

FRPA QUARTERLY MEETING

April 12, 2023

Agenda

1. Welcoming Remarks - Donovan Collie, Manager, RPL & Labour Mobility
2. CFTA requirements - David Gault, Labour Mobility Coordinator
3. FRPA Program Updates - Frank Reinhardt, FRPA Review Officer
4. Annual Surveys - Frank
 - Application Processing Times
5. Evaluation and Closing Remarks - Donovan/Frank

CFTA Chapter 7 Obligations

- In December 2014, federal, provincial and territorial governments began negotiations to strengthen and modernize the [Agreement on Internal Trade \(AIT\)](#). The new Canadian Free Trade Agreement (CFTA) resulted from these negotiations, entering into force on July 1st, 2017. *(In contrast to the AIT, the CFTA's rules apply automatically to almost all areas of economic activity in Canada, with any exceptions being clearly identified.)*
- The purpose of Chapter 7 is to make sure that any worker who is certified for an occupation in one province or territory is recognized as qualified and certified for that occupation as soon as they apply in any other province or territory, without having to take further training or examinations.
- While the CFTA emphasizes the recognition of certified workers across the provinces and territories, exceptions exist. Exceptions may be approved when there is a significant difference in occupational standards and the exception is based on a legitimate objective such as the protection of public security, health and safety.

FRPA Program Updates

Year	FRPA Reviews			Post FRPA Review Tracking		Areas of Non-Compliance		
	# Initiated	Average Time (months):	# With Identified Areas of Non-Compliance (Required Action Plans)	# In Progress* (Non-Compliant)	# Resolved (Compliant)	# Identified	# In Progress* (Non-Compliant)	# Resolved (Compliant)
2020	15	9.1	15 (100%)	9 (60%)	6 (40%)	140	87 (62%)	53 (38%)
2021	11	8.9	7 (64%)	4 (36%)	7 (64%)	56	29 (52%)	27 (48%)
2022	11	6.2	3 (27%)	3 (27%)	8 (73%)	4	4 (100%)	0
2023	7	<i>TBD</i>	<i>TBD</i>	<i>TBD</i>	<i>TBD</i>	<i>TBD</i>	<i>TBD</i>	<i>TBD</i>
Total	37	8.1	25 (68%)	16 (43%)	21 (57%)	200	120 (60%)	80 (40%)

*On Scheduled Path to Compliance (Year 1 & 2 Progress Reports Pending)

Of the 19 Action Plan Progress Reports due in 2023:

- 6 were received/processed and 13 more are to come
- 7 are Year-1 reports and 12 are Year-2 reports
- 9 are from FRPA Reviews launched in 2020, 8 are from 2021 reviews and 2 are from 2022 reviews.

Annual Surveys

- Thank you for submitting the 2022 surveys!
- No significant changes made to the 2022 survey.
- Opportunity to comment on the format (excel template) (including in meeting evaluation)
- Some changes are expected for 2023.
 - Success Rates (only how it is reported)
 - **Application processing times**

Application Processing Times

Tracking and Reporting – going forward

- All relevant Considerations
- Required Features of any approach
- Proposed Approach

Application Processing Times Consideration #1

Regulating bodies have communicated that the collection/reporting of processing times must be done in a way that minimizes administrative burden and accountability for processing times that are outside of their control.

(preference to “start the clock” from the point where an application is “complete”.)

Application Processing Times

Consideration #2

- On March 21, 2023, NS introduced the *Patient Access to Care Act*, which among other things, requires that health regulating bodies process applications within five business days of receiving a *“complete application”*.
- ...the definition of a **“complete application”** used within the FRPA context should be:
 - The same as that used for the *Patient Access to Care Act* (**which is TBD**).
 - Common - Applied equally to all regulating bodies.
 - No room for interpretation.
 - “complete”-to-decision period must be entirely within the control of the RB.

→ Possible Definition:

“Date the regulating body has all the information necessary to render a decision.”

Application Processing Times Consideration #3

FRPA requires “*...registration practices that are transparent...*” and that Regulating bodies provide “*...clear and understandable ...information about the length of time that the registration process ...usually takes; ...*”

Application Processing Times Consideration #4

Issues with the current collection/reporting process:

- Incomplete
- Inconsistent (inherent and via differing interpretations of “complete”)
- Third-party assessor processing times – significant but the ability to track/report differs across regulating bodies.

Application Processing Times Incomplete and Inconsistent

Issues with the current collection/reporting process:

- **Applicant 1**: Submits application. **20 days pass** before the RB begins its review of the application. Upon review, the RB determines that the application is “incomplete”. On that same day, the RB contacts the applicant, who immediately provides the missing piece of information to complete the application. Later that same day, the RB registers the applicant and informs the applicant that this has been done.
- **Applicant 2**: Identical situation to Applicant 1 except that the application was initially submitted in a “complete” state.

