

Volume 6, Issue 1 - February 2017

COUNCIL EXECUTIVE RESTRUCTURE - REGULATED MEMBER CONSULTATIONS

As recommended by the CMLTA strategic consultant, Council is giving consideration to the restructure of the Executive Team of Council. Leading practices dictate an alternate structure from the current model will better support a high-performance board. The proposed restructure would be reflected in Bylaw amendments and the linked CMLTA policies. CMLTA Council is comprised of three Public Members appointed by the government and nine Regulated Members elected by the CMLTA Regulated Members. Presently, the nine elected offices are comprised of six Councilor positions and three positions occupied by the Presidential Chain (made up of the President Elect, President, and Past President). Current CMLTA practice is to annually elect two new Councilors to fulfill the required complement and a President Elect; each to a three-year term. The President Elect progresses annually from President Elect to President, and ultimately to Past President during their tenure on the Executive Team of Council.

The proposed new Executive Team structure will still have the CMLTA (same wording as previous paragraph) Regulated Members electing new Councilors each year; however, CMLTA Regulated Members will elect three Councilors as opposed to two Councilors and a President Elect. To be clear, the authority to elect the same number of individuals to office each year will not change and this power will still reside with Regulated Members. The new structure proposes that Council appoint a President and Vice President each year from among the elected Regulated Members in the current board complement. The new Executive Team of Council will be selected by Council as a whole using a formal appointment and motion process resulting in a binding resolution of the collective Council. The primary functions of the President remain the same as in the current structure (e.g. set meeting

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NOMINATIONS

[click here for details](#)

RECOGNITION OF EXCELLENCE

**DEADLINE: December
31, 2017**

[Click here for details](#)

agendas, chair meetings of Council) and the duties of the Past President become the responsibilities of the Vice President. Ultimately the new Executive Team is comprised of two individuals (President and Vice President) as opposed to three individuals (President Elect, President, and Past President).

Council supports the new Executive Team format for several reasons: historically the CMLTA does not receive nominations for the President Elect position and Council is placed in the position to appoint an individual as provided for in the Bylaws; the President Elect may be perceived as an intimidating or daunting role for volunteers without governance or leadership training; and the three year commitment in a primary leadership role (President Elect to President to Past President) may be a deterrent to some who would prefer a one or two years in a primary leadership role. In some cases, there hasn't been an individual eager on Council to take on the President Elect role when it was not filled through the election process; however, someone has always stepped up to the plate to ensure continuity for the organization and that the privilege of self-regulation is not placed in jeopardy.

The proposed Executive Team of Council allows for the appointment of a President and Vice President each year. As Council collectively appoints these two offices, there is latitude for Council to appoint an interested and best-suited candidate for each office as it is not a natural progression from one office to the next. This means an elected Regulated Member could hold the office of President for one year, up to a maximum of six years as provided for in the current Bylaws, contingent upon Regulated Members electing this individual to a second three-year term. Furthermore, the President does not automatically transition into the Vice President office and must be appointed by the collective Council.

Council encourages you to read the CMLTA's [strategic consultant article](#) to provide a better understanding on the role of the Executive Team, specifically the President.

Council has a duty to consult with Regulated Members on Bylaw amendments, and as such welcomes your comments on the proposed new Executive Team for CMLTA Council. Please provide your feedback to info@cmlta.org by March 1, 2017.

COUNCIL MEETING HIGHLIGHTS

The CMLTA Council convened on November 19, 2016 for a regularly scheduled Council meeting. The following are highlights from the meeting:

- Approved the 2017 – 2019 Strategic Plan.
- Approved the 2017 – 2019 budget. Regulated Members annual registration dues have decreased for 2018 from \$570 to \$500.
- Approved the 2016 Annual General Meeting minutes for distribution to Regulated Members.
- Appointed Dan Woods to a two-year term (January 1, 2017 – December 31, 2018) and Tarek Brahim to a one-year term (January 1, 2017 – December 31, 2017) on Council.
- Appointed Darcy Gara and Valentin Villatoro each to a three-year term on the Legislation Sub-Committee from January 1, 2017 – December 31, 2019.
- Appointed Christine Choma to a one-year term on the Legislation Sub-Committee from January 1, 2017 – December 31, 2017.
- Performed annual performance review of Executive Director/Registrar/Complaints Director.

NOMINATIONS

Council is currently accepting expressions of interest for the following vacant positions:

- 2018 - 2020 Councilor (3 vacancies)
- 2018 - 2020 Legislation Sub-Committee Member (3 vacancies)

If you are interested, please contact Lori Kmet at registrar@cmlta.org.

