

FOOT NOTES

November 2018

The newsletter of the College of Podiatric Surgeons of British Columbia

The regulator of the profession of podiatric medicine and surgery in B.C.

2019 REGISTRATION RENEWAL HAS BEGUN

Invoices, Form 4 Applications for Annual Renewal of Registration, Continuing Education Report forms and supporting information, and additional questions sheets were sent out to all registrants either by MTS courier or post on October 25, 2018.

Registrants were also sent the Self-Assessment Questionnaire by email; and it is available to download on the College website.

All renewal requirements are due by December 31, 2018.

IN THIS ISSUE:

2019 Registration Renewal	1
2019 Fees	1
Autofilled Form 4	1
College Relocation	1
Current CPodSBC Board & Staff	1
Committee News - QAC	2
Surgical Safety Checklist	2
Autoclave Testing - Correction	2
Narcotic Module Revision	2
Cannabis and Podiatric Practice	3
Patients & Absolute Privilege	4
Liability Waivers Ineffective	4
Offering Money to stop complaint	4
Practice for Sale	4
Future of Podiatry Regulation	5
Registrar's Office	5
A Goodbye from the Registrar	5

LOWER 2019 FEES

The Board has set the Full class registration fee for 2019 at **\$3200**. As before, the fee may be paid in two installments; now in the amount of \$1600 each.

Post-dated cheques must be made payable by January 1 and July 1, 2019. Cheques must be received at the College office by December 31, 2018.

AUTOFILLED FORM 4

The 2019 registration renewal Form 4 has been auto-filled with registrants' names, registration numbers, and clinic locations and contact info.

Registrants must provide any corrections or changes to the College office, in order that the College's records are kept accurate, current and complete.

THE COLLEGE OFFICE IS MOVING !

When the CPodSBC current lease in North Vancouver expires on November 30, 2018, the College will move to new space within the Vancouver location of the College of Physicians and Surgeons.

**As of December 1, 2018, the new address is: College of Podiatric Surgeons of British Columbia
750 - 669 Howe Street, Vancouver, B.C. V6C 0B4**

It is anticipated at this point that the CPodSBC email, telephone and fax coordinates will remain unchanged. The move will occur between November 28 - 30, 2018, and we apologize in advance for any inconvenience.

Gavin Chalmers DPM
Julie Yee DPM

COLLEGE BOARD
Dana Alumbaugh DPM, Chair
Hiedi Postowski DPM

Kenneth Stewart, Public Member
Vacant, Public Member

Louise Crowe, Deputy Registrar

STAFF
Valerie Osborne JD, Registrar

Chris Ray, Bookkeeper

QUALITY ASSURANCE NEWS

SURGICAL PATIENT SAFETY CHECKLIST

On the recommendation of the Quality Assurance Committee, the Board at their November 17, 2018 meeting approved a Surgical Safety Checklist, to be used by any registrant when performing surgery on a patient.

The checklist is an important patient safety tool and is posted on the College website at <http://www.cpodsbcc.org/quality-assurance/standards-guidelines/standards/>.

AUTOCLAVE TESTING - CORRECTION

The following message appeared in edition 18-03 of the Footnotes newsletter:

Reminder: all podiatric practices must conduct weekly biological indicator (spore) testing to ensure autoclave efficacy. *SPS Class 5 Steam Plus Integrators are acceptable for weekly autoclave tests as an alternative to biological indicators.*

The italicized sentence was based on a miscommunication and is not accurate in that it does not represent the position of the Board or Quality Assurance Committee. Our thanks to Dr. Marc Lindy who brought this to the attention of the College. The SPS Class 5 chemical indicators do not have the same level of efficacy as biological indicators in detecting sterilization failures, and the College requires the level of efficacy provided by biological indicators.

Thus, the position of the College is: ***SPS Class 5 Steam Plus Integrators are NOT acceptable for weekly autoclave tests as an alternative to biological indicators.***

CPODSBC NARCOTIC MODULE & EXAM – UNDER REVISION

The Board has recently tasked the Quality Assurance Committee to generally revise the College's Narcotics Module and exam to bring the contents up to date and more in step with the law and regulatory and patient care issues in B.C.

The Committee has been asked to submit the final product by the end of January 2019.

Registrants are reminded that in the interim, pending the implementation of a new, revised module, the Narcotics exam is an optional CE source and worth 3 credits. Previously registrants were required to take the module at least every 5 years for 4 CE credits.

Registrants may take the narcotics module exam annually if they wish, for CE credit.

POT AND PODIATRY - POINTERS FOR PRACTITIONERS

Adapted from the websites of Health Canada and the College of Dental Surgeons of BC.

What podiatrists should know about cannabis (marijuana) legalization

Consumption by podiatrists

Cannabis (marijuana) was made legally available in Canada as of October 17, 2018. The new law does not change registrants' professional obligation toward patients to act at all times ethically and professionally. Registrants must be capable of performing their duties in a safe and effective manner.

Registrants who are impaired may not practise or provide patient care.

Evidence shows that residual effects of cannabis can influence psychomotor and cognitive functioning, causing confusion, drowsiness, impaired memory, anxiety and reduced reflexes which can persist for hours to days after consumption.

Registrants should not consume cannabis if immediate or lingering effects will affect their ability to deliver care in an unimpaired manner.

Note also that WorksafeBC regulations prohibit workers from being impaired while they work and require employers to remove impaired workers from the workplace. This is the law in B.C.

