

**JUNE 2023****VOLUME 1 – ISSUE 2**

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**PG. 2**

Need to know

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**PG. 5**Changes affecting membership  
and registration

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**PG. 11**Complaints and discipline  
matters

This time of year is so beautiful with new growth, renewed life, and a vibrant blossom which gives promise for a future productive harvest. Is there a certain appeal to using this as a metaphor for development in our regulatory environment? We are growing, developing, and we want to ‘blossom’ toward greater success.

The regulatory landscape is developing constantly. We want you to know the *NBASLPA* staff and Council are making every effort to stay connected with our New Brunswick and Canadian counterparts, to ensure harmonization, best regulatory practice, good governance, and continued sustainability.

This regulatory newsletter is intended to help registrants stay current on our operational, regulatory, and registration requirements. This will help enable all to remain compliant with their regulatory responsibilities in service to the public, who we are mandated to protect.



## NEED TO KNOW

This issue of the *NBASLPA* Regulatory Newsletter contains important information on topics to assist you to serve your patients/clients better. As stated above, it will also expand and reinforce practice in compliance with regulatory requirements and responsibilities. In addition, it will enhance better understanding of the regulatory environment in which the public is served.

The topics are as follows:



Separation Project  
Update



College vs.  
Association



Registration Fee  
Adjustment



2023 AGM



Call for  
Nominations



Quality Assurance  
Program



Code of Ethics



Professional  
Liability Insurance



## SEPARATION PROJECT UPDATE

*NBASLPA* initiated the Separation Project in September of 2022 after receiving a majority support from members for this necessary divestment of our dual mandate; this creates a single mandate regulatory body. As a result, we are pleased to provide the following updates to *NBASLPA* registrants:

### The Speech-Language Pathology and Audiology Act Amendment

- ✓ *NBASLPA* staff and the legislative review team worked closely with our legal counsel throughout the Act amendment process.
- ✓ The Act amendments were completed, and our legal counsel reviewed the amended Act with the Executive Council and further minor amendments were made as a result.
- ✓ The Amended Act was then sent by our legal counsel for translation to French. It was also sent to the Department of Health for initial feedback, and, as a result, a few additional (but minor amendments) were made based on that feedback.
- ✓ The amended Act will soon be sent to stakeholders for review and, subsequently, to *NBASLPA* registrants. This is prior to being considered for approval by the Legislature in the Fall.

## Regulatory Staffing and Organizational Chart

- ✓ The Executive Council voted in favor of a full-time Registrar/Executive Director position, and a part-time Deputy Registrar. The Organizational Chart will be amended to reflect the new single mandate of a regulatory body and will be posted on the website once complete.

## Regulatory Committees

- ✓ We are pleased to announce the onboarding of the newest members of our regulatory committees. Some volunteers returned to the important work of committees, and there are some new additions. There is a new Public Representative on the Registration and Competence Committee, and a new Public Representative on the revised Finance Committee. We offer our thanks to returning members and a warm welcome to our new members!
- ✓ We want to express a special welcome to Dr. Michael Kieft and Richard Novlesky. We are pleased to have both join our committees as Public Representatives.



Dr. Michael Kieft has a PhD in Experimental Phonetics from the University of Alberta. He is currently the Director of the School of Communication Sciences and Disorders at Dalhousie University in Halifax, NS, and, also, the Assistant Dean for Professional Graduate Education



We are grateful to have Richard Novlesky on *NBASLPA's* revised Finance Committee. Richard has a Bachelor of Science in Business Administration (BSBA) with a major in accounting, and an Master of Business Administration (MBA) in finance. He has an extensive and valuable background in accounting, holding positions as Chief Financial Officer, Controller, and Associate Director of Project Finance.

## Welcome Committee Volunteers!

Registration & Competence Committee	Practice Advisory Committee	Finance Committee	Discipline Committee	Complaints Committee
<b>Dr. Michael Kieft</b> <b>Public Representative</b>		<b>Richard Novlesky</b> <b>Public Representative</b>	<b>Marilyn Babineau</b> <b>Public Representative</b>	
Kara McLean	Bernise Hachey	Francisca Morneau-Rouleau (Treasurer)	Krista Kidd	Claudine Godbout-Lavoie
Ali Paixao	Jennifer O'Donnell	Angela Kaiser-Hansen (President)	Evan Phinney	
Stephanie Tinker	Nadine Melanson	Nicole Fowler (Registrar/Interim Executive Director)	Brigitte Mahoney	
Sheena Alexander	Chantale Melanson		Rhonda Rubin	
Michelle Lackie	Emily Dawber		Leslie Shabani	
Kevin LeClair	Monica Bonnevie			

