Midwifery Regulatory Council of Nova Scotia

Fair Registration Practices Act (FRPA) Review Report
August 11, 2023

Province of Nova Scotia

EXECUTIVE SUMMARY

The *Midwifery Regulatory Council of Nova Scotia* (MRCNS) is specifically named in the *Fair Registration Practices Act* (FRPA or "the Act") as a "regulating body" that is subject to the Act. Section 6 of the Act summarizes the "Duty" of each "regulating body", including MRCNS', as follows:

> ***Duty of regulating body***
> ***6 A regulating body has a duty to carry out registration practices that are transparent, objective, impartial and procedurally fair.***

The Review Officer, appointed under Section 13 of the Act and under the authority provided for under Sections 14 and 16 of the Act, facilitated a FRPA Review, which was initiated on March 7, 2023, and resulted in this final report. The purpose of this FRPA Review at the outset was:

1) To determine the current compliance status with the FRPA; and
2) If areas of non-compliance are identified, to facilitate a path back to compliance through the requirement to develop an Action plan containing specific actions and completion dates as well as the requirement of progress reports on that Action plan until compliance is achieved.

The current compliance status was determined based on MRCNS' responses to 10 review questions, as well as corroborating information on MRCNS' website (https://mrcns.ca/). Upon review of this information, a single area of non-compliance was identified. MRCNS was found to be non-compliant with Section 11 of the FRPA, which requires that: ***"A regulating body shall ensure that individuals acting as decision makers in internal reviews receive training on conducting …an internal review."*** Consequently, MRCNS prepared an Action Plan (Appendix A of this report). The review questions, MRCNS' responses as well as the Action Plan to address the noted compliance area are detailed in this report.

A progress update on this Action Plan (Appendix A) from the MRCNS is required by May 31, 2024. Pursuant to Subsection 16(12) of the FRPA, it is expected that MRCNS will be in compliance by this date. This progress report will be posted to the FRPA website (https://novascotia.ca/lae/fair-registration-practices/).

As required under Subsections 16(8) of the Act, another review will be conducted on MRCNS' registration practices within 5 years of the date of this report.

The collaboration and cooperation of the Midwifery Regulatory Council of Nova Scotia throughout this review process is gratefully acknowledged.

Sincerely,

Frank Reinhardt
Review Officer, Fair Registration Practices Act (FRPA)

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1. Introduction

1.1. The Fair Registration Practices Act

The *Fair Registration Practices Act* (FRPA or Act) applies to 47 regulatory bodies in Nova Scotia, covering 84 occupations, including 20 compulsory trades. A regulatory body (regulatory authority or regulator) sets the standards and regulates how people practice as members of an occupation or trade. Everyone who practices within a regulated occupation or trade must register with the regulatory body.

The FRPA mandates that regulating bodies carry out registration practices that are transparent, objective, impartial and procedurally fair. Section 16(2) of the FRPA states: "Every regulating body shall review its registration practices in accordance with this Section and shall file a report on the results of the review with the Review Officer for the reporting period." This review process is to occur as per the Act and if items are deemed to be noncompliant with the FRPA, an Action Plan is required to be completed by the regulating body. The intent of the Action Plan is to identify how the items of noncompliance are progressing to ensure compliance, fairness, and transparency, as required by the Act.

1.2. Overview of the Regulating Body

Name of Regulating Body:	Midwifery Regulatory Council of Nova Scotia
Review Questions Due:	2023-07-01
Date Submitted:	2023-04-20

Overview of Regulator:

The Council regulates the profession of midwifery in the province of Nova Scotia, Canada, in accordance with the Midwifery Act, Regulations, Standards of Practice and a Code of Ethics. The Council registers qualified, competent midwives to provide safe, high-quality care to pregnant people and their families in Nova Scotia. We are mandated to protect the public by ensuring that all registrants engaged in clinical midwifery practice are safe, competent, and ethical practitioners.

A midwife is a licensed professional who provides primary care to clients and their babies during pregnancy, labour, birth, and the postpartum period. As primary care providers, midwives may be the first point of entry to maternity services and are fully responsible for clinical decisions and the management of care within their scope of practice.

