

April 30, 2013

Honourable Dr. Margaret MacDiarmid
Minister of Health
Room 337, Parliament Buildings
Victoria, BC V8V 1X4
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Dear Minister MacDiarmid:

Your government recently released a review of the BC Care Aide and Community Health Worker Registry (the Registry), as well as an Action Plan intended to begin addressing some of the issues outlined in the report.

As you are aware, since the inception of the Registry, the BC Care Providers Association has raised a number of serious concerns, including:

- The Registry was intended to be cost neutral compared to the grievance/arbitration process, but has resulted in significant new costs for many of our members.
- The Registry was supposed to put the protection of seniors first, but has frequently taken the position that a “scale of abuse” is acceptable in order to protect employees, their employment status and their employability.
- In many cases Registry investigators are acting in the role of investigator, mediator and juror for the same file and do so without a consistent investigation framework, or accountability or review of their recommendations or processes.
- The system was supposed to be streamlined, but instead has added multiple layers of bureaucracy.
- The Registry was intended to become an easy to use resource for employers wanting to ensure they do not hire potential employees who have previously abused seniors.
- The Registry enabling framework fails to recognize that employment status is covered under Employment Standards legislation or collective agreements and should be a separate issue from Registry status.

While we had hoped the government’s review of the Registry would have provided some resolution and/ or clear recommendations regarding our concerns, it has not.

Rather than trying to ensure the Registry fixes the “basics”, we now appear headed on a track of expanding the current flawed model to include private pay providers.

It is clear from the Ministry Action Plan that the review form the basis for future discussions and negotiations with stakeholders over the coming months. As such, I would encourage you to consider the following recommendations as a starting point:

- Clarify that the Registry’s key and only mandate is to review the facts and determine whether someone should be on the registry or not. There should be no involvement in the employment relationship between the employer and the care aide.
- Where possible, all complaints should be investigated by a properly trained officer from the licensing branch with the findings shared with the Registry. As registration status may affect future employability of a care worker, the Registry should be enabled, after the licensing determination of abuse, to determine what remedial steps, if any, a care worker must take to obtain registration again. In this way, the person who has abused a senior receives a clear message that their conduct is not acceptable in our society. This will also serve to deter other care aides from abusive behaviour.
- Before moving forward, consult more broadly and ensure residents in care and their families have their voices heard. Most importantly, government should determine whether it is prepared to accept a “scale of abuse” policy framework – or whether it supports a zero tolerance approach.

The BC Care Providers’ clear preference is to adopt a zero tolerance approach to abuse that would put the rights of vulnerable seniors first and send a clear message to the sector that abuse will not be tolerated when it comes to seniors care in BC.

- Impose a small \$20 annual fee payable by care aides to maintain their status in the Registry to ensure the database is kept up to date and is recovering its costs.
- Commit to an open and transparent auditing process to ensure the Registry is revenue neutral and does not duplicate work currently undertaken by other processes.

The BC Care Providers Association would welcome the opportunity to continue working with the government to help find workable solutions for these issues we've outlined above. I look forward to hearing from you at your earliest convenience.

Sincerely,



Daniel Fontaine
CEO, BC Care Providers Association

cc: Honourable Ralph Sultan
Minister of State for Seniors

Ms. Kim Carter
B.C. Ombudsperson
(by fax)

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