Personal Support Worker
Scope of Practise

Lynelle Hamilton
Director, PSW Programmes
Capacity Builders, a division of OCSA
What and Who Determines What A PSW May Do

- Legislation
- Employer
- Training
- Current Experience
Regulation & PSWs

Many health professionals in Ontario are regulated under *Regulated Health Professions Act*

- Defines which professions are regulated
- 26 professions in Ontario
- Establishes controlled acts
- Criteria for exemption
- Sets out requirements for each profession's regulatory college
Regulation & PSWs

Professional regulatory colleges are responsible to set

- Practice standards
- Educational requirements
- Public information
- Complaint and disciplinary procedures

Personal Support Workers are not regulated
Personal Support Worker

Unregulated health care worker

- not listed as a regulated profession under the *Regulated Health Professions Act*
- Does not have a regulatory “college” or governing body
- Discussions among PSW networks about self-regulation
- No provincial association for PSWs
- Personal Support Network of Ontario
PSW Role & Accountability

- The *Regulated Health Professions Act* only identifies the acts that a non-regulated health professional (such as a PSW) *cannot* do - or can only do in specific circumstances.

- Under Common Law, all PSWs must act responsibly and exercise *duty of care* in all acts.

- There are also the ethical obligations to avoid harm and promote good.
Scope of Practise

PSWs do what a person would do for him or herself if physically and/or cognitively able that are usually not controlled acts

PSWs may perform controlled acts, only if

- routine for the person
- the employer permits, and
- a specific training procedure is followed
What Do PSWs Do?

According to the Provincial Role Statement

- Depends upon the individual needs of each person you support

- Can include
  - Home management
  - Personal care
  - Family responsibilities (routine care giving to children)
  - Work, social and recreational activities
Home Management

Home management is a significant component of personal support.

Home Management includes:

- Shopping
- House Cleaning
- Meal Preparation
Personal Care

Helping a person with

- Getting Dressed
- Personal Hygiene
  - Bathing
  - Grooming
  - Toileting
- Mobility
- Other Routine Activities of Living
Family Responsibilities

- Routine care giving to children
  - Child care
  - Assisting the parent with child care
  - Accompanying to school

- Other obligations that the person would have as a family member
Work, Social & Recreational

- The PSW’s role includes assisting the person to participate in social and recreational events, including
  - accompanying the person
  - assisting while there
- A PSW may also support a person at the person’s workplace
The Permission Triangle

What legislation allows

What your employer permits

What you regularly do
Employer Policies

- Employers can and usually do set policies that limit a PSW's ability to perform acts
  - Can apply to controlled and non-controlled acts
  - May be a part of a contract the employer has with a third party
- Permitted activities may vary from client to client or programme to programme
- Obligation to work within the agency policy, even if acts may legally be done by a PSW
Controlled Acts

PSWs can perform certain controlled acts by

- Delegation
- Exemption

Delegation and exemption are not the same!
Delegation

- Not specifically defined under the RHPA
- Understood to be a process where a regulated health professional who is authorized to perform a controlled act gives that authority to someone who is not authorized
  - another regulated health professional; or
  - an unregulated person - e.g. PSW

Responsibility for correct performance remains with the health professional
Delegated Acts

- The controlled procedure must fall within the scope of the Act that can be delegated
- PSW must be competent, current and comfortable with the act and the have the background knowledge necessary
- PSW must receive instruction on the act with each client for whom the act is performed, even if the PSW has done it before
- Delegated acts are generally time limited activities for PSWs
Exempted Acts

- Refers to the situations defined in the *Regulated Health Professions Act*:
  - Section 27 (2) (5) & (6)
  - Only these acts!

- Places responsibility for performance on the person *performing* the act – the **PSW**!
What Can be Exempted?

- Administering a substance by injection or inhalation (Section 27, (2), (5))
- Putting an instrument, hand or finger (Section 27, (2), (6))
  - beyond the external ear canal
  - beyond the point in the nasal passages where they normally narrow
  - beyond the larynx
  - beyond the opening of the urethra
  - beyond the labia majora
  - beyond the anal verge
  - into an artificial opening into the body
Exempted Acts

Before a PSW performs an exempted act

- The procedure must be routine for the client
- The client must be stable and the outcome must be predictable
- You must be competent, current and comfortable with the act and have the background knowledge necessary
- You must receive instruction on the act with each client for whom the act is performed, even if you have done it before
  - Should be a person legally authorized to perform the act
  - Should be the person who monitors you afterward
- The agency establishes that you are taught by an appropriate person, that the teaching is complete and the monitoring is taking place
Medication Administration Issues

- Administering a medication by one of the following methods is not a controlled act and may be legally done by a PSW
  - Oral
  - Topical
  - Eye, ear, nose drops
  - Transdermal patches

- Exception
  The Long Term Care Homes Act does not allow anyone who is not an RN/RPN, MD to administer any medication in a long term care home
  - Nursing homes & homes for the aged
  - Not retirement or rest homes
Remember

- Even if you are legally able to perform an act, your employer may not allow you to do it, or to do it only under certain circumstances.
- Not all potentially harmful acts are controlled acts.
  - E.g. passive range of motion, chest clapping.
- **NO** act is safe if you have not been trained to do it.
- **NO** act is safe if you perform it incorrectly.
Your Responsibilities

- To know what your scope of practice is:
  - As defined by legislation or regulation
  - As defined by your employer

- To ask for and receive the information you need to assist a client

- To ensure that you are
  - Competent
  - Current
  - Comfortable
  - Have practised and had any questions answered
Before You Perform an Exempted Act

- Make certain:
  - The act is routine for the person
  - The outcomes expected are known
  - You are competent, current and comfortable with the act and the background knowledge

- Your agency permits you to perform the act
- You have received instruction on the act with *each* client for whom you perform the act, even if you’ve done it before
- You know when and by whom your performance will be monitored
- The client is comfortable with your performing the act
Questions?

Lynelle Hamilton
Director, PSW Programmes
416-256-3010 x 279
1-800-267-6272 ext. 279
lynelle@capacitybuilders.ca