**Re: Risk Informed Compliance Framework Forward Looking Risk Questionnaire
Fair Registration Practices Report Delay**

November 18, 2021

In April of this year, the Office of the Fairness Commissioner (OFC) launched its Risk-Informed Compliance Framework (RICF). This initiative will be implemented in a staged fashion, with a 12-month transition period to allow regulators to migrate to the new system and to comply with any outstanding OFC recommendations. You will already have received a letter indicating your provisional risk category based on the OFC's assessment of your organization's historical regulatory performance - this marks the end of the first phase of the process.

The second phase is designed to assess forward looking risk factors. To begin this process, please find appended a list of questions designed to elicit information on regulatory risk profile factors. These questions are based on the *Fair Access to Regulated Professions and Compulsory Trades Act* and the *Regulated Health Professions Ac*t as currently drafted, and related public policy considerations. Please note as well that this exercise is separate from, and unrelated to, the amendments that the provincial government recently proposed in the *Working for Workers Act*, 2021.

We would ask for your responses to the questions by December 10, 2021. If you wish, you may provide supplementary materials in the form of policies, directives and/or guidelines that demonstrate how you are addressing the identified risk factors. For assistance in interpreting these questions, please feel free to contact me at your earliest convenience. You may also wish to consult the background materials for the RICF framework which are posted on our website:

- The Risk-informed Compliance Framework and Policy

- The OFC's modern regulator principles placemat

- Frequently Asked Questions.

Once you have submitted your responses, the OFC will review the responses against the Risk Informed Compliance Framework:

- Assess the forward-looking risk factors by determining the likelihood that each risk would occur and the impact of that risk.
- Determine the cumulative risk category by aggregating the results of the historical performance and forward-looking risk assessments.

We would also like to note that the OFC is moving the 2021 Fair Registration Practices reporting deadline to the Fall of 2022. We have made this decision in order to prioritize work leading up to April 1, 2022, when the RICF will come into full effect, and recognizing that regulators are subject to numerous other reporting commitments during the Spring. Further details will be shared as they become available.

Regards,

Mercy Barzallo
Compliance Analyst
Office of the Fairness Commissioner

Forward Looking Risk Factors – Questions for Regulators

Organizational Capacity:

- Has the regulator stabilized the process for receiving applications and completing assessments / examinations in a timely fashion in the aftermath of the Covid-19 pandemic?

- Has the regulator either upgraded, or started the process of upgrading, its IT systems to be more responsive to the needs of applicants?

Assessment and Registration Processes:

- What tools does the regulator have in place to ensure the accountability of its third-party service providers?

- Have third-party assessment / testing bodies that the regulator relies upon implemented systems / processes to address risk factors arising out of the COVID-19 pandemic?

Responses to Emergency Situations:

- Has the regulator implemented systems / processes to address risk factors arising out of the Covid-19 pandemic, including migration to a hybrid examination and testing system?

- Has the regulator explored the ability to provisionally licence applicants during the pandemic to allow them to practice until all registration requirements are met?

- Does the regulator have any plans to revisit its risk identification and mitigation strategies in light of the pandemic?

Over Reliance on Canadian Experience Requirements

- Has the regulator completed a recent review of the relevance and necessity of its Canadian experience requirements and their impact on the career paths of internationally trained applicants?

- What approaches is the regulator considering to either eliminate or reduce the impact of these requirements?

- Does the regulator have plans to assess other barriers that internationally trained applicants encounter and the reasons why some of these individuals choose to withdraw and / or abandon their registration applications?

Public Policy Considerations

- Is the regulator considering mitigation steps to address low entry-to-practice pass rates for internationally trained applicants?

- How does the regulator monitor labour-market trends and does it have any plans to increase the number of internationally trained applicants that it can successfully register on an annual basis?

- What steps has the regulator taken to apply inclusion and anti-racism perspectives to its assessment and registration processes?