Application Processing Times Incomplete and Inconsistent

So the true processing time is 20 days for both Applicants (the nature and type of this processing is identical) but under the current approach, it is reported differently for both:

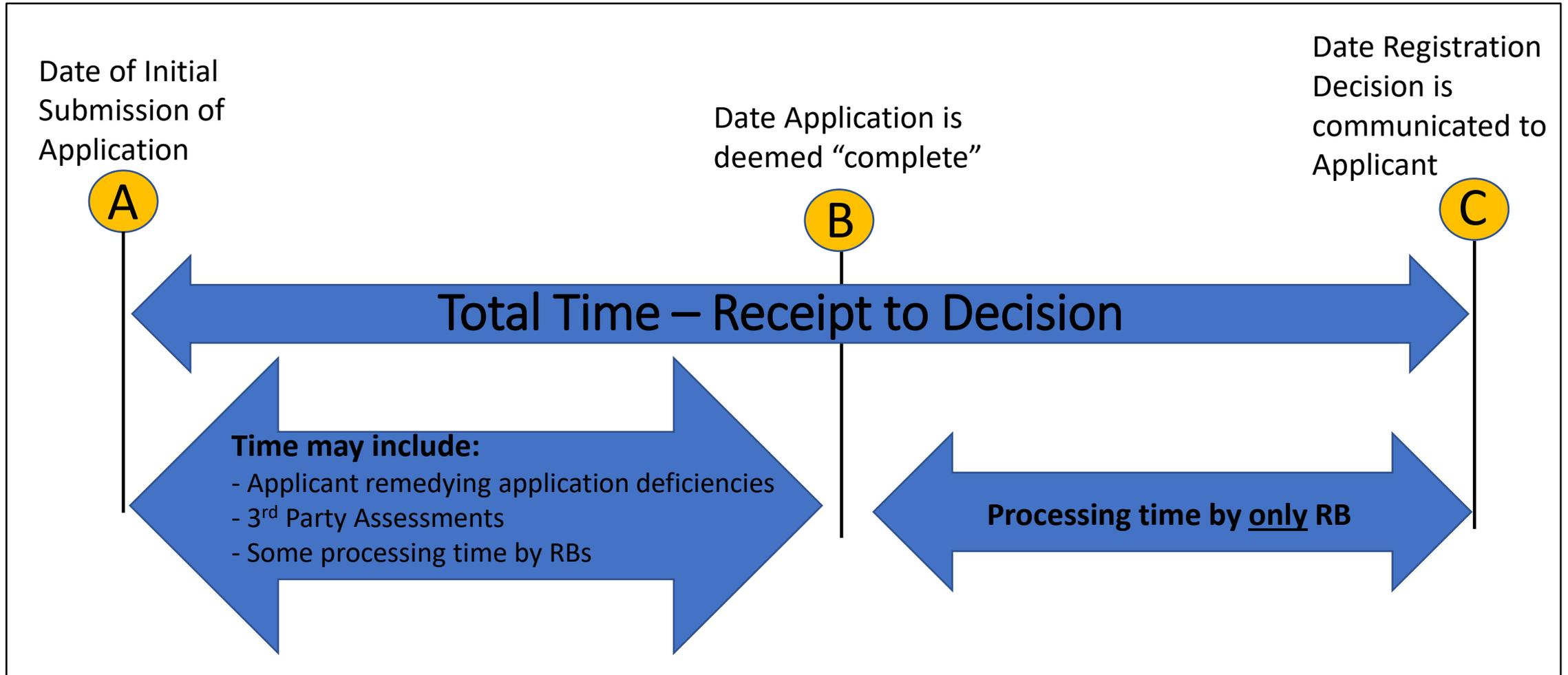
Applicant 1: ...**0 days (incomplete & inconsistent)**

Applicant 2: ...**20 days (inconsistent)**

...with a reported average of only 10 days **(incomplete & inconsistent)**.

