

**ONTARIO REGULATION 204/94: GENERAL
UNDER THE *CHIROPRACTIC ACT, 1991*
Effective Date: September 30, 2005**

PART I (SS. 1-5) REVOKED: O. REG. 514/05, S. 1.

PART II (SS. 6-8) REVOKED: O. REG. 514/05, S. 1.

PART III

QUALITY ASSURANCE

GENERAL

9. In this Part,

“assessor” means an assessor appointed under section 81 of the Health Professions Procedural Code;

“Committee” means the Quality Assurance Committee of the College;

“deficient clinical ability” means, in relation to a member, a level of knowledge, skill or judgment that makes the member’s clinical performance unsatisfactory;

“Program” means the Quality Assurance Program of the College. O. Reg. 233/05, s. 1.

10. The purposes of the Program are,

(a) to encourage continuous improvement in the quality of care provided by members; and

(b) to improve results in patient treatment. O. Reg. 233/05, s. 1.

11. Every member shall participate in the Program. O. Reg. 233/05, s. 1.

PROGRAM COMPONENTS

12. The Committee shall administer the Program, which shall include the following components:

1. Random peer assessments.

2. Individual member remediation.

3. X-ray peer reviews. O. Reg. 233/05, s. 1.

RANDOM PEER ASSESSMENT

13. (1) Each year, the College shall select at random the names of members required to undergo a peer assessment. O. Reg. 233/05, s. 1.
 - (2) A member shall undergo a peer assessment if selected at random under subsection (1). O. Reg. 233/05, s. 1.
 - (3) The purpose of a peer assessment is to evaluate a member's knowledge, skills or judgment to ensure his or her continuing competence and adherence to the standards of practice of the profession. O. Reg. 233/05, s. 1.

14. (1) In appointing an assessor to conduct a peer assessment, the Committee shall,
 - (a) appoint an assessor who is familiar with the methods used by the member who is to be assessed; and
 - (b) if the member being assessed is certified in a specialty recognized by the College, appoint an assessor who is certified in the same specialty. O. Reg. 233/05, s. 1.
 - (2) No member of the College who sat on a panel of the Discipline Committee that heard allegations against a member shall be appointed as an assessor in respect of that member. O. Reg. 233/05, s. 1.
 - (3) No member who has demonstrated antagonism towards another member or towards a form of treatment offered by that member shall be appointed as an assessor in respect of the member. O. Reg. 233/05, s. 1.

15. (1) The Registrar shall notify a member who is required to undergo a peer assessment of the name of the assessor. O. Reg. 233/05, s. 1.
 - (2) The member who is required to undergo a peer assessment may make one request that another assessor be appointed by the Committee upon being notified under subsection (1) and before the assessor commences the assessment. O. Reg. 233/05, s. 1.
 - (3) The Committee, on receiving a request under subsection (2), may replace the assessor with another assessor. O. Reg. 233/05, s. 1.

16. (1) After having completed an assessment, the assessor shall give the Committee and the member who was assessed a written report of the assessment. O. Reg. 233/05, s. 1.
 - (2) The member may submit to the Committee comments or responses that he or she wishes to have noted with respect to the assessment. O. Reg. 233/05, s. 1.

- (3) The Committee may decide, after considering the assessor's report and the member's comments, if any,
 - (a) that no further action is necessary;
 - (b) to give the member an opportunity to correct a deficient clinical ability identified by the Committee as a result of the peer assessment; or
 - (c) to require the member to participate in a member remediation program and follow-up assessment under section 17. O. Reg. 233/05, s. 1.
- (4) If the Committee gives the member an opportunity to correct a deficient clinical ability under clause (3) (b), it may require the member to undergo a peer reassessment. O. Reg. 233/05, s. 1.
- (5) A member shall not be required to undergo more than two peer reassessments under subsection (4). O. Reg. 233/05, s. 1.
- (6) Subsections (1), (2) and (3) apply with necessary modifications to a reassessment under subsection (4). O. Reg. 233/05, s. 1.

INDIVIDUAL MEMBER REMEDIATION

17. (1) The Committee may require a member to participate in a remediation program if,
 - (a) the member has been referred to the Committee from the Executive Committee or the Complaints Committee in relation to alleged behaviour or remarks of a sexual nature by the member towards a patient that are not of a clinical nature appropriate to the service provided and the member has undergone a psychological or other assessment relating to the alleged behaviour or remarks; or
 - (b) the Committee is, after the member has undergone a peer assessment under section 16, of the opinion that the member has a deficient clinical ability that may be remediable. O. Reg. 233/05, s. 1.
- (2) The remediation program shall be an educational program designed specifically to reduce or eliminate the member's deficient clinical ability or propensity to engage in behaviour or remarks of a sexual nature towards patients that are not of a clinical nature appropriate to the service provided. O. Reg. 233/05, s. 1.
- (3) In the case of a member who is required to participate in a remediation program under clause (1) (b), the Committee may, after a member has completed a remediation program under this section, require the member to undergo another peer assessment. O. Reg. 233/05, s. 1.

- (4) A member shall not be required to undergo more than two reassessments under subsection (3). O. Reg. 233/05, s. 1.
- (5) Subsections 16 (1), (2) and (3) apply with necessary modifications to a peer reassessment under subsection (3). O. Reg. 233/05, s. 1.

X-RAY PEER REVIEW

- 18. (1) Every member shall participate in the College's x-ray peer review program. O. Reg. 233/05, s. 1.
- (2) The x-ray peer review program is an assessment and remediation program designed to reduce or eliminate the member's deficient clinical ability with respect to taking or interpreting x-rays. O. Reg. 233/05, s. 1.
- (3) During an x-ray peer review, one or more assessors shall,
 - (a) review another member's reports written by the member in which he or she interprets x-rays; and
 - (b) in the case of a member who takes his or her own x-rays, review x-rays taken by the member. O. Reg. 233/05, s. 1.
- (4) After having completed the x-ray peer review, the assessors who conducted the review shall submit a written report to the Committee and give the member a copy. O. Reg. 233/05, s. 1.
- (5) The member may submit to the Committee comments or responses that he or she wishes to have noted with respect to the review. O. Reg. 233/05, s. 1.
- (6) If, after having reviewed the report and the comments submitted by the member under subsection (5), if any, the Committee believes that the member is deficient in taking or interpreting x-rays, it may require that the member participate in a remediation program designed to correct the deficiency. O. Reg. 233/05, s. 1.
- (7) The Committee may, after a member has completed a remediation program under this section, require the member to undergo one additional x-ray peer review. O. Reg. 233/05, s. 1.
- (8) Subsections (1) to (6) apply with necessary modifications to an x-ray peer review under subsection (7). O. Reg. 233/05, s. 1.