!

Bylaw Revisions

Please be advised that the Bylaw revisions are well under way but cannot be completed or enacted until the amended Act has passed the Legislature and the revised Bylaws have been reviewed by our Lawyer and approved by the Minister of Health. Our Current Bylaws remain in force until NBASLPA registrants have been otherwise notified. Stay tuned!

Alinity Update

The data transfer into the Alinity regulatory management software has been underway since January. We anticipate the first launch as early as May. All registrants will receive an orientation to the new portal. Stay tuned!



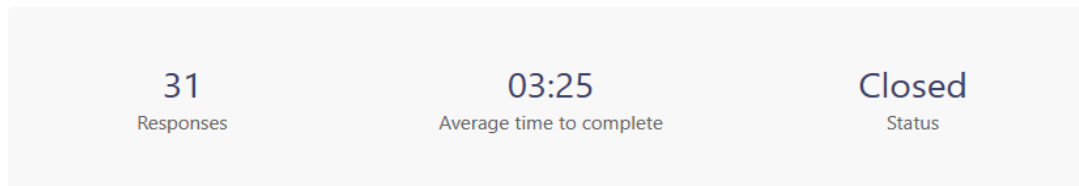
New Code of Ethics

Registrant Survey a Success!

A draft of the new *Code of Ethics* for CASLPNB (*College of Audiologists and Speech-Language Pathologists of New Brunswick*) was sent to all registrants on February 28, 2024.

We are pleased to share the results of the *Code of Ethics* survey below. Please note, the closing date of the survey was March 12, 2024. All comments have been sent to the *Practice Advisory Committee* for review and consideration. The new *Code of Ethics* will take effect once the proposed amended Act has passed the NB Legislature and the Bylaws have been revised. All registrants will be notified when the new *Code of Ethics* comes into force.

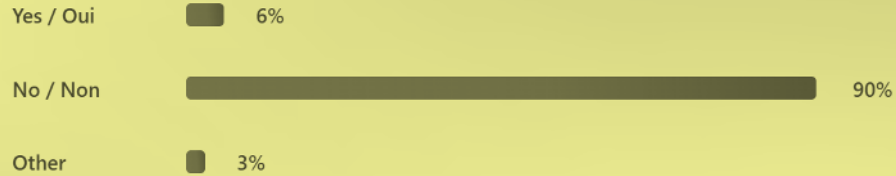
Survey / Sondage Code of Ethics / Code de déontologie



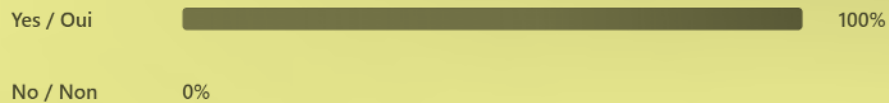
Thank you to the registrants who participated in the Code of Ethics Survey!

Survey Response Summary

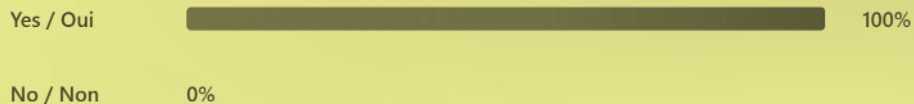
Are there any sections of the new Code of Ethics that you find confusing or ambiguous? Y-a-t-il des parties du nouveau code de déontologie qui...



Do you believe that the new Code of ethics adequately reflects the values and principles of our professions? Croyez-vous que le nouveau Code de...



Do you believe the new Code of Ethics reflects inclusivity and cultural humility? Pensez-vous que le nouveau Code de déontologie...



Please stay tuned for more Surveys to come!



Virtual Cross-Provincial Practice

Locus of Accountability – Do I need to be registered?

With the increase in provision of virtual services across various professional settings, especially since 2020, you might be curious about the registration requirements for delivering such services to clients/patients residing outside of New Brunswick. Likewise, you may wonder if clinicians from other jurisdictions need to be registered with NBASLPA to offer virtual services within New Brunswick.

The concept of 'Locus of Accountability' (LOA) concerning virtual services pertains to the regulatory body's position on where the service is deemed to occur. This can either be where the client or patient resides and receives the services or the jurisdiction from which the clinician provides the virtual service. In the realm of audiology and speech-language pathology, the prevailing stance in most regulated jurisdictions across Canada is that the LOA lies **where the client or patient resides and is receiving the virtual services**, rather than where the clinician is based.

NBASLPA continues to maintain the stance that the LOA is determined by where the client/patient resides and receives virtual services. This is in harmonization with most regulated jurisdictions across Canada. Consequently, any clinicians providing virtual services into New Brunswick from another jurisdiction **must be registered** with NBASLPA.

Before providing virtual services from New Brunswick into another regulated jurisdiction, New Brunswick audiologists and speech-language pathologists are advised to contact the regulatory body in the province in which they intend to provide those services and inquire about their registration requirements and LOA stance.