Midwives are issued Active Practicing Clinical and Active Practicing Non-Clinical licenses.
Active Practicing Non-Clinical: The practice of midwifery as defined in section 2 (i) of the Midwifery Act includes the non-clinical activities of research, education, consultation, management, administration, regulation, policy or system development related to midwifery.

Active Practicing Clinical: Can practice Midwifery to their full scope of practice.

There are other variations of licensing that can be employed at the discretion of the registrar including: with provisions and conditions, non-practicing as laid out in the regulations.
Midwifery Act: Midwifery Act (nslegislature.ca)
Registration - Midwifery Regulatory Council of Nova Scotia (mrcns.ca) Please note that we are currently completing a website update that will allow Midwives to register and renew online. This is expected to be completed by the end of April 2023

2. QUANTITATIVE DATA - 2022

Quantitative data is collected from regulating bodies each year by way of a data survey. The following is some of the information provided by the *Midwifery Regulatory Council of Nova Scotia* through the 2023 survey, covering the 2022 year, in fulfillment of the quantitative reporting requirements under Section 15 of the FRPA:

Total Registered Members*:	**21**

* As of December 31, 2022

Applications

	Received in 2022	**Decisions Rendered in 2022[1]**					**In Progress at end of 2022[1]**
		Total	Successful	Unsuccessful	Withdrawn[2]	Success Rate[3]	
New	6	6	6	0	0	100%	0
Interprovincial[4]	5	5	5	0	0	100%	0
International	0	0	0	0	0	N/A	0
Total	**11**	**6**	**6**	**0**	**0**	**100%**	**0**

1. Regardless of when the applications were received (not necessarily equal to the number received in 2022).
2. Includes those withdrawn, set as "inactive" or closed.
3. Success Rate is the # of successful decisions divided by the total # of decisions (excludes in-progress).
4. All 5 interprovincial applicants were from Ontario.

Average Application Processing Times (# of Days)

	By Regulating Body[1]	By Third Party Assessors[2]	Total[1]
New	7	NA	7
Interprovincial	7	0	7
International	10.5	0	10.5

1. Average length of time from receipt of a complete application to the time a decision was communicated to the applicant.
2. Average length of time for Third-Party Assessors to assess the equivalence of qualifications.

3. FRPA Review Questions, Responses and Compliance Assessments

As per Section 16 of the Act, the registration practices of a regulating body must be reviewed, and a public report produced. The FRPA Program works with regulatory bodies to assess the registration practices against the compliance criteria. The *Midwifery Regulatory Council of Nova Scotia* responses to the FRPA Review questions are detailed below, along with the review findings determined by the Review Officer in accordance with the Act.

3.1: Information and Registration Procedures

This section assesses how and what information is provided to applicants during the registration process. The registration process includes the actions required to be taken by individual applicants, and any documentation required to be submitted, which will be used to assess an application for registration.

Question 1 - Registration Process, requirements and Communications

The following question is broken into three parts (A, B and C), one for each of the three application types, as follows:

A: "New Applicants"
- Those who are only including Canadian credentials in their application to apply for registration (licensure) and are not currently registered (licenced) to practice anywhere in Canada.

B: "International Applicants"
- Those who are including international credentials in their application to apply for registration (licensure) and are not currently registered (licenced) to practice anywhere in Canada.

C: "Interprovincial Applicants"
- Those who are currently registered (licenced) to practice elsewhere in Canada (outside of Nova Scotia).

The response to Part A should be fully detailed, while the responses to Parts B and C only detail any differences from Part A.

