



Nova Scotia Regulated Health Professions Network

Principles of Assignment and Delegation

Guidelines for Working with Unregulated Care Providers

Approved by the Nova Scotia Regulated Health Professions Network Council on September 24, 2015

Motion:

Whereas the duties of the Network include:

- (a) Be a forum to share resources, information, trends and issues among the regulated health professions and others;
- (b) Promote best practices in health-profession regulation while preserving the regulatory autonomy of each regulated health profession;
- (c) Enable Network members to build capacity for their regulatory functions by facilitating collaboration with other Network members and other bodies;
- (d) Facilitate the development of strategies and approaches that will enable Network members to respond individually and collectively to regulatory challenges and opportunities;
- (e) Encourage voluntary collaboration among Network members for any purpose that serves the public interest;

Be it resolved that the Regulated Health Professions Network endorse as good practice the approaches set out in the document “Assignment and Delegation to Unregulated Care Providers” and recommend adoption by Network members to the extent that is permitted by relevant legislation.

## Introduction

Nova Scotia has a history of collaboration among its regulated health professions. The Nova Scotia Regulated Health Professions Network (the Network) prepared this document to support the collaborative efforts of regulated health professionals together with unregulated care providers and employers in order to enhance health care for Nova Scotians.

Collaboration means that regulated health professionals and unregulated care providers must adapt to changing roles, work to their optimized scope of practice and expand the skills required to meet the demands of an evolving health system. In order to do so, health care team members must understand their own roles and responsibilities and the roles and responsibilities of others. They must also share a common language and a shared understanding of concepts as referred to in this document.

Working to one's optimal scope of practice means that assignment and delegation play an important role in the provision of safe, efficient and effective care for Nova Scotians. These assignment and delegation guidelines provide a framework for the processes involved when a regulated health professional assigns or delegates tasks to unregulated care providers. Any assignment or delegation to an unregulated care provider by a regulated health professional cannot conflict with any requirements as defined in legislation, regulations, regulatory policies, and/or standards of practice. This document will:

- Guide the decision-making process for task assignment
- Guide the decision-making process for task delegation
- Describe the different levels of supervision
- Promote a consistent approach among Network members regarding assignment and delegation
- Promote collaboration, agreement, and a consistent approach among regulated health professionals, unregulated care providers, and employers regarding assignment and delegation
- Assist unregulated care providers in understanding assignment and delegation
- Assist employers in understanding the regulated health professionals accountability in assignment and delegation, which in turn will assist in developing applicable organizational policies
- Employers are defined as the Nova Scotia Health Authority or the IWK Health Centre. Other employers wishing to use the document must refer to the appropriate regulatory authority.

## **Regulated Health Professionals and Unregulated Care Providers**

A regulated health professional is a registrant of a health profession that is regulated by government legislation. This legislation defines the scope of practice for the profession. The regulatory body of each health profession is legislated to protect the public interest through self-regulation. The regulatory bodies ensure that registrants are competent and qualified and that they follow clearly defined standards of practice and ethical principles. The regulated health professional is accountable for practicing within their scope of practice. Regulated health professionals are accountable for their actions when assigning and/or delegating to unregulated care providers.

Unregulated care providers are members of the healthcare team who are not regulated by legislation and do not have a statutorily defined scope of practice. They are accountable to their employers for their daily practice. Unregulated care providers have a scope of employment with their range of duties defined by the employer through job descriptions, contracts, policies, and procedures.

## Principles of Collaboration for Assignment and Delegation

Regulated health professionals are expected to work collaboratively with one another, with unregulated care providers, with employers, and in partnership with the person receiving care. Regardless of the practice environment, regulated health professionals have distinct responsibilities and accountabilities that require them to know the processes involved for assignment and delegation within their profession's scope of practice.

The following principles underpin intra- and inter-professional collaboration of the healthcare team.

### Focus on and Engagement of Clients

Clients are integral members of a health care team. When clients are actively engaged in managing their own health they become part of the decision-making team rather than passive recipients of health care.

### Trust and Respect

Members of a health care team must have a basic understanding and respect for each other's roles. They must also trust that all team members will consult and collaborate appropriately when clients' needs are beyond their scope of practice.

### Effective Communications

Effective communications are an essential component of collaborative practice among the health care team and central to a common philosophy of care and knowledge exchange.

### Client Safety

Client safety is at the center of all care decisions, including assignment and delegation. Collaboration for assignment and delegation will be undertaken in a manner consistent with the ethical and professional responsibility of the regulated health professional.

### Staffing

Staffing decisions should be based on optimizing the scope of the regulated health professional and determining appropriate staffing required to achieve effective and safe client outcomes.

## What is Assignment?

For the purposes of this document, an assignment is the allocation of clients or client care responsibilities or tasks to an unregulated care provider by a regulated health professional that are **within the unregulated care provider's scope of employment**. Assignment occurs when the required task falls within the unregulated care provider's role description and training, as defined by the employer.

Assignment is a dynamic process. Decisions must be evaluated and adapted as the healthcare team works together to meet the changing needs of clients. Unregulated care providers may be assigned clients in collaboration with the regulated health professional or assigned specific tasks for one or more clients.

