

Memorandum of Understanding
to Support Physiotherapy Labour Mobility
within Canada

December 9, 2019

Amended April 28, 2020



PURPOSE

The purpose of this document is to describe the commonalities upon which national labour mobility for registered physiotherapists¹ is established and to document the profession's commitment to facilitate the movement of physiotherapists among all Canadian jurisdictions.

DEFINITIONS

Defined terms are marked with an asterix [*] the first time the term appears in the main text.

Competencies

A cluster of related knowledge, skills and attitudes that affect a major part of one's job (a role or responsibility) that correlate with performance on the job and can be measured against accepted standards. These are specifically described in the *Competency Profile for Physiotherapists in Canada* (National Physiotherapy Advisory Group, 2017).

Good character

The absence of findings or documentation of either legal or administrative proceedings and relevant to an applicant's practice as a physiotherapist.

Occupational requirement

A condition, other than an occupational standard, imposed by a regulatory organization for the practice of an occupation (e.g. supervision).

Occupational standard

The knowledge, skills and abilities required for an occupation as established by a regulatory organization and against which the qualifications of an individual in that occupation are assessed (e.g. examination).

Regulatory organization

The organization authorized by statute to regulate physiotherapists and/or the practice of physiotherapy.

Scope of practice

A profession's scope of practice encompasses the services its practitioners are educated, competent, and authorized to provide. The overall scope of practice for the profession sets the outer limits of practice for all practitioners. The actual scope of practice of individual practitioners is influenced by the settings in which they practice, the requirements of the workplace, and the needs of their patients or clients. (Canadian Alliance of Physiotherapy Regulators et al., 1998).

PARTIES

This document is supported by the provincial/territorial regulatory organizations* for physiotherapy in Canada.

¹ For the purpose of this document physiotherapist/physiotherapy is synonymous with physical therapist/physical therapy.

WHEREAS:

- 1.1 The scope of practice* of physiotherapy in Canada is substantially similar regardless of Canadian jurisdiction;
- 1.2 All regulatory organizations utilize the *Competency Profile for Physiotherapists in Canada* (National Physiotherapy Advisory Group, 2017) as fundamental to their entry-to-practice standard, professional practice standards and practice evaluation processes;
- 1.3 All jurisdictions recognize the use of Physiotherapy Education Accreditation Canada (PEAC) standards as the platform for academic accreditation nationally;
- 1.4 The system for credential evaluation established by the Canadian Alliance of Physiotherapy Regulators (CAPR) is utilized by all provincial/territorial regulatory organizations except l'Ordre professionnel de la physiothérapie du Québec (OPPQ). The CAPR system and the credential assessment process utilized by OPPQ have been determined to be equivalent;
- 1.5 The Physiotherapy Competency Examination (PCE) established and administered by CAPR is utilized by all provincial/territorial regulatory organizations except OPPQ. The PCE and the competency assessment process utilized by OPPQ have been determined to be equivalent;
- 1.6 Québec Regulation C-26, r.203 requires that all physiotherapist candidates who are graduates of an education program outside of Québec, seeking licensure in Québec, must successfully pass CAPR's PCE or an equivalent synthesis exam;
- 1.7 The OPPQ has signed the Quebec-France Agreement, however this does not give candidates trained in France direct permit-on-permit recognition in Quebec. Candidates from two French universities may apply for a 'fast-track' of the competency assessment for internationally-educated physiotherapists in Quebec. If these candidates complete a 16-month, 55-credit curriculum at Université de Montréal, they become eligible for a full, independent practice licence in Quebec. All other candidates trained in France are eligible to become physical rehabilitation therapists (thérapeutes en réadaptation physique) who work under the Regulation respecting the categories of permits issued by the OPPQ.
- 1.8 The physiotherapy regulatory organizations have contributed to the development of the following shared documents and strive, with their Council/Board approval, to implement them to the extent that is practically possible within their jurisdiction:
 - 1.8.1 *Core Standards of Practice for Physiotherapists in Canada* (CAPR, 2016)
 - 1.8.2 *Code of Ethical Conduct* (CAPR and Canadian Physiotherapy Association, 2019)
 - 1.8.3 *Report of the Good Character* Work Group* (CAPR, May 2017), and *Good Character & Reputation Decision-making Guidelines* (CAPR, December 2017)
 - 1.8.4 *Framework for Entry-to-Practice Supervision by Physiotherapy Regulators in Canada* (CAPR, December 2014)
 - 1.8.5 Other cooperatively developed guidelines, position statements and value statements available on the website of the [Canadian Alliance of Physiotherapy Regulators](#)
- 1.9 The definitions articulated in this document have equivalent meaning and interpretation in each jurisdiction; and
- 1.10 Any changes to foundational documents or processes including those deemed equivalent require a systematic review and confirmation by all parties to maintain integrity.