QUESTION 1A (REGISTRATION OF "NEW APPLICANTS")		
Using the table below, explain, in detail, the registration process and requirements for "New Applicants" (see definition above) and how this information, including *"the length of time that the registration process …usually takes;"*, is communicated to these applicants and those who only *"intend to apply"* (e.g., by making the information publicly available). Please answer separately for each license/registration type (eg. full, partial, restricted, student etc.). **Note:** Subsections A through F below are identical and are only provided to allow for the possibility that multiple license/registration types are issued. If there is only one license type, use only Subsection 'A'. For efficiency, after fully reporting on the first licence type in Subsection 'A', for any subsequent licence types, it is acceptable to report on only the differences. (e.g., for the qualifications of the licence type reported in Subsection 'B', it would be acceptable to report "*Same as Subsection 'A' except…*".		
RESPONDENT ANSWER	**A. LICENSE TYPE**	Active Practicing Clinical
	QUALIFICATIONS (LIST ALL)	• HAVE SUCCESSFULLY COMPLETED AN APPROVED PROGRAM* OF MIDWIFERY STUDIES; • HAVE SUCCESSFULLY COMPLETED THE APPROVED EXAMINATIONS; • HOLD VALID CERTIFICATION IN NEONATAL RESUSCITATION (NRP), CARDIOPULMONARY RESUSCITATION (CPR), OBSTETRICAL EMERGENCIES SKILLS (ESW) AND FETAL HEALTH SURVEILLANCE (FHS). • HOLD INDIVIDUAL PRACTICE INSURANCE FOR HIROC (INSURANCE | HEALTHCARE INSURANCE RECIPROCAL OF CANADA (HIROC.COM)
	DOCUMENTATION (LIST ALL)	• Proof of Canadian citizenship, or proof of permanent resident status • Proof of authorization for employment in Canada • Consent and forms submitted to request Letter of Professional Conduct from each Canadian regulatory body where you are or have been registered • Notarized copy of registration for each midwifery registration outside of Canada • Notarized copy of registration for each professional registration other than midwifery, from every jurisdiction where you are or have been registered • Notarized copy of each degree, diploma or certificate relating to midwifery education (CMRE Results) • Clinical Experience by Practice Site, and Hospital Privileges/Employment • Competency Assessment and/or Bridging Program results sent directly to Registrar • Copy of current certification in Neonatal Resuscitation • Copy of current certification in Cardio • Copy of current certification in Emergency Skills in Obstetrics • A passport photo taken within 6 months • A legible copy of photo identification • Criminal records check, sent directly to the Registrar, or delivered in its original sealed envelope • Reference forms, forwarded directly to the Registrar from 3 referees.

		• Fees: application fee • Opioid course (required as of April 1, 2017)
	REGISTRATION PROCESS AND HOW REQUIREMENTS ARE MET BY APPLICANT (STEP-BY-STEP)	The registration process is laid out set by step in our application form. The process for now is completed through email. It will be fully online in April of 2023. The applicants complete their application form and submit by the required documents. Initial-Registration-Application-2022.doc (live.com)
	COMMUNICATION OF INFORMATION (DESCRIBE & ADD ANY RELEVANT LINKS)	By phone and by email, additional information needed is available on the MRCNS website including forms, timelines, requirements and fees. Once the application is completed and all required documents submitted the applicant is informed of their successful application and their certificate and receipt of fees is mailed to them.
	B. LICENSE TYPE	Active Practicing Non-Clinical
	QUALIFICATIONS (LIST ALL)	This is a unique classification for Midwives who were Active Practicing Clinical and who then choose to work in research, policy, education, - work which advances the development of Midwifery.
	DOCUMENTATION (LIST ALL)	Demonstrate 1,125 hours in the non-clinical practice of midwifery within the past 5 years? And/or 450 hours in the non-clinical practice of midwifery in the past year?
	REGISTRATION PROCESS AND HOW REQUIREMENTS ARE MET BY APPLICANT (STEP-BY-STEP)	This process and the timelines are laid out in the application form which is available on the website: Non-clinical-renewal-2021-1.doc (live.com)
	COMMUNICATION OF INFORMATION (DESCRIBE & ADD ANY RELEVANT LINKS)	Direct email and by phone, - all documents available on website.

QUESTION 1B (REGISTRATION OF INTERNATIONAL APPLICANTS)	
Does the registration process and requirements for "international applicants" (see definition above) differ from that of "New Applicants" (as described above under Question 1A)? If so, please describe these differences, including any allowances, exemptions and/or accommodations available to these applicants and how these differences are communicated to them.	
RESPONDENT ANSWER	☒ Yes ☐ No If yes, describe the differences (include any relevant web links, if any): Registration - Midwifery Regulatory Council of Nova Scotia (mrcns.ca) The primary difference is that Internationally trained midwives can apply for registration and become members of the Midwifery Regulatory Council of Nova Scotia after (1) having completed an approved bridging program and a competency assessment, (2) having received an offer of employment from the health authorities.

