

MEMBER WELLNESS AND INCAPACITY

POLICY DOCUMENT

Saskatchewan College of Paramedics (SCoP)

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1. Background

Member wellness refers to the state of a registrant's health and fitness, which is essential for the safe and effective delivery of patient care. This policy provides a means to address fitness to practice concerns about members, that does not initially engage the formal disciplinary process. These concerns can either be self-identified by the registrants themselves or identified by others.

Registrants with a condition (medical, physical, mental health or other) that impacts their ability to practise safely, may be able to seek treatment and/or complete remedial activities without having to go through a disciplinary process.

2. Purpose

The primary purpose of Member Wellness Policy (MWP) is to ensure registrants receive appropriate support when incapacitated to safeguard patients and the public from possible harm and to ensure compliance with the professional standards set out by the College.

3. Scope

The Member Wellness Policy (MWP) applies to paramedic professionals regulated by the College. The policy is intended to address challenges both within and beyond professional or clinical performance if the challenge could compromise the protection of the public or undermine public faith in the profession.

It is recognized that assessing registrant wellness issues beyond the workplace context might prove challenging however each registrant will be assessed individually with consideration for their unique circumstances.

4. Statutory and Regulatory Framework

When addressing issues of registrant capacity, the College shall give due consideration to the following applicable legislation.

- a) The Paramedics Act Section 27 (3)(g)(i) provides authority to assess capacity or fitness to practise in the profession.
- b) The Paramedics Act Section 27 (3)(g)(ii)(iii)(iv)(v) and 27(h) provides authority to address findings of the fitness to practise evaluation.
- c) The Miscellaneous Statutes (Health Professions) Amendment Act, 2023 formerly known as Bill 120 includes assessment of the investigated member's capacity or fitness to practise in the profession.

5. Definitions

The following definitions apply to this document:

- **College** refers to Saskatchewan College of Paramedics.
- **Committee** refers to Member Wellness Committee (MWC).
- **Fitness to practise (FTP)** is defined as having the necessary physical and mental health to provide safe, competent, ethical and compassionate paramedic services.¹
- **Incapacity** means a registrant has or had a medical, physical, mental, or emotional condition, disorder or addiction that renders or rendered the registrant unable to practise with capacity or that endangers or may have endangered the health or safety of the public and patients.²
- **Registrant** refers to a paramedic practitioner who is a member of the College.

6. Member Wellness Committee (MWC)

The College will establish a Member Wellness Committee to address FTP-related matters. The committee may seek advice or guidance from subject matter experts to support the evaluation and case management of the registrant who is of concern.

The MWC committee will decide whether a registrant is incapacitated in the context of their professional and clinical practice and, if so, what measure(s) may be necessary to ensure public protection is addressed.

7. Core Responsibility of MWC

The MWC will be responsible for dealing with concerns regarding registrant capacity fairly, congruent with this policy and legislative authority, and manage those concerns effectively. The committee may offer support and guidance to registrants whose capacity is of concern from relevant internal and external sources where appropriate.

7.1 Self report: In the case of self-reporting of a registrant, the MWC is responsible for hearing and determining whether a registrant suffers from a physical or mental condition or challenge that renders them unfit to carry out professional responsibilities. If a registrant is found incapacitated, the committee may seek guidance from a suitable subject matter expert, and/or propose appropriate remedies to support the registrant's return to practice.

7.2 Non-self-report: If issues related to fitness to practice are not reported voluntarily (potentially through various sources such as the public, patients, colleagues, and employers), and only if incompetence or misconduct is identified, the Committee refers the matter to the College's disciplinary proceedings.

¹ Fitness to practise and Incapacity, Practice Guideline. Nova Scotia College of Nursing. Retrieve from: <https://cdn3.nscn.ca/sites/default/files/documents/resources/Fitness-to-Practice-and-incapacity.pdf>

² Fitness to practise and Incapacity, Practice Guideline. Nova Scotia College of Nursing. Retrieve from: <https://cdn3.nscn.ca/sites/default/files/documents/resources/Fitness-to-Practice-and-incapacity.pdf>

If the non-self-report does not entail misconduct or incompetence, the Committee may seek guidance from a suitable subject matter expert and propose appropriate remedies to support the registrant's return to practice.

8. Fitness to practise (FTP procedure)

8.1 Raising an FTP concern:

Fitness to practise concerns can result from an array of issues including physical health, mental health or life circumstances, and can impact the quality of care provided by the registrant.

8.2 Report a concern

Registrants are required to promptly report any concerns related to their own fitness to practice directly to the College through the online portal at <https://scop.ca.thentiacloud.net/webs/scop/register/#/complaint-form>. Additionally, it is important to note that registrants may also have a responsibility to report concerns about the fitness to practice of their colleagues or employees. This obligation, if applicable, should be duly acknowledged and adhered to by the registrants.

8.3 Address the concern

The committee may invite the registrant to discuss and have input into the development of an action plan to address the identified issues regarding their suitability for professional practise. The plan should include a clear definition of the specific concern(s) and a clear statement regarding the registrant's willingness to address the matter. During the discussion, it is important to review any relevant documentation e.g. medical evaluation, to take notes and to share them with the registrant to verify the accuracy of their statement. The MWC report should not include the personal opinions of the committee members. The committee may enlist/involve subject matter experts when their involvement is necessary to address the concern(s) and to arrive at a fair decision as to how to proceed.

8.4 Committee outcome

The MWC will assess the gathered information to determine if the registrant's fitness to practice is currently impaired or at risk of impairment. Additionally, the MWC will consider any necessary actions to enhance the personal health and well-being of the registrant.

8.5 Inform the outcome

Upon completion of their investigation, the MWC shall prepare a written report with a recommended action plan. The report shall include a signed agreement between the registrant and the College to resolve the matter. The report shall be provided to the Executive Director (ED). The action plan may include required medical assessment and/or intervention, counseling,

utilizing available assistance programs, imposing restrictions on practice or the suspension of professional practice until improvement in the issue(s) of concern is noted.

9. Right of Appeal

A registrant has the right to appeal a decision made by the MWC. The appeal must be submitted within 30 days of the date the agreement is signed between the College and registrant.

10. Confidentiality and Disclosure

Other than where the College is legally required to disclose information to an internal or an external body, the information gathered by the MWC and the report resulting from their investigation will be treated as confidential and will not be shared.

11. Revision

This policy will be reviewed and revised as is necessary to ensure congruence with regulatory responsibilities and professional standards.

Process for Member Wellness Concerns

As a regulator, one of our responsibilities is to ensure SCoP registrants are fit to practice. If someone raises a concern about a member's fitness to practice, we evaluate it using this process.