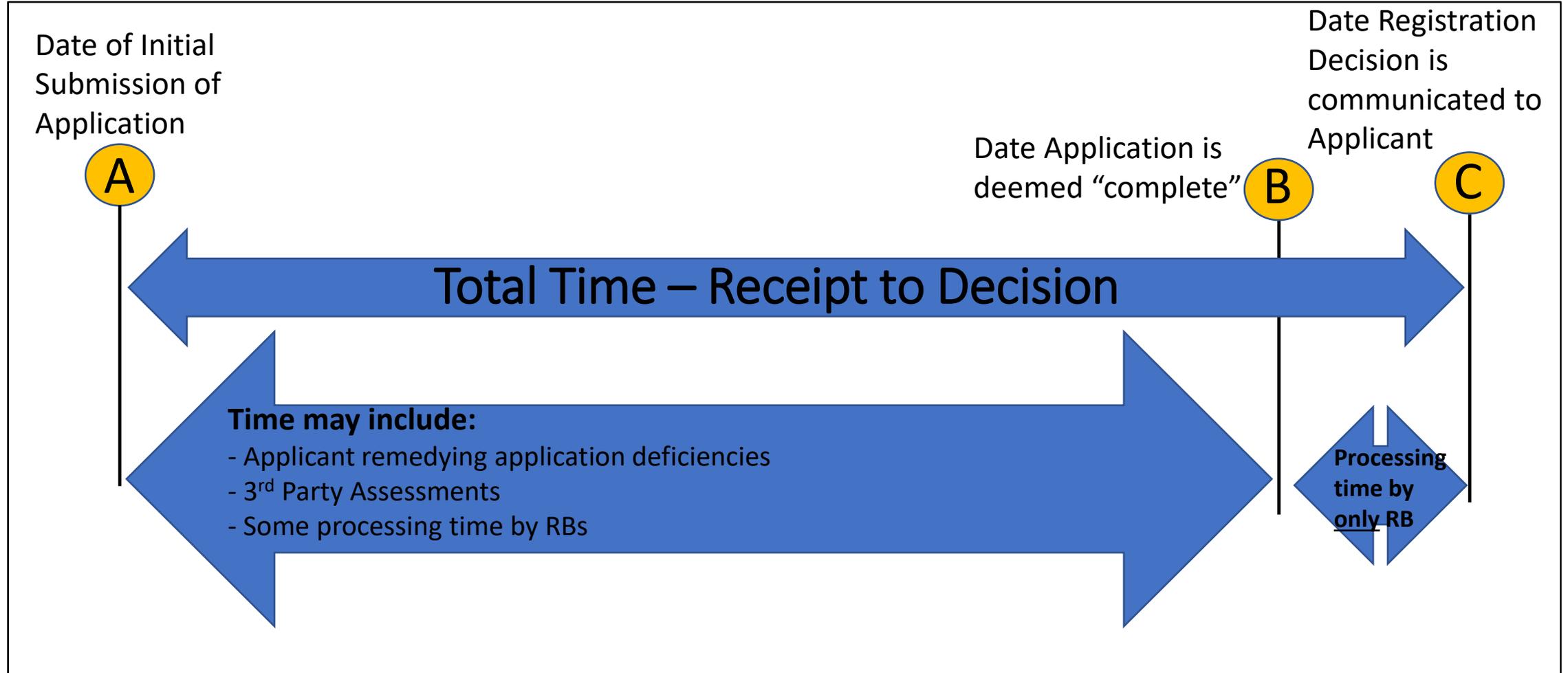
Application Processing Time

Case where Application is Initially submitted as “Incomplete”