QUESTION 1C (REGISTRATION OF INTERPROVINCIAL APPLICANTS)	
Does the registration process and requirements for "interprovincial applicants" (see definition above) differ from that of "New Applicants" (as described above under Question 1A)? For example, are the process and requirements somehow "streamlined" to comply with the *Canadian Free Trade Agreement* (Chapter Seven - Labour Mobility, pages 83-88), as required under Nova Scotia's *Canadian Free Trade Agreement Implementation Act*? If so, please describe these differences, including any allowances, exemptions and/or accommodations available to these applicants and how these differences are communicated to them.	
RESPONDENT ANSWER	☒ Yes ☐ No If yes, describe the differences (include any relevant web links, if any): The process for an interprovincial application is the same as the initial application with one exception. A letter of good standing is required from the regulatory body in the jurisdiction they are registered in.

QUESTION 1 (Parts A, B AND C) REVIEW FINDINGS (To be completed by the FRPA Review Officer**):**		
REVIEW FINDINGS **(**To be completed by the FRPA Review Officer)	**Compliance Criteria** (pursuant to Sections 3, 7(b) and (c), 9(a), 16(3)(a), (b) and (g) of the FRPA)**:** Requirement that the regulating body:	**Compliant? (YES/NO)**
	• provides information about its registration practices in a clear and understandable form, including descriptions of any differences for applicants with international qualifications and for those who are licenced in other Canadian jurisdictions;	YES
	• Provides "information [to applicants and potential applicants] about the length of time that the registration process …usually takes";	YES
	• explains the qualifications required for registration;	YES
	• identifies documentation of qualifications that must accompany an application;	YES
	• explains the registration process and how requirements for registration are to be met;	YES
	• explains how information is communicated; and	YES
	• provides information in a publicly accessible manner.	YES
Comments, to be completed by the FRPA Review Officer: Compliance with all of the above noted compliance criteria and associated FRPA Sections (cited above), as they pertain to the above FRPA review questions, was determined from the information provided above and from information found on MRCNS' website (www.mrcns.ca/) on May 8, 2023.		

QUESTION 2 (REGISTRATION PROCESS FEES)		
Do you charge a fee for the registration process? If so, describe the fee and explain how this information is communicated to applicants. Include a link to information published in the public domain. If there is a third-party process with associated fees, please explain. Provide a link to any published information.		
RESPONDENT ANSWER	☒ Yes ☐ No If yes, please explain: The initial application fee is $50 2020-2021-Fees.doc.pdf (mrcns.ca)	
REVIEW FINDINGS (To be completed by the FRPA Review Officer)	**Compliance Criteria** (pursuant to Sections 7(f) and 16(3)(d) of the FRPA)**:** Requirement that the regulating body:	**Compliant? (YES/NO)**
	• provides information setting out any fees for registration in a clear and understandable form;	YES
	• provides information about fees in a publicly accessible manner.	YES

Comments, to be completed by the FRPA Review Officer:
Compliance with all of the above noted compliance criteria and associated FRPA Sections (cited above), as they pertain to the above FRPA review questions, was determined from the information provided above and from information found on MRCNS' website (www.mrcns.ca/) on May 8, 2023.

QUESTION 3 (ALLOWANCE FOR ALTERNATIVE DOCUMENTATION)

Are there any situations, where the standard required documentation cannot be reasonably obtained by an applicant, that alternative documentation may be acceptable to the regulating body? (Yes/No)

If yes, please detail what alternative documentation may be accepted in what situations and in place of what standard documentation. How is this information communicated to applicants? If available, please provide a link to where this information is published in the public domain.

