



Alberta College of  
Speech-Language Pathologists  
and Audiologists

*Hear. Speak. Connect.*

# **Regulation of Healthcare Professionals in Alberta**

## **A Quick Guide for Speech-Language Pathologists and Audiologists**

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## Table of Contents

Self-Regulation of Health Professions in Alberta.....	1
The Health Professions Act (HPA).....	1
College Governance .....	1
Key Governing Documents .....	2
Legislated Responsibilities of the College.....	3
Protection of the Public .....	4
Legislated Responsibilities of Registrants.....	5
Specific Aspects of Applying Legislation to the Practice of Speech-Language Pathologists and Audiologists in Alberta .....	5
<i>Practice Statements</i> .....	5
<i>Registration Requirements</i> .....	6
<i>Registration is Mandatory</i> .....	6
<i>College Registers</i> .....	7
<i>Practice Permits</i> .....	9
<i>Professional Titles Protected in Legislation</i> .....	9
<i>Participation in the Continuing Competence Program (CCP)</i> .....	10
<i>Professional Conduct Complaints</i> .....	11
<i>Restricted Activities</i> .....	11
Difference Between a Regulatory Body and a Professional Association.....	13



## **Self-Regulation of Health Professions in Alberta**

Speech-language pathologists and audiologists have the privilege of being self-regulated professions in the province of Alberta. Self-regulation means that a profession governs and manages itself without outside assistance or influence. The provincial government, through legislation, grants self-regulating status to recognized professions.

Regulation of health professions in Canada occurs at a provincial level, with each province having its own governing legislation. In Alberta, the governing legislation for all health professions is the *Health Professions Act* (HPA). Under the HPA, health professions are organized into regulatory bodies called “colleges”. The Alberta College of Speech-Language Pathologists and Audiologists, or ACSLPA, is the regulatory body for the professions of speech-language pathologists and audiologists in Alberta. ACSLPA’s authority to regulate is delegated by the provincial government through the HPA. The HPA sets out in law the powers, duties and responsibilities of the College, its registrants, employers and others, with respect to regulation of health professions.

### ***The Health Professions Act (HPA)***

The HPA was passed by the Alberta Legislative Assembly in May 1999. Under the HPA, over 30 regulated health professions are grouped under one statute with uniform requirements for governance, registration, setting practice standards, continuing competence, dealing with complaints and disciplinary processes. While regulated health professions each govern themselves, the HPA lays out consistent rules by which all health professions must provide competent, safe professional services to the public.

The HPA came into force on a profession by profession basis, as each profession’s regulations were approved. ACSLPA was proclaimed under the HPA on July 1, 2002.

Parts 1 – 9 of the HPA are common to all regulated health professions and address matters such as:

- The establishment and governance of professional colleges;
- Initial registration, registration renewal and continuing competence of health professionals;
- Investigation of complaints and discipline; and
- Protection of professional titles.

Part 10 contains profession specific schedules for each college established under the HPA. These schedules address unique aspects of each profession including:

- the profession specific titles that health professionals may use;
- the health professions’ practice statement, which describes the services generally provided by members of the health profession.

## **College Governance**

Under the HPA, the business and affairs of the College are governed by a Council. The Council consists of elected registered speech-language pathologists and audiologists, and members of the

public who are appointed by the Lieutenant Governor in Council in the Alberta legislature. To ensure that the interests of public protection are served in governance decisions, the HPA states that at least 25% of the voting members of a governing council of a college must be members of the public.

## Key Governing Documents

In Alberta, regulatory colleges such as ACSLPA regulate professions through implementation of legislation, as well as other key governing documents. These include the following:

### **The Health Professions Act**

 **The Speech-Language Pathologists and Audiologists Profession Regulation: (Regulation)** Regulations are approved by government and describe how the College applies the HPA to the practice of each profession.

 The **Bylaws** are a further application of the HPA and Regulation, stating how the College will operate on a day to day basis. Under section 132 of the HPA, the Council of a college may establish and approve Bylaws.

**Policies** are yet a further extension, stating the principles or rules adopted by the College to reach its legislated mandate and strategic goals. Policies are also established and approved by Council.

To gain a better understanding of how the legislative and key governing document layers work together, consider the following example.