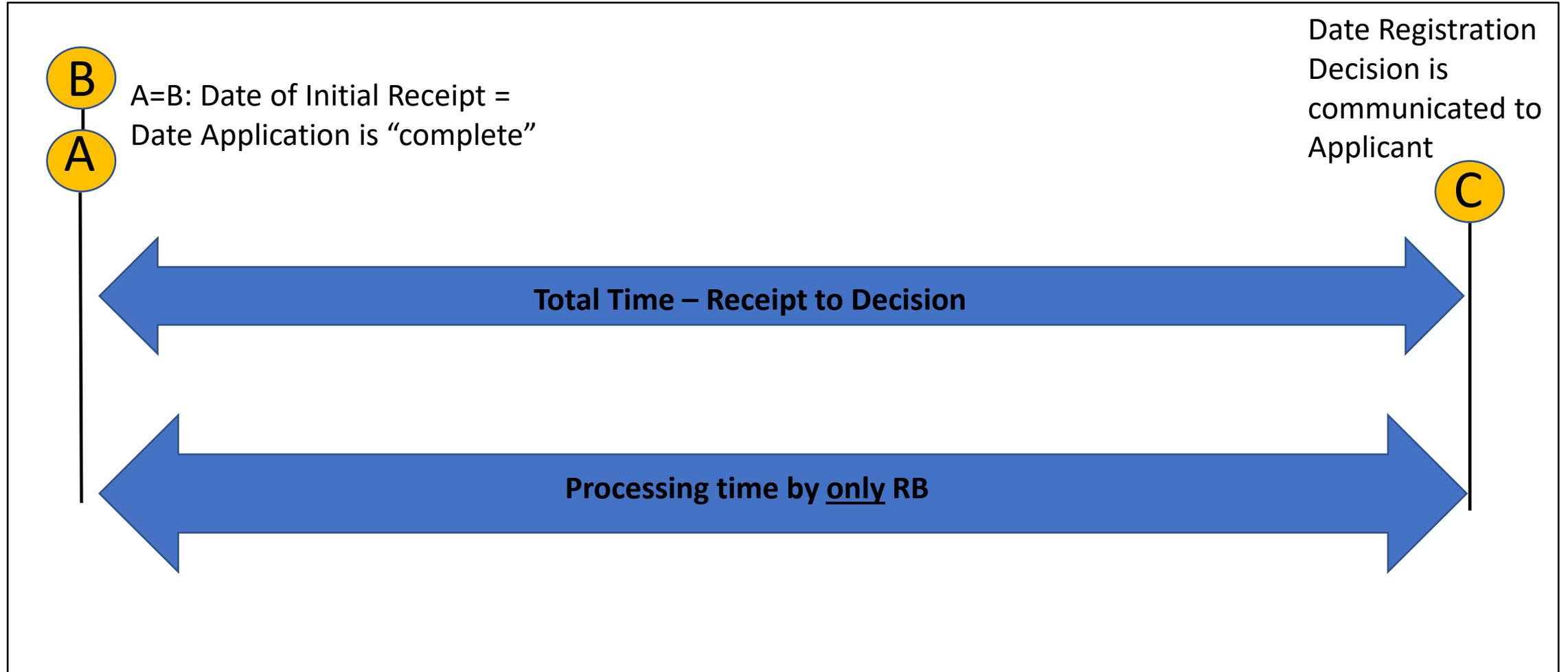
Application Processing Time

Case where Application is Initially submitted as “Incomplete”



Application Processing Time

Case where Application is Initially submitted as “Complete”



Application Processing Times

6 Required Features based on the 4 considerations:

- 1) **Transparent:** Currently tracked and relevant information (to applicants) is reported.
- 2) **Usual:** Representative of the “usual” application (excludes “unusual” ones).
- 3) **Separate Accountability:** Separates the portion of the process that is solely within the control/accountability of the regulating body and allow for the contextualization of the remaining portion.
- 4) **Minimum Administrative burden:** ...no larger than necessary and ideally with no additional tracking requirements beyond the current collection method.
- 5) **Comparability to the new “5-day” requirement.**
- 6) **Clear and common to all:** All definitions used are clear, common to all, and free from interpretation.

Application Processing Times - Approach:

Regulating bodies collect 3 dates for each application:

- A) Date of **“initial receipt”**, defined as: *“Date the application form with the applicant’s contact information is first received.”*
- B) Date the application becomes **“complete”**, defined as:
“Date the regulating body has all the information necessary to render a decision.”
- C) Date a registration decision is communicated to the applicant.

Application Processing Times – Approach:

Regulating bodies report:

- 1) the average # of days between dates A and B (A-B)*;
- 2) the average # of days between dates B and C (B-C)**;
- 3) whether or not “third-party assessors” were used (YES/NO); and
- 4) Optionally: qualitative and/or quantitative information to contextualize the A-B period (eg. breakdown between applicant, 3rd parties, and RBs).

* For many applications/RBs this will be either 0 days or almost entirely 3rd party processing times.

** processing time entirely under the control of the RB and intended to be comparable to the new “**5 business day**” requirement under the *Patient Access to Care Act*.

Application Processing Times Approach

Allowable exclusions / “outliers”:

Given the wording of Subsection 7(b) of the FRPA, where we want to capture/report:

“...the length of time that the registration process ...usually takes...”

...RBs would have the option to exclude applications from the calculation of the averages reported for each of the three applicant types on the basis that they are "outliers" (or least representative of the “usual”).

Application Processing Times Approach

Specific Rules for exclusions / “outliers”:

- 1) Max of 10 or 10% of all applications, whichever comes first;

 - 2) Exclusions must be in pairs, each from the opposite ends of the spectrum such that the total time period (A-C) of each application within each pair is the:
 - longest and shortest; 2
 - **2nd** longest and **2nd** shortest; 2
 - **3rd** longest and **3rd** shortest; 2
 - **4th** longest and **4th** shortest; up to 2
 - **5th** longest and **5th** shortest; 2
- 10**

Application Processing Times Approach

Optional - Contextualizing A-B period:

- Exclusion should make this easier (only talking about the “usual” application)
- A-B period includes:
 - 3rd party assessor processing time
 - Time by applicants to fix application deficiencies
 - Some processing time by RBs
- The first two are often indistinguishable. The latter should be the easiest to estimate.
- RBs may provide an estimate of the # of days taken by the RB.
- For the remaining portion, an estimate of the % that is by 3rd party assessors.
- + the usual comment boxes

QUESTIONS?

...Please use the feedback form via the link in the chat.

THANK YOU!

Email: ReviewOfficer@novascotia.ca

Frank Reinhardt

FRPA Review Officer

Frank.Reinhardt@novascotia.ca

cell: 902 476 9781

Website: [Fair Registration Practices | novascotia.ca](https://www.novascotia.ca/fair-registration-practices)