

## **ONTARIO REGULATION 137/11: REGISTRATION UNDER THE *CHIROPRACTIC ACT, 1991***

**Effective Date: May 6, 2011.**

**Proposed Amendments Approved by Council for Circulation and Feedback:  
February 24, 2023 (indicated in underline)**

*Note to readers: In the event of any inconsistency between this document and the legislation that affects chiropractic practice, the legislation governs.*

### **GENERAL**

#### **Classes of certificate**

1. The following are prescribed as classes of certificate of registration:
  1. General.
  2. Temporary.
  3. Inactive.
  4. Retired. O. Reg. 137/11, s. 1.
  5. Emergency

#### **Application**

2. A person shall apply for a certificate of registration by submitting a completed application in the provided form together with the applicable fees under the by-laws. O. Reg. 137/11, s. 2.

#### **Registration requirements, all classes**

3. The following are registration requirements for a certificate of registration of any class:
  1. If the applicant has previously been or is registered or licensed to practise another health profession in Ontario, or chiropractic or another health profession in any other jurisdiction, the applicant must provide evidence that there has been no finding of, and that there is no current investigation or proceeding involving an allegation of, professional misconduct, incompetence or incapacity or similar conduct.
  2. The applicant must be able to speak and write either English or French with reasonable fluency.
  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.
  4. The applicant's past and present conduct must afford reasonable grounds for belief that the applicant,

- i. is mentally and physically competent to practise chiropractic,
- ii. will practise chiropractic with decency, integrity, honesty and in accordance with the law,
- iii. has sufficient knowledge, skill and judgment to engage in chiropractic, and
- iv. will display professional behaviour. O. Reg. 137/11, s. 3.

### **Requirement to provide details**

4. Every applicant is required to provide the College with details of the following with respect to the applicant that occur or arise after the applicant has submitted his or her application, and if the applicant becomes a member, it is a condition of the member's certificate of registration that he or she provide such details:
  1. A finding of professional misconduct, incompetence or incapacity or similar finding in Ontario in relation to another health profession or in any other jurisdiction in which the applicant is registered or licensed to practise chiropractic or another health profession.
  2. An investigation or proceeding for professional misconduct, incompetence or incapacity or similar finding in Ontario in relation to another health profession or in any other jurisdiction in which the applicant is registered or licensed to practise chiropractic or another health profession.
  3. A finding of guilt in relation to any offence. O. Reg. 137/11, s. 4.

### **Revocation for false and misleading statements**

5. The Registrar may revoke the member's certificate of registration if the member made a false or misleading statement in his or her application for registration or on any form related to his or her renewal or reinstatement of registration. O. Reg. 137/11, s. 5.

## **GENERAL CERTIFICATES**

### **Additional requirements, general certificate**

6. The following are additional registration requirements for a general certificate of registration:
  1. The applicant must have successfully completed the requirements for graduation from either a chiropractic education program that is accredited or recognized by the Council on Chiropractic Education (Canada) or a chiropractic education program considered

equivalent by the Council to such a program. Subject to section 7, this requirement is non-exemptible.

2. Before applying for the certificate, the applicant must have passed,
  - i. a legislation examination set by the Council or set by another person or body and accepted by the Council as sufficiently testing the applicant's knowledge of relevant legislation, and
  - ii. the examinations set by the Canadian Chiropractic Examining Board or set by another person or association of persons and accepted by the Council as equivalent to the examinations set by the Board.
3. The applicant must complete a refresher course approved by the Registration Committee or otherwise satisfy the Registration Committee that he or she is currently competent to practise if the applicant applies for registration more than two years after completing the education program required under paragraph 1.
4. The applicant must provide evidence satisfactory to the Registrar that, as of the anticipated date for the issuance of his or her certificate of registration, the applicant,
  - i. will have professional liability insurance in the amount and in the form as required by the by-laws, or
  - ii. will belong to an association that is specified in the by-laws as providing the member with personal protection against professional liability. O. Reg. 137/11, s. 6.

### **Labour mobility, general certificate**

7.
  - (1) Where section 22.18 of the Health Professions Procedural Code applies to an applicant the requirements of paragraph 1, subparagraph 2 ii and paragraph 3 of section 6 are deemed to have been met by the applicant. O. Reg. 137/11, s. 7 (1).
  - (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 a chiropractor in every jurisdiction where the applicant holds an out-of-province certificate. O. Reg. 137/11, s. 7 (2).
  - (3) An applicant referred to in subsection (1) is deemed to have met the requirements of paragraph 2 of section 3 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 that paragraph. O. Reg. 137/11, s. 7 (3).

- (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. 137/11, s. 7 (4).