- Part 2 of the HPA addresses registration, stating requirements around applying for registration, registration processes, practice permit renewal, suspension/cancellation and reinstatement, and mandatory registration requirements.
- Sections 3 – 13 of the Regulation expands on the requirements of the HPA, stating specific registration requirements for the professions of speech-language pathologists and audiologists. These include minimum requirements for education and current qualifications, requirements for providing evidence of good character and reputation, liability insurance requirements, English language proficiency requirements and conditions that may be imposed on a practice permit.
- The Bylaws provide further details, stating registration categories, registers and records, determination of fees, dues and levies.
- At the policy level, the College has specific policies and procedures that outline detailed requirements related to registration. An example would be the College policy regarding requirements for registrants to provide evidence of holding professional liability insurance as a condition of registration.

In addition to the above, there are also key governing documents that apply to registrants in their practice. These are as follows:

The **Code of Ethics** is a set of guidelines and principles that govern the conduct of practitioners. Specifically, the document outlines the ethical expectations that registrants are required to adhere to in their professional practice, regardless of role, practice area or practice setting. The Code of Ethics is reviewed by the Provincial Minister of Health and approved by Council.

The **Standards of Practice** direct how professional services should be provided, describing the minimum expectations for professional practice. As self-regulated, autonomous professionals, each registrant of the College is accountable for practicing in accordance with the Standards of Practice, regardless of role, practice area or practice setting. Standards of Practice are reviewed by the Provincial Minister of Health and approved by Council.

In addition, the College also has **Position Statements, Guidelines** and **Advisory Statements**, which have been developed to support the professional practice of registrants.

Each of the key governing documents referred to in this section may be found on the ACSLPA website.

### **Legislated Responsibilities of the College**

The HPA states the legislated role of the College, outlining the key regulatory responsibilities required to protect and serve the public interest. Section 3 of the HPA, states the following:

*“3(1) A college*

- a) must carry out its activities and govern its regulated members in a manner that protects and serves the public interest,*
- b) must provide direction to and regulate the practice of the regulated profession by its regulated members,*
- c) must establish, maintain and enforce standards for registration and of continuing competence and standards of practice of the regulated profession,*
- d) must establish, maintain and enforce a code of ethics,*
- e) must carry on the activities of the college and perform other duties and functions by the exercise of the powers conferred by this Act, and*
- f) may approve programs of study and education courses for the purposes of registration requirements.*

*3(2) A college may not set professional fees, provide guidelines for professional fees or negotiate professional fees on behalf of some or all of its regulated members unless the Minister grants an approval under section 27.*

*3(3) A college or a council or committee of a college may not be a certified bargaining agent as defined in the Labor Relations Code.”*

Colleges are accountable for how they exercise their responsibilities under the HPA and must submit an annual report to government. The report is tabled in the Alberta Legislature and includes information requested by the Minister of Health. Annual reports are posted on the ACSLPA website.

## **Protection of the Public**

As previously mentioned, the HPA requires the College to carry out its activities and govern its regulated members in a manner that protects and serves the public interest. The College has the duty and the power to carry out activities as required in legislation, to achieve this mandate. Specifically:

- The College has a duty to ensure that only qualified applicants are registered and issued a permit to practice in their profession. In this regard, the College establishes, monitors and enforces standards for entry to practice, registration and annual practice permit renewal of speech-language pathologists and audiologists in Alberta. The College ensures that those who have the privilege of practicing as a speech-language pathologist or audiologist have met standards for academic and practical experience, that their qualifications are current, and that they meet requirements for good character and reputation. If the College does not accept an applicant, the College must provide reasons for the decision and provide the applicant with an appeal process.
- The College must also maintain and make the General Register available to the public, thereby allowing anyone to confirm that a health professional is registered and entitled to practice in their profession. The HPA states the specific information that must be collected and be made available to the public.
- The College must establish, maintain and enforce standards of practice for speech-language pathologists and audiologists in Alberta. Each registrant is accountable for practicing in accordance with the ethical and practice standards of the College.
- The College is required to establish and implement a continuing competence program. Under the HPA, continuing competence programs are mandatory and registrants are required to participate to ensure that they maintain competence in their practice and to enhance their provision of professional services.
- The College has a duty and the power to investigate complaints from clients/family members, employers, or other members of the public regarding the practice of speech-language pathologists and audiologists in Alberta. The HPA outlines a detailed process that colleges must follow to address complaints. Practitioners who do not practice in accordance with practice and ethical standards are held accountable, and as necessary, the College will impose corrective/disciplinary actions to ensure competent, safe, ethical practice.

## Legislated Responsibilities of Registrants

It is important that registrants understand their responsibilities and obligations as self-regulated professionals. Under the HPA, registrants have a responsibility to conduct themselves in a professional manner. This means:

- Demonstrating appropriate knowledge, skill and judgment in the provision of services;
- Practicing in compliance with the HPA, Regulation, Code of Ethics and Standards of Practice;
- Complying with the registration requirements of the College;
- Respecting any conditions imposed on a practice permit;
- Respecting the legal restrictions around the use of protected titles;
- Complying with the requirements of the Continuing Competence Program;
- Cooperating with the College during investigations;
- Keeping the College informed of any changes to their contact information;
- Avoiding any conduct that harms the public or the integrity of the profession; and
- Reporting offences or professional negligence.

## Specific Aspects of Applying Legislation to the Practice of Speech-Language Pathologists and Audiologists in Alberta

### *Practice Statements*

Under the HPA, descriptions of services provided by each health profession are referred to as “practice statements”. Practice statements outline the scope of practice of a profession; they are intended to describe in plain language, the day to day practice of a particular health profession, and inform the public of the type of services that they can expect a profession to provide. Practice statements are not exclusive to particular professions and areas of overlap may occur.

The practice statement for speech-language pathologists is as follows:

In their practice, speech-language pathologists do one or more of the following:

- assess, diagnose, rehabilitate, and prevent communication and oral motor and pharyngeal dysfunctions and disorders;
- teach, manage, and conduct research in the science and practice of speech-language pathology; and
- provide restricted activities authorized by the regulations.

The practice statement for audiologists is as follows:

In their practice, audiologists do one or more of the following:

- assess auditory and vestibular function and diagnose, rehabilitate, prevent and provide appropriate devices and treatment for auditory and vestibular dysfunction;
- teach, manage and conduct research in the science and practice of audiology; and
- provide restricted activities authorized by the regulations.

### **Registration Requirements**

Health professionals who want to register with a college must meet the entry requirements set out in each profession's regulation. A candidate can enter the profession through one of the following three routes:

1. Having the specified combination of education and experience set out in the College regulations;
2. Coming from another regulated jurisdiction whose standards are recognized by the College as equivalent to Alberta's; or
3. Demonstrating that their education and experience are sufficient and equivalent to the entry requirements set out by the College.

Additional entry requirements are established by each college and stated in their regulation. In the case of ACSLPA, applicants are also required to provide evidence of having professional liability insurance, English language proficiency and good character/reputation.

***Details regarding all requirements for registration, practice permit renewal, changing registration status, etc. are provided in the "ACSLPA Registration Standards and Guidelines", available on the ACSLPA website.***

Registration with ACSLPA assures the public and employers that an individual has met the standards required to practice as a speech-language pathologist or audiologist in Alberta.

### **Registration is Mandatory**

Under the HPA, there is a uniform, mandatory requirement to register with the College if certain circumstances exist. Section 46(1) states the following:

*"A person must apply for registration if the person*

- a) is qualified to meet the requirements of section 28(2) for registration as a regulated member, and*
- b) intends to provide any or all of the following:*
  - i. professional services directly to the public.....*

- iv. *the teaching of the practice of a regulated profession to regulated members or students of the regulated profession;*
- v. *the supervision of regulated members who provide professional services to the public”.*

Simply put, by law, a person who meets the educational requirements to practice as a speech-language pathologist or audiologist, and intends to provide any professional services as described in the Practice Statement for that profession, must be registered with ACSLPA. This requirement is regardless of whether an individual engages in paid employment or volunteers, or practices in a full time, part time or casual basis.

If the Registrar of the College is of the opinion that an individual who is not a regulated member of ACSLPA meets the requirements to practice as a speech-language pathologist or audiologist and is providing professional services as described in the Practice Statement for that profession, the Registrar may provide that person with a written request to apply for registration. Under the HPA, a person who meets the requirements to practice their profession and does not comply with the request of the Registrar to apply for registration is guilty of an offence and may be subject to a fine and possible imprisonment.

Section 48 of the HPA also prohibits anyone from knowingly employing an individual who is required to be registered with the College and is not registered. Such a person is also guilty of an offence and may be subject to a fine and possible imprisonment.

Any ACSLPA registrant who is aware of an individual who meets the requirements to practice as a speech-language pathologist or audiologist and whose work falls within the Practice Statement of their profession, and who is not registered with ACSLPA, should report this matter to the College. To confirm if an individual is registered, check the General Register on the ACSLPA website.

### ***College Registers***

In accordance with the requirements of the HPA, ACSLPA maintains a number of member registers. These include the General Register and the Courtesy Register, both of which include regulated members who may practice as a speech-language pathologist or audiologist and use the protected titles of their profession.

In addition, ACSLPA maintains an Inactive Member Register, Out of Province Member Register and an Honourary Member Register. Members on these registers are non-regulated, and may not practice as a speech-language pathologist or audiologist or use the protected titles of their profession in Alberta.

The General Register lists those speech-language pathologists and audiologists who are entitled to practice and use the protected titles of their profession in Alberta. The General Register is updated each working day and is available on the ACSLPA website allowing anyone to verify who is registered to practice as a speech-language pathologist or audiologist in Alberta. The use of the terms “Registered Speech-Language Pathologist” or “Registered Audiologist” informs colleagues, clients and members of the public that the professional has the required education and skills to practice competently, and is registered with the College.

Section 33(3) of the HPA states the information that a college must record for each regulated member in the appropriate register. This includes the following:

- the full name of the member; the name of a registrant must be the same name that the registrant uses in their practice. This allows members of the public, insurance companies and others to verify that a speech-language pathologist or audiologist is registered and entitled to practice.
- the member's unique registration number;
- whether the member's registration is restricted to a period of time and, if so, the period of time;
- any conditions imposed on the member's practice permit;
- the status of the member's practice permit, including whether it is suspended or cancelled;
- the member's practice specialization recognized by the college;
- whether the member is authorized to provide a restricted activity not normally provided by regulated members of the college; and
- whether the member is not authorized to provide a restricted activity that is normally provided by regulated members of the college.

Any information that is required in accordance with legislation is requested upon application for registration and registration renewal. Under section 34 of the HPA, this information must be provided by the College to any member of the public, upon request. The College is also required to provide this information to the Government for the purposes of confirming provider authorization and authentication.

In addition, the College also maintains registrant contact, practice and employment information; this type of information is not released to the public.

It is important that the information on college registers is accurate and up to date. The College may need to contact members regarding issues that affect their practice. Both the Regulation and the ACSLPA Bylaws require that a registrant notify the College of any changes to their information, including a change to their name, contact information, employer or practice information. ACSLPA registrants may update their contact, practice, employment, and other information by accessing their Member Login on the ACSLPA website. In the case of a name change, the registrant must provide ACSLPA with proof of the legal name change. This may be in the form of a government issued marriage or divorce certificate, driver's license or other legal documentation.

## ***Practice Permits***

As previously mentioned, in order to practice as a speech-language pathologist or audiologist in Alberta, an individual must be registered with ACSLPA. Under section 36 of the HPA, upon entering the name of a person on the General Register, the Registrar of the College must issue the person a practice permit. A practice permit serves as a “license” to practice and use the protected titles of the profession. Much like a driver’s license that allows one to drive a car, a practice permit allows one to practice their profession, whether they are employed or volunteer in a full time, part time or casual basis.

***Under the HPA, it is illegal and an offence for a person to work or volunteer as a speech-language pathologist or audiologist, or use the protected titles of their profession, without being registered with ACSLPA.***

Under the HPA, a practice permit must be on display or made available for inspection upon the request of employers or the public. It is also a requirement that the College notify an employer when a practice permit is suspended or conditions are applied.

## ***Professional Titles Protected in Legislation***

Schedule 28 of the HPA applies to speech-language pathologists and audiologists and lists the protected professional titles, abbreviations and initials that may be used by these professions. Under the HPA, the following are protected titles and may only be used by registered members of ACSLPA.

Speech-language pathologist	Audiologist
Speech therapist	Aud
Speech pathologist	R.Aud
SLP	
R.SLP	

Protected titles are important in making it easier for the public to identify qualified health professionals.

The HPA also protects use of the words: college, registered, regulated and regulated health professional. These words may not be used alone, or in combination with other words, in any manner that implies that a person is a regulated member of a college, if they are not.

ACSLPA has developed a document entitled “Using Your Professional Designation the Right Way” to assist speech-language pathologists and audiologists in the correct use of protected titles; this document is available on the ACSLPA website.

Under Section 128(7) of the HPA and Section 18(3) of the Regulation, registered speech-language pathologists and audiologists with doctoral degrees may apply to the College for authorization to use the protected title 'doctor' alone or in combination with other words in connection with providing a health service. Further information about use of the title and the required authorization process are available on the College website.

It is important to note that professional titles are not portable. A health professional must be registered in the province where they practice in order to have the right to use the protected titles of their profession. Registration in one province does not mean that a professional may work or use protected titles in another province.

In addition, membership or certification with a national association does not grant the right to use protected titles. Only registration with a provincial regulatory body allows a professional to use the protected titles of their profession, in the province in which they are registered.

All speech-language pathologists and audiologists have a responsibility to protect the integrity of the profession by reporting any misuse of title to the College. A current list of who is authorized to practice and use the protected titles of their profession is available on the General Register on the ACSLPA website.

### ***Participation in the Continuing Competence Program (CCP)***

Regardless of whether a speech-language pathologist or audiologist is entering a new area of practice, returning to the work force, or continuing to practice in their same position, they have a professional obligation to ensure that they are competent in their practice throughout the course of their career. Remaining competent as the fields of speech-language pathology and audiology evolve means that practitioners must continuously learn and apply the most current evidence-based research and information in their practice. Those who do not remain competent may place the well-being and/or safety of their clients at risk. They also are at risk of becoming the subject of a complaint or lawsuit and may also lose their job and/or their practice permit.

Under the HPA, ACSLPA has the legislated responsibility to establish, maintain and enforce standards for continuing competence of its members. In meeting this legislated responsibility, ACSLPA implemented a Continuing Competence Program, or CCP in 2008.

Under the HPA, participation in the CCP is a legislated requirement and mandatory for all regulated members of ACSLPA. This includes all registrants who have a practice permit and are listed on the General Register of the College. ACSLPA is required to link renewal of practice permits to meeting the requirements of the CCP. Specifically, registrants must meet requirements for participating in the CCP in order to renew their practice permit.

Non-compliance with the CCP may be considered unprofessional conduct, as defined in the HPA. A registrant who fails to participate in the CCP is at risk of having conditions applied to their practice permit and/or not having their practice permit renewed, thereby not allowing them to practice. In addition, they are at risk of having a complaint of unprofessional conduct filed against them.

Further information regarding the CCP is available on the ACSLPA website.

## ***Professional Conduct Complaints***

Members of the public, employers, other professionals and government all expect that self-regulated professionals, including speech-language pathologists and audiologists, provide competent, safe, and ethical professional services. Regulated health professionals are expected to maintain high standards of practice, in compliance with the HPA, Regulation, other relevant legislation, Standards of Practice, Code of Ethics and guidelines. Professionals who maintain high standards in their practice are conscious of their professional conduct and build trust and confidence in their profession.

The HPA ensures that the principles of natural justice are preserved for the practitioner and complainant. It sets out provisions for investigating complaints directed against regulated health professionals or colleges and, where appropriate, taking disciplinary action.

If a disciplinary action or complaint resolution results in suspension or cancellation or in conditions being placed on a practice permit, that decision must be recorded on the General Register available to the public. The College must also inform the regulated member's employer.

Further information regarding the complaint process is available on the ACSLPA website.

## ***Restricted Activities***

Alberta legislation defines restricted activities as those procedures or services that pose significant risk and require a high level of professional competence to be performed safely. Restricted activities may only be performed by persons authorized by their regulatory College to do so. Regulated speech-language pathologists and audiologists should only perform those restricted activities that they are competent to perform and that are appropriate to their area of practice.