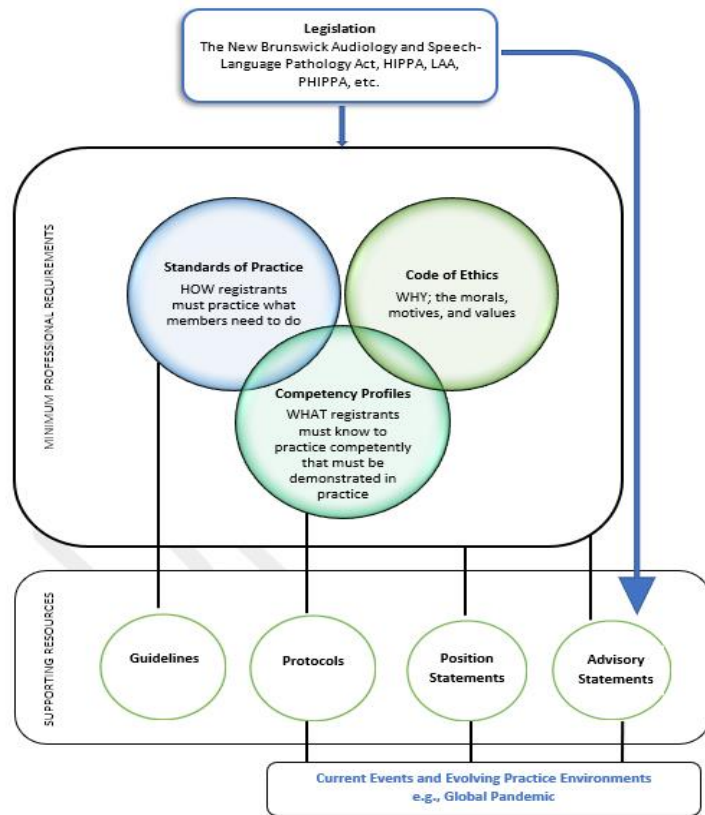
**Note:** The Complaints Committee will be updated (Terms of Reference and committee composition) upon approval of the Act amendment by the Legislature.

## The Key College Documents

\* The Chart was borrowed with permission from ACSLPA (Alberta College of Speech-Language Pathologists and Audiologists).

- ✓ Upon approval of the amended Act by the Legislature, the Bylaws will be revised to reflect the mandate and operations of the new College mandate, and the following key college documents will be revised and/or developed:

- Code of Ethics
- Standards of Practice
- Guidelines
- Protocols
- Position Statements
- Advisory Statements



## COLLEGE VERSUS ASSOCIATION - WHO TO CONTACT

As we now function as a single mandate regulatory body (college), the following chart can serve as a helpful guide in our transition. This will assist members regarding who may be contacted regarding concerns:

	College (NBASLPA)	Association (SAC)
<b>Mandate</b>	<ul style="list-style-type: none"> <li>Regulate in the public interest to ensure competent and ethical practice</li> </ul>	<ul style="list-style-type: none"> <li>Represent and support member interests</li> </ul>
<b>Authority</b>	<ul style="list-style-type: none"> <li>Provincial legislation (Speech-Language Pathology and Audiology Act)</li> </ul>	<ul style="list-style-type: none"> <li>May establish itself as a corporation</li> </ul>
<b>Membership</b>	<ul style="list-style-type: none"> <li>Compulsory to practice the profession</li> </ul>	<ul style="list-style-type: none"> <li>Optional</li> </ul>
<b>Activities</b>	<p><u>Establish, monitor, and enforce:</u></p> <ul style="list-style-type: none"> <li>Code of Ethics</li> <li>Bylaws (in accordance with legislation)</li> <li>Public complaint and registrant discipline processes</li> <li>Entry to Practice standards</li> <li>Continuing Competency and Quality Assurance Programs</li> </ul>	<ul style="list-style-type: none"> <li>Provides membership services and support as determine by member needs</li> <li>Promote, advocate and lobby for the professional personal interest of members</li> <li>Represent the profession to government, employers and other agencies</li> <li>Support the development of social programs for members</li> </ul>

