

# Kinesiology: Considering Legislation in Manitoba

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Kinesiology Coalition of Manitoba

# Overview

- Critical Time for Kinesiology
- Canadian Kinesiology Alliance
- The Provinces – Ontario Legislation
- Kinesiologists Coalition of Manitoba
- Legislation of Kinesiology: Pros and Cons

# Critical Time in Field of Physical Activity and Human Movement

- Benefits of PA increasingly recognized
- Considerable interest from medical community in PA for chronic disease prevention and management
- Existing HCP are not trained to promote and prescribe PA
- Need defined scope of practice, professional regulations and code of conduct to be accepted as members of health care team, and to be eligible for health care coverage
- Many competing groups and organizations are vying to define and control practice of “kinesiology”
- Public and other professionals are either not aware of what we do, or are confused (scope of practice? certifications? liability and health care coverage?)

# Canadian Kinesiology Alliance

## **Kinesiologists**

Kinesiologists are human movement specialists offering a wide variety of assessments and services to the public to assist with both injury/illness prevention and injury management. Their practice is based on the core sciences of anatomy, physiology, biomechanics and psychomotor behaviour. Kinesiologists work in the fitness industry, clinically, and in industrial environments.

## **Scope of Practice**

Kinesiologists provide services through the application of the science of human movement and deliver quality solutions through prevention, objective assessment, and evidence based intervention.

# Provincial Associations

- Alberta Kinesiology Association
- BC Association of Kinesiologists
- NB Kinesiology Association
- Newf'd & Labrador Kinesiology Association
- Federation des Kinesiologues du Quebec
- Ontario Kinesiology Association

# Ontario Legislation

## Bill 171 Health Systems Improvement Act, Schedule O Kinesiology Act (June 4, 2007)

- Legislation amends definition of “health practitioner” to include members of the (newly established) College of Kinesiology of Ontario
- Transitional Council appointed by Government (Ministry of Health and Long Term Care)

<http://www.pas.gov.on.ca/scripts/en/BoardDetails.asp?boardID=141841>



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**AGENCY DETAILS**

(as on: Monday, March 01, 2010)

**Ministry:** HEALTH AND LONG-TERM CARE  
**Agency:** TRANSITIONAL COUNCIL OF THE COLLEGE OF KINESIOLOGISTS OF ONTARIO  
**Agency URL:** N/A  
**Address:** - - - -  
**Tel.:** N/A  
**Fax:** N/A

**Background:** Kinesiology Act, 2007, S.O. 2007, Chapter 10, Schedule O, ss. 11(1); Regulated Health Professions Act, S.O. 1991, Chapter 18  
**Period:** N/A - N/A  
**Type:** N/A

**Prerogative:** Permissive Legislation; Minister's OIC  
**Function:** During the transition period, until the Council of the College is in place, the transitional Council exercises the powers of a Council of a health regulatory College to carry out the statutory objectives of a College to serve and protect the public interest. The College regulates the profession of kinesiology in the public interest by ensuring that individuals have access to health services provided by competent health professionals, and that individuals are treated with sensitivity and respect in their dealings with health professionals. Members of the College are governed in accordance with the Kinesiology Act, 2007, the Health Professions Procedural Code, the Regulated Health Professions Act, 1991, and the regulations and by-laws of the College. The College develops and maintains standards of practice, entry to practice requirements, standards of professional ethics, and promotes and develops standards for continuing competence among members. Various committees of the College function in a quasi-judicial role with respect to the issuance, suspension, and revocation of certificates of registration to practise in Ontario.

**Membership:** Members are appointed by the Lieutenant Governor in Council for a one or two year term. Members may be reappointed. The Council elects annually a President and a Vice-President from among its members.

**Term:** The transitional Council is time limited, and exists until it has developed a framework that would permit the College to fully undertake its regulatory functions. At this time, the duties of the transitional Council will cease and the Council of the College of Kinesiology of Ontario will be established with the proclamation of the remaining provisions of the Kinesiology Act, 2007.

