

ACTION PLAN - YEAR 1 PROGRESS UPDATE
SERVICE NOVA SCOTIA – HEARING AID SALESPERSON

This progress report shows that 7 of the 12 noted compliance areas (1-5, 7 and 11) are now in compliance.
 The remaining 5 Areas (6,7,8,10,12) are in progress, with a final progress report due on June 8, 2023. Full compliance is expected by that time.

ACTION PLAN TIMELINES:

TIMELINES FOR ACTION PLAN PROGRESS UPDATES				
	Action Plan Deadline	Action Plan Progress Update 1	Action Plan Progress Update 2	
Due Date	2021-04-12	2022-06-08	2023-06-08	
Actual Completed Date	2021-05-20	2022-06-08		

ACTION PLAN:

ACTION PLAN – AREA #1:	Response to FRPA Review Question #3 (Registration of International Applicants):
FRPA SECTIONS:	Sections 6, 7(a), (c), 9(a), 16(3)(a), (b) and (g)
AREAS OF NON-COMPLIANCE TO BE ADDRESSED:	<p>Areas of non-compliance to be addressed in an action plan are as follows:</p> <ul style="list-style-type: none"> - ensure that information regarding registration requirements and how requirements are to be met by international applicants is clear and easily accessible in the public domain through print and electronic media. - provide clear instructions on what documentation must accompany applications
REGULATOR ACTION PLAN:	<p>Standards for international applicants are the same as all applicants.</p> <p>The Hearing Aid Salesperson Permit webpage states all applicants must be 19 years of age or older and must be employed by a licensed Hearing Aid Dealer. In addition, they must meet <u>one of the following equivalent training requirements:</u></p> <ul style="list-style-type: none"> • a master’s degree in audiology <u>and</u> registration with the Nova Scotia College of Audiologists and Speech-Language Pathologists, or • a 6-month apprenticeship with a licensed hearing aid dealer <u>and</u> completion of the International Licensing Exam (ILE) <u>and</u> successful completion of the practical exam <p>For the degree path, Service Nova Scotia and Internal Services (SNS-IS) will update its application and website to clearly state that a copy of a Master’s Degree certificate <i>and</i> a NSCASLP certificate must be included with a new application.</p> <p>For the apprenticeship path, SNS-IS will clearly indicate on the application and website that proof of apprenticeship completion from a licensed hearing aid dealer is required with the application. The application and website will also state that SNS-IS will refer their contact information to ILE to arrange for examination and upon notification of passing, SNS-IS will arrange for practical examination via NSHSC.</p> <p>The application and website will specifically note that all, including those who have obtained their credentials outside Canada, may apply under the apprenticeship path.</p> <p>SNS-IS has confirmed with Labour Mobility that requiring a permanent civic business address does not impede labour mobility requirements under the CFTA.</p> <p>SNS-IS will inform NSCASLP that as a third-party assessor, we will need to have an agreement established clearly defining their role and adherence to fair registration practices. NSCASLP would also be fully informed of our standards of competency for this permit.</p>

INTENDED COMPLETION DATE:	July 1, 2021 (website) TBD (application)
Year 1: Action Plan update. Due: 2022-06-08	<p>Please review the following links - Hearing Aid Salesperson Permit - Government of Nova Scotia as well as the following application file - hearing-aid-salesperson-application-form-en.pdf (novascotia.ca). The site specifies the standard for all applicants. We also include the two site links for accreditation : Home Page - NSCASLP and ILE Home (ihinfo.org). Complete</p> <p>To clarify "The application and website will specifically note that all, including those who have obtained their credentials outside Canada, may apply under the apprenticeship path. The process is that same for both paths (inside and outside Canada). Completed – see above links. Several options provided to applying outside of Canada (under eligibility).</p> <p>In terms of regulatory item - <i>SNS-IS will inform NSCASLP that as a third-party assessor, we will need to have an agreement established clearly defining their role and adherence to fair registration practices. NSCASLP would also be fully informed of our standards of competency for this permit, - this will have to be a carryover item into the next progress report. We require extra time to address this issue. Pending to January 2023</i></p>
FRPA Review Officer Comments (2022-06-24)	It has been determined that the registration practices of the Department of Service Nova Scotia and Internal Services, as they pertain to International Applicants (FRPA Question#3) for Hearing Aid Salesperson permits, are compliant with the above cited sections of the FRPA.