2018 DUES NOTICE

September 15-October 31, 2017: \$450 (early bird discount)

November 1-30, 2017: \$500 (regular dues)

December 1-31, 2017: \$625 (regular dues plus processing fees)

For the 2018 renewal season, the CMLTA will no longer provide the option to pay CSMLS annual membership fees online with the payment of CMLTA registration dues. Regulated Members will need to

contact the CSMLS directly for the payment of CSMLS membership fees.

REGISTRAR'S REVIEW

WIFM - What's In It for Me?

With the CMLTA's regulatory-only mandate, the context of what's in it for "me" is more accurately replaced by what's in it for "us" collectively as Regulated Members. The "us" referring to the symbiotic and mutually beneficial relationship between the CMLTA and its practitioners. Without even realizing it you are dependent on the CMLTA and fully expect the organization to meet its legislated obligations to ensure self-regulation for your profession. If the CMLTA doesn't abide by legislation and the parameters outlined for registration, the Continuing Competence Program, complaints of unprofessional conduct, and maintain a complement of volunteers required for Council and committees, the CMLTA would lose the privilege of self-regulation as has occurred in some other professions. Perhaps a remote possibility, but do you want to take the chance and have a third-party administer the mandated programs and services of the CMLTA, be faced with more stringent professional practice requirements, and incur higher annual registration dues?

It is imperative for practitioners to understand the mandate of the CMLTA, but even more critical for MLTs to support the mandate and volunteer for roles on Council, committees, and Hearing Tribunals. In today's marketplace, there is higher value placed on a transferable skill set as opposed to the antiquated perspective that *if you haven't done the job, you can't do the job*. Even in my role as Executive Director for the CMLTA, some of my counterparts in other regulatory Colleges are being replaced not with practitioners of the profession with clinical skills and training, but with individuals that have performance management experience, legal expertise, business acumen, and strategic planning backgrounds. This mindset opens up a multitude of career opportunities as individuals are not pigeon-holed into one career path linked primarily to their formal education, and can foray into unrelated job markets simply based on a sought-after and desirable skill set. The interdependent relationship between the CMLTA and

its Regulated Members truly creates a win-win situation!

With this in mind, volunteering with the CMLTA provides Regulated Members with a base of professional growth and expansion that supports the regulatory mandate of the CMLTA, but also exposes individuals to governance and quasi-judicial matters, Bylaw and policy development, performance management, financial forecasting, and strategic planning. The CMLTA fosters the aforementioned skill set development with governance orientation training, parliamentary procedure workshops, and reimbursement for educational courses and events. The development of new skills, and more specifically a transferrable skill set, well-positions an individual for future employment opportunities both inside and outside the laboratory environment (e.g. community boards). The CMLTA also reimburses volunteers for travel and accommodation expenditures and provides an honorarium to off-set the impact to a volunteer's personal time.

It is obvious the CMLTA needs Regulated Members to participate and invest in the organization, but how is increasing your understanding and awareness of mandated programs and services for your profession not your personal responsibility? All Regulated Members are self-accountable as MLTs, and have the added accountability to their peers, other healthcare colleagues, and the collective general public (which includes their family and friends). This multi-level accountability should not need to be mandated, but intrinsic to an MLTs desire to do better and be better in all facets of their professional practice.

CCP CONVERSATIONS

Self-Assessment of Practice - Enhanced through *Standards of Practice*

Version 4.0 of the Continuing Competence Program Competency Profile was created using the newly revised (2016) CMLTA *Standards of Practice* (Standards). The Standards are a foundational and fundamental doctrine which represent the minimum professional practice standards for knowledge, skills, judgements, and attitudes expected of all MLTs in

Alberta. The Standards are mandatory and apply to all Regulated Members, at all times, and in all dimensions of professional practice. The Standards can be easily adapted as an assessment tool for gauging continuing competence within the numerous practice environments of MLTs, and as such the Standards form the basis of the MLT Competency Profile, and ultimately the annual Self-Assessment of Practice.

The Standards are composed of three main Standards: Professional Accountability, Knowledge Based Practice, and Professional Roles which each contain a list of statements to expand on the practical application of the standard in the workplace. These qualifying statements in the Standards are referred to in the context of the MLT Competency Profile as Enabling Competencies. Each Enabling Competency is composed of a set of overarching meta-competencies or professional capacities in which Regulated Members provide medical laboratory services, and is embodied in the annual Self-Assessment of Practice.

The Self-Assessment of Practice is designed to assist Regulated Members in the reflection of their practice strengths and weaknesses and establish an annual Learning Plan to guide the maintenance and/or development of competence in the workplace.