Report

Office of the Fairness Commissioner Risk Informed Compliance Framework Forward Looking Risk Questionnaire 2021

Date: December 10, 2021

Organizational Capacity:

- **Has the regulator stabilized the process for receiving applications and completing assessments / examinations in a timely fashion in the aftermath of the Covid-19 pandemic?**

The CMRITO has not experienced any challenges or issues with the process for receiving applications and completing assessments because of the Covid-19 pandemic. The CMRITO had developed an online application process in 2018 to process the applications for applicants applying for registration in a new specialty, diagnostic medical sonography. This streamlined and online application process was extended and developed to support the application process for all applicants for registration, in all five specialties, with the CMRITO. The process of receiving an application and the supporting documentation has therefore not experienced any delays.

We have also improved document management and validation that has expedited the application process for applicants, while still maintaining the integrity of the document validation processes. Prior to 2020, all international applicants were required to submit original or notarized copies of their documents for validation and authentication. In 2019, the College expanded the use of credential evaluation reports that applicants had already completed through credentialing agencies such as WES, ICAS or the Medical Council of Canada for the authentication and validation of documents from programs where applicants had completed their education.

In 2020, because of the worldwide pandemic, the CMRITO needed to amend this practice as original or notarized copies were not being accepted as the office moved to remote operations. As the secure document management website can accept files in a variety of formats, applicants were requested to scan the original documents or those that were notarized and upload them. Applicants are also able to take images of their original documents and upload them to the secure site. Registration staff then validate the documents. Should any concerns be

identified with documents, the applicants are requested to provide credential evaluation reports in addition to providing the scanned documents or images of the originals. Where applicants had not already completed credential evaluation reports, they are still provided with options such as providing notarized copies of their documents or arranging an online meeting with CMRITO staff to view original documentation.

The process of completing an assessment of the documentation submitted by an applicant has also been streamlined to an online review process using the Microsoft Teams platform. Panels of the CMRITO Registration Committee complete a detailed assessment of each applicant for registration that has completed their educational training and assessment outside of Canada. The application processing steps had to be changed to support the work of the Registration Committee in the online format. These changes have resulted in increased efficiency and effectiveness of the panel. Consequently, the panel has been able, not only to maintain the published timelines that are available in the application guides and on the website, but also to manage an increased volume of applications within the same stated timelines.

- **Has the regulator either upgraded, or started the process of upgrading, its IT systems to be more responsive to the needs of applicants?**

The CMRITO IT systems were upgraded in 2018 to manage an influx of over 4,500 applications for registration in the specialty of diagnostic medical sonography. The CMRITO platform is an integrated comprehensive solution, based on the Microsoft CRM platform, that is cloud based.

As part of the solution, the College has developed specific standardized business processes for reviewing different types of applications. When an application is received, the registration team follows the relevant process to ensure that validated documentation has been provided and that the documentation demonstrates that the registration requirements have been met. The integrated solution includes workflows that provide applicants with relevant and timely information as their application proceeds through the application process. As an example, when an applicant submits their application for registration, they are sent a system generated email acknowledging the receipt of the application and information on what to expect for next steps.

The CMRITO is continually assessing opportunities for improving our systems to be more responsive to the needs of applicants. In 2021, the registration team undertook a comprehensive evaluation of the application processes for the evaluation of applications that are referred to the Registration Committee, to identify opportunities for improvement. There were several lenses used for this process review including a customer service focus lens that focused the team on considering:

- What the experience is like for applicants?

- Are there additional or different resources needed to support applicants?

- Do applicants need different or more information about the processes?

A schematic of these lenses is included below for information. As a result of this review, some further improvements have been identified for implementation in 2022. These include:

- Supplementing the information provided to applicants in the online application form with help text and video/audio instructions with accessibility captions

- Expanding the information provided to applicants through email updates to be even more proactive in communicating with applicants about the process, and where their application stands in that process

- Completing another plain language review of all the documents provided electronically to applicants to validate that all documents are clear and easily understood by applicants.