ACTION PLAN – AREA #2:	Response to FRPA Review Question #4 (Registration of Interprovincial Applicants):
FRPA SECTIONS:	Sections 3, 6, 7(a), (c), 9(a), 16(a), (b) and (g)
AREAS OF NON-COMPLIANCE TO BE ADDRESSED:	<p>Areas of non-compliance to be addressed in an action plan are as follows:</p> <ul style="list-style-type: none"> - ensure that information about registration requirements and how requirements are to be met by applicants who received their qualification outside NS but within Canada is clear and easily accessible in the public domain through print and electronic media. - ensure that information about registration requirements and how requirements are to be met by applicants registered in another Canadian jurisdiction are based on certificate-to-certificate recognition and are clear and easily accessible on the public domain through print and electronic media. - provide clear instructions on what documentation must accompany applications
REGULATOR ACTION PLAN:	<p>Current standards for non-Nova Scotia Canadian applicants are the same as all applicants.</p> <p>The Hearing Aid Salesperson Permit webpage states all applicants must be 19 years of age or older and must be employed by a licensed Hearing Aid Dealer. In addition, they must meet <u>one of the following equivalent training requirements:</u></p> <ul style="list-style-type: none"> • a master’s degree in audiology <u>and</u> registration with the Nova Scotia College of Audiologists and Speech-Language Pathologists, or • a 6-month apprenticeship with a licensed hearing aid dealer <u>and</u> completion of the International Licensing Exam (ILE) <u>and</u> successful completion of the practical exam <p>SNS-IS will research and investigate the policy and legislative options in recognizing registrations and licensure from other provinces, in compliance with the CFTA. Timelines will be determined once an option is decided upon.</p> <p>SNS-IS has confirmed with Labour Mobility that requiring a permanent civic business address does not impede labour mobility requirements under the CFTA.</p>
INTENDED COMPLETION DATE:	TBD
Year 1: Action Plan update. Due: 2022-06-08	Actions above are compliant – no further info required
FRPA Review Officer Comments (2022-06-24)	It has been determined that the registration practices of the Department of Service Nova Scotia and Internal Services, as they pertain to applicants who are registered in another Canadian jurisdiction (FRPA Question#4) for Hearing Aid Salesperson permits, are compliant with the above cited sections of the FRPA.

ACTION PLAN – AREA #3:	Response to FRPA Review Question #6 (Allowance for Alternative Documentation):
FRPA SECTIONS:	Sections 9(b), 16(3)(c)
AREAS OF NON-COMPLIANCE TO BE ADDRESSED:	<p>Areas of non-compliance to be addressed in an action plan are as follows:</p> <ul style="list-style-type: none"> - document guidelines that describe alternatives that would be acceptable when documentation that must accompany an application cannot be obtained for reasons beyond the applicant's control
REGULATOR ACTION PLAN:	<p>To ensure a policy and practice is in place to accept alternative documentation where required documents cannot be obtained for reasons outside the applicant's control, SNS-IS will review existing templates and its regulatory flexibility in interpreting the regulation that applicants must "demonstrate to the Registrar's satisfaction that they meet the standards of competency." SNS-IS will explore consultation with subject matter experts to develop information sharing agreement(s) if necessary. SNS-IS will document any new processes and guidelines.</p> <p>SNS-IS will be sure to inform applicants in this position that the apprenticeship application path remains a viable licensing option.</p>
INTENDED COMPLETION DATE:	February 1, 2022
Year 1: Action Plan update. Due: 2022-06-08	<p>Complete for June 22 – <i>to accept alternative documents was added to our Business Licensing policy document. The policy is as stated "Accommodations if applicant is unsuccessful Issue: If applicant is unsuccessful, SNS-IS will inform applicants in this position that the apprenticeship application path remains a viable licensing option, the degree or apprentice application paths remain available to any individual 19+ who is employed by a licensed NS hearing aid dealer.</i></p> <p>Decision: Licensing would advise if credentials aren't acceptable and provided with other paths. The application and website also note that any applicant requiring accommodation may request them. Date: Apr 27 2022 Jim Kochanoff</p>
FRPA Review Officer Comments (2022-08-10)	It has been determined that the registration practices of the Department of Service Nova Scotia and Internal Services, as they pertain to applicants for Hearing Aid Salesperson permits, are compliant with the above cited sections of the FRPA.