### **Issuance of general certificate of registration to retired or inactive member**

8. (1) The following rules apply where a member who holds a retired or 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 the applicable fee for a general certificate of registration.
  3. A member who has held an inactive or retired certificate of registration for more than two consecutive years preceding his or her application for a general certificate of registration shall only be entitled to have a general certificate of registration issued if he or she satisfies the Registration Committee that he or she is currently competent to practise.
  4. The member shall not resume active practice until his or her application for issuance of a general certificate of registration has been approved by the Registration Committee. O. Reg. 137/11, s. 8 (1).
- (2) Where a member who wishes to be issued a general certificate of registration pursuant to subsection (1) was issued his or her inactive or retired certificate of registration pursuant to section 13 or 16, the reference to “inactive or retired certificate of registration” in paragraph 3 of subsection (1) shall be a reference to any out-of-province certificate that was, at the time he or she was issued their inactive or retired certificate of registration, considered by the Registration Committee to be substantially equivalent to an inactive or retired certificate of registration. O. Reg. 137/11, s. 8 (2).

### **TEMPORARY CERTIFICATES**

#### **Additional requirements, temporary certificate**

9. The following are additional registration requirements for a temporary certificate of registration:
  1. The applicant must have successfully completed the requirements for graduation from either a chiropractic education program that is accredited or recognized by the Council

on Chiropractic Education (Canada) or a chiropractic education program considered equivalent by the Council to such a program. This requirement is non-exemptible.

2. The applicant must be registered or licensed to practise chiropractic in another jurisdiction.
3. The applicant must provide evidence satisfactory to the Registrar that, as of the anticipated date for the issuance of his or her certificate of registration, the applicant,
  - i. will have professional liability insurance in the amount and in the form as required by the by-laws, or
  - ii. will belong to an association that is specified in the by-laws as providing the member with personal protection against professional liability. O. Reg. 137/11, s. 9.

### **Temporary certificate, expiry**

10. A temporary certificate of registration expires on the earliest of the following:
  1. The expiry date set out on the certificate.
  2. Twelve weeks after the date the temporary certificate of registration was issued.
  3. If the temporary certificate of registration was issued for a temporary appointment or exchange program, the date of termination of the temporary appointment or exchange program for which it was issued. O. Reg. 137/11, s. 10.

### **INACTIVE CERTIFICATES**

#### **Additional requirements, inactive certificate**

11. The following are additional registration requirements for an inactive certificate of registration:
  1. The applicant must hold, or be eligible to hold, a general certificate of registration.
  2. The applicant must not be in default of any fee, fine or other amount owed to the College or in default in providing any information to the College.
  3. The applicant must give a written undertaking to the College not to engage in chiropractic practice in Ontario and not to submit accounts to the Workplace Safety and Insurance Board or any other third party payer in respect of chiropractic services. O. Reg. 137/11, s. 11.

### **Conditions, inactive certificate**

12. The following are conditions of an inactive certificate of registration:
  1. The member shall not engage in chiropractic practice in Ontario.
  2. The member shall not submit an account to the Workplace Safety and Insurance Board or any other third party payer in respect of a chiropractic service. O. Reg. 137/11, s. 12.

### **Labour mobility, inactive certificate**

13. Where an applicant holds an out-of-province certificate which, in the opinion of the Registration Committee, is substantially equivalent to an inactive certificate of registration, the requirement of paragraph 1 of section 11 is deemed to have been met by the applicant if he or she provides 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 chiropractor in every jurisdiction where the applicant holds an out-of-province certificate. O. Reg. 137/11, s. 13.

## **RETIRED CERTIFICATES**

### **Additional requirements, retired certificate**

14. The following are additional requirements for a retired certificate of registration:
  1. The applicant must hold either a general or an inactive certificate of registration.
  2. The applicant must not be in default of any fee, fine or other amount owed to the College or in default in providing any information to the College.
  3. The applicant must give a written undertaking to the College not to engage in chiropractic practice in Ontario and not to submit accounts to the Workplace Safety and Insurance Board or any other third party payer in respect of chiropractic services. O. Reg. 137/11, s. 14.

### **Conditions, retired certificate**

15. The following are conditions of a retired certificate of registration:
  1. The member shall not engage in chiropractic practice in Ontario.

2. The member shall not submit an account to the Workplace Safety and Insurance Board or any other third party payer in respect of a chiropractic service. O. Reg. 137/11, s. 15.

### Labour mobility, retired certificate

16. Where an applicant holds an out-of-province certificate which, in the opinion of the Registration Committee, is substantially equivalent to a retired certificate of registration, the requirement of paragraph 1 of section 14 is deemed to have been met by the applicant if he or she provides 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 chiropractor in every jurisdiction where the applicant holds an out-of-province certificate. O. Reg. 137/11, s. 16.

### EMERGENCY CERTIFICATES

- 16.1 (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. In making this determination, the Council may take into account all of the relevant circumstances 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 following are requirements for an Emergency certificate of registration:
  1. Emergency circumstances must exist as described in section 16.1(1) above.
  2. The applicant must have satisfied the registration requirements in sections 3, 4, 5, 6(1), 6(3) and 6(4) of this regulation. The educational requirement in subsection 6(1) is non-exemptible.
  3. The applicant must submit a criminal record check, in accordance with CCO policy.
  4. