



October 18, 2023

[REDACTED]  
[REDACTED]  
College of Physicians and Surgeons of Ontario  
80 College Street  
Toronto ON M5G 2E2

(Sent via e-mail)

Dear [REDACTED]:

Re: The Assessment and Registration of Physician Assistants

Our offices have now met on two separate occasions to discuss how the College of Physicians and Surgeons of Ontario (CPSO or the college) proposes to register physician assistants.

The OFC would like to thank CPSO for involving us in these discussions and for agreeing to regulate this new class of professional in an environment where the public requires enhanced access to qualified health practitioners.

Following our most recent meeting of October 10, 2023, we thought that it would be useful to summarize our perspectives on the issues that we discussed.

By way of background, under section 22.5 (1) (g) of Schedule 2 of the *Regulated Health Professions Act* (RHPA), it is the function of the Fairness Commissioner to, among other things, "advise a College or third parties relied on by a College to assess qualifications with respect to matters related to registration practices under this Code and the regulations".

It is pursuant to this authority that we are writing to you to summarize the information and advice that we provided to your officials during our meeting of October 10, 2023.

This session focused on two discrete but interrelated issues. The first involved the criteria that the college would apply to grandparent individuals who currently perform the role of physician assistant but who may not possess all of the requirements necessary for immediate licensure under the new regulatory scheme.

We were pleased to hear that the CPSO plans to utilize its current application process to allow physician assistants to seek exemptions from the college's discrete registration requirements. Similarly, we welcomed the college's openness to explore additional policy-based registration pathways for this cohort.

We would encourage the college to implement these approaches through a transparent grandparenting policy. This policy should include a clear set of exemption criteria. We believe that this would constitute a suitable risk-informed regulatory approach given that physician assistants operate under the direct supervision of physicians.

While we did not raise this topic during our meeting, the college may wish to consider opportunities to provisionally register current physician assistants, who may lack certain discrete credentials, until such time that they can reasonably acquire them. The provisional registration approach has recently been applied with some success by the College of Nurses of Ontario.

As a compliment to this policy work, we would encourage the college to undertake a proactive communications strategy designed to target individuals currently working as physician assistants, as well as the physicians and organizations with whom they work.

The college should also set a target date for the receipt of applications from these individuals and secure the resources necessary to process these applications on their merits, including consideration of exemption provisions, before the new regulation takes effect. The objective should be to ensure, to the extent possible, that applicants can continue to use the physician assistant title without any gaps in service.

The second issue involved registration applications that CPSO may receive from internationally-trained physician assistants who have not come through the domestic accreditation processes normally required for licensure in Ontario. Once again, we would encourage the college to develop a policy pathway to ensure that applicants from these jurisdictions can seek a full and fair assessment of their credentials and, where appropriate, obtain either an exemption from the assessment criteria or a list of the steps that they must fulfill to obtain licensure.

We understand that the college will be working with the Canadian Association of Physician Assistants (CAPA) to define the appropriate assessment criteria. If CPSO plans to rely on CAPA's certification process for this purpose, we wish to remind you that section 22.4 (2) of Schedule 2 of the RHPA would govern this relationship. This section provides that:

If the College makes its own assessment of qualifications, it shall do so in a way that is transparent, objective, impartial and fair and, if it relies on a third party to assess qualifications, it shall take reasonable measures to ensure that the third party makes the assessment in a way that is transparent, objective, impartial and fair.

It would, therefore, be important for the college to ensure that CAPA, as a third-party service provider to the CPSO, understands these obligations in the RHPA context. In our view, this obligation would mean that CAPA needs to develop a clearly defined process to assess the equivalency of an applicant's credentials and a mechanism to provide advice to the college on how any competency gaps could be addressed. This process should be available within a reasonable time period following enactment of the regulation (e.g., within 90 days).

We understand that the University of Manitoba has established such an assessment process, which may provide a model for CPSO and CAPA to consider.

We would like to make two final points. First, we recognize that the development of policies to address the situation of physician assistants currently practicing in Ontario, and those who wish to join from other jurisdictions, is complex, particularly given uncertainty around the numbers of these individuals.

Second, we wish to reiterate that we remain available to consult with the college further on these items should you consider this to be helpful.

Kindest regards,



Irwin Glasberg  
Fairness Commissioner