**BOARD MEMBERS**

No.	POSITION	MEMBER NAME	TENURE	REMUNERATION	LOCATION
1.	MEMBER (PART-TIME)	<a href="#">BAUER, ANTHONY</a>	12-AUG-2009 - 11-AUG-2011	\$150 PER DIEM	THUNDER BAY
2.	MEMBER (PART-TIME)	<a href="#">CHAPMAN, ELIZABETH ANNE</a>	12-AUG-2009 - 11-AUG-2011	\$150 PER DIEM	MILTON
3.	MEMBER (PART-TIME)	<a href="#">GLENN, CONNY</a>	12-AUG-2009 - 11-AUG-2011	\$150 PER DIEM	TORONTO
4.	MEMBER (PART-TIME)	<a href="#">HAMID, AYUB</a>	12-AUG-2009 - 11-AUG-2011	\$150 PER DIEM	MISSISSAUGA
5.	MEMBER (PART-TIME)	<a href="#">HARE, RODNEY</a>	12-AUG-2009 - 11-AUG-2011	\$150 PER DIEM	TORONTO
6.	MEMBER (PART-TIME)	<a href="#">LAFRENIERE, P. DOUGLAS</a>	12-AUG-2009 - 11-AUG-2011	\$150 PER DIEM	BELLEVILLE
7.	MEMBER (PART-TIME)	<a href="#">MCCARTNEY, NEIL</a>	12-AUG-2009 - 11-AUG-2011	\$150 PER DIEM	COPETOWN
8.	MEMBER (PART-TIME)	<a href="#">MCGILL, STUART</a>	12-AUG-2009 - 11-AUG-2011	\$150 PER DIEM	WATERLOO
9.	MEMBER (PART-TIME)	<a href="#">MEGHIE, MICHELLE D.</a>	12-AUG-2009 - 11-AUG-2011	\$150 PER DIEM	MISSISSAUGA
10.	MEMBER (PART-TIME)	<a href="#">NADEAU, DENISE</a>	12-AUG-2009 - 11-AUG-2011	\$150 PER DIEM	KAPUSKASING
11.	MEMBER (PART-TIME)	<a href="#">NAJMUDJIN, MURTAZA</a>	12-AUG-2009 - 11-AUG-2011	\$150 PER DIEM	NIAGARA-ON-THE-LAKE
12.	MEMBER (PART-TIME)	<a href="#">RALPH, MAUREEN</a>	12-AUG-2009 - 11-AUG-2011	\$150 PER DIEM	TAVISTOCK
13.	MEMBER (PART-TIME)	<a href="#">ROSS, ROBERT</a>	12-AUG-2009 - 11-AUG-2011	\$150 PER DIEM	KINGSTON

# Transitional College (Ontario)

- Regulates the profession of kinesiology in the public interest by ensuring that individuals have access to health services provided by **competent health professionals**
- Develops and maintains **standards of practice, entry to practice requirements, standards of professional ethics,** and promotes and develops **standards for continuing competence** among members

# Role of a College

- The college is the **REGULATING BODY**
- It is distinct from the degree (you could graduate with a degree in kinesiology, but **NOT** be a “kinesiologist” unless you meet the college requirements)
- Similarly, the college is distinct from a professional association which exists to serve members (e.g. MMA versus College of Physicians and Surgeons of MB)

# Kinesiology Coalition of Manitoba

- FKRM (UM) and DKAH (UW) met in spring of 2008, agreed need to develop scope of practice, competencies and academic requirements for kinesiology
- Invited others to the table (MEPA, MATA, MFC, Winnipeg Regional Health Authority, CSEP Health and Fitness Program)
- Meet regularly to discuss scope of practice, legislation, and related issues (standards, curriculum, liability, advocacy)
- Consult with CKA and OKA regarding national scene, strategies, etc

# Working Definition of Kinesiology

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Kinesiology is the science of human movement, encompassing both its physical and psycho-social aspects.

Kinesiologists promote and provide best practices in prevention, assessment and intervention to enhance and maintain fitness, health and wellness, performance, and function, in the areas of sport, recreation, work, exercise, and activities of daily living.

Kinesiology Coalition of Manitoba

# Omnibus Act?

- Kinesiology Act
- Large numbers are needed for legislation
- Could recognize basic competencies, and include sub-specialties: AT and Exercise Physiologists? others?

# Pros of Legislation

- Right to title of term “kinesiology” and scope of practice are entrenched in legislation
- Profession empowered to protect public from unqualified practitioners
- Profession empowered to expect minimum professional standards (in academic prep and professional conduct)
- Profession gains legitimacy in eyes of allied health professions, government agencies, insurance companies and others

(Glen Bergeron)

# Cons of Legislation

- Individuals may lose privilege of practicing kinesiology if they do not meet standards, or operate outside defined scope of practice
- Scope of practice may be limited, and impede on past practice
- Greater level of accountability to College (maintain credentials, annual maintenance, etc)
- Financial (members need to support paid College staff, administration, etc)
- Obligation to “police” membership if contraventions occur .. \$\$ (legal procedures, etc)

(Glen Bergeron)

# Requirements for Legislation

- Demonstrated need to protect the public
- Critical mass of practitioners willing to pursue legislation
- Defined scope of practice and competencies
- Minimum academic requirements
- Recognized and approved certification process
- Minimum liability insurance level
- Code of ethics policy and procedures
- Support of other allied health professionals?

# Next Steps?

- Define professionals who would be included in the Act
- Establish scope of practice, legal documents of the profession (academic standards, code of ethics, disciplinary procedures, etc)
- Solicit support from other allied health professionals
- Meet with government officials to begin the application process