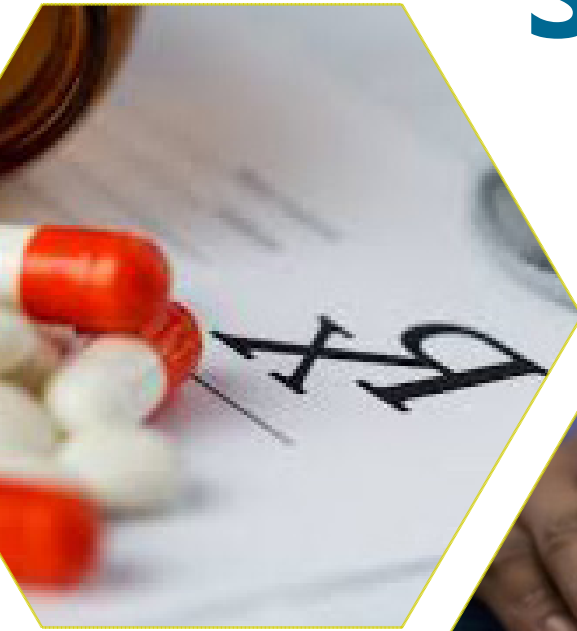


# 2016

## Statutory Boards Self Assessment Report



**Contact us:**

If you would like any further information about the Bermuda Health Council, or if you would like to bring a healthcare matter to our attention, we look forward to hearing from you.

**Mailing Address:**

PO Box HM 3381  
Hamilton HM PX  
Bermuda

**Street Address:**

Sterling House, 3rd Floor  
16 Wesley Street  
Hamilton HM11  
Bermuda

**Phone:** 292-6420

**Fax:** 292-8067

**Email:** [healthcouncil@bhec.bm](mailto:healthcouncil@bhec.bm)

**Published by:**

Bermuda Health Council (February 2017). Copyright © 2017 Bermuda Health Council

**Reference as:**

Bermuda Health Council (2017). 2016 Statutory Boards Assessment Report. Bermuda Health Council: Bermuda.

**Printed by:**

Bermuda Health Council



# 2016

# STATUTORY BOARDS

# SELF-ASSESSMENT REPORT

For the period 1<sup>st</sup> September 2015 to 31<sup>st</sup> August 2016



## AUTHORITY

*Per Section 5 (d) of the Bermuda Health Council Act 2004, the Health Council assesses the extent to which statutory boards for professionals enforce registration requirements and monitor complaints, disciplinary processes and outcomes.*

## SUMMARY

- ❖ *The Health Council forwarded a self-assessment reporting form to all statutory boards<sup>1</sup> in September 2016 requesting the above information for the period of **1<sup>st</sup> September 2015 to 31<sup>st</sup> August 2016**.*
- ❖ *Self-assessment forms were completed for all 25 eligible professions (7 statutory boards) (Appendix 1)*
- ❖ *Of the 24 professions:*
  - *2 (8%) has been involved in legal action for professional misconduct*
  - *4 (16%) have received complaints about professional practice*
- ❖ *Most statutory boards are comprised of persons appointed within the last 5 years; however two boards have members who were appointed in the 1990's.*

## BACKGROUND

To assure public safety and enhance the delivery of health services, the Health Council asks that all statutory boards for health professionals report annually on their complaints and disciplinary procedures, board composition and professional registration processes. This process also encourages transparency and the development of uniform standards. This report presents a summary of the information submitted by the statutory boards.

## METHODOLOGY

In 2013, the Health Council began requesting information from statutory boards per Section 5 (d) of the Bermuda Health Council Act 2004; information was submitted using a Self-Assessment Report Form. The Self-Assessment Report Form was updated in 2015 to reflect changes discussed between statutory boards and the Health Council.

The boards were asked to complete the form for the request period 1<sup>st</sup> September 2015 to 31<sup>st</sup> August 2016 and return to the Health Council. Following review of submissions, the Health Council contacted boards to request additional information where necessary. Data was recorded electronically and compared across professions.

---

<sup>1</sup> Statutory boards represent all the boards and councils appointed by the Minister of Health and Seniors to represent the legally registered health professions.

