



COLLEGE OF CHIROPRACTORS OF ONTARIO

MEMORANDUM

To: CCO Council
From: Mr. Joel Friedman, Deputy Registrar
Date: February 22, 2023
Re: Development of Emergency Class of Registration

On October 27, 2022, the Lieutenant Governor in Council approved a regulation made under the *Regulated Health Professions Act, 1991* that amongst other things, requires health regulatory Colleges to develop a regulation creating an emergency class of registration. Features of this class must include:

1. The specific emergency circumstances that will cause the class to be open for registration.
2. A time period of no more than one year duration, but renewable for the same period of time with no limit on the number of times they may be renewed as long as the emergency circumstance persists.
3. Circumstances in which a member of the emergency class must become eligible for registration in another class of registration.

Historically, CCO has addressed emergency situations through the passing of policies and application of terms, conditions and limitations on a General certificate of registration, such as the General (Provisional) certificate of registration enacted during the COVID-19 pandemic, as a result of in-person examination cancellations.

The Ministry of Health has directed colleges to submit proposed regulations to the Ministry on or before May 1, 2023. Amendments to regulations must be circulated to members at least 60 days before they are approved by Council in accordance with section 1.4 of the Health Professions Procedural Code. Following approval, proposed amendments to registration regulations must be submitted and approved by the Ministry of Health.

To comply with these time requirements, for Council's consideration, are draft amendments to the Registration Regulation, enacting an Emergency class of registration, for approval for circulation. Draft amendments are included as part of the Registration Regulation, as well as in a chart identifying new draft provisions and the corresponding rationale. Draft amendments are modeled after the approach taken for the General

(Provisional) Class of registration, while being discretionary in nature to apply to an unknown emergency situation and consistent with the approach taken by other colleges.

Included in the package are examples of proposed Emergency class regulations circulated by other Ontario health regulatory colleges.

Item 4.4.9

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ONTARIO REGULATION

made under the

CHIROPODY ACT, 1991

REGISTRATION

CLASSES OF CERTIFICATES OF REGISTRATION

1. The following are the classes of certificates of registration:

1. General.
2. Emergency.

GENERAL REQUIREMENTS AND CONDITIONS

2. A person may apply for a certificate of registration by submitting a completed application in the form provided by the Registrar together with,

- (a) any supporting documentation requested by the Registrar; and
- (b) all applicable fees required under the by-laws.

3. (1) The following are requirements for the issuance of any certificate of registration:

1. The applicant must provide details of any of the following that relate to the applicant at the time that the applicant submits the application or that relate to the applicant after the application is submitted and before a certificate of registration is issued:
 - i. Any finding of guilt for any criminal offence, any offence involving the use, possession or sale of drugs, any offence under the *Controlled Drugs and Substances Act* (Canada) or any other offence relevant to suitability to practise chiropody or another profession, regardless of whether the offence took place in any jurisdiction.

- ii. Any charge relating to any criminal offence, any offence involving the use, possession or sale of drugs, any offence under the *Controlled Drugs and Substances Act* (Canada) or any other offence relevant to suitability to practise chiropody or another profession, regardless of whether the alleged offence took place in any jurisdiction.
 - iii. A finding of professional misconduct, incompetency, incapacity, professional negligence, malpractice or any similar finding against the applicant in relation to the practice of chiropody or another profession in any jurisdiction.
 - iv. A current investigation, inquiry or proceeding for professional misconduct, incompetency or incapacity or any similar investigation or proceeding in relation to the practice of chiropody or another profession in any jurisdiction.
2. The applicant must provide the College with a police record check, including a Vulnerable Sector Check, which is dated not more than two months before the date on which the application was submitted.
3. Where the applicant was previously registered or licensed to practise chiropody or podiatry in another jurisdiction, the applicant must provide a certificate of standing from the body responsible for the regulation or licensing of the profession in that jurisdiction which is dated not more than two months before the date on which the application was filed.
4. The applicant's past and present conduct, in the opinion of the Registrar or a panel of the Registration Committee, must afford reasonable grounds for the belief that the applicant,
 - i. is mentally competent and physically able to practice in a safe manner,
 - ii. will practise chiropody with decency, integrity and honesty and in accordance with the law,
 - iii. has sufficient knowledge, skill and judgment to competently engage in the practice of chiropody authorized by the certificate of registration, and

iv. will display an appropriate professional attitude.

5. The applicant must be a Canadian citizen or a permanent resident of Canada or be authorized under the *Immigration and Refugee Protection Act* (Canada) to practise the profession in Ontario.
6. The applicant must possess sufficient language proficiency, in either English or French, to be able to communicate and comprehend effectively, both orally and in writing.
7. The applicant must provide evidence satisfactory to the Registrar that the applicant will have professional liability insurance in the amount and in the form as required under the by-laws as of the anticipated date for the issuance of his or her certificate of registration.
8. The applicant must have paid any fees required under the by-laws for the issuance of the certificate of registration.

(2) The requirements under subsection (1) are non-exemptible.

(3) An applicant must meet all of the requirements for registration within one year following the filing of the application, but this does not prevent the applicant from filing a new application.

(4) An applicant shall be deemed not to have satisfied the requirements for the issuance of a certificate of registration of any class if the applicant makes a false or misleading statement or representation in his or her application or supporting documentation.

4. (1) Every certificate of registration is subject to the following terms, conditions and limitations:

1. The member shall provide to the Registrar the details of any of the following that relate to the member and that occur or arise after the registration of the member:
 - i. A finding of guilt arising in any jurisdiction relating to any offence, including,

- A. any criminal offence,
 - B. any offence relating to the practice of chiropody or any other profession or occupation, or
 - C. any offence involving the use, possession or sale of drugs.
- ii. A charge arising in any jurisdiction relating to any offence, including,
 - A. any criminal offence,
 - B. any offence relating to the practice of chiropody or any other profession or occupation, or
 - C. any offence involving the use, possession or sale of drugs.
 - iii. A finding of professional misconduct, incompetence or incapacity or any like finding in any jurisdiction in relation to chiropody or any other profession or occupation in any jurisdiction.
 - iv. A current investigation, inquiry or proceeding for professional misconduct, incompetence or incapacity or any like investigation or proceeding in any jurisdiction in relation to chiropody or any other profession or occupation in any jurisdiction.
2. The member shall not engage in the practice of chiropody unless the member is a Canadian citizen or permanent resident of Canada or has authorization under the *Immigration and Refugee Protection Act* (Canada) permitting the member to engage in the practice of chiropody in Ontario.
3. The member shall immediately advise the Registrar in writing in the event the member ceases to be a Canadian citizen or permanent resident of Canada or to have authorization under the *Immigration and Refugee*

Protection Act (Canada) permitting the member to engage in the practice of chiropody in Ontario.

4. If paragraph 3 applies to the member, and the member subsequently obtains Canadian citizenship or becomes a permanent resident of Canada or attains authorization under the *Immigration and Refugee Protection Act (Canada)* permitting the member to engage in the practice of chiropody in Ontario, the member shall immediately advise the Registrar in writing of that fact.
5. The member shall maintain professional liability insurance in the amount and in the form as required under the by-laws.
6. If the member fails to meet the requirement in paragraph 5, the member shall immediately advise the Registrar in writing of that fact and immediately cease to engage in the practice of chiropody until such time as the member obtains professional liability insurance as required in paragraph 5.
7. If paragraph 6 applies to the member, and the member subsequently obtains professional liability insurance, the member shall notify the Registrar in writing of that fact and, if requested by the Registrar, shall provide details of that coverage.

GENERAL CERTIFICATES OF REGISTRATION

5. (1) The following are additional requirements for the issuance of a general certificate of registration:

1. The applicant must,
 - i. have a diploma or a degree evidencing the successful completion of a full-time program designed to educate and train persons to be practising chiropodists or podiatrists which was,
 - A. awarded or granted by the Michener Institute, or
 - B. awarded or granted by an educational institution as a result of successful completion of a program that was approved by the Registration Committee as one whose graduates should possess sufficient knowledge, skill

and judgment to be able to practise chiropody in Ontario in accordance with the standards of practice of the profession, or

ii. have successfully completed a full-time program in either chiropody or podiatry, other than a program mentioned in subparagraph i, of at least three years duration designed to educate and train persons to be practising chiropodists and must have,

A. undergone an assessment or evaluation by the College or body approved by the College, and

B. satisfied a panel of the Registration Committee that the applicant has successfully completed any further education, training or combination of education and training that was identified as a result of the assessment or evaluation under sub-subparagraph A and that was approved by the panel as being necessary to evidence that the applicant possesses knowledge, skill and judgment at least equivalent to those of current graduates of a program mentioned in subparagraph i.

2. The applicant must have successfully completed every component of a competency examination set or approved by the Council, during a time when the examination was so set or approved.

3. The applicant must have successfully completed a jurisprudence examination set or approved by the Council, during a time when the examination was so set or approved.

(2) The requirements set out in subsection (1) are non-exemptible.

(3) The requirement in paragraphs 2 and 3 of subsection (1) must be met within three years before the date on which the applicant was entitled to the issuance of the certificate of registration.

(4) The requirements in paragraphs 1 and 3 of subsection (1) do not apply to an applicant if he or she held an emergency certificate of registration issued by the

College within one year before submitting his or her application for that general certificate of registration.

6. (1) Every general certificate of registration is subject to the following additional terms, conditions and limitations:

1. The member shall practise the profession a minimum of three months during every two-year period, with the first two-year period beginning on the day that the member is issued a general certificate of registration, and each subsequent two-year period beginning on the first anniversary of the commencement of the previous period.
2. If the member fails to meet the requirement in paragraph 1, the member shall immediately advise the Registrar in writing of that fact and immediately cease to engage in the practice of chiropody until such time as the member meets the conditions set out in subsection (3).

(2) If a member fails to meet the condition described in paragraph 1 of subsection (1), the Registrar shall refer the member to the Quality Assurance Committee for a peer and practice assessment.

(3) Where the Registrar refers a member to the Quality Assurance Committee under subsection (2), that member may not resume practising the profession until the member,

- (a) undergoes a peer and practice assessment;
- (b) successfully completes any continuing education or remediation programs that may be specified by the Quality Assurance Committee pursuant to section 80.2 of the Health Professions Procedural Code; and
- (c) pays the fees required under the by-laws that are applicable to the peer and practice assessment.

APPLICANTS WITH OUT-OF-PROVINCE CERTIFICATES

7. (1) Subject to subsection (2), if an applicant already holds an out-of-province certificate that is equivalent to a general certificate of registration issued by the College, the applicant is deemed to have met the requirements set out in paragraphs 1, 2 and 3 of subsection 5 (1).

(2) It is a non-exemptible registration requirement that an applicant referred to in subsection (1) provide one or more certificates or letters or other evidence satisfactory to the Registrar or panel of the Registration Committee confirming that the applicant is in good standing as a chiroprapist in every jurisdiction where the applicant holds an out-of-province certificate.

(3) Without in any way limiting the generality of subsection (2), being in good standing with respect to a jurisdiction shall include the fact that,

- (a) the applicant is not the subject of any discipline or fitness to practise order or of any proceeding or ongoing investigation or of any interim order or agreement as a result of a complaint, investigation or proceeding; and
- (b) the applicant is in compliance with all continuing competency and quality assurance requirements of the regulatory authority of the jurisdiction.

(4) An applicant referred to in subsection (1) is deemed to have met the requirement of paragraph 6 of subsection 3 (1) if the requirements for the issuance of the out-of-province certificate included language proficiency requirements equivalent to those required by that paragraph.

(5) Despite subsection (1), an applicant is not deemed to have met a requirement if that requirement is described in subsection 22.18 (3) of the Health Professions Procedural Code.

EXAMINATIONS

8. (1) The College shall ensure that the competency and jurisprudence examinations that are a requirement for a general certificate of registration pursuant to paragraphs 2 and 3 of subsection 5 (1) are held at least once per year.

(2) A person who meets the following requirements is eligible to attempt the examinations:

- 1. The person must file a completed examination application form with the College no less than 45 days before the day of the first examination, unless the Registrar approves a later filing.

2. The person must pay the examination fee required under the by-laws no less than 45 days before the day of the examination unless the Registrar approves a later payment.
3. The person must meet the requirement of paragraph 1 of subsection 5 (1).
4. The person must not have failed on three previous occasions an examination which would, if successfully completed, have met the examination requirement of paragraphs 2 or 3 of subsection 5 (1).

(3) Where, by virtue of paragraph 4 of subsection (2), a person is no longer eligible to attempt the examination referred to in paragraph 2 of subsection 5 (1), the person may not attempt the examination again unless and until the person obtains a new diploma or a degree which would meet the requirement of sub-subparagraph 1 i A or B of subsection 5 (1).

(4) Where, by virtue of paragraph 4 of subsection (2), a person is no longer eligible to attempt the examination referred to in paragraph 3 of subsection 5 (1), the person may not attempt the examination again unless and until the person meets any requirements respecting continuing education or remediation set by a panel of the Registration Committee.

(5) A member who holds or a former member who held an emergency class certificate of registration within one year of applying for a general certificate of registration and who practiced chiropody or podiatry for at least 180 hours while in the emergency class is exempt from the examination fee for the competency examination.

EMERGENCY CERTIFICATES OF REGISTRATION

9. (1) The following are additional requirements for the issuance of an emergency certificate of registration:

1. The Government of Ontario requests or Council determines it is in the public interest that the College issue emergency certificates of registration to address emergency circumstances.

2. The applicant meets the requirement of paragraph 1 of subsection 5 (1).

3. The applicant meets the requirement of paragraph 3 of subsection 5 (1).

(2) Subject to subsection (3), the requirements of subsection (1) are non-exemptible.

(3) Where the applicant is registered or licensed as a podiatrist in a jurisdiction approved by Council, the applicant is deemed to have met the requirement of paragraph 2 of subsection (1).

10. (1) Every emergency certificate of registration is subject to the following additional terms, conditions and limitations:

1. The member may engage in the practice of chiropody only under the supervision of a member who holds a general certificate of registration and who has been approved by the Registrar to supervise a member of the emergency class.

2. Subject to paragraph 3, the member may engage in the practice of chiropody only while holding themselves out as a member of the emergency class (chiropodist) who is practising under supervision.

3. If the member is a person described in subsection 9 (3), the member may engage in the practice of podiatry only while holding themselves out as a member of the emergency class (podiatrist) who is practising under supervision.

4. The emergency certificate of registration is automatically revoked 60 days after receipt of notice of Council's determination that the emergency circumstances have ended.

5. The emergency certificate of registration shall expire one year from the date on which the certificate was issued, unless extended by the Registrar, provided Council has not determined that the emergency circumstances have ended.

6. The emergency certificate of registration shall be revoked prior to its expiry if, in the opinion of the Registrar or the Registration Committee, it is in the public interest to do so.

(2) The Registrar may extend an emergency certificate of registration for one or more periods, each of which is not to exceed one year, provided Council has not determined the emergency circumstances have ended.

SUSPENSIONS, RESIGNATIONS, REINSTATEMENTS, ETC.

11. (1) If the Registrar requests evidence that a member holds professional liability insurance in the amount and in the form as required under the by-laws and the member fails to provide that evidence within 14 days of having been requested to do so or such longer period as is specified by the Registrar, the Registrar shall give the member notice of intention to suspend the member and may suspend the member's certificate of registration for failure to provide the evidence 15 days after notice is given.

(2) Where the Registrar suspends the member's certificate of registration under subsection (1), the Registrar shall lift that suspension upon being satisfied that the former member holds professional liability insurance in the amount and in the form required under the by-laws and that any fees required under the by-laws for the lifting of that suspension have been paid.

12. (1) If a member fails to provide information about the member as required by the Act, the *Regulated Health Professions Act, 1991*, the regulations under the *Regulated Health Professions Act, 1991* or the by-laws, in the manner and form as may be required, the Registrar shall give the member notice of intention to suspend the member and may suspend the member's certificate of registration for failure to provide the information 30 days after notice is given.

(2) Where the Registrar suspends a member's certificate of registration under subsection (1), the Registrar shall lift the suspension upon being satisfied that the required information has been filed with the College and that any fees required under the by-laws for the lifting of that suspension have been paid.

13. Where the Registrar suspended a certificate of registration under section 24 of the Health Professions Procedural Code for failure to pay a fee that was required under the by-laws, the Registrar shall lift the suspension upon being satisfied that,

- (a) all amounts owing to the College at the time of the suspension have been paid;
- (b) any fees required under the by-laws for the lifting of the suspension have been paid; and

- (c) as of the anticipated date for the lifting of the suspension, the reinstated member will hold professional liability insurance in the amount and in the form as required under the by-laws.

14. (1) A member may resign as a member of the College by giving written notice to the College.

(2) A resignation under this section is effective on the date set out in the resignation or on the date it is received by the College, whichever is later.

15. The Registrar shall revoke the certificate of registration of a member or former member where,

- (a) the member or former member resigns;
- (b) the member or former member's certificate of registration was suspended for failure to pay a fee required under the by-laws and that suspension continued for 120 days; or
- (c) the member or former member's certificate of registration was suspended pursuant to subsection 11 (1) or 12 (1) and the suspension continued for 120 days.

16. (1) A former member who resigned as a member of the College while a member holding a general class certificate of registration under section 14 or whose certificate was revoked pursuant to section 15 may apply for the reinstatement of their certificate of registration by submitting a completed application to the Registrar in the form provided by the Registrar.

(2) Subject to subsection (4), the Registrar may reinstate the former member's certificate of registration if,

- (a) the former member has paid,
 - (i) the reinstatement fees required under the by-laws, and
 - (ii) any other money otherwise owed by the former member to the College at the date the application for reinstatement is submitted, including, without limitation, any costs or expenses ordered to be paid under section 53.1 of the Health Professions

Procedural Code, any costs awarded to the College by a court and any amount owing to the College under a by-law or former regulation made under the Act;

- (b) the application for reinstatement was submitted to the Registrar within three years of the effective date on which the former member resigned as a member of the College or the date on which the former member's certificate of registration was revoked;
- (c) the application meets the requirement set out in paragraph 7 of subsection 3 (1) with necessary modifications; and
- (d) the former member,
 - (i) satisfies the Registrar that the former member provided direct chiropodial care to patients in Canada or another jurisdiction approved by the Council while practising as a chiropractor within three years before the date on which the former member met all of the other requirements for the reinstatement of their certificate of registration,
 - (ii) undergoes a practice assessment approved by the Registration Committee and meets any requirements respecting continuing education or remediation set by a panel of the Registration Committee, within the time specified by the panel, and pays the fees required under the by-laws that are applicable to the peer and practice assessment, or
 - (iii) pays the fees required under the by-laws, undergoes an evaluation of the applicant's knowledge, skill and judgment approved by the Registration Committee and meets any requirements respecting continuing education or remediation set by a panel of the Registration Committee, within the time specified by the panel.

(3) A panel of the Registration Committee shall determine whether a former member to whom clause (2) (d) applies shall undergo a practice assessment or an evaluation.

(4) A former member is ineligible for reinstatement under subsection (2) if the former member,

- (a) was, after ceasing to be a member, found guilty of any criminal offence in any jurisdiction or of any offence involving the use, possession or sale of drugs in any jurisdiction;
- (b) was, after ceasing to be a member, found guilty of any offence in any jurisdiction relating to the practice of chiropody or any other profession or occupation;
- (c) has been the subject of an inquiry or investigation by the Registrar that was not completed on its merits prior to the time that the former member ceased being a member or which resulted in the former member's resignation;
- (d) was, at the time of ceasing to be a member, the subject of an outstanding order of a committee or of a panel of a committee of the College;
- (e) was, at the time of ceasing to be a member, in breach of an order of a committee or of a panel of a committee of the College;
- (f) was, prior to time of ceasing to be a member, selected or directed to undergo an assessment or reassessment under the College's Quality Assurance Program unless the assessment or reassessment was completed and any continuing education or remedial program required by the Quality Assurance Committee was completed before the time of ceasing to be a member;
- (g) was, at the time of ceasing to be a member, in breach of any written agreement with or undertaking provided to the College;
- (h) was, after ceasing to be a member, refused registration in any jurisdiction either in chiropody or any other health profession; or
- (i) was, after ceasing to be a member, the subject of a finding of professional negligence or malpractice in any jurisdiction in relation to chiropody or any other health profession or occupation.

(5) Subsections 3 (3) and (4) apply with necessary modifications to an application for the reinstatement of a certificate of registration under this section.

TRANSITION

[Note: This section assumes that the current Registration Regulation and the current Examination Regulation will be revoked as set out in section 18.]

17. (1) Every general certificate of registration that was in existence immediately before **[**insert date this Regulation is filed**]** is continued as a general certificate of registration with the same status under this Regulation until such time as it otherwise ceases to be effective.

(2) Where an application for a certificate of registration had been made but not finally dealt with before **[**insert date this Regulation filed**]** the application shall be dealt with in accordance with this Regulation.

(3) A member who was deemed to be a member of the podiatrist class under subsection 18 (2) of Ontario Regulation 830/93 (Registration) made under the Act and who was a member of the podiatrist class immediately before **[**insert date this Regulation filed**]**, continues to hold a podiatrist class certificate of registration and is deemed to be a member of the podiatrist class of members until such time as he or she otherwise ceases to be a member.

REVOCATION AND COMMENCEMENT

18. The following Regulations are revoked:

1. **Ontario Regulation 679/93.**
2. **Ontario Regulation 830/93.**

19. This Regulation comes into force on the day it is filed.

Proposed Amendments to the Registration Regulation

Current	Proposed Change	Rationale
<p>PART VII REGISTRATION</p> <p>27. The following are prescribed as classes of certificates of registration:</p> <ol style="list-style-type: none"> 1. General. 2. Specialty. 3. Inactive. <p>O. Reg. 36/12, s. 1.</p>	<p>PART VII REGISTRATION</p> <p>27. The following are prescribed as classes of certificates of registration:</p> <ol style="list-style-type: none"> 1. General. 2. Specialty. 3. Inactive. 4. Emergency. <p>O. Reg. 36/12, s. 1.</p>	<p>Bill 106 (<i>Pandemic and Emergency Preparedness Act, 2022</i>), which came into effect in April 2022, made amendments to the Code that, among other things, mandate all Health Profession Regulatory Colleges to establish an Emergency Class of Certificate of Registration.</p>
<p>28. (1) A person may apply for a certificate of registration by submitting a completed application to the Registrar, in the manner specified by the Registrar, together with all required supporting documentation and the application fee. O. Reg. 36/12, s. 1.</p> <p>(2) This Regulation, as it read immediately before March 26, 2012 continues to apply to applications for a certificate of registration that were received by the Registrar and that</p>	<p>28. (1) A person may apply for a certificate of registration by submitting a completed application to the Registrar, in the manner specified by the Registrar, together with all required supporting documentation and the application fee. O. Reg. 36/12, s. 1.</p> <p>(2) This Regulation, as it read immediately before March 26, 2012 continues to apply to applications for a certificate of registration that were received by the Registrar and that</p>	

Current	Proposed Change	Rationale
<p>were not finally determined before that date. O. Reg. 36/12, s. 1.</p> <p>29. (1) It is a registration requirement for a certificate of registration of any class that the applicant provide details of any of the following that relate to the applicant:</p> <ol style="list-style-type: none"> 1. Any charge for any criminal offence, including a charge under the <i>Criminal Code</i> (Canada), the <i>Controlled Drugs and Substances Act</i> (Canada) or the <i>Food and Drugs Act</i> (Canada), unless the ensuing proceedings concluded with a verdict of not guilty. 2. Any charge for any other offence where the ensuing proceedings resulted in the imposition of incarceration or a fine of more than \$1,000. 3. A finding of professional misconduct, incompetency or incapacity, or any like finding, in Ontario in relation to another profession, or in another jurisdiction in relation to the profession or another profession. 	<p>were not finally determined before that date. O. Reg. 36/12, s. 1.</p> <p>29. (1) It is a registration requirement for a certificate of registration of any class that the applicant provide details of any of the following that relate to the applicant:</p> <ol style="list-style-type: none"> 1. Any charge for any criminal offence, including a charge under the <i>Criminal Code</i> (Canada), the <i>Controlled Drugs and Substances Act</i> (Canada) or the <i>Food and Drugs Act</i> (Canada), unless the ensuing proceedings concluded with a verdict of not guilty. 2. Any charge for any other offence where the ensuing proceedings resulted in the imposition of incarceration or a fine of more than \$1,000. 3. A finding of professional misconduct, incompetency or incapacity, or any like finding, in Ontario in relation to another profession, or in another jurisdiction in relation to the profession or another profession. 	<p style="text-align: right; font-size: 24pt; font-weight: bold;">45</p>

Current	Proposed Change	Rationale
<p>4. A current proceeding for professional misconduct, incompetency or incapacity, or any like proceeding, in Ontario in relation to another profession, or in another jurisdiction in relation to the profession or another profession.</p> <p>5. An unsuccessful application for registration as a dental hygienist in Ontario or another jurisdiction.</p> <p>6. An attempt to pass an examination or evaluation required for purposes of being licensed or certified to practise any profession whether in Ontario or another jurisdiction that has not, at the time of the application, resulted in a passing grade. O. Reg. 36/12, s. 1.</p> <p>(2) An applicant shall provide the information referred to in subsection (1) upon application or, if an event referred to in subsection (1) occurs after the application is submitted but before a certificate of registration is issued, immediately after the event occurs. O. Reg. 36/12, s. 1.</p>	<p>4. A current proceeding for professional misconduct, incompetency or incapacity, or any like proceeding, in Ontario in relation to another profession, or in another jurisdiction in relation to the profession or another profession.</p> <p>5. An unsuccessful application for registration as a dental hygienist in Ontario or another jurisdiction.</p> <p>6. An attempt to pass an examination or evaluation required for purposes of being licensed or certified to practise any profession whether in Ontario or another jurisdiction that has not, at the time of the application, resulted in a passing grade. O. Reg. 36/12, s. 1.</p> <p>(2) An applicant shall provide the information referred to in subsection (1) upon application or, if an event referred to in subsection (1) occurs after the application is submitted but before a certificate of registration is issued, immediately after the event occurs. O. Reg. 36/12, s. 1.</p>	<p style="text-align: right; font-size: 24pt; font-weight: bold;">46</p>

Current	Proposed Change	Rationale
<p>(3) Where an applicant has undertaken a program in dental hygiene that at the time of the applicant's graduation was not accredited by the Commission on Dental Accreditation of Canada or by the American Dental Association Commission on Dental Accreditation, it is a registration requirement for a certificate of registration of any class that the applicant provide a copy of a verification of his or her program in dental hygiene that has been prepared by an assessment agency that has been approved by the Registration Committee for that purpose. O. Reg. 36/12, s. 1.</p> <p>(4) In addition to the requirements in subsection (1), the following are registration requirements for a registration of any class:</p> <ol style="list-style-type: none"> 1. The applicant must provide the College with a police record check that is dated no earlier than one year before the date on which his or her application was submitted. 2. Within the 12-month period immediately preceding the submission of his or her application, the applicant must successfully complete a jurisprudence course set 	<p>47</p> <p>(3) Where an applicant has undertaken a program in dental hygiene that at the time of the applicant's graduation was not accredited by the Commission on Dental Accreditation of Canada or by the American Dental Association Commission on Dental Accreditation, it is a registration requirement for a certificate of registration of any class that the applicant provide a copy of a verification of his or her program in dental hygiene that has been prepared by an assessment agency that has been approved by the Registration Committee for that purpose. O. Reg. 36/12, s. 1.</p> <p>(4) In addition to the requirements in subsection (1), the following are registration requirements for a registration of any class:</p> <ol style="list-style-type: none"> 1. The applicant must provide the College with a police record check that is dated no earlier than one year before the date on which his or her application was submitted. 2. Within the 12-month period immediately preceding the submission of his or her application, the applicant must successfully complete a jurisprudence course set 	

Current	Proposed Change	Rationale
<p>or approved by the Registration Committee.</p> <p>3. The applicant must be able to effectively comprehend and communicate in either English or French, both orally and in writing. O. Reg. 36/12, s. 1.</p>	<p>or approved by the Registration Committee.</p> <p>3. The applicant must be able to effectively comprehend and communicate in either English or French, both orally and in writing. O. Reg. 36/12, s. 1.</p>	<p>48</p>
<p>30. It is a condition of a certificate of registration of any class that the member provide the College with details of any of the following that relate to the member and that occur or arise after registration:</p> <ol style="list-style-type: none"> 1. A charge for any offence unless the ensuing proceedings concluded with a verdict of not guilty. 2. A finding of professional misconduct, incompetency or incapacity, or any like finding, in Ontario in relation to another profession, or in another jurisdiction in relation to the profession or another profession. 3. A proceeding for professional misconduct, incompetency or incapacity, or any like proceeding, in Ontario in relation to another 	<p>30. It is a condition of a certificate of registration of any class that the member provide the College with details of any of the following that relate to the member and that occur or arise after registration:</p> <ol style="list-style-type: none"> 1. A charge for any offence unless the ensuing proceedings concluded with a verdict of not guilty. 2. A finding of professional misconduct, incompetency or incapacity, or any like finding, in Ontario in relation to another profession, or in another jurisdiction in relation to the profession or another profession. 3. A proceeding for professional misconduct, incompetency or incapacity, or any like proceeding, in Ontario in relation to another 	

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<p>profession, or in another jurisdiction in relation to the profession or another profession. O. Reg. 36/12, s. 1.</p>	<p>profession, or in another jurisdiction in relation to the profession or another profession. O. Reg. 36/12, s. 1.</p>	<p>49</p>
<p>31. (1) An applicant for the issuance of a general certificate of registration must meet the following non-exemptible registration requirements:</p> <ol style="list-style-type: none"> 1. The applicant must have, <ol style="list-style-type: none"> i. successfully completed a program in dental hygiene that is equivalent to a full-time program of two years and which, at the time of the applicant's graduation, was accredited by the Commission on Dental Accreditation of Canada or by the American Dental Association Commission on Dental Accreditation, or ii. subject to subsection (2), successfully completed a program in dental hygiene that the Registration Committee considers to be substantially equivalent to a 	<p>31. (1) An applicant for the issuance of a general certificate of registration must meet the following non-exemptible registration requirements:</p> <ol style="list-style-type: none"> 1. The applicant must have, <ol style="list-style-type: none"> i. successfully completed a program in dental hygiene that is equivalent to a full-time program of two years and which, at the time of the applicant's graduation, was accredited by the Commission on Dental Accreditation of Canada or by the American Dental Association Commission on Dental Accreditation, or ii. subject to subsection (2), successfully completed a program in dental hygiene that the Registration Committee considers to be substantially equivalent to a 	

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<p>program referred to in subparagraph i.</p> <ol style="list-style-type: none"> The applicant must be the holder of a certificate issued by the National Dental Hygiene Certification Board or, if he or she was never eligible to sit for the National Dental Hygiene Certification Examination but otherwise meets the registration requirements, must have successfully completed the written competency evaluation set or approved by the Registration Committee. Subsequent to having met the requirement in paragraph 2, the applicant must have successfully completed a clinical competency evaluation set or approved by the Registration Committee, unless the applicant has successfully completed a program referred to in subparagraph 1 i. An applicant who submits to an evaluation under paragraph 2 or 3 must pay the applicable fees. The applicant must provide evidence satisfactory to the Registrar that the 	<p>50</p> <p>program referred to in subparagraph i.</p> <ol style="list-style-type: none"> The applicant must be the holder of a certificate issued by the National Dental Hygiene Certification Board or, if he or she was never eligible to sit for the National Dental Hygiene Certification Examination but otherwise meets the registration requirements, must have successfully completed the written competency evaluation set or approved by the Registration Committee. Subsequent to having met the requirement in paragraph 2, the applicant must have successfully completed a clinical competency evaluation set or approved by the Registration Committee, unless the applicant has successfully completed a program referred to in subparagraph 1 i. An applicant who submits to an evaluation under paragraph 2 or 3 must pay the applicable fees. The applicant must provide evidence satisfactory to the Registrar that the 	

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<p>applicant will have professional liability insurance in the amount and in the form as required by the by-laws as of the anticipated date for the issuance of his or her certificate of registration. O. Reg. 36/12, s. 1.</p> <p>(2) Where the program referred to in subparagraph 1 ii of subsection (1) was taken in Canada or the United States of America, the Registration Committee shall not consider it to be substantially equivalent to a program referred to in subparagraph 1 i of subsection (1) if the applicant completed the program on or after March 26, 2015. O. Reg. 36/12, s. 1.</p> <p>(3) The College shall provide the applicant with a copy of the list of programs referred to in subparagraph 1 i of subsection (1) upon request. O. Reg. 36/12, s. 1.</p> <p>(4) Where section 22.18 of the Health Professions Procedural Code applies to an applicant, the applicant is deemed to have met the requirements of subsection 29 (3), paragraphs 1, 2 and 3 of subsection (1) and</p>	<p>applicant will have professional liability insurance in the amount and in the form as required by the by-laws as of the anticipated date for the issuance of his or her certificate of registration. O. Reg. 36/12, s. 1.</p> <p>(2) Where the program referred to in subparagraph 1 ii of subsection (1) was taken in Canada or the United States of America, the Registration Committee shall not consider it to be substantially equivalent to a program referred to in subparagraph 1 i of subsection (1) if the applicant completed the program on or after March 26, 2015. O. Reg. 36/12, s. 1.</p> <p>(3) The College shall provide the applicant with a copy of the list of programs referred to in subparagraph 1 i of subsection (1) upon request. O. Reg. 36/12, s. 1.</p> <p>(4) Where section 22.18 of the Health Professions Procedural Code applies to an applicant, the applicant is deemed to have met the requirements of subsection 29 (3), paragraphs 1, 2 and 3 of subsection (1) and</p>	<p style="text-align: center; font-size: 2em; font-weight: bold;">51</p>

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<p>paragraph 2 of section 32. O. Reg. 36/12, s. 1.</p> <p>(5) Despite subsection (4), it is a non-exemptible registration requirement that an applicant referred to in that subsection, provide a certificate, letter or other evidence satisfactory to the Registrar or a panel of the Registration Committee that the applicant is in good standing as a dental hygienist in every jurisdiction where the applicant holds an out-of-province certificate. O. Reg. 36/12, s. 1.</p> <p>(6) Despite subsection (4), it is a non-exemptible registration requirement that, where an applicant referred to in that subsection is unable to satisfy the Registrar or a panel of the Registration Committee that the applicant practised the profession to the extent that would be permitted by a general certificate of registration at any time in the three years immediately prior to the date of the applicant's application, the applicant must, within 18 months before the day the general certificate of registration is issued, have successfully completed either,</p>	<p>paragraph 2 of section 32. O. Reg. 36/12, s. 1.</p> <p>(5) Despite subsection (4), it is a non-exemptible registration requirement that an applicant referred to in that subsection, provide a certificate, letter or other evidence satisfactory to the Registrar or a panel of the Registration Committee that the applicant is in good standing as a dental hygienist in every jurisdiction where the applicant holds an out-of-province certificate. O. Reg. 36/12, s. 1.</p> <p>(6) Despite subsection (4), it is a non-exemptible registration requirement that, where an applicant referred to in that subsection is unable to satisfy the Registrar or a panel of the Registration Committee that the applicant practised the profession to the extent that would be permitted by a general certificate of registration at any time in the three years immediately prior to the date of the applicant's application, the applicant must, within 18 months before the day the general certificate of registration is issued, have successfully completed either,</p>	<p style="text-align: center; font-size: 24pt; font-weight: bold;">52</p>