RESPONDENT ANSWER	☒ Yes ☐ No If yes, please explain: The Midwifery Regulatory Council of Nova Scotia (MRCNS) recognizes that there are circumstances where an applicant will not be able to provide certain required documents for reasons beyond the applicant's control. In these circumstances, the MRCNS will work with the applicant to accept alternative information to the required documentation, in a way that will not compromise the integrity of the licensing process. Policy available on website: Draft MRCNS Policy on Accepting Alternative Information to Required Documentation.docx	
REVIEW FINDINGS (To be completed by the FRPA Review Officer)	**Compliance Criteria** (pursuant to Sections 7, 9 and 16(3)(c) of the FRPA)**:** Requirement that the regulating body:	**Compliant? (YES/NO/ N/A)**
	• provides clear and understandable information with respect to acceptable alternative documentation; and	YES
	• advises applicants on what alternative information may be supplied when they cannot reasonably obtain the standard documentation;	YES

Comments, to be completed by the FRPA Review Officer:
Compliance with all of the above noted compliance criteria and associated FRPA Sections (cited above), as they pertain to the above FRPA review questions, was determined from the information provided above and from information found on MRCNS' website (www.mrcns.ca/) on May 8, 2023.

QUESTION 4 (SUPPORT PROVIDED TO APPLICANTS DURING THE REGISTRATION PROCESS)

Do you provide any support to applicants during the registration process? If so, describe the type of support provided. (Examples: contact information, explanation of registration requirements, translation services, etc.). How is information about supports communicated to applicants? Provide a link(s) to information published in the public domain.

RESPONDENT ANSWER	☒ Yes ☐ No **If yes, describe:** Our registration page provides contact information, information about the process, timelines and accommodation where needed. We are a small Council with one employee and speak with new registrants and offer one to one support throughout the process where needed. Registration - Midwifery Regulatory Council of Nova Scotia (mrcns.ca)	
REVIEW FINDINGS (To be completed by the FRPA Review Officer)	**Compliance Criteria** (pursuant to Sections 7(e) and 16(3)(k) of the FRPA)**:** Requirement that the regulating body:	**Compliant? (YES/NO)**
	• provides support to the applicant during the registration process;	YES
	• describes the type of support provided to the applicant during the registration process; and	YES
	• provides information about the type of support provided to applicants during the registration process in a publicly accessible manner.	YES

Comments, to be completed by the FRPA Review Officer:
Compliance with all of the above noted compliance criteria and associated FRPA Sections (cited above), as they pertain to the above FRPA review questions, was determined from the information provided above and from information found on MRCNS' website (www.mrcns.ca/) on May 8, 2023.

QUESTION 5 (ACCOMMODATION POLICIES FOR APPLICANTS WITH A PHYSICAL OR MENTAL DISABILITY)

Do you have existing accommodation policies for applicants with a physical or mental disability? (Yes/No)

If yes, describe these existing policies, including:
- how an applicant would request an accommodation;
- how requests are considered; and
- how these policies are communicated to ***"…individuals …applying or intending to apply for registration…"*** as required under Section 7(e). If this is done by posting to the website, please include the link.

RESPONDENT ANSWER	☒ Yes ☐ No **If yes, describe:** Available on our website MRCNS Policy on Accommodation of Applicants with Physical and Mental Disabilities.docx	
REVIEW FINDINGS (To be completed by the FRPA Review Officer)	**Compliance Criteria** (pursuant to Sections 7(e), and 16(3)(h) of the FRPA)**:** Requirement that the regulating body:	**Compliant? (YES/NO)**
	• describes existing accommodation policies, if any, for applicants with a physical or mental disability, including - how an applicant would request an accommodation; and - how requests are considered.	YES
	• provides information about its accommodations policies, if any, to "…individuals …applying or intending to apply for registration…" (eg. by posting to its website).	YES
Comments, to be completed by the FRPA Review Officer: Compliance with all of the above noted compliance criteria and associated FRPA Sections (cited above), as they pertain to the above FRPA review questions, was determined from the information provided above and from information found on MRCNS' website (www.mrcns.ca/) on May 8, 2023.		

QUESTION 6 (ACCESS TO REGISTRATION RECORDS)
Do you have a documented process by which an applicant can request access to their registration records? If so, describe how an applicant can make this request, any exclusions to information that can be provided, and any fees that may apply. Include a link(s) to any published information, if available.