Factors influencing assignment include:

- Compliance with the legislation, regulations, and standards of practice of the regulated health professional;
- Context of practice;
- Client's health condition;
- Unregulated care provider's competence performing the task, and;
- Scope of employment/agency policy and resources in the practice environment.

## Principles of Assignment to Unregulated Care Providers

- The employer is responsible and accountable for developing job/role descriptions for regulated health professionals and unregulated care providers and must ensure compliance with the legislation, regulations, and standards of practice of the regulated health professional;
- The employer is responsible to ensure the regulated health professional understands and accepts their supervisory role.
- The assigned task must fall within the unregulated care provider's job/role description.
- The unregulated care provider has the competency to perform the task.
- The employer, the regulated health professional and unregulated care provider ensure that appropriate supervision and evaluation occurs.
- The unregulated care provider is accountable to implement the assigned care or task safely and competently within their scope of employment.
- The regulated health professional is responsible for the ongoing assessment of the client's health status, plan of care, and the appropriateness of the assignment.

## Application of the Principles Illustrated by the Following Examples from Network Members

A receptionist at a dental clinic requests patients to complete a health history document when presenting for an appointment. The receptionist on occasion may assist the patient in completing this form.

A receptionist at a dental clinic receives a telephone call from a patient who has a dental emergency. The receptionist asks the patient questions to determine the nature of the emergency in order to determine how soon the patient should be seen.

### What is Delegation to Unregulated Care Providers?

Delegation is the decision to transfer tasks that are within the scope of practice and authority of the regulated health professional to an unregulated care provider. The task is **normally outside the usual function and/or duties of the unregulated care provider, but is authorized by the employer.**

While the unregulated care provider is responsible to successfully perform the task, delegation does not involve transferring accountability for the outcome of the task. Accountability for the task remains with the regulated health professional. Regulated health professionals should be aware of the requirements of their regulator.

### Principles of Delegation

- The delegation is compliant with the legislation, regulations, and standards of practice of the regulated health professional.
- Delegation takes place only when it is determined to be in a client's best interest to optimize health outcomes.
- The regulated health professional is responsible to determine if delegation is appropriate (e.g. assessed risks to regulated health professional, unregulated care provider, client, and employer) within the context of practice and the unregulated care provider's competence.
- The regulated health professional, at any point, may decide not to proceed with delegation of a task if a client's condition has changed, the context required to support the delegation is not met, or they have determined that the unregulated care provider does not have the required competency.

- Employers are responsible to establish a process to determine competencies of unregulated care providers (such as additional employer based training).
- The regulated health professional must ensure the unregulated care provider competent to perform the delegated task.
- Regulated health professionals cannot delegate decision-making activities that require the specialized knowledge, judgment, and/or skill of the regulated health professional.
- Employers are responsible and accountable for providing appropriate authority for delegation as well as direction and guidance related to delegation.
- The employer, the regulated health professional and unregulated care provider ensure appropriate supervision is provided and the outcome is evaluated.

## What is Supervision?

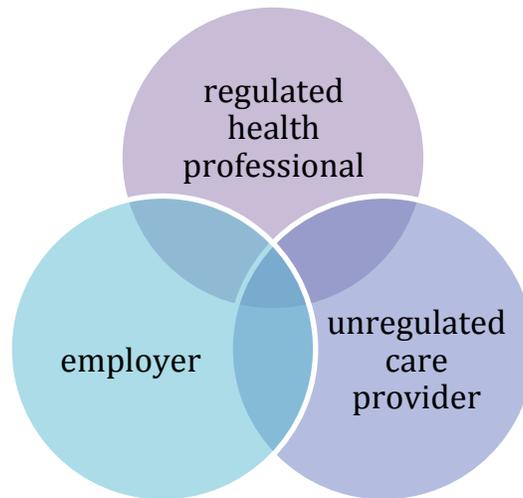
Supervision is an essential component of assignment and delegation processes. There is no delegation and/or assignment without appropriate supervision, monitoring and evaluation of client outcomes. Supervision is the active process of directing, guiding and monitoring an individual's performance of an activity to influence its outcome. The level of supervision may vary depending on the requirements of the specific health profession's statute and each health professional should be familiar with the requirements in their own legislation.

The level of supervision is determined by the client care need, the work environment, the education and experience of the unregulated care provider, the predictability of outcomes, requirements contained in specific health profession legislation, and employer policies.

Supervision is generally categorized as direct, indirect or remote.

- Direct – the regulated health professional is physically present in the practice setting and directly observing the assigned or delegated tasks
- Indirect – the regulated health professional is readily available for guidance and consultation in the same location where the care is provided but is not directly observing the task.
- Remote – the regulated health professional is available for guidance and consultation but is not physically present in the location where the care is provided. The regulated health professional is providing direction through various means of written and verbal communications made possible through the use of technology.

## Responsibilities and Accountabilities for Assignment and Delegation



The responsibility and accountability for assignment or delegation is shared among the regulated health professional who is assigning or delegating the tasks, the unregulated care provider receiving the assignment or delegation, and the employer.