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<p>(a) a refresher course set or approved by the Registration Committee; or</p> <p>(b) a professional competency assessment as set or approved by the Registration Committee and, if recommended by the professional competency assessment, upgrading courses as set or approved by the Registration Committee. O. Reg. 36/12, s. 1.</p> <p>(7) Despite subsection (4), a requirement set out in subsection 29 (3) or in paragraphs 1, 2 and 3 of subsection (1) or in paragraph 2 of section 32 will continue to apply to an applicant where that requirement is a requirement described in subsection 22.18 (3) of the Health Professions Procedural Code. O. Reg. 36/12, s. 1.</p> <p>(8) An applicant referred to in subsection (4) is deemed to have met the requirement in paragraph 3 of subsection 29 (4) where the requirements for the issuance of the applicant's out-of-province certificate included language proficiency requirements equivalent to those required by that paragraph. O. Reg. 36/12, s. 1.</p>	<p>(a) a refresher course set or approved by the Registration Committee; or</p> <p>(b) a professional competency assessment as set or approved by the Registration Committee and, if recommended by the professional competency assessment, upgrading courses as set or approved by the Registration Committee. O. Reg. 36/12, s. 1.</p> <p>(7) Despite subsection (4), a requirement set out in subsection 29 (3) or in paragraphs 1, 2 and 3 of subsection (1) or in paragraph 2 of section 32 will continue to apply to an applicant where that requirement is a requirement described in subsection 22.18 (3) of the Health Professions Procedural Code. O. Reg. 36/12, s. 1.</p> <p>(8) An applicant referred to in subsection (4) is deemed to have met the requirement in paragraph 3 of subsection 29 (4) where the requirements for the issuance of the applicant's out-of-province certificate included language proficiency requirements equivalent to those required by that paragraph. O. Reg. 36/12, s. 1.</p>	<p style="text-align: right; font-size: 2em; font-weight: bold;">53</p>

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<p>32. The following are registration requirements for a general certificate of registration:</p> <ol style="list-style-type: none"> 1. Nothing in the applicant’s conduct affords reasonable grounds for the belief that the applicant will not practise the profession safely and with decency, integrity and honesty, and in accordance with the law. 2. If the applicant completed a program referred to in paragraph 1 of subsection 31 (1) more than three years before the date of the application for registration, the applicant must, <ol style="list-style-type: none"> i. within 18 months before the day the general certificate of registration is issued, have successfully completed either, <ol style="list-style-type: none"> A. a refresher course set or approved by the Registration Committee, or B. a professional competency assessment as set or approved by the Registration Committee and, if 	<p>32. The following are registration requirements for a general certificate of registration:</p> <ol style="list-style-type: none"> 1. Nothing in the applicant’s conduct affords reasonable grounds for the belief that the applicant will not practise the profession safely and with decency, integrity and honesty, and in accordance with the law. 2. If the applicant completed a program referred to in paragraph 1 of subsection 31 (1) more than three years before the date of the application for registration, the applicant must, <ol style="list-style-type: none"> i. within 18 months before the day the general certificate of registration is issued, have successfully completed either, <ol style="list-style-type: none"> A. a refresher course set or approved by the Registration Committee, or B. a professional competency assessment as set or approved by the Registration Committee and, if 	<p style="text-align: right;">54</p>

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<p>recommended by the professional competency assessment, upgrading courses as set or approved by the Registration Committee, or</p> <p>ii. have been practising dental hygiene in any jurisdiction within the three years before the issuance of the certificate of registration in a manner that demonstrates that he or she could meet the current standards of practice in Ontario and provide the College with a certificate of professional conduct from any such jurisdiction.</p> <p>3. The applicant must be a Canadian citizen or a permanent resident of Canada or be authorized under the <i>Immigration and Refugee Protection Act (Canada)</i> to engage in the practice of the profession. O. Reg. 36/12, s. 1.</p> <p>33. The following are conditions of a general or speciality certificate of registration:</p>	<p>recommended by the professional competency assessment, upgrading courses as set or approved by the Registration Committee, or</p> <p>ii. have been practising dental hygiene in any jurisdiction within the three years before the issuance of the certificate of registration in a manner that demonstrates that he or she could meet the current standards of practice in Ontario and provide the College with a certificate of professional conduct from any such jurisdiction.</p> <p>3. The applicant must be a Canadian citizen or a permanent resident of Canada or be authorized under the <i>Immigration and Refugee Protection Act (Canada)</i> to engage in the practice of the profession. O. Reg. 36/12, s. 1.</p> <p>33. The following are conditions of a general or speciality certificate of registration:</p>	<p>55</p>
<p>33. The following are conditions of a general or speciality certificate of registration:</p>	<p>33. The following are conditions of a general or speciality certificate of registration:</p>	

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<p>1. The applicant must be a Canadian citizen or a permanent resident of Canada or be authorized under the <i>Immigration and Refugee Protection Act (Canada)</i> to engage in the practice of the profession.</p> <p>2. The member shall maintain professional liability insurance in the amount and in the form as required by the by-laws. O. Reg. 36/12, s. 1.</p>	<p>1. The applicant must be a Canadian citizen or a permanent resident of Canada or be authorized under the <i>Immigration and Refugee Protection Act (Canada)</i> to engage in the practice of the profession.</p> <p>2. The member shall maintain professional liability insurance in the amount and in the form as required by the by-laws. O. Reg. 36/12, s. 1.</p>	
<p>34. (1) The following are non-exemptible registration requirements for a specialty certificate of registration as a restorative dental hygienist:</p> <p>1. The applicant must be the holder of a general certificate of registration.</p> <p>2. The applicant must have,</p> <p>i. successfully completed a program in restorative dental hygiene that at the time of the applicant’s graduation was accredited by the Commission on Dental Accreditation of Canada or by the American Dental Association</p>	<p>34. (1) The following are non-exemptible registration requirements for a specialty certificate of registration as a restorative dental hygienist:</p> <p>1. The applicant must be the holder of a general certificate of registration.</p> <p>2. The applicant must have,</p> <p>i. successfully completed a program in restorative dental hygiene that at the time of the applicant’s graduation was accredited by the Commission on Dental Accreditation of Canada or by the American Dental Association</p>	

Current	Proposed Change	Rationale
<p>Commission on Dental Accreditation, or</p> <ul style="list-style-type: none"> ii. successfully completed a program in restorative dental hygiene that the Registration Committee considers to be substantially equivalent to the program referred to in subparagraph i. <p>3. If the applicant completed a program referred to in paragraph 2 more than three years before the date of the application for a specialty certificate of registration, the applicant must,</p> <ul style="list-style-type: none"> i. within 18 months before the day the specialty certificate of registration is issued, have successfully completed either, <ul style="list-style-type: none"> A. a restorative dental hygiene refresher course set or approved by the Registration Committee, or B. a professional competency assessment as set or approved by the Registration Committee and, if recommended by the professional competency 	<p>Commission on Dental Accreditation, or</p> <ul style="list-style-type: none"> ii. successfully completed a program in restorative dental hygiene that the Registration Committee considers to be substantially equivalent to the program referred to in subparagraph i. <p>3. If the applicant completed a program referred to in paragraph 2 more than three years before the date of the application for a specialty certificate of registration, the applicant must,</p> <ul style="list-style-type: none"> i. within 18 months before the day the specialty certificate of registration is issued, have successfully completed either, <ul style="list-style-type: none"> A. a restorative dental hygiene refresher course set or approved by the Registration Committee, or B. a professional competency assessment as set or approved by the Registration Committee and, if recommended by the professional competency 	<p style="text-align: center; font-size: 24pt; font-weight: bold;">57</p>

Current	Proposed Change	Rationale
<p>assessment, upgrading courses as set or approved by the Registration Committee, or</p> <p>ii. have been practising restorative dental hygiene in any jurisdiction within the three years before the issuance of the certificate of registration in a manner that demonstrates that the applicant could meet current standards of practice in Ontario and provide the College with a certificate of professional conduct from any such jurisdiction.</p> <p>4. The applicant, other than an applicant who has successfully completed a program referred to in subparagraph 2 i, must have successfully completed a specialty evaluation set or approved by the Registration Committee and complied with all requirements associated with the evaluation, including payment of the relevant fees set by the by-laws. O. Reg. 36/12, s. 1.</p>	<p>assessment, upgrading courses as set or approved by the Registration Committee, or</p> <p>ii. have been practising restorative dental hygiene in any jurisdiction within the three years before the issuance of the certificate of registration in a manner that demonstrates that the applicant could meet current standards of practice in Ontario and provide the College with a certificate of professional conduct from any such jurisdiction.</p> <p>4. The applicant, other than an applicant who has successfully completed a program referred to in subparagraph 2 i, must have successfully completed a specialty evaluation set or approved by the Registration Committee and complied with all requirements associated with the evaluation, including payment of the relevant fees set by the by-laws. O. Reg. 36/12, s. 1.</p>	<p>58</p>

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<p>(2) Where section 22.18 of the Health Professions Procedural Code applies to an applicant, the applicant is deemed to have met the requirements of subsection 29 (3) and of subsection (1). O. Reg. 36/12, s. 1.</p> <p>(3) Despite subsection (2), it is a non-exemptible registration requirement that an applicant referred to in that subsection provide a certificate, letter or other evidence satisfactory to the Registrar or a panel of the Registration Committee that the applicant is in good standing as a dental hygienist with a specialty in restorative dental hygiene in every jurisdiction where the applicant holds an out-of-province certificate. O. Reg. 36/12, s. 1.</p> <p>(4) Despite subsection (2), where an applicant referred to in that subsection is unable to satisfy the Registrar or a panel of the Registration Committee that the applicant practised restorative dental hygiene to the extent that would be permitted by a specialty certificate of registration as a restorative dental hygienist at any time in the three years immediately prior to the date of that applicant's</p>	<p>(2) Where section 22.18 of the Health Professions Procedural Code applies to an applicant, the applicant is deemed to have met the requirements of subsection 29 (3) and of subsection (1). O. Reg. 36/12, s. 1.</p> <p>(3) Despite subsection (2), it is a non-exemptible registration requirement that an applicant referred to in that subsection provide a certificate, letter or other evidence satisfactory to the Registrar or a panel of the Registration Committee that the applicant is in good standing as a dental hygienist with a specialty in restorative dental hygiene in every jurisdiction where the applicant holds an out-of-province certificate. O. Reg. 36/12, s. 1.</p> <p>(4) Despite subsection (2), where an applicant referred to in that subsection is unable to satisfy the Registrar or a panel of the Registration Committee that the applicant practised restorative dental hygiene to the extent that would be permitted by a specialty certificate of registration as a restorative dental hygienist at any time in the three years immediately prior to the date of that applicant's</p>	<p style="text-align: right; font-size: 24pt; font-weight: bold;">59</p>

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<p>application, that applicant must, within 18 months before the day the specialty certificate of registration as a restorative dental hygienist is issued, have successfully completed either,</p> <ul style="list-style-type: none"> (a) a restorative dental hygiene refresher course set or approved by the Registration Committee; or (b) a professional competency assessment as set or approved by the Registration Committee and, if recommended by the professional competency assessment, upgrading courses as set or approved by the Registration Committee. O. Reg. 36/12, s. 1. <p>(5) Despite subsection (2), a requirement set out in subsection 29 (3) or in subsection (1) will continue to apply to an applicant where that requirement is a requirement described in subsection 22.18 (3) of the Health Professions Procedural Code. O. Reg. 36/12, s. 1.</p> <p>(6) An applicant referred to in subsection (2) is deemed to have met the requirement in paragraph 3 of subsection 29 (4) where the</p>	<p>application, that applicant must, within 18 months before the day the specialty certificate of registration as a restorative dental hygienist is issued, have successfully completed either,</p> <ul style="list-style-type: none"> (a) a restorative dental hygiene refresher course set or approved by the Registration Committee; or (b) a professional competency assessment as set or approved by the Registration Committee and, if recommended by the professional competency assessment, upgrading courses as set or approved by the Registration Committee. O. Reg. 36/12, s. 1. <p>(5) Despite subsection (2), a requirement set out in subsection 29 (3) or in subsection (1) will continue to apply to an applicant where that requirement is a requirement described in subsection 22.18 (3) of the Health Professions Procedural Code. O. Reg. 36/12, s. 1.</p> <p>(6) An applicant referred to in subsection (2) is deemed to have met the requirement in paragraph 3 of subsection 29 (4) where the</p>	<p style="text-align: center; font-size: 24pt; font-weight: bold;">60</p>

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<p>requirements for the issuance of the applicant’s out-of-province certificate included language proficiency requirements equivalent to those required by that paragraph. O. Reg. 36/12, s. 1.</p> <p>(7) For the purposes of paragraph 3 of subsection (1) and of subsection (4), “practised restorative dental hygiene” and “practising restorative dental hygiene” mean having performed restorative procedures for which an order would have been required under subsection 5 (2) of the Act if the procedures were performed in Ontario. O. Reg. 36/12, s. 1.</p> <p>(8) The College shall provide the applicant with a copy of the list of programs referred to in subparagraph 2 i of subsection (1) upon request. O. Reg. 36/12, s. 1.</p> <p>(9) Only a member who holds a speciality certificate shall use the title “restorative dental hygienist”, a variation or abbreviation or an equivalent in another language. O. Reg. 36/12, s. 1.</p>	<p>requirements for the issuance of the applicant’s out-of-province certificate included language proficiency requirements equivalent to those required by that paragraph. O. Reg. 36/12, s. 1.</p> <p>(7) For the purposes of paragraph 3 of subsection (1) and of subsection (4), “practised restorative dental hygiene” and “practising restorative dental hygiene” mean having performed restorative procedures for which an order would have been required under subsection 5 (2) of the Act if the procedures were performed in Ontario. O. Reg. 36/12, s. 1.</p> <p>(8) The College shall provide the applicant with a copy of the list of programs referred to in subparagraph 2 i of subsection (1) upon request. O. Reg. 36/12, s. 1.</p> <p>(9) Only a member who holds a speciality certificate shall use the title “restorative dental hygienist”, a variation or abbreviation or an equivalent in another language. O. Reg. 36/12, s. 1.</p>	<p style="text-align: right; font-size: 2em; font-weight: bold;">61</p>

Current	Proposed Change	Rationale
<p>35. (1) It is a non-exemptible registration requirement for an inactive certificate of registration that the applicant must,</p> <ul style="list-style-type: none"> (a) be a member who has previously been the holder of a general certificate of registration; (b) meet the requirements of paragraphs 1, 2, 3 and 4 of subsection 31 (1) and the registration requirements of paragraphs 1 and 3 of subsection 29 (4) and paragraphs 1 and 3 of section 32; or (c) be an applicant to whom subsection 31 (4) applies, and meet the registration requirements of paragraphs 1 and 3 of subsection 29 (4) and of paragraphs 1 and 3 of section 32, with the exception that, where the requirements for the issuance of the applicant's out-of-province certificate of registration included language proficiency requirements equivalent to those required by paragraph 3 of subsection 29 (4), the requirements of that paragraph do not have to be met. O. Reg. 36/12, s. 1. 	<p>62</p> <p>35. (1) It is a non-exemptible registration requirement for an inactive certificate of registration that the applicant must,</p> <ul style="list-style-type: none"> (a) be a member who has previously been the holder of a general certificate of registration; (b) meet the requirements of paragraphs 1, 2, 3 and 4 of subsection 31 (1) and the registration requirements of paragraphs 1 and 3 of subsection 29 (4) and paragraphs 1 and 3 of section 32; or (c) be an applicant to whom subsection 31 (4) applies, and meet the registration requirements of paragraphs 1 and 3 of subsection 29 (4) and of paragraphs 1 and 3 of section 32, with the exception that, where the requirements for the issuance of the applicant's out-of-province certificate of registration included language proficiency requirements equivalent to those required by paragraph 3 of subsection 29 (4), the requirements of that paragraph do not have to be met. O. Reg. 36/12, s. 1. 	

Current	Proposed Change	Rationale
<p>(2) It is a condition of an inactive certificate of registration that the member not practise as a dental hygienist in Ontario. O. Reg. 36/12, s. 1.</p>	<p>(2) It is a condition of an inactive certificate of registration that the member not practise as a dental hygienist in Ontario. O. Reg. 36/12, s. 1.</p>	<p>63</p>
	<p>35.1 The College may issue and renew certificates of registration in the emergency class only where one or more of the following conditions are met:</p> <ol style="list-style-type: none"> 1. The Minister has requested the College to issue and renew certificates of registration in the emergency class to qualified applicants. 2. Council has declared the existence of an emergency circumstance where it is in the public interest for the College to issue and renew certificates of registration in the emergency class to qualified applicants. 	
	<p>35.2 (1) An applicant for the issuance of a certificate of registration in the emergency class must meet the following non-exemptible requirements:</p>	

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	<p>64</p> <ol style="list-style-type: none"> 1. Satisfy the educational requirements set out in paragraph 1 of subsection 31(1). 2. Satisfy the requirement for professional liability insurance set out in paragraph 5 of subsection 31(1). 3. Be a Canadian citizen or a permanent resident of Canada or be authorized under the <i>Immigration and Refugee Protection Act</i> (Canada) to engage in the practice of the profession. <p>(2) It is a requirement for the issuance of a certificate of registration in the emergency class that within the three years immediately prior to submitting their application for registration, the applicant must</p> <ol style="list-style-type: none"> (a) have satisfied the educational requirements of paragraph 1 of subsection 31(1); or (b) have been practising dental hygiene in any jurisdiction in a manner that demonstrates that they could meet the current standards of practice in 	

Current	Proposed Change	Rationale
	<p>Ontario and provide the College with a certificate of professional conduct from any such jurisdiction.</p> <p>35.3 The following are conditions of a certificate of registration in the emergency class:</p> <ol style="list-style-type: none"> 1. The member shall maintain professional liability insurance in the amount and in the form as required by the by-laws. 2. The member shall practise the profession only within the scope of their certificate. 3. The member shall practise the profession only under the supervision of a holder of a certificate of registration in the general or specialty class who is in compliance with the supervision requirements specified in the document entitled "Supervision of Emergency Class Registrants" posted on the College's website as it may read from time to time. 4. The member shall at all times when providing professional services, 	<p>65</p>

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	<p>identify themselves as practising under supervision.</p> <p>5. The member shall use the title “Registered Dental Hygienist (Supervised)” or “RDH (Supervised)” or Hygiéniste dentaire autorisée (Supervisée) or HDA (Supervisée)</p>	<p>66</p>
	<p>35.4 (1) Unless stated otherwise on the certificate, a certificate of registration in the Emergency class expires one year after it is issued, unless it is renewed.</p> <p>(2) Unless stated otherwise on the certificate, a renewed certificate of registration in the emergency class expires one year after it is issued, unless it is renewed again.</p> <p>(3) Despite subsections (1) and (2), a certificate of registration in the emergency class expires six months after the earlier of</p> <p>(i) the date the Minister withdraws their request that certificates of registration in the emergency class be issued or renewed, and</p>	

Current	Proposed Change	Rationale
	<p>(ii) the Council declares that the emergency circumstances where it is interest of the public to issue and renew certificates of registration in the emergency class have ended.</p>	<p>67</p>
	<p>35.5 A member who holds a certificate of registration in the emergency class may be issued a certificate of registration in the general class despite not having met the requirements set out in paragraphs 2 and 3 of subsection 31(1), if the member</p> <ul style="list-style-type: none"> (a) applies for a certificate of registration in the general class; (b) satisfies all other requirements for a certificate of registration in the general class; and (c) provides satisfactory evidence based on their practice for a period of at least one year under the certificate of registration in the emergency class that the member will practise competently and ethically even though practising without supervision. 	

Current	Proposed Change	Rationale
<p>36. (1) Subject to subsections (2) and (3), a member who holds an inactive certificate of registration may, upon application, be issued a general certificate of registration or, if appropriate, a specialty certificate of registration if the member continues to meet the requirements of subsection 29 (4) and paragraphs 1 and 3 of section 32 and meets at least one of the following registration requirements:</p> <ol style="list-style-type: none"> 1. The member has practised dental hygiene within the previous three years and has done so in a manner that demonstrates that the member could meet the current standards of practice in Ontario. 2. The member has, within 18 months before the day the general or specialty certificate of registration is issued, successfully completed, <ol style="list-style-type: none"> i. a refresher course set or approved by the Registration Committee, or ii. a professional competency assessment as set or approved by the Registration Committee and, if recommended by the 	<p>36. (1) Subject to subsections (2) and (3), a member who holds an inactive certificate of registration may, upon application, be issued a general certificate of registration or, if appropriate, a specialty certificate of registration if the member continues to meet the requirements of subsection 29 (4) and paragraphs 1 and 3 of section 32 and meets at least one of the following registration requirements:</p> <ol style="list-style-type: none"> 1. The member has practised dental hygiene within the previous three years and has done so in a manner that demonstrates that the member could meet the current standards of practice in Ontario. 2. The member has, within 18 months before the day the general or specialty certificate of registration is issued, successfully completed, <ol style="list-style-type: none"> i. a refresher course set or approved by the Registration Committee, or ii. a professional competency assessment as set or approved by the Registration Committee and, if recommended by the 	<p style="text-align: center; font-size: 24pt; font-weight: bold;">68</p>

Current	Proposed Change	Rationale
<p>professional competency assessment, upgrading courses as set or approved by the Registration Committee. O. Reg. 36/12, s. 1.</p> <p>(2) The member must provide evidence satisfactory to the Registrar that the applicant will have professional liability insurance in the amount and in the form as required by the by-laws as of the anticipated date for the issuance of his or her general or specialty certificate of registration. O. Reg. 36/12, s. 1.</p> <p>(3) If the member is applying for a general or specialty certificate of registration on the basis of having met the requirements of paragraph 1 of subsection (1) and the member has practised in a jurisdiction outside of Ontario during the preceding three years, the member must provide the College with a certificate of professional conduct from every jurisdiction in which he or she practised. O. Reg. 36/12, s. 1.</p>	<p>professional competency assessment, upgrading courses as set or approved by the Registration Committee. O. Reg. 36/12, s. 1.</p> <p>(2) The member must provide evidence satisfactory to the Registrar that the applicant will have professional liability insurance in the amount and in the form as required by the by-laws as of the anticipated date for the issuance of his or her general or specialty certificate of registration. O. Reg. 36/12, s. 1.</p> <p>(3) If the member is applying for a general or specialty certificate of registration on the basis of having met the requirements of paragraph 1 of subsection (1) and the member has practised in a jurisdiction outside of Ontario during the preceding three years, the member must provide the College with a certificate of professional conduct from every jurisdiction in which he or she practised. O. Reg. 36/12, s. 1.</p>	<p style="text-align: center;">69</p>
<p>37. (1) If a member fails to provide the annual information return required by the by-laws, the Registrar may send the member</p>	<p>37. (1) If a member fails to provide the annual information return required by the by-laws, the Registrar may send the member</p>	

Current	Proposed Change	Rationale
<p>notice that he or she must comply within 30 days of receiving the notice. O. Reg. 36/12, s. 1.</p> <p>(2) If the member fails to provide an information return within 30 days of receiving the notice under subsection (1), the Registrar may suspend the member's certificate of registration. O. Reg. 36/12, s. 1.</p> <p>(3) The Registrar shall lift the suspension of a certificate suspended under subsection (2) if the member provides the information required under the by-laws and pays any outstanding fees and penalties in an amount set out in the by-laws. O. Reg. 36/12, s. 1.</p>	<p>notice that he or she must comply within 30 days of receiving the notice. O. Reg. 36/12, s. 1.</p> <p>(2) If the member fails to provide an information return within 30 days of receiving the notice under subsection (1), the Registrar may suspend the member's certificate of registration. O. Reg. 36/12, s. 1.</p> <p>(3) The Registrar shall lift the suspension of a certificate suspended under subsection (2) if the member provides the information required under the by-laws and pays any outstanding fees and penalties in an amount set out in the by-laws. O. Reg. 36/12, s. 1.</p>	<p style="text-align: right; font-size: 2em; font-weight: bold;">70</p>
<p>38. (1) The Registrar shall suspend the certificate of registration of a member holding a general or specialty certificate of registration who fails to comply with the condition set out in paragraph 1 or 2 of section 33. O. Reg. 36/12, s. 1.</p> <p>(2) If the Registrar suspends a member's certificate of registration under subsection (1), the Registrar shall lift the suspension on,</p>	<p>38. (1) The Registrar shall suspend the certificate of registration of a member holding a general or specialty certificate of registration who fails to comply with the condition set out in paragraph 1 or 2 of section 33. O. Reg. 36/12, s. 1.</p> <p>(2) If the Registrar suspends a member's certificate of registration under subsection (1), the Registrar shall lift the suspension on,</p>	

Current	Proposed Change	Rationale
<p>(a) the receipt of proof that section 33 is now being fully complied with; and</p> <p>(b) the payment of the fees set out in the by-laws. O. Reg. 36/12, s. 1.</p>	<p>(a) the receipt of proof that section 33 is now being fully complied with; and</p> <p>(b) the payment of the fees set out in the by-laws. O. Reg. 36/12, s. 1.</p>	<p>71</p>
<p>39. (1) If the Registrar suspends or revokes a member's certificate of registration for failure to pay a prescribed fee, the Registrar shall lift the suspension or issue a new certificate on the payment of,</p> <p>(a) the fee the member failed to pay;</p> <p>(b) the reinstatement fee as required under the by-laws;</p> <p>(c) all outstanding fees, costs and expenses; and</p> <p>(d) any applicable penalties or other fees owing under the by-laws. O. Reg. 36/12, s. 1.</p> <p>(2) If a person whose certificate of registration has been revoked or suspended as a result of disciplinary or incapacity proceedings applies to have a new certificate issued or the suspension lifted, and the Registrar is directed under the <i>Health Professions Procedural Code</i> to</p>	<p>39. (1) If the Registrar suspends or revokes a member's certificate of registration for failure to pay a prescribed fee, the Registrar shall lift the suspension or issue a new certificate on the payment of,</p> <p>(a) the fee the member failed to pay;</p> <p>(b) the reinstatement fee as required under the by-laws;</p> <p>(c) all outstanding fees, costs and expenses; and</p> <p>(d) any applicable penalties or other fees owing under the by-laws. O. Reg. 36/12, s. 1.</p> <p>(2) If a person whose certificate of registration has been revoked or suspended as a result of disciplinary or incapacity proceedings applies to have a new certificate issued or the suspension lifted, and the Registrar is directed under the <i>Health Professions Procedural Code</i> to</p>	

Current	Proposed Change	Rationale
<p>issue the new certificate or lift the suspension, the Registrar shall do so on the payment of,</p> <ul style="list-style-type: none"> (a) all outstanding fees, costs and expenses; and (b) any applicable penalties or other fees owing under the by-laws. O. Reg. 36/12, s. 1. <p>(3) A certificate of registration that has been suspended by the Registrar is deemed to have been revoked the day after the second anniversary of the event that gave rise to the suspension, if the suspension is still in effect at that time. O. Reg. 36/12, s. 1.</p>	<p>issue the new certificate or lift the suspension, the Registrar shall do so on the payment of,</p> <ul style="list-style-type: none"> (a) all outstanding fees, costs and expenses; and (b) any applicable penalties or other fees owing under the by-laws. O. Reg. 36/12, s. 1. <p>(3) A certificate of registration that has been suspended by the Registrar is deemed to have been revoked the day after the second anniversary of the event that gave rise to the suspension, if the suspension is still in effect at that time. O. Reg. 36/12, s. 1.</p>	<p style="text-align: center; font-size: 24pt; font-weight: bold;">72</p>

Appendix A**PART VII
REGISTRATION**

27. The following are prescribed as classes of certificates of registration:

1. General.
 2. Specialty.
 3. Inactive.
 4. Emergency
- O. Reg. 36/12, s. 1.

28. (1) A person may apply for a certificate of registration by submitting a completed application to the Registrar, in the manner specified by the Registrar, together with all required supporting documentation and the application fee. O. Reg. 36/12, s. 1.

(2) This Regulation, as it read immediately before March 26, 2012 continues to apply to applications for a certificate of registration that were received by the Registrar and that were not finally determined before that date. O. Reg. 36/12, s. 1.

29. (1) It is a registration requirement for a certificate of registration of any class that the applicant provide details of any of the following that relate to the applicant:

1. Any charge for any criminal offence, including a charge under the *Criminal Code* (Canada), the *Controlled Drugs and Substances Act* (Canada) or the *Food and Drugs Act* (Canada), unless the ensuing proceedings concluded with a verdict of not guilty.
2. Any charge for any other offence where the ensuing proceedings resulted in the imposition of incarceration or a fine of more than \$1,000.
3. A finding of professional misconduct, incompetency or incapacity, or any like finding, in Ontario in relation to another profession, or in another jurisdiction in relation to the profession or another profession.
4. A current proceeding for professional misconduct, incompetency or incapacity, or any like proceeding, in Ontario in relation to another profession, or in another jurisdiction in relation to the profession or another profession.
5. An unsuccessful application for registration as a dental hygienist in Ontario or another jurisdiction.
6. An attempt to pass an examination or evaluation required for purposes of being licensed or certified to practise any profession whether in Ontario or another

jurisdiction that has not, at the time of the application, resulted in a passing grade. O. Reg. 36/12, s. 1.

(2) An applicant shall provide the information referred to in subsection (1) upon application or, if an event referred to in subsection (1) occurs after the application is submitted but before a certificate of registration is issued, immediately after the event occurs. O. Reg. 36/12, s. 1.

(3) Where an applicant has undertaken a program in dental hygiene that at the time of the applicant's graduation was not accredited by the Commission on Dental Accreditation of Canada or by the American Dental Association Commission on Dental Accreditation, it is a registration requirement for a certificate of registration of any class that the applicant provide a copy of a verification of his or her program in dental hygiene that has been prepared by an assessment agency that has been approved by the Registration Committee for that purpose. O. Reg. 36/12, s. 1.

(4) In addition to the requirements in subsection (1), the following are registration requirements for a registration of any class:

1. The applicant must provide the College with a police record check that is dated no earlier than one year before the date on which his or her application was submitted.
2. Within the 12-month period immediately preceding the submission of his or her application, the applicant must successfully complete a jurisprudence course set or approved by the Registration Committee.
3. The applicant must be able to effectively comprehend and communicate in either English or French, both orally and in writing. O. Reg. 36/12, s. 1.

30. It is a condition of a certificate of registration of any class that the member provide the College with details of any of the following that relate to the member and that occur or arise after registration:

1. A charge for any offence unless the ensuing proceedings concluded with a verdict of not guilty.
2. A finding of professional misconduct, incompetency or incapacity, or any like finding, in Ontario in relation to another profession, or in another jurisdiction in relation to the profession or another profession.
3. A proceeding for professional misconduct, incompetency or incapacity, or any like proceeding, in Ontario in relation to another profession, or in another jurisdiction in relation to the profession or another profession. O. Reg. 36/12, s. 1.

31. (1) An applicant for the issuance of a general certificate of registration must meet the following non-exemptible registration requirements:

1. The applicant must have,
 - i. successfully completed a program in dental hygiene that is equivalent to a full-time program of two years and which, at the time of the applicant's graduation, was accredited by the Commission on Dental Accreditation of Canada or by the American Dental Association Commission on Dental Accreditation, or
 - ii. subject to subsection (2), successfully completed a program in dental hygiene that the Registration Committee considers to be substantially equivalent to a program referred to in subparagraph i.
 2. The applicant must be the holder of a certificate issued by the National Dental Hygiene Certification Board or, if he or she was never eligible to sit for the National Dental Hygiene Certification Examination but otherwise meets the registration requirements, must have successfully completed the written competency evaluation set or approved by the Registration Committee.
 3. Subsequent to having met the requirement in paragraph 2, the applicant must have successfully completed a clinical competency evaluation set or approved by the Registration Committee, unless the applicant has successfully completed a program referred to in subparagraph 1 i.
 4. An applicant who submits to an evaluation under paragraph 2 or 3 must pay the applicable fees.
 5. The applicant must provide evidence satisfactory to the Registrar that the applicant will have professional liability insurance in the amount and in the form as required by the by-laws as of the anticipated date for the issuance of his or her certificate of registration. O. Reg. 36/12, s. 1.

(2) Where the program referred to in subparagraph 1 ii of subsection (1) was taken in Canada or the United States of America, the Registration Committee shall not consider it to be substantially equivalent to a program referred to in subparagraph 1 i of subsection (1) if the applicant completed the program on or after March 26, 2015. O. Reg. 36/12, s. 1.

(3) The College shall provide the applicant with a copy of the list of programs referred to in subparagraph 1 i of subsection (1) upon request. O. Reg. 36/12, s. 1.

(4) Where section 22.18 of the Health Professions Procedural Code applies to an applicant, the applicant is deemed to have met the requirements of subsection 29 (3), paragraphs 1, 2 and 3 of subsection (1) and paragraph 2 of section 32. O. Reg. 36/12, s. 1.

(5) Despite subsection (4), it is a non-exemptible registration requirement that an applicant referred to in that subsection, provide a certificate, letter or other evidence satisfactory to the Registrar or a panel of the Registration Committee that the applicant

is in good standing as a dental hygienist in every jurisdiction where the applicant holds an out-of-province certificate. O. Reg. 36/12, s. 1.

(6) Despite subsection (4), it is a non-exemptible registration requirement that, where an applicant referred to in that subsection is unable to satisfy the Registrar or a panel of the Registration Committee that the applicant practised the profession to the extent that would be permitted by a general certificate of registration at any time in the three years immediately prior to the date of the applicant's application, the applicant must, within 18 months before the day the general certificate of registration is issued, have successfully completed either,

- (a) a refresher course set or approved by the Registration Committee; or
- (b) a professional competency assessment as set or approved by the Registration Committee and, if recommended by the professional competency assessment, upgrading courses as set or approved by the Registration Committee. O. Reg. 36/12, s. 1.

(7) Despite subsection (4), a requirement set out in subsection 29 (3) or in paragraphs 1, 2 and 3 of subsection (1) or in paragraph 2 of section 32 will continue to apply to an applicant where that requirement is a requirement described in subsection 22.18 (3) of the Health Professions Procedural Code. O. Reg. 36/12, s. 1.

(8) An applicant referred to in subsection (4) is deemed to have met the requirement in paragraph 3 of subsection 29 (4) where the requirements for the issuance of the applicant's out-of-province certificate included language proficiency requirements equivalent to those required by that paragraph. O. Reg. 36/12, s. 1.

32. The following are registration requirements for a general certificate of registration:

- 1. Nothing in the applicant's conduct affords reasonable grounds for the belief that the applicant will not practise the profession safely and with decency, integrity and honesty, and in accordance with the law.
- 2. If the applicant completed a program referred to in paragraph 1 of subsection 31 (1) more than three years before the date of the application for registration, the applicant must,
 - i. within 18 months before the day the general certificate of registration is issued, have successfully completed either,
 - A. a refresher course set or approved by the Registration Committee, or
 - B. a professional competency assessment as set or approved by the Registration Committee and, if recommended by the professional competency assessment, upgrading courses as set or approved by the Registration Committee, or

- ii. have been practising dental hygiene in any jurisdiction within the three years before the issuance of the certificate of registration in a manner that demonstrates that he or she could meet the current standards of practice in Ontario and provide the College with a certificate of professional conduct from any such jurisdiction.

- 3. The applicant must be a Canadian citizen or a permanent resident of Canada or be authorized under the *Immigration and Refugee Protection Act* (Canada) to engage in the practice of the profession. O. Reg. 36/12, s. 1.

