



College of Occupational  
Therapists of Manitoba

Quality Occupational Therapy - Accountable to Manitobans

## About COTM

October 2006

### VISION

Quality Occupational Therapy – Accountable to Manitobans

### MISSION STATEMENT

Our Mission is to protect the public by regulating, advocating and advancing safe, ethical and quality occupational therapy practice in Manitoba.

### MANDATE

The College must carry out its activities and govern its members in a manner that serves and protects the public interest.

*The Occupational Therapists Act 2002*

## ABOUT THE COLLEGE OF OCCUPATIONAL THERAPISTS OF MANITOBA (COTM)

COTM is the governing organization for occupational therapists in the province of Manitoba. The College receives its regulatory authority from *The Occupational Therapists Act of Manitoba ("The Act")*. This act received Royal Assent in 2002 and was proclaimed in December 2005.

COTM has existed since 1971 however, was known under the two previous versions of *The Occupational Therapists Act* as the "Association of Occupational Therapists of Manitoba" or AOTM.

The legislated mandate of COTM is to carry out its activities and govern its members in a manner that serves and protects the public interest.

COTM is governed by a council, which is comprised of at least nine persons, one third of whom must be public representatives. Council members are elected or appointed in accordance with the legislation and by-laws.

COTM is accountable to a number of constituents. These include:

- members of the profession by election of two-thirds of Council;
- government through its appointment of public representatives who serve on Council, the Investigation Committee, and the Inquiry Committee;
- the Minister of Health by the requirement to file an annual report;
- the Courts which have a broad right to hear appeals related to decisions of the Board of Assessors and Inquiry Committee;
- and, to the public through open council meetings and disciplinary hearings.

### WHAT IS THE ROLE OF COTM?

First and foremost, COTM exists to protect the public interest. This is quite different from the role of a professional organization such as the Manitoba Society of Occupational Therapists (MSOT), which acts to promote the interests of its members. The roles, responsibilities, and powers of the regulatory organization are established in legislation. The mandate of COTM, "to serve and protect the public interest" is carried out by the following objectives:

- to regulate the practice of the profession and govern its members
- to regulate entry to practice requirements
- to assure quality of professional practice
- to promote continuing competence
- to set ethical standards

## ABOUT *THE OCCUPATIONAL THERAPISTS ACT*

Occupational therapists in Manitoba are governed by *The Occupational Therapists Act*. In other provinces, occupational therapists may be regulated by “umbrella” health legislation whereby a number of health professions are regulated under one act.

*The Act* defines the practice of occupational therapy by setting the general boundaries of practice.

Additionally, *The Act* protects the public by defining the term “occupational therapist”. Under *The Act*, only members of COTM have the authority to use this title or represent themselves as occupational therapists. Members of COTM, whose names are on the “Register of Practising Members”, are entitled to use the term “O.T. Reg. (MB)” to communicate that they are in a legal position to practise occupational therapy in Manitoba.

*The Act* provides the Council with the authority to manage the affairs of COTM.

*The Act* outlines information about members, which the College can make public and outlines registration requirements. The legislation provides a process to deal with complaints against members as well as a disciplinary process that includes decisions and orders that can be made against a member by a hearing panel.

The legislation includes regulations, by-laws, a code of ethics and a process whereby practice auditors and public members are appointed. *The Act* includes safeguards for unfit practice.

Further, *The Act* outlines the duty of members to report unfit practice as outlined in sections 64(1) and 65(3).

Apart from *The Act*, occupational therapists in Manitoba must also comply with other provincial and federal legislation, such as *The Personal Health Information Act*, *The Child and Family Services Act*, *The Protection of Persons in Care Act*, etc.

## ABOUT *THE OCCUPATIONAL THERAPISTS REGULATION*

*The Occupational Therapists Regulation* (“*The Regulation*”) primarily addresses the categories and requirements of registration. *The Regulation* specifies the requirements to change registration status and to renew a member’s registration.

Amendments to *The Regulation* are made first by approval of the majority of COTM members and then by the Lieutenant Governor in Council.

## ABOUT THE COTM *BY-LAWS*

The *By-laws* principally deal with the administration of COTM. The rights, obligations and privileges of membership are also contained in the *By-laws*. Further, the rules outlining the setting of fees, holding meetings, election of council members and terms of office for council and committees, etc. are provided for in the *By-laws*.

## WHAT IS THE STRUCTURE OF COTM?

There are three main components in the COTM structure are the council, committees and staff.

The council is described in an earlier section of this document. More details can be found in *The Act* and COTM’s *By-laws*.

The committees may be statutory, meaning that *The Act* requires COTM to establish a committee. There are three statutory committees; the Board of Assessors, the Investigation Committee and the Inquiry Committee. Committees may also be non-statutory, which may be established by Council, following the provisions of Article VII of the *By-laws*. Examples of non-statutory committees include the *By-laws* Committee, the Practice Issues Committee, the Policy and Legislation Committee, the Executive Committee. These committees are usually of an on-going nature. “Ad-hoc” committees may be established by the Council to deal with short-term tasks assigned by Council.

COTM’s executive director assists in carrying out the statutory duties of the registrar as outlined in legislation, non-statutory duties as determined by Council, and is responsible for overseeing the management of other COTM staff and for administrative functions.

## WHAT ARE THE ROLE OF PUBLIC MEMBERS?

The Minister of Health establishes a roster of public representatives from which the council of COTM appoints individuals to Council, the Investigation Committee and the Inquiry Committee.

Public representatives have a significant role in the activities of COTM. The role of the public representative is to help increase public awareness of the self-governing body, to help identify conflicts between professional and public interest, and to bring broader community perspective to COTM's policy decision-making. Public representatives are expected to regularly attend Council and/or committee meetings and fully participate in the affairs of the Council.

COTM is committed to having public representative involvement on all of its committees.

Acknowledgement: This document has been adapted from the College of Physiotherapists of Manitoba Reference Guide, with thanks.