

3-COLUMN DISCUSSION DOCUMENT

General Overview				
<p>There are important policy changes to discuss to ensure ASET is a fully independent regulator under the <i>Engineering and Geoscience Professions Act</i>. This requires several legislative amendments, as well as negotiated agreements and non-legislated solutions with APEGA.</p>				
Row#	Current (see note #2)	Proposed	Rationale	APEGA Support / Comments
Scope of practice for engineering and geoscience technologists				
1	New	<p>There are no legally enshrined certification requirements to be an engineering or geoscience technologist. ASET's proposed registration of engineering and geoscience technologists is as follows:</p> <p>An engineering technologist and geoscience technologist will undertake work that is the routine application of industry recognized codes, standards, procedures and practices using established engineering or geoscience principles and methods of problem solving.</p>	<p>Most professions in Alberta have a legislated scope of practice. Most scopes of practice, and specifically the scopes of practice for other regulated technologists, do not include sign off authority.</p> <p>Every health and non-health profession whose duties and responsibilities impact the public has their practice set in legislation. Every technologist has a clearly defined scope of practice set in legislation, with the exception of engineering and geoscience technologists. The importance and utility of engineering technologists has grown considerably over the past fifty years.</p>	<p><u>Scope of Practice</u></p> <p>No. APEGA does not support a scope of practice for engineering and geoscience technologists beyond the current PTech designation and scope of practice.</p> <p>APEGA could support, subject to reviewing consultation with directly affected stakeholders, including a definition for the 'occupation of engineering and geoscience technology' (similar to other provinces).</p> <p>Rationale:</p> <p>This is a public safety issue and is not in the public interest.</p> <p>Engineering and geoscience technologists already have a route to independent and accountable practice through the current</p>