33. The following are conditions of a general or specialty certificate of registration:

- 1. The applicant must be a Canadian citizen or a permanent resident of Canada or be authorized under the *Immigration and Refugee Protection Act* (Canada) to engage in the practice of the profession.
- 2. The member shall maintain professional liability insurance in the amount and in the form as required by the by-laws. O. Reg. 36/12, s. 1.

34. (1) The following are non-exemptible registration requirements for a specialty certificate of registration as a restorative dental hygienist:

- 1. The applicant must be the holder of a general certificate of registration.
- 2. The applicant must have,
 - i. successfully completed a program in restorative dental hygiene that at the time of the applicant's graduation was accredited by the Commission on Dental Accreditation of Canada or by the American Dental Association Commission on Dental Accreditation, or
 - ii. successfully completed a program in restorative dental hygiene that the Registration Committee considers to be substantially equivalent to the program referred to in subparagraph i.
- 3. If the applicant completed a program referred to in paragraph 2 more than three years before the date of the application for a specialty certificate of registration, the applicant must,
 - i. within 18 months before the day the specialty certificate of registration is issued, have successfully completed either,
 - A. a restorative dental hygiene refresher course set or approved by the Registration Committee, or
 - B. a professional competency assessment as set or approved by the Registration Committee and, if recommended by the professional competency assessment, upgrading courses as set or approved by the Registration Committee, or

- ii. have been practising restorative dental hygiene in any jurisdiction within the three years before the issuance of the certificate of registration in a manner that demonstrates that the applicant could meet current standards of practice in Ontario and provide the College with a certificate of professional conduct from any such jurisdiction.
 - 4. The applicant, other than an applicant who has successfully completed a program referred to in subparagraph 2 i, must have successfully completed a specialty evaluation set or approved by the Registration Committee and complied with all requirements associated with the evaluation, including payment of the relevant fees set by the by-laws. O. Reg. 36/12, s. 1.
- (2) Where section 22.18 of the Health Professions Procedural Code applies to an applicant, the applicant is deemed to have met the requirements of subsection 29 (3) and of subsection (1). O. Reg. 36/12, s. 1.
- (3) Despite subsection (2), it is a non-exemptible registration requirement that an applicant referred to in that subsection provide a certificate, letter or other evidence satisfactory to the Registrar or a panel of the Registration Committee that the applicant is in good standing as a dental hygienist with a specialty in restorative dental hygiene in every jurisdiction where the applicant holds an out-of-province certificate. O. Reg. 36/12, s. 1.
- (4) Despite subsection (2), where an applicant referred to in that subsection is unable to satisfy the Registrar or a panel of the Registration Committee that the applicant practised restorative dental hygiene to the extent that would be permitted by a specialty certificate of registration as a restorative dental hygienist at any time in the three years immediately prior to the date of that applicant's application, that applicant must, within 18 months before the day the specialty certificate of registration as a restorative dental hygienist is issued, have successfully completed either,
- (a) a restorative dental hygiene refresher course set or approved by the Registration Committee; or
 - (b) a professional competency assessment as set or approved by the Registration Committee and, if recommended by the professional competency assessment, upgrading courses as set or approved by the Registration Committee. O. Reg. 36/12, s. 1.
- (5) Despite subsection (2), a requirement set out in subsection 29 (3) or in subsection (1) will continue to apply to an applicant where that requirement is a requirement described in subsection 22.18 (3) of the Health Professions Procedural Code. O. Reg. 36/12, s. 1.
- (6) An applicant referred to in subsection (2) is deemed to have met the requirement in paragraph 3 of subsection 29 (4) where the requirements for the issuance of the

applicant's out-of-province certificate included language proficiency requirements equivalent to those required by that paragraph. O. Reg. 36/12, s. 1.

(7) For the purposes of paragraph 3 of subsection (1) and of subsection (4), "practised restorative dental hygiene" and "practising restorative dental hygiene" mean having performed restorative procedures for which an order would have been required under subsection 5 (2) of the Act if the procedures were performed in Ontario. O. Reg. 36/12, s. 1.

(8) The College shall provide the applicant with a copy of the list of programs referred to in subparagraph 2 i of subsection (1) upon request. O. Reg. 36/12, s. 1.

(9) Only a member who holds a specialty certificate shall use the title "restorative dental hygienist", a variation or abbreviation or an equivalent in another language. O. Reg. 36/12, s. 1.

35. (1) It is a non-exemptible registration requirement for an inactive certificate of registration that the applicant must,

- (a) be a member who has previously been the holder of a general certificate of registration;
- (b) meet the requirements of paragraphs 1, 2, 3 and 4 of subsection 31 (1) and the registration requirements of paragraphs 1 and 3 of subsection 29 (4) and paragraphs 1 and 3 of section 32; or
- (c) be an applicant to whom subsection 31 (4) applies, and meet the registration requirements of paragraphs 1 and 3 of subsection 29 (4) and of paragraphs 1 and 3 of section 32, with the exception that, where the requirements for the issuance of the applicant's out-of-province certificate of registration included language proficiency requirements equivalent to those required by paragraph 3 of subsection 29 (4), the requirements of that paragraph do not have to be met. O. Reg. 36/12, s. 1.

(2) It is a condition of an inactive certificate of registration that the member not practise as a dental hygienist in Ontario. O. Reg. 36/12, s. 1.

35.1 The College may issue and renew certificates of registration in the emergency class only where one or more of the following conditions are met:

- 1. The Minister has requested the College to issue and renew certificates of registration in the emergency class to qualified applicants.**
- 2. Council has declared the existence of an emergency circumstance where it is in the public interest for the College to issue and renew certificates of registration in the emergency class to qualified applicants.**

35.2 (1) An applicant for the issuance of a certificate of registration in the emergency class must meet the following non-exemptible requirements:

1. Satisfy the educational requirements set out in paragraph 1 of subsection 31(1).
2. Satisfy the requirement for professional liability insurance set out in paragraph 5 of subsection 31(1).
3. Be a Canadian citizen or a permanent resident of Canada or be authorized under the *Immigration and Refugee Protection Act* (Canada) to engage in the practice of the profession.

(2) It is a requirement for the issuance of a certificate of registration in the emergency class that within the three years immediately prior to submitting their application for registration, the applicant must

- (a) have satisfied the educational requirements of paragraph 1 of subsection 31(1); or
- (b) have been practising dental hygiene in any jurisdiction in a manner that demonstrates that they could meet the current standards of practice in Ontario and provide the College with a certificate of professional conduct from any such jurisdiction.

35.3 The following are conditions of a certificate of registration in the emergency class:

1. The member shall maintain professional liability insurance in the amount and in the form as required by the by-laws.
2. The member shall practise the profession only within the scope of their certificate.
3. The member shall practise the profession only under the supervision of a holder of a certificate of registration in the general or specialty class who is in compliance with the supervision requirements specified in the document entitled "Supervision of Emergency Class Registrants" posted on the College's website as it may read from time to time.
4. The member shall at all times when providing professional services, identify themselves as practising under supervision.
5. The member shall use the title "Registered Dental Hygienist (Supervised)" or "RDH (Supervised)" or Hygiéniste dentaire autorisée (Supervisée) or HDA (Supervisée)

35.4 (1) Unless stated otherwise on the certificate, a certificate of registration in the emergency class expires one year after it is issued, unless it is renewed.

(2) Unless stated otherwise on the certificate, a renewed certificate of registration in the emergency class expires one year after it is issued, unless it is renewed again.

(3) Despite subsections (1) and (2), a certificate of registration in the emergency class expires six months after the earlier of

(i) the date the Minister withdraws their request that certificates of registration in the emergency class be issued or renewed, and

(ii) the Council declares that the emergency circumstances where it is in the interest of the public to issue and renew certificates of registration in the emergency class have ended.

35.5 A member who holds a certificate of registration in the emergency class may be issued a certificate of registration in the general class despite not having met the requirements set out in paragraphs 2 and 3 of subsection 31(1), if the member

(a) applies for a certificate of registration in the general class;

(b) satisfies all other requirements for a certificate of registration in the general class; and

(c) provides satisfactory evidence based on their practice for a period of at least one year under the certificate of registration in the emergency class that the member will practise competently and ethically even though practising without supervision.

36. (1) Subject to subsections (2) and (3), a member who holds an inactive certificate of registration may, upon application, be issued a general certificate of registration or, if appropriate, a specialty certificate of registration if the member continues to meet the requirements of subsection 29 (4) and paragraphs 1 and 3 of section 32 and meets at least one of the following registration requirements:

1. The member has practised dental hygiene within the previous three years and has done so in a manner that demonstrates that the member could meet the current standards of practice in Ontario.
2. The member has, within 18 months before the day the general or specialty certificate of registration is issued, successfully completed,

- i. a refresher course set or approved by the Registration Committee, or
- ii. a professional competency assessment as set or approved by the Registration Committee and, if recommended by the professional competency assessment, upgrading courses as set or approved by the Registration Committee. O. Reg. 36/12, s. 1.

(2) The member must provide evidence satisfactory to the Registrar that the applicant will have professional liability insurance in the amount and in the form as required by the

by-laws as of the anticipated date for the issuance of his or her general or specialty certificate of registration. O. Reg. 36/12, s. 1.

(3) If the member is applying for a general or specialty certificate of registration on the basis of having met the requirements of paragraph 1 of subsection (1) and the member has practised in a jurisdiction outside of Ontario during the preceding three years, the member must provide the College with a certificate of professional conduct from every jurisdiction in which he or she practised. O. Reg. 36/12, s. 1.

37. (1) If a member fails to provide the annual information return required by the by-laws, the Registrar may send the member notice that he or she must comply within 30 days of receiving the notice. O. Reg. 36/12, s. 1.

(2) If the member fails to provide an information return within 30 days of receiving the notice under subsection (1), the Registrar may suspend the member's certificate of registration. O. Reg. 36/12, s. 1.

(3) The Registrar shall lift the suspension of a certificate suspended under subsection (2) if the member provides the information required under the by-laws and pays any outstanding fees and penalties in an amount set out in the by-laws. O. Reg. 36/12, s. 1.

38. (1) The Registrar shall suspend the certificate of registration of a member holding a general or specialty certificate of registration who fails to comply with the condition set out in paragraph 1 or 2 of section 33. O. Reg. 36/12, s. 1.

(2) If the Registrar suspends a member's certificate of registration under subsection (1), the Registrar shall lift the suspension on,

- (a) the receipt of proof that section 33 is now being fully complied with; and
- (b) the payment of the fees set out in the by-laws. O. Reg. 36/12, s. 1.

39. (1) If the Registrar suspends or revokes a member's certificate of registration for failure to pay a prescribed fee, the Registrar shall lift the suspension or issue a new certificate on the payment of,

- (a) the fee the member failed to pay;
- (b) the reinstatement fee as required under the by-laws;
- (c) all outstanding fees, costs and expenses; and
- (d) any applicable penalties or other fees owing under the by-laws. O. Reg. 36/12, s. 1.

(2) If a person whose certificate of registration has been revoked or suspended as a result of disciplinary or incapacity proceedings applies to have a new certificate issued or the suspension lifted, and the Registrar is directed under the *Health Professions*

Procedural Code to issue the new certificate or lift the suspension, the Registrar shall do so on the payment of,

- (a) all outstanding fees, costs and expenses; and
- (b) any applicable penalties or other fees owing under the by-laws. O. Reg. 36/12, s. 1.

(3) A certificate of registration that has been suspended by the Registrar is deemed to have been revoked the day after the second anniversary of the event that gave rise to the suspension, if the suspension is still in effect at that time. O. Reg. 36/12, s. 1.

**Dentistry Act, 1991
Loi de 1991 sur les dentistes**

ONTARIO REGULATION 205/94

GENERAL

Consolidation Period: From July 10, 2014 to the e-Laws currency date.

Last amendment: 140/14.

Legislative History: 186/99, 272/00, 196/03, 407/04, 500/07, 75/12, 140/14.

This Regulation is made in English only.

**PART IV
REGISTRATION**

INTERPRETATION

10. In this Part,

“dental internship program” means a non-specialty residency program;

“dental residency program” means a specialty program in dental anaesthesia, oral and maxillofacial surgery, oral pathology, oral medicine or oral medicine and pathology. O. Reg. 407/04, s. 1; O. Reg. 500/07, s. 1.

CLASSES OF CERTIFICATES OF REGISTRATION

10.1 (1) The following are the classes of certificates of registration:

1. General.
2. Specialty.
3. Academic.
4. Education.
5. Post-Specialty Training.
6. Graduate Student.
7. Academic Visitor.
8. Instructional.
9. Short Duration. O. Reg. 75/12, s. 1.

10. Emergency.

(2) The holder of a specialty certificate of registration is authorized to practise one of the following specialties as indicated on the certificate and subject to any other terms, conditions or limitations:

1. Dental anaesthesia.
2. Endodontics.
3. Oral and maxillofacial surgery.
4. Oral medicine.
5. Oral pathology.
6. Oral and maxillofacial radiology.
7. Orthodontics and dentofacial orthopaedics.
8. Paediatric dentistry.

9. Periodontics.
10. Prosthodontics.
11. Public health dentistry. O. Reg. 75/12, s. 1.

GENERAL REQUIREMENTS AND CONDITIONS

11. (1) A person may apply for a certificate of registration by submitting a completed application for the class of certificate for which the application is made, in the form provided by the Registrar, together with any supporting documentation requested by the Registrar and the applicable fees required by the by-laws of the College. O. Reg. 75/12, s. 2.

(2) Payment of the fees referred to in subsection (1) is a non-exemptible requirement for the issuance of a certificate of registration of any class. O. Reg. 75/12, s. 2.

12., 13. REVOKED: O. Reg. 75/12, s. 3.

14. (1) It is a requirement for the issuing of a certificate of registration of any class that in the opinion of the Registrar or of the Registration Committee, as the case may be, the applicant's past and present conduct afford reasonable grounds for the belief that the applicant,

- (a) is mentally competent and physically able to safely practise dentistry;
- (b) will practise dentistry with decency, integrity and honesty and in accordance with the law;
- (c) has sufficient knowledge, skill and judgment to competently engage in the kind of dental practice authorized by the certificate;
- (d) can communicate effectively; and
- (e) will display an appropriate professional attitude. O. Reg. 407/04, s. 1.

(2) An applicant shall be deemed not to have satisfied the requirements for the issuing of a certificate of registration if the applicant made a false or misleading statement or representation in respect of his or her application. O. Reg. 407/04, s. 1.

15. It is a condition of a certificate of registration of any class that the member provide the College with details of the following that relate to the member and that occur or arise after the member is registered:

1. A finding of guilt arising in any jurisdiction relating to any offence.
2. If the member is registered or licensed to practise any other profession in Ontario, or any profession in any other jurisdiction, an investigation or proceeding for professional misconduct, incompetence, incapacity or a similar investigation or proceeding.
3. If the member is registered or licensed to practise any other profession in Ontario, or any profession in any other jurisdiction, a finding of professional misconduct, incompetence, incapacity or a similar finding. O. Reg. 407/04, s. 1; O. Reg. 75/12, s. 4.

GENERAL CERTIFICATE

- 16.** (1) The additional requirements for the issuing of a general certificate of registration are the following:
1. The applicant has a degree in dentistry evidencing successful completion of a course in dental studies of at least four years duration at a university-based dental school.
 2. The applicant,
 - i. holds a Certificate of the National Dental Examining Board of Canada issued before January 1, 1994, or
 - ii. has successfully completed the National Dental Examining Board of Canada examinations leading to a Certificate of the National Dental Examining Board of Canada at a time when those examinations were approved by the College,
 - iii. REVOKED: O. Reg. 75/12, s. 5 (2).
 3. Since the applicant satisfied the requirement of paragraph 2, there has been no three-year period during which the applicant has not engaged in the practice of dentistry on a continuous and regular basis in Canada or the United States of America.
 4. The applicant is able to demonstrate the ability to speak and write either English or French with reasonable fluency.
 5. The applicant has successfully completed an examination in ethics and jurisprudence set or approved by the College.

6. The applicant is a Canadian citizen or a permanent resident of Canada or has received the appropriate authorization under the *Immigration and Refugee Protection Act* (Canada) to permit the applicant to engage in the practice of dentistry in Canada as authorized by the certificate. O. Reg. 407/04, s. 1; O. Reg. 75/12, s. 5 (1, 2).

(2) Subject to subsection (3), the requirement of paragraph 2 of subsection (1) is non-exemptible. O. Reg. 75/12, s. 5 (3).

(3) The requirements of paragraphs 1 and 2 of subsection (1) do not apply to an applicant if he or she held a general certificate of registration issued by the College at any time before submitting his or her application for ~~that~~ general certificate of registration. O. Reg. 75/12, s. 5 (3).

(4) The requirements of paragraphs 1, 3, 4 and 5 of subsection (1) do not apply to an applicant if he or she held an emergency certificate of registration issued by the College within three years before submitting his or her application for that general certificate of registration.

17. (1) Where section 22.18 of the Health Professions Procedural Code applies to an applicant, the applicant is deemed to have met the requirements of paragraphs 1, 2 and 3 of subsection 16 (1) of this Regulation. O. Reg. 75/12, s. 6.

(2) It is a non-exemptible registration requirement that an applicant referred to in subsection (1) provide a certificate, letter or other evidence satisfactory to the Registrar or a panel of the Registration Committee confirming that the applicant is in good standing as a dentist in every jurisdiction where the applicant holds an out-of-province certificate. O. Reg. 75/12, s. 6.

(3) Without in any way limiting the generality of subsection (2), “good standing” shall include the fact that,

- (a) the applicant is not the subject of any discipline or fitness to practise order or of any proceeding or ongoing investigation or of any interim order or agreement as a result of a complaint, investigation or proceeding; and
- (b) the applicant has complied with the continuing competency and quality assurance requirements of the regulatory authority that issued the applicant that out-of-province certificate as a dentist. O. Reg. 75/12, s. 6.

(4) An applicant referred to in subsection (1) is deemed to have met the requirements of paragraph 4 of subsection 16 (1) where the requirements for the issuance of the applicant’s out-of-province certificate included language proficiency requirements equivalent to those required by that paragraph. O. Reg. 75/12, s. 6.

(5) Despite subsection (1), an applicant is not deemed to have met a requirement if that requirement is described in subsection 22.18 (3) of the Health Professions Procedural Code. O. Reg. 75/12, s. 6.

SPECIALTY CERTIFICATE

18. (1) In this section,

“approved diploma or degree program” means a program taken in Canada or the United States of America that was, either at the time the applicant commenced the program or at the time the applicant graduated from the program,

- (a) approved by the Commission on Dental Accreditation of Canada or recognized by the Commission under the terms of a reciprocal agreement, or
- (b) approved by another accreditation body designated by Council;

“National Dental Specialty Examination” means a National Dental Specialty Examination administered by the Royal College of Dentists of Canada that was approved by the College at the time the applicant took it. O. Reg. 407/04, s. 1; O. Reg. 500/07, s. 3 (1); O. Reg. 75/12, s. 7 (1).

(2) Subject to section 19, the additional requirements for the issuing of a specialty certificate of registration are the following:

1. The applicant has a degree in dentistry evidencing successful completion of a course in dental studies of at least four years duration at a university-based dental school.
2. REVOKED: O. Reg. 500/07, s. 3 (2).
3. The applicant has successfully completed a specialty program referred to in subsection (3) for the specialty for which the authorization is sought.
4. The applicant has successfully completed one of the following:
 - i. the National Dental Specialty Examination for the specialty for which the applicant is seeking a specialty certificate of registration, or
 - ii. another specialty examination set or approved by the College for the specialty for which the applicant is seeking a specialty certificate of registration.

5. Since the applicant satisfied the requirement of paragraph 3, there has been no three-year period during which the applicant has not engaged in the specialty practice of dentistry, for which the authorization is sought, on a continuous and regular basis in Canada or the United States of America.
 6. The applicant is able to demonstrate the ability to speak and write either English or French with reasonable fluency.
 7. The applicant has successfully completed an examination in ethics and jurisprudence set or approved by the College.
 8. The applicant is a Canadian citizen or a permanent resident of Canada or has received the appropriate authorization under the *Immigration and Refugee Protection Act* (Canada) to permit the applicant to engage in the practice of dentistry in Canada as authorized by the certificate. O. Reg. 407/04, s. 1; O. Reg. 500/07, s. 3 (2-4); O. Reg. 75/12, s. 7 (2).
- (3) The applicant shall have satisfied the requirement in paragraph 3 of subsection (2) if the applicant has completed,
- (a) one of the following specialty programs:
 - (0.i) in the case of dental anaesthesia,
 - (A) an approved diploma or degree program in dental anaesthesia consisting of a minimum of 22 months of full-time instruction, or
 - (B) until three years have passed since an approved diploma or degree program in dental anaesthesia is introduced in Ontario, a program described in subsection (3.1), if the applicant also meets the requirements of subsection (3.2),
 - (i) in the case of endodontics, an approved diploma or degree program in endodontics consisting of a minimum of 22 months of full-time instruction,
 - (ii) in the case of oral and maxillofacial surgery, an approved diploma or degree program in oral and maxillofacial surgery consisting of a minimum of 48 months of full-time instruction,
 - (iii) in the case of oral medicine, an approved diploma or degree program in oral medicine consisting of a minimum of 33 months of full-time instruction,
 - (iv) in the case of oral pathology, an approved diploma or degree program in oral pathology consisting of a minimum of 33 months of full-time instruction,
 - (v) in the case of oral and maxillofacial radiology, an approved diploma or degree program in oral and maxillofacial radiology consisting of a minimum of 22 months of full-time instruction,
 - (vi) in the case of orthodontics and dentofacial orthopaedics, an approved diploma or degree program in orthodontics and dentofacial orthopaedics consisting of a minimum of 22 months of full-time instruction,
 - (vii) in the case of paediatric dentistry, an approved diploma or degree program in paediatric dentistry consisting of a minimum of 22 months of full-time instruction,
 - (viii) in the case of periodontics, an approved diploma or degree program in periodontics consisting of a minimum of 22 months of full-time instruction,
 - (ix) in the case of prosthodontics, an approved diploma or degree program in prosthodontics consisting of a minimum of 22 months of full-time instruction,
 - (x) in the case of public health dentistry, an approved diploma or degree program in public health consisting of a minimum of 22 months of full-time instruction; or
 - (b) a specialty program that is not an approved diploma or degree program, if the applicant also holds a certificate of completion of a program that was approved by the College at the time the applicant commenced it that evidences the applicant's possession of knowledge, skill and judgment at least equivalent to that expected of a current graduate of an approved diploma or degree program in the specialty for which the application is being made.
 - (c) REVOKED: O. Reg. 75/12, s. 7 (3).
- O. Reg. 407/04, s. 1; O. Reg. 500/07, s. 3 (5, 6); O. Reg. 75/12, s. 7 (3).
- (3.1) The program described in sub-subclause (3) (a) (0.i) (B) is a program in dental anaesthesia that included,
- (a) a minimum of 12 months of full-time instruction, if the applicant successfully completed it before 1986; or
 - (b) a minimum of 22 months of full-time instruction, if the applicant successfully completed it in or after 1986. O. Reg. 500/07, s. 3 (7).

(3.2) For the purposes of sub-subclause (3) (a) (0.i) (B), the Registration Committee must be satisfied that the applicant possesses knowledge, skill and judgment at least equivalent to that expected of a current graduate of the specialty program in dental anaesthesia offered by the Faculty of Dentistry of the University of Toronto. O. Reg. 500/07, s. 3 (7).

(4) A specialty certificate of registration is subject to the condition that the member may engage in the practice of dentistry only within the specialty to which the certificate relates unless the member holds,

- (a) an academic certificate of registration issued by the College before this section came into force; or
- (b) a general certificate of registration. O. Reg. 407/04, s. 1.

(5) Subject to subsection (6), the requirements in paragraphs 3 and 4 of subsection (2) are non-exemptible. O. Reg. 75/12, s. 7 (4).

(6) The requirements of paragraphs 1, 3 and 4 of subsection (2) do not apply to an applicant if he or she held a specialty certificate of registration issued by the College for the specialty in which he or she is applying at any time before submitting his or her application for that specialty certificate of registration. O. Reg. 75/12, s. 7 (4).

(6.1) The requirements of paragraphs 1, 5, 6 and 7 of subsection (2) do not apply to an applicant if he or she held an emergency certificate of registration which was issued by the College within three years before submitting his or her application for that specialty certificate of registration.

(7) Nothing in subparagraph 4 ii of subsection (2) requires the College to set or approve a specialty examination. O. Reg. 75/12, s. 7 (4).

19. (1) Where section 22.18 of the Health Professions Procedural Code applies to an applicant, the applicant is deemed to have met the requirements of paragraphs 1, 3, 4 and 5 of subsection 18 (2) of this Regulation. O. Reg. 75/12, s. 8.

(2) It is a non-exemptible registration requirement that an applicant referred to in subsection (1) provide a certificate, letter or other evidence satisfactory to the Registrar or a panel of the Registration Committee confirming that the applicant is in good standing as a dentist in every jurisdiction where the applicant holds an out-of-province certificate. O. Reg. 75/12, s. 8.

(3) Without in any way limiting the generality of subsection (2), “good standing” shall include the fact that,

- (a) the applicant is not the subject of any discipline or fitness to practise order or of any proceeding or ongoing investigation or of any interim order or agreement as a result of a complaint, investigation or proceeding; and
- (b) the applicant has complied with the continuing competency and quality assurance requirements of the regulatory authority that issued the applicant that out-of-province certificate as a dentist. O. Reg. 75/12, s. 8.

(4) An applicant referred to in subsection (1) is deemed to have met the requirements of paragraph 6 of subsection 18 (2) where the requirements for the issuance of the applicant’s out-of-province certificate included language proficiency requirements equivalent to those required by that paragraph. O. Reg. 75/12, s. 8.

(5) Despite subsection (1), an applicant is not deemed to have met a requirement if that requirement is described in subsection 22.18 (3) of the Health Professions Procedural Code. O. Reg. 75/12, s. 8.

ACADEMIC CERTIFICATE

20. (1) The additional requirements for the issuing of an academic certificate of registration are the following:

1. The applicant has a degree in dentistry evidencing successful completion of a course in dental studies of at least four years duration at a university-based dental school.
2. The applicant holds a full-time appointment of professorial rank to a faculty or school of dentistry at a university in Ontario.
3. The applicant is able to demonstrate the ability to speak and write either English or French with reasonable fluency.
4. The applicant has successfully completed an examination in ethics and jurisprudence set or approved by the College.
5. The applicant is a Canadian citizen or a permanent resident of Canada or has received the appropriate authorization under the *Immigration and Refugee Protection Act (Canada)* to permit the applicant to engage in the practice of dentistry in Canada as authorized by the certificate. O. Reg. 407/04, s. 1.

(2) An academic certificate of registration is subject to the following terms, conditions and limitations:

1. The certificate is automatically revoked when the member ceases to hold an appointment of professorial rank to a faculty or school of dentistry at a university in Ontario.

2. The member may engage in the practice of dentistry only in the faculty or school of dentistry or in a hospital or other facility formally associated with that faculty or school.
3. The member may not charge a fee for the performance of any act within the scope of practice of dentistry. O. Reg. 407/04, s. 1.

(3) Paragraphs 2 and 3 of subsection (2) do not apply to a holder of an academic certificate issued before this section came into force. O. Reg. 407/04, s. 1.

(3.1) The requirements of paragraphs 1, 3 and 4 of subsection (1) do not apply to an applicant if he or she held an emergency certificate of registration which was issued by the College within three years before submitting his or her application for that academic certificate of registration.

(4) Paragraph 3 of subsection (2) shall not be interpreted as in any way affecting the ability of the faculty or school of dentistry or hospital or facility formally associated with that faculty or school to charge fees for services which it has provided. O. Reg. 407/04, s. 1.

20.1 (1) Where section 22.18 of the Health Professions Procedural Code applies to an applicant, the applicant is deemed to have met the requirements of paragraph 1 of subsection 20 (1) of this Regulation. O. Reg. 75/12, s. 9.

(2) It is a non-exemptible registration requirement that an applicant referred to in subsection (1) provide a certificate, letter or other evidence satisfactory to the Registrar or a panel of the Registration Committee confirming that the applicant is in good standing as a dentist in every jurisdiction where the applicant holds an out-of-province certificate. O. Reg. 75/12, s. 9.

(3) Without in any way limiting the generality of subsection (2), "good standing" shall include the fact that,

- (a) the applicant is not the subject of any discipline or fitness to practise order or of any proceeding or ongoing investigation or of any interim order or agreement as a result of a complaint, investigation or proceeding; and
- (b) the applicant has complied with the continuing competency and quality assurance requirements of the regulatory authority that issued the applicant that out-of-province certificate as a dentist. O. Reg. 75/12, s. 9.

(4) An applicant referred to in subsection (1) is deemed to have met the requirements of paragraph 3 of subsection 20 (1) where the requirements for the issuance of the applicant's out-of-province certificate included language proficiency requirements equivalent to those required by that paragraph. O. Reg. 75/12, s. 9.

(5) Despite subsection (1), an applicant is not deemed to have met a requirement if that requirement is described in subsection 22.18 (3) of the Health Professions Procedural Code. O. Reg. 75/12, s. 9.

EDUCATION CERTIFICATE

21. (1) The additional requirements for the issuing of an education certificate of registration are the following:

1. The applicant has a degree in dentistry evidencing successful completion of a course in dental studies of at least four years duration at a university-based dental school.
2. The applicant is able to demonstrate the ability to speak and write either English or French with reasonable fluency.
3. The applicant,
 - i. has a written offer of admission to,
 - A. a public hospital-based dental internship program in Ontario that is accredited by the Commission on Dental Accreditation of Canada or by another accreditation body designated by Council, or
 - B. a public hospital-based dental residency program in Ontario that is accredited by the Commission on Dental Accreditation of Canada or by another accreditation body designated by Council, or
 - ii. has a written offer of admission to a dental educational program approved by a faculty or school of dentistry at a university in Ontario, other than one referred to in subparagraph i, and that program is,
 - A. accredited either by the Commission on Dental Accreditation of Canada or by another accreditation body designated by Council, or
 - B. approved by the Registration Committee.
4. The applicant is a Canadian citizen or a permanent resident of Canada or has received the appropriate authorization under the *Immigration and Refugee Protection Act* (Canada) to permit the applicant to engage in the practice of dentistry in Canada as authorized by the certificate. O. Reg. 407/04, s. 1; O. Reg. 75/12, s. 10 (1).

(2) An education certificate of registration is subject to the following terms, conditions and limitations:

1. The certificate is automatically revoked when the member ceases to hold the internship, residency or position referred to in subparagraph 3 i or ii of subsection (1) or when the program terminates.

2. The certificate for all members other than those who are enrolled in a dental residency program expires 12 months following its issuance unless extended by the Registration Committee.
 3. The member may engage in the practice of dentistry only within the scope of the internship or residency program or the position to which the certificate relates.
 4. The member may practise only under the direction of,
 - i. a member of the medical or dental staff of the hospital in which the member is an intern or resident, or
 - ii. a member who is also a member of the academic staff of the faculty or school of dentistry that approved the position.
 5. The member may not charge a fee for the performance of any act within the scope of practice of dentistry. O. Reg. 407/04, s. 1.
- (3) The Registration Committee may extend the duration of an education certificate of registration for such period as the Committee considers reasonable in the circumstances and may make the extension subject to any terms or conditions that the Committee considers appropriate. O. Reg. 75/12, s. 10 (2).
- (4) The requirement of paragraph 3 of subsection (1) is non-exemptible. O. Reg. 407/04, s. 1.
- (5) Paragraph 5 of subsection (2) shall not be interpreted as in any way affecting the ability of the faculty or school of dentistry or hospital or facility formally associated with that faculty or school to charge fees for services which it has provided. O. Reg. 407/04, s. 1.

POST-SPECIALTY TRAINING CERTIFICATE

22. (1) In this section, the term “specialty” when used in the word “post-specialty” includes but is not limited to the dental specialties referred to in subsection 13 (2). O. Reg. 407/04, s. 1.
- (2) The additional requirements for the issuing of a post-specialty training certificate of registration are the following:
1. The applicant has a degree in dentistry evidencing successful completion of a course in dental studies of at least four years duration at a university-based dental school.
 2. The applicant is able to demonstrate the ability to speak and write either English or French with reasonable fluency.
 3. The applicant has successfully completed a specialty program in one of the following:
 - i. Dental anaesthesia.
 - ii. Endodontics.
 - iii. Oral and maxillofacial surgery.
 - iv. Oral medicine.
 - v. Oral pathology.
 - vi. Oral and maxillofacial radiology.
 - vii. Orthodontics and dentofacial orthopaedics.
 - viii. Paediatric dentistry.
 - ix. Periodontics.
 - x. Prosthodontics.
 - xi. Public health dentistry.
 4. The applicant has a written offer of an appointment to a program of post-specialty dental education from a faculty or school of dentistry at a university in Ontario, which program has emphasis on additional clinical training or research or both, to gain further education relevant to that applicant’s specialty.
 5. REVOKED: O. Reg. 75/12, s. 11 (2).
 6. The applicant is a Canadian citizen or a permanent resident of Canada or has received the appropriate authorization under the *Immigration and Refugee Protection Act* (Canada) to permit the applicant to engage in the practice of dentistry in Canada as authorized by the certificate. O. Reg. 407/04, s. 1; O. Reg. 75/12, s. 11 (1, 2).
- (3) A post-specialty training certificate of registration is subject to the following terms, conditions and limitations:

1. The member may engage in the practice of dentistry only as may be required for the program of studies in which he or she is enrolled and only under the supervision of a member of the College who is either,
 - i. a member of the dental staff of the faculty or school of dentistry, or
 - ii. a member of the dental staff of a facility formally associated with that faculty or school of dentistry.
2. The member may engage in the practice of dentistry only in the faculty or school of dentistry or in a hospital or other facility formally associated with that faculty or school.
3. The member shall not supervise or direct any person respecting the performance of any act or acts that are authorized to members.
4. The certificate shall have a specified duration equal to the expected length of the program, but not exceeding 12 months, after which the certificate automatically expires unless extended by the Registration Committee.
5. The certificate is automatically revoked if the member ceases to hold the appointment referred to in paragraph 4 of subsection (2) or when the program terminates.
6. The member may not charge a fee for the performance of any act within the scope of practice of dentistry. O. Reg. 407/04, s. 1; O. Reg. 75/12, s. 11 (3, 4).

(4) The Registration Committee may extend the duration of a post-specialty training certificate of registration for such period as the Committee considers reasonable in the circumstances and may make the extension subject to any terms and conditions that the Committee considers appropriate. O. Reg. 75/12, s. 11 (5).

(5) Nothing in paragraph 6 of subsection (3) shall be interpreted as in any way affecting the ability of the faculty or school of dentistry or hospital or other facility formally associated with that faculty or school to charge fees for services which it has provided. O. Reg. 407/04, s. 1.