RESPONDENT ANSWER	☒ Yes ☐ No **If yes, describe:** **POLICY ON ACCESS TO REGISTRATION RECORDS** **Purpose**: The Midwifery Regulatory Council of Nova Scotia (MRCNS) aims to be transparent, objective, impartial and procedurally fair with its registration practices. As such, applicants for registration may request access to all documents relevant to their application for registration. This policy outlines the process for requesting documentation. **Principles:** The Registrar shall give an applicant for registration, at their request, all the information and a copy of each document the MRCNS has that is relevant to the application. The Registrar may refuse to give an applicant anything that may be subject to legal privilege or that, in the Registrar's opinion, jeopardizes the safety of any person.

	1. Applicants who submit a written request to the Registrar may receive information and a copy of each document the MRCNS holds that is relevant to their application. 2. Records include all the documents that relate to the application, such as, but not limited to: • Documents provided by the applicant as part of their application, • Documents that describe the MRCNS's rationale for its decision, • Documents related to any assessment of qualifications completed or received by the MRCNS, • Documents related to accommodation requests, and • Documents related to reviews and appeals. 3. The MRCNS reserves the right to charge a cost-recovery fee for photocopying documents and mailing/courier expenses. In these circumstances, the College will inform the individual of the approximate cost to provide the documents and will proceed upon payment of this cost by the individual. 4. Documents released will be clearly stamped "COPY". 5. The MRCNS will make every effort to respond to the request within 10 business days and to assist the individual with understanding the information. 6. If the Registrar is of the opinion that the release of any of an applicant's documents may jeopardize the safety of any person the applicant will be provided only those documents that are not considered to jeopardize the safety of any person. 7. If the Registrar is of the opinion that any of the documents are subject to legal privilege, the applicant will be provided only those documents that are not considered to have legal privilege. 8. In the event that the MRCNS refuses to provide access to all of the applicant's documents it holds, the Council will provide reasons for denying access.	
REVIEW FINDINGS (To be completed by the FRPA Review Officer)	**Compliance Criteria** (pursuant to Sections 12(1) through (5) and 16(3)(j) of the FRPA)**:** Requirement that the regulating body:	**Compliant? (YES/NO)**
	• has an established process by which an applicant can make a request in writing for access to their registration records; and	YES
	• describes how an applicant can make a request, any exclusions to information that can be provided, and any fees that may apply.	YES
Comments, to be completed by the FRPA Review Officer: Compliance with all of the above noted compliance criteria and associated FRPA Sections (cited above), as they pertain to the above FRPA review questions, was determined from the information provided above.		

3.2: Assessment Criteria and Communication of Decision Processes

This section assesses how the regulating body evaluates applications and how this process, including registration decisions, are communicated to applicants.

Question 7 (Assessment Criteria)		
Explain, in detail, the criteria used by the regulating body to assess if an applicant has met requirements to be registered/licensed. (Examples: competencies, pass marks, experience standards, etc.) Also, explain how this information is communicated to applicants. Provide a link(s) to information published in the public domain. If there is a third-party assessor involved in the process, describe their role in the space provided.		
Respondent Answer	Explain the criteria used for assessment and how the information is communicated: The applicant must meet all the educational requirements, competencies required, have passed the exam and successfully met the experience standards Registration - Midwifery Regulatory Council of Nova Scotia (mrcns.ca) Is a third party involved in the assessment process? ☐ Yes ☒ No If yes, name the third-party(s) and describe their role:	
Review Findings (To be completed by the FRPA Review Officer)	**Compliance Criteria** (pursuant to Sections 7(d), 16(3)(b) and (i) of the FRPA)**:** Requirement that the regulating body:	**Compliant? (YES/NO)**
	• describes all criteria used to assess whether the requirements for registration have been met;	YES
	• explains how information is communicated;	YES
	• provides information in a publicly accessible manner; and	YES
	• describes the role of third-party assessors (if applicable).	N/A
Comments, to be completed by the FRPA Review Officer: Compliance with all of the above noted compliance criteria and associated FRPA Sections (cited above), as they pertain to the above FRPA review questions, was determined from the information provided above and from information found on MRCNS' website (www.mrcns.ca/) on May 8, 2023.		

