

POLICY ON ACTIVE PRACTICE REQUIREMENTS

Purpose

To clearly define the College's Active Practice Requirements.

Rationale

To ensure registration practices are transparent, objective, impartial and fair.

Scope (who does the policy apply to)

This policy applies to all departments and administrative offices of the CMO, to all CMO officers, to Council and committee members and employees, and to all registered members.

Policy Statement

The intention of the College's active practice requirements is to ensure that midwifery clients are being offered choice of birthplace and that the member's skills are being maintained in both birth settings.

The College's Registration Regulation, clause 12(2)(b), indicates that a member satisfies the active practice requirement if the member provides midwifery care over a one-year period to at least 20 women, at least 10 of whom the member attended as primary midwife with at least 5 births occurring in a hospital and at least 5 in a residence, clinic or birth centre. Alternatively, the member may satisfy the requirement over a two-year period if the member provides midwifery care to at least 40 women, at least 20 of whom the member attended as primary midwife with at least 10 births occurring in a hospital and at least 10 in a residence, clinic or birth centre.

Once the member meets the requirements outlined in subsection 12(2) in the first two-year period after registration, the member can thereafter satisfy her active practice requirements in five-year increments. In the subsequent five-year periods, members are required to provide midwifery care to at least 100 women, at least 50 of whom the member attended as primary midwife with at least 25 births occurring in a hospital and at least 25 in a residence, clinic or birth centre. This is summarized in the following chart:

Active practice requirements	1-year	2-year	5-year
Primary out-of-hospital births	5	10	25
Primary hospital births	5	10	25
Total Births	20	40	100

Relevant Active Practice Requirement Information:

Active Practice Periods and Reporting Obligations

Members will be required to report birth numbers annually to the College by October 1st. They will report on births attended from July 1st to June 30th during the previous calendar year. However, members will only be required to meet their active practice requirements in a one, two or five-year period in accordance with s.12 of the Regulation.

Active practice periods may overlap and the member may use the same numbers in two different periods. For example, a member may choose to meet the active practice requirements over a five-year period from 2010 to 2015. If the member then chooses to meet the active practice requirements over a five-year period from 2013 to 2018, the member could use some of the same births from the earlier period.

Active Practice Requirements Shortfalls

Should a member fail to meet the active practice requirements as set out in Section 12 of the Registration Regulation, active practice shortfalls will be addressed in the following ways:

- If the shortfall is less than 30% of the birth numbers required by regulation, the Registrar will notify the member of the shortfall and request a response from the member explaining the reasons for the shortfall. The Registrar will then determine an appropriate shortfall plan.
 - Less than 30% of the birth numbers required by regulation means that in a two-year period, the member did not meet the full active practice requirements but attended a minimum of 7/10 primary out-of-hospital births, 7/10 primary hospital births and 28/40 total births.
 - Less than 30% of the birth numbers required by regulation means that in a five-year period, the member did not meet the full active practice requirements but attended a minimum of 18/25 primary out-of-hospital births, 18/25 primary hospital births and 70/100 total births.
- If the shortfall is greater than 30% of the birth numbers required by regulation, the Registrar will notify the member of the shortfall and request a response from the member explaining the reasons for the shortfall. A panel of the Registration Committee will meet to determine an appropriate shortfall plan in order to ensure that the member is offering choice of birth place and maintaining her skills in both out-of-hospital and hospital settings.

The Registrar or Registration Committee may consider the following non-exhaustive list of factors in determining an appropriate shortfall plan:

- the extent of the member's shortfall;
- whether the member has complied with the active practice requirements in the past;
- whether the member can demonstrate their skills in both birth settings in other ways;
- whether the member's shortfall resulted from transfers of care where the member could not remain in a supportive role¹

- whether during the active practice period the member attended births outside of Ontario (as a registered midwife in another jurisdiction) where the care provided is substantially equivalent to the care provided within the Ontario Model of Midwifery Care;
- whether the member's shortfall resulted from unplanned changes to birth location during the intrapartum period;
- any other relevant factors.

If a member receives a notice from the Registrar regarding a shortfall, the member may address any of the applicable factors set out above in the member's response. This may include demonstrating skills through faculty positions or as a sessional instructor with the Ontario Midwifery Education Program or International Midwifery Pre-Registration Program, teaching commitments such as Emergency Skills workshops, or research projected related to midwifery. Where applicable, the member should provide details, including the number of births that the member wishes the Registrar of Registration Committee to consider, the dates of the births, and the circumstances of the transfer of care and/or change to birth location. For births attended outside of Ontario, an out-of-province reporting form should be requested from the College.

References (legislative and other)

The relevant legislation, regulations and by-laws regarding registration with the CMO include:

- the Health Professions Procedural Code, being Schedule 2 to the Regulated Health Professions Act, 1991, as amended from time to time
- Registration Regulation (O. Reg. 168/11) made under the Midwifery Act, 1991, sections 12 and 15

The following constitute professional misconduct under the Professional Misconduct Regulation (O. Reg. 388/09) made under the Midwifery Act, 1991:

- Providing false or misleading information or documents to the College or any other person with respect to the member's professional qualifications
- Failing to take reasonable steps to ensure that any information provided by or on behalf of the member to the College is accurate

Approved by - Executive Committee Approval date - August 10, 2015

Effective Date - June 13, 2018

Last reviewed and revised - June 13, 2018

Rescinded: November 1, 2018