GRADUATE STUDENT CERTIFICATE

23. (1) The additional requirements for the issuing of a graduate student certificate of registration are the following:

1. The applicant has a degree in dentistry evidencing successful completion of a course in dental studies of at least four years duration at a university-based dental school.
2. The applicant is able to demonstrate the ability to speak and write either English or French with reasonable fluency.
3. The applicant,
 - i. has been accepted for enrolment as a student in a faculty or school of dentistry at a university in Ontario in a graduate or postgraduate dental program of study accredited by the Commission on Dental Accreditation of Canada or another accreditation body approved by Council, other than a dental internship or dental residency program,
 - ii. has been accepted for enrolment as a student in a faculty or school of dentistry at a university in Ontario in a graduate or postgraduate dental program of study approved by Council, other than a dental internship or dental residency program, or
 - iii. has been accepted for enrolment as a Masters or PhD student in a faculty or school of dentistry at a university in Ontario in a program, other than a dental internship or dental residency program, that requires the applicant to perform any act or acts authorized to members.
4. The applicant is a Canadian citizen or a permanent resident of Canada or has received the appropriate authorization under the *Immigration and Refugee Protection Act* (Canada) to permit the applicant to engage in the practice of dentistry in Canada as authorized by the certificate.
5. REVOKED: O. Reg. 75/12, s. 12 (2).

O. Reg. 407/04, s. 1; O. Reg. 75/12, s. 12 (1, 2).

(2) A graduate student certificate of registration is subject to the following terms, conditions and limitations:

1. The member may engage in the practice of dentistry only as may be required for the program of studies in which he or she is enrolled and only under the supervision of a member of the dental faculty or dental school who is also a member of the College.
2. The member may engage in the practice of dentistry only in the faculty or school of dentistry or in a hospital or other facility formally associated with that faculty or school.
3. The member shall not supervise or direct any person respecting the performance of any act or acts authorized to members.

4. The certificate is automatically revoked when the member ceases to be enrolled in the program referred to in paragraph 3 of subsection (1) or when the program terminates.
 5. The member may not charge a fee for the performance of any act within the scope of practice of dentistry. O. Reg. 407/04, s. 1; O. Reg. 75/12, s. 12 (3, 4).
- (3) The requirement of paragraph 3 of subsection (1) is non-exemptible. O. Reg. 407/04, s. 1.
- (4) Paragraph 5 of subsection (2) shall not be interpreted as in any way affecting the ability of the faculty or school of dentistry or hospital or other facility formally associated with that faculty or school to charge fees for services which it has provided. O. Reg. 407/04, s. 1.

ACADEMIC VISITOR CERTIFICATE

24. (1) The additional requirements for the issuing of an academic visitor certificate of registration are the following:

1. The applicant has a degree in dentistry evidencing successful completion of a course in dental studies of at least four years duration at a university-based dental school.
2. The applicant has satisfied the Registration Committee that he or she has an established scholarly career in dental teaching or dental research at a dental school outside Ontario and a permanent appointment to the academic staff of a university-based dental school primarily for the purpose of teaching or research.
3. The applicant has an appointment by the Director of a dental school of a university in Ontario or the Dean of a faculty of dentistry of a university in Ontario to provide undergraduate, graduate or postgraduate dental education or dental research or both for a specified period of time that does not exceed 12 months.
4. The applicant has provided an undertaking to the College in a form acceptable to the Registrar that he or she will meet the dental school's expectation that the applicant will return to the appointment referred to in paragraph 2 upon the expiry of this certificate.
5. The applicant has not held a certificate of this class during the previous 12 months.
6. The applicant is a Canadian citizen or a permanent resident of Canada or has received the appropriate authorization under the *Immigration and Refugee Protection Act (Canada)* to permit the applicant to engage in the practice of dentistry in Canada as authorized by the certificate. O. Reg. 407/04, s. 1.

(2) An academic visitor certificate of registration is subject to the following terms, conditions and limitations:

1. The member may engage in the practice of dentistry only in the faculty or school of dentistry to which his or her appointment relates or in a teaching unit formally affiliated with that faculty or school of dentistry and only to the extent required by the teaching or research requirements of that appointment.
2. The certificate automatically expires 12 months from the date of its issuance unless extended by the Registration Committee.
3. The certificate is automatically revoked,
 - i. if the appointment referred to in paragraph 3 of subsection (1) expires, is withdrawn or otherwise terminates, or
 - ii. if the member ceases to hold the appointment referred to in paragraph 2 of subsection (1).
4. The member may not charge a fee for the performance of any act within the scope of practice of dentistry. O. Reg. 407/04, s. 1.

(3) The Registration Committee may extend the duration of the academic visitor certificate of registration for up to three additional months on any terms and conditions that it considers appropriate if the Committee is satisfied that there is an appropriate reason for doing so. O. Reg. 407/04, s. 1.

(4) Paragraph 4 of subsection (2) shall not be interpreted as in any way affecting the ability of the faculty or school of dentistry or teaching unit formally affiliated with that faculty or school of dentistry to charge fees for services which it has provided. O. Reg. 407/04, s. 1.

24.1 (1) Where section 22.18 of the Health Professions Procedural Code applies to an applicant, the requirements of paragraphs 1 and 2 of subsection 24 (1) of this Regulation are deemed to have been met. O. Reg. 75/12, s. 13.

(2) It is a non-exemptible registration requirement that an applicant referred to in subsection (1) provide a certificate, letter or other evidence satisfactory to the Registrar or a panel of the Registration Committee confirming that the applicant is in good standing as a dentist in every jurisdiction where the applicant holds an out-of-province certificate. O. Reg. 75/12, s. 13.

(3) Without in any way limiting the generality of subsection (2), "good standing" shall include the fact that,

- (a) the applicant is not the subject of any discipline or fitness to practise order or of any proceeding or ongoing investigation or of any interim order or agreement as a result of a complaint, investigation or proceeding; and
 - (b) the applicant has complied with the continuing competency and quality assurance requirements of the regulatory authority that issued the applicant that out-of-province certificate as a dentist. O. Reg. 75/12, s. 13.
- (4) Despite subsection (1), an applicant is not deemed to have met a requirement if that requirement is described in subsection 22.18 (3) of the Health Professions Procedural Code. O. Reg. 75/12, s. 13.

INSTRUCTIONAL CERTIFICATE

25. (1) The additional requirements for the issuing of an instructional certificate of registration are the following:
1. The applicant has a degree in dentistry evidencing successful completion of a course in dental studies of at least four years duration at a university-based dental school.
 2. The applicant has a written offer to teach or conduct a course sponsored by a faculty or school of dentistry at a university in Ontario, a public hospital in Ontario, or a body approved by Council to sponsor courses.
 3. The applicant has provided an undertaking to the College in a form satisfactory to the Registrar from a member of the College holding a general, specialty or academic certificate of registration in which the member undertakes to be present while the applicant engages in practice in Ontario and to ensure that any necessary follow up care which may be required by a patient, as a result of the treatment performed during the course by the applicant, is provided. O. Reg. 407/04, s. 1.
- (2) An instructional certificate of registration is subject to the following terms, conditions and limitations:
1. The member may engage in the practice of dentistry only as may be required to teach or conduct the course for which the certificate was issued.
 2. The certificate may be issued only for courses having a duration of 14 days or less.
 3. The certificate shall specify an expiry date which shall be the day after the day upon which the course referred to in paragraph 1 is scheduled to end.
 4. The certificate automatically expires when the course for which it was issued ends.
 5. The member may not charge a fee to a patient for the performance of any act within the scope of practice of dentistry. O. Reg. 407/04, s. 1.
- 25.1 (1) Where section 22.18 of the Health Professions Procedural Code applies to an applicant, the requirement set out in paragraph 1 of subsection 25 (1) of this Regulation is deemed to have been met. O. Reg. 75/12, s. 14.
- (2) It is a non-exemptible registration requirement that an applicant referred to in subsection (1) provide a certificate, letter or other evidence satisfactory to the Registrar or a panel of the Registration Committee confirming that the applicant is in good standing as a dentist in every jurisdiction where the applicant holds an out-of-province certificate. O. Reg. 75/12, s. 14.
- (3) Without in any way limiting the generality of subsection (2), “good standing” shall include the fact that,
- (a) the applicant is not the subject of any discipline or fitness to practise order or of any proceeding or ongoing investigation or of any interim order or agreement as a result of a complaint, investigation or proceeding; and
 - (b) the applicant has complied with the continuing competency and quality assurance requirements of the regulatory authority that issued the applicant that out-of-province certificate as a dentist. O. Reg. 75/12, s. 14.
- (4) Despite subsection (1), an applicant is not deemed to have met a requirement if that requirement is described in subsection 22.18 (3) of the Health Professions Procedural Code. O. Reg. 75/12, s. 14.

SHORT DURATION

26. (1) The additional requirements for a short duration certificate of registration are the following:
1. The applicant,
 - i. holds an out-of-province certificate that is equivalent to a general or specialty certificate of registration, or
 - ii. is registered or licensed to practise independently and without restriction or condition as a dentist in one of the states of the United States of America.
 2. The applicant is registered to take a course sponsored by a faculty or school of dentistry of a university in Ontario, a public hospital in Ontario, or a body approved by Council to sponsor courses.

3. The applicant has provided a written undertaking to the College in a form satisfactory to the Registrar from a member of the College who holds a general, academic or specialty certificate of registration agreeing to ensure that any necessary follow up care which may be required by a patient, as a result of the treatment performed during the course by the applicant, is provided. O. Reg. 407/04, s. 1; O. Reg. 75/12, s. 15.
- (2) A short duration certificate of registration is subject to the following terms, conditions and limitations:
 1. The member may engage in the practice of dentistry only as required for the course for which the certificate was issued.
 2. The member may engage in the practice of dentistry only under the direct supervision of a member who holds a general, specialty or instructional certificate of registration.
 3. The certificate may be issued only for courses having a duration of 14 days or less.
 4. The certificate shall specify an expiry date which shall be the day after the day upon which the course referred to in paragraph 1 is scheduled to end.
 5. The certificate automatically expires when the course for which it was issued ends.
 6. The member may not charge a fee for the performance of any act within the scope of practice of dentistry. O. Reg. 407/04, s. 1.

EMERGENCY

26.1 (1) The additional requirements for the issuing of an emergency certificate of registration are the following:

1. The Government of Ontario requests or Council determines it is in the public interest that the College issue emergency certificates of registration to address emergency circumstances.
2. The applicant has a degree in dentistry evidencing successful completion of a course in dental studies of at least four years duration at a university-based dental school.
3. Since the applicant satisfied the requirement of paragraph 2, there has been no three-year period during which the applicant has not engaged in the practice of dentistry on a continuous and regular basis.
4. The applicant is able to demonstrate the ability to speak and write either English or French with reasonable fluency.
5. The applicant has successfully completed an examination in ethics and jurisprudence set or approved by the College.
6. The applicant is a Canadian citizen or a permanent resident of Canada or has received the appropriate authorization under the *Immigration and Refugee Protection Act* (Canada) to permit the applicant to engage in the practice of dentistry in Canada as authorized by the certificate.
7. The applicant has provided an undertaking to the College in a form satisfactory to the Registrar from a member of the College who is in good standing and who holds a general, specialty or academic certificate of registration.
- (2) The requirements of paragraphs 1, 2, 4, 5, 6 and 7 of subsection (1) are non-exemptible.
- (3) An emergency certificate of registration is subject to the following terms, conditions and limitations:
 1. The member may engage in the practice of dentistry only under the supervision of a member who holds a general, specialty or academic certificate of registration.
 2. The member may engage in the practice of dentistry only while identifying himself or herself as a member of the emergency class.
 3. The certificate shall expire one year from the date the certificate was issued, unless extended by the Registrar, as long as Council has not determined that the emergency circumstances have ended.
 4. The certificate is automatically revoked,
 - i. 15 days after receipt of notice of Council's determination that the emergency circumstances have ended,
or
 - ii. immediately if in the opinion of the Registrar or the Registration Committee, it is in the public interest to do so.
- (4) The Registrar may extend an emergency certificate of registration for one or more periods, each of which is not to exceed one year, as long as Council has not determined that the emergency circumstances have ended.

(5) Where a member who holds an education certificate of registration also holds an emergency certificate of registration, the terms, conditions and limitations listed in subsection 21 (2) shall not apply to the member during the time that the member is practicing as a member of the emergency class.

(6) Where a member who holds a post-specialty training certificate of registration also holds an emergency certificate of registration, the terms, conditions and limitations listed in subsection 22 (3) shall not apply to the member during the time that the member is practicing as a member of the emergency class.

(7) Where a member who holds a graduate student certificate of registration also holds an emergency certificate of registration, the terms, conditions and limitations listed in subsection 23 (2) shall not apply to the member during the time that the member is practicing as a member of the emergency class.

RESIGNATIONS, SUSPENSIONS AND REINSTATEMENTS

27. (1) If the Registrar suspended a member's certificate of registration for failure to pay a fee that is required by the by-laws of the College or that was previously prescribed by regulation, the Registrar may lift the suspension if the member applies within two years of the suspension and pays all fees required by the by-laws. O. Reg. 407/04, s. 1.

(2) If a suspension under subsection (1) continues for two years, the certificate of registration is automatically revoked. O. Reg. 407/04, s. 1.

(3) A member whose certificate was revoked under subsection (2) may apply for reinstatement. O. Reg. 407/04, s. 1.

28. (1) A member may resign by giving notice in writing to the College. O. Reg. 407/04, s. 1.

(2) A notice under subsection (1) is effective on the date the notice is received by the College or the date specified in the notice, whichever is later. O. Reg. 407/04, s. 1.

(3) A member who resigned may apply for reinstatement. O. Reg. 407/04, s. 1.

29. Where a former member's certificate of registration is ordered to be reinstated by a panel of the Discipline or Fitness to Practise Committee, the Registrar shall reinstate the member's certificate of registration upon receipt of the annual fee for the year in which the former member is to be reinstated, if not previously paid, and any other fees required by the by-laws of the College. O. Reg. 407/04, s. 1.

30. (1) A former member whose general, specialty or academic certificate of registration was revoked under subsection 27 (2) or was suspended for failure to pay a fee under section 24 of the Health Professions Procedural Code or who resigned as a member may apply for reinstatement of his or her general, specialty or academic certificate of registration by completing an application form supplied by the Registrar. O. Reg. 407/04, s. 1.

(2) The Registrar may reinstate the certificate of registration of a former member who applies under subsection (1) if all of the following conditions have been met:

1. The applicant pays the fees required by subsection (5).
2. The applicant is not a person who is ineligible for reinstatement as a result of subsection (6).
3. The application for reinstatement was made within two years of the date of the suspension or resignation. O. Reg. 407/04, s. 1.

(3) Where the Registrar refuses to reinstate a former member who applies under subsection (1), the application shall be referred by the Registrar to the Registration Committee. O. Reg. 407/04, s. 1.

(4) The Registration Committee may reinstate the certificate of registration of a former member whose application has been referred under subsection (3) if all of the following conditions have been met:

1. The applicant pays the fees required by subsection (5).
2. The applicant is not a person who is ineligible for reinstatement as a result of subsection (6). O. Reg. 407/04, s. 1.

(5) A former member whose certificate of registration is to be reinstated under subsection (2) or subsection (4) shall pay,

- (a) the fees required by the by-laws of the College;
- (b) the annual fee for the year in which the certificate of registration is reinstated, if not previously paid;
- (c) the annual fee for the year in which the certificate of registration was suspended or the year in which the former member resigned, if not already paid, unless the Registration Committee is satisfied that the member did not engage in the practice of dentistry in Ontario during that year; and

- (d) any money owed to the College at the time the applicant ceased to be a member of the College or that became due and owing at any time thereafter including, without being limited to, costs or expenses ordered to be paid by a panel of the discipline committee, costs awarded by a Court, and money owed to the College under a regulation or by-law or an order or decision of a statutory committee or a panel of a statutory committee. O. Reg. 407/04, s. 1.
- (6) A person is ineligible for reinstatement if, during the period from immediately prior to when he or she ceased to be a member up to and including the date of receipt of the application for reinstatement, he or she,
 - (a) was the subject of a proceeding for professional misconduct, incompetence or incapacity, whether in Ontario or in another jurisdiction either in relation to the dental profession or another health profession, other than a proceeding which was completed based upon its merits;
 - (b) was the subject of an inquiry or investigation by the Registrar, a committee, a panel of a committee or board of inquiry of the College, which was not completed on its merits or which resulted in the resignation of the member;
 - (c) was the subject of an outstanding order of a committee, a panel of a committee or a board of inquiry of the College;
 - (d) was in breach of an order of a committee, a panel of a committee or a board of inquiry of the College;
 - (e) failed to comply with a decision of a panel of the Inquiries, Complaints and Reports Committee or a predecessor to that committee, including a decision requiring the member to attend to be cautioned;
 - (f) failed to comply with a written agreement with the College or any undertaking provided to the College;
 - (g) had terms, conditions or limitations on her or his certificate of registration other than those terms, conditions or limitations which are generally applicable to all members of the particular class of certificate of registration which the applicant previously held; or
 - (h) was previously refused reinstatement by the Registration Committee either under this Regulation or any predecessor regulation. O. Reg. 407/04, s. 1; O. Reg. 75/12, s. 16.

31. (1) Section 30 shall not be interpreted as prohibiting a former member who resigned or whose certificate of registration was suspended, cancelled or revoked for non-payment of a fee from making application for a certificate of registration under the Health Professions Procedural Code. O. Reg. 407/04, s. 1.

(2) An application referred to in subsection (1) shall be treated as an initial application for registration. O. Reg. 407/04, s. 1.

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Moved to	0
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Format changes	0
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Dietetics Act, 1991
Loi de 1991 sur les diététistes

ONTARIO REGULATION 593/94
GENERAL

Note that the proposed
Emergency Class of Registration
provisions are incorporated
below in section 18 within the
existing Registration Regulation.

Consolidation Period: From November 19, 2012 to the [e-Laws currency date](#).

Last amendment: 374/12.

Legislative History: 243/97, 181/99, 182/99, 491/99, 301/01, 5/08, 72/12, 374/12.

This Regulation is made in English only.

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PART I
REGISTRATION

CLASSES OF CERTIFICATES

1. The following are prescribed as classes of certificates of registration for registered dietitians:
 1. General.
 2. Temporary.
 3. Provisional. O. Reg. 72/12, s. 1.

4. Emergency

APPLICATION FOR CERTIFICATE OF REGISTRATION

2. (1) A person may apply for a certificate of registration by submitting a completed application in the form provided by the Registrar together with any supporting documentation requested by the Registrar and any applicable fees required under the by-laws. O. Reg. 72/12, s. 1.

(2) An applicant shall be deemed not to have satisfied the registration requirements for a certificate of registration if the applicant makes a false or misleading statement or representation in his or her application, and any certificate of registration issued to such an applicant shall be deemed to be invalid. O. Reg. 72/12, s. 1.

REQUIREMENTS FOR ISSUANCE OF CERTIFICATE OF REGISTRATION, ANY CLASS

3. (1) An applicant must satisfy the following requirements for the issuance of a certificate of registration of any class:
 1. The applicant must provide details about any of the following that relate to the applicant:

- i. A finding of guilt for any of the following:
 - A. An offence under the *Criminal Code* (Canada).
 - B. An offence related to prescribing, compounding, selling or administering drugs.
 - C. An offence, other than a municipal by-law offence or an offence under the *Highway Traffic Act*, that occurred in the course of, or that was related to, the applicant's practice of the profession.
 - D. An offence that was committed while the applicant was impaired by any substance.
 - E. Any other offence that might reasonably be relevant to the applicant's suitability to practise dietetics.
 - ii. A finding of professional misconduct, incompetence or incapacity, or any similar finding, in Ontario in relation to another profession, or in another jurisdiction in relation to any profession.
 - iii. A current proceeding for professional misconduct, incompetence or incapacity, or any similar proceeding, in Ontario in relation to another profession, or in another jurisdiction in relation to any profession.
 - iv. A finding of professional negligence or malpractice.
 - v. A refusal by any body responsible for the regulation of a profession, in Ontario or in any other jurisdiction, to register the applicant.
 - vi. Whether the applicant is in good standing with, and is fulfilling all terms, conditions and limitations imposed on the applicant by, any body responsible for the regulation of a profession in Ontario or in any other jurisdiction.
 - vii. Whether the applicant was in good standing at the time he or she ceased being registered with a body responsible for the regulation of a profession in Ontario or in any other jurisdiction.
 - viii. Any other event or circumstances that would provide reasonable grounds for the belief that the applicant will not practise dietetics in a safe and ethical manner.
2. The applicant's previous conduct must afford reasonable grounds for the belief that he or she will practise dietetics in a safe and ethical manner.
 3. The applicant must be a Canadian citizen or permanent resident of Canada or must hold the appropriate authorization under the *Immigration and Refugee Protection Act* (Canada) permitting the member to engage in the practice of dietetics in Ontario in the manner permitted by a certificate of registration.
 4. The applicant must possess sufficient language proficiency, in either English or French, to be able to communicate and comprehend effectively, both orally and in writing.
 5. The applicant must not have a physical or mental condition or disorder that would make it desirable in the interest of the public that he or she not be issued a certificate of registration.
 6. If the applicant is registered by any body responsible for the regulation of a profession in Ontario or in any other jurisdiction, the applicant's registration must be in good standing and the applicant must be fulfilling all terms, conditions and limitations imposed on him or her as evidenced by the applicant being in good standing.
 7. If the applicant ceased being registered with any body responsible for the regulation of a profession in Ontario or in any other jurisdiction, the applicant must have been in good standing at the time he or she ceased being registered. O. Reg. 72/12, s. 1.
- (2) If any change in circumstances occurs in relation to a matter described in paragraph 1 of subsection (1) after the applicant has submitted an application but before a certificate of registration is issued, the applicant shall immediately provide the College with written details about the change. O. Reg. 72/12, s. 1.

TERMS, ETC. OF EVERY CERTIFICATE

4. Every certificate of registration is subject to the following terms, conditions and limitations:
 1. The member shall provide the College with written details about any of the following that relate to the applicant as soon as possible after the member becomes aware of it occurring, but not later than 30 days after the member becomes aware of it occurring:
 - i. A finding of professional misconduct, incompetence or incapacity, or any similar finding, in Ontario in relation to another profession, or in another jurisdiction in relation to any profession.
 - ii. The commencement of a proceeding for professional misconduct, incompetence or incapacity, or any similar proceeding, in Ontario in relation to another profession, or in another jurisdiction in relation to any profession.
 - iii. A finding of professional negligence or malpractice.
 - iv. The refusal by any body responsible for the regulation of a profession, in Ontario or in any other jurisdiction, to register the member.

- v. The fact that the member is no longer in good standing with, or is no longer fulfilling any terms, conditions or limitations imposed on the member by, any body responsible for the regulation of a profession in Ontario or in any other jurisdiction.
 - vi. The fact that the member was not in good standing at the time he or she ceased being registered with a body responsible for the regulation of a profession in Ontario or in any other jurisdiction.
2. The member shall provide the College with written details about any finding of guilt relating to any offence in Ontario or in any other jurisdiction as soon as possible after receiving notice of the finding, but not later than 30 days after receiving the notice.
 3. The member shall immediately advise the College in writing in the event the member ceases to be a Canadian citizen or permanent resident of Canada or to have authorization under the *Immigration and Refugee Protection Act* (Canada) permitting the member to engage in the practice of dietetics in Ontario in the manner permitted by the certificate of registration.
 4. The member shall maintain professional liability insurance in the amount and in the form as required under the by-laws, and the member shall immediately advise the Registrar if the member no longer maintains such insurance.
 5. The member shall use the following title in reference to his or her practice of dietetics: "Registered Dietitian" and the abbreviation "RD", or the French equivalent, "diététiste professionnel(le)" and "Dt.P.". O. Reg. 72/12, s. 1.
5. (1) By the end of the third year following the issuance of a certificate of registration and in every subsequent year, every member shall provide evidence satisfactory to the Registrar that the member has practised dietetics for at least 500 hours during the preceding three years. O. Reg. 72/12, s. 1.
- (2) The Registrar shall refer any member who does not meet the requirement set out in subsection (1) to the Quality Assurance Committee. O. Reg. 72/12, s. 1.

REGISTRATION REQUIREMENTS FOR GENERAL AND TEMPORARY CERTIFICATES

6. (1) An applicant for the issuance of a general or temporary certificate of registration must satisfy either of the following non-exemptible requirements:
1. The applicant has satisfied both of the following requirements:
 - i. The applicant has graduated from,
 - A. a Canadian university program in foods and nutrition accredited by an accrediting agency approved by the Council,
 - B. a Canadian university and has completed subject areas in foods and nutrition required by an accrediting agency approved by the Council, or
 - C. a university program outside Canada that, in the opinion of the Council or a panel of the Registration Committee, is equivalent to sub-subparagraph A or B.
 - ii. The applicant has attained the competence standards acceptable to the Council as demonstrated by,
 - A. successful completion of an internship program in Canada accredited by an accrediting agency approved by the Council, or an internship program outside Canada that the Council or a panel of the Registration Committee considers to be equivalent to an accredited internship in Canada,
 - B. successful completion of a practicum in Canada accredited by an accrediting agency approved by the Council, or a practicum outside Canada that the Council or a panel of the Registration Committee considers to be equivalent to an accredited practicum in Canada,
 - C. successful completion of a graduate degree program acceptable to the Council, or
 - D. successful completion of a program of practical experience that, in the opinion of the Council or a panel of the Registration Committee, is equivalent to a program or practicum mentioned in sub-subparagraph A or B.
 2. The applicant has successfully completed a prior learning assessment that was conducted by the Registration Committee or by a body approved by the Registration Committee. O. Reg. 72/12, s. 1.
- (2) If the applicant has not completed either of the requirements set out in paragraph 1 or 2 of subsection (1) within the three years immediately before the date that the applicant submitted his or her application, the applicant must,
- (a) have successfully completed a refresher or upgrading program approved by the Registration Committee;
 - (b) hold a certificate of registration of another class with the College; or
 - (c) satisfy the Registration Committee that he or she has been registered as a dietitian in another jurisdiction and has practised safely as a dietitian in that other jurisdiction within the three years immediately before the date of the application. O. Reg. 72/12, s. 1.

GENERAL CERTIFICATES

7. It is an additional non-exemptible requirement for the issuance of a general certificate of registration that the applicant has successfully completed the registration examinations set or approved by the Council. O. Reg. 72/12, s. 1.

8. (1) If an applicant already holds an out-of-province certificate that is equivalent to a general certificate of registration issued by the College, the applicant is deemed to have met the requirements set out in paragraph 6 of subsection 3 (1) and in sections 6 and 7. O. Reg. 72/12, s. 1.

(2) It is a non-exemptible registration requirement that an applicant referred to in subsection (1) provide one or more certificates or letters or other evidence satisfactory to the Registrar or a panel of the Registration Committee confirming that the applicant is in good standing as a dietitian in every jurisdiction where the applicant holds an out-of-province certificate. O. Reg. 72/12, s. 1.

(3) If an applicant to whom subsection (1) applies is unable to satisfy the Registrar or a panel of the Registration Committee that the applicant practised the profession of dietetics to the extent that would be permitted by a general certificate of registration at any time in the three years immediately before the date of that applicant's application, the applicant must meet any further requirement to undertake, obtain or undergo material additional training, experience, examinations or assessments that may be specified by a panel of the Registration Committee. O. Reg. 72/12, s. 1.

(4) An applicant referred to in subsection (1) is deemed to have met the requirement of paragraph 4 of subsection 3 (1) if the requirements for the issuance of the out-of-province certificate included language proficiency requirements equivalent to those required by that paragraph. O. Reg. 72/12, s. 1.

(5) Despite subsection (1), an applicant is not deemed to have met a requirement if that requirement is described in subsection 22.18 (3) of the Health Professions Procedural Code. O. Reg. 72/12, s. 1.

TEMPORARY CERTIFICATES

9. The following are additional non-exemptible registration requirements for the issuance of a temporary certificate of registration:

1. The applicant has not previously held a temporary certificate of registration.
2. One of the following circumstances exist:
 - i. The applicant has applied to take the registration examinations referred to in section 7, but has not yet taken the examinations.
 - ii. The applicant has taken the registration examinations, but has not yet received the results.
 - iii. The applicant has failed the registration examinations on his or her first attempt and is either actively attempting to retake the examinations or is waiting for the results of his or her second attempt. O. Reg. 72/12, s. 1.

10. The following are additional terms, conditions and limitations of a temporary certificate of registration:

1. If the member failed the registration examinations on his or her first attempt,
 - i. the member shall only practise the profession under the supervision of a member who holds a general certificate of registration and who has agreed in writing in the form provided by the Registrar to supervise the applicant and be responsible for ensuring that the applicant provides appropriate care to clients,
 - ii. the member shall only practise in accordance with that written agreement and the standards of practice of the profession, and
 - iii. the member shall provide to the Registrar, upon request, information that demonstrates the member's compliance with subparagraphs i and ii and shall give such information in the form and manner as requested.
2. The member shall not supervise another member.
3. The member must be actively attempting to successfully complete the registration examinations. O. Reg. 72/12, s. 1.

11. (1) Subject to subsections (2) and (3), a temporary certificate of registration expires on the earlier of the day that is 16 months after the certificate was issued and the day on which the member receives notice that he or she has failed the registration examinations a second time. O. Reg. 72/12, s. 1.

(2) The Registrar may extend a temporary certificate of registration if the following conditions are met:

1. The member's temporary certificate of registration has not expired.
2. The member failed the registration examinations on his or her first attempt.
3. The member applies to the Registrar for an extension in the form provided by the Registrar and the member pays any applicable fees required under the by-laws. O. Reg. 72/12, s. 1.

(3) An extension of a temporary certificate of registration expires on the earlier of,

- (a) the day specified by the Registrar or, if the Registrar has not specified a day, the day that is one year after the day the extension was granted; and
 - (b) the day on which the member receives notice that he or she has failed the registration examinations a second time. O. Reg. 72/12, s. 1.
- (4) For the purposes of subsection (1) and clause (3) (b), there is a rebuttable presumption that the member received the notice,
- (a) the day after the notice is sent if the notice is sent by fax, email or by any other electronic means; or
 - (b) the day that is five days after the notice is sent if the notice is sent by any other means. O. Reg. 72/12, s. 1.

12. A holder of a temporary certificate of registration shall be issued a general certificate of registration if the member successfully completes the registration examinations set or approved by the Council and meets all of the requirements for the issuance of a general certificate of registration. O. Reg. 72/12, s. 1.

13. (1) If an applicant already holds an out-of-province certificate that is equivalent to a temporary certificate of registration issued by the College, the applicant is deemed to have met the requirements set out in paragraph 6 of subsection 3 (1) and in sections 6 and 9. O. Reg. 72/12, s. 1.

(2) It is a non-exemptible registration requirement that an applicant referred to in subsection (1) provide one or more certificates or letters or other evidence satisfactory to the Registrar or a panel of the Registration Committee confirming that the applicant is in good standing as a dietitian in every jurisdiction where the applicant holds an out-of-province certificate. O. Reg. 72/12, s. 1.

(3) If an applicant to whom subsection (1) applies is unable to satisfy the Registrar or a panel of the Registration Committee that the applicant practised the profession of dietetics to the extent that would be permitted by a temporary certificate of registration at any time in the three years immediately before the date of that applicant's application, the applicant must meet any further requirement to undertake, obtain or undergo material additional training, experience, examinations or assessments that may be specified by a panel of the Registration Committee. O. Reg. 72/12, s. 1.

(4) An applicant referred to in subsection (1) is deemed to have met the requirement of paragraph 4 of subsection 3 (1) if the requirements for the issuance of the out-of-province certificate included language proficiency requirements equivalent to those required by that paragraph. O. Reg. 72/12, s. 1.

(5) If a member is issued a temporary certificate of registration on the basis of an application made under this section, the references to "registration examinations" in sections 10, 11 and 12 are references to such registration examinations that are required by the body that issued the out-of-province certificate. O. Reg. 72/12, s. 1.

(6) Despite subsection (1), an applicant is not deemed to have met a requirement if that requirement is described in subsection 22.18 (3) of the Health Professions Procedural Code. O. Reg. 72/12, s. 1.

PROVISIONAL CERTIFICATES

14. (1) It is an additional registration requirement for a provisional certificate of registration that a panel of the Registration Committee be of the opinion that,

- (a) the applicant would have satisfied the requirements set out in either paragraph 1 or 2 of subsection 6 (1), but his or her education or practical training does not include completion of coursework or practical training in a particular area of practice in dietetics;
- (b) the applicant will become competent in that area of practice within 18 months after being issued a provisional certificate of registration; and
- (c) the applicant can practise safely in all others areas of practice relating to dietetics. O. Reg. 72/12, s. 1.

(2) The applicant must satisfy the requirements set out in subsection 6 (2) if both of the following circumstances exist:

1. The applicant has not been engaged in the education or practical training requirements described in paragraph 1 of subsection 6 (1) within the three years immediately before the date that the applicant submitted his or her application.
2. The applicant has not completed a prior learning assessment described in paragraph 2 of subsection 6 (1) within the three years immediately before the date that the applicant submitted his or her application. O. Reg. 72/12, s. 1.

15. The following are additional terms, conditions and limitations of a provisional certificate of registration:

1. The member shall not practise dietetics in the area of practice referred to in clause 14 (1) (a).
2. The member shall actively pursue practical training or educational activities, or both, that are approved by the Registration Committee and that are designed to enable the member to become competent in the area of practice. O. Reg. 72/12, s. 1.

16. (1) Subject to subsection (2), a provisional certificate of registration expires on the day that is 18 months after it is issued or on the day as may be specified by a panel of the Registration Committee, whichever is earlier. O. Reg. 72/12, s. 1.

(2) The Registrar may extend a provisional certificate of registration for a period of no more than six months, if the member applies for an extension in the form provided by the Registrar and the member pays any applicable fees required under the by-laws. O. Reg. 72/12, s. 1.

17. A holder of a provisional certificate of registration shall be issued a general certificate of registration,

(a) if he or she satisfies a panel of the Registration Committee that he or she has become competent in the area of practice referred to in clause 14 (1) (a); and

(b) if he or she has otherwise met all the requirements for a general certificate of registration. O. Reg. 72/12, s. 1.

18. (1) If an applicant already holds an out-of-province certificate that is equivalent to a provisional certificate of registration issued by the College, the applicant is deemed to have met the requirements set out in paragraph 6 of subsection 3 (1) and in section 14. O. Reg. 72/12, s. 1.

(2) It is a non-exemptible registration requirement that an applicant referred to in subsection (1) provide one or more certificates or letters or other evidence satisfactory to the Registrar or a panel of the Registration Committee confirming that the applicant is in good standing as a dietitian in every jurisdiction where the applicant holds an out-of-province certificate. O. Reg. 72/12, s. 1.

(3) If an applicant to whom subsection (1) applies is unable to satisfy the Registrar or a panel of the Registration Committee that the applicant practised the profession of dietetics to the extent that would be permitted by a provisional certificate of registration at any time in the three years immediately before the date of that applicant's application, the applicant must meet any further requirement to undertake, obtain or undergo material additional training, experience, examinations or assessments that may be specified by a panel of the Registration Committee. O. Reg. 72/12, s. 1.

(4) An applicant referred to in subsection (1) is deemed to have met the requirement of paragraph 4 of subsection 3 (1) if the requirements for the issuance of the out-of-province certificate included language proficiency requirements equivalent to those required by that paragraph. O. Reg. 72/12, s. 1.

(5) If a member is issued a provisional certificate of registration on the basis of an application made under this section, the following rules apply:

1. The reference to "the area of practice referred to in clause 14 (1) (a)" in paragraph 1 of section 15 is a reference to such area of practice in dietetics that the body that issued the out-of-province certificate identified as an area that was not included in the member's education or practical training.

2. The reference to "practical training or educational activities, or both, that are approved by the Registration Committee" in paragraph 2 of section 15 is a reference to such training or activities that are approved by the body that issued the out-of-province certificate. O. Reg. 72/12, s. 1.

