

PART 11 – QUALITY ASSURANCE

Quality assurance program

- 11.01** (1) The registrar must establish and administer a quality assurance program as required under this Part and under Division 8 of Part 3 of the Act.
- (2) The quality assurance program must include requirements to be completed by licensees annually.
- (3) In accordance with the *Human Rights Code* or as otherwise required by law, the registrar may
- (a) extend the time for a licensee to complete a quality assurance program requirement, or
 - (b) modify a program requirement to be met by a licensee.
- (4) Each licensee must maintain and retain records related to meeting requirements of the quality assurance program.
- (5) For the purposes of the definition of “quality assurance officer” in section 1 of the Act, the class of persons authorized to obtain or disclose information with respect to the quality assurance program or a quality assurance assessment under that program includes:
- (a) the registrar;
 - (b) employees who
 - (i) exercise powers or perform duties with respect to the quality assurance program, or
 - (ii) assist the registrar or other employees to exercise powers or perform duties with respect to the quality assurance program.
- (6) The registrar must establish policies and procedures respecting the operation and administration of the quality assurance program, and the completion of program requirements by licensees.
- (7) The registrar must monitor information and records related to the quality assurance program to identify issues of professional performance across multiple licensees or within a class of licensees, and on identifying any issues may make changes to the quality assurance program respecting one or more of the following:
- (a) further education, training or other remedial activities that licensees should undertake;
 - (b) types of anti-discrimination measures that licensees should take;
 - (c) actions to prevent potential harm or discrimination while the issues are being remedied.

Qualifications of quality assurance assessors

11.02 A quality assurance assessor must

- (a) hold a licence to practice a designated health profession that does not have limits or conditions on it, and
- (b) have training, experience or expertise in one or both of
 - (i) professional performance of a designated health profession, and
 - (ii) anti-discrimination measures in providing health services.

Additional circumstances for a quality assurance assessment

11.03 In addition to the circumstances listed in section 99(1)(a) to (c) of the Act, a quality assurance assessor may conduct a quality assurance assessment of a licensee

- (a) as part of the periodic assessment of every licensee, every licensee in a class of licensees, every licensee in a designated health profession, or every licensee in a specified group of licensees,
- (b) further to a referral by the registrar under sections 12.19(3), or
- (c) further to limits or conditions the licence committee attached to the licensee's licence.

Additional methods of quality assurance assessment

11.04 In addition to actions listed in section 99(2)(a) to (c), a quality assurance assessor may, for the purposes of the conducting a quality assurance assessment of a licensee:

- (a) contact work peers, including the licensee's employers, professional colleagues, and co-workers, to gather information including but not limited to their observations, opinions, and evaluations pertaining to the licensee's professional performance,
- (b) contact patients, and family members of patients, to gather information, including but not limited to their experiences with the licensee, pertaining to the licensee's professional performance,
- (c) collect third party documentation and records pertaining to the licensee's professional performance,
- (d) review the licensee's history of professional activities, including but not limited to the licensee's patterns, if any, of assessment, diagnostic testing, prescribing, diagnosis, and treatment,
- (e) interview or engage in discussions with the licensee pertaining to the licensee's professional practice, or
- (f) require that the licensee undergo a specific clinical skills assessment process.

Conduct of assessments

- 11.05** (1) Before conducting a quality assurance assessment, a quality assurance assessor must advise the licensee to be assessed of the following:
- (a) the process for the quality assurance assessment and what actions specified in section 99(2) of the Act and section 11.04 the assessor intends to take in conducting the assessment;
 - (b) what the assessor may do if the assessor is of the opinion that the licensee's professional performance could be improved;
 - (c) the confidentiality that applies to quality assurance information under section 102 of the Act;
 - (d) the assessor's authority to report to the registrar under sections 103 and 104 of the Act and to the provincial health officer or a medical health officer under section 105 of the Act.
- (2) For the purpose of conducting a quality assurance assessment, a quality assurance assessor may only attend a facility where a licensee practices the licensee's designated health profession during the regular business hours in effect at the facility, unless the licensee agrees with the assessor on a time for the assessor to attend the facility outside those regular business hours.
- (3) An assessor must not observe a licensee while the licensee is providing a health service to a patient except when
- (a) the consent of the patient has been obtained in advance, or
 - (b) the service is being provided in a public setting.

Reports by assessors

- 11.06** (1) If a quality assurance assessor gives notice to a licensee under section 100 of the Act, the quality assurance assessor must submit a copy of that notice to the registrar.
- (2) A report under section 101 of the Act must be made in writing to the registrar.