Completing the Self-Assessment of Practice

Regulated Members complete the Self-Assessment of Practice, by selecting the Self-Assessment of Practice Statement which most accurately describes their abilities and circumstances for each Enabling Competency.

As the Enabling Competencies are purposely broad in nature to apply to Regulated Members in all dimensions of professional practice, an individual must envision how each Enabling Competency applies to their professional practice when completing the Self-Assessment of Practice. This approach will assist Regulated Members in the selection of appropriate Enabling Competencies to be used in the development of a Learning Plan.

It is important for Regulated Members to realize that rather than selecting learning activities to be completed throughout the year as the opportunities present, an individual is required to first complete

the Self-Assessment of Practice to determine their specific learning needs and then seek out the appropriate learning activities to meet their competency needs.

COMPLIANCE AUDIT NOTICE

CCP Compliance Audit notices were emailed January 16, 2017. Please ensure your contact information with the CMLTA is up to date.

PROFESSIONAL DISCIPLINE AND CONDUCT CONSIDERATIONS

WHEN IS BEING TRANSPARENT DEFAMATORY?

*By Rebecca Durcan
Steineke Maciura LeBlanc Barristers & Solicitors*

At times there is tremendous pressure on the government and a regulator to be transparent about possible incompetence or misconduct that undermines confidence in the health care system. Awaiting the end of the disciplinary process to comment may not be feasible. However, issuing public statements, particularly where an individual practitioner is identified, can have a devastating impact on the practitioner. In *Tsatsi v College of Physicians and Surgeons*, 2016 SKQB 389 the decision by the regulator, the Minister and the hospital to inform the public of apparent radiological misinterpretations and to reassure the public of the steps being taken to protect them resulted in a defamation lawsuit.

In that case the Court summarily dismissed the action on the grounds that there was a basis for the public statements (i.e., a peer review report) and that, even if the statements were not justified, the entities were protected by "qualified privilege" which protected them in the absence of malice. On the qualified privilege point the Court said:

In so deciding I am cognizant that Sunrise [the hospital] and McMorris in his capacity as Minister of Health owe their primary duties to the public. Even the College does not exist merely for the purpose of protecting members of the medical profession. Each of the defendants owed a duty to the public, and in particular, an obligation to safeguard the health and welfare of the people of this province and inform

them when a potentially serious risk of misdiagnosis has been discovered. The court must therefore exercise caution in second guessing the manner in which this public duty was discharged. This is especially so where, as in this case, there was a factual basis for the impugned communications and each of the defendants was careful to relay only the facts as they understood them and the measures that they were implementing in response.

This case should not only provide assurance to regulators who feel that they must make a public statement (confidentiality provision permitting) on a troubling case, but can also provide guidance on how to do so in a way that minimizes the regulator's risk of liability.

<http://www.sml-law.com/blog-regulation-pro/>

PROFESSIONAL PRACTICE PERSPECTIVES

THE ROLE OF PRESIDENT-PROBABLY NOT WHAT YOU THINK!

*By Russell Farmer, President
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After fifteen years of consulting to elected boards, I can honestly tell you that the role of the board President is the most misunderstood position in any organization. Media and pop culture have led us to believe the "President" of an organization is a position with sweeping power and authority over the organization and its people. The truth is just the opposite as the role of President is about responsibility, not power.

Let us begin with some context. The senior position on a board can be called the President, Chair, or Chairperson. At the CMLTA, your governing body is Council, and the head of that Council is your "President". The CMLTA's President is elected by the Regulated Members and designated as a specific position on the Council. The role of the President is defined in the CMLTA's Bylaws and policies as well as by good governance practices.

What Does a President Do?

The President serves several critical roles on a governance body, but let's examine the three

primary roles.

Firstly, the President acts as chairperson when in attendance at Council meetings. Being a chairperson means ensuring procedures are followed so meetings are held in an orderly fashion and that everyone has an opportunity to be heard. Chairing a meeting is about ensuring that the decisions of Council are made with complete information, are the result of fair processes, and represent the collective will of Council. Being a chairperson is not easy and it does not afford one the ability to vote, but rather to moderate. It requires training and experience. Your President and designate (e.g. Past President or Vice President) should be familiar with the CMLTA's Bylaws and policies, and need a solid understanding of "Parliamentary Rules of Order" that guide effective meetings. Good boards allow their elected Regulated Members to develop into these senior roles over time.

Secondly, the President has signing authority for CMLTA documents. The President can sign minutes, Bylaws, policies, financial documents, and contractual agreements on behalf of the organization; however, there is a very important control on this power. The President's signing authority only reflects the will of Council. For example, the President can only sign minutes that have been adopted by a resolution of Council, and can only sign contracts that have been agreed to by Council. So, the President has no individual authority to enter into agreements on behalf of Council; only the power to sign what Council has approved. A President who signed agreements without authorization of the Council places the CMLTA into a significant risk and liability position, as well potential legal ramifications.