ACTION PLAN – AREA #4:	Response to FRPA Review Questions #8 and 9 (Accommodation Practices for Applicants with A Physical or Mental Disability):
FRPA SECTIONS:	Sections 16(3)(h)
AREAS OF NON-COMPLIANCE TO BE ADDRESSED:	<p>Areas of non-compliance to be addressed in an action plan are as follows:</p> <ul style="list-style-type: none"> - document a description of the accommodation practices for applicants which includes: <ul style="list-style-type: none"> - how to request an accommodation - guidelines regarding types of accommodations - ensure that practices are adaptable if a new situation arises
REGULATOR ACTION PLAN:	<p>To ensure accommodations are available for applicants with a physical disability or mental disability, SNS-IS will review existing templates and its regulatory flexibility in interpreting the regulation that applicants must "demonstrate to the Registrar's satisfaction that they meet the standards of competency." SNS-IS will explore consultation with subject matter experts to develop information sharing agreement(s) if necessary. SNS-IS will document any new processes and guidelines.</p> <p>SNS-IS will be sure to inform applicants that the degree or apprentice application paths remain available to any individual 19+ who is employed by a licensed NS hearing aid dealer. The application and website will also note that any applicant requiring accommodation may request them.</p>
INTENDED COMPLETION DATE:	February 1, 2022
Year 1: Action Plan update. Due: 2022-06-08	Complete for June 22 – Senior advisor for Diversity Equity Inclusion reviewed website/application and any changes were uploaded.

FRPA Review Officer Comments (2022-06-24)	It has been determined that the registration practices of the Department of Service Nova Scotia and Internal Services, as they pertain to applicants for Hearing Aid Salesperson permits, are compliant with Section 16(3)(h) of the FRPA.
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ACTION PLAN – AREA #5:	Response to FRPA Review Questions #10 and 11 (Assessment Criteria):
FRPA SECTIONS:	Sections 7(a), (d), 16(3)(b) and (i)
AREAS OF NON-COMPLIANCE TO BE ADDRESSED:	<p>Areas of non-compliance to be addressed in an action plan are as follows:</p> <ul style="list-style-type: none"> - document all criteria that are used to assess whether requirements for certification have been met - ensure that information is clear and easily accessible in the public domain through print and electronic media.
REGULATOR ACTION PLAN:	<p>The Hearing Aid Salesperson Permit webpage states all applicants must be 19 years of age or older and must be employed by a licensed Hearing Aid Dealer. In addition, they must meet <u>one of the following equivalent training requirements</u>:</p> <ul style="list-style-type: none"> • a master’s degree in audiology <u>and</u> registration with the Nova Scotia College of Audiologists and Speech-Language Pathologists, <p>or</p> <ul style="list-style-type: none"> • a 6-month apprenticeship with a licensed hearing aid dealer <u>and</u> completion of the International Licensing Exam (ILE) <u>and</u> successful completion of the practical exam <p>For the degree path, Service Nova Scotia and Internal Services (SNS-IS) will update its application and website to clearly state that a copy of a Master’s Degree certificate from an accredited Canadian institution and a NSCASLP certificate must be included with a new application.</p> <p>For the apprenticeship path, SNS-IS will clearly indicate on the application and website that proof of apprenticeship completion from a licensed hearing aid dealer is required with the application. The application and website will also state that SNS-IS will refer their contact information to ILE to arrange for examination and upon passing, SNS-IS will then arrange for practical examination.</p>
INTENDED COMPLETION DATE:	July 1, 2021 (website) TBD (application)
Year 1: Action Plan update. Due: 2022-06-08	Complete - Both the website and updated application reflect the above training requirements - Hearing Aid Salesperson Permit - Government of Nova Scotia as well as the following application file - hearing-aid-salesperson-application-form-en.pdf (novascotia.ca) .
FRPA Review Officer Comments (2022-06-24)	It has been determined that the registration practices of the Department of Service Nova Scotia and Internal Services, as they pertain to applicants for Hearing Aid Salesperson permits, are compliant with the above cited sections of the FRPA.

