



College of Paramedics of Manitoba		
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## PURPOSE

To provide guidance to paramedics on how they can practice in compliance with their legal, professional, and ethical obligations regarding their duty to report concerns about the conduct, competence, and fitness of practice of another registrant.

## DEFINITIONS

**CPMB:** The College of Paramedics of Manitoba

**Employer:** An organization that employs a CPMB registrant for the purpose of paramedic practice. An Employer sets an employee’s Scope of Work.

**Practice of Paramedicine Regulation:** Designates the Practice of Paramedicine and is one of the governing pieces of self-regulation

**RHPA:** The Regulated Health Professions Act.

## DUTY TO REPORT:

It is important for paramedics to understand when to report, what to report, and what is required of them legally and ethically.

The following sets out the legal responsibility of a *registrant* of CPMB.

The RHPA, Section 138(1) states:

*“A member who reasonably believes that another member of the same Regulated health profession:*

- (a) Is unfit to practice, incompetent or unethical; or*
- (b) Suffers from a mental or physical disorder or illness that may affect his or her fitness to practice, and continues to practice despite having been counselled not to;*

*Must disclose that belief to the registrar, along with the name of the other member and particulars of the suspected disorder, illness, lack of fitness to practice, incompetency, or unethical behavior.”*

A registrant who discloses information in accordance with the RHPA, Section 138(2):



*"is not subject to any liability as a result, unless it is established that the disclosure was made maliciously."*

A Registrant is an advocate for clients and inaction may have serious consequences if issues or concerns regarding (mis)conduct and practice are not addressed. Tools that can assist a registrant in determining how to address issues or concerns about another registrant's conduct or practice include the Code of Ethics, The Standards of Practice for the Paramedic Profession, Practice Directions, Practice Expectations and Policies of the CPMB. These documents can be found on CPMB's website.

It can be difficult to decide whether to report a concern to the CPMB. It is important that registrants attempt first to address their concern between themselves unless the situation requires immediate action to preserve the safety of the public or themselves.

Before making a report to the college, ensure that any immediate safety issues have been managed and that issues have been properly documented and escalated through avenues available with the employer.

Not all physical or mental health conditions or disorders need to be or should be reported to CPMB; only those that place the public at risk. Some reportable examples that might place the public at risk if the paramedic continues to practice include:

- Practicing while intoxicated; or
- An impairment (health issue) such as an acute mental health crisis; or
- A health condition that affects the paramedics ability to provide safe and competent care.

While protection of the public is the primary mandate of the College, respect for the dignity and privacy of the affected registrant is an important consideration. Appropriate treatment and health monitoring may be put into place if warranted.

It is appropriate to speak directly to the registrant. A discussion with them may resolve the matter. If there is concern about speaking directly to them it is advisable to follow employer policies which may include discussing the matter with the individual's supervisor or other mechanisms for resolution.

When preparing to make a report:

1. Gather and document all the facts; anecdotal reports are not helpful without examples or evidence,
2. Make note of what resolutions have been attempted internally (e.g., talk with the individual, reports to their supervisor/employer),



It is always possible to contact College staff to obtain clarification about the situation or to determine if it is necessary to make a formal report. Making an inquiry does not automatically result in a formal report.

### **PROVIDING CARE FOR A CLIENT OR PATIENT WHO IS ALSO A REGISTRANT:**

For the purposes of this section, “paramedic client” means a client/patient who is also a registrant.

A paramedic providing care to a paramedic with a health condition that has the potential to impair practice must exercise prudent judgement in determining the duty to report. In a paramedic-client relationship, paramedics may be privy to information about another paramedic’s personal health information such as mental health issues or an addiction that could put the public at risk if the paramedic client were to engage in practice.

Paramedics have a legal and ethical obligation to safeguard information learned in the context of a professional paramedic-client relationship. Information may only be disclosed outside the healthcare team with the client’s informed consent, as legally required, or where there is serious risk and failure to disclose would result in significant harm to the client or others.

Consultations with privacy resources of the employer are advised, and, where possible, registrants should consult with other members of the health care team engaged in the care of the client to validate their assessments of risk and communicate the decision to make a report to the college.

It is important that where possible, registrants discuss with your paramedic client their professional obligation to self-disclose their fitness to practice in advance of submitting a report.

### **SELF REPORTING:**

Registrants’ professional obligations regarding self reporting are outlined in Practice Direction 3, Registrant Responsibilities.