Technology lens	How can the technologies we have in place support the improved process we have defined? Of our existing technologies which one would best support each step in the process?
Business process lens	Could we do things in a different way that may be more effective? Do we know of other methods of doing things for some of the components? What do we need to change to be more efficient?
Customer service lens	What would the experience be for an applicant in the improved process? Are there additional resources/different resources needed to support applicants? Is there more/different information needed to support applicants?
Organizational resource lens	Do we need to provide more training and support for staff? What training would be helpful?

Assessment and Registration Processes:

- **What tools does the regulator have in place to ensure the accountability of its third-party service providers?**

The CMRITO does not use a third-party provider for completing the assessment of applications for the educational requirement for international applicants – the assessments are performed by panels of the Registration Committee. The members of the Registration Committee undergo comprehensive training and education to complete the assessment of all applications for registration from international applicants. Standardized tools and resources have been

developed and are used by the members of the Registration Committee to ensure that decisions are consistent, objective, impartial and fair.

The CMRITO does use third-party providers for setting and administering the national certification examinations, which CMRITO Council approves as its approved examinations by policy. The CMRITO has contracts in place with each of these providers that include several measures to ensure accountability of the third-party providers.

The Canadian Association of Medical Radiation Technologists (CAMRT) is the national professional association and certification body for medical radiation technologists. The CAMRT examination approved by the CMRITO College Council is the national examination for radiography, nuclear medicine, radiation therapy and magnetic resonance. The CAMRT sets and administers the certification examination for all provinces in Canada, except Quebec.

Sonography Canada is the national professional association and certification body for diagnostic medical sonographers. The Sonography Canada examinations approved by the CMRITO Council are the national examinations for diagnostic medical sonographers. The CAMRT and Sonography Canada set and administer the certification examinations for all provinces in Canada, except Quebec.

Part of the expectations outlined in the contracts is the requirement for each of these third-party agencies to provide an annual technical evaluation report, that has been validated by experts in psychometrics, to ensure the validity and reliability of the examinations and to confirm the integrity of the examination has been maintained.

- **Have third-party assessment / testing bodies that the regulator relies upon implemented systems / processes to address risk factors arising out of the COVID-19 pandemic?**

In 2020, the CMRITO identified as a risk the impact that delayed graduation of applicants would have on the availability of qualified health professionals to provide medical radiation and imaging services to the public of Ontario. The CMRITO had several meetings with the Canadian Association of Medical Radiation Technologists (CAMRT) and Sonography Canada regarding access to the certification examinations for the students completing their approved educational programs during the COVID-19 pandemic. Both organizations had experienced educational programs that had difficulties ensuring that their students had completed their clinical training prior to writing the examination. CMRITO provided advice on their obligations under the agreements regarding access to the examinations, and on proposed solutions to the delay in the end of the educational programs.

Both organizations have ensured that students were able to write their examinations by working with Yardstick Assessment Strategies to enable the candidates to write their examinations using remote proctoring. Both organizations have therefore ensured that access to the certification

examinations has been maintained and the CAMRT also ran an additional sitting in July 2020 to accommodate those students whose programs were delayed in finishing.

Through these processes the programs and the certification agencies have ensured that new graduates have been able to meet all the requirements for successful completion of the approved educational program and access to the examination during the COVID-19 pandemic, to ensure that there is no decrease in new graduates entering the workforce. These processes have also enabled international applicants to have access to the certification examinations from their home country locations, which has improved accessibility.

In 2021, both CAMRT and Sonography Canada have continued to offer the examinations using remote proctoring. Therefore, there have been no negative impacts on the timing of the offering of the examinations and neither organization has reported any unexpected changes in pass rates, or other challenges with offering the examinations in an online format.

Responses to Emergency Situations:

1. **Has the regulator implemented systems / processes to address risk factors arising out of the Covid-19 pandemic, including migration to a hybrid examination and testing system?**

The CMRITO Council has approved the Canadian Association of Medical Radiation Technologists (CAMRT) examinations in each of the four specialties of radiography, nuclear medicine, radiation therapy and magnetic resonance, and the Sonography Canada examinations in the specialty of diagnostic medical sonography, as the approved examinations for the purpose of meeting the examination requirements of the Registration Regulation.