(6) Despite subsection (1), an applicant is not deemed to have met a requirement if that requirement is described in subsection 22.18 (3) of the Health Professions Procedural Code. O. Reg. 72/12, s. 1.

EMERGENCY CERTIFICATES

18.1. The following are additional non-exemptible requirements for the issuance of an emergency certificate of registration:

1. The Minister has requested the College to issue and renew certificates of registration in the emergency class to qualified applicants.

2. Council has declared the existence of emergency circumstances where it is in the public interest for the College to issue and renew certificates of registration in the emergency class to qualified applicants.

3. The applicant meets the requirements of section 6.

4. The applicant must not have failed the registration examinations on any attempts.

18.2. The following are additional terms, conditions and limitations of an emergency certificate of registration:

1. The member shall not supervise another members.

18.3.(1) Unless otherwise stated on the certificate, an emergency certificate of registration expires one year after it is issued, unless it is renewed.

(2) Unless otherwise stated on the certificate, a renewed emergency certificate of registration expires one year after it is renewed, unless it is renewed again.

(3) Despite subsections (1) and (2), an emergency certificate of registration expires six months after the earlier of

(i) the date the Minister withdraws their request that emergency certificates of registration be issued or renewed, and

(ii) the date the Council declares that the emergency circumstances where it is in the interest of the public to issue and renew emergency certificates of registration have ended.

18.4. A member who holds an emergency certificate of registration and has done so for at least six months may be issued a certificate of registration in the temporary class despite not having met the requirements set out in subsection 9(1) and paragraph 3 of section 10 if the member

(a) applies for a temporary certificate of registration; and

(b) satisfies all other requirements for a temporary certificate of registration.

18.5. (1) Despite section 11 and subject to subsections (2) and (3), the certificate of registration of a member who moved into the temporary class from the emergency class expires on the earlier of the day that is 24 months after the temporary certificate was issued and the day on which the member receives notice that he or she has failed the registration examinations a second time.

(2) The Registrar may extend a temporary certificate of registration if the following conditions are met:

1. The member's temporary certificate of registration has not expired.

2. The member failed the registration examinations on his or her first attempt.

3. The member applies to the Registrar for an extension in the form provided by the Registrar and the member pays any applicable fees required under the by-laws.

(3) An extension of a temporary certificate of registration expires on the earlier of

(a) the day specified by the Registrar or, if the Registrar has not specified a day, the day that is one year after the day the extension was granted; and

(b) the day on which the member receives notice that he or she has failed the registration examinations a second time.

(4) For the purposes of subsection (1) and clause (3) (b), there is a rebuttable presumption that the member received the notice,

(a) the day after the notice is sent if the notice is sent by fax, email or by any other electronic means; or

(b) the day that is five days after the notice is sent if the notice is sent by any other means

SUSPENSIONS, REVOCATIONS AND REINSTATEMENTS

19. (1) If a member fails to provide the College with information about the member as required under the by-laws,

(a) the Registrar may give the member notice of intention to suspend the member's certificate of registration; and

(b) the Registrar may suspend the member's certificate of registration if the member fails to provide the information within 30 days after the notice is given. O. Reg. 72/12, s. 1.

(2) If the Registrar suspends a member's certificate of registration under subsection (1), the Registrar shall lift the suspension upon being satisfied that,

(a) the former member has given the required information to the College;

(b) the former member has paid any fees required under the by-laws for lifting the suspension;

(c) the former member has paid any other outstanding fees required under the by-laws;

(d) the former member is in compliance with any outstanding orders issued by any committee of the College or with any undertakings given by the former member to the College; and

- (e) the former member will be in compliance with all of the terms, conditions and limitations of the certificate as of the anticipated date on which the suspension is to be lifted. O. Reg. 72/12, s. 1.
- 20.** (1) If the College requests evidence that the member holds professional liability insurance in the amount and in the form as required under the by-laws and the member fails to provide such evidence within 14 days of having been requested to do so,
- (a) the Registrar may give the member notice of intention to suspend the member's certificate of registration; and
 - (b) the Registrar may suspend the member's certificate of registration if the member fails to provide the evidence within 30 days after the notice is given. O. Reg. 72/12, s. 1.
- (2) If a member advises the Registrar that they no longer maintain professional liability insurance in the amount and in the form as required under the by-laws, the Registrar may immediately suspend the member's certificate of registration. O. Reg. 72/12, s. 1.
- (3) If the Registrar suspends the member's certificate of registration under subsection (1) or (2); the Registrar shall lift the suspension upon being satisfied that,
- (a) the former member holds professional liability insurance in the amount and in the form as required under the by-laws;
 - (b) the former member has paid any fees required under the by-laws for lifting the suspension;
 - (c) the former member has paid any other outstanding fees required under the by-laws;
 - (d) the former member is in compliance with any outstanding orders issued by a committee of the College and any undertakings given by the former member to the College; and
 - (e) the former member will be in compliance with all of the terms, conditions and limitations of the certificate as of the anticipated date on which the suspension is to be lifted. O. Reg. 72/12, s. 1.
- 21.** If the Registrar suspends the member's certificate of registration under section 24 of the Health Professions Procedural Code, the Registrar shall lift the suspension upon payment of any applicable fees and penalties required under the by-laws. O. Reg. 72/12, s. 1.
- 22.** (1) If the Registrar suspends a member's certificate of registration under section 19 or 20 and the suspension has not been lifted, the certificate is revoked on the day that is 12 months after the day it was suspended. O. Reg. 72/12, s. 1.
- (2) If the Registrar suspends a member's certificate of registration under section 24 of the Health Professions Procedural Code for failure to pay a fee, the certificate is revoked on the day that is six months after the day it was suspended. O. Reg. 72/12, s. 1.
- 23.** (1) A former member whose certificate of registration was revoked under section 22 may apply for the reinstatement of his or her certificate within two years after the date on which the certificate was revoked by submitting a completed application to the Registrar in the form provided by the Registrar. O. Reg. 72/12, s. 1.
- (2) The Registrar shall reinstate the former member's certificate of registration,
- (a) if the Registrar is satisfied that the former member has corrected the deficiency or deficiencies that provided the grounds for the revocation of the former member's certificate;
 - (b) if the Registrar is satisfied that the former member will be in compliance with all of the certificate's terms, conditions and limitations as of the date of the anticipated reinstatement; and
 - (c) if the former member has paid any applicable fees required under the by-laws. O. Reg. 72/12, s. 1.

TRANSITIONAL

- 24.** (1) If a person submitted an application for a certificate of registration before the coming into force of this Part, and that application was still being dealt with at the time this Part came into force, Part III.1, as it read immediately before it was revoked, applies with respect to that application. O. Reg. 72/12, s. 1.
- (2) Despite subsection (1), an applicant and the Registrar may agree that this Part applies with respect to an application submitted before the coming into force of this Part. O. Reg. 72/12, s. 1.

Proposed Amendments to the Registration Regulation to Establish an Emergency Class of Registration

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Current	Proposed Change	Rationale
<p>1. The following are prescribed as classes of certificates of registration for registered dietitians:</p> <ol style="list-style-type: none"> 1. General. 2. Temporary. 3. Provisional. O. Reg. 72/12, s. 1. 	<p>1. The following are prescribed as classes of certificates of registration for registered dietitians:</p> <ol style="list-style-type: none"> 1. General. 2. Temporary. 3. Provisional. O. Reg. 72/12, s. 1. 4. <u>Emergency</u> <p>EMERGENCY CERTIFICATES</p> <p><u>18.1. The following are additional non-exemptible requirements for the issuance of an emergency certificate of registration:</u></p> <ol style="list-style-type: none"> 1. <u>The Minister has requested the College to issue and renew certificates of registration in the emergency class to qualified applicants.</u> 2. <u>Council has declared the existence of emergency circumstances where it is in the public interest for the College to issue and renew certificates of registration in the emergency class to qualified applicants.</u> 3. <u>The applicant meets the requirements of section 6.</u> 4. <u>The applicant must not have failed the registration examinations on any attempts.</u> 	<p>The <u>Registration Requirements Regulation</u> under the <u>Regulated Health Professions Act, 1991</u>, requires all health regulatory Colleges to establish a new Emergency Class of Registration.</p>
		<p>Specifies that the Minister of Health or the College's Council (Board) may issue and renew the certificates of registration in the Emergency Class to qualified applicants. The Board will establish the specific criteria to open the Emergency Class of Registration in policy.</p> <p>Outlines the non-exemptible requirements to be issued a Certificate of Registration in the Emergency Class. The eligibility for the Emergency Class is proposed to be limited to applicants who have completed both accredited academic and practical training (or equivalent) and the College's currency requirements (e.g., graduated from training</p>

		<p>within three years, or practiced dietetics for at least 500 hours in another jurisdiction).</p> <p>Applicants must also meet all the other non-exemptible registration requirements that would apply to the Temporary and General Classes of Registration, except for successfully completing the Canadian Dietetic Registration Examination (CDRE).</p> <p>Applicants must not have failed the CDRE on any attempt as no supervision will be required for those in the Emergency Class of Registration.</p>
	<p>18.2. The following are additional terms, conditions and limitations of an emergency certificate of registration:</p> <p>1. The member shall not supervise another members.</p>	<p>Indicates that a registrant in the Emergency Class of Registration may not supervise another dietitian. This ensures public protection since a registrant has not yet passed the CDRE.</p>
	<p>18.3. (1) Unless otherwise stated on the certificate, an emergency certificate of registration expires one year after it is issued, unless it is renewed.</p> <p>(2) Unless otherwise stated on the certificate, a renewed emergency certificate of registration expires one year after it is renewed, unless it is renewed again.</p> <p>(3) Despite subsections (1) and (2), an emergency certificate of registration expires six months after the earlier of</p> <p>(i) the date the Minister withdraws their request that emergency certificates of registration be issued or renewed, and</p>	<p>Specifies that an Emergency Certificate of Registration will be issued and renewed for one year, provided the emergency circumstances continue to exist.</p> <p>Specifies that an Emergency Certificate of Registration expires six months after the date the Ministry of Health and the Board have declared that the emergency circumstances have ended.</p> <p>These timeline for the issuance, renewal, and expiry of a certificate in the Emergency Class provide a reasonable period during and after</p>

	<p>(ii) the date the Council declares that the emergency circumstances where it is in the interest of the public to issue and renew emergency certificates of registration have ended.</p> <p>18.4. A member who holds an emergency certificate of registration and has done so for at least six months may be issued a certificate of registration in the temporary class despite not having met the requirements set out in subsection 9(1) and paragraph 3 of section 10 if the member</p> <p>(a) applies for a temporary certificate of registration; and</p> <p>(b) satisfies all other requirements for a temporary certificate of registration.</p>	<p>the emergency ends to enable the holder to complete the process of transferring to another class without significant interruptions for registrants, their clients, and/or employers.</p> <p>Specifies the minimum duration that a registrant must hold a certificate in the Emergency Class to transfer to the Temporary Class of Registration to be exempt from the requirement to immediately apply to write the CDRE, when issued a Temporary Certificate of Registration.</p>
	<p>18.5. (1) Despite section 11 and subject to subsections (2) and (3), the certificate of registration of a member who moved into the temporary class from the emergency class expires on the earlier of the day that is 24 months after the temporary certificate was issued and the day on which the member receives notice that he or she has failed the registration examinations a second time.</p> <p>(2) The Registrar may extend a temporary certificate of registration if the following conditions are met:</p> <ol style="list-style-type: none"> 1. The member's temporary certificate of registration has not expired. 2. The member failed the registration examinations on his or her first attempt. 3. The member applies to the Registrar for an extension in the form provided by the Registrar and the member pays any applicable fees required under the by-laws. 	<p>Proposes to offer those who transfer from the Emergency Class to the Temporary Class, a certificate that is valid for 24 months (versus the standard 16 months). The Temporary registrant is still required to write the CDRE to transfer to the General Class but does not have to immediately register and pay for the CDRE upon licensure as a Temporary registrant.</p> <p>Once the Temporary Certificate holder wishes to register for the CDRE, they would be subject to the same requirements as a standard Temporary certificate (e.g., supervision requirement upon first exam failure, expiry after second exam failure, as applicable).</p>

The provisions also include the conditions and the duration that the Registrar may extend a Temporary Certificate of Registration.

- (3) An extension of a temporary certificate of registration expires on the earlier of:
 - (a) the day specified by the Registrar or, if the Registrar has not specified a day, the day that is one year after the day the extension was granted; and
 - (b) the day on which the member receives notice that he or she has failed the registration examinations a second time.
- (4) For the purposes of subsection (1) and clause (3) (b), there is a rebuttable presumption that the member received the notice.
 - (a) the day after the notice is sent if the notice is sent by fax, email or by any other electronic means; or
 - (b) the day that is five days after the notice is sent if the notice is sent by any other means.

Yellow = Bill 106 amendments

Green – Other amendments not previously submitted

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Massage Therapy Act, 1991
Loi de 1991 sur les massothérapeutes

ONTARIO REGULATION 864/93
REGISTRATION

Consolidation Period: From May 4, 2012 to the e-Laws currency date.

Last amendment: O. Reg. 73/12.

This Regulation is made in English only.

GENERAL

Classes of certificates of registration

1. The following are prescribed as classes of certificates of registration:

1. General.
2. Inactive. O. Reg. 864/93, s. 1.
3. Emergency

2. (1) A person may apply for a certificate of registration by submitting a completed application in the form provided by the Registrar together with any applicable fees required under the by-laws and any supporting documentation requested by the Registrar.

(2) An applicant shall be deemed not to have satisfied the registration requirements for a certificate of registration if the applicant makes a false or misleading statement or representation on or in connection with their application, and any certificate of registration issued to such an applicant may be revoked by the Registrar.

Requirements for certificates, any class

3. An applicant for a certificate of registration of any class must meet the following registration requirements:

1. The applicant must, at the time of the application, provide details of any of the following that relate to the applicant and, where any of the following change with respect to the applicant after submitting the application but before the issuance of a certificate, the applicant must immediately provide written details with respect to the change:
 - i. A current charge or finding of guilt for any of the following:
 - A. A criminal offence.
 - B. An offence that may result in a fine greater than \$1,000, or any form of custody or detention.
 - ii. A finding of professional misconduct, incompetence or incapacity, or any similar finding, in relation to another regulated profession in Ontario or to any regulated profession in another jurisdiction.
 - iii. A current proceeding for professional misconduct, incompetence or incapacity, or any similar proceeding, in relation to another regulated profession in Ontario or to any regulated profession or in another jurisdiction.
 - iv. A finding of professional negligence or malpractice in any jurisdiction.
 - v. A refusal by any body responsible for the regulation of a profession in any jurisdiction to register or licence the applicant.
 - vi. An attempt to pass a licensing or registration examination required for purposes of being licensed or certified to practice any profession in Ontario or another jurisdiction that has not, at the time of the application, resulted in a passing grade.

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- vii. Whether the applicant was in good standing at the time they ceased being registered with a body responsible for the regulation of a profession in Ontario or in any other jurisdiction.
 - viii. Whether the Superior Court of Justice has made an order directing the applicant to comply with a provision of a regulatory Act, the Health Professions Procedural Code, the *Regulated Health Professions Act, 1991*, the regulations under those Acts or the by-laws made under the Code.
 - ix. Any other event that would provide reasonable grounds for the belief that the applicant will not practise massage therapy safely, and with decency, honesty and integrity, and in accordance with the law.
2. The applicant must, at the time of the application, provide a police record check in a form acceptable to the Registrar that is dated no earlier than six months before the date on which the application is submitted.

Terms, conditions and limitations

4. Every certificate of registration is subject to the following terms, conditions and limitations:

1. The member shall provide the College with details of any of the following that relate to the member as soon as possible and in any event no later than 30 days after the event occurs or after the member receives notice of the event:
 - i. A current charge or finding of guilt for,
 - A. a criminal offence or
 - B. an offence that may result in a fine greater than \$1000, or any form of custody or detention.
 - ii. A finding of professional misconduct, incompetence or incapacity, or any similar finding, in relation to another regulated profession in Ontario or to any regulated profession in another jurisdiction.
 - iii. A current proceeding for professional misconduct, incompetence or incapacity, or any similar proceeding, in relation to another regulated profession in Ontario or to any regulated profession in another jurisdiction.
 - iv. A finding of professional negligence or malpractice in any jurisdiction.
 - v. A current proceeding for professional negligence or malpractice in any jurisdiction.
 - vi. An attempt to pass a licencing or registration examination, whether in Ontario or in another jurisdiction, that has not resulted in a passing grade.
 - vii. Whether the member is in good standing at the time they cease to be registered with a body responsible for the regulation of a profession in Ontario or in any other jurisdiction.
 - viii. An order made by the Superior Court of Justice directing the member to comply with a provision of any regulatory Act, the Health Professions Procedural Code, the *Regulated Health Professions Act, 1991*, the regulations under those Acts or the by-laws made under the Code .
 - ix. Any other event that would provide reasonable grounds for the belief that the member will not practise massage therapy safely, and with decency, honesty and integrity and in accordance with the law.
2. The member shall submit all information required by the by-laws, in the form and manner provided by the by-laws, and at the times provided for in the by-laws. O. Reg. 73/12, s. 1.

GENERAL CERTIFICATES

Requirements for general certificates

5. (1) An applicant for a general certificate of registration must meet the following non-exemptible registration requirements:
1. The applicant must have successfully completed,
 - i. a program in massage therapy that was, ~~at the time the applicant completed the program~~, approved by the Registration Committee or by another body that was approved by the Registration Committee for that purpose, or
 - ii. a course of study that, in the opinion of the Registration Committee, is similar to the programs described in subparagraph i.
 2. The applicant must have successfully completed the certification examinations set or approved by the College and complied with all requirements associated with those examinations, including payment of the examination fees.
 3. The applicant must provide evidence, satisfactory to the Registrar, of eligibility to acquire professional liability insurance coverage in the amount and in the form required under the by-laws.

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- (2) For the purposes of subparagraph 1 ii of subsection (1), a course is similar to the programs described in subparagraph 1 i of subsection (1) only if, in the opinion of the Registration Committee, it provides competencies **substantially** being taught in those programs at the time of the application.
- (3) The programs that are approved by the Registration Committee for the thirty-month period immediately after this regulation comes into force are those programs approved by the Ontario Ministry of Colleges and Universities from a private vocational school in Ontario or a College of Applied Arts and Technology in Ontario.
- (4) An applicant for a general certificate of registration must meet the following additional registration requirements:
1. If the applicant previously practiced a profession in Ontario or any other jurisdiction, the applicant must satisfy the Registration Committee that,
 - i. there has been no finding of, and that there is no current proceeding involving an allegation of, professional misconduct, incompetence or incapacity or any similar finding or proceeding against the applicant that may affect the suitability of the applicant to practise massage therapy, and
 - ii. the applicant is not in breach of any order or requirement of another professional regulatory body or committee of another professional regulatory body.
 2. If the applicant obtained qualifications described in paragraph 1 of subsection 5 (1) more than three years before the date of the application for registration, the applicant must have successfully completed, within fifteen months before the date of registration, a refresher program that has been approved by the Registration Committee.
 3. The applicant must be a Canadian citizen or a permanent resident of Canada or authorized under the *Immigration and Refugee Protection Act* (Canada) to practise massage therapy.
 4. The applicant must possess sufficient language proficiency, in either English or French, to be able to communicate and comprehend effectively both orally and in writing.
 5. The applicant must have completed a jurisprudence program that was set or approved by the Registration Committee at the time the applicant took the program.
 6. The applicant must satisfy the Registration Committee that the applicant's past and present conduct afford reasonable grounds for the belief that the applicant,
 - i. will practise massage therapy safely, and with decency, honesty and integrity, and in accordance with the law, and
 - ii. will display an appropriately professional attitude, and
 - iii. does not have any physical or mental condition or disorder that would make it desirable in the interest of the public that they not be issued a certificate of registration unless, should the applicant be given a certificate of registration, the imposition of a term, condition or limitation on that certificate is sufficient to address such concerns. O. Reg. 73/12, s. 3.

Terms, conditions and limitations on general certificates

6. Every general certificate of registration is subject to the following additional terms, conditions and limitations:
1. The member shall maintain a place of practice in Ontario
 2. The member shall hold a general certificate of registration only if,
 - i. the member has, during the previous three years, practised massage therapy for at least 500 hours in Ontario or in a regulated jurisdiction with an equivalent scope of practice and competency profile as approved by Council, or
 - ii. the member has, within the previous 15 months, successfully completed a refresher program, set or approved by the Registration Committee.
 3. If the member fails to meet the requirements of paragraph **1** 2, the Registrar shall move the member to the inactive class of registration.
 4. Paragraph 2 does not apply to a member who has first been registered with the College less than three years earlier.
 5. The member shall only practise in the areas of massage therapy in which the member has **sufficient** knowledge, skill and judgment. O. Reg. 73/12, s. 4.

Labour mobility

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7. (1) Where section 22.18 of the Health Professions Procedural Code applies to an applicant, the requirements of paragraphs 1 and 2 of subsection 5 (1) of this Regulation and of paragraph 2 of subsection 5(4) of this Regulation are deemed to have been met by the applicant. O. Reg. 73/12, s. 5.

(2) Despite subsection (1), it is a non-exemptible registration requirement that an applicant referred to in subsection (1) provide a certificate, letter or other evidence satisfactory to the Registrar or a panel of the Registration Committee confirming that the applicant is in good standing as a massage therapist in every jurisdiction where the applicant holds an out-of-province certificate. O. Reg. 73/12, s. 5.

(3) If an applicant to whom subsection (1) applies is unable to satisfy the Registrar or a panel of the Registration Committee that the applicant practised massage therapy to the extent that would be permitted by a general certificate of registration at any time in the three years immediately preceding the date of the applicant's application, it is a non-exemptible requirement that the applicant must meet any further requirement to undertake, obtain or undergo material additional training, experience, examinations or assessments that may be specified by a panel of the Registration Committee.

(4) An applicant referred to in subsection (1) is deemed to have met the requirements of paragraph 4 of subsection 5 (3) where the requirements for the issuance of the applicant's out-of-province certificate included language proficiency requirements equivalent to those required by that paragraph. O. Reg. 73/12, s. 5.

(5) Despite subsection (1), an applicant is not deemed to have met a requirement if that requirement is described in subsection 22.18 (3) of the Health Professions Procedural Code. O. Reg. 73/12, s. 5.

EMERGENCY CERTIFICATES

8. (1) An emergency certificate of registration shall be issued or renewed where the Council of the College has declared the existence of emergency circumstances such that it is in the public interest for the College to issue and renew certificates of registration in the emergency class to qualified applicants if the applicant meets the standards and qualifications in section 5 with the exception of the practical component of the certification examinations referred to in paragraph 2 of subsection 5(1).

(2) If the applicant obtained the qualifications described in paragraph 1 of subsection 5(1) more than four years before the date of the application for registration, the applicant must have successfully completed, within fifteen months before the date of registration, a refresher program that has been approved by the Registration Committee.

(3) An applicant who has unsuccessfully attempted three times the practical component of the certification examinations referred to in paragraph 2 of subsection 5(1) is not eligible for an emergency certificate unless the applicant first obtains another diploma from a massage therapy program approved by the Registration Committee.

Terms, conditions and limitations on emergency certificates

9. Every emergency certificate of registration is subject to the terms, conditions and limitations set out in paragraphs 1, 4 and 5 of section 6 and the following additional terms, conditions and limitations:

1. The member shall practise the profession only under the supervision of a member of the general class who is in compliance with the supervision requirements specified in the document entitled "Supervision of Emergency Class Registrants" posted on the College's website as it may read from time to time,
2. The member shall at all times when practising the profession identify themselves as practising under supervision,
3. The member shall only use the title "RMT (Supervised)", and
4. The member shall provide proof to the Registrar of professional liability insurance coverage in the amount and in the form required under the by-laws.

Expiry of emergency certificates

10. (1) A certificate of registration in the emergency class expires six months after it is issued unless it is renewed before the expiry date.

(2) Unless otherwise stated on the certificate, a renewed certificate of registration in the emergency class expires six months after it was renewed unless it is renewed again.

(3) Despite sections (1) and (2), a certificate of registration in the emergency class expires three months after the date the Council declares that the emergency circumstances that made it in the public interest to issue or renew certificates of registration in the emergency class have ended.

Moving from Emergency to General

11. The following rules apply where a member who holds a certificate of registration in the emergency class, or who held a certificate in the emergency class in the previous six months, wishes to be issued a general certificate of registration:

1. An application must be made to the Registrar,
2. The member shall pay any applicable fees required under the by-laws,
3. The member must meet the requirements of paragraphs 3 and 6 of subsection 5 (4),
4. If the member was registered in the emergency class without having successfully completed the practical component of the certification examinations described in paragraph 2 of subsection 5(1):

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- a. The member must provide evidence satisfactory to the Registrar and based on their practice for at least 200 hours in the emergency class of certificate that the member will practise competently and ethically even though practising without supervision.

INACTIVE CERTIFICATES

Requirements for inactive certificates

12. (1) The following are non-exemptible registration requirements for an inactive certificate of registration:
 1. The applicant must be a member holding a general certificate of registration, or;
 2. The applicant must,
 - i. meet the requirements of paragraphs 1 and 2 of subsection 5(1) and all of the requirements of subsection 5(4), or
 - ii. if the applicant is an applicant to whom subsection 7(1) applies, meet the requirements of paragraphs 1, 3, 4, 5 and 6 of subsection 5 (4); or
 3. The applicant must be a member who holds an emergency certificate of registration, or who held an emergency certificate of registration in the previous six months, and must comply with the following rules:
 - i. An application must be made to the Registrar,
 - ii. The member shall pay any applicable fees required under the by-laws,
 - iii. The member must meet the requirements of paragraph 6 of subsection 5(4).
 - iv. If the member was registered in the emergency class without having successfully completed the practical component of the certification examination described in paragraph 2 of subsection 5(1):
 - a. The member must provide evidence satisfactory to the Registrar and based on their practice for at least 200 hours in the emergency class of certificate that the member will practise competently and ethically even though practising without supervision.

Terms, conditions and limitations on inactive certificates

13. It is an additional term, condition and limitation of an inactive certificate of registration that the member not practice massage therapy in Ontario.

Moving from inactive to general certificate

14. The following rules apply where a member who holds an inactive certificate of registration wishes to be issued a general certificate of registration:
 1. An application must be made to the Registrar.
 2. The member shall pay any applicable fees required under the by-laws.
 3. The member must meet the requirements of paragraphs 1, 3 and 6 of subsection 5(4).
 4. The member must provide evidence satisfactory to the Registrar of eligibility to acquire professional liability insurance coverage in the amount and in the form required under the by-laws.
 5. If the member has held the inactive certificate of registration for less than three years before they apply under this section for a general certificate of registration, and they previously held a general certificate of registration, they must have,
 - i. within fifteen months before the date of the application, successfully completed a refresher program that has been approved by the Registration Committee and successfully completed any other upgrading or assessments as may be required by the Registration Committee, or
 - ii. during the previous three years, practised massage therapy for at least 500 hours in a regulated jurisdiction with an equivalent scope of practice and competency profile as approved by Council.
 6. If the member has held the inactive certificate of registration for three or more years before they apply under this section for a general certificate of registration, they must have,

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- i. within fifteen months before the date of the application, successfully completed a refresher program that has been approved by the Registration Committee and successfully completed any other upgrading or assessments as may be required by the Registration Committee, or
- ii. during the previous three years, practised massage therapy for at least 500 hours in a regulated jurisdiction with an equivalent scope of practice and competency profile as approved by Council.

Moving from inactive to emergency certificate

15. The following rules apply where a member who holds an inactive certificate of registration wishes to be issued an emergency certificate of registration:

1. An application must be made to the Registrar.
2. The member shall pay any applicable fees required under the by-laws.
3. The member must meet the requirements of paragraphs 1, 3 and 6 of subsection 5(4).
4. The member must provide evidence satisfactory to the Registrar of eligibility to acquire professional liability insurance coverage in the amount and in the form required under the by-laws.
5. If the member has held the inactive certificate of registration for less than three years before they apply under this section for an emergency certificate of registration, and they previously held a general certificate of registration, they must have,
 - i. within fifteen months before the date of the application, successfully completed a refresher program that has been approved by the Registration Committee and successfully completed any other upgrading or assessments as may be required by the Registration Committee, or
 - ii. during the previous three years, practised massage therapy for at least 250 hours in a regulated jurisdiction with an equivalent scope of practice and competency profile as approved by Council.
6. If the member has held the inactive certificate of registration for three or more years before they apply under this section for an emergency certificate of registration, they must have,
 - i. within fifteen months before the date of the application, successfully completed a refresher program that has been approved by the Registration Committee and successfully completed any other upgrading or assessments as may be required by the Registration Committee, or
 - ii. during the previous three years, practised massage therapy for at least 250 hours in a regulated jurisdiction with an equivalent scope of practice and competency profile as approved by Council.

SUSPENSION, REINSTATEMENT

Suspension under section 24 of the Code

16. (1) If the Registrar suspends a member's certificate of registration under section 24 of the Health Professions Procedural Code for failure to pay a required fee, the Registrar shall lift the suspension upon being satisfied that the member,

- (a) has paid any fees required under the by-laws for lifting the suspension;
- (b) has paid any other outstanding fees, penalties or amounts owing to the College;
- (c) is in compliance with,
 - i. any outstanding requirements or orders issued by a panel of the Inquiries, Complaints and Reports Committee,
 - ii. any outstanding orders issued by a panel of the Discipline Committee or Fitness to Practise Committee,
 - iii. any outstanding orders of Council or the Executive Committee,
 - iv. any requirement to participate in specified continuing education or remediation programs that was issued by the Quality Assurance Committee, and
 - v. any terms, conditions or limitations that were placed on the member's certificate of registration as a result of a direction of the Quality Assurance Committee,
- (d) if reinstating to a general or emergency certificate of registration,
 - i. has provided evidence of professional liability insurance coverage in the amount and in the form required under the by-laws; and

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- ii. is a Canadian citizen or a permanent resident of Canada or is authorized under the *Immigration and Refugee Protection Act (Canada)* to practise massage therapy.

(2) If the Registrar suspends a member's certificate of registration under subsection (1) and the suspension remains in effect for a period exceeding two years, the certificate is automatically revoked.

(3) A member may be reinstated if the member applies for reinstatement within two years of the suspension of the certificate of registration.

Suspension, general or emergency certificate of registration

17. (1) The Registrar may suspend a member's general or emergency certificate of registration if,

- (a) the member ceases to be a Canadian Citizen or a permanent resident of Canada or to be authorized under the *Immigration and Refugee Protection Act (Canada)* to practise massage therapy; or
- (b) the member fails to provide evidence that they are maintaining professional liability insurance coverage in the amount and in the form required by the by-laws.

(2) If the Registrar suspends a member's general or emergency certificate of registration under subsection (1), the Registrar shall lift the suspension upon being satisfied that the member,

- (a) has paid any fees required under the by-laws for lifting the suspension;
- (b) has paid any other outstanding fees, penalties or amounts owing to the College;
- (c) is in compliance with,
 - i. any outstanding requirements or orders issued by a panel of the Inquiries, Complaints and Reports Committee,
 - ii. any outstanding orders issued by a panel of the Discipline Committee or Fitness to Practise Committee,
 - iii. any outstanding orders of Council or the Executive Committee,
 - iv. any requirement to participate in specified continuing education or remediation programs that was issued by the Quality Assurance Committee, and
 - v. any terms, conditions or limitations that were placed on the member's certificate of registration as a result of a direction of the Quality Assurance Committee,
- (d) if reinstating to a general or emergency certificate of registration,
 - i. has provided evidence of professional liability insurance coverage in the amount and in the form required under the by-laws; and
 - ii. is a Canadian citizen or a permanent resident of Canada or is authorized under the *Immigration and Refugee Protection Act (Canada)* to practise massage therapy.

(2) If the Registrar suspends a member's certificate of registration under subsection (1) and the suspension remains in effect for a period exceeding two years, the certificate is automatically revoked.

(3) A member may be reinstated if the member applies for reinstatement within two years of the suspension of the certificate of registration.

TRANSITION

Transition

18. This Regulation, as it read immediately before [** date of filing], continues to apply to applications for a certificate of registration that were received by the Registrar and not finally determined before that date.

AMENDMENT AND REVOCATION

Amendment

19. Paragraph 2 of section 3 is revoked and the following substituted:

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2. The applicant must, at the time of the application, provide a police record check **acceptable to the Registrar**, within the meaning of the *Police Record Checks Reform Act, 2015*, that is dated no earlier than six months before the date on which the application is submitted.

Revocation

20. Ontario Regulation 864/93 is revoked.

COMMENCEMENT AND SHORT TITLE

Commencement

21. (1) Subject to subsection (2), this Regulation comes into force on the day it is filed.

(2) Section 19 comes into force on the later of the day subsection 2(1) of the *Police Record Checks Reform Act, 2015* comes into force and the day this Regulation is filed.

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Medical Radiation and Imaging Technology Act, 2017
Loi de 2017 sur les technologues en radiation médicale et en imagerie médicale

PROPOSED ONTARIO REGULATION
REGISTRATION

DEFINITIONS

1. Unless the context otherwise requires, in this Regulation,
"specialty" means the specialty of radiography, radiation therapy, nuclear medicine, magnetic resonance or diagnostic medical sonography.

GENERAL

2. (1) The following are prescribed as classes of certificates of registration:
1. Specialty.
 2. Employment specific — nuclear medicine.
 3. **Emergency.**
- (2) A specialty certificate of registration shall authorize a member to practise one or more of the following specialties:
1. Radiography.
 2. Radiation therapy.
 3. Nuclear medicine.
 4. Magnetic resonance.
 5. Diagnostic medical sonography.
- (3) A member may be authorized to practise more than one specialty if the member has satisfied the registration requirements for each specialty.
3. A person may apply for a certificate of registration by submitting a completed application form to the Registrar together with the appropriate fee.
4. (1) The following are registration requirements for a certificate of registration of any class:
1. The applicant must provide details of any of the following that relate to the applicant:
 - i. A finding of guilt for a criminal offence or of any offence related to the regulation of the practice of the profession.
 - ii. A current investigation involving an allegation of professional misconduct, incompetency or incapacity in relation to the profession or another profession, either in Ontario or in another jurisdiction.
 - iii. A proceeding involving an allegation of professional misconduct, incompetency or incapacity in relation to the profession or another profession, either in Ontario or in another jurisdiction.
 - iv. A finding of professional misconduct, incompetency or incapacity in relation to the profession or another profession, either in Ontario or in another jurisdiction.

2. The applicant's past and present conduct must afford reasonable grounds for the belief that the applicant,
 - i. will practise the profession with decency, honesty and integrity, and in accordance with the law,
 - ii. does not have any physical or mental condition or disorder, that could affect their ability to practise the profession in a safe manner, and
 - iii. will display an appropriate professional attitude.
3. The applicant must be able to speak and write either English or French with reasonable fluency.
4. The applicant must be a Canadian citizen or a permanent resident of Canada or authorized under the *Immigration and Refugee Protection Act* (Canada) to engage in the practice of the profession.
5. The applicant must have successfully completed a course in jurisprudence set or approved by the College.

(1.0.1) It is a registration requirement for a certificate of registration of any class that an applicant who, after having applied for but before being issued a certificate, is found guilty of an offence referred to in subparagraph 1 i of subsection (1) or becomes the subject of an investigation described in subparagraph 1 ii of that subsection or a proceeding or finding described in subparagraph 1 iii or iv of that subsection shall immediately inform the Registrar.