THE PARTIES AGREE:

- 2.1 To take steps to reconcile differences in occupational standards* to the extent possible and where practical. CAPR shall provide support to facilitate the resolution of identified inconsistencies. Where regulatory organizations cannot come to an agreement, the parties shall utilize labour mobility dispute resolution avenues available through their respective provincial/territorial governments;
- 2.2 That in keeping with the Canadian Free Trade agreement (Article 706), if a party proposes modification or adoption of new occupational standards or requirements*, the process shall occur in a manner conducive to the inter-provincial/territorial labour mobility of physiotherapists. The parties also agree to afford other parties an adequate opportunity to comment on the occupational standard(s) and requirement(s);
- 2.3 To promote and maintain awareness of this Memorandum of Understanding by:
 - 2.3.1 including it in the orientation of each new member of the CAPR Registrars Committee,
 - 2.3.2 reviewing the document annually at a meeting of the CAPR Registrars Committee, and
 - 2.3.3 engaging in regular consultation regarding how the application, or any substantive changes in the application, of occupational standards or requirements affect the labour mobility of physiotherapists;
- 2.4 That to protect the public, the certification of workers in the profession of physiotherapy will occur on a 'permit-on-permit' basis, where there are no material deficiencies in scope, competencies*, and level of independent practice between the registration categories across jurisdictions.
- 2.5 That where there are conditions, limitations or restrictions on a permit, a regulatory organization may make an assessment to apply the equivalent condition, limitation or restriction in their respective jurisdiction – or, if the regulatory organization has no provision for applying an equivalent limited, restricted or conditional certification, it may refuse to certify the physiotherapist.
- 2.6 That, in Canadian jurisdictions outside of Quebec, there are no provisions to provide registration of any kind to an individual licenced as a physical rehabilitation therapist (thérapeute en réadaptation physique) by the OPPQ;

PARTIES:

Professional Licensing and Regulatory Affairs, Government of Yukon

College of Physical Therapists of British Columbia

Physiotherapy Alberta – College + Association

College of Physiotherapists of Manitoba

College of Physiotherapists of Ontario

Ordre professionnel de la physiothérapie du Québec

College of Physiotherapists of New Brunswick/Collège des physiothérapeutes du Nouveau-Brunswick

Nova Scotia College of Physiotherapists

Prince Edward Island College of Physiotherapists

Newfoundland and Labrador College of Physiotherapists

HISTORICAL OVERVIEW OF KEY ACTIVITIES RELATED TO THE CANADA FREE TRADE AGREEMENT AND PHYSIOTHERAPY

- 1995
 - *Agreement on Internal Trade* (AIT) comes into effect July 1. Chapter 7 of the AIT refers to labour mobility - to enable any worker who is qualified (licensed, certified or registered) in a province/territory to be granted access to employment opportunities in their occupation in other provinces and territories.
- 1996
 - “File” representatives from Labour Mobility Coordinating Group (LMCG) are appointed to physiotherapy.
 - HRSDC began to release funds to promote national face to face meetings.
 - CAPR appointed by registrars to act as coordinator of AIT activity across jurisdictions.
- 1997
 - First face to face meeting of AIT task group held. Group composed of representatives from each province and territory. Not all Registrars present.
- 1998
 - Comparative analysis of credential review process of CAPR and the OPPQ was initiated.
- 1999
 - Governments committed to ensure, by July 1, 2001, full compliance with labour mobility provisions.
- 2001
 - Physiotherapy AIT task group created solution to exam differences for inclusion in a draft MRA.
- 2002
 - *Physiotherapy Mutual Recognition Agreement* signed in May providing for mobility of physical therapists who had not written the examination to be eligible to practice in their province of origin (due to different implementation dates of the PCE or graduation from a program in a jurisdiction where statutes require cooperation between regulators and university programs (Quebec)). The agreement also required physiotherapists to have a minimum number of practice hours/ active practice within a specified time period.
 - MRA submitted to LMCG.
- 2003
 - Meeting of Registrars to educate about MRA and ensure consistent implementation
 - Shepherding of MRA moved to Registrars’ meeting, no longer at CAPR Board table.
- 2006
 - CAPR began to write a series of letters to LMCG for confirmation of acceptance of MRA; response never received.
 - Trade Ministers agreed to a new deadline of April 1, 2009 for compliance with the labour mobility provisions of the AIT.
- 2007
 - Registrars Committee undertook review of 2002 MRA, including data on actual use of MRA and any resulting challenges or issues since implementation.
 - Trade, Investment and Labour Mobility Agreement (TILMA) discussions emerge and are of interest to mobility in Western Canada.
- 2008
 - Revised MRA signed
 - Quebec France Accord discussions emerge