The CMRITO has entered into agreements with the CAMRT and Sonography Canada for access to their examinations, for applicants approved by the CMRITO and for applicants who have completed CMRITO approved educational programs.

Both the CAMRT's and Sonography Canada's competency-based, on-line examinations are administered by Yardstick Assessment Strategies (YAS) and use psychometric tools to ensure that the examination is defensible and that successful applicants are competent to practise the profession safely. Both the CAMRT and Sonography Canada examinations are conducted three times a year and are normally administered in YAS testing centres throughout Canada and in two international test centres for the CAMRT examination.

In 2020, the CAMRT quickly responded to the COVID-19 emergency to ensure that applicants would continue to have access to the certification examination. They worked with Yardstick to identify an alternate delivery method – Yardstick has developed a secure remote proctoring delivery model that permits applicants to write the on-line examination in their own homes rather than at an examination centre with other candidates. CAMRT hosted the first remotely proctored

certification exam on May 20, 2020, which was delivered by Yardstick/ProctorU. CAMRT also hosted a supplementary certification exam session in June 2020 and has since this time offered the exam three times a year in May, September and January using the online format.

Sonography Canada also responded quickly to ensure applicants would have access to the examinations. The examinations scheduled for May 2020 were rescheduled to June 25 & 26, 2020 but as exam centres were still closed at that time, the examinations moved to being administered by secure remote proctoring in July 2020. All examinations since that time have been offered by remote proctoring.

The CAMRT is considering options around possibly continuing to offer the examination in the on-line format once the pandemic is resolved, in addition to offering the examination in test centres.

Sonography Canada has confirmed their intention to offer the examination in a hybrid format once the pandemic has resolved with the examination being offered to applicants in the online format primarily and the test centre option being available for those applicants that require accommodations.

2. **Has the regulator explored the ability to provisionally licence applicants during the pandemic to allow them to practice until all registration requirements are met?**

CMRITO does not have a temporary class of registration in its registration regulations, and therefore is unable to issue temporary or emergency certificates of registration. During the pandemic, we have focused on working with the educational programs and certification bodies to ensure continued access to the examination and registration.

3. **Does the regulator have any plans to revisit its risk identification and mitigation strategies in light of the pandemic?**

Council has approved a robust Risk Management Framework and the Executive Committee, by policy, is responsible for oversight of risk management. The CMRITO is pleased that the framework has served the organization well in managing and mitigating risk during the pandemic. The Executive Committee reports to Council any significant change in the risk level or risk mitigation strategies at each meeting of Council. Council receives information and a verbal report at each meeting from the Registrar & CEO respecting any risks identified by the Executive Committee.

Council receives relevant information regarding the risk register, and a briefing note respecting any risks where a significant change in the risk level or risk mitigation strategies have been identified by the Executive Committee. The Risk Management Framework, approved by Council has four key elements:

1. **Foundational element:** The CMRITO Council Policy 2.14 –Risk Management which identifies Council's commitment and expectations, and sets out the roles and responsibilities of the Council, the Executive Committee and Management relating to risk management

2. **Organizational management element**: Identifies the risk management context, systems, procedures and processes included in the Risk Register which is part of the Council agenda

    - Identifies adverse events or circumstances relevant to CMRITO objectives

    - Assesses the likelihood and magnitude of the impact of any adverse events

    - Identifies mitigation strategies

3. **Culture and capacity element:** Sets out approaches that enable CMRITO to develop and embed a risk management culture in the organization through defining the values, beliefs, knowledge, attitudes and understanding about risk, and tasking staff with the role of being the 'eyes and ears' of Council in identifying, assessing and responding to risks

4. **Governance Oversight**: Defines the Risk Register as the reporting mechanism to provide a snapshot of significant risks and the related risk management responses, to promote risk management accountability and to assist Council to discharge its oversight responsibility.

The CMRITO Council is completing ongoing strategic planning in 2021. As part of the strategic planning process Council is reviewing the governance tools used by Council, including the risk management framework.