(1.1) Despite any other provision in this Regulation, an applicant who makes or permits to be made a false or misleading statement, representation or declaration in or in connection with their application, by commission or omission, shall be deemed, with respect to the application, not to satisfy, and not to have satisfied, the requirements for a certificate of registration in any class.

(2) The following are conditions of a certificate of registration of any class:

1. The member shall provide the College with details of any of the following that relate to the member and that occur or arise after the registration of the member:
 - i. A finding of guilt for any offence, including any criminal offence and any offence related to the regulation of the practice of the profession.
 - ii. A finding of professional misconduct, incompetency or incapacity, in Ontario in relation to another profession or in another jurisdiction in relation to the profession or another profession.
 - iii. An investigation or a proceeding involving an allegation of professional misconduct, incompetency or incapacity, in Ontario in relation to another profession or in another jurisdiction in relation to the profession or another profession.
2. The member shall maintain professional liability insurance or protection against professional liability in accordance with the requirements, if any, set out in the by-laws of the College.

(3) The following are conditions of a specialty certificate of registration:

1. The member shall, within every five-year period after the issuance of the certificate, engage in competent practice as a medical radiation and imaging technologist in at least one of the specialties in which the member holds a certificate of registration, and provide to the College satisfactory evidence of having done so.
2. The member shall practise only in the areas of the profession in which the member is educated and experienced.

SPECIALTY CERTIFICATE OF REGISTRATION

5. (1) The following are registration requirements for a specialty certificate of registration in the specialty being applied for:

1. The applicant must have successfully completed a medical radiation and imaging technology program in the specialty which program was,
 - i. offered in a Canadian institution and was approved by a body or bodies designated by the Council or by the Council itself at the time the applicant successfully completed the program, or
 - ii. subject to paragraph 5, offered outside Canada and considered by the Registration Committee to be substantially similar to, but not equivalent to, a program described in subparagraph i.
 2. The applicant must have successfully completed one or more of the examinations set or approved by the Council in the specialty.
 3. The applicant must have engaged in clinical practice in the specialty within the five years immediately preceding the date of the application or must have successfully completed a program referred to in paragraph 1 within the five years preceding the date of the application.
 4. The applicant must pay the annual fee required by the by-laws and the examination fee.
 5. An applicant who has successfully completed a program described in subparagraph 1 ii must also provide the Registration Committee with satisfactory evidence, of a type approved by the Registration Committee and in the form and manner approved by the Registration Committee, as to the applicant's competence to practise in Ontario as a medical radiation and imaging technologist in the specialty.
 6. An applicant for a specialty certificate of registration — radiography must comply with all of the requirements of paragraphs 1, 2, 3 and 5 in radiography.
 7. An applicant for a specialty certificate of registration — radiation therapy must comply with all of the requirements of paragraphs 1, 2, 3 and 5 in radiation therapy.
 8. An applicant for a specialty certificate of registration — nuclear medicine must comply with all of the requirements of paragraphs 1, 2, 3 and 5 in nuclear medicine.
 9. An applicant for a specialty certificate of registration — magnetic resonance must comply with all of the requirements of paragraphs 1, 2, 3 and 5 in magnetic resonance.
 10. An applicant for a specialty certificate of registration — diagnostic medical sonography must comply with all of the requirements described in paragraphs 1, 2, 3 and 5 with respect to the same area of practice within the specialty of diagnostic medical sonography.
- (2) If an applicant successfully completed a medical radiation and imaging technology program in a specialty prior to [date the Regulation comes into force] which program was listed for that specialty in one of Schedules 1, 1.1, 1.2 or 1.3 of Ontario Regulation 866/93 at the time the applicant successfully completed the program, the applicant is deemed to satisfy the requirement set out in subparagraph 1i of subsection (1).
- (3) The requirement in paragraph 2 of subsection (1) is non-exemptible.
- (4) The requirements in paragraphs 1, 2, 3 and 5 of subsection (1) do not apply to an applicant if,
1. the applicant held an emergency certificate of registration within five years before submitting their application for a specialty certificate of registration,
 2. the applicant satisfies the Registrar, or failing that the Registration Committee, that the applicant practised for at least 400 hours while they practised as a member of the emergency class, and

3. the applicant provides the Registrar, or failing that the Registration Committee, with satisfactory evidence, in the form and manner approved by the Registration Committee, from their supervisor confirming the following,
 - i. the number of hours that the applicant practised in the emergency class,
 - ii. the speciality in which the applicant practised those hours, and
 - iii. that while a member of the emergency class, the applicant demonstrated competence to safely practise in Ontario and the speciality in which the supervisor believes the applicant is able to safely and competently practise.
- (5) The requirements in paragraphs 1 and 3 of subsection (4) are non-exemptible.

OUT-OF-PROVINCE CERTIFICATES IN A SPECIALTY

6. (1) Subject to subsection (2), if an applicant already holds an out-of-province certificate that is equivalent to a certificate of registration issued by the College in the speciality being applied for, the applicant is deemed to have met the requirements set out in subsection 5 (1) as applicable to the speciality, but is not deemed to have met the requirement set out in paragraph 4 of that provision.

(2) It is a non-exemptible registration requirement that an applicant to whom subsection (1) applies provide one or more certificates or letters or other evidence satisfactory to the Registrar or a panel of the Registration Committee establishing that the applicant is in good standing as a medical radiation and imaging technologist in a particular speciality in every jurisdiction where the applicant holds an out-of-province certificate in that speciality.

(3) Without in any way limiting the generality of subsection (2), being in "good standing" with respect to a jurisdiction shall include the fact that the applicant is not the subject of any discipline or fitness to practise order or of any proceeding or ongoing investigation or of any interim order or agreement as a result of a complaint, investigation or proceeding.

(4) If an applicant to whom subsection (1) applies is unable to satisfy the Registrar or a panel of the Registration Committee that the applicant has, at any time in the preceding five years immediately before the applicant's application, engaged in the practice of a speciality to the extent that would be permitted by the certificate of registration for which they are applying, the applicant must meet any further requirement to undertake, obtain or undergo material additional training, experience, examinations or assessments that may be specified by a panel of the Registration Committee.

(5) An applicant to whom subsection (1) applies is deemed to have met the requirement of paragraph 3 of subsection 4 (1) if the requirements for the issuance of the applicant's out-of-province certificate included language proficiency requirements equivalent to those required by that paragraph.

(6) Despite subsection (1), an applicant is not deemed to have met a requirement that is described in subsection 22.18 (3) of the Health Professions Procedural Code.

EMPLOYMENT SPECIFIC CERTIFICATE — NUCLEAR MEDICINE

7. (1) No person may apply for an employment specific (nuclear medicine) certificate of registration.
- (2) The following are conditions of an employment specific (nuclear medicine) certificate of registration:
 1. The member shall practise the profession only within the scope of their employment with the facility specified in the certificate.
 2. The certificate of registration is automatically revoked on the termination of their employment with the facility specified in the certificate.

EMERGENCY CERTIFICATE OF REGISTRATION

7.1 (1) The following are registration requirements for an emergency certificate of registration:

1. The Government of Ontario requests or Council determines it is in the public interest that the College issue emergency certificates of registration to address emergency circumstances.
2. The applicant must have successfully completed a medical radiation and imaging technology program in a specialty in Canada approved by Council or in a jurisdiction approved by Council or the Registration Committee.
3. The applicant must have engaged in clinical practice in the specialty within the five years immediately preceding the date of the application or must have successfully completed a program referred to in paragraph 2 within the five years preceding the date of the application.
4. The applicant must pay the annual fee required by the by-laws.

(2) The requirements in paragraphs 1 and 2 of subsection (1) are non-exemptible.

(3) The following are conditions of an emergency certificate of registration:

1. The member shall practise only in the areas of the profession in which the member is educated.
2. The member shall practise the profession only under the supervision of a member, approved by the Registrar, who holds a specialty certificate of registration in the same area of the profession in which the member of the emergency class is educated.
3. The member shall practise only while identifying themselves as a member of the emergency class.
4. The member shall be restricted to the use of the following titles: "medical radiation and imaging technologist (Emergency)" and its abbreviation "MRIT (Emerg.)".
5. The certificate of registration shall expire one year from the date the certificate was issued, unless extended by the Registrar, provided Council has not determined that the emergency circumstances have ended.
6. The certificate of registration is revoked,
 - i. 90 days after receipt of notice of Council's determination that the emergency circumstances have ended, or
 - ii. immediately if in the opinion of the Registrar or the Registration Committee, it is in the public interest to do so.

(4) The Registrar may extend an emergency certificate of registration for one or more periods, each of which is not to exceed one year, provided Council has not determined that the emergency circumstances have ended.

MISCELLANEOUS

8. (1) A member who uses an abbreviation for the title "medical radiation and imaging technologist" may only use the abbreviation "MRIT".

(2) A member who holds a specialty certificate of registration listed in the first column of the Table to this subsection may use the title and the abbreviation set out opposite to the specialty in the second and third columns of the Table:

Specialty	Title	Abbreviation
Radiography	Medical Radiation Technologist — Radiography	MRT(R)
Radiation Therapy	Medical Radiation Technologist — Radiation Therapy; or Medical Radiation Technologist — Radiation Therapist	MRT(T)

Nuclear Medicine	Medical Radiation Technologist — Nuclear Medicine	MRT(N)
Magnetic Resonance	Medical Radiation Technologist — Magnetic Resonance	MRT(MR)
Diagnostic Medical Sonography	Diagnostic Medical Sonographer	DMS

(3) A member shall not use a title or abbreviation set out in the second or third column of the Table to subsection (2) unless the member holds a specialty certificate of registration listed in the first column of the Table opposite the title or abbreviation.

9. (1) Where the Registrar suspends a member's certificate of registration for failure to pay the annual fee and any applicable penalty, the Registrar may lift the suspension if the former member,

- (a) submits proof, in a form that is satisfactory to the Registrar, of competence as a medical radiation and imaging technologist in one or more of the specialties in the year in which such person wishes to resume practice in Ontario and if such person has not engaged in competent practice in Ontario for a period of five consecutive years, satisfies the Registration Committee by examination or otherwise as to competence to practice in Ontario as a medical radiation and imaging technologist in one or more of the specialties; and
- (b) pays the applicable fees.

(2) Where a member ceases to practice in Ontario, the Registrar may re-register the member as a medical radiation and imaging technologist if the member,

- (a) had provided the Registrar with a resignation in writing during the registration year in which such member ceased to practise;
- (b) submits proof, in a form that is satisfactory to the Registrar, of competence as a medical radiation and imaging technologist in one or more of the specialties in the year in which such person wishes to resume practice in Ontario and, if such person has not engaged in competent practice in Ontario for a period of five consecutive years, satisfies the Registration Committee by examination or otherwise as to competence to practise in Ontario as a medical radiation and imaging technologist in one or more of the specialties; and
- (c) pays the applicable fees.

(3) The specialty referred to in clause (1) (a) or (2) (b) must be the same specialty in which the person held a certificate of registration.

(4) If the person held a certificate of registration in more than one specialty and wishes to resume practice in one or more of the specialties in which they held a certificate of registration, the person must satisfy the requirements of clause (1) (a) or (2) (b), as applicable, in each specialty in which they wish to resume practice.

REVOCATION, TRANSITION AND COMMENCEMENT

10. Ontario Regulation 866/93 is revoked.

11. (1) A person who, immediately before Ontario Regulation 866/93 is revoked, holds a certificate of registration issued under that regulation shall be deemed to be the holder of the corresponding certificate of registration issued under this Regulation, subject to any term, condition or limitation to which the certificate was subject and to any order made under the *Medical Radiation Technology Act, 1991* or the Act.

(2) If an application for a certificate of registration was made, but not finally dealt with, before Ontario Regulation 866/93 was revoked, the requirements set out in that Regulation continue, despite the revocation, to apply to the application and not those set out in this Regulation.

12. This Regulation comes into force on the later to occur of the day the *Medical Radiation and Imaging Technology Act, 2017* is proclaimed in force and the day it is filed.

Proposed Amendments to the Registration Regulation
Emergency Class of Registration

GENERAL

Classes of certificates

1. The following are prescribed as classes of certificates of registration:
 1. General *O. Reg. 84/14, s. 1.*
 2. Inactive *O. Reg. 84/14, s. 1.*
 3. **Emergency, when the Council has declared this class to be open.**

Declaration of Emergency

- 1.1 The Council may declare that emergency circumstances exist such that it is in the public interest to issue certificates of registration in the emergency class if:
 1. The College has been or will be unable to deliver one or more of the examinations set or approved by the Council in paragraphs 1(i)(B) and paragraph 2 of section 5.(1) of this Regulation for a period of nine months or longer;
 2. The Minister of Health has requested the College to initiate registrations under this class based on his or her opinion that emergency circumstances call for it; or
 3. Any other emergency circumstances exist where the Council is of the opinion on reasonable and probable grounds that it is in the public interest to issue emergency class certificates of registration.

Application for certificate of registration

2. (1) A person may apply for a certificate of registration by submitting a completed application in the form provided by the Registrar together with any applicable fees required under the by-laws and any supporting documentation requested by the Registrar. *O. Reg. 84/14, s. 2 (1).*
- (2) An applicant shall be deemed not to have satisfied the registration requirements for a certificate of registration if the applicant makes a false or misleading statement or representation on or in connection with his or her application, and any certificate of registration issued to such an applicant may be revoked by the Registrar. *O. Reg. 84/14, s. 2 (2).*

Requirements for issuance of certificate of registration, any class

3. An applicant must satisfy the following requirements for the issuance of a certificate of registration of any class:
 1. The applicant must, at the time of application, provide written details about any of the following that relate to the applicant and, where any of the following change with respect to the applicant after submitting the application but before the issuance of a certificate, the applicant must immediately provide written details with respect to the change:
 - i. A finding of guilt for any of the following:
 - A. A criminal offence.
 - B. An offence resulting in either imprisonment or a fine greater than \$1,000.

- ii. A finding of professional misconduct, incompetence or incapacity, or any similar finding, in relation to another regulated profession in Ontario or to any regulated profession in another jurisdiction.
 - iii. A current proceeding for professional misconduct, incompetence or incapacity, or any similar proceeding, in relation to another regulated profession in Ontario or to any regulated profession in another jurisdiction.
 - iv. A finding of professional negligence or malpractice in any jurisdiction.
 - v. A refusal by any body responsible for the regulation of a profession in any jurisdiction to register or license the applicant.
 - vi. An attempt to pass a registration examination required for purposes of being licensed or certified to practise any health profession, whether in Ontario or in another jurisdiction, that has not resulted in a passing grade.
 - vii. Whether the applicant was in good standing at the time he or she ceased being registered with a body responsible for the regulation of a profession in Ontario or in any other jurisdiction.
 - viii. Any other event that would provide reasonable grounds for the belief that the applicant will not practise naturopathy in a safe and professional manner.
2. The applicant's previous conduct must afford reasonable grounds for the belief that he or she will practise naturopathy in a safe and professional manner.
 3. The applicant must possess sufficient language proficiency, in either English or French, to be able to communicate and comprehend effectively, both orally and in writing.
 4. The applicant must not have a physical or mental condition or disorder that would make it desirable in the interest of the public that he or she not be issued a certificate of registration unless, should the applicant be given a certificate of registration, the imposition of a term, limit or condition on that certificate is sufficient to address such concerns.
 5. If the applicant is registered by any body responsible for the regulation of any other profession in Ontario or of any profession in any other jurisdiction, the applicant's registration must be in good standing and must continue to be in good standing until such time as the applicant is issued a certificate of registration.
 6. If the applicant ceased being registered with any body responsible for the regulation of a profession in Ontario or in any other jurisdiction, the applicant must have been in good standing at the time he or she ceased being registered.
 7. The applicant must provide proof of professional liability insurance coverage in the amount and in the form required under the by-laws. O. Reg. 84/14, s. 3.

Terms, conditions and limitations of every certificate

4. Every certificate of registration is subject to the following terms, conditions and limitations:
 1. The member shall provide the College with written details about any of the following that relate to the member no later than 30 days after the member becomes aware of it occurring:
 - i. A finding of professional misconduct, incompetence or incapacity, or any similar finding, in relation to another regulated profession in Ontario or to any regulated profession in another jurisdiction.
 - ii. A current proceeding for professional misconduct, incompetence or incapacity, or any similar proceeding, in relation to another regulated profession in Ontario or to any regulated profession in another jurisdiction.
 - iii. A finding of professional negligence or malpractice in any jurisdiction.

- iv. A refusal by any body responsible for the regulation of a profession in any jurisdiction to register or license the member.
 - v. An attempt to pass a registration examination required for purposes of being licensed or certified to practise any health profession, whether in Ontario or in another jurisdiction, that has not resulted in a passing grade.
 - vi. Whether the member was in good standing at the time he or she ceased being registered with a body responsible for the regulation of a profession in Ontario or in any other jurisdiction.
 - vii. Any other event that would provide reasonable grounds for the belief that the member will not practise naturopathy in a safe and professional manner.
2. The member shall provide the College with written details about any finding of guilt relating to any offence in any jurisdiction as soon as possible after receiving notice of the finding, but not later than 30 days after receiving the notice.
 3. A member shall only use titles and abbreviations of titles respecting the profession in accordance with the following:
 - i. A member who holds a General certificate of registration may only use one or more of the titles "Naturopath", "Naturopathic Doctor", "Naturopathe" and "Docteur en naturopathie", and may only use the abbreviation "ND" for an English title and "DN" for a French title.
 - ii. A member who holds an Inactive certificate of registration may only use one or more of the titles "Naturopath (Inactive)", "Naturopathic Doctor (Inactive)", "Naturopathe (Inactif)" and "Docteur en naturopathie (Inactif)" and may only use the abbreviation "ND (Inactive)" for an English title and "DN (Inactif)" for a French title.
 - iii. A member who holds an Emergency certificate of registration may only use one or more of the titles "Naturopath (Supervised)", "Naturopathic Doctor (Supervised)", "Naturopathe (Supervisé)" and "Docteur en naturopathie (Supervisé)" and may only use the abbreviation "ND (Supervised)" for an English title and "DN (Supervisé)" for a French title.
 4. The member shall clearly display his or her original certificate of registration issued by the College at his or her principal place of practice.
 5. The member shall maintain professional liability insurance coverage in the amount and in the form required under the by-laws.
 6. The member shall provide the College with written details within two days of the member becoming aware that he or she does not have the professional liability insurance that he or she is required to have under the by-laws.
 7. Immediately before the member's resignation, or the suspension, revocation, expiration or other termination of the member's certificate of registration, the member shall return his or her certificate of registration to the Registrar. O. Reg. 84/14, s. 4.
- 5.(1) The following are non-exemptible registration requirements for a General certificate of registration:
1. The applicant must have,
 - i. successfully completed,
 - A. a program in naturopathy that is accredited by the Council on Naturopathic Medical Education or by another accrediting body that has been approved by Council, and
 - B. such registration examinations that may be approved by Council and administered by a body approved by Council, or

- ii successfully completed a program, other than one described in sub-subparagraph i A, together with an assessment, employing a method approved by Council, that evidences, in the opinion of a panel of the Registration Committee, that the applicant has the knowledge, skills and judgment equivalent to those of a person who has successfully completed a program and the examinations referred to in subparagraph i.
- 2. The applicant must have successfully completed the clinical examinations that are set or approved by Council.
- 3. The applicant must have successfully completed the jurisprudence examination that is set or approved by Council. O. Reg. 84/14, s. 5 (
- (2) Except in the case of an applicant to whom subsection 7 (1) applies, where the applicant has not submitted his or her application for a General certificate of registration and completed the requirements set out in sub-subparagraph 1 i B, where applicable, and paragraph 2 of subsection (1) within the two years immediately following the date that the applicant successfully completed the program referred to in paragraph 1 of subsection (1), the applicant must,
 - (a) have practised the profession for at least 750 hours during the three-year period of time that immediately preceded the date that the applicant submitted his or her application; or
 - (b) have successfully completed such further education or training as is approved by a panel of the Registration Committee. O. Reg. 84/14, s. 5 (2).
- (3) The requirement in paragraph 3 of subsection (1) shall not be considered to be met unless the applicant met that requirement within the 24-month period preceding the date on which he or she submitted his or her application for registration. O. Reg. 84/14, s. 5 (3).
- (4) Subject to subsection (5), the requirements in sub-subparagraph 1 i B, where applicable, and paragraph 2 of subsection (1) are not considered to have been met unless the applicant,
 - (a) sits his or her final attempt at the examinations within the 24-month period preceding the date on which he or she submitted his or her application for registration unless a panel of the Registration Committee is satisfied that exceptional circumstances prevented the applicant from taking the registration examinations within this period; and
 - (b) successfully completed the examinations,
 - (i) within two attempts, or
 - (ii) on a third attempt after having first successfully completed the further education or training, or combination of education and training, if any, required by a panel of the Registration Committee. O. Reg. 84/14, s. 5 (4).
- (5) Where, by virtue of subsection (4), an applicant is not considered to have met the requirements in sub-subparagraph 1 i B, where applicable, and paragraph 2 of subsection (1), the successful completion of the examinations on any further attempt will not be considered as satisfying the requirements in sub-subparagraph 1 i B, where applicable, and paragraph 2 of subsection (1) unless, before sitting the examinations,
 - (a) the applicant completes another program mentioned in paragraph 1 of subsection (1); or
 - (b) a panel of the Registration Committee is satisfied that exceptional circumstances exist that justify the applicant being excused from the requirement in clause (a). O. Reg. 84/14, s. 5 (5).

Emergency class, registration requirements

- 5.1(1) The following are non-exemptible registration requirements for an emergency certificate of registration:
1. The applicant must have,
 - i. successfully completed a program in naturopathy that is accredited by the Council on Naturopathic Medical Education or by another accrediting body that has been approved by Council, or
 - ii. successfully completed a program, other than one described in sub-subparagraph i A, together with an assessment, employing a method approved by Council, that evidences, in the opinion of a panel of the Registration Committee, that the applicant has the knowledge, skills and judgment equivalent to those of a person who has successfully completed a program referred to in subparagraph i.
 2. The applicant must have successfully completed the jurisprudence examination that is set or approved by Council within the preceding two years of the date of application.

General and Emergency class, conditions, etc., of certificate

6. (1) It is a term, condition and limitation of every General certificate of registration that the member shall practise the profession a minimum of 750 hours during every three-year period, with the first three-year period beginning on the day that the member is issued a General certificate of registration, and each subsequent three-year period beginning on the first anniversary of the commencement of the previous period. O. Reg. 84/14, s. 6 (1).
- 6.(1.1) It is a term, condition and limitation of every Emergency certificate of registration that the member shall practice the profession a minimum of 250 hours during each 12-month period that they hold registration in the Emergency class.
- (2) If a member fails to meet the condition described in subsection (1), the Registrar shall refer the member to the Quality Assurance Committee for a peer and practice assessment unless the member,
- a) has successfully completed a refresher program approved by the Registration Committee;
 - b) has given the College a written undertaking not to practise the profession that is acceptable to the Registrar and with which the member is in compliance; or
 - c) has resigned his or her General certificate of registration and applied for and received an Inactive certificate of registration. O. Reg. 84/14, s. 6 (2).
- (2.1) If a member who holds an Emergency certificate of registration fails to meet the condition described in subsection (1.1), the Registrar shall refer the member to the Quality Assurance Committee for a peer and practice assessment unless the member,
- a) has successfully completed a refresher program approved by the Registration Committee; or
 - b) has resigned his or her Emergency certificate of registration.
- (3) It is a term, condition and limitation of the General certificate of registration of a member who has given an undertaking described in clause (2) (b) that, if more than two years have passed since giving the undertaking, the member may not resume practising the profession until he or she,
- a) satisfies a panel of the Registration Committee that he or she possesses the current knowledge, skill and judgment relating to the practice of the profession that would be expected of a member holding a General certificate of registration; or

- (b) has successfully completed such additional education or training requirements determined to be necessary by a panel of the Registration Committee. O. Reg. 84/14, s. 6 (3).
- (4) It is a term, condition and limitation of the General and Emergency certificate of registration that a member holds and maintains a valid (granted within the prior two years) cardiopulmonary resuscitation certification at the health care provider level.
- (5) The following additional terms, conditions and limitations apply to a member who holds the Emergency certificate of registration.
 - (a) The member may only practice under the direct supervision of another member who holds a General certificate of registration without any terms, conditions or limitations which restrict the member from engaging in direct patient care,
 - (b) The member is not authorized to perform the controlled acts set out in paragraphs 3, 5, and 7 of section 4(1) of the Act,
 - (c) The member is not authorized to perform acupuncture as authorized under section 8(2) of the Controlled Acts Regulation (Ontario Regulation 107/96) made under the *Regulated Health Professions Act, 1991*, unless its performance is delegated by a Registered Acupuncturist or a member of the College of Physicians and Surgeons of Ontario.
 - (d) The member is not authorized to perform the controlled acts set out in paragraphs 1, 2, 4 and 6 of section 4(1) of the Act unless they have received a delegation under Part III of the General Regulation which is Ontario Regulation 168/15,
 - (e) The member may only accept a delegation under paragraph (d) above if the delegation is made by an authorized member of the College or a member of the College of Physicians and Surgeons of Ontario or a member of the College of Nurses of Ontario in the extended class.
 - (f) The member may not further delegate any controlled acts delegated to them under paragraph (d) above, and
 - (g) The member may not supervise another person in the practice of the profession.

Labour mobility, General class

- 7. (1) Where section 22.18 of the Health Professions Procedural Code applies to an applicant for a General certificate of registration, the applicant is deemed to have met the requirements set out in paragraphs 1 and 2 of subsection 5 (1) of this Regulation. O. Reg. 84/14, s. 7 (1).
- (2) It is a non-exemptible registration requirement that an applicant referred to in subsection (1) provide one or more certificates or letters or other evidence satisfactory to the Registrar or a panel of the Registration Committee confirming that the applicant is in good standing as a naturopath in every jurisdiction where the applicant holds an out-of-province certificate. O. Reg. 84/14, s. 7 (2).
- (3) If an applicant to whom subsection (1) applies is unable to satisfy the Registrar or a panel of the Registration Committee that the applicant practised the profession of naturopathy to the extent that would be permitted by a General certificate of registration at any time in the three years immediately before the date of that applicant's application, it is a non-exemptible requirement that the applicant must meet any further requirement to undertake, obtain or undergo material additional training, experience, examinations or assessments that may be specified by a panel of the Registration Committee. O. Reg. 84/14, s. 7 (3).

- (4) An applicant referred to in subsection (1) is deemed to have met the requirement of paragraph 3 of section 3 if the requirements for the issuance of the out-of-province certificate included language proficiency requirements equivalent to those required by that paragraph. O. Reg. 84/14, s. 7 (4).
- (5) Despite subsection (1), an applicant is not deemed to have met a requirement if that requirement is described in subsection 22.18 (3) of the Health Professions Procedural Code. O. Reg. 84/14, s. 7 (5).

Inactive class, registration requirements

8. The following are non-exemptible registration requirements for an Inactive certificate of registration:
 1. The applicant must be a member holding a General certificate of registration.
 2. The applicant must provide an undertaking to the College in a form satisfactory to the Registrar in which the applicant undertakes to,
 - i. abstain from practising the profession in Ontario, and
 - ii. explain that he or she holds an inactive status of registration whenever he or she uses a title or abbreviation set out in paragraph 3 of section 4.
 3. The applicant must not be in default of any fee, penalty or other amount owing to the College.
 4. The applicant must have provided the College with any information that it has required of the applicant.
 5. The applicant must be in compliance with,
 - i. any outstanding requirements or orders issued by a panel of the Inquiries, Complaints and Reports Committee,
 - ii. any outstanding orders issued by a panel of the Discipline Committee or Fitness to Practise Committee,
 - iii. any outstanding orders of Council or the Executive Committee,
 - iv. any requirement to participate in specified continuing education or remediation programs that was issued by the Quality Assurance Committee, and
 - v. any terms, conditions or limitations that were placed on the applicant's certificate of registration as a result of a direction of the Quality Assurance Committee. O. Reg. 84/14, s. 8.

Inactive class, condition, etc., of certificate

9. It is an additional term, condition and limitation of every Inactive certificate of registration that the member shall not practise the profession. O. Reg. 84/14, s. 9.

Moving from Inactive to General certificate

10. (1) The following rules apply where a member who holds an Inactive certificate of registration and wishes to be issued the General certificate of registration that he or she had previously held:
 1. An application must be made to the Registrar.
 2. The member shall pay the annual registration fee required under the by-laws for a General certificate of registration.
 3. The member must pay any other applicable fee required under the by-laws.
 4. The member must pay any penalty or other amount owed to the College.

5. The member must provide the College with any information that it has required of the member.
 6. A member who has held the Inactive certificate of registration for more than two years preceding his or her application under this section shall only be entitled to have a General certificate of registration issued if he or she,
 - i. satisfies a panel of the Registration Committee that he or she possesses the current knowledge, skill and judgment relating to the practice of the profession that would be expected of a member holding a General certificate of registration, or
 - ii. has successfully completed such additional education or training requirements determined to be necessary by a panel of the Registration Committee.
 7. The member must provide evidence satisfactory to the Registrar that the applicant will have professional liability insurance in the amount and in the form as required by the by-laws for a member holding a General certificate of registration as of the anticipated date for the issuance of his or her General certificate of registration. O. Reg. 84/14, s. 10 (1).
- (2) Where, at the time of applying for an Inactive certificate of registration, a member referred to in paragraph 6 of subsection (1) was subject to a written undertaking as described in clause 6 (2) (b), the two-year period referred to in paragraph 6 of subsection (1) will be considered to have started on the day on which the written undertaking became effective. O. Reg. 84/14, s. 10 (2).

Moving from the Emergency to General certificate

- 10.1(1) The following rules apply where a member who holds an Emergency certificate of registration and wishes to be issued the General certificate of registration:
1. An application must be made to the Registrar.
 2. The member shall pay the annual registration fee required under the by-laws for a General certificate of registration.
 3. The member must pay any other applicable fee required under the by-laws.
 4. The member must pay any penalty or other amount owed to the College.
 5. The member must provide the College with any information that it has required of the member.
 6. The member must be in compliance with any outstanding orders of the Discipline Committee or Fitness to Practise Committee.
 7. Where a member has been found by one or more panels of the Discipline Committee to be incompetent or to have committed acts of professional misconduct, a panel of the Registration Committee must be satisfied that it is not contrary to section 3 of the regulation.
 8. A member who has held the Emergency certificate of registration for more than two years preceding his or her application under this section shall only be entitled to have a General certificate of registration issued if he or she,
 - i. satisfies a panel of the Registration Committee that he or she possesses the current knowledge, skill and judgment relating to the practice of the profession that would be expected of a member holding a General certificate of registration, or

- ii. has successfully completed such additional education, training or examination requirements determined to be necessary by a panel of the Registration Committee.
9. A member who has held the Emergency certificate of registration for two years or less preceding his or her application under this section shall only be entitled to have a General certificate of registration issued if he or she, successfully completes examinations set or approved by the Council under paragraphs (1)(i)(B) and 2 of section 5.(1) subject to the same conditions set out in paragraphs 4(b) and (5) of section 5.(1).
 10. The member must provide evidence satisfactory to the Registrar that the applicant will have professional liability insurance in the amount and in the form as required by the by-laws for a member holding a General certificate of registration as of the anticipated date for the issuance of his or her General certificate of registration.

Expiry of an Emergency Certificate

- 10.2 (1) Unless stated otherwise on the certificate, an emergency certificate of registration expires March 31st following the date it is issued, unless otherwise renewed.
- (2) Unless otherwise stated on the certificate, a renewed emergency certificate of registration expires on March 31st following the date it was issued, unless otherwise renewed.
- (3) Despite subsections (1) and (2), an emergency certificate of registration expires six months after the date the Council of the College determines that emergency circumstances no longer exist even where the certificate would otherwise expire before or after that time.

Examinations

11. Where the clinical examinations that are a requirement of paragraph 2 of subsection 5 (1) are set by Council, the examinations shall be offered at least twice each year. O. Reg. 84/14, s. 11.

Appeal

- 12(1) An applicant who fails a clinical examination that has been set by Council may appeal the results of the examination to the Examination Appeal Committee and the appeal will be determined by a panel of that Committee. O. Reg. 84/14, s. 12 (1).
- (2) An appeal under subsection (1) shall be limited solely to the question of whether the process followed in sitting the clinical examination was appropriate. O. Reg. 84/14, s. 12 (2).
- (3) Where an appeal under subsection (1) is successful the results of the clinical examination shall be nullified and the examination does not count against the applicant for any purpose, including the application of subsection 5 (4). O. Reg. 84/14, s. 12 (3).

SUSPENSIONS, REVOCATIONS AND REINSTATEMENTS

Failure to provide information

- 13.(1) If a member fails to provide the College with information about the member as required under the by-laws,

- (a) the Registrar may give the member notice of intention to suspend the member's certificate of registration; and
 - (b) the Registrar may suspend the member's certificate of registration if the member fails to provide the information within 30 days after the notice is given. O. Reg. 84/14, s. 13 (1).
- (2) If the Registrar suspends a member's certificate of registration under subsection (1), the Registrar shall lift the suspension upon being satisfied that the former member,
- (a) has given the required information to the College;
 - (b) has paid any fees required under the by-laws for lifting the suspension;
 - (c) has paid any other outstanding fees, penalties or other amounts owing to the College;
 - (d) will be in compliance, as of the anticipated date on which the suspension is to be lifted, with,
 - i. any outstanding requirements or orders issued by a panel of the Inquiries, Complaints and Reports Committee,
 - ii. any outstanding orders issued by a panel of the Discipline Committee or Fitness to Practise Committee,
 - iii. any outstanding orders of Council or the Executive Committee,
 - iv. any requirement to participate in specified continuing education or remediation programs that was issued by the Quality Assurance Committee, and
 - v. any terms, conditions or limitations that were placed on the member's certificate of registration as a result of a direction of the Quality Assurance Committee; and
 - (e) has provided proof of professional liability insurance coverage in the amount and in the form required under the by-laws. O. Reg. 84/14, s. 13 (2).

Failure to be insured

- 14.(1) The Registrar may immediately suspend a member's certificate of registration if the Registrar becomes aware that the member is not in compliance with the condition set out in paragraph 5 of section 4. O. Reg. 84/14, s. 14 (1).
- (2) If the Registrar suspends a member's certificate of registration under subsection (1), the Registrar shall lift the suspension upon being satisfied that the former member,
- (a) has professional liability insurance coverage in the amount and in the form required under the by-laws;
 - (b) has paid any fees required under the by-laws for lifting the suspension;
 - (c) has paid any other outstanding fees, penalties or other amounts owing to the College;
 - (d) will be in compliance, as of the anticipated date on which the suspension is to be lifted, with,
 - i. any outstanding requirements or orders issued by a panel of the Inquiries, Complaints and Reports Committee,
 - ii. any outstanding orders issued by a panel of the Discipline Committee or Fitness to Practise Committee,
 - iii. any outstanding orders of Council or the Executive Committee,
 - iv. any requirement to participate in specified continuing education or remediation programs that was issued by the Quality Assurance Committee, and
 - v. any terms, conditions or limitations that were placed on the member's certificate of registration as a result of a direction of the Quality Assurance Committee; and
 - (e) has provided proof of professional liability insurance coverage in the amount and in the form required under the by-laws. O. Reg. 84/14, s. 14 (2).