- Ontario/Quebec move forward with talks on a mobility agreement
- 2008
- Amendments to Chapter 7 finalized in December 2008 (to take effect on April 1, 2009) and provide that any worker certified for an occupation by a regulatory authority of one province or territory shall be recognized as qualified to practice that occupation by all other provinces and territories. This “mutual recognition” exists:
 - when qualified workers from other jurisdictions are recognized without any additional re-training, re-testing and practice hours; and
 - unless governments approve a legitimate objective for maintaining an additional requirement that is linked to differences in occupational standards or scopes of practice. Legitimate objective categories include public security, safety and order.
 - uniform agreement among the regulators that the MRA had been and would continue to work successfully, and that the PCE and practice hours are appropriate additional requirements:
 - the accommodation mechanism requires integration hours, not retraining or reassessment;
 - less than 40 physiotherapists have accessed the MRA over the past six years, so the majority of physiotherapists already meet the established provincial requirements; and
 - it is generally accepted that competency - based qualification of health practitioners is the best registration approach in protecting health and safety. A legitimate objective is achieved by requiring a competency assessment (or an acceptable alternative) because the current system finely balances public protection principles in a manner that works.
 - PT regulators’ request to their individual governments to maintain the PCE and integration hours as exceptions to full labour mobility was rejected.
 - Provinces begin to pass labour mobility acts that enable Chapter 7 of the AIT.
- 2009
- CAPR holds Physiotherapy Labour Mobility Conference in June with funding from HRSDC. Regulators came to agreement on a number of continued revisions related to definitions of practice/not practicing the profession; sharing data on good character/good standing; registration categories eligible for mobility; monitoring mutual recognition outcomes and further developing information provided to registrants on labour mobility requirements and processes. At that same meeting, it was agreed that a study was needed to compare the requirement of the Physiotherapy Competency Examination by most jurisdictions versus the system in Québec, which employs other mechanisms to ensure competency of physiotherapists.
 - Study on the PCE and the OPPQ framework was completed in November and concluded that the two systems were equivalent. Further, the study recommended that Québec should require additional competency evaluation for those candidates who have graduated from a Canadian (non-Québec) program and have not successfully completed the PCE before obtaining registration in Québec.
- 2010
- OPPQ submitted a redrafted Regulation to require the PCE or a program synthesis exam for candidates from non-Québec programs.

- The Physiotherapy MRA was revised into a *National Platform of Support for Physiotherapy Labour Mobility within Canada* to ensure all principles are consistently understood and upheld.
- 2013 • Québec's updated Regulation [C-26, r.203](#) comes into effect, stating that graduates of an education program outside of Québec, seeking licensure in Québec, must successfully pass CAPR's PCE or an equivalent synthesis exam (see Article 3).
- 2016 • In considering PCE eligibility requirements, the CAPR Registrars Committee supports the removal of an explicit requirement of 1,025 supervised clinical practice (SCP) hours for Canadian graduates. All Canadian-educated candidates attempting the PCE must graduate from a PEAC-accredited program. PEAC has accreditation standards regarding the number of SCP hours required.
- 2017 • A cross-jurisdictional scan determines that all physiotherapy regulatory organizations across Canada, with the exception of OPPQ, require 1200 practice hours within a 5-year period to meet continuing competency requirements.
- 2018 • A report on 'The 1,025 Hours Project', by Dr. Kathleen Norman of Queen's University, based on work by Queen's MScPT'18 graduates, details the history of the curriculum requirement of 1,025 hours of supervised clinical practice in Canadian physiotherapy academic programs. The report found that the threshold of 1,025 hours arose in Canada from common practice and consensus over time; there is little peer-reviewed literature to inform the development of SCP requirements; and the Canadian physiotherapy requirement of 1,025 hours is not out of line with requirements from other professions and from other countries around the world.
- 2019 • The Registrars Committee undertakes a review of the 2010 *National Platform of Support for Physiotherapy Labour Mobility within Canada*. It is revised into the *Memorandum of Understanding to Support Physiotherapy Labour Mobility within Canada*.