	College (NBASLPA)	Association (SAC)
	<ul style="list-style-type: none"> <li>• Licenses to practice</li> <li>• Continuing Education Program</li> <li>• Currency Hours</li> <li>• Accountability to government</li> <li>• Practice Standards and guidelines</li> </ul>	<ul style="list-style-type: none"> <li>• Promote research and studies</li> <li>• Organize and participate in media events and campaigns</li> <li>• Advertise professional products, resources, and professional conferences</li> <li>• Facilitate online discussion forums, and other means of exchanging information and professional networking</li> </ul>
<b>Member Advantages</b>	<ul style="list-style-type: none"> <li>• Protection of Title</li> <li>• Greater autonomy and control</li> <li>• Access to government to negotiate for more authority</li> </ul>	<ul style="list-style-type: none"> <li>• Access to publications</li> <li>• Professional support</li> <li>• Social/professional networking</li> <li>• Raise awareness of profession</li> <li>• Member Advocacy</li> </ul>

## Our Final Steps

Upon approval of our amended Act by the New Brunswick Legislature in the Fall, we will begin working on our new branding and identity including a new name and logo. Although *NBASLPA* has ceased most Association activities as of January 2023, we are hoping to enter into 2024 as a fully formed and recognized College.



## CHANGES AFFECTING REGISTRATION

### REGISTRATION FEE ADJUSTMENT

*NBASLPA* is a self-governing **non-profit** regulatory body whose activities are directed by provincial legislation. *NBASLPA*'s mandate is to ensure public safety by regulating and ensuring the competent, safe, and ethical practice of audiologists and speech-language pathologists in New Brunswick. As such, *NBASLPA* is accountable to the public.

*NBASLPA* has been undergoing numerous regulatory transitions over the past couple of years which have subsequently increased the ongoing need for legal counsel, translation fees, as well as workload and costs associated with regulation of the professions and public protection.

To execute its mandate of public protection, we must ensure *NBASLPA* is sustainable by having adequate revenues and resources to fulfill its regulatory responsibilities. ***NBASLPA* operates only from revenues from registration, administrative fees, and investments.**

### SUSTAINABILITY AND BUDGET FORECAST

A thorough review of *NBASLPA*'s current financial situation indicates a necessary adjustment in registrant fees to ensure the above-mentioned sustainability within the current regulatory environment. *NBASLPA*'s revenue is currently the lowest among our Pan-Canadian regulator colleagues. [Please refer to Appendix A below.](#)

When comparing licensing fees across regulatory bodies, it is important to compare revenue as opposed to annual registration fees. A regulatory body with a smaller number of registrants does not have the critical mass of one with a higher number of registrants. Therefore, a direct comparison of registration fees does not accurately reflect a comparable financial requirement for sustainability. The mandate to protect the public is the same for all regulatory bodies in New Brunswick regardless of the number of registrants.

It would be nice never to need a fee increase, and it is not necessary to state no one desires this adjustment. Please be informed that we have done our due diligence in utmost and careful regard for all involved. We have been rigorously vigilant not to increase the fee more or less than that which is required to fulfill our mandate.

## FEE ADJUSTMENT

A thorough review of our current revenues and operating budget indicates the need for a \$350.00 fee adjustment:

Below are the following amounts for the adjusted registration renewal fee for 2024:

Practising Members      **\$850.00**

Non-Practising Members   **\$500.00**

The decision for the above fee increase was not made lightly. Detailed discussions and financial planning occurred between the *NBASLPA Executive Council*, staff, and our lawyer and accountant. *NBASLPA* also reached out to the other Canadian regulators within the professions to conduct an environmental scan and ensure that our fees and revenues remain aligned with the national average. Our Executive Council and accountant reviewed 3 comprehensive options regarding a 7-year budget forecast for the fee adjustment. The fee adjustment to **\$850.00** for Practising Registrants and **\$500.00** for Non-Practising Registrants was agreed upon as the best workable option for *NBASLPA*'s sustainability in the current regulatory environment.

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## TRAINING TRUST FUND REALLOCATION

As members are aware, *NBASLPA* is divesting association activities from the regulatory body. With this divestment there are changes, different structures, and responsibilities. As such, the **Training Trust Fund (TTF)** will be dissolved as it is an association function and not in the mandate of a regulatory body. Any funds beyond the initial \$5,000.00 (the grant provided by *Employment and Immigration Canada* in 1996) are no longer bound by any contract with the government.

With the above information in mind, we have been advised that the remaining funds from the **TTF** can be absorbed into the working capital of the new College.

*Please be advised that due to the absorption of the remaining TTF into the working capital of the new College, there will no longer be any funds available for educational events in 2023.*

**Please note that funds will be set aside for the bursaries that have already been awarded for 2023. These bursaries will be honored.**

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## FACTORS IMPACTING THE DECISION TO ADJUST FEES

There are multiple factors which necessitated the increase in annual revenues and resources. They include:

- ✓ **Changes to the regulatory environment and implementation of harmonization and best regulatory practices:**
  - The regulatory environment is changing rapidly, and *NBASLPA* endeavors, in the interest of the public, to ensure best regulatory practices.
  - *NBASLPA* needs to be able to budget fees for regulatory project consultants and general legal consultation to ensure that projects are in alignment with our Act, and our provincial and federal legislation.