Suspension for failure to pay fees

15. If the Registrar suspends the member's certificate of registration under section 24 of the Health Professions Procedural Code for failing to pay a fee, the Registrar shall lift the suspension upon being satisfied that the former member,
- (a) has paid the fee in question;
 - (b) has paid any fees required under the by-laws for lifting the suspension;
 - (c) has paid any other outstanding fees, penalties or other amounts owing to the College;
 - (d) will be in compliance, as of the anticipated date on which the suspension is to be lifted, with,
 - i. any outstanding requirements or orders issued by a panel of the Inquiries, Complaints and Reports Committee,
 - ii. any outstanding orders issued by a panel of the Discipline Committee or Fitness to Practise Committee,
 - iii. any outstanding orders of Council or the Executive Committee,
 - iv. any requirement to participate in specified continuing education or remediation programs that was issued by the Quality Assurance Committee, and
 - v. any terms, conditions or limitations that were placed on the applicant's certificate of registration as a result of a direction of the Quality Assurance Committee; and
 - (e) has provided proof of professional liability insurance coverage in the amount and in the form required under the by-laws. O. Reg. 84/14, s. 15.

Lifting of certain suspensions

16. If the Registrar suspends a member's certificate of registration under section 13 or 14 of this Regulation or under section 24 of the Health Professions Procedural Code and the suspension has not been lifted, the certificate is revoked on the day that is two years after the day it was suspended. O. Reg. 84/14, s. 16.
17. OMITTED (PROVIDES FOR COMING INTO FORCE OF PROVISIONS OF THIS REGULATION). O. Reg. 84/14, s. 17.

Proposed Emergency Class of Registration

Existing Provision	Proposed Provision	Rationale
<p>33. The following are prescribed as classes of certificate of registration:</p> <ol style="list-style-type: none"> 1. General practising certificate 2. Provisional practising certificate 3. Temporary certificate 	<p>33. The following are prescribed as classes of certificate of registration:</p> <ol style="list-style-type: none"> 1. General practising certificate 2. Provisional practising certificate 3. Temporary certificate 4. Emergency certificate 	<p>An additional class of registration is added as per the <i>Pandemic and Emergency Preparedness Act, 2022</i> requirements (See clause 16.3 (1) of the <i>Pandemic and Emergency Preparedness Act, 2022</i>)</p>
<p>New</p>	<p>38.1 (1) The following are non-exemptible requirements for an emergency certificate of registration:</p> <ol style="list-style-type: none"> 1. Emergency circumstances must exist such that in the opinion of the Council it is in the public interest to issue certificates of registration in the emergency class. 2. The applicant must meet the registration requirements of subsections 36 (1) to (3)ⁱ with the exception of the currency requirement in paragraph 3 of subsection 36(1)ⁱⁱ and the examination requirement in paragraph 1 of subsection 36(3)ⁱⁱⁱ. 	<p>It is not intended that this class of registration be available all the time. The regulation specifies emergency circumstances that will cause the class to be open for issuance and renewal of certificates of registration. (See: O. Reg. 508/22, s. 5(1) 1.)</p>

Existing Provision	Proposed Provision	Rationale
	<p>3. The applicant must provide evidence of:</p> <ul style="list-style-type: none"> i. completion of at least 300 hours of service within the scope of practise of the profession in the five years before the date of application, or ii. successful completion within the previous 18 months of a refresher course accepted by the Registration committee. 	<p>The requirement to have passed the entry-to-practise exam has been removed.</p> <p>As per the legislation provisions, currency requirements are reduced and exam requirement shelved to enable applicants who would otherwise not qualify for a general or provisional practising certificate to be registered in the emergency class and to permit emergency class certificate holders to apply to the general or provisional class of registration if they have not successfully completed the exam. (See: O. Reg. 508/22, s. 5(1) 3.)</p> <p>The period has been increased from three to five years and the currency requirements have been reduced by half. These changes in addition to exam exception will permit applicants to be registered in the emergency class when they would not meet the currency or exam requirements of the general or provisional practising class. Ultimately, the changes will enable emergency class of registration holders to apply to the general or provisional class given that they will accumulate more hours and time to sit for the exam while working under the emergency class of registration. (See: O. Reg. 508/22, s. 5(1) 3.)</p>

Existing Provision	Proposed Provision	Rationale
<p>New</p>	<p>(2) Every certificate of registration in the emergency class is subject to the following terms, conditions and limitations:</p> <ol style="list-style-type: none"> 1. The member shall practise the profession only within the scope of their emergency certificate. 2. The member shall at all times when providing occupational therapy services identify themselves as an emergency certificate member. 3. The member shall only practise the profession while under the supervision of a member in the general class. 4. The member shall be restricted to the use of the title Occupational Therapist (Emergency Class) or "OT (Emerg.)" 	<p>This class of registration will accept applicants who do not meet all the core registration requirements. It is important to have these safeguards in place to protect the public and support the applicant as they begin practise. (See: O. Reg. 508/22, s. 5(1) 1.)</p> <p>Clients, colleagues and the public must be made aware that the member is practising under the emergency class to ensure public safety. (See: O. Reg. 508/22, s. 5(1) 1.)</p> <p>A member holding an emergency class of registration is not fully qualified to practice independently and must practise under the supervision of another member in the general class to enhance public protection (See: O. Reg. 508/22, s. 5(1) 1.)</p> <p>The public, clients and other professional must know the member is registered under the Emergency class which places certain limitations on the member in order to protect the public (See: O. Reg. 508/22, s. 5(1) 3.)</p>

Existing Provision	Proposed Provision	Rationale
<p>New</p>	<p>(3) An emergency certificate of registration expires:</p> <ol style="list-style-type: none"> 1. Unless stated otherwise on the certificate, six months after it is issued, unless it is renewed. 2. Unless stated otherwise on the certificate, a renewed emergency certificate of registration expires six months after it is renewed, unless it is renewed again. 3. Despite subsections 1 and 2 above, an emergency certificate expires on the earlier of any of the following: <ol style="list-style-type: none"> (i) Three months after the date the Council declares that the emergency circumstances in which it is in the interest of the public to issue and renew emergency certificates of registration have ended. (ii) The date the member is issued a general practising certificate of registration. (iii) the date the member is issued a provisional practising certificate of registration. 	<p>The legislation allows up to one year expiration period. Six months is an appropriate length of time to allow respective planning and adjustments. (See: O. Reg. 508/22, s. 5(1) 2.)</p> <p>The Registrar may extend the emergency certificate if they are of the opinion that the emergency situation is still prevalent and the public will better be served by extending the certificate (See: O. Reg. 508/22, s. 5(1) 2.)</p> <p>A member holding an emergency class of registration, is eligible to transition to a provisional or general class of registration if they meet the currency and examination requirements provided under this regulation. (See: O. Reg. 508/22, s. 5(1) 3.)</p>

Existing Provision	Proposed Provision	Rationale
<p>New</p>	<p>(4) A member who holds, or held within the previous six months, a certificate of registration in the emergency class may be issued a certificate of registration in the general practising class despite not having met the currency requirement set out in paragraph 3 of subsection 36(1), if the member:</p> <ul style="list-style-type: none"> a) applies for a certificate of registration in the general practising class, b) satisfies all other requirements for the certificate of registration in the general practising class, and c) provides satisfactory evidence based on their practice for a period of at least six months in the emergency class that the member will practise competently and ethically even though practising without supervision. 	<p>This provision creates a pathway for emergency certificate of registration holders to transition to general class of registration by exempting them from currency requirement that usually apply to applicants for that class. (See: O. Reg. 508/22, s. 5(1) 3.)</p>

Existing Provision	Proposed Provision	Rationale
<p>New</p>	<p>(5) A member who holds, or held within the previous six months, a certificate of registration in the emergency class and who has not met the examination requirement in paragraph 1 of subsection 36(3) may be issued a certificate of registration in the provisional practising class if the member:</p> <ul style="list-style-type: none"> a) applies for a certificate in the provisional practising class, and b) satisfies all requirements for the certificate of registration in the provisional practising class 	<p>This provision allows a pathway for emergency certificate holders who have not passed the entry to practise examination to transition to the provisional practising class. (See: O. Reg. 508/22, s. 5(1) 3.)</p>

**Occupational Therapy Act, 1991
Loi de 1991 sur les ergothérapeutes**

ONTARIO REGULATION 226/96

GENERAL

**PART VIII
REGISTRATION**

33. The following are prescribed as classes of certificates of registration:

1. General practising certificate.
2. Provisional practising certificate.
3. Temporary certificate. O. Reg. 122/01, s. 1.
4. Emergency certificate O.Reg. 508/22, s. 5.

34. (1) A person may apply for the issue of a certificate of registration by submitting a completed application in the form approved by the Registration Committee to the Registrar, together with the application fee. O. Reg. 122/01, s. 1.

(2) When eligibility for registration has been determined, the name of the person shall be entered in the register and a certificate shall be issued upon payment of the required registration fee for the appropriate class. O. Reg. 122/01, s. 1.

35. (1) The following are registration requirements for a certificate of registration of any class:

1. The applicant must provide evidence as to whether he or she has been found guilty of any offence arising in any jurisdiction, including,
 - i. any criminal offence, or
 - ii. any offence relating to the practice of occupational therapy.
2. Where the applicant has been registered or licensed in Ontario in another profession or in another jurisdiction in occupational therapy or another profession, the applicant must provide evidence as to whether he or she has been the subject of a finding of professional misconduct, incompetence or incapacity or a similar finding.
3. Where the applicant is registered in Ontario in another profession or is registered or licensed in another jurisdiction in occupational therapy or another profession, the applicant must provide evidence as to whether he or she is the subject of any

current professional misconduct, incompetence or incapacity proceeding or a similar proceeding.

4. Nothing in the applicant's previous conduct affords reasonable grounds for the belief that he or she will not practise occupational therapy safely and ethically.
5. The applicant must be able to speak and write either English or French with reasonable fluency.
6. The applicant must be a Canadian citizen or a permanent resident of Canada, or be authorized under the *Immigration and Refugee Protection Act (Canada)* to engage in employment as an occupational therapist. O. Reg. 122/01, s. 1; O. Reg. 19/12, s. 1 (1-5).

(2) It is a condition of a certificate of registration of any class that the member provide the College with the following:

1. Details of any of the following that relate to the member and that occur or arise after the member has applied for registration:
 - i. A finding of guilty in relation to any offence.
 - ii. A finding of professional misconduct, incompetence or incapacity, or a similar finding, in Ontario in relation to another profession or in another jurisdiction in relation to occupational therapy or another profession.
 - iii. A proceeding for professional misconduct, incompetence or incapacity, or a similar proceeding, in Ontario in relation to another profession or in another jurisdiction in relation to occupational therapy or another profession.
2. Any other information about the member in the manner and in the form as required under the by-laws. O. Reg. 19/12, s. 1 (6).

(3) If the member ceases to be a Canadian citizen or a permanent resident of Canada or ceases to be authorized under the *Immigration and Refugee Protection Act (Canada)* to engage in employment as an occupational therapist, the member's certificate of registration shall be revoked. O. Reg. 122/01, s. 1; O. Reg. 19/12, s. 1 (7).

(4) An applicant shall be deemed not to have satisfied the requirements for a certificate of registration if the applicant made a false or misleading statement or representation in his or her application. O. Reg. 122/01, s. 1.

GENERAL PRACTISING CERTIFICATE OF REGISTRATION

36. (1) The following are non-exemptible registration requirements for a general practising certificate of registration:

1. The applicant must have,
 - i. a Bachelor of Science degree or Master of Science degree in Occupational Therapy obtained in Ontario,
 - ii. an academic qualification considered by the Registration Committee to be equivalent to a degree described in subparagraph i, or
 - iii. a diploma in Occupational Therapy granted not later than 1973 by the University of Toronto or a diploma in Occupational Therapy granted not later than 1968 by the Canadian Association of Occupational Therapists.
2. The applicant must have completed a minimum of 1000 hours of fieldwork or clinical practicum accepted by the Registration Committee.
3. Where the applicant completes the requirements in paragraphs 1 and 2 more than 18 months before the date the application for a certificate is made, evidence of one of the following must be provided:
 - i. completion of at least 600 hours of service within the scope of practice of the profession in the three years before the date of application, or
 - ii. successful completion within the previous 18 months of a refresher program accepted by the Registration Committee.
 - iii. REVOKED: O. Reg. 19/12, s. 2 (2).

O. Reg. 122/01, s. 1; O. Reg. 19/12, s. 2 (1, 2).

(2) For the purpose of subparagraph 1 ii of subsection (1) an academic qualification is not equivalent unless,

- (a) the curriculum includes courses within the basic sciences, the behavioural sciences, the clinical sciences, the managerial sciences and occupational therapy theory, practice and fieldwork; and
- (b) the nature, extent and scope of those courses are substantially equivalent to a Bachelor of Science degree or Master of Science degree in Occupational Therapy obtained in Ontario. O. Reg. 122/01, s. 1; O. Reg. 19/12, s. 2 (3, 4).

(3) The following are the registration requirements for a general practising certificate of registration:

1. The applicant must have successfully completed an examination set or approved by the College that assesses entry level competence.
2. The applicant must provide evidence satisfactory to the Registrar that he or she has either professional liability insurance or protection against professional

liability, in accordance with the by-laws. O. Reg. 122/01, s. 1; O. Reg. 19/12, s. 2 (5).

(4) The following are conditions of a general practising certificate of registration:

1. The member must,

i. have completed at least 600 hours of service within the scope of practice of the profession in the previous three years, or

ii. have successfully completed within the previous 18 months a refresher program accepted by the Registration Committee.

2. The member must have either professional liability insurance or protection against professional liability, in accordance with the by-laws, and shall, upon request, provide evidence of such insurance or protection to the Registrar. O. Reg. 122/01, s. 1; O. Reg. 19/12, s. 2 (6).

(5) A member is not required to meet any of the conditions set out in paragraph 1 of subsection (4) until 18 months have elapsed since the member was issued a general practising certificate of registration. O. Reg. 122/01, s. 1; O. Reg. 19/12, s. 2 (7).

36.1 (1) Where section 22.18 of the Health Professions Procedural Code applies to an applicant for a general practising certificate of registration, the requirements of subsection 36 (1) and paragraph 1 of subsection 36 (3) are deemed to have been met by the applicant. O. Reg. 19/12, s. 3.

(2) Despite subsection (1), it is a non-exemptible registration requirement that an applicant referred to in subsection (1) provide one or more certificates or letters or other evidence satisfactory to the Registrar or a panel of the Registration Committee establishing that the applicant is in good standing as an occupational therapist in every jurisdiction where the applicant holds an out-of-province certificate. O. Reg. 19/12, s. 3.

(3) Where an applicant to whom subsection (1) applies is unable to satisfy the Registrar or a panel of the Registration Committee that the applicant practised the profession of occupational therapy to the extent that would be permitted by a general practising certificate of registration at any time in the preceding three years immediately before the date of that applicant's application, the applicant must meet any further requirement to undertake, obtain or undergo material additional training, experience, examinations or assessments that may be specified by a panel of the Registration Committee. O. Reg. 19/12, s. 3.

(4) An applicant referred to in subsection (1) is deemed to have met the requirements of paragraph 5 of subsection 35 (1) where the requirements for the issuance of the applicant's out-of-province certificate included language proficiency requirements equivalent to those required by that paragraph. O. Reg. 19/12, s. 3.

(5) Despite subsection (1), an applicant is not deemed to have met a requirement if that requirement is described in subsection 22.18 (3) of the Health Professions Procedural Code. O. Reg. 19/12, s. 3.

PROVISIONAL PRACTISING CERTIFICATE OF REGISTRATION

37. (1) The following are non-exemptible registration requirements for a provisional practising certificate of registration:

1. The applicant must satisfy any of the following:
 - i. He or she has a Bachelor of Science degree or Master of Science degree in Occupational Therapy obtained in Ontario.
 - ii. He or she has an academic qualification considered by the Registration Committee to be equivalent to a degree described in subparagraph i.
 - iii. He or she has been found by the Registration Committee to require minimal educational upgrading to achieve the equivalent of a degree described in subparagraph i.
 - iv. He or she has a diploma in Occupational Therapy granted not later than 1973 by the University of Toronto or a diploma in Occupational Therapy granted not later than 1968 by the Canadian Association of Occupational Therapists.
2. The applicant must have completed at least 1000 hours of fieldwork or clinical practicum accepted by the Registration Committee.
3. Where the applicant completes the requirements in paragraphs 1 and 2 more than 18 months before the date the application is made, evidence of one of the following must be provided,
 - i. completion of at least 600 hours of service within the scope of practice of the profession in the three years prior to the application date, or
 - ii. successful completion within the previous 18 months of a refresher program accepted by the Registration Committee.
 - iii. REVOKED: O. Reg. 19/12, s. 4 (2).
4. The applicant must be employed by or have an offer of employment from an employer where registered general practising occupational therapists are available to supervise the applicant. O. Reg. 122/01, s. 1; O. Reg. 19/12, s. 4 (1, 2).

(2) For the purposes of subparagraph 1 ii of subsection (1), an academic qualification is not equivalent unless,

- (a) the curriculum includes courses within the basic sciences, the behavioural sciences, the clinical sciences, the managerial sciences and occupational therapy theory, practice and fieldwork; and
- (b) the nature, extent and scope of those courses are substantially equivalent to a Bachelor of Science degree or Master of Science degree in Occupational Therapy obtained in Ontario. O. Reg. 122/01, s. 1; O. Reg. 19/12, s. 4 (3, 4).

(3) The following are registration requirements for a provisional practising certificate of registration:

1. The applicant must have registered to take an examination referred to in paragraph 1 of subsection 36 (3) at the next available sitting.
2. The applicant must not have previously held a provisional practising certificate of registration.
3. The applicant must provide evidence satisfactory to the Registrar that he or she has either professional liability insurance or protection against professional liability, in accordance with the by-laws. O. Reg. 122/01, s. 1; O. Reg. 19/12, s. 4 (5).

(4) The following are conditions of a provisional practising certificate of registration:

1. The member must practise the profession only under the supervision of an occupational therapist who holds a general practising certificate of registration and who has filed an employer acknowledgement form with the College.
2. The member must take the examination referred to in paragraph 1 of subsection 36 (3) at the first available sitting unless the member obtains the Registrar's written consent to defer taking it because of exceptional circumstances.
3. If the member fails to take the examination at the first available sitting and has not obtained the Registrar's consent to defer taking it before the examination, the member's certificate of registration automatically expires unless,
 - i. the member obtains the consent within 10 days after the examination, and
 - ii. the member files with the College a fresh employer acknowledgement form and any undertakings requested by the Registrar within 10 days after the examination.
4. If the member satisfies the requirements in paragraph 3, the member shall take the examination at the next available sitting unless the Registrar directs otherwise, and this sitting is considered to be the first available sitting.

5. If the member takes the examination at the first available sitting and does not successfully complete it, the member's certificate of registration automatically expires unless the member files with the College a fresh employer acknowledgement form and any undertakings requested by the Registrar within 60 days after the examination.
6. If the member files the acknowledgement form and the undertakings, if any, under paragraph 5, the member shall take the examination at the next available sitting unless the Registrar directs otherwise in writing, and this sitting is considered to be the second available sitting.
7. If the member fails to take the examination at the second available sitting in accordance with paragraph 6, the member's certificate automatically expires unless the member obtains the Registrar's written consent to defer because of exceptional circumstances within 10 days after the examination.
8. If the Registrar's consent is given under paragraph 7, the member shall take the examination at the next available sitting unless the Registrar directs otherwise in writing, and this sitting is considered to be the second sitting.
9. If the member takes the examination at the sitting referred to in paragraphs 6 and 8 and does not successfully complete it, the member's certificate of registration automatically expires upon the release of the result indicating that the member has failed.
10. If, at any time, the member passes the examination required under paragraph 2, the member's certificate of registration expires 60 days after the examination unless the member obtains the Registrar's consent in writing to maintain the certificate for a longer period of time.
11. The member must notify the Registrar in writing of his or her results immediately after they are released.
12. The member must have either professional liability insurance or protection against professional liability, in accordance with the by-laws, and shall, on request, provide evidence of such insurance or protection to the Registrar. O. Reg. 122/01, s. 1; O. Reg. 19/12, s. 4 (6).

(5) The member who passes the examination required under paragraph 2 may be issued a general practising certificate of registration before the expiry of the provisional practising certificate of registration. O. Reg. 122/01, s. 1.

(6) A member who qualifies for a general practising certificate of registration under subsection (5) has 18 months from the date of issue of the provisional certificate to satisfy the conditions set out in paragraph 1 of subsection 36 (4). O. Reg. 122/01, s. 1.

TEMPORARY CERTIFICATE OF REGISTRATION

38. (1) The following are registration requirements for a temporary certificate of registration:

1. The applicant must hold a valid certificate of registration as an occupational therapist in another jurisdiction with education and clinical requirements equivalent to those of the College, as set out in subsections 36 (2) and 37 (2).
2. The applicant must have an offer of employment or appointment not exceeding four months.
3. A general practising member must have agreed to supervise the applicant and to be responsible for ensuring that the applicant provides appropriate care to clients.
4. The applicant must provide evidence satisfactory to the Registrar that he or she has either professional liability insurance or protection against professional liability, in accordance with the by-laws. O. Reg. 122/01, s. 1; O. Reg. 19/12, s. 5 (1).

(1.1) The following are additional conditions of a temporary certificate of registration:

1. The member must continue to be employed in the position referred to in paragraph 2 of subsection (1) or hold the appointment referred to in that paragraph.
2. The member may only practise occupational therapy under the supervision of the general practising member referred to in paragraph 3 of subsection (1).
3. The member must have either professional liability insurance or protection against professional liability, in accordance with the by-laws, and the member shall, upon request, provide evidence of such insurance or protection to the Registrar. O. Reg. 19/12, s. 5 (2).

(2) A temporary certificate of registration shall not be issued to a person for more than four months within a 12-month period. O. Reg. 122/01, s. 1.

38.1 (1) The following are non-exemptible requirements for an emergency certificate of registration:

- 1. Emergency circumstances must exist such that in the opinion of the Council it is in the public interest to issue certificates of registration in the emergency class.**
- 2. The applicant must meet the registration requirements of subsections 36 (1) to (3) with the exception of the currency requirement in paragraph 3 of subsection 36(1) and the examination requirement in paragraph 1 of subsection 36(3).**
- 3. The applicant must provide evidence of:**
 - i. completion of at least 300 hours of service within the scope of practise of the profession in the five years before the date of application, or**

ii. successful completion within the previous 18 months of a refresher course accepted by the Registration committee.

(2) Every certificate of registration in the emergency class is subject to the following terms, conditions and limitations:

1. The member shall practise the profession only within the scope of their emergency certificate.

2. The member shall at all times when providing occupational therapy services identify themselves as an emergency certificate member.

3. The member shall only practise the profession while under the supervision of a member in the general class.

4. The member shall be restricted to the use of the title Occupational Therapist (Emergency Class) or "OT (Emerg.)

(3) An emergency certificate of registration expires:

1. Unless stated otherwise on the certificate, six months after it is issued, unless it is renewed.

2. Unless stated otherwise on the certificate, a renewed emergency certificate of registration expires six months after it is renewed, unless it is renewed again.

3 Despite subsections 1 and 2 above, an emergency certificate expires on the earlier of any of the following:

(i) Three months after the date the Council declares that the emergency circumstances in which it is in the interest of the public to issue and renew emergency certificates of registration have ended.

(ii) The date the member is issued a general practising certificate of registration.

(iii) the date the member is issued a provisional practising certificate of registration.

(4) A member who holds, or held within the previous six months, a certificate of registration in the emergency class may be issued a certificate of registration in the general practising class despite not having met the currency requirement set out in paragraph 3 of subsection 36(1), if the member:

a) applies for a certificate of registration in the general practising class,

b) satisfies all other requirements for the certificate of registration in the general practising class, and

c) provides satisfactory evidence based on their practice for a period of at least six months in the emergency class that the member will practise competently and ethically even though practising without supervision.

(5) A member who holds, or held within the previous six months, a certificate of registration in the emergency class and who has not met the examination requirement in paragraph 1 of subsection 36(3) may be issued a certificate of registration in the provisional practising class if the member:

a) applies for a certificate in the provisional practising class, and

b) satisfies all requirements for the certificate of registration in the provisional practising class

Proposed Amendments to the Registration Regulation

Proposed New Clause		Explanation/Rationale
<p>Existing Clause</p> <p>Classes</p> <p>1. The following are prescribed as classes of certificates of registration:</p> <ol style="list-style-type: none"> 1. Registered opticians. 2. Registered intern opticians. 3. Inactive 	<p>Classes</p> <p>1. The following are prescribed as classes of certificates of registration:</p> <ol style="list-style-type: none"> 1. Registered opticians. 2. Registered intern opticians. 3. Inactive 4. Temporary Emergency 	<p>A temporary emergency class is added. It comes into effect when the Board determines that there is an emergency situation that puts at risk the accessibility of opticianry services.</p>
<p>Application</p> <p>2. (2) An applicant for the issue of a certificate of registration as a registered optician must submit evidence of professional liability insurance in the amount and in the form required under the by-laws.</p>	<p>Application</p> <p>2. (2) An applicant for the issue of a certificate of registration as a registered optician or as a temporary emergency optician must submit evidence of professional liability insurance in the amount and in the form required under the by-laws.</p>	<p>Opticians in the temporary emergency class will be required to demonstrate that they are covered by professional liability insurance.</p>
<p>Conditions, all classes</p> <p>N/A</p>	<p>Conditions, all classes</p> <p>6. The following are conditions of a certificate of registration of any class:</p> <p>4. A member shall only use titles and abbreviations of titles respecting the profession in accordance with the following:</p> <ol style="list-style-type: none"> iv. A member who holds a certificate of registration as a temporary emergency optician may only use the title "Registered Temporary Emergency Optician", the abbreviation "RO (temporary emergency 	<p>This provision offers clarification on the use of protected title(s) for temporary emergency class registrants.</p>

<p>N/A</p>	<p>class^y or a variation of them or an equivalent in another language.</p> <p>Registration requirements, temporary emergency class</p> <p>15.1 (1) The following are non-exemptible registration requirements for a certificate of registration as a registered optician in the temporary emergency class:</p> <ol style="list-style-type: none"> 1. The Council of the College has determined that there are emergency circumstances such that it is in the public interest to issue certificates of registration in the emergency class. In making this determination, the Council may take into account all of the relevant circumstance including the presence of a significant interruption in the processing of applications for registration for other classes such that there is a lengthy delay in their being registered and any requests by the Minister to initiate registrations under the emergency class. 2. The member must hold a certificate of registration as an inactive optician or a temporary emergency optician. 3. The applicant must satisfy the Registrar that he or she has practised as a registered optician within the previous six years in a manner that demonstrates that the member would meet the standards of practice in Ontario. <p>Terms, conditions and limitations, emergency class</p> <p>(2) The following are the conditions of a certificate of registration in the temporary emergency class:</p>	<p>This provision establishes the non-exemptible requirements for holding a certificate of registration as a Temporary Emergency optician.</p> <p>Specifically, the College's Board (Council) must first determine that emergency circumstances exist such as to warrant issuing, certificates in this class. The Board will have discretion to take all relevant circumstances into account, including an interruption in processing applications in other classes, or a request from the Minister of Health to initiate registrations in this class.</p> <p>The only individuals who will be eligible for registration in this class will be those holding a certificate of registration as an Inactive Optician or those who already hold a certificate as a Registered Temporary Emergency Optician.</p> <p>Applicants for a certificate in this class will be required to satisfy the Registrar that they will meet the standards of practice. A policy will be enacted that sets out the criteria for demonstrating satisfactory practice standards (e.g. minimum number of practice hours).</p>
		<p>This provision sets out the terms, conditions and limitations for certificate holders in the Temporary Emergency Class.</p> <p>Opticians in this class will be required to practice only within their skills, knowledge and judgment, maintain professional liability insurance, display their validated certificate of</p>

	<p>1. The member shall practice the profession only within the scope of his or her skills, knowledge and judgement.</p> <p>2. The member shall maintain professional liability insurance in the amount and in the form required by the by-laws.</p> <p>3. The member shall promptly and, in any event, within five business days, provide the College with details in writing if the member does not have the professional liability insurance coverage specified in the by-laws.</p> <p>4. The member shall promptly and, in any event, within five business days, advise the College in writing if the member ceases to be a Canadian citizen or permanent resident of Canada or to have authorization under the <i>Immigration and Refugee Protection Act (Canada)</i> permitting the member to engage in the practice of opticianry in Ontario.</p> <p>5. The member shall prominently display the member's certificate of registration, affixed with the current College renewal validation decal, at the principal location where the member practises opticianry.</p>	<p>registration in their principal practice location, and inform the College if they no longer hold liability insurance or if they are no longer eligible to work as an optician in Canada.</p>
	<p>(3) Subject to para (4), a certificate of registration as a temporary emergency optician expires on the day that is one day before the deadline to renew a certificate of registration in the temporary emergency class under the by-laws.</p>	<p>The expiry of certificates in the Temporary Emergency class will be aligned with the College's annual renewal deadline for Registered Opticians (currently December 31). Accordingly, the certificate will not be valid for longer than one calendar year.</p>
	<p>(4) The Registrar may renew a temporary emergency certificate of registration on or before the deadline for renewal under the by-laws unless the Council of the College has determined that</p>	<p>Opticians in the temporary emergency class will be eligible to apply to renew their certificate of registration so long as the emergency circumstances remain in place.</p>

	<p>emergency circumstances no longer exist to warrant the issuance of certificates of registration in the temporary emergency class.</p>	
<p>(5) A member who holds or held a certificate of registration as a temporary emergency optician within the previous six months may be issued a certificate of registration as a registered optician if the member,</p> <ol style="list-style-type: none"> 1. requests in writing to the Registrar that he or she be issued a certificate of registration as a registered optician, and 2. provides evidence satisfactory to the Registrar that the member has practised opticianry as a temporary emergency optician in a manner that demonstrates that the member meets the standards of practice in Ontario. 		<p>Current Temporary Emergency Optician certificate holders, and those that were registered in this class within the previous six months will be eligible to apply for registration in the Registered Optician class. They will be required to satisfy the Registrar that they practised as an optician while holding a Temporary Emergency certificate A policy will be enacted that sets out the criteria for demonstrating satisfactory practice standards (e.g. minimum number of practice hours).</p>

CONFIDENTIAL

ONTARIO REGULATION
made under the
OPTICIANRY ACT, 1991
REGISTRATION

Classes

1. The following are prescribed as classes of certificates of registration:

1. Registered opticians.
2. Registered intern opticians.
3. Inactive
4. Temporary Emergency

Application

2. (1) A person may apply for the issue of a certificate of registration by submitting a completed application in the form provided by the Registrar together with any applicable fees required under the by-laws and any supporting documentation requested by the Registrar.

(2) An applicant for the issue of a certificate of registration as a registered optician or as a temporary emergency optician must submit evidence of professional liability insurance in the amount and in the form required under the by-laws.

(3) An applicant shall be deemed not to have satisfied the registration requirements for a certificate of registration if the applicant, whether by commission or omission, makes a false or misleading statement or representation on or in connection with the application, and any certificate issued to such an applicant may be revoked by the Registrar.

Duplicate copy

3. A duplicate copy of a certificate of registration shall be issued by the Registrar only upon the provision of written documentation that the original has been lost, stolen or destroyed, and upon payment of the required fee.

Surrender

4. A certificate of registration and any photographic identification badge provided to the member by the College shall be surrendered to the Registrar upon revocation.

Registration requirements, all classes

5. The following are registration requirements for a certificate of registration of any class:

1. The applicant must, at the time of application, provide written details of any of the following that relate to the applicant, and where any of the following change with respect to the applicant after submitting the application but before the issuance of a certificate, the applicant must immediately provide written details with respect to the change:
 - i. A finding of guilt for,
 - A. a criminal offence, or
 - B. an offence resulting in either a fine greater than \$1,000 or any form of custody or detention.
 - ii. A finding of professional misconduct, incompetency or incapacity or other similar finding in Ontario in relation to another regulated profession or in another jurisdiction in relation to opticianry or another regulated profession,
 - iii. A current proceeding for professional misconduct, incompetency or incapacity or other similar proceeding in Ontario in relation to another regulated profession or in another jurisdiction in relation to opticianry or another regulated profession.
 - iv. A proceeding, whether current or completed, against the applicant under the *Regulated Health Professions Act, 1991* or the Health Professions Procedural Code, or any of the Acts regulated under the *Regulated Health Professions Act, 1991* and the regulations under those Acts.
 - v. Any finding of professional negligence or malpractice made against the applicant.
 - vi. A refusal by any body responsible for the regulation of a profession in any jurisdiction to register or licence the applicant.

- vii. An attempt to pass a registration examination required for the purposes of being licensed or certified to practise opticianry, whether in Ontario or another jurisdiction, that has not resulted in a passing grade and that would have resulted in a refusal by a regulatory body to register or license the applicant.
 - viii. Whether the applicant is in good standing, fulfilling all requirements with a body responsible for the regulation of a profession, whether in Ontario or in any other jurisdiction, with which the applicant is registered.
 - ix. Whether the applicant was in good standing, fulfilling all requirements with a body responsible for the regulation of a profession, whether in Ontario or in any other jurisdiction, at the time the applicant ceased being registered with that body.
 - x. Any other event that would provide reasonable grounds for the belief that the applicant may lack the knowledge, skill or judgment to practise safely and professionally.
2. The applicant must be a Canadian citizen or a permanent resident of Canada or authorized under the *Immigration and Refugee Protection Act* (Canada) to engage in the practice of opticianry.
 3. The applicant must be able to comprehend and communicate in either English or French, both orally and in writing, with reasonable fluency.
 4. The applicant must not have a physical or mental condition or disorder that would make it undesirable in the interest of the public that the applicant be issued a certificate of registration unless, should the applicant be given a certificate of registration, the imposition of a term, condition or limitation on that certificate is sufficient to address the relevant concerns.
 5. If the applicant is registered by any body responsible for the regulation of any other profession in Ontario or of any profession in any jurisdiction, the applicant's registration must be in good standing and the applicant must be fulfilling all terms, conditions and limitations imposed on the applicant as a condition of remaining in good standing.
 6. If the applicant ceased being registered with any body responsible for the regulation of a profession in Ontario or in any other jurisdiction, the applicant must have been in good standing at the time of ceasing to be registered.

7. Nothing in the applicant's previous conduct must afford reasonable grounds for the belief that the applicant lacks the knowledge, skill or judgment to practise opticianry safely and professionally.

Conditions, all classes

6. The following are conditions of a certificate of registration of any class:
 1. The member shall provide the College with written details of any change in the information described in paragraph 1 of section 5 that relate to the member and that occur or arise after the registration of the member.
 2. The member shall wear or prominently display a current photographic identification badge supplied by the Registrar at all times when engaged in the practice of opticianry.
 3. The certificate of registration of a member, other than a member who holds a certificate of registration in the inactive class, is revoked if the member ceases to be a Canadian citizen or a permanent resident of Canada or ceases to be authorized under the *Immigration and Refugee Act* (Canada) to engage in the practice of the profession.
 4. A member shall only use titles and abbreviations of titles respecting the profession in accordance with the following:
 - i. A member who holds a certificate of registration as a registered optician may only use the title "Registered Optician", the abbreviation "RO" or a variation of them or an equivalent in another language, and such other specialty titles granted to the member by the College.
 - ii. A member who holds a certificate of registration as an intern optician may only use the title "Registered Intern Optician" or a variation or equivalent in another language.
 - iii. A member who holds a certificate of registration as an inactive optician may only use the title "Registered Optician (Inactive)", the abbreviation "RO (inactive)" or a variation of them or an equivalent in another language.
 - iv. A member who holds a certificate of registration as a temporary emergency optician may only use the title "Registered Temporary Emergency Optician", the abbreviation "RO (temporary emergency class)" or a variation of them or an equivalent in another language.