QUESTION 8 (COMMUNICATING REGISTRATION DECISIONS)		
Explain how you communicate registration decisions to applicants who are: a) successful; and b) not granted registration. Include what information is provided with each type of decision.		
RESPONDENT ANSWER	**Explain the registration decision communication process:** a) Successful applicants: They are notified that they have met the registration requirements by email. b) Applicants not granted registration: They are notified they have not met the requirements for registration by email. They would also be informed of their right to appeal the decision: Policy for Responding to Applications .docx (mrcns.ca)	
REVIEW FINDINGS (To be completed by the FRPA Review Officer)	**Compliance Criteria** (pursuant to Sections 8(b), (c), (d), 10(1) of the FRPA)**:** Requirement that the regulating body:	**Compliant? (YES/NO)**
	• where registration is granted, provides written confirmation within a reasonable time to applicants;	YES
	• where registration is not granted:	
	○ provides written decisions that include reasons to applicants within a reasonable time respecting registration decisions;	YES
	○ provides, where practical, information respecting measures or programs that may be available to assist unsuccessful applicants in obtaining registration at a later date; and	YES
	○ informs the applicant of the internal review process and of the procedures and time frames for the internal review.	YES
Comments, to be completed by the FRPA Review Officer: Compliance with all of the above noted compliance criteria and associated FRPA Sections (cited above), as they pertain to the above FRPA review questions, was determined from: 1) the information provided above; 2) from information found on MRCNS' website (www.mrcns.ca/) on May 8, 2023; and 3) Additional information provided via e-mail on May 16, 2023.		

3.3: INTERNAL REVIEW/APPEAL PROCESS

Section 10 of the Act requires that regulating bodies provide unsuccessful applicants with a clear process to appeal a registration decision. Section 11 requires that those involved with reviewing registration decisions receive training on conducting such reviews. This section assesses compliance with these requirements.

QUESTION 9 (INTERNAL REVIEW PROCESS)

Do you have a documented internal review process for applicants who disagree with the registration decision?

If yes, describe the process including:

- time frames throughout the process; and
- opportunities available to the applicant to provide new information and make submissions with respect to their internal review; and
- how internal review decisions are communicated to applicants and what information is included with the decision; and
- a statement that no one who acted as a decision-maker in respect of a registration decision can act as a decision-maker in an internal review of that decision; and
- if availabbe, provide a link to this information published in the public domain.

Internal review: a rehearing, reconsideration, review or appeal or other process provided by a regulating body in respect of the merits of a registration decision, regardless of the terminology used to describe the process.

RESPONDENT ANSWER	☒ Yes ☐ No **If yes, explain:** This policy is laid out in our regulations and can be found on our website: https://mrcns.ca/wp-content/uploads/2023/03/Internal-Review-Process-.docx.pdf **If no, explain why not:**

REVIEW FINDINGS (To be completed by the FRPA Review Officer)	**Compliance Criteria** (pursuant to Sections 7(a) and 10, 16(3)(m) and (n) of the FRPA)**:** Requirement that the regulating body:	**Compliant? (YES/NO)**
	• has a documented internal review process;	YES
	• describes time frames associated with the internal review process;	YES
	• describes opportunities the applicant has to provide new information and make submissions with respect to their internal review;	YES
	• describes how internal review decisions are communicated to applicants and what information is included with the decision;	YES
	• ensures that no one who acted as a decision-maker in respect of a registration decision can act as a decision-maker in an internal review; and	YES
	• provides information on the internal review process in a publicly accessible manner.	YES

Comments, to be completed by the FRPA Review Officer:
Compliance with all of the above noted compliance criteria and associated FRPA Sections (cited above), as they pertain to the above FRPA review questions, was determined from:

1) the information provided above;

2) the information found on MRCNS' website (www.mrcns.ca/) on May 8, 2023; and
3) the following statement provided by MRCNS (via e-mail dated May 31, 2023):

"Please accept this e-mail as confirmation that no one who acted as a decision-maker in respect of a registration decision at MRCNS may act as a decision-maker in an internal review in respect of that registration decision."

