



**Recertification Guidelines
(CMLE/C-CAT Recertification)
Offered in partnership by the
Canadian Society of Medical
Evaluators (CSME)
And the
Canadian Academy of Psychologists
in Disability Assessment (CAPDA)**

Exam Regulations
January 2022

Curriculum & Regulations for the CSME-CAPDA CMLE/C-CAT Recertification

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1. Introduction

This document provides information regarding training, curricula and exam regulations for the discipline of a clinical expert in Canada. These regulations govern the content and conduct of the Recertification leading to the award of the CSME-CAPDA Recertification in Medicolegal Expertise (CMLE) and Catastrophic Impairment Evaluation (C-CAT) and accreditation as a clinical independent expert assessor in Canada. They specify the requirements which must be satisfied before a candidate is eligible to apply to take the Recertification. They also specify the procedure to be followed in order to apply, limit the number of attempts and provide guidance in the event of failure. They describe the procedure for making representations and provide sanctions for infringements.

CSME is a leading national organization of professionals involved in independent medicolegal and clinicolegal evaluations. The mandate of CSME's Board is to promote and support evidence-based medicine and best clinical practices by way of various educational and credentialing initiatives and programs. In addition, CSME provides a forum for the sharing of knowledge, experience and innovation amongst Canadian clinician evaluators. CSME currently has over 230 active clinician members. Over the past two years CSME has hosted over 700 participants at our conferences, with attendees from the clinical, legal and industry settings. Our Board consists of a broad cross-functional representation of key stakeholder groups from the fields of general and sub-specialty medicine, surgery, psychology, neuropsychology, chiropractic, physiotherapy, occupational therapy and both plaintiff and defence legal practitioners.

CAPDA is a national organization of over 100 senior psychologists who practice in the areas of psychological or neuropsychological assessment of disability and impairment. All members are bound by comprehensive standards which guide their practice and outline their obligations to the individual assessed and to the referral source. It is the mission of CAPDA to share information, develop standards of

practice and conduct, educate, and advocate on matters related to third party requested assessments and other assessments and on matters of rehabilitation and disability. CAPDA holds several training workshops each year for psychologists and for other stakeholders interested in third party psychological and neuropsychological assessments CAPDA maintains ongoing liaison with other health professionals, with the insurance and legal communities, and with regulatory and government bodies. CAPDA has also been involved in the development of various guidelines for best practices in third party psychological disability assessment.

Definition of a Medicolegal Expert

The discipline of medicolegal expertise requires that a health care professional (e.g. physician, psychologist, chiropractor etc.) has strong clinical competency grounded in evidence-based research and practise with translational application skills in a particular domain of expertise. The objective is to provide evidence that is fair, objective and non-partisan, related only to matters that are within their area of expertise. The professionals must also be well informed about other disciplines and their relationship and effect on the assessment process and their findings. The professionals must acknowledge that they will be required to provide such additional assistance to a court of law (or arbitration panel) as the court may reasonably require. The clinician independent expert must remain mindful that their duty to the court is paramount and this duty prevails over any obligation which they may owe to any party or on whose behalf they are engaged.

An independent medical evaluation (IME) is the foundation that enables a medical expert to provide a considered opinion. An IME is defined as an Recertification performed by an independent health care professional who has no treating relationship with the examinee or requesting party, for the purpose of providing the requesting party with a non-partisan impartial clinical opinion about the examinee. The clinical opinion is communicated by means of a medicolegal report. An IME may also be identified as an Independent Medicolegal Evaluation, Independent Medical Opinion, Independent (Discipline) Recertification, Impartial Medical Recertification, a Non-Treating Medical Recertification, an Insurer's Recertification or a Third Party Recertification. This is true regardless of the discipline, be it a physician, psychologist, speech language pathologist etc.

The independent expert is required to evaluate by means of an independent medical Recertification (IME) any of the following: 1) the health status of a person, 2) documentation pertaining to health status, 3) assessments of a person by other health care professionals pertaining to a medical situation, injury or illness, and with this information is able to provide an opinion regarding health that will assist key stakeholders and potentially a trier of fact in reaching a decision.

Independent medicolegal reports are essential to the legal process of resolving claims for compensation after personal injury, eligibility for treatment/disability benefits or other issues of compensation related to clinical outcomes (e.g. alleged malpractice scenarios). A comprehensive, objective and informative written medicolegal report that is clear and concise will contribute significantly to the proper and just resolution of a claim for personal injuries. An evidence-based comprehensive assessment and subsequent well written report can expedite the process, reduce costs, and it may preclude the need for the expert assessor to appear in court.

The IME should be seen as a tool to assist in dispute resolution when there is an element of a clinical nature. The dispute may be narrow and specific, involving questions of diagnosis, treatment,

attribution/causation, apportionment, negligence, prognosis, or damages. The dispute may also be wide-ranging, involving long-range care costs or querying fraud as required.

Purpose of Recertification Assessment

The purpose of the Recertification in Medicolegal Expertise (CMLE and C-CAT) is to harmonize and improve quality standards for competent, independent practice as a medical expert in various domains of practice in Canada. The Recertification Program assesses the minimal competencies necessary to practice as a medical legal expert across a wide range of clinical scenarios pertinent to pediatric, adult and geriatric patient populations. The Recertification Program is intended to be *complementary* to national standards of competence within a specific health care specialty, and enhance the competent, ethical, and professional practice as a medicolegal expert. The CMLE is not intended to replace any existing College or Board regulatory functions, but rather to augment those processes. The vision for the CMLE is to be recognized as *the* standard of quality for medicolegal experts in Canada and beyond.

Recertification Overview

For those candidates that will be engaged in the re-certification process as it pertains to C-CAT (FO)(MB)(P) and CMLE, the organizing and evaluative committee would like to share some details regarding this process.

Whilst all candidates will have access and be expected to review the lecture and study materials and take part in the question/answer session during the course itself, you will not be required to undertake the multiple-choice examination given that you successfully completed this task when you were first certified.

Rather, your re-certification evaluation includes a final assessment experience managed by peerScholar, an evidence-based educational technology out of the Advanced Learning Technologies Lab of the University of Toronto Scarborough.

What this means, is that you will submit one of your examination reports specific to the re-certification program you are applying for (i.e., a catastrophic report if you are seeking C-CAT re-certification and an IME report if you are seeking CMLE re-certification).

The peerScholar process you will engage in was designed to both assess and enhance your learning experience. Specifically, you will be asked to submit your de-identified report. In the next step you will review, analyze, and provide feedback to a de-identified report submitted by one of your peers, ultimately giving it some feedback about how their report could be improved. As you engage in this stage of the peerScholar process, another set of peers will assess your work. In the third phase you will see the feedback those peers gave to you, and you will be asked to assess that feedback and ultimately incorporate the feedback you find useful into a final revised report. All of this is undertaken anonymously. This process will give you a very rich perspective on how examiner reports can vary, and what makes a given report especially high quality. As you move through the peerScholar experience you will not only get the chance to demonstrate your own level of expertise, but you will also enhance your learning by both giving feedback to your peers and learning from the feedback they attach to your work. To these ends, the peerScholar process enhances problem solving and communication skills whilst candidates find it both engaging and extremely valuable.

Ultimately, and idealistically, our re-certification process will not only ensure ongoing core competency but importantly, promote collegiality and individual assessor growth within our industry.

2. Implementation

- 2.1. These regulations come into effect on the 1st of January 2021, and are reviewed as required by the CSME-CAPDA Board of Directors (a subcommittee of which will form the CMLE Board of Examiners).

3. Recertification Procedure

- 3.1. The Recertification will be completed in one sitting.
- 3.2. Normally there will be two sittings of the Recertification in each calendar year. However, the Faculty may at any time decide, subject to adequate notice, to adjust the number of sittings of the Recertification in any year.
- 3.3. Training and Recertification fees: All applicable fees must be paid in advance of the course/exam start date. The following fee structure will apply for all Recertification programs offered, exclusive of applicable taxes:

| | CMLE Recertification | C-CAT Recertification (all streams) |
|----------------|-----------------------------|--|
| | Member | Member |
| Pricing | \$745 | \$745 |

- 3.4. At any time, based on legislative changes or demand from membership, the CMLE Board of Examiners may opt to introduce additional modules as required with 90 days' notice to its membership and prior certificates.

4. Eligibility

- 4.1. An individual is eligible to qualify to write the Recertification provided all of the following criteria are met:
- i. **Qualification and current registration:** The candidate must provide documentation of having completed an official accredited training program within their area of clinical expertise and documentation of applicable registration status at their respective governing College. The candidate must also demonstrate that they are currently in good standing with their respective college and hold autonomy to practice with no limitations at the time of Recertification.

- ii. **CMLE/C-CAT Certification:** confirmation of previous certification. Certification must be valid and not expired based on the 5 year expiry criteria.
- iii. **CSME/CAPDA Membership:** candidates must be an active (paid) member of either CSME and/or CAPDA at the time of recertification.

4.2. The number of Recertification attempts by candidate will be limited to three times within a three year period.

5. MAINTENACE OF RECERTIFICATION SATUS

5.1. The successful Recertification candidate will be required to provide the Recertification Office with evidence of completion of continuing education in the field of independent medicolegal evaluations annually by the 31st December of each calendar year. This includes:

- i. Completion of a minimum of 5 hours (CMLE) and 3 hours (C-CAT) per calendar year of continuing education directly relating to or relevant to the field of independent evaluations and disability management. This might include conference and/or webinar participation, research publication, or formal course work. Any other proposed educational activities will require review by the credentialing committee on special request and with full documentation.
- ii. All related clinical and legal topics are eligible. Any questions regarding eligibility should be forwarded to the Certification Office in advance of completion of the session/course.
- iii. Annual Membership with CSME and/or CAPDA is required to maintain Certification status

6. Application Procedures

- 6.1. Dates of Recertification shall be published on www.cmle.com
- 6.2. Application forms for admission to the Recertification will be available online through the Certification Office. Applications must reach the Certification Office before the published closing date for the relevant sitting and before current certification expires.
- 6.3. An application must be accompanied by the appropriate fee, and previous certification documentation. Only electronic file attachments will be accepted via the secure online portal.

