

The Podiatry Act

SASKATCHEWAN COLLEGE OF PODIATRISTS —
REGULATORY BYLAWS
INTERPRETATION

Section 19 Interpretation

In these bylaws,

- (1) Act means *The Podiatry Act*
- (2) Podiatry is defined as the primary health care discipline concerned with the diagnosis and treatment of disorders and injuries and anatomic defects of the human foot.
- (3) Podiatry primarily concerns itself with the diagnosis and treatment of diseases and disorders of the skin and nails of the human foot, local manifestations of systemic diseases in the human foot and underlying foot pathomechanics and gait anomalies.

MEMBERSHIP

Section 20 Categories and Privileges of Membership

- (1) Membership in the Saskatchewan College of Podiatrists shall consist of the following categories:
 - (a) General Member.
- (2) A General Membership shall entitle the member to the following privileges:
 - (a) to bring issues to Council at the Annual General Meeting and other open meetings of Council; and
 - (b) to receive the publications of the College.

Section 21 Registration for Membership

- (1) Any person applying for membership with the Saskatchewan College of Podiatrists may be registered by the Registrar as a General Member provided that they meet the following criteria:
 - (a) the applicant has completed the application for registration as a member;
 - (b) the applicant provides satisfactory evidence to the Registrar that they have successfully completed a chiropody/podiatry education program recognized by Council;
 - (c) the applicant has successfully passed the Saskatchewan College of Podiatrists' entrance examination or its equivalent as recognized by Council;
 - (d) the applicant has provided to the Registrar two (2) letters of reference from two (2) regulated health professionals acknowledging the applicant's good moral character;
 - (e) if applicable, the applicant has provided to the Registrar proof of good professional standing from all jurisdictions in which the applicant has been previously licensed in and is currently licensed in; and
 - (f) the applicant has paid all prescribed fees applicable for membership.
- (2) Any person applying for membership with the Saskatchewan College of Podiatrists who does not fully meet the requirements in section 21(1) to the satisfaction of the Registrar may be registered by the Registrar as a General Member with restrictions and/or conditions imposed upon their license for a period defined by the Registrar until they provide satisfactory evidence to the Registrar that they have obtained the equivalent of the above requirements.

Section 22 Certificate of Membership

- (1) Upon approval of General Membership and receipt of all prescribed fees, the Registrar may issue to the applicant a Certificate of General Membership.
- (2) A Certificate of General Membership is valid until the member resigns from the College or the Council orders that the member's name be struck from the register.

Section 23 Requirements for Practice

- (1) In order to practice as a podiatrist in the province of Saskatchewan a person must:
 - (a) be registered with the College as a General Member; and
 - (b) hold a valid General or Restricted Practice License.

LICENSURE

Section 24 Categories and Privileges of Licenses

- (1) A member may be issued a license under one of the following categories by the Registrar:
 - (a) a General Practice License; or
 - (b) a Restricted Practice License.
- (2) A General Practice License shall entitle the member to the following practicing rights and privileges:
 - (a) to practice podiatry in the province of Saskatchewan until the date of expiry of the license;
 - (b) to attend meetings and vote at Council elections;
 - (c) to be nominated for Council; and
 - (d) to be appointed to Committees of the College.
- (3) A Restricted Practice License shall entitle the member to the following practicing rights and privileges:
 - (a) to practice podiatry in the province of Saskatchewan in accordance with the restrictions and/or conditions imposed by the Registrar until a predetermined date;
 - (b) to attend meetings and vote at Council elections; and
 - (c) to be appointed to Committees by Council.

Section 25 Terms and Conditions of Licenses

- (1) A General Practice License shall have the following terms:
 - (a) it shall be valid from the date of issue until December 31 of that year; and
 - (b) it shall be signed by the Registrar and have a valid date of expiry.
- (2) A Restricted Practice License shall have the following terms:
 - (a) it shall be valid from the date of issue to a predetermined date set by the Registrar which can be no later than December 31 of that year; and
 - (b) it shall have any and all restrictions and/or conditions imposed upon it by the Registrar accompanied with it for inspection.

Section 26 Issuing and Renewal of Licenses

- (1) A new member may be issued a General Practice License if the member:
 - (a) successfully registers as a General Member in accordance with the requirements in section 21(1) to the satisfaction of the Registrar;
 - (b) pays the prescribed General Practice License fee as stated in Administrative Bylaws; and
 - (c) provides evidence of liability insurance as outlined in section 31 of these bylaws.
- (2) An existing member may be issued a General Practice License if the member:
 - (a) successfully registered as a General Member in accordance with the requirements in section 21(1) to the satisfaction of the Registrar;
 - (b) pays the prescribed General Practice License fee as stated in the Administrative Bylaws;
 - (c) has completed a minimum of 20 hours of Quality Assurance Committee recognized continuing education in the past 12 months; and

(d) provides evidence of liability insurance as outlined in section 31 of these bylaws.

(3) An existing member may have their General Practice License renewed past the expiry date of their license if the member:

- (a) continues to be registered as a General Member;
- (b) pays the prescribed General Practice License fee as stated in the Administrative Bylaws;
- (c) has completed a minimum of 50 hours of Quality Assurance Committee recognized podiatry practice within the past 12 months;
- (d) has completed a minimum of 20 hours of Quality Assurance Committee recognized continuing education within the past 12 months; and
- (e) provides evidence of liability insurance as outlined in section 31 of these bylaws.

(4) Any member who fails to successfully register as a General Member in accordance with the requirements in section 21(1) to the satisfaction of the Registrar but is deemed eligible for registration as a General Member in accordance with section 21(2), may be issued a Restricted Practice License with restrictions and/or conditions imposed on the members ability to practice until such time the member demonstrates to the satisfaction of the Registrar that they fully meet the requirements of section 21(1).

(5) Any member who currently holds a Restricted Practice License in accordance with section 26(4) may request the Registrar to issue a General Practice License to the member if the member provides satisfactory evidence to the Registrar that the member has met the requirements to have all imposed restrictions and/or conditions on their license removed.

(6) Any member who currently holds a Restricted Practice License in accordance with section 26(4) may request the Registrar renew their Restricted Practice License past the expiry date of the license if the member provides satisfactory evidence to the Registrar that the member is in the process of meeting the requirements to have all imposed restrictions and/or conditions on their license removed.

Section 27 Reinstatement of License

(1) Any member whose license has been revoked or has expired may make an application for reinstatement provided they submit:

- (a) a letter to the Registrar requesting reinstatement;
- (b) evidence the applicant desires the Registrar to review in support of their reinstatement;
- (c) the prescribed reinstatement fee as stated in the Administrative Bylaws; and
- (d) any other prescribed fees as stated in the Administrative Bylaws.

(2) On receipt of a request for reinstatement, the Registrar shall review the evidence submitted. The Registrar may conduct such additional investigation as he or she considers appropriate. After reviewing the application for reinstatement and completing any additional investigations deemed appropriate, the Registrar shall submit a report to Council which shall include his or her opinion whether:

- (a) it is in the public interest to reinstate the member; and
- (b) if the member is to be reinstated, what restrictions and/or conditions, if any, should apply to the reinstatement.

GENERAL

Section 28 Standards of Professional Conduct, Competency and Proficiency of Members

(1) All members must maintain an acceptable standard of professional conduct, competency and proficiency while being members of the Saskatchewan College of Podiatrists.

(2) Without limiting the generality of the following, all members shall:

- (a) comply with policy guidelines set out by the council;
- (b) abide by the terms, conditions or limitations of his or her license;
- (c) fulfill all the terms of an agreement with a patient respecting professional charge;
- (d) itemize any account at the request of a patient or federal, provincial or municipal government agency making payments for professional services;
- (e) carry out the terms of any agreement arrived at in the course of mediation in accordance with the Act and the bylaws;
- (f) attend and co-operate fully with the Quality Assurance Committee following notification to the member by the College;
- (g) take such remedial measures as prescribed by the Quality Assurance Committee;
- (h) ensure that adequate medical supplies are on the premises for the purpose of handling anticipated medical emergencies which might arise in the course of, and as a result of, any podiatry care or treatment given to a patient; and
- (i) ensure that at the time of giving any anesthetic or any other podiatry treatment which may give rise to a medical emergency, a qualified podiatrist or the member is in the procedure room at the time of the procedure.

Section 29 Code of Ethics for Members

(1) A code of ethics is a set of principles that ensures all members maintain a level of accountability through their conduct and behavior while engaged in the practice of podiatry.

(2) All members shall:

- (a) act in accordance with the scope of practice authorized by the College;
- (b) provide competent ethical services to patients ensuring all requirements of the College are met;
- (c) continue to update professional knowledge and skills relevant to their area of practice;
- (d) collaborate with other professionals to enhance their patients' care;
- (e) commit to the highest level of professional efficacy through the maintenance and application of current relevant knowledge and skill;
- (f) uphold the principles of informed consent pursuant to current legislation, including the patient's right to choose from a full range of options for treatment;
- (g) maintain the privacy of all patient interactions;
- (h) demonstrate respect for the physical, emotional well-being of a patient;
- (i) never provide podiatry services when impaired by alcohol, drugs or any other substances or any illness that could put patients at risk;
- (j) never provide podiatry services when the member perceives a conflict of interest;
- (k) treat all patients with dignity and respect;
- (l) communicate easily understood information to the patient to ensure individual understanding;
- (m) recognize that any patient has the right to refuse treatment;
- (n) never exploit any patient;
- (o) maintain a respectful relationship with members of the public in order to facilitate awareness and understanding of the profession of podiatry;
- (p) never recommend unnecessary procedures;