ACTION PLAN – AREA #6:	Response to FRPA Review Question #12 (Internal Review Process):
FRPA SECTIONS:	Sections 8(c), 10(1), 16(3)(m)
AREAS OF NON-COMPLIANCE TO BE ADDRESSED:	<p>Areas of non-compliance to be addressed in an action plan are as follows:</p> <ul style="list-style-type: none"> - document a process to ensure that applicants who are not granted registration are provided with a written decision that includes the reasons why registration has been denied - ensure that information about the internal review process is provided to applicants who have not been granted registration.
REGULATOR ACTION PLAN:	<p>SNS-IS will develop and document an internal process that ensures denied applicants receive a decision in writing which includes:</p> <ul style="list-style-type: none"> • an explanation of the reasons for the denial • referral to NSCASLP and NSHSC for training opportunities • information about the internal review process (i.e. the Advisory Board).
INTENDED COMPLETION DATE:	July 1, 2021
Year 1: Action Plan update.	Pending to Jan 2023.

Due: 2022-06-08	
FRPA Review Officer Comments (2022-06-24)	As noted by the regulating body, this area is a work in progress. Therefore, a Year 2 progress report will be required. Compliance is expected to be achieved by that time.

ACTION PLAN – AREA #7:	Response to FRPA Review Question #13 (Support provided to unsuccessful applicants):
FRPA SECTIONS:	Section 8(d)
AREAS OF NON-COMPLIANCE TO BE ADDRESSED:	<p>Areas of non-compliance to be addressed in an action plan are as follows:</p> <ul style="list-style-type: none"> - consider opportunities that might be available to support future success such as referral to a relevant training program, practice exam, etc. - provide information with respect to measures or programs that may be available to assist unsuccessful applicants in obtaining certification, at a later date
REGULATOR ACTION PLAN:	<p>SNS-IS will develop and document an internal process that ensures denied applicants receive a decision in writing which includes:</p> <ul style="list-style-type: none"> • an explanation of the reasons for the denial • specific referral to NSCASLP and NSHSC for training opportunities • information about the internal review process (i.e. the Advisory Board).
INTENDED COMPLETION DATE:	July 1, 2021
Year 1: Action Plan update. Due: 2022-06-08	Pending to Jan 2023 Fair Registration Practices Act (nslegislature.ca)
FRPA Review Officer Comments (2022-06-24)	As noted by the regulating body, this area is a work in progress. Therefore, a Year 2 progress report will be required. Compliance is expected to be achieved by that time.

ACTION PLAN – AREA #8:	Response to FRPA Review Questions #14 and 15 (Internal Review Process):
FRPA SECTIONS:	Sections 7(a), 10(1)(2)(4) and 16(3)(m)
AREAS OF NON-COMPLIANCE TO BE ADDRESSED:	<p>Areas of non-compliance to be addressed in an action plan are as follows:</p> <ul style="list-style-type: none"> - document a clearly defined process for an internal review of the registration decision which includes: <ul style="list-style-type: none"> - procedures - timeframes - opportunities the applicant has to provide new information and to make submissions in support of their position (e.g. documented evidence, hearing, etc.) - ensure that information on the internal review process is clear and easily accessible in the public domain through print and electronic media - document the timeline and process by which an applicant who has been denied registration is informed about the procedures and time frames for the internal review.
REGULATOR ACTION PLAN:	<p>Section 8 of the Direct Sellers Regulations states:</p> <p>8 (1) In determining whether to grant, refuse, cancel or reinstate a Category H1 or H2 direct seller’s permit or a salesperson’s permit, the Registrar may, if the Registrar considers it necessary, establish an Advisory Board consisting of 4 members, as follows:</p> <ul style="list-style-type: none"> (a) the Registrar, or another person appointed by the Registrar as the representative of the Registrar; (b) 1 member selected and appointed by the Registrar to represent the hearing-aid industry; (c) 1 member selected and appointed by the Registrar to represent the medical profession; (d) 1 member selected and appointed by the Registrar to represent hearing-aid users.