Registration requirements, registered optician class

7. (1) The following are non-exemptible registration requirements for a certificate of registration as a registered optician:

1. The applicant must,
 - i. have successfully completed and graduated from a Canadian opticianry program that is approved by the Registration Committee or by an accrediting body approved by the Registration Committee.
 - ii. have successfully completed and graduated from a Canadian opticianry program which is determined by the Registration Committee to be equivalent to a program referred to in subparagraph i, or
 - iii. have successfully completed and graduated from a program outside of Ontario that is similar but not equivalent to a program referred to in subparagraph i, and have successfully completed a prior learning assessment approved by the Registration Committee demonstrating that the applicant has obtained the entry-to- practice competencies possessed by a graduate of an opticianry program referred to in subparagraph i.
2. The applicant must have obtained the competence standards acceptable to the Registration Committee, as demonstrated by,
 - i. successful completion of a practicum approved by the Registration Committee, or
 - ii. practical experience that, in the opinion of the Registration Committee, is equivalent to a practicum mentioned in subparagraph i.
3. The applicant must have achieved a passing mark in each of the College's examinations, including examinations about contact lenses, or must have successfully completed examinations which are determined by the Registration Committee to be equivalent to the College's examinations.
4. The applicant must have either,
 - i. successfully completed the opticianry program described in paragraph 1 or the examinations described in paragraph 3 within 18 months prior to the date of the application,
 - ii. practised opticianry within the three years prior to the date of the application in a manner that demonstrates to the Registration Committee or another body approved by the Registration Committee that the applicant would meet the standards of practice of the profession, or

- iii. successfully completed a refresher program or professional competency assessment as set or approved by the Registration Committee within one year prior to the date of the application or after the date of the application but before registration, and, if recommended by the professional competency assessment, upgrading courses as set or approved by the Registration Committee.

(2) In order to be eligible to write the College's examinations described in paragraph 3 of subsection (1), the applicant must be registered as a registered intern optician.

Conditions, registered optician class

8. The following are conditions of a certificate of registration as a registered optician:

1. By the end of the third year following issuance of a certificate of registration and in every subsequent year, the member shall provide evidence satisfactory to the Registrar that the member has practised opticianry in the previous three years in a manner that demonstrates that the member meets the standards of practice in Ontario.
2. The Registrar may refer any member who does not meet the requirement set out in paragraph 1 to the Quality Assurance Committee.
3. The member shall maintain professional liability insurance in the amount and in the form required by the by-laws.
4. The member shall promptly and, in any event, within five business days, provide the College with details in writing if the member does not have the professional liability insurance coverage specified in the by-laws.
5. The member shall promptly and, in any event, within five business days, advise the College in writing if the member ceases to be a Canadian citizen or permanent resident of Canada or to have authorization under the *Immigration and Refugee Protection Act* (Canada) permitting the member to engage in the practice of opticianry in Ontario.
6. The member shall prominently display the member's certificate of registration, affixed with the current College renewal validation decal, at the principal location where the member practises opticianry.

Labour mobility, registered optician

9. (1) Subject to subsection (2), where section 22.18 of the Health Professions Procedural Code applies to an applicant for a certificate of registration as a registered optician, the applicant is deemed to have met the requirements of subsection 7 (1).

(2) It is a non-exemptible registration requirement that an applicant referred to in subsection (1) provide one or more certificates or letters or other evidence satisfactory to the Registrar or a panel of the Registration Committee establishing that the applicant is in good standing as an optician in every jurisdiction where the applicant holds an out-of-province certificate.

(3) Where an applicant referred to in subsection (1) is unable to satisfy the Registrar or a panel of the Registration Committee that the applicant practised the profession of opticianry to the extent that would be permitted by a certificate of registration as a registered optician at any time in the preceding two years immediately before the date of that applicant's application, the applicant must meet any further requirement to undertake, obtain or undergo material additional training, experience, examinations or assessments that may be specified by a panel of the Registration Committee.

(4) An applicant referred to in subsection (1) is deemed to have met the requirement of paragraph 3 of section 5 where the requirements for the issuance of the applicant's out-of-province certificate included language proficiency requirements equivalent to those required by that paragraph.

(5) Despite subsection (1), an applicant is not deemed to have met a requirement where that requirement is described in subsection 22.18 (3) of the Health Professions Procedural Code.

Registration requirements, intern class

10. The following are non-exemptible registration requirements for a certificate of registration as a registered intern optician:

1. The applicant must, in the three years prior to the date of the application, either,
 - i. have successfully completed and graduated from an opticianry program referred to in subparagraph 1 i or ii of subsection 7 (1) or meet the requirements of subparagraph 1 iii of subsection 7 (1), and have successfully completed the practicum or practical experience requirement under paragraph 2 of subsection (1), or
 - ii. having applied for a certificate of registration as a registered optician and been required by an order made by the Registration Committee under subsection 18 (2) of the Health Professions Procedural Code to complete additional training or specified examinations, or both, have completed the additional training, if any, but not have completed the examinations.
2. The applicant must provide a written declaration that the applicant is engaged, or intends to be engaged, in the practice of opticianry in Ontario.

Conditions, intern class

11. The following are conditions of a certificate of registration as a registered intern optician:

1. The registered intern optician shall dispense subnormal vision devices, contact lenses or eyeglasses only under the supervision or direction of a registered optician, optometrist, or physician who is physically present in the place in which the dispensing takes place at the time it takes place in accordance with the standards of practice for supervision.
2. The registered intern optician must be eligible to attempt or re-attempt the College's registration examinations or supplemental examinations set by the College referred to in paragraph 3 of subsection 7 (1) , or shall have completed the registration examinations but have not received the results.
3. The registered intern shall wear or prominently display at all times when engaged in the practice of opticianry, the registration card supplied by the Registrar.
4. If the registered intern optician fails the registration examinations three times, or fails to successfully complete the registration examinations within three years of the date that the intern first became eligible for a certificate of registration as an intern optician, the registered intern optician shall complete the upgrading measures specified by the Registration Committee before attempting the examinations again.
5. If the registered intern optician fails the registration examinations a fourth time, the registered intern optician shall complete a fresh opticianry program described in subparagraphs i or ii of paragraph 1 of subsection 7 (1) before attempting the examinations again, if such a program is available, or if such a program is not available or in the event of other exceptional circumstances, shall complete the upgrading measures specified by the Registration Committee before attempting the examinations again.
6. Subject to paragraph 7, a certificate of registration as an intern optician expires if any of the following conditions are met:
 - i. The intern has obtained a certificate of registration of a different class.
 - ii. Three years have passed since the intern first became eligible for a certificate of registration as an intern optician.
 - iii. The intern has completed upgrading measures specified by the Registration Committee, and has received the results of any subsequent attempt at the registration examinations that has been permitted by the Registration Committee.

7. The Registration Committee may extend or a renew an intern certificate of registration beyond an expiry date in subparagraphs ii or iii of paragraph 6, on such terms, conditions and limitations as the Registration Committee directs, if the Registration Committee is satisfied that exceptional circumstances exist.

Labour mobility, intern class

12. (1) Subject to subsection (2), where section 22.18 of the Health Professions Procedural Code applies to an applicant for a certificate of registration as a registered intern optician the applicant is deemed to have met the requirements of section 10.

(2) It is a non-exemptible registration requirement that an applicant referred to in subsection (1) provide one or more certificates or letters or other evidence satisfactory to the Registrar or a panel of the Registration Committee establishing that the applicant is in good standing as an intern optician in every jurisdiction where the applicant holds an out-of-province certificate.

(3) Where an applicant referred to in subsection (1) is unable to satisfy the Registrar or a panel of the Registration Committee that the applicant practised the profession of opticianry to the extent that would be permitted by a certificate of registration as a registered intern optician at any time in the preceding two years immediately before the date of that applicant's application, the applicant must meet any further requirement to undertake, obtain or undergo material additional training, experience, examinations or assessments that may be specified by a panel of the Registration Committee.

(4) An applicant referred to in subsection (1) is deemed to have met the requirement of paragraph 3 of section 5 where the requirements for the issuance of the applicant's out-of-province certificate included language proficiency requirements equivalent to those required by that paragraph.

(5) Despite subsection (1), an applicant is not deemed to have met a requirement where that requirement is described in subsection 22.18 (3) of the Health Professions Procedural Code.

Registration requirements, inactive class

13. The following are non-exemptible registration requirements for a certificate of inactive registration:

1. The applicant must hold a certificate of registration as a registered optician.
2. The applicant must undertake not to practise opticianry while holding a certificate of registration as an inactive optician.
3. The applicant must have paid all outstanding fees to the College and have provided all outstanding information requested of the applicant by the College.

4. The applicant must not be subject to any outstanding requirements of the quality assurance program.
5. The applicant must surrender the applicant's photographic identification badge to the Registrar and must undertake to cease to publicly display the applicant's certificate of registration.

Conditions, inactive class

14. It is a condition of registration as an inactive optician that the member shall not do the following while holding a certificate of registration as an inactive optician:

1. Practise opticianry.
2. Supervise the practice of the profession.
3. Display the member's certificate of registration at any location that is visible to the public.

Re-issuance of registered optician certificate

15. A member who holds an inactive certificate of registration shall be reissued a certificate of registration as a registered optician if the member,

- (a) has paid all outstanding fees to the College, has provided all outstanding information requested of the applicant by the College and is in compliance with all other applicable terms, conditions and limitations;
- (b) requests in writing to the Registrar to be issued a certificate of registration as a registered optician; and
- (c) meets at least one of the following requirements:
 - (i) the member has practised opticianry within the previous three years and has done so in a manner that demonstrates that the member could meet the current standards of practice in Ontario,
 - (ii) the member has, within the time specified by the Registration Committee, successfully completed,
 - (A) a refresher or upgrading program set or approved by the Registration Committee, or
 - (B) a professional competency assessment as set or approved by the Registration Committee and, if recommended by the professional

competency assessment, upgrading courses as set or approved by the Registration Committee.

Registration requirements, temporary emergency class

15.1 (1) The following are non-exemptible registration requirements for a certificate of registration as a registered optician in the temporary emergency class:

1. The Council of the College has determined that there are emergency circumstances such that it is in the public interest to issue certificates of registration in the emergency class. In making this determination, the Council may take into account all of the relevant circumstance including the presence of a significant interruption in the processing of applications for registration for other classes such that there is a lengthy delay in their being registered and any requests by the Minister to initiate registrations under the emergency class.
2. The member must hold a certificate of registration as an inactive optician or a temporary emergency optician.
3. The applicant must satisfy the Registrar that he or she has practised as a registered optician within the previous six years in a manner that demonstrates that the member would meet the standards of practice in Ontario.

Terms, conditions and limitations, emergency class

(2) The following are the conditions of a certificate of registration in the temporary emergency class:

1. The member shall practice the profession only within the scope of his or her skills, knowledge and judgement.
2. The member shall maintain professional liability insurance in the amount and in the form required by the by-laws.
3. The member shall promptly and, in any event, within five business days, provide the College with details in writing if the member does not have the professional liability insurance coverage specified in the by-laws.
4. The member shall promptly and, in any event, within five business days, advise the College in writing if the member ceases to be a Canadian citizen or permanent resident of Canada or to have authorization under the *Immigration and Refugee Protection Act* (Canada) permitting the member to engage in the practice of opticianry in Ontario.

5. The member shall prominently display the member's certificate of registration, affixed with the current College renewal validation decal, at the principal location where the member practises opticianry.

(3) Subject to para (4), a certificate of registration as a temporary emergency optician expires on the day that is one day before the deadline to renew a certificate of registration in the temporary emergency class under the by-laws.

(4) The Registrar may renew a temporary emergency certificate of registration on or before the deadline for renewal under the by-laws unless the Council of the College has determined that emergency circumstances no longer exist to warrant the issuance of certificates of registration in the temporary emergency class.

(5) A member who holds or held a certificate of registration as a temporary emergency optician within the previous six months may be issued a certificate of registration as a registered optician if the member,

1. requests in writing to the Registrar that he or she be issued a certificate of registration as a registered optician, and
2. provides evidence satisfactory to the Registrar that the member has practised opticianry as a temporary emergency optician in a manner that demonstrates that the member meets the standards of practice in Ontario.

Suspensions, revocations and reinstatements

16. (1) (1) If a member fails to provide the College with information about the member as required under the by-laws or in a completed annual renewal form within the time period set by the College,

- (a) the Registrar may give the member notice of intention to suspend the member's certificate of registration; and
- (b) the Registrar may suspend the member's certificate of registration if the member fails to provide the information within 30 days after the notice is given.

(2) If the Registrar suspends a member's certificate of registration under subsection (1), the Registrar shall lift the suspension upon being satisfied that the former member,

- (a) has given the required information to the College;
- (b) has paid any fees required under the by-laws for lifting the suspension;
- (c) has paid any other outstanding fees required under the by-laws; and

- (d) will be in compliance with any outstanding orders or requirements of the College's Quality Assurance Committee and Inquires, Complaints and Reports Committee or any outstanding orders or requirements of the Council, Executive Committee, Discipline Committee and Fitness to Practise Committee as of the anticipated date on which the suspension is to be lifted.

(3) If the Registrar becomes aware that a member no longer maintains professional liability insurance in the amount and in the form as required under the by-laws, the Registrar may immediately suspend the member's certificate of registration.

(4) If the Registrar suspends a member's certificate of registration under subsection (3), the Registrar shall lift the suspension upon being satisfied that the former member,

- (a) has professional liability insurance in the amount and in the form as required under the by-laws;
- (b) has provided any information requested by the College;
- (c) has paid any fees required under the by-laws for lifting the suspension;
- (d) has paid any other outstanding fees required under the by-laws; and
- (e) will be in compliance with any outstanding orders or requirements of the College's Quality Assurance Committee and Inquires, Complaints and Reports Committee or any outstanding orders or requirements of the Council, Executive Committee, Discipline Committee and Fitness to Practise Committee as of the anticipated date on which the suspension is to be lifted.

(5) If the Registrar suspends the member's certificate of registration under section 24 of the Health Professions Procedural Code for failing to pay a fee or penalty, the Registrar shall lift the suspension upon being satisfied that the former member,

- (a) has paid the fee or penalty in question;
- (b) has provided any information requested by the College;
- (c) has paid any fees required under the by-laws for lifting the suspension; and
- (d) will be in compliance with any outstanding orders or requirements of the College's Quality Assurance Committee and Inquires, Complaints and Reports Committee or any outstanding orders or requirements of the Council, Executive Committee, Discipline Committee and Fitness to Practise Committee as of the anticipated date on which the suspension is to be lifted.

(6) A member whose certificate of registration has been suspended for professional misconduct or incapacity shall pay all outstanding fees and fines before resuming the practice of opticianry.

(7) Where a member's certificate of registration has been suspended as described in this section, and the suspension is not lifted within three years of the date of suspension, the certificate of registration is automatically revoked.

Resignation

17. A member may resign the member's certificate of registration by giving written notice to that effect to the Registrar and paying all outstanding fees, penalties or other amounts owed to the College.

Transition

18. (1) Subject to subsection (2), a certificate of registration of any class that was valid immediately before the coming into force of this Regulation is deemed to be the equivalent certificate of registration under this Regulation, and continues until it is revoked or otherwise expires.

(2) Every certificate of registration as a registered student optician is cancelled upon the coming into force of this Regulation.

(3) Where a person submitted an application for a certificate of registration before the coming into force of this Regulation, and that application was still being dealt with at the time this Regulation came into force, Ontario Regulation 869/93 (Registration) made under the Act, as it read immediately before this Regulation came into force, applies with respect to that application

Revocation

19. Ontario Regulation 869/93 is revoked.

Commencement

20. This Regulation comes into force on the day it is filed.

Physiotherapy Act, 1991
Loi de 1991 sur les physiothérapeutes
ONTARIO REGULATION 532/98
GENERAL

Consolidation Period: From November 19, 2012 to the e-Laws currency date.

Last amendment: 378/12.

Legislative History: 611/99, 68/06, 390/11, 378/12.

This Regulation is made in English only.

PART III
REGISTRATION

DEFINITIONS

11. In this Part,

“degree in physiotherapy” means,

- (a) a minimum of a baccalaureate degree in a physiotherapy education program at a Canadian university approved by a body or bodies designated by the Council, or by the Council itself,
- (b) an academic qualification from outside Canada that is considered by a body or bodies designated by the Council, or by the Council itself, to be substantially similar to the qualification in clause (a);

“examination” means an examination or examinations set or approved by the Council which include written and practical components or such other formal(s) approved by the Council. O. Reg. 68/06, s. 1.

GENERAL

12. The following are prescribed as classes of certificates of registration:

1. Independent practice.
2. Provisional practice.
3. Courtesy.
4. Emergency.

~~4.,~~5. REVOKED: O. Reg. 390/11, s. 1.

O. Reg. 68/06, s. 1; O. Reg. 390/11, s. 1.

13. A person may apply for the issue of a certificate of registration by submitting to the College a completed application for the class of certificate for which application is made together with any applicable fees. O. Reg. 68/06, s. 1.

14. A certificate of registration shall not be dated earlier than the day it was issued. O. Reg. 68/06, s. 1.

15. A member shall not hold more than one certificate of registration. O. Reg. 68/06, s. 1.

16. (1) It is a non-exemptible registration requirement for all classes of certificates of registration, other than an emergency class certificate of registration, that the applicant’s past and present conduct affords reasonable grounds for belief that he or she,

- (a) is mentally competent to practise physiotherapy;
- (b) will practise physiotherapy with decency, integrity and honesty and in accordance with the law; and
- (c) can communicate effectively with, and will display an appropriate attitude towards, patients and colleagues. O. Reg. 68/06, s. 1.

(2) The following are the standards and qualifications for a certificate of registration of any class ~~except,~~ other than a courtesy and emergency class certificate of registration:

1. The applicant must have Canadian citizenship, permanent resident status or an authorization under the *Immigration and Refugee Protection Act* (Canada) consistent with the class of certificate for which application is made.
2. The applicant must be able to speak and write either French or English with reasonable fluency. O. Reg. 68/06, s. 1; O. Reg. 390/11, s. 2 (1).

(3) It is a term, condition and limitation of a certificate of registration of any class, other than an emergency class certificate of registration, that the certificate terminates when the holder no longer has Canadian citizenship, permanent resident status or an authorization under the *Immigration and Refugee Protection Act* (Canada) consistent with the class of certificate. O. Reg. 68/06, s. 1.

(4) It is a term, condition and limitation of a certificate of registration authorizing independent practice that the holder must successfully complete the College Jurisprudence Program at the first opportunity provided by the College following either initial registration or reinstatement of registration and thereafter once every five-year cycle of the Program as scheduled by the Registrar. O. Reg. 390/11, s. 2 (2).

(5) For the purpose of subsection (4), the College Jurisprudence Program includes an assessment of the holder's knowledge of and ability to apply jurisprudence concepts relevant to the practice of physiotherapy in Ontario. O. Reg. 68/06, s. 1.

17. It is a non-exemptible registration requirement for all certificates of registration that the applicant demonstrates that he or she holds professional liability insurance in accordance with the College by-laws. O. Reg. 390/11, s. 3.

18. Despite any other provision in this Regulation, an applicant who by commission or omission makes a false or misleading representation or declaration on or in connection with an application shall be deemed not to have, and not to have had, the qualifications for a certificate of any class. O. Reg. 68/06, s. 1.

INDEPENDENT PRACTICE

19. (1) The following are the standards and qualifications for a certificate of registration authorizing independent practice:

1. The applicant must have received a degree in physiotherapy.
2. The applicant must have successfully completed the examination. O. Reg. 68/06, s. 1.

(2) An applicant for a certificate of registration authorizing independent practice who was, on December 31, 1993, qualified as a physiotherapist under a statute in a Canadian jurisdiction outside Ontario and is included on a permanent register in that jurisdiction is exempted from the standards and qualifications under subsection (1). O. Reg. 68/06, s. 1.

(3) An applicant for a certificate of registration authorizing independent practice who was, on December 30, 1993, qualified as a physiotherapist in Ontario under the *Drugless Practitioners Act* is exempted from the standards and qualifications under subsection (1). O. Reg. 68/06, s. 1.

(4) An applicant for a certificate of registration authorizing independent practice shall satisfy the Registrar that he or she has practised physiotherapy for at least 1,200 hours in the five years immediately preceding the application if the applicant,

- (a) is not exempted from the standards and qualifications under subsection (1) and has not successfully completed the examination within the five years immediately preceding the application; or
- (b) is exempted from the standards and qualifications under subsection (1). O. Reg. 68/06, s. 1.

20. (1) Where section 22.18 of the Code applies to an applicant, the requirements of subsections 19 (1) and (4) are deemed to have been met by the applicant. O. Reg. 390/11, s. 4.

(2) Despite subsection (1) it is a non-exemptible registration requirement that an applicant referred to in subsection (1) provide a certificate, letter or other evidence satisfactory to the Registrar or a panel of the Registration Committee establishing that the applicant is in good standing as a physiotherapist in every jurisdiction where the applicant holds an out-of-province certificate. O. Reg. 390/11, s. 4.

(3) Where an applicant referred to in subsection (1) is unable to satisfy the Registrar that the applicant practised the profession to the extent that would be permitted by a certificate of registration authorizing independent practice at any time in the five years immediately before the date of that applicant's application, the applicant must meet any further requirement to undertake, obtain or undergo material additional training, experience, examinations or assessments that may be specified by a panel of the Registration Committee. O. Reg. 390/11, s. 4.

(4) An applicant referred to in subsection (1) is deemed to have met the requirements of paragraph 2 of subsection 16 (2) where the requirements for the issuance of the applicant's out-of-province certificate

included language proficiency requirements equivalent to those required by that paragraph. O. Reg. 390/11, s. 4.

(5) Despite subsection (1), an applicant is not deemed to have met a requirement if that requirement is described in subsection 22.18 (3) of the Code. O. Reg. 390/11, s. 4.

21. (1) Subject to subsections (6), (8) and (9), it is a term, condition and limitation of a certificate of registration authorizing independent practice that, five years after the date of initial registration, and every year after that, the holder satisfy the Registrar that he or she,

- (a) has practised physiotherapy for at least 1,200 hours in the preceding five years;
- (b) has successfully completed the College Review Program within the previous 12 months at the holder's expense; or
- (c) has successfully completed the examination within the previous 12 months. O. Reg. 68/06, s. 1; O. Reg. 390/11, s. 5 (1).

(2) For the purpose of clause (1) (b), the College Review Program shall consist of an assessment of the holder's current knowledge, skill, judgment and performance and may include an individualized upgrading program based upon the results of the assessment or a reassessment upon the completion of the program. O. Reg. 68/06, s. 1.

(3) If a holder of a certificate of registration authorizing independent practice fails to satisfy the condition in subsection (1), his or her certificate of registration is suspended until the condition is satisfied except if the holder concludes a written agreement approved by the Registrar. O. Reg. 68/06, s. 1.

(4) If a holder of a certificate of registration authorizing independent practice ceases or fails to hold professional liability insurance in accordance with the College by-laws, his or her certificate of registration is deemed to be suspended until the Registrar is satisfied that he or she has acquired the professional liability insurance. O. Reg. 68/06, s. 1; O. Reg. 390/11, s. 5 (2).

(5) A person who held a certificate of registration authorizing academic practice or an inactive status certificate of registration on December 14, 2011 shall be issued a certificate of registration authorizing independent practice. O. Reg. 390/11, s. 5 (3).

(6) A certificate of registration authorizing independent practice issued under subsection (5) is subject to the same terms, conditions and limitations that applied to the class of the member's previous certificate of registration authorizing academic practice or inactive status certificate of registration, as the case may be, until the member satisfies the Registrar that he or she is in compliance with the terms, conditions and limitations specified in subsection (1). O. Reg. 390/11, s. 5 (3).

(7) For greater certainty, nothing in subsection (6) affects the expiry of any term, condition or limitation that was imposed on the member's previous certificate of registration authorizing academic practice or inactive status certificate of registration, as the case may be, by the Registrar pursuant to,

- (a) an order of Council or Executive Committee or a panel of the Registration Committee, Discipline Committee or Fitness to Practice Committee;
- (b) a direction of the Quality Assurance Committee; or
- (c) the approval of a panel of the Registration Committee. O. Reg. 390/11, s. 5 (3).

(8) A member referred to in subsection (5) who held a certificate of registration authorizing academic practice on December 14, 2011 must comply with the terms, conditions and limitations specified in subsection (1) within six months of being issued a certificate of registration authorizing independent practice under subsection (5). O. Reg. 390/11, s. 5 (3).

(9) A member referred to in subsection (5) who held an inactive status certificate of registration on December 14, 2011 must comply with the terms, conditions and limitations specified in subsection (1) within three years of being issued a certificate of registration authorizing independent practice under subsection (5), and if he or she does not do so, his or her certificate of registration authorizing independent practice is deemed to have expired on the date that is three years immediately after the date of issuance. O. Reg. 390/11, s. 5 (3).

22. REVOKED: O. Reg. 390/11, s. 6.

PROVISIONAL PRACTICE

23. (1) ~~The Subject to paragraph i of subsection 24.1 (12), the~~ following are the standards and qualifications for a certificate of registration authorizing provisional practice:

- 1. The applicant must have received a degree in physiotherapy.
- 2. The applicant must have successfully completed the written component of the examination.

3. The applicant must have registered to take the practical component of the examination at the next available opportunity after the application. O. Reg. 68/06, s. 1.

(2) The following are the terms, conditions and limitations of a certificate of registration authorizing provisional practice:

1. The holder may practise physiotherapy only under the terms of a written agreement with a member holding a certificate of registration authorizing independent practice who monitors him or her in accordance with the written agreement. For the purposes of this paragraph, both the written agreement and the member must be approved by the Registrar.
2. The holder shall hold himself or herself out only as a physiotherapy resident.
3. If the member in paragraph 1 is unable to maintain the terms of the agreement due to resignation, illness or other circumstances, the provisional practice certificate of the holder is suspended until a new written agreement with the same or different member is approved by the Registrar.
4. The certificate expires on the earlier of the date that the holder receives notification that he or she has failed the practical component of the examination or 12 weeks after the date that the holder is registered to take the practical component of the examination. O. Reg. 68/06, s. 1.

(3) If a holder of a certificate of registration authorizing provisional practice ceases or fails to hold professional liability insurance in accordance with the College by-laws, his or her certificate of registration is deemed to be suspended until the Registrar is satisfied that he or she has acquired the professional liability insurance. O. Reg. 68/06, s. 1; O. Reg. 390/11, s. 7.

(4) A person who has failed the practical component of the examination is not entitled to apply for a certificate of registration authorizing provisional practice. O. Reg. 68/06, s. 1.

(5) A person who previously obtained a certificate of registration authorizing provisional practice is not entitled to apply for another one unless the person did not fail the practical component of the examination but was unable to complete it successfully because of illness or some other reason beyond the control of the person. O. Reg. 68/06, s. 1.

(6) A person who previously obtained what was formerly known as a certificate of registration authorizing supervised practice is not entitled to apply for a certificate of registration authorizing provisional practice unless the person did not fail the practical component of the examination but was unable to complete it successfully because of illness or some other reason beyond the control of the person. O. Reg. 68/06, s. 1.

(7) If the Registrar receives concerns relating to the member's knowledge, skills or judgement in the practice of physiotherapy during the period that the member held a certificate of registration authorizing provisional practice, the Registrar may refer the member to the Quality Management Committee. O. Reg. 68/06, s. 1.

COURTESY

24. (1) The following are the standards and qualifications for a courtesy certificate of registration:

1. The applicant must have received a degree in physiotherapy, unless the applicant, if applying for a certificate of registration authorizing independent practice, would be exempt from meeting the requirement of paragraph 1 of subsection 19 (1) by virtue of subsection 19 (2) or (3).
2. The applicant must be registered to practise as a physiotherapist by an authority responsible for the regulation of physiotherapists in a jurisdiction outside Ontario that is approved by the Registration Committee as having a scheme for the regulation of physiotherapists that is reasonably equivalent to that in Ontario.
3. The applicant must have practised physiotherapy for at least 1,200 hours in the preceding five years.
4. The applicant must certify that he or she is making the application solely for reason of,
 - i. teaching an educational course,
 - ii. participating in an educational program,
 - iii. participating in research activities, or
 - iv. participating in a specific event of limited duration. O. Reg. 390/11, s. 8.

(2) The following are the terms, conditions and limitations of a courtesy certificate of registration:

1. The holder may practise physiotherapy only for the purpose that he or she certified under paragraph 4 of subsection (1) as the reason for making the application for the courtesy certificate of registration.

2. The certificate expires 30 days after the date of initial registration, on the date on which the purpose referenced in paragraph 1 is attained or when the member is no longer engaged in attaining that purpose, whichever is the earliest. O. Reg. 390/11, s. 8.
- (3) If a holder of a courtesy certificate of registration ceases or fails to hold professional liability insurance in accordance with the College by-laws, his or her certificate of registration is deemed to be suspended until the Registrar is satisfied that he or she has acquired the professional liability insurance. O. Reg. 390/11, s. 8.

EMERGENCY

24.1 (0.1) In this section, "Supervisor" means,

- (a) holds a certificate of registration authorizing independence practice, and
 - (b) has been approved by the Registrar to supervise a member who holds an emergency class certificate of registration.
- (1) In order for the College to issue an emergency class certificate of registration, the Government of Ontario must request or the Council must determine that it is in the public interest to register physiotherapists in the emergency class to address emergency circumstances.
- (2) Where the Council receives a request from the Government of Ontario or the Council determines there are emergency circumstances under subsection (1), the Council may also determine whether the issuance of certificates of registration in the emergency class is to be limited in any manner including, but not limited to, the following:
1. whether members of that class will be permitted to practise in-person, virtually or both; and/or
 2. applicants who will be engaging in clinical practice in a public hospital, long-term care facility or other similar publicly funded institutions approved by the Council; and/or
 3. applicants who will be engaging in clinical practice in a private practice setting.
- (3) The following are the standards and qualifications for an emergency class certificate of registration:
1. The applicant must satisfy the Registrar that the applicant meets one of the following:
 - i. The applicant has a degree in physiotherapy;
 - ii. The applicant is enrolled in a program in physiotherapy as referred to in paragraph (a) of section 11 and has completed at least 820 clinical practice hours associated with that program;
 - iii. The applicant is or was in the past five years registered to practise physiotherapy in Ontario with a certificate of registration authorizing independent practice or registered or licenced to practise physiotherapy in another province or territory in Canada with a certificate or licence which the Registrar is satisfied is equivalent to a certificate of registration authorizing independent practice in Ontario;
 - iv. The applicant is or was in the past five years registered or licenced to practise physiotherapy in a jurisdiction outside of Canada that has been approved by the Council for the purpose of issuing emergency class certificates of registration; or
 2. The applicant must satisfy the Registrar that the applicant has completed at least 1200 clinical practice hours in the five years immediately preceding the application.
 3. The applicant must satisfy the Registrar that the applicant's past and present conduct affords reasonable grounds for the belief that:
 - i. the applicant will practise with decency, integrity and honesty and in accordance with the law;
 - ii. the applicant has sufficient knowledge, skill and judgement to competently practise physiotherapy within the scope of practise of the emergency class certificate of registration;
 - iii. the applicant is mentally competent to practise physiotherapy; and
 - iv. the applicant can communicate effectively and will display an appropriate professional attitude towards the College, patients and colleagues.
 4. The applicant must have Canadian citizenship, permanent resident status or an authorization under the *Immigration and Refugee Protection Act* (Canada) consistent with the emergency class certificate.
 5. The applicant must be able to speak and write either French or English with reasonable fluency.
 6. The applicant must have successfully completed the College Jurisprudence Program.

7. Where the Council limits the issuance of emergency class certificates under subsection 24.1 (2), the Registrar must be satisfied that the applicant will be using the emergency class certificate in a manner consistent with that limitation.
8. The applicant must not have failed the written component of the examination.
9. The applicant must not have failed the practical component of the examination on two or more occasions.

(4) The requirements set out in paragraphs 1, 3, 4, 5, 6, 7, 8 and 9 of subsection (3) are non-exemptible.

(5) Where the applicant is or was registered or licensed to practise physiotherapy in another jurisdiction, or any other profession in any jurisdiction, the information referred to in paragraph 3 of subsection (3) may include any information that the jurisdiction has with regard to the past and present conduct of the applicant, including but not limited to, findings of professional misconduct, incompetence or incapacity.

(6) The following are the terms, conditions and limitations of an emergency class certificate of registration:

1. The member must only hold themselves out as a "physiotherapist (emergency class)" or the abbreviation "PT (emergency class)" or its equivalent in French.
2. The member may only practise physiotherapy under the direct supervision of a Supervisor who works at the same practice location.
3. The member must be directly supervised by the Supervisor until the Registrar is satisfied that the member is able to practise safely and competently without supervision.
4. The holder is not entitled to perform a controlled act authorized to a physiotherapist under subsection 4(1) of the *Physiotherapy Act, 1991* unless the member is otherwise authorized to do so by a medical directive or the controlled act is delegated to the member by a regulated health professional who is themselves authorized to delegate that controlled act.

(7) An emergency class certificate of registration is automatically revoked on the earliest of the date on which any of the following events occur:

1. 15 days after receipt of notice of the Council's determination that the emergency circumstances have ended.
2. The expiry of 12 months from the date the certificate was issued, unless the Registrar extends the certificate under subsection (8).
3. The date to which the Registrar extended the certificate under subsection (8).
4. The date on which the Registrar revoked the certificate under subsection (9).
5. 15 days after the member receives notification that the member failed the written component of the examination.
6. 15 days after the member receives notification that the member failed the practical component of the examination for the second time.

(8) The Registrar may extend an emergency class certificate of registration for one or more periods, each of which is not to exceed 12 months, if, in the opinion of the Registrar, it is advisable or necessary to do so, provided the Council has not determined that the emergency circumstances have ended.

(9) The Registrar may revoke an emergency class certificate of registration if, in the opinion of the Registrar, it is in the public interest to do so.

(10) If a holder of an emergency class certificate of registration ceases or fails to hold professional liability insurance in accordance with the College by-laws, the member's certificate of registration is deemed to be suspended until the Registrar is satisfied that the member has acquired the professional liability insurance.

(11) If a holder of an emergency class certificate of registration no longer has Canadian citizenship, permanent resident status or an authorization under the *Immigration and Refugee Protection Act (Canada)* consistent with the emergency class certificate of registration, that certificate is terminated.

Exemptions

(12) A member who holds or a former member who held an emergency class certificate of registration within two years of applying for a certificate of registration authorizing provisional practice and who practised physiotherapy for at least 1200 hours while in the emergency class is exempt from any examination fees which would otherwise be payable to the College for the practical component of the examination.

TRANSITIONAL, TEACHING PRACTICE CERTIFICATE

25. Where, immediately before December 15, 2011, a member held a certificate of registration authorizing teaching practice, the certificate continues, subject to the same terms, conditions and limitations it was subject to when issued, until it expires in accordance with section 25 of this Regulation as it read before that date. O. Reg. 390/11, s. 8.

26. REVOKED: O. Reg. 390/11, s. 8.