NOTE: Individuals with diverse learning styles and needs are welcome to participate in the credentialing program. In particular, if you have a disability/health consideration that may require accommodations, please feel free to approach the Certification Office at certification@cmle.com prior to the Recertification to assess specific needs, provide referrals and arrange appropriate accommodations.

- 6.4. Requests for Recertification deferrals to a future Recertification date will be entertained up until two (2) weeks prior to the exam date without penalty. After that time, formal documentation detailing the exceptional circumstances will be required to be submitted to the Certification Office for review and approval.
- 6.5. All approved deferral requests received later than 2 weeks prior to the Recertification date will be subject to a \$100.00 administration fee.
- 6.6. All unsuccessful deferral requests received as well as no-shows will be subject to the full cost of the Recertification without refund.

7. Recertification Reporting, Archiving and Appeals

- 7.1. Results from each Recertification will be reported to participants within 4-6 weeks following the date of the Recertification by formal letter and via secured portal access. A grade of “pass” or “fail” will be indicated for each module of the Recertification as well as an overall score.
- 7.2. A candidate, or a duly authorized person on behalf of that candidate, wishing to make representations in respect of the conduct of a Recertification or to appeal against any result, must make such representation or appeal to the Recertification Board of Examiners in writing, within 30 days of the impugned results being published. The Certification Committee will consider representations and appeals. The appellate decision by the Recertification committee shall be final and it not subject to any further appeals or reconsiderations.
- 7.3. A candidate who is unsuccessful in a Recertification may, subject to the provisions of the regulations below, enter for the next or any subsequent sitting of that Recertification. A candidate may not sit for the Recertification on more than three (3) occasions in a three-year period.
- 7.4. The Recertification Board of Examiners will document clearly all aspects of the (practical) organisation of the Recertification, and keep archives of these documents (electronically wherever practical) for a period of at least five years.
- 7.5. A permanent electronic and properly secured database of the successful candidates will be maintained by the Certification office. The minimum information to be included within this database comprises full name, province, clinical specialty and area of practice as well as date of successful Recertification completion. On successful completion of the Recertification program, the examinee will have the opportunity to make part or all of this information available to industry stakeholders and colleagues via a secured portal should they so choose.

8. Infringements

- 8.1. Academic integrity is essential to the pursuit of learning and scholarship, and to ensuring that credentialing from the CMLE Board is a strong signal of each individual academic achievement. As a result, the CMLE Board treats cases of cheating and plagiarism very seriously. The CMLE Board of Examiners will investigate all suspected cases of academic dishonesty. If you have

questions or concerns about what constitutes appropriate academic behaviour, you are expected to seek out additional information on academic integrity from various institutional resources (see <http://www.utoronto.ca/academicintegrity/> as reference).

- 8.2. The Faculty may refuse to admit to an Recertification or proceed with the Recertification of any candidate who infringes any of the regulations, or who is considered by the presiding examiner to be guilty of behaviour which prejudices the proper conduct and management for the Recertification or who has previously been found guilty of such behaviour. If, in the opinion of the Faculty, any Recertification result has been secured by cheating, deception or fraud of any kind whatsoever, the Faculty may nullify the result of any qualification resulting from it and withdraw the Recertification so obtained

APPENDIX 1

Recertification in CMLE & C-CAT

Online Course & Recertification Structure

Online Recertification

Platform: [Peerscholar](#)

Online Recertification Structure and Duration

The typical online course schedule is as follows (subject to change)

7 Day's prior to course start date – Online Course platform opens for candidates to upload their redacted report into Peerscholar's system

Day 1 – Create Phase - Peerscholar platform matches you with peer reports

Day 1-4 – Assess Phase - Feedback period (peer to peer feedback window)

Day 5-6 – Reflect Phase – Review and Revise period (updating of candidates report based on feedback provided)

Day 7 – Evaluate Phase - final report submitted to committee for final review/grade

Recertification Results

Results from each Recertification will be reported to participants within 4-6 weeks following the date of the Recertification by formal letter and via secured portal access.

A grade of “pass” or “fail” will be determined in connection with mastery grading for each module of the Recertification as well as an overall score. The grading rubric will follow a percentage grading based on percent correct on the exam coupled with norm referenced, mastery and absolute standards grading whereby pass or fail percentages will be mediated by comparison to others and whether performance reaches a level of performance with reference to pre-established content standards.