			<p>Most jurisdictions have moved toward assigning specific tasks to specific professions in codes, standards and regulations. Engineering and geoscience technologist graduates from post secondary programs require additional certification as the global trend toward more regulation, certification and standards grow for various forms of infrastructure.</p>	<p>pathway to the P.Tech. designation that has been collaboratively developed and jointly regulated with APEGA. The P.Tech. program authorizes accountable practice for more engineering technologists than found in any other province in Canada.</p> <p>ASET's proposal would give technologists independent practice without oversight, and no responsibility or accountability for public safety.</p> <p>There are no current gaps in public protection with CETs working under the supervision of a licensed professional. ASET has not identified any public harm issues associated with the fact that technologists do not have an independent scope of practice that put Albertans at risk, nor how that would be solved by changes ASET is proposing.</p> <p>APEGA recognizes the valuable contribution technologists make to engineering and geoscience teams. However, a scope of practice is not simply a reward or recognition for meeting certain qualifications; there needs to be corresponding accountability and responsibility for</p>
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				<p>ensuring protection of the public safety and public interest that accompanies a scope of practice.</p> <p>Scope of practice, taking responsibility for work, and authentication (sign off authority) are inextricably linked in the practice of engineering and geoscience. Authentication is the primary mechanism for ensuring public protection and is evidence to the world that:</p> <ul style="list-style-type: none">- the work was done by a professional with the necessary specialized expertise and competency to do the work,- that the professional takes responsibility for the work, and- that the public can rely on it. <p>There is high potential for confusion and risk to the public with ASET's proposal. The decision for when authentication is required has always rested with a licensed professional (professional engineer/geoscientist, professional licensee, or professional technologist) who takes responsibility for the work being done.</p>
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				<p>Under ASET's proposal technologists who will not be taking responsibility for the work and who do not know when authentication is required will be deciding whether authentication is required. This poses a significant risk to the public. How does the public know what work must be authenticated and who can do what and who is ultimately responsible and accountable for that work? How does a technologist who does not have authority to authenticate, ultimately make the decision on what does and does not need authentication and escalation to a licensed professional? How is this protecting the public?</p> <p>Independent scope of practice for technologists will be inconsistent nationally. No other province grants a scope of practice for engineering and geoscience technology. The rest of Canada recognizes that to protect the public, technologists must work under the supervision and control of a licensed professional.</p> <p>Independent practice for CETs will cause potential labour mobility issues because no other province</p>
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				<p>grants a scope of practice for engineering and geoscience technology.</p> <p>The existing P.Tech designation already grants a scope of practice to technologists and authorizes them to authenticate work within their scopes of practice.</p> <p>The wording of ASET's proposed scope of practice for engineering and geoscience technology is identical to the current scope of practice for P.Techs. and falls within the definitions of the practice of engineering and practice of geoscience. There would be no difference in the area in which a C.E.T. could practice without oversight versus the area in which a P.Tech can now practice without oversight and also authenticate. The C.E.T. proposal from ASET will result in significant public confusion and risk to the public.</p> <p>The ASET briefing note that accompanied this 3 column document also referred to restricted scopes of practice as found in the Health Professions Act (HPA) model.</p>
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				<p>APEGA does not support an HPA restricted activities model for engineering and geoscience for two reasons:</p> <ul style="list-style-type: none">- engineering and geoscience are fundamentally different than health professions because of the need to authenticate work (sign off); <p>and</p> <ul style="list-style-type: none">- the health professions work on one thing: the human body. But engineering and geoscience cover a broad and diversified range and size of practice disciplines from the design of huge earthen dams and 60 storey skyscrapers, to schools and hospitals, to developing wi-fi communication systems, to computer microchips, to future nanotechnology. Trying to describe specific restricted activities within such a diverse range of practice areas would be a complex and extremely time-consuming exercise, and not in the public interest for reasons previously cited.
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				<p>The statement in the ASET: “<i>Every health and non-health profession whose duties and responsibilities impact the public has their practice set in legislation. Every technologist has a clearly defined scope of practice set in legislation, with the exception of engineering and geoscience technologists</i>” is not accurate. Many do not: For example, survey technologists do not have a defined scope of practice</p> <p>(Note: The ASET briefing note that accompanied ASET’s submission to the Minister and 3 column document included a document that indicated ASET is seeking a scope of practice that does not authorize independent sign off authority, and the 3 column document itself does not explicitly say they are not seeking independent sign off authority. This should be clarified in the 3 column document.)</p> <p><u>Possible Alternative that APEGA Could Support:</u></p> <p>- A definition for the occupation of engineering and geoscience technology, and this occupation would not include the right to a</p>
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				<p>scope of practice with or without oversight.</p> <p>-Technologists working within the definition of the occupation of engineering and geoscience technology who are not working under the supervision and control of a licensed professional would be required to register with ASET.</p> <p>-These individuals would then be subject to ASET's code of ethics, continuing professional development, and discipline action.</p> <p>-These individuals would be required to work under the supervision and control of a licensed professional.</p> <p>Rationale: No province or territory gives technologists a scope of practice like ASET is seeking.</p> <p>Some provinces have a definition of 'occupation of applied science technology' through legislation, as well as protected title for engineering and geoscience technologists.</p>
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				<p>The definition of 'occupation of engineering and geoscience technology' will be used as a tool to identify who needs to apply for registration as a C.E.T. It is not intended to give C.E.T.s an independent scope of practice or to describe activities that they can do independently without oversight.</p> <p>A proposed definition for the occupation of engineering and geoscience technology could be:</p> <p><i>The 'occupation of engineering and geoscience technology' means the provision of services by a certified engineering or geoscience technologist in accordance with</i></p> <ol style="list-style-type: none"><i>i. their academic qualifications, learning and experience</i><i>ii. generally accepted practice and procedures within nationally accepted codes and standards, and</i><i>iii. the ASET Code of Ethics</i> <p><i>and must be performed under the supervision and control of a licensed professional.</i></p>
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				<p>Example from other legislation:</p> <p><i>The Certified Applied Science Technologists Act, CCSM c C45.1 (Manitoba)</i></p> <p><i>Definitions</i></p> <p><i>1(1) In this Act,</i></p> <p><i>"occupation of applied science technology" means the provision of services by Certified Applied Science Technologists, Certified Applied Science Technicians, Certified Engineering Technologists, or Certified Engineering Technicians</i></p> <p><i>(a) in accordance with their academic qualifications, learning and experience,</i></p> <p><i>(b) in accordance with generally accepted practices and procedures within nationally accepted codes and standards, and</i></p> <p><i>(c) in accordance with the Association's Code of Ethics,</i></p> <p><i>but does not include the practice of professional engineering and the practice of professional geoscience, as defined in The Engineering and Geoscientific Professions Act, or the practice of the profession of architecture within the meaning of The Architects Act;</i></p>
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		<p>The existing exemption in the <i>EGP Act</i> (Part 1 – Scope of Practice – 2(4)(b)) – page 8), for people being supervised under the control of a professional engineer, professional licensee or professional technologists would remain.</p> <p>The new titles for the category for engineering technologists would be Registered Engineering Technologist (RET).</p> <p>The new category for geoscience technologists would be Registered Geoscience Technologists (RGT).</p>	<p><u>Exemption 2(4)(b)</u></p> <p>Yes, APEGA agrees existing <i>EGP Act</i> exemption 2(4)(b) would remain for people being supervised by and under the control of a professional engineer, professional geoscientist, professional licensee or professional technologist. (licensed professionals) The same applies for existing exemption 5(2)(b) for geoscience.</p> <p><u>New Titles: Registered Engineering/ Geoscience Technologist</u></p> <p>No. APEGA does not support the new titles RET and RGT. APEGA does support retaining the existing Certified Engineering Technologist (C.E.T.) designation; and would support the creation of a new Certified Geoscience Technologist (C.G.T.) designation.</p> <p>Rationale: These new titles RET and RGT will cause further confusion.</p>
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				<p>The Registered Engineering Technologist (RET) designation is a designation that existed under prior legislation but was discontinued with <i>EGP Act</i> changes in 2007. However existing RETs were grandfathered and still exist. The qualifications for these RETs were different than the qualifications for C.E.T.s. Reintroducing this same designation will cause confusion and is not necessary. Keeping the existing C.E.T. designation and introducing a new C.G.T. designation will provide clarity by distinguishing engineering technologists from geoscience technologists, while retaining the current C.E.T. brand.</p>
<p>Add definition of 'Registered Professional'</p>				
<p>2</p>	<p>NEW Registered Professional means an individual who is authorized to engage in the practice of engineering/geoscience under the Engineering and Geoscience Professions Act and</p>	<p>The proposal is to ensure professional technologist (engineering) professional technologist (geoscience) are recognized as being qualified to perform supervision where the current act current identifies 'Professional Member'.</p>	<p>There are currently over 800 professional technologists licenced in Alberta. Many of these professionals are in a position to provide references for professional technologist applicants. Consideration should be given to the role of professional technologists as supervisors of</p>	<p>No. APEGA does not support adding a definition for "Registered Professional"</p> <p>APEGA <u>does</u> support adding a definition for "Licensed Professional" as described in APEGA's Feb 1, 2017 proposal to the Minister at Line 41 (page 21/65).</p>

	<p>its Regulations. The licences include: Professional Engineers Professional Geoscientists Professional Limited Licence (Eng.) Professional Limited Licence (Geo.) Professional Technologist (Eng.) Professional Technologist (Geo.)</p>		<p>engineering technologists. As professional technologists tend to hold senior roles in organizations, it is reasonable to assume that in some instances, they are supervising engineering technologists.</p>	<p>Rationale:</p> <p>The APEGA change recognizes that professional limited licensees and professional technologists can provide supervision and control within their authorized scopes of practice the same as professional engineers and professional geoscientists can provide supervision and control.</p> <p>The change clarifies the use of the term “licensed professional” throughout the Act.</p> <p>The term “licensed” indicates the individual is licensed to independently practice engineering or geoscience and this is different than an individual that might be registered and not licensed to independently practice and provide supervision and control.</p>
Move the structure of ASET Council to bylaws				
3	<p>Repeal section 87.2(1)</p>	<p>The structure of ASET Council to be set in bylaws and not in the <i>EGP Act</i>.</p>	<p>Align with Professional Chartered Accountants.</p>	<p>Yes. APEGA supports this proposal.</p>
Structure of Joint Boards and Committees				
4	<p>Amend Division 2 Joint Boards and Committees</p>	<p>The administration of the professional technologist process should be the full</p>	<p>APEGA’s assistance was needed to set up the initial application process.</p>	<p>No. APEGA does not support this proposal.</p>