Thirdly, the President is the voice of Council, speaking on Council's behalf in public forums, such as meetings or events. Depending upon the issue, the President may speak to the media, or pen an article for a magazine or a newsletter. The important point here is that the President is speaking for all of the Council. When acting as a spokesperson, the President reflects Council's position on matters, not his or her own personal viewpoint. This can be a challenge, since the President may disagree with a decision of Council, but is obligated to support it as the democratically determined position of Council.

That is what it means to be a spokesperson. Once elected, there is never a time during the President's term in office when he or she is not President. When speaking about the CMLTA or the profession, the President should always be speaking as the head of the Council. As a result, your President should never be stating his or her own opinion on any issue; only reflecting Council's collective standpoint.

What Doesn't a President Do?

There are many assumptions about the power of a board President and most are simply not true.

The President does not set the organization's strategic direction. That power rests with Council as a collective body. It is important to note that Council is a singular term representing all the members of the governing body. Only Council has the power to make decisions. Council works collectively to develop the CMLTA's strategic plan, and adopts the plan by passing a resolution. The President may disagree with some or all the plan; but it remains the CMLTA's strategic plan and the duty of the President is to support it.

The President does not make decisions on behalf of the organization. Once again, only Council as a collective body has the power to make governance decisions. In fact, being a good Chairperson means ensuring that others are heard. The Chairman's seat is not a pulpit from which the President dominates discussion, and in most organizations, the President doesn't even vote on motions unless there is a tie. When the President does vote, he or she has only a single vote; just like every other Councillor.

The President does not direct any member of administration, including the CMLTA's Executive Director/Registrar. Only Council can collectively direct the Executive Director/Registrar. Council cannot direct any CMLTA employee other than the Executive Director/Registrar as all other staff are under the direction of the Executive Director/Registrar and are her staff. In fact, no single member of Council, regardless of title, should ever attempt to direct or influence the work of the CMLTA's administration. Any direction from your Council to your administration should result from a vote of Council, and it must be documented in Council's minutes. For a governance body, if it isn't in the minutes, it never happened!

What Does It All Mean

If we accept that the President ensures fair procedures during Council meetings, signs documents approved by Council, and speaks for Council, once can conclude that the President is a resource for Council. And, if we accept that the President has no individual authority to set the strategic direction of the CMLTA, to make decisions on behalf of the organization, or to direct the CMLTA's administration, then it is clear to see that the President's authority to govern is the same as the authority of every other Councillor.

Perhaps we need to reframe how Regulated Members of the CMLTA view their President. The President is no more a representative of the will of the Regulated Members than any other elected Councillor. An effective President is developed through experience and governance training, but good communication skills and the ability to work collaboratively are essential. A President's role is simply to enable Council and to act in response to the will of Council, nothing more!

2016 ANNUAL GENERAL MEETING MINUTES

Council has approved the [2016 Annual General Meeting minutes](#).

RECOGNITION OF EXCELLENCE

Don't work for recognition, but do work worthy of recognition. - H. Jackson Brown, Jr.

The foundation for the Recognition Program is based on the vision, mission, core values, and regulatory role of the CMLTA. It is peer to peer recognition of Medical Laboratory Technologists (MLTs) who epitomize professional practice; who advance the profession; and who demonstrate to others the CMLTA's *Standards of Practice* and *Code of Ethics*.

To view the Recognition of Excellence parameters or to nominate a deserving MLT, please click [here](#).

The CMLTA welcomes all feedback and encourages Regulated Members to provide recommendations for continuous improvements to the mandated programs and services offered by the CMLTA. Regulated Member feedback is important to the CMLTA Council and any opportunity to implement your suggestions is mutually beneficial for all parties. Please send your comments/feedback to info@cmlta.org.

The College of Medical Laboratory Technologists of Alberta (CMLTA) is a recognized leader in the regulation and governance of medical laboratory services. As a trusted partner in healthcare regulation, the CMLTA acknowledges self-regulation is a privilege and endeavors to enhance public protection and patient safety, promote high standards for professional practice, and contribute to the overall wellness of Albertans. The CMLTA protects the public by regulating Medical Laboratory Technologists (MLTs) and fostering excellence in professional practice.

The Commentator e-newsletter is the CMLTA's primary communication vehicle and is distributed February, May, and October. It provides MLTs and the public with current and timely information about CMLTA programs, services, and topics relevant to MLTs and which may have an impact on the healthcare continuum.

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