## RESULTS

### 1. Submissions

Completed forms were submitted by all 7 statutory boards on behalf of 25 eligible professions (*Appendix 1*).

Up-to-date professional registers were requested to be submitted to the Health Council by December 2016. The Health Council includes these registers on our website and during a calendar year will frequently update each register to help ensure public safety.

### 2. Board Administration

Regulated health professions are those who are required to verify their training and qualifications with a statutory board that is appointed by the Minister of Health and Seniors; there are registration requirements and legislation to protect the profession. Statutory boards have 7-11 members that oversee the operations of each profession. Members are appointed annually with some members being reappointed; the longest serving members were appointed to the Board of Medical Laboratory Technicians and the Bermuda Medical Council in the 1990s.

Additionally, the Office of the Chief Medical Officer (OCMO) provides administrative support to all statutory boards except for the Nursing Council and the Psychologists Registration Council.

### 3. Professional Registration

#### 3.1. Registration Requirements

There are registration requirements that are consistent for every statutory body including:

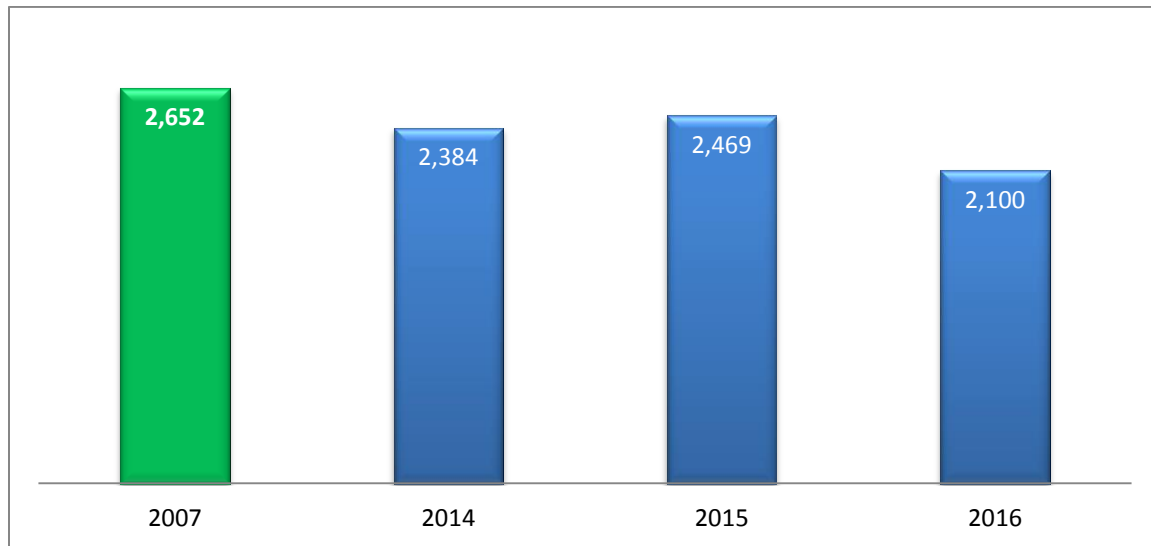
- A completed application form
- Evidence of professional qualifications
- Character and/or professional references
- Application fee

Some statutory boards ask for additional documents including:

- Proof of registration in country of qualification/training
- Documents attesting to experience and character (usually CV or resume)
- Letter from current employer
- Letter of good standing from previous licensing body
- Passport size photograph
- Birth certificate

Chart 1 illustrates the number of health professionals registered for the last three years; data from 2007 is included as a comparison although this data was obtained manually from historical records.

***Chart 1 – Total Number of Registered Health Professionals 2014 - 2016***



\*2016 does not include the register of dental professionals

### **3.2. Registration Exams**

Four professions require applicants to pass locally administered exams prior to registration, namely: dentists, pharmacists, addiction counsellors, and physicians. All boards except pharmacists have regulations or policies regarding the conduct of exams. Currently, the Pharmacy Council has guidelines for the scope and conduct of exams; these guidelines will be incorporated as amendments to their act.

## **4. Complaints and legal actions**

Statutory boards were asked to report on the number of complaints and legal actions involving professionals between 1<sup>st</sup> September 2015 and 31<sup>st</sup> August 2016. Complaints were reported for 17 professionals registered with 5 professional boards (18%) (*Table 1*) and legal actions were reported for 2 (8%) professions (*Table 2*). The Health Council referred a total of 4 (25%) complaints to the statutory boards during the monitoring period.

***Table 1 – Number of complaints between September 2015 and August 2016***

Statutory Body	Profession	Number of Complaints
Bermuda Dental Board	Dentist	3
Bermuda Medical Council	Physicians & Midwives	9 <sup>2</sup>
Bermuda Nursing Council	Nurses	3
Council for Allied Health Professions	Council related	1
Pharmacy Council	Pharmacist	1

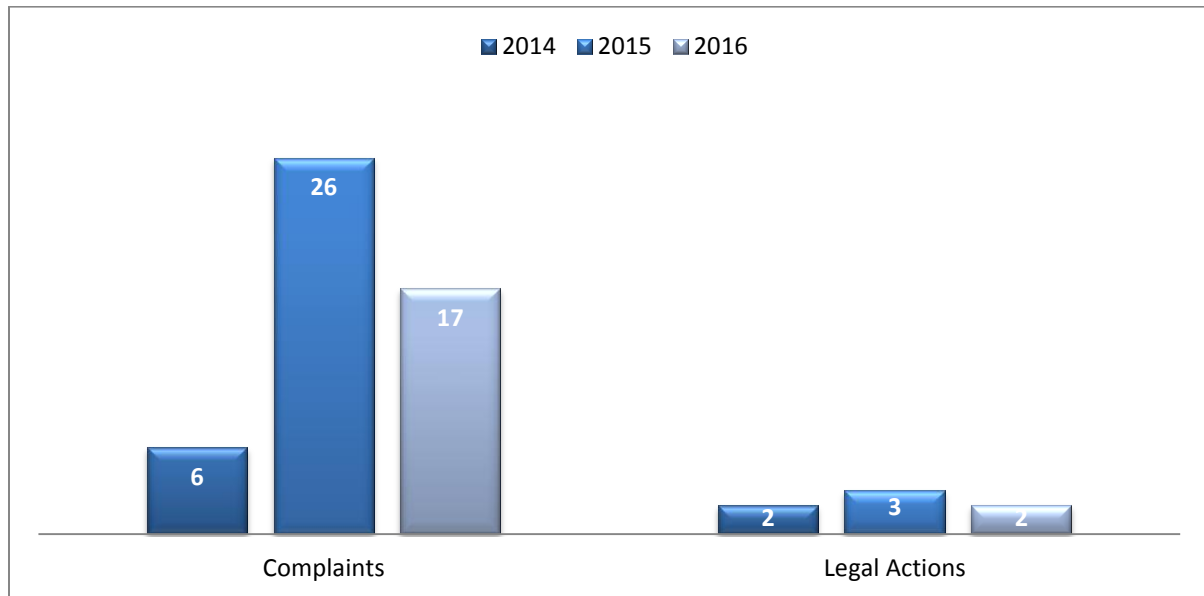
<sup>2</sup> Since April 2016, all complaints are sent to and verified by the professional conduct committee (6 in total).

***Table 2 – Number of legal actions between September 2015 and August 2016***

Profession	Statutory Board	Legal actions	Type of conduct	Outcome
Dentists	Bermuda Dental Board	1	None given	On Going
Physicians	Bermuda Medical Council	1	non-registered person allegedly overseeing planned (non-emergency) home births	Case remains with DPP <sup>3</sup>

Chart 2 summarizes the year over year change for all complaints and legal actions reported by statutory boards between 2014 and 2016. Generally, there are only a few legal actions. In addition, with only three years of data, an increase in complaints is noted and may reflect an increase in public and stakeholder awareness about who to complain to and complaints processes.

***Chart 2 – Year over year change in the number of complaints and legal action reported***



## ***5. Complaints handling and disciplinary processes***

Twenty-three or 96% of eligible professions reported having a Professional Conduct Committee and established guidelines for handling complaints.

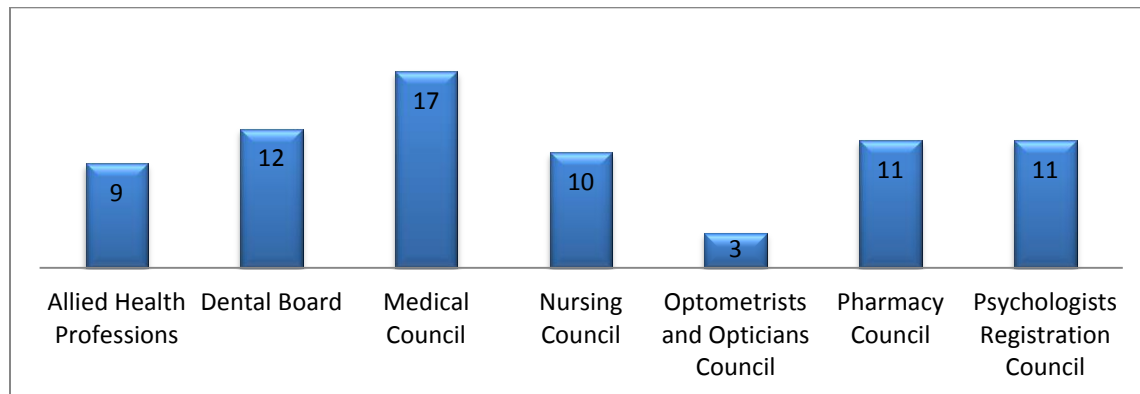
During the reporting period three statutory boards requested to have professionals struck off of the professional register; these boards include the Psychologists Registration Council, the Dental Board, and the Medical Council. While only one professional was struck off the register for professional misconduct, not all registrants renewed their license to practice locally. Most professions have a 5 - 10 year grace period for registration renewals.

<sup>3</sup> Department of Public Prosecutions.

## 6. Board Administration

Chart 3 details the number of meetings held during the reporting period as indicated by statutory boards.

***Chart 3 – Number of Board Meetings Held between September 2015 and August 2016***



There is some correlation between the number of professionals and the number of meetings held; where professions with fewer members tend to have fewer meetings. There is also a similar correlation between the number of complaints and the number of meetings held, noting statutory boards with fewer complaints held fewer meetings.

## 7. Miscellaneous

There continues to be complaints from the statutory boards regarding the lack of controls in place for unregulated professionals such as social workers, counsellors, and complementary and alternative medicine practitioners who include chiropractors, massage therapists, naturopaths, and those who practice acupuncture. The Ministry is developing legislation to address this issue. However, the legislation has been delayed by other ministerial priorities. It is expected that progress will continue in 2017.

## HEALTH COUNCIL OBSERVATIONS AND COMMENTS

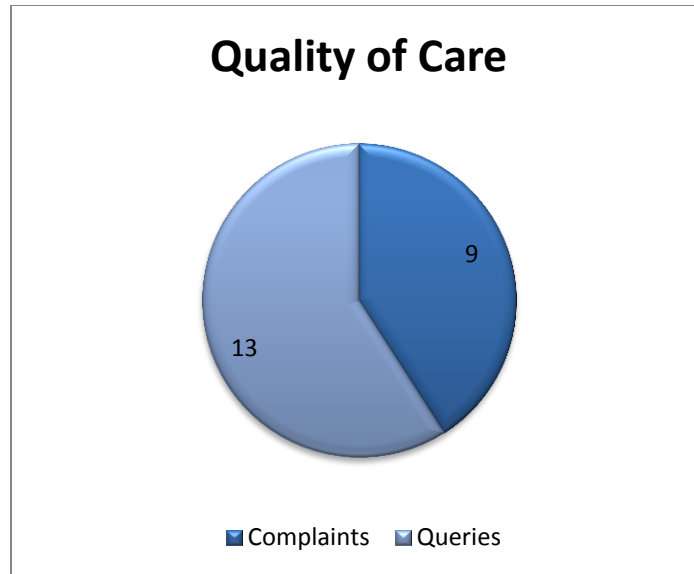
All complaints received by the Health Council are monitored and the outcome tracked. The most egregious cases come to the attention of the Health Council with most statutory boards being the first point of contact for complainants as per Table 3. Table 3 only includes those statutory boards in which complaints were received. Chart 4 outlines the distribution of complaints and queries as per the Health Council database.

***Table 3 – Number of complaints and queries received by the Health Council and referred to Statutory Boards***

Statutory Board	# of complaints received by the Health Council, referred to Stat Boards	# of complaints reported by Stat Boards (Table 1)
Council for Allied Health Professions	0	1
Dental Board	0	0
Medical Council	3	6
Nursing Council	1	3

***Chart 4 – Number Complaints Regarding Professional Registration and Quality of Care between September 2015 and August 2016***





In light of the complaints and queries, statutory boards were asked to provide details of any initiatives or concerns that they wish the Health Council to assist with. The Health Council received requests from 5 boards related to oversight of health facilities, reimbursement for services, and consultation in drafting complaints and discipline procedures. Some of these initiatives will be included in the Health Council's Corporate Plan 2017/18.

## CONCLUSION

Overall, the self-assessment reports indicate basic compliance with existing legislative requirements for registration and professional discipline by six (6) statutory boards, representing 23 of 25 professions. Statutory boards receive complaints and pursue legal action where appropriate. Professionals are removed from professional registers indicating attention to complaints and discipline for misconduct. There are policies for conducting registration exams across all professions which require them. Concerns remain regarding the unregulated professionals and their potential impact on public safety.

## Appendix 1 – Eligible Professions

Eligible professions are those with appointed regulatory boards and registration standards.

	ELIGIBLE PROFESSIONS	STATUTORY BODY	FORM SUBMISSION DATE
1.	Addiction Counsellors	Council for Allied Health Professions	25 <sup>th</sup> October 2016
2.	Audiologists	Council for Allied Health Professions	25 <sup>th</sup> October 2016
3.	Chiropodists/Podiatrists	Council for Allied Health Professions	25 <sup>th</sup> October 2016
4.	Diagnostic Imaging Technicians <sup>4</sup>	Council for Allied Health Professions	25 <sup>th</sup> October 2016
5.	Dietitians	Council for Allied Health Professions	25 <sup>th</sup> October 2016
6.	Emergency Medical Technicians	Council for Allied Health Professions	25 <sup>th</sup> October 2016
7.	Medical Lab Technologists	Council for Allied Health Professions	25 <sup>th</sup> October 2016
8.	Occupational Therapists	Council for Allied Health Professions	25 <sup>th</sup> October 2016
9.	Physiotherapists	Council for Allied Health Professions	25 <sup>th</sup> October 2016
10.	Speech-Language Pathologists	Council for Allied Health Professions	25 <sup>th</sup> October 2016
11.	Dentists	Dental Board	15 <sup>th</sup> December 2016
12.	Dental Assistants	Dental Board	-
13.	Dental Hygienists	Dental Board	-
14.	Dental Technicians	Dental Board	-
15.	Physicians	Medical Council	18 <sup>th</sup> October 2016
16.	Midwives	Medical Council	18 <sup>th</sup> October 2016
17.	Advanced Practice Nurses	Nursing Council	3 <sup>rd</sup> October 2016
18.	Enrolled Nurses	Nursing Council	3 <sup>rd</sup> October 2016
19.	Nurse Associates	Nursing Council	3 <sup>rd</sup> October 2016
20.	Nurse Specialists	Nursing Council	3 <sup>rd</sup> October 2016
21.	Registered Nurses	Nursing Council	3 <sup>rd</sup> October 2016
22.	Opticians	Optometrists & Opticians Council	28 <sup>th</sup> November 2016
23.	Optometrists	Optometrists & Opticians Council	28 <sup>th</sup> November 2016
24.	Pharmacists	Pharmacy Council	17 <sup>th</sup> November 2016
25.	Psychologists	Psychologists Registration Council	11 <sup>th</sup> October 2016

<sup>4</sup> There is an acknowledgement that the term technician needs to be changed to technologist. However, this will require an amendment to the legislation.