Consumption by patients

Practitioners must always be alert to any challenges to a patient's ability to provide informed consent. A patient whose cognitive ability is affected by marijuana, or any other substance, may not be capable of providing informed consent to any diagnostic or treatment care.

Discussions with patients about the potential use of marijuana for pain should include the fact that there is no objective, evidence-based support of the touted benefits of cannabis.

Note also that it is illegal for anyone under 19 in B.C to buy, possess or use cannabis.

For additional information see various federal Health Canada and BC provincial resources, such as:

- <https://www.canada.ca/en/health-canada/services/drugs-medication/cannabis/health-effects/effects.html>
- <https://www.canada.ca/en/health-canada/services/drugs-medication/cannabis/medical-use-cannabis.html>
- <https://cannabis.gov.bc.ca/>

PATIENT PROTECTION FOR FILING OF COMPLAINTS

Patients are protected by absolute privilege

Practitioners at times face difficult encounters with patients. In some, a patient may threaten or proceed to file a complaint to the College alleging a lack of competence or care. These are understandably very difficult situations for registrants, but registrants must act professionally and avoid engaging in threatened or actual reprisals against the patient.

For example, it is not appropriate to convey or even imply to a patient that the patient could be sued civilly, because they file a complaint to a regulatory body. The BC Courts have confirmed more than once that an individual who makes a complaint to a professional regulator is protected by absolute privilege; this means that even if the patient acted in bad faith, they cannot be held liable. This protection enables patients to step forward without fear of civil repercussions. Without this protection, the public interest in effective professional self-governance would be compromised. This also protects the profession's reputation for integrity.

LIABILITY WAIVERS & COMPLAINTS

The College has recently addressed the question of whether a podiatrist may request that a patient sign a waiver of liability, that purports to remove the patient's ability or right to make a complaint to the College. The answer is NO; podiatrists are NOT permitted to do this. It is improper to make such overtures to a patient. For one, you cannot contract away your professional responsibility.

MONEY SETTLEMENTS & COMPLAINTS

This College has previously advised registrants that practitioners are free to compensate a dissatisfied patient, for example by reduction or refund of a podiatry care bill. However, registrants are NOT permitted to make the payment of any money to a patient contingent or conditional on the patient withdrawing or withholding from making a complaint to the College. This also is improper. This is why....

.... in both situations, no such agreement is effective; a patient cannot contract away the right to make a complaint to a regulatory body. A podiatrist who leads their patient to believe that this right can be waived, paid or contracted away is misleading the patient. This is a serious matter; obtaining or attempting to obtain such an agreement could be considered misconduct.

PRACTICE FOR SALE

Kerrisdale area of Vancouver. Contact Dr. Paul Karasz, 604-264-8586.

NOTE: It is in the public interest that practitioners in BC and elsewhere who might have an interest in relocating to BC are aware of practice opportunities. On this basis, the College will publish objective information about practice opportunities including practices for sale.

FUTURE OF REGULATION OF PODIATRIC MEDICINE

As registrants know, the Ministry of Health is considering the possibility of BC's podiatrists becoming registrants of the College of Physicians and Surgeons (CPS). As the CPodS is very so very tiny we are not able to bring the efficiencies and resources of the CPS to our regulatory obligations. General medicine is the profession that best aligns with podiatric medicine's training and scope of practice. For these reasons, transfer of regulation and consolidation of regulatory structures under the CPS would serve the public interest. The question is still at the proposal stage with the Ministry and the final decision must be made by the Minister of Health. No decision is expected until sometime in 2019 after delivery to the Minister of an external report on the operation of the Health Professions Act and the proposed future of regulation in BC.

REGISTRAR'S OFFICE & POSITION

We are pleased to announce that effective November 6, 2018, **Louise Crowe** was appointed as **Deputy Registrar** of the College by the Board.

The Deputy Registrar may perform all duties and exercise all powers of the Registrar, subject to the direction of the Registrar. Further, if the Registrar is absent for any reason, the Deputy Registrar may perform, all duties and exercise all powers of the Registrar.

Ms. Crowe will be instrumental in assisting the College in the transition from the current Registrar.

A GOODBYE FROM THE REGISTRAR

Five years (almost to the day) has flown by; at the end of November 2018 I will retire from the Registrar's position. It has been a privilege to assist the profession in self-regulation. We made many changes in the past few years, and I hope to have meaningfully assisted the College to develop and bring its policy and operational framework much closer to what it should be in carrying out the regulatory mandate under the Health Professions Act.

I wish to sincerely thank all Board members and Committee members who have served with professionalism and principle during my tenure, and the registrants, especially those who took time to contact the office with any questions, thanked us for the job we must do even when they were not receiving good news, and who occasionally read the newsletters and website!

The College consists of the Board and its registrants; you are integral to your own governance. Consider standing for election or for a committee and bring your valuable experience to the table.

I am not in a position to announce my successor as the Chair is seized of that privilege. You can expect an announcement very soon. I wish the new Registrar great enjoyment and every success, and I wish you all the same throughout your professional practice careers.

Sincerely, Val O.

College of Podiatric Surgeons of British Columbia
101-850 Harbourside Drive, North Vancouver, B.C. V7P 0A3
Tel: 604-986-0403 Fax at 604-986-0399
Email : admin@cpodsbcc.org