	<p>(2) After the Advisory Board referred to in subsection (1) considers any matter submitted to it by the Registrar, the Board shall make a recommendation to the Registrar in writing, and the Registrar shall take such recommendation into consideration when making his decision.</p> <p>With this authority in place, SNS-IS will develop and document a plain language process which details the steps applicants may take to request a review and submit additional documentation. Instructions and timelines for the process will be publicly available and communicated to denied applicants. Decisions and rationale will be provided to applicants in writing.</p> <p>Under Subsection 3(4) of the <i>Direct Sellers' Regulation Act</i>, a deputy registrar may perform any of the duties and exercise any of the powers of the Registrar as directed by the Registrar. A policy and process will be created and documented to ensure a Registrar or Deputy Registrar does not participate in an internal review of their own decision</p>
INTENDED COMPLETION DATE:	February 1, 2022
Year 1: Action Plan update. Due: 2022-06-08	Pending to Jan 2023
FRPA Review Officer Comments (2022-06-24)	As noted by the regulating body, this area is a work in progress. Therefore, a Year 2 progress report will be required. Compliance is expected to be achieved by that time.

ACTION PLAN – AREA #9:	Response to FRPA Review Question #16 (Access to Registration Records):
FRPA SECTIONS:	Sections 12 and 16(3)(j)
AREAS OF NON-COMPLIANCE TO BE ADDRESSED:	<p>Areas of non-compliance to be addressed in an action plan are as follows:</p> <ul style="list-style-type: none"> - develop and document a clearly defined process under which requests for access to records will be considered, including: <ul style="list-style-type: none"> - the process by which an applicant may make a request - any limitations with regards to access - any fees associated with the request
REGULATOR ACTION PLAN:	<p>SNS-IS will develop and document a plain language process which details the steps applicants may take to request access to their records, as well as any restrictions or associated fees.</p> <p>Contact information for the Office of the Information and Privacy Commissioner for Nova Scotia may be provided as well.</p>
INTENDED COMPLETION DATE:	July 1, 2021
Year 1: Action Plan update. Due: 2022-06-08	. The only records required for access would be the applicant's initial application and any educational or supporting documents they provided. If the applicant no longer has these items, our office will provide copies on demand dependant on the retention schedules of Star/Stor. For example, if the application was provided with the last two years would be much easier to provide than a submission made twenty years ago.
FRPA Review Officer Comments (2022-06-24)	It has been determined that the registration practices of the Department of Service Nova Scotia and Internal Services, as they pertain to applicants for Hearing Aid Salesperson permits, are compliant with the above cited sections of the FRPA.

ACTION PLAN – AREA #10:	Response to FRPA Review Questions #17 and 18 (Internal Review Process):
FRPA SECTIONS:	Sections 10(5) and 16(3)(n)
AREAS OF NON-COMPLIANCE TO BE ADDRESSED:	<p>Areas of non-compliance to be addressed in an action plan are as follows:</p> <ul style="list-style-type: none"> - document the process that is used to ensure that no one who acted as a decision-maker in a registration decision may act as a decision-maker in an internal review of the same decision - include in the description of the internal review process a statement to the effect that no one who acted as a decision maker in a registration decision may act as a decision maker in an internal review of the same decision