In a bid to reduce cross-provincial practice barriers, several provinces, including Alberta, Manitoba, Saskatchewan, Ontario, and New Brunswick entered into an agreement in 2022. This agreement allows audiologists and speech-language pathologists to provide services for up to 200 hours within a 12-month period in any of the signatory provinces through a Cross-Provincial Practice Registration (for a reduced registration fee of \$200.00). Please click on the following link to learn more: [Cross-Provincial-Practice-Registration-Guide-1.pdf \(nbaslpa.ca\)](#)

Please note: *An out-of-province audiologist or speech-language pathologist does not require registration with NBASLPA to offer the following virtual services:*

Inter-Clinician Consultation:

Provided the client/patient is not present, virtual consultation between any member of the client/patient's care team and an out-of-province clinician is permissible only if the client/patient has given consent to both the NB and the out-of-province clinicians. Collaboration is actually encouraged between out-of-province clinicians, healthcare providers, audiologists, and speech-language pathologists in New Brunswick. This collaborative approach aims to uphold continuity of care when a New Brunswick resident seeks services outside of the province. Through this consultation model, local clinicians may effectively stay engaged in the client/patient's care while tapping into the expertise of external specialists or clinicians.

'Exempted' or Out-of-Scope services:

When services, being offered virtually, fall outside of the scope of practice as defined by the NB Speech-Language Pathology and Audiology Act or explicitly listed as an exemption in section 22 of Part IV of the Act, the out-of-province audiologist or speech-language pathologist is not required to be registered with NBASLPA.



Getting Upstream and Mitigating Risk

Protecting the Public and Mitigating Complaints: Breach of Confidentiality

Regulatory bodies frequently receive complaints regarding professionals inappropriately accessing client/patient records or sharing client/patient information **without obtaining appropriate informed consent**. This includes accessing records for clients/patients not under their care, for purposes unrelated to the provision of care, or for sharing information about the client/patient that is irrelevant to their care.



This behaviour is an example of a **'breach of confidentiality'** and constitutes professional misconduct, which could result in:

- a) loss of the clinician's reputation, employment, certificate of registration, and/or career,
- b) disciplinary action from the regulatory body which may include significant fines and penalties,
- c) and legal actions against the clinician.

Reminders

- 1) Access to healthcare records is restricted to care providers who are involved in the client/patient's circle of care. Being a healthcare professional (regardless of your work setting) does not automatically provide authorization to access any client/patient record or for 'sharing' information about a client/patient with any other person or healthcare professional.
- 2) Healthcare professionals are not authorized to access or share information of records of family members, friends, colleagues, clients/patients with 'interesting' diagnoses, 'famous' people, or other clients/patients on the unit or in their workplace, unless they are involved in their care and authorized to do so.
- 3) Please note employers can often track who accesses client/patient records. Should they discover that a healthcare professional accessed records of clients/patients with whom they have no professional relationship and have no need to access, the employer may take action as per their workplace policy.
- 4) In the event a family member or a friend of a healthcare professional asks the professional to look at his or her personal record, it should be noted, unless the professional is part of the individual's circle of care, the professional is not authorized to access the record, or to share or disclose the personal health information of that individual.

It is important to communicate to your client/patient how their personal information will be collected, used, and shared with other members of their healthcare and/or education team. Ensure the client/patient knows the purpose, what information will be shared, and who is in the circle of care. Only share information with people currently involved in providing or planning care. Limit information you share to what each team member needs to know to provide appropriate care.

Important Links

All NBASLPA registrants are subject to the following provincial legislation:

[Privacy and Access \(gnb.ca\)](http://gnb.ca)

[Click on the circles below to open provincial legislation.](#)



Personal Professional Liability Insurance

What is extended discovery?

NBASLPA requires that all Professional Liability Insurance policies **have an extended discovery and reporting period of a minimum of two years.**

An extended discovery and reporting period, often known as a 'tail coverage', is an extension provided by professional liability insurance. It allows policyholders to report claims for incidents that occurred during the policy period but were discovered or reported after the policy has expired or been canceled. Essentially, it gives additional time (usually a minimum of two years) beyond the policy's end date to report claims related to events that took place while the policy was active.

This extension is crucial in professions like audiology and speech-language pathology, where certain incidents or claims might only surface or become evident after the policy has lapsed. It ensures continued protection for situations that might have occurred but were not immediately apparent during the policy term.

It is your responsibility to confirm with your insurance provider that your policy meets NBASLPA requirements:

PLI requirements



*For a complete list of NBASLPA PLI requirements, please read
NBASLPA rule 14.9.1 (f)*

Reach out with any questions!

We are here to help all registrants meet their regulatory requirements, mitigate risk, and protect the public!

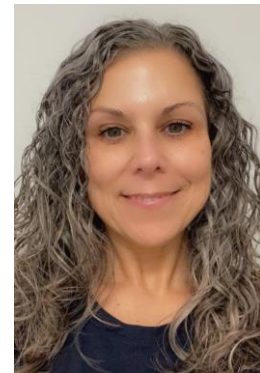
"NBASLPA ensures public safety by regulating, supporting, and ensuring the competent, safe and ethical practice of audiologists and speech-language pathologists in New Brunswick. All members of NBASLPA must practice in compliance with the Act, the Bylaws and Rules."



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***Next edition of the Regulatory Bulletin
Summer 2024***

*Please contact the office if there are any regulatory topics
you would like addressed in future editions.*