		<p>responsibility of ASET. The membership of the boards will remain split between engineers and technologists, but ASET will be fully responsible for recruitment, training and orientation of the committee members.</p>	<p>However, there have been significant delays from APEGA to fill vacancies and establish the legally required joint boards. Establishing a non-legislative solution has proven to be not a viable solution.</p>	<p>APEGA supports maintaining current Joint Boards and joint regulation of P.Techs.</p> <p>Rationale:</p> <p>This is a public safety issue and not in the public interest.</p> <p>Joint boards are essential. Joint regulation of professional technologists is required to protect the public. The scope of practice for PTechs involves the practice of engineering and geoscience. APEGA as the regulator of engineering and geoscience needs to be involved in the regulation of individuals engaged in the practice of engineering or geoscience.</p> <p>The combined effect of ASET's proposal with #5 below would be to give PTechs a scope of practice that could be as broad and deep as the scope of practice of a PEng or PGeo, and that ASET would be solely responsible for determining that scope.</p> <p>This raises concerns with potential public safety. Because technologists do not receive the same level and depth of</p>
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				<p>educational training as engineers and geoscientists, they do not have the broad theoretical grounding to know when they're expanding beyond their codified knowledge areas into areas that could put the public at risk. Without professional engineers and geoscientists being actively engaged in determining the boundaries of scopes of practice for people who are not professional engineers and geoscientists, there is a risk to the public.</p> <p>As the regulator of engineering and geoscience, APEGA must retain the ability to have statutory oversight over the practice of engineering and geoscience in Alberta and must retain the ability to recruit and orient professional engineers and geoscientists to the joint boards to ensure the public interest is protected at all times.</p> <p>APEGA agrees ASET should continue to handle the administration of the joint boards as is currently the case.</p> <p>All ASET requests for appointments to the joint boards have been satisfied since mid-2016 and a process has been put in place, with</p>
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				ultimate recourse to JCC, to ensure the efficiency and effectiveness of ongoing future appointments. Legislative change is not required.
Scope for professional technologists				
5	Amend Division 3 Professional Technologists	The scope of practice for professional technologists should be modernized to allow members to practice outside codes and standards, but within their scope of practice.	The proposed change would align professional technologists with professional licensees. There are over 800 professional technologists in Alberta and they have demonstrated competence and a focus on public safety.	<p>No. APEGA does not support this proposal.</p> <p>APEGA supports maintaining the current P.Tech scope of practice. APEGA also supports giving P.Techs a pathway to the APEGA professional limited licensee designation and scope of practice.</p> <p>Rationale: This is a public safety issue and the ASET proposal is not in the public interest.</p> <p>The current scope of practice for professional licensees (P.L.) is different than the current scope of practice for P.Techs. The difference is that professional licensees can practice in scopes involving complex problem solving using complex methodologies, whereas P.Techs must practice within</p>

				<p>recognized codes, standards and procedures using established principles and methods of problem solving.</p> <p>The limited scopes of practice given to professional licensees are unique to each individual and are based on the individual's training and specific experience including evidence the individual has appropriate training and experience to engage in complex problem solving using complex methodologies.</p> <p>ASET's proposal to simply expand the P.Tech scope to be equivalent to P.L. scope puts the public at risk. Before an individual is given a limited license to practice using complex methodologies they must provide evidence they have the necessary competency within that scope. An individual P.Tech might be able to demonstrate appropriate experience and competency within an expanded scope, however it cannot be an automatic expansion of scope.</p>
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				<p>For similar reasons to #4 above, the assessment of whether a technologist has the competency to practice in an expanded P.L. scope beyond their codified P.Tech scope must be done by APEGA as the regulator that assesses the qualifications of individuals for higher level complex engineering and geoscience licensure above codes and standards.</p> <p>Granting P.Techs the same scope as P.L.s and making ASET the sole regulator of these P.Techs is inconsistent nationally. This will cause labor mobility issues and poses a risk to public safety. Alberta plus seven other provinces have some form of Limited License under which technologists can obtain an independent scope of practice within limited scopes of practice. They are called different things in different provinces (professional licensee in Alberta), but the common thread is that in the other provinces these are available only from the engineering or geoscience regulator, not from the technologists Association.</p>
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				<p>APEGA supports giving qualified P.Techs a pathway to the APEGA professional limited licensee designation and scope of practice. APEGA is proposing that professional technologists can obtain an expanded scope through APEGA's limited license which is being renamed to professional limited licensee (P.L.L.) to recognize both the limited license and professional aspects of the designation. The P.L.L. will provide a pathway for P.Techs to obtain a scope of practice involving complex problem solving using complex methodologies.</p> <p>ASET expressed concern to APEGA that the elimination of the P.L. category would limit career progression for P.Techs. APEGA acknowledged ASET's concerns and adopted the details that ASET asked APEGA to adopt for the new P.L.L., took the amended P.L.L. proposal to APEGA Council on January 25, 2017 and the ASET requested changes were approved by APEGA Council. These will be forwarded to the GOA in the June</p>
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				2017 submission for the <i>EGP Act General Regulation</i> .
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Notes:

1 There should be a row for each policy issue. Please number each row as it makes it easier for reference purposes.

2 If the proposed change **does not** repeal and replace one or more existing statutes, then the “Current” column is not necessary. In the “Proposed” it is only necessary to summarize the new policy being proposed.

3 If the proposed change **does** repeal and replace one or more existing statutes, then a “Current” column is necessary. The document need only set out changes in policy from the statute(s) being repealed and replaced. Under “Current” summarize the existing policy that is being changed and under “Proposed” summarize the new policy being proposed.

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