



Regulation and positive risk

Spring Education Meeting presenter brings a fresh perspective on regulation

Richard Steinecke started his law career at a firm that practiced regulatory law and commercial litigation. It was clear to Steinecke early on which path he preferred. “You’re on the side of the angels” in regulatory law, he explains. “You’re protecting the public, encouraging people to act ethically and professionally.” After working in the field for a decade, Steinecke wrote a book about regulatory law in Ontario and, as he says, “after that, there was no turning back!” Thirty years into his career, Steinecke is now senior partner in the Toronto law firm Steinecke Maciura LeBlanc, and will be a presenter at the ASWB Spring Education Meeting in St. Louis, Mo.

Steinecke’s firm works with more than three dozen professions, including psychotherapists, speech language pathologists, and occupational therapists. Even though he hasn’t worked directly with social work regulators, Steinecke is excited to speak at the meeting. His session, co-presented with ASWB legal counsel Dale Atkinson, will emphasize the similarities in regulatory laws between Canada and the United States. “Despite different languages,” Steinecke explains, “a fair complaint process and prosecuting effectively are really universal in North America.”

“We’re all dealing with the same issues and can learn from each other about what goes well and what goes awry,” Steinecke continues. Steinecke was invited to the Spring Education Meeting by ASWB Board member Richard Silver of Québec, who had heard Steinecke speak at another conference. Steinecke has presented extensively across the United States and Canada. “My practice today is primarily education and training,” he says. Steinecke spends his time writing, conducting workshops and seminars, and presenting at conferences for organizations like ASWB.

Steinecke’s most recent work focuses on applying risk management perspectives to professional regulation. While most organizations emphasize risk management in matters related to insurance and finance, Steinecke sees benefits in using risk management approaches in a broader context. “Organizations need to identify risks across the board, regardless of insurance impacts,” he says. By identifying, analyzing, and prioritizing risks from a regulatory perspective, agencies that issue professional licenses can modify their risk exposure, avoid exposure, transfer risk (through vehicles like insurance) and even exploit positive risks.

Positive risks? “Look at risks as opportunities to maximize the positive outcome,” Steinecke advises. He cites a regulatory example: public information. By making information about licensees available to the public, regulatory boards and colleges expose themselves to risks such as lawsuits over inaccurate information. On the other hand, the same activity has benefits: increased transparency, becoming a go-to source for

information about licensed professionals, for instance. “If we want to be relevant,” Steinecke says, “we have to be aware of the opportunities behind that risk.”

With a new focus on risk management and a session titled “Disaster Preparedness: Weathering the Disciplinary Storm,” Steinecke will be in his element at the ASWB Spring Education Meeting.