The regulated health professional making the assignment or delegation is accountable and responsible to:

- Ensure that any delegation or assignment is consistent with the member's ethical and professional standards/responsibilities, the relevant regulatory legislation, employer policies and any contractual requirements;
- Determine the appropriateness of the assignment/delegation by assessing the client's needs;
- Determine if the unregulated care provider receiving the assignment or delegation is competent to perform the task;
- Supervise the unregulated care provider (providing initial direction, periodic inspections and/or corrective action when needed), and;
- Evaluate the client's outcome of care.

The unregulated care provider receiving the assignment or delegation is accountable and responsible for:

- Having sufficient knowledge, skills and judgment to accept the assignment or delegation;
- Refusing to accept assignment/delegation for tasks for which they are not competent;
- Following employer policy and procedure;
- Performing the task safely, effectively and ethically;
- Documenting according to employer policy;
- Reporting observations and client information to the regulated health professional that made the assignment or delegation, and;
- Notifying the regulated health professional if the client situation has changed.

The employer is accountable and responsible for:

- Ensuring assignment and delegation is implemented in accordance with health professionals' legislation and regulations, the best interest of clients and not as a means for labour substitution;
- Contacting the appropriate regulatory authority if considering a new delegation to the unregulated care providers' scope of employment.
- Ensuring a process is in place to establish that the delegate/assignee has the appropriate competencies and, where necessary, provides adequate education and training;
- Providing appropriate direction and guidance related to delegation and assignment, and;
- Ensuring that any delegation required of a regulated health professional be conducted in a manner consistent with the regulated health professional's ethical and professional standards/responsibilities, the relevant regulatory legislation, employer policies, and any contractual requirements.

## Conclusion

Regulated health professionals, unregulated care providers and employers share responsibility and accountability to ensure that the necessary elements for assignment and delegation are in place to ensure safe and effective client outcomes. The application of these guidelines is intended to support the collaborative efforts of all members of the health care team in order to enhance health care for Nova Scotians.

## Glossary

Accountability: the obligation to acknowledge the professional, ethical and legal aspects of one's role, and to answer for the consequences and outcomes of one's actions. Accountability resides in a role and can never be shared or delegated.

Assignment: assignment is the allocation of clients or client care responsibilities or tasks to an unregulated care provider by a regulated health professional that are within the unregulated care provider's scope of employment. Assignment occurs when the required task falls within the unregulated care provider's role description and training, as defined by the employer.

Client: the individual, group, community or population who is the recipient of health care services and, where the context requires, includes a substitute decision-maker.

Collaborative Practice: a process of active participation, communication and decision-making of two or more healthcare providers, in partnership with a person receiving care. Inter-professional collaborative practice is centered on the needs of clients; enabling them to be partners in their care, with the most appropriate health professionals providing the services required to meet their healthcare needs" (Health Professions Regulatory Network Joint Position Statement, 2008).

Competence: the ability to integrate and apply the knowledge, skills and judgment required to practice safely and ethically in a designated role and practice setting.

Complexity: the degree to which a client's condition and/or situation is characterized or influenced by a range of variables (e.g., multiple medical diagnoses, impaired decision-making ability, challenging family dynamics) (CRNBC, Practice Standard, 2005).

Context of practice: conditions or factors that affect the health care practice, including client population, (e.g., age, diagnostic grouping), location of practice setting (e.g., urban, rural), type of practice setting and service delivery model (e.g., acute care, community), level of care required (e.g., complexity, frequency), staffing (e.g., number, competencies); and availability of other resources. In some instances, context of practice could also include factors outside of the healthcare sector (e.g., community resources, justice).

Decision-making: the ability to draw on many models of thinking. Following assessment, decision-making involves interpreting health data, understanding and anticipating risks, benefits and outcomes beyond what is obvious and formulating a proactive plan of action based on this analysis. Critical thinking is an important component of effective decision-making.

Delegation: delegation is the decision to transfer tasks that are within the scope of practice and authority of the regulated health professional to an unregulated care provider. The task is normally outside the usual function and/or duties of the unregulated care provider, but is authorized by the employer.

Guidelines: are recommended, non-compulsory documents that help support standards or policies. Guidelines provide guidance to make informed decisions. They may provide direction for policy development, written principles that guide actions, supports professional judgment and flexible decision-making.

Health Care Team: the client, regulated health professionals, unregulated care providers, and employers involved in the delivery of health care.

Regulated Health Professional: A regulated health professional is a registrant of a health profession that is regulated by government legislation.

Risk: possibility of harm or injury to a client.

Task: a procedure, treatment or action with clearly defined limits, which can be assigned or delegated within the context of client care.

Scope of employment: range of responsibilities defined by an employer through job descriptions, contracts, policies and procedures.

Scope of practice: the roles, functions, and accountabilities for which individuals are educated and authorized to perform as well as the limitations under which these services are provided. For members of a regulated profession these roles, functions, accountabilities and limitations are also defined by legislation.

Unregulated Care Provider: Unregulated care providers are members of the healthcare team who are not regulated by legislation and do not have a statutorily defined scope of practice.