- ✓ **Increased or predicted increase in public complaints:**
  - A complaint against a *NBASLPA* registrant can cost *NBASLPA* anywhere from \$20,000 to \$100,000 - or even more.
  - *NBASLPA* processed a complaint in the fall of 2022 and is currently processing an active complaint.
  - Legal fees incurred from a complaint come from the *NBASLPA Contingency Fund*.
  - *NBASLPA* always needs to ensure there are adequate funds in the *Contingency Fund* to cover legal expenses for complaints. This requires timely and frequent replenishment.
  - **This fund must be replenished back to the recommended \$250,000 baseline.**
- ✓ **Increase in the cost of living:**
  - Regulatory bodies must also consider the costs of operation with regard to the *Consumer Price Index (CPI)*, and the rapid rise in Canadian inflation.
  - Ongoing world events continue to weigh on supply chains, consumer energy prices, etc.
  - According to Stats Canada: “The *Consumer Price Index (CPI)* rose 6.8% on an annual average basis in 2022. The increase in 2022 was a 40-year high, the largest increase since 1982 (+10.9%).
- ✓ **Need for increased staffing complement and/or hours:**
  - *NBASLPA* staff positions include an *Executive Assistant* (20 hours per week), a *Registrar* (17 hours per week), and an *Executive Director* (18 hours per week).
  - Total staffing is currently less than a 1.5 FTE.
  - *NBASLPA* is undergoing a reorganization of the current staffing positions. These operational changes are necessary to improve the efficiency and effectiveness by which *NBASLPA* supports the *Executive Council*, informs the public, and regulates the professions.
  - *NBASLPA* staff maintain affiliations with other regulatory organizations at both the provincial and national levels, *Speech and Audiology Canada (SAC)*, and the *Council for Accreditation of Canadian University Programs in Audiology and Speech-Language Pathology (CACUP-ASLP)*. Although these affiliations can be time consuming, they are necessary and allow *NBASLPA* to grow as an organization and proactively adapt to the changing regulatory environment. These affiliations also allow *NBASLPA* to collaborate efforts toward shared goals and projects, provide mutually beneficial support and advice, contribute to the harmonization of requirements, the sharing of costs and knowledge, and workload on common issues.
- ✓ **Need for ongoing regulatory education for staff:**
  - To ensure current regulatory practices and knowledgeable staff, ongoing regulatory education and membership with *CNAR (Canadian Network of Agencies of Regulation)* is necessary.
- ✓ **Adjustment to Government initiatives:**
  - *Bill 118* - Fair Registration Practices and future government initiatives.
  - Additional staffing hours are required to complete requested data collection, and auditing of registration processes, and government reports.
- ✓ **Contingency/Reserve Fund replenishment:**
  - The lawyer has recommended *Contingency and Reserve Funds* to be no less than \$250,000.00.
  - The *NBASLPA Contingency Fund* and *Reserve Funds* combined are currently down to approximately \$180,000.00 which will be further reduced by legal fees incurred for the Act amendment and development of key College documents (Bylaws, Rules, Standards of Practice, etc.). This is in addition to the legal fees regarding an active complaint. These additional fees could further reduce the *Contingency* and *Reserve Funds* to less than \$100,000.00 by year end. As stated above, these funds need to be replenished in a timely manner and ‘topped up’ on a regular basis.
- ✓ **Increased cybersecurity risks:**
  - *NBASLPA* requires Cybersecurity, IT consultation, and Cyber Insurance to mitigate Ransomware, Malware, and other security breaches to protect member and staffing personal information.