Over Reliance on Canadian Experience Requirements

- **Has the regulator completed a recent review of the relevance and necessity of its Canadian experience requirements and their impact on the career paths of internationally trained applicants?**

The CMRITO does not require Canadian experience in medical radiation and imaging technology for registration. Applicants applying for registration can provide evidence of their competence to practice from their home countries.

- **What approaches is the regulator considering to either eliminate or reduce the impact of these requirements?**

As there is no requirement for Canadian experience this question is not applicable.

- **Does the regulator have plans to assess other barriers that internationally trained applicants encounter and the reasons why some of these individuals choose to withdraw and / or abandon their registration applications?**

The CMRITO has conducted research into possible barriers for internationally trained applicants and is confident that no barriers exist that are within our regulatory control.

The CMRITO has very low rates of applications that fall into either of the categories of withdrawn or abandoned applications. In the last 4 years, CMRITO has had only 4 applicants who have withdrawn their application. During the same period, 4% of the total number of open applications are considered inactive pending action from the applicant in which the applicant has not engaged with the CMRITO for a period of more than one year.

Public Policy Considerations

- **Is the regulator considering mitigation steps to address low entry-to-practice pass rates for internationally trained applicants?**

The examinations approved by the CMRITO Council for the purposes of registration are the Canadian Association of Medical Radiation Technologists (CAMRT) national certification examination for the specialties of radiography, nuclear medicine, radiation therapy and magnetic resonance and the national certification examinations of Sonography Canada for diagnostic medical sonography.

Both certification exams are a national competency-based exam for entry to practice. The national examinations are based on the competencies laid out in the competency profiles for each specialty. A competency profile is a document that describes the competencies that graduates of medical radiation and imaging technology programs are expected to possess at the end of their programs. Competencies are the behavioural outcomes that integrate knowledge, skills, abilities and judgement. A competency-based approach to exam development is one that tests these behaviours, as opposed to testing direct recall of an individual's knowledge from textbook information.

The CMRITO works closely with CAMRT and Sonography Canada in periodically reviewing and updating the competency profiles that are the basis of the examinations, to ensure congruence with the Standards of Practice of the CMRITO, and to ensure that the profiles reflect current entry to practice competencies.

CMRITO has worked with the CAMRT in conducting research into examination performance to identify possible causes for low pass rates and to find possible areas where additional supports for applicants may prove beneficial. As a result of that research project, several resources were added to support applicants in preparing to write the national certification examinations.

The research from that project identified that exam candidates who completed their education in a system where the knowledge-based approach is used for development of exam questions may have difficulty with a competency-based, multiple-choice exam. The competency-based model focuses on the application of knowledge in a clinical environment. Questions are asked

from the point of view of how you use your knowledge in practice as opposed to the direct recall of that knowledge.

To assist applicants with the challenge of writing a competency-based examination, the CAMRT has developed an interactive online module called "How to Write a Competency-Based Exam", which provides information on competency-based education and testing, along with strategies and tips on writing a multiple-choice exam. In addition to this module, several other resources have been developed to help applicants prepare for the examination all of which are available on the website for the CAMRT. These resources include:

- Practice examinations. In December 2020, CAMRT released a revised practice exam for each specialty. The new practice exams align with the current competency profiles and examination blueprints. The update also includes transitioning the practice exam to the Yardstick exam administration platform – the same platform applicants write their actual certification exam on. This provides applicants with a more authentic practice experience and an opportunity to experience both the types of questions on the certification exam and the exam delivery platform. The practice exam gives applicants access to 100 sample questions for their specialty.

- Glossary and abbreviation list

- Recommended textbook list – a list of textbooks used to reference exam questions

- Canadian practice in medical radiation technology interactive online module

CAMRT is working on a proposal to obtain funding to complete further research into the IEMRT success rates on the examinations to explore further opportunities to improve the pass rate. The CMRITO will collaborate in that research project.

As the regulation of the specialty of diagnostic medical sonography only commenced on January 1, 2019, the experience with the pass rates for applicants attempting the examinations of Sonography Canada is relatively new. CMRITO will continue to monitor these results to determine any trends and patterns.