(q) never bill a patient excessively in relation to the services or devices provided;

(r) never bill a patient for professional services that were not rendered;

(s) refer patients to another regulated health professional when the condition or the status of the patient falls outside the scope of practice, education or experience of the member;

(t) inform the College when the member may have a perceived diminished ability to practice safely and competently;

(u) recognize that self-regulation is a privilege and that each registrant has a continuing responsibility to merit the retention of the privilege;

(v) maintain professional integrity and conduct all professional activities, programs and relations honestly and responsibly;

(w) report any alleged unethical conduct, incompetent, unsafe practice or abuse of a patient by any health care provider to the College or appropriate regulatory body;

(x) maintain awareness of *The Podiatry Act* and its bylaws, standards, guidelines, policies and procedures and comply with the same;

(y) co-operate fully with the College at all times;

(z) co-operate fully with any other regulatory body when they are investigating inquiries into the professional misconduct or incompetence of any of their members;

(aa) assist other members and health care professionals as requested or needed;

(bb) refrain from engaging in behavior that could be construed as harassment or abuse of colleagues, associates, or employees; and

(cc) treat all members and employees of the College with respect and dignity.

Section 30 Continuing Education

(1) All licensed members shall annually submit to the Quality Assurance Committee their "Continuing Education Activities Record".

(2) It is the licensed member's responsibility to submit their "Continuing Education Activities Record".

(3) The Quality Assurance Committee shall review all "Continuing Education Activities Records" and will assign a relative credit value in hours.

(4) The Quality Assurance Committee shall notify the Registrar of any licensed member who is in default of the minimum number of hours of continuing education credits as prescribed above.

(5) The Registrar shall notify the licensed member of their continuing education credit hour deficit by registered mail and will instruct them to complete the required number of hours of continuing education by a specified date and time.

(6) Those licensed members who have failed to comply with the Registrar's order to complete their required continuing education hours shall be formally reported to the Professional Conduct Committee.

(7) The Registrar may, with the approval of Council, extend the requirement for continuing education completion in those instances where extenuating circumstances exist.

Section 31 Professional Liability Insurance

(1) Every member who holds a General or Restricted Practice License shall obtain and provide proof of professional liability insurance in the amount not less than one million dollars (\$1,000,000) per occurrence from a Canadian Insurance Carrier approved by the Council.

Section 32 Advertising by Members

(1) No member shall advertise any professional services related to the practice of podiatry whatsoever in a manner or form which may be misleading or unprofessional.

Section 33 Special Meetings of Council

(1) The Council shall call a special meeting of Council on the request of at least twenty-five percent (25%) of the General Members.

Section 34 Conflict of Interest

(1) A conflict of interest may include but is not limited to the following situations:

(a) where the member is involved in determining or reviewing credentials and eligibility for membership or licensure of an applicant or another member who is related to that member or who has a business relationship with that member;

(b) where the member is involved in the investigation or discipline process affecting another member who is related to that member or who has a business relationship with that member;

(c) where the member or relative of the member might personally or financially benefit from decisions or information gained from involvement with the College.

(2) Members serving in an official capacity of the College shall declare a conflict of interest in matters under discussion, business of the College or in decisions taken in which they have a vested interest.

(3) It shall be the responsibility of the presiding College officer to ensure that members identifying a conflict of interest shall leave the meeting during considerations of the pertinent issue and the departure of the member shall be recorded by the secretary of the meeting.

(4) Members who represent the College shall not assume a position if a conflict of interest is identified.

(5) A member of the Professional Conduct Committee or the Discipline Committee, who has a conflict of interest during a specific complaint, shall step down during the specific complaint. Council may appoint a replacement to deal with the specific complaint to which the conflict arose.

Section 35 Records

(1) All Podiatrists are trustees of personal health information under meaning of *The Health Information Protection Act* and must:

(a) comply with the statutory obligations conveyed upon them in *The Health Information Protection Act* when collecting, storing, using or disclosing personal health information in the course of providing health services as part of their professional duties or in the administrative business operations related to their practice or profession;

(b) control access to personal health information in their custody and control in accordance with the statutory obligations conveyed upon them by *The Health Information Protection Act*; and

(c) ensure the protection of privacy of individuals with respect to personal health information by complying with the statutory obligations conveyed upon them in *The Health Information Protection Act*.

Certified to be a true copy of the regulatory bylaws approved by the council of the Saskatchewan College of Podiatrists:

CERTIFIED TRUE COPY:

Dr. Ata Stationwala, President,
Saskatchewan College of Podiatrists.

Date: January 24, 2007.

APPROVED BY:

Honourable Len Taylor,
Minister of Health.

Date: January 31, 2007.