- ✓ **Increased complexities in regulatory management:**
  - *NBASLPA* requires a Regulatory Software Management Platform (*Alinity*) to manage workflows, regulatory education streams, continuing competence, auditing, registration renewals, and jurisprudence modules.
  - *Alinity* has a project implementation estimate of \$65,000.00 dollars and requires a \$950.00/month subscription.
  - *Alinity* offers the following benefits:
    - Supports online exams and assessments including Jurisprudence and Self-Assessments linked to Continuing Education programs.
    - Supports member-focused continuing education audits, practice audits and documentation audits. All audit types support integrated assignments and reviews by Audit Committee members.
    - Supports self-service application forms completed online, status tracking and payment of application and exam fees, and supports automated workflow and templated emails. Multiple streams supported: students, new graduates, transfers from other provinces, and internationally educated registrants.
    - Supports self-service renewal and reinstatement forms completed online by members and integrated with payment.
    - Supports emailing, texting, document templates, and triggers to automate sending email/texts based on defined criteria.
    - Captures and indexes application and registration documents, documents upload by members and staff, and documents produced by *Alinity* itself. Used by all modules.
    - Supports committee management, secure online document sharing for groups, and email/texting group lists.
    - Supports invoicing, online payment, offline payments, pre-authorized payment programs, reconciliation, reporting and integration with General Ledger systems.
    - Delivers core regulatory functions and manages core data for members (the member profile) required by all other modules and the Public (Find an SLP or Audiologist) features.
    - Supports configuration of the software and controls user access to data (MFA controls, role-based security, etc.).
  - *Alinity* offers a greater cybersecurity level than the current Excel-based register.
  - *Alinity* also offers the following advantages for members:
    - Ability to see renewal progress/status.
    - Access tax receipts online.
    - Pay renewal fees in monthly installments (pre-authorized debit or credit).
    - Electronic membership certificate.
    - Public register filters such as specialties, ages.
    - Continued competence and audit system integrated in profile.

## **NBASLPA'S ONGOING EFFORTS TO REDUCE ANNUAL OPERATION COSTS**

- ✓ Staff continue to operate from their homes and to meet virtually to reduce travel expenses.
- ✓ Key College documents (Code of Ethics, Standards of Practice, Bylaws, Guidelines, etc.) will be completed 'in-house' when possible. Legal fees will still be incurred.
- ✓ *NBASLPA* will continue to reduce its 'environmental footprint', by continuing our endeavor toward paperless processes and cloud-based storage. This switch also has the added benefit of reducing costs of printing, mailing, resources, and physical storage.
- ✓ *NBASLPA* will continue to apply for government translation grants on a yearly basis to assist with documents requiring a certified translator.

## NBASLPA'S SUSTAINABILITY PLAN

NBASLPA is embarking on a period of organizational transformation to improve regulatory and administrative capacity across registration, quality assurance, complaints and discipline, IT infrastructure, governance, and administration.

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### AREAS OF FUTURE FOCUS WILL INCLUDE:

- ✓ Completion of the Association/Regulatory Body separation project.
- ✓ Professional development that is regulatory in nature.
- ✓ Proactive response to regulation rather than reactive.
- ✓ Name change: **College of Audiologists and Speech-Language Pathologists of New Brunswick (CASLP-NB)**.
- ✓ Development of Standards of Practice and other key college documents.
- ✓ Amendment of Bylaws toward alignment with amended Act and harmonization with other speech-language pathology and audiology regulators.
- ✓ Revision of the quality assurance program, including the *Continuing Competency Program*.
- ✓ Development of mandatory Jurisprudence Modules.
- ✓ Development of regulatory education modules such as anti-racism, equity, diversity, inclusion, boundary violations, and sexual abuse to help mitigate complaints against registrants.

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### ADDITIONAL EXPENDITURES OVER THE NEXT FEW YEARS WILL INCLUDE:

- ✓ New computer hardware for staff to mitigate risks to cybersecurity.
- ✓ Provision for additional legal expenses to support regulatory work.
- ✓ Provision for additional translation expenses to procure certified translators to ensure consistency across documents.
- ✓ Replenishment of the *NBASLPA Contingency and Reserve Funds*.
- ✓ Increase in staffing hours / complement required to perform regulatory functions.
- ✓ Purchase of *Alinity* regulator software management platform to manage workflows, regulatory education streams, continuing competence, auditing, registration renewals, and jurisprudence modules.

## IN CONCLUSION

As stated above, it would be nice never to need a fee increase. Having done our due diligence not to increase the fee more or less than that which is required to fulfill our mandate, this needed adjustment will place NBASLPA on the required financial footing. This, it is projected, will indeed ensure the competent and successful fulfillment of our Provincial mandate for all involved.

**Note:** Our accountant will review our financials at the AGM on September 20, 2023, and will be able available to respond to any outstanding questions you may have regarding the increase in registration fees. **We ask that you prepare your questions in advance and send them to the NBASLPA Registrar/ Interim Executive Director no later than September 1, 2023.** We will do our best to respond to registrants as soon as possible.