- **How does the regulator monitor labour-market trends and does it have any plans to increase the number of internationally trained applicants that it can successfully register on an annual basis?**

The CMRITO is not directly involved in monitoring labour market trends and does not undertake recruitment activities to increase the number of applicants who apply for registration. The CMRITO application processes are responsive to demand and the organization will adjust resources as necessary to be able to accommodate any increased demand. An example of when the CMRITO increased resources to cope with increased demand for registration was during 2018 when a large volume of applicants (over 4,500) applied for registration in diagnostic

medical sonography. Over 300 international applicants applied for registration during this time and the registration committee also adjusted their meeting schedules and processes to respond to this increased demand.

It is noted that there are external factors that do influence the number of applicants who apply for registration. An example of this was seen in 2014 where changes in immigration policies that were implemented in 2013 had a considerable impact on the number of applicants received that year.

One of the initiatives CMRITO has taken to address labor market trends, is to maintain active collaborations with the approved educational programs and, through participation on the program advisory councils is aware of emerging labor market trends. These program councils include employers as important stakeholders. Through this mechanism the CMRITO is aware of labor market trends.

In addition, the CMRITO provides information to educational programs that are intending to apply for accreditation to become approved programs to provide guidance on the provincial regulatory requirements for such programs. Many of these programs provide opportunities for second career pathways for healthcare professionals who come to Ontario.

One additional Ministry of Health initiative that the CMRITO supports annually is the provision of health human resource data to the Health Professions Database. The CMRITO collects data from members each year and submits this data annually. The data is used for data modelling and human resource planning.

- **What steps has the regulator taken to apply inclusion and anti-racism perspectives to its assessment and registration processes?**

The CMRITO is a regulator that is committed to the values of integrity, respect, and trustworthiness and ensuring transparency, professionalism, and equity, diversity and inclusion in its assessment and registration processes. These values shape our organizational culture and are the basis of our decision-making and actions.

The CMRITO has implemented several measures to ensure objectivity in the registration practices and systems to identify potential sources of bias in the assessment or decision-making processes. Both external and internal legal counsel provide orientation to Committee members on various topics, such as the decision-making parameters set out in legislation and how human rights law interacts with Registration Committee decision-making.

The registration requirements are defined in policies and procedures and are objective and have measurable criteria. To ensure that decision-makers consistently apply registration requirement criteria, policies and procedures to all applicants, members of the Registration Committee are fully oriented to the criteria, policies and procedures utilized by the Committee. Orientation is on-

going. Over time, the Committee has developed its own guidelines and tools which ensure that requirements are applied consistently and there are documented guidelines and tools that decision-makers use. Decision-makers consider previous registration decisions made in similar cases for consistency and there are internal processes to monitor consistency and accuracy in decision-making and the outcomes of those actions.

The CMRITO has also developed systems to identify potential sources of bias in the assessment or decision-making processes and employs strategies to address bias and enable neutrality during assessment and decision-making processes. The working documents that are used by the Registration Committee for the assessment of each application define specific objective criteria that are used as the basis of the assessment of each application. By using criteria that are measurable and defined and not based on any objective perceptions, the risk of introducing bias is greatly reduced.

The CMRITO has implemented measures to achieve impartiality in its registration decisions and has taken steps to help ensure decision-makers identify sources of potential bias and strategies to avoid and mitigate situations of bias from the registration processes. These include clearly defining procedures to follow if bias is identified and using group deliberation and consensus strategies to come to decisions.

The CMRITO monitors the quality of decision-making by tracking information on the number of registration decisions that are appealed in the CMRITO Balanced scorecard. This scorecard is provided to Council each quarter to track. Every applicant is provided with the information they need to appeal their decision if they are not satisfied with the assessment or the decision from the Registration Committee. The status of no cases is considered on target/desired because it can be reasonably assumed that applicants who do not appeal the decision of the Registration Committee to HPARB are satisfied with the decisions and that no bias has influenced the decision negatively.