QUESTION 10 (INTERNAL REVIEW TRAINING)		
Have the decision-makers for the internal review received training on conducting on an internal review? If so, describe the training.		
RESPONDENT ANSWER	☐ Yes ☒ No **If yes, please describe:** This committee has not met in some years. Professional training is targeted for our strategic planning development beginning in the fall of this year. In the interim, if needed, the committee would consult with colleagues and legal.	
REVIEW FINDINGS (To be completed by the FRPA Review Officer)	**Compliance Criteria** (pursuant to Sections 11 and 16(3)(p) of the FRPA)**:** Requirement that the regulating body:	**Compliant? (YES/NO)**
	• ensures that internal review decision-makers have received training on conducting an internal review; and	**NO**
	• describes the training.	**NO**

Comments, to be completed by the FRPA Review Officer:
The above response from MRCNS has not demonstrated compliance with Section 11 of the FRPA, which states:

> ***A regulating body shall ensure that individuals acting as decision makers in internal reviews receive training on conducting …an internal review.***

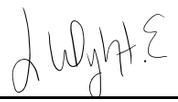
MRCNS does not currently have such training in place to provide to internal reviewers. Therefore, MRCNS is required to submit an action plan to address this deficiency. Pursuant to Subsection 16(12) of the FRPA, MRCNS is expected to demonstrate compliance within one year.

4. ACKNOWLEDGEMENTS:

The *Midwifery Regulatory Council of Nova Scotia* hereby declares that the information contained in this report is a true and accurate representation of its current registration practices and agrees to address the noted area of non-compliance as per the following Action Plan.

SIGNATURE OF THE AUTHORIZED MEMBER OF THE REGULATING BODY:

JENNY WRIGHT

X 

Name (print): Jenny Wright

DATE: 2023-08-19

5. Appendix A: Action Plan

Note: The intent of the Action Plan is to address the identified areas of non-compliance in accordance to Subsection 16(12) of the Fair Registration Practices Act, quoted here:

> ***Where the Review Officer, based on an assessment of the information provided in a report required under subsection (2), makes a finding that the registration practices of the regulating body are non-compliant with this Act or the regulations, the regulating body shall demonstrate compliance in the manner prescribed by the Review Officer within one year of the finding of non-compliance, unless the Review Officer extends the one-year deadline.***

Name of Regulating Body: Midwifery Regulatory Council of Nova Scotia

Action Plan Timelines:

Timelines for Action Plan Progress Updates					
	Action Plan Deadline	**Action Plan Progress Update 1**			
Due Date	2023-06-30	2024-05-31			
Actual Completed Date	2023-06-28				

Action Plan:

Action Plan – Area #1:	**Response to FRPA Review Question #10: "Internal Review Training".**
FRPA Sections:	**11 and 16(3)(p)**
Areas of non-compliance to be addressed:	MRCNS has not demonstrated compliance with Section 11 of the FRPA, which states: ***A regulating body shall ensure that individuals acting as decision makers in internal reviews receive training on conducting …an internal review.*** MRCNS does not currently have such training in place to provide to internal reviewers. Therefore, MRCNS is required to submit an action plan to address this deficiency. Pursuant to Subsection 16(12) of the FRPA, MRCNS is expected to demonstrate compliance within one year.

REGULATOR ACTION PLAN:	The make-up of the Council members of the MRCNS who sit on the Registration Appeal Committee does rotate based on a 2 year term, therefore the MRCNS has agreed that all council members will receive this training in the fall of 2023. The training will be mandatory for our current committee members – our chair, vice chair and public representative. The core issues covered in the training offered: Overview of the process (when and how matters are received, applicable legislative and policy requirements) - Committee meetings (how to prepare, tips on deliberations, and the role of the chair) - The principles of natural justice, fairness, bias, and conflicts of interest - How to make a decision (in this case, focusing on whether an appropriate process was followed in the original decision) - Preparing a written decision and reasons
INTENDED COMPLETION DATE:	October 2023
Year 1: Action Plan update. **Due: 2024-05-31**	
FRPA Review Officer Comments	