REGULATOR ACTION PLAN:	<p>SNS-IS will develop and document a plain language process which details the steps applicants may take to request a review and submit additional documentation.</p> <p>Instructions and timelines for the process will be publicly available and communicated to denied applicants. Decisions and rationale will be provided to applicants in writing.</p> <p>This process will include the requirement that no one who acted as a decision-maker will take part in the internal review process and will contain a clear statement to that effect.</p> <p>Under Subsection 3(4) of the <i>Direct Sellers' Regulation Act</i>, a deputy registrar may perform any of the duties and exercise any of the powers of the Registrar as directed by the Registrar. A policy and process will be created and documented to ensure a Registrar or Deputy Registrar does not participate in an internal review of their own decision.</p> <p>SNS-IS will consult with Justice to determine whether to implement policy that the Registrar must accept the recommendation of the Advisory Board, or to amend the Regulations to formal referral to the Ministerial level.</p>
INTENDED COMPLETION DATE:	February 1, 2022
Year 1: Action Plan update. Due: 2022-06-08	Pending to Jan 2023 .
FRPA Review Officer Comments (2022-06-24)	As noted by the regulating body, this area is a work in progress. Therefore, a Year 2 progress report will be required. Compliance is expected to be achieved by that time.

ACTION PLAN – AREA #11:	Response to FRPA Review Question #19 (Internal Review Process):
FRPA SECTIONS:	Sections 10(3)
AREAS OF NON-COMPLIANCE TO BE ADDRESSED:	<p>Areas of non-compliance to be addressed in an action plan are as follows:</p> <ul style="list-style-type: none"> - ensure that the internal review process includes a requirement for decision makers to provide applicants with a written decision that includes reasons - the internal review process describes the timeframe for a decision to be communicated to the applicant
REGULATOR ACTION PLAN:	<p>SNS-IS will develop and document an internal process requiring the Advisory Board to provide a written decision and rationale within an established period of time.</p> <p>Instructions and timelines for the process will be communicated to denied applicants.</p>
INTENDED COMPLETION DATE:	February 1, 2022
Year 1: Action Plan update. Due: 2022-06-08	Pending to Jan 2023
FRPA Review Officer Comments (2022-06-24)	<p>It has been determined that the registration practices of the Department of Service Nova Scotia and Internal Services, as they pertain to applicants for Hearing Aid Salesperson permits, and as communicated in the original response to Question 19 of the May 2021 FRPA review report, which stated:</p> <p style="text-align: center;"><i>“Results would be communicated through letter or email with the reasoning [for] ...the decision within 10 days.”</i></p> <p>are compliant with Section 10(3) of the FRPA (as referenced above), which states:</p> <p style="text-align: center;"><i>“An internal review decision-maker shall provide an applicant with a written decision that includes reasons within a reasonable time.”</i></p>

ACTION PLAN – AREA #12:	Response to FRPA Review Question #20 (Internal Review Training):
FRPA SECTIONS:	Sections 11, 16(3)(p)
AREAS OF NON-COMPLIANCE TO BE ADDRESSED:	<p>Areas of non-compliance to be addressed in an action plan are as follows:</p> <ul style="list-style-type: none"> - ensure that individuals acting as decision-makers in internal reviews receive training on conducting an internal review. - develop a plan and document training provided to individuals who make internal review decisions
REGULATOR ACTION PLAN:	<p>SNS-IS will consult other regulatory bodies under FRPA and research external options for training on conducting internal reviews.</p> <p>A training plan will be developed and documented to ensure accepted standards of formal review practices, and training will be provided to any individuals who may participate on the Advisory Board.</p>
INTENDED COMPLETION DATE:	February 1, 2022
Year 1: Action Plan update. Due: 2022-06-08	Pending to Jan 2023
FRPA Review Officer Comments (2022-06-24)	As noted by the regulating body, this area is a work in progress. Therefore, a Year 2 progress report will be required. Compliance is expected to be achieved by that time.

SIGNATURE OF THE AUTHORIZED MEMBER OF THE REGULATING BODY:

X Jim Kochanoff

Name (print): Jim Kochanoff

DATE: 2022-08-16