## ANNUAL GENERAL MEETING – AGM 2023

- ✓ NBASLPA will hold its virtual AGM this year on September 20, 2023.
- ✓ The AGM is a great opportunity to provide regulatory updates and for Council and staff to connect virtually with registrants.
- ✓ This year we have invited our Lawyer (Sheila Mecking) to provide updates regarding the separation project and answer any questions members may have regarding our transition.
- ✓ We have also invited our accountant (Louise Belliveau) this year to present our finances and sustainability as a regulatory body in a changing regulatory environment.



## CALL FOR NOMINATIONS

Nominations for the following positions on the NBASLPA Executive Council are requested:

- **PRESIDENT-ELECT**
  - (1 year term followed by 1 year as President and 1 year as Past President) Nominees must have a minimum of two years work experience in either speech-language pathology or audiology.  
ROLE:
    - Perform the duties of the President when the President is unable to perform them.
    - Assume the office of the President at the end of the term or resignation of the President whichever comes first.
    - Act as the Nomination Committee Chair
    - Act as signing officer on financial accounts.
    - Perform such other duties that may be delegated to him/her under the Bylaws or by the Executive Council and for the efficient management of the Association.
- **TREASURER**
  - (2-year term)  
ROLE:
    - Collect and disburse the funds of the college with the approval of the Executive Council
    - Collaborate with the Executive Director in the development of the annual budget.
    - Present a report and the Annual Financial Statements at the annual meeting,
    - Present the Financials at each Executive Council meeting.
    - Act as Chairperson of the Finance Committee.
    - Perform such other duties as may be delegated under the bylaws or by the Executive Council and for the efficient management of the Association.

### EXPECTATIONS OF EXECUTIVE COUNCIL MEMBERS:

- Participate in Executive Council meetings, strategic planning meetings, the annual AGM & Ad hoc committee meetings when necessary, and participate as a member of the Finance Committee;
- Be accessible, by phone or e-mail, to staff and other Council members as needed;
- Participate in Council member recruitment & orientation;
- Participate in hiring and evaluating NBASLPA's Executive Director;
- Familiarize yourself with the NBASLPA Act, Bylaws and Rules.

For more information/details, please contact the Registrar/Interim Executive Director at [registrar@nbaslpa.ca](mailto:registrar@nbaslpa.ca).



## QUALITY ASSURANCE

NBASLPA'S **Quality Assurance Program** is comprised of the requirement for **Continuing Education Equivalents** and **Currency Hours**. We would like to take this opportunity to provide a brief reminder to registrants of the following changes to registration renewal for 2024:

<b>Continuing Education Equivalents (CEE)</b>	<ul style="list-style-type: none"> <li>✓ Registrants are no longer required to submit their list of CEEs on an annual basis.</li> <li>✓ Registrants are now only required to submit their CEEs at the end of their 3-year cycle (A-B-C). Registration renewal 2024 requires that registrants in Cycle C submit their CEEs by uploading the NBASLPA tracking form <b>no later than December 1</b>.</li> <li>✓ The online reporting form will no longer be used: Registrants will track their CEEs on the new NBASLPA tracking form (found in the <a href="#">CEE tab of the Member's Area</a>) and will upload their form at registration renewal at the end of their 3-year cycle.</li> <li>✓ Registrants are still required to obtain 45 CEEs within their 3-year cycle.</li> <li>✓ There are no longer maximums for any eligible CEE categories.</li> </ul>
<b>Currency Hours</b>	<ul style="list-style-type: none"> <li>✓ Registrants are required to report their active practice hours (Currency hours) at registration renewal. <b>This is a declaration of hours only</b>. Please do not submit any documents unless audited.</li> <li>✓ The following link may be used to access the new FAQ on the website regarding currency hours (<a href="https://nbaslpa.ca/regulation/faqs/">https://nbaslpa.ca/regulation/faqs/</a>)</li> <li>✓ Currency hours are <b>part of the required Quality Assurance Program to help ensure</b> audiologists and speech-language pathologists (working in any capacity in New Brunswick as registrants of NBASLPA) are kept <b>current in knowledge and/or practice of the profession</b>.</li> <li>✓ Currency hours are obtained through ongoing involvement in the profession of audiology or speech-language pathology within direct client/patient care or related work capacity.</li> </ul>



## COMPLAINTS & DISCIPLINE MATTERS

### INCREASING COMPLAINTS

Regulatory bodies across Canada have been seeing an increase in complaints over the last few years. The nature of complaints with a regulatory body are most often related to unprofessional/unethical behaviours, biased/discriminatory treatments, breach of confidentiality, or boundary violations which may or may not be sexual in nature. These types of complaints are often unexpected by the health care professional. Complaints made through regulatory bodies reportedly account for approximately 80% of all complaints made against audiologists and speech-language pathologists.