In accordance with the Regulation, a speech-language pathologist who is a regulated member of ACSLPA is authorized to perform the following restricted activities in relation to or as part of providing a health service:

- to insert air under pressure into the ear canal (i.e., when performing screening tympanometry).
- to insert or remove instruments or devices beyond the point in the nasal passages where they normally narrow (i.e., when performing flexible transnasal nasendoscopic examinations, oral/nasal pressure airflow evaluations, anterior rhinometry [static nasal pressure measures]).
- to insert or remove instruments or devices beyond the pharynx (i.e., when conducting indirect laryngoscopy and oral endoscopy; inserting or removing tracheoesophageal prostheses or devices transmurally, conducting placement/fitting of palatal lift appliances).
- to insert or remove instruments or devices into an artificial opening into the body (i.e., when inserting/removing tracheoesophageal prostheses or devices transmurally).

- to administer diagnostic imaging contrast agents (i.e., when preparing/administering barium for videofluoroscopy and performing a modified barium swallow study).

In accordance with the Regulation, an audiologist who is a regulated member of ACSLPA is authorized to perform the following restricted activities in relation to or as part of providing a health service:

- to insert liquid, air or gas under pressure into the ear canal (i.e., when performing tympanometry, videonystagmography (VNG), electrocochleography, cerumen management).
- to insert or remove instruments or devices beyond the cartilaginous portion of the ear canal (i.e., when performing cerumen management, taking probe tube microphone measurements, fitting completely in the canal hearing aids).
- to insert a substance that subsequently solidifies into the ear canal (i.e., when taking ear mold impressions).

In addition, the Regulation states the supervision requirements for students and non-authorized individuals (i.e., support personnel) who may perform restricted activities under the supervision of a registered speech-language pathologist or registered audiologist. These requirements are as follows:

**Supervision of Students:** Speech-language pathologists and audiologists may supervise students of their respective profession, who are enrolled in accredited Canadian education programs, in the performance of restricted activities. The supervising regulated member of ACSLPA must:

1. Be authorized to perform the restricted activity being supervised;
2. Have a minimum of one year of experience in performing the restricted activity; and
3. Be on site while the student performs the restricted activity and be available to assist, or if in the opinion of the supervising regulated member the student does not require such supervision, the supervising regulated member must be available for consultation while the student performs the restricted activity and must review the restricted activity performed by the student.

**Supervision of Non-Authorized Individuals:** Speech-language pathologists and audiologists may supervise non-authorized individuals (i.e., support personnel), in the performance of restricted activities. The supervising regulated member of ACSLPA must:

1. Be authorized to perform the restricted activity being supervised;
2. Have a minimum of one year of experience in performing the restricted activity; and
3. Be physically present and available to assist the person during the performance of the restricted activity or if in the opinion of the supervising regulated member, the person

does not require such supervision, the supervising regulated member must be available for consultation while the person performs the restricted activity.

Please refer to the guidelines for working with support personnel (available on the ACSLPA website) for further information regarding those activities that may be delegated to support personnel and those that may not.

## **Difference Between a Regulatory Body and a Professional Association**

On a final note, it is important to provide clarification regarding the differences between a regulatory body and a professional association.

The mandate of a regulatory body is to protect and serve the public by regulating the practice of health professions. The authority to regulate is delegated by government through legislation. The activities of a regulatory body focus on regulating a profession as set out in provincial legislation. The key focus areas include:

- Registration and practice permits
- Professional practice standards
- Continuing competence
- Professional conduct

Professional associations differ in that their mandate is to serve the needs of their members. Activities generally focus on the following: advocating for and promoting the professions; lobbying government on issues that support the best interest of the public; providing continuing education opportunities for members; providing practice information and resources for members; and other benefits for members.

The differences between these two types of organizations can be compared to the differences between a motor vehicle branch and an automobile association. Like a regulatory body, a motor vehicle branch sets out mandatory licensing requirements, issues licenses, and sets rules around maintaining a license. An automobile association provides optional membership, offering member services and benefits such as good insurance rates, travel maps, rescue services, and other benefits.

While the provincial government in Alberta does allow both regulatory and association roles to be performed within one organization, other provinces do not allow this; such is the case in British Columbia and Ontario, where legislation requires a definite separation between colleges and associations. For those regulatory bodies who do perform both regulatory and association roles, it is important to note that in such organizations, the regulatory roles are first and foremost. Association type activities may be carried out in varying degrees, depending upon the activities of other existing profession related associations. Overall, it would not make economic sense for an organization like ACSLPA, for example, to duplicate work that is being done by a strong national association.

***For further information regarding regulation of health care professionals in Alberta, please refer to the ACSLPA website or contact the ACSLPA office.***