#### **A complaint regarding a registrant's conduct constitutes:**

- professional misconduct;
- conduct unbecoming a registrant, including any conduct that might adversely affect the standing or good name of the profession or the College;
- incompetence;

- dishonesty;
- any conduct in breach of the provisions of this Act or the bylaws;
- any conduct rendering the registrant unfit or incapable, or demonstrating that the registrant is unfit or incapable, to carry on the practice of an audiologist or speech-language pathologist;
- the registrant is suffering from any ailment, incapacity or condition rendering the registrant unfit or incapable to carry on the practice of audiology or speech-language pathology;

With an increase in complaints across Canada against healthcare professionals, it is a good opportunity to remind registrants to take a patient-centered approach, review their legislation, Bylaws, and Rules, and take careful consideration of their Code of Ethics.



[Code of Ethics - SAC \(sac-oac.ca\)](http://sac-oac.ca)

It is important to remember that the public expects responsive and professional correspondence from their healthcare providers, regardless of the service environment (i.e.: hospital, private practice, education settings). The public may have expectations that do not necessarily align with the clinician’s service delivery model. It is important for registrants to consider the patient/client perspective and proceed accordingly while maintaining professional boundaries.

There is always room to learn from our own experience as well as the experience of our colleagues. Implementing changes to your practice based on the concerns and complaints that are trending can be a useful way to recognize potential issues, and address concerns before they become a problem.

*NBASLPA* will be working diligently over the next few years to develop training and jurisprudence models for registrants regarding areas of complaint trends (i.e.: Racism, Discrimination, Boundary Violations, Sexual Harassment, Breach of Confidentiality, etc.) in an effort to educate registrants and help mitigate future complaints.

All registrants are encouraged to review the *NBASLPA* and provincial legislation, Code of Ethics, and other key college documents on a regular basis to ensure they are practising in a safe, competent, and ethical manner in an effort to protect the public and help mitigate complaints and potential disciplinary action.



**DON'T FORGET TO RENEW YOUR PERSONAL PROFESSIONAL LIABILITY INSURANCE**

In the current regulatory environment of increasing complaints, we would like to take this opportunity to remind *NBASLPA* registrants of the importance of ensuring their personal Professional Liability Insurance is active and meets *NBASLPA* requirements.

Personal PLI must clearly meet *NBASLPA* requirements as per Rule 14.9.1 (c) vi. It is the regulatory responsibility of all registrants to confirm with their insurance provider that their policy meets *NBASLPA* requirements.

Complaints made through regulatory bodies account for approximately 80% of all complaints made against audiologists and speech-language pathologists. They are typically made by patients/clients, friends, family members of patients/clients, colleagues, and employers. Complaints against health care professionals are most often related to real or perceived unprofessional/unethical behaviours or biased/discriminatory treatments. These types of complaints are often unexpected by the health care professional. A complaint may be instigated by a seemingly innocent remark that the health care professional was not aware was offensive or triggering for the patient/client, or by what the patient/client may perceive as a boundary violation. Boundary violations are a moving target as the acceptance perimeters change depending on what society at the time deems as unacceptable behavior. An example would include complaints through regulatory bodies, which have reportedly increased in prevalence, and have occurred after media coverage and marches regarding the “#MeToo” movement.

It is said that actions or words on the part of the health care professional may also inadvertently cause re-traumatization for client/patients who have experienced trauma and/or abuse in some form, resulting in a subsequent and often unexpected complaint. This is not surprising when we consider a stated statistic declaring that 33% of females and 16% of males will experience abuse in their lifetime.

**WHAT’S THE DIFFERENCE BETWEEN EMPLOYER AND INDIVIDUALLY HELD COVERAGE?**

There can be significant differences between policies provided by employers and personal professional liability insurance carried by the audiologist or speech-language pathologist. As stated above, it is the regulatory responsibility of the registrant to ensure that their professional liability insurance meets *NBASLPA* requirements. No exceptions will be made.

	Employer Coverage	Individually Held Coverage
<b>Regulatory Legal Expenses</b>	Legal expenses associated with having to appear at a disciplinary hearing with a regulatory body may not be covered.	Coverage typically includes legal representation and defence protection.
<b>Criminal Defence Costs</b>	Criminal defence costs are often not included.	Defence costs associated with a case filed under the criminal code if the professional service was rendered in Canada and the member is found “not guilty” of the criminal charge are typically reimbursed.
<b>Extended Discovery and Reporting Period</b>	PLI coverage often ends when the employee resigns or is terminated. Employer insurance policies often only cover employees while they are engaged with that employer. This potentially leaves the public and regulated members without the benefit of PLI if a complaint arises after the fact. Complaints can be initiated against a regulated audiologist or speech-language pathologist at any time and can be investigated for up to two years after the member ceases to be regulated by <i>NBASLPA</i> .	Coverage typically provides extended reporting at no charge for PLI claims that are first discovered and filed after an employee retires and is no longer practicing, or no longer a member of the regulatory body.  Adding the Extended Reporting and Discovery period of a minimum of 2 years to the PLI requirements ensures that the public and members have better protection against complaints that arise after the fact.
<b>Sexual Abuse Therapy Fund</b>	Sexual abuse therapy fund is not typically provided.	Typically includes a maximum funding of \$25,000 for the rehabilitation and therapy of a person who, while a patient, suffered abuse in the course of an insured member’s practice.
<b>Errors and Omissions (PLI)</b>	Employers often provide only non-professional liability types of insurance such as commercial general liability insurance, and office contents insurance. Although these forms of insurance also serve in protecting the public, they do not meet the primary mandate of <i>NBASLPA</i> legislation to protect the public as they do not offer protection with regards to errors, omissions, negligence, vicarious liability, and scope of practice.	Professional liability insurance covers errors, omissions, negligence, vicarious liability, and scope of practice

Employer Coverage		Individually Held Coverage
<b>Policy Termination</b>	Employers can terminate the employee's PLI if the employer is the complainant or is dissatisfied with the conduct of their employee.	Policy can be terminated at any time by the carrier.

**WHERE CAN YOU ACCESS INDIVIDUAL PLI COVERAGE?**

Many insurance companies offer PLI coverage. Some *NBASLPA* pre-approved insurance companies include:

- **BMS** (through Speech-Language & Audiology Canada (SAC))
- **Holman Insurance Brokers Ltd**
- **Westland MyGroup**
- **Prolink** (through Ontario Association of Speech-Language Pathologists and Audiologists (OSLA/SAC))
- **Trisura HUB**
- **Victor Insurance** (approved for Costco employed audiologists)

APPENDIX A – REVENUE COMPARISON ACROSS REGULATORY BODIES (APRIL 2023)

College	Revenue Source	# of Registrants	Registration Renewal Fees	Approximate Revenue from Registrant Fees
<b>NBASLPA</b>	<b>99% Fees 1% Investment</b>	<b>347</b>	<b>\$500.00</b>	<b>\$173,500</b>
NSCASLP (Nova Scotia)	97% Fees 3% Investment	459	\$400.00	\$183,600
CSASK (Saskatchewan)	98% Fees 1% Investment 1% job postings	451	\$850.00 2025 - \$900.00 2026 - \$950.00	\$383,350
CASLPM (Manitoba)	98% Fees 1% Investment 1% job blasts	495	\$940.00	\$465,300
NLCHP (Newfoundland)	98% Fees 2% Investment	1233	\$450.00	\$554,850
ACSLPA (Alberta)	99% Fees 1% Investments	1813	\$650.00	\$1,178,450
CSHBC (British Columbia)	99% Fees 1% Investments	1992	\$950.00	\$1,892,400
OOAQ (Quebec)	88% Fees 6% CEE revenues 6% Fines	3559	\$796.47	\$2,834,636
CASLPO (Ontario)	98% Fees 2% Investment Income	4,652	\$780.00	\$3,628,560
<b>NEW BRUNSWICK</b>				
NB Pharmacists	100% Fees	956	\$975.00 (Pharmacist)	\$1,063,940
		256	\$515.00 (Technician)	
NB Dental Hygienists	100% Fees	571	\$400.00	\$228,400
NB Psychologists	96% Fees 4% Investments, Job blasts, annual conference	375	\$900.00	\$337,500
NB Physiotherapists	99% Fees 1% Investments	600	\$400.00	\$240,000
NB Massage Therapists	75% Fees 24% Exam Fees 1% Admin Fees	838	\$570.00	\$477,660
NB Laboratory Technologists	99% Fees 1% Job posts	630	\$255.00	\$160,650
NB Dieticians	97% Fees 3% Investment	380	\$480.00	\$182,400
NB College of Physicians and Surgeons	100% Fees	2000	\$1750.00	\$3,500,000
NB Respiratory Therapists	99% Fees	402	\$550.00	\$221,100
NB Dental Society	99% Fees Conference X-Ray inspections	365	\$3,216.63	\$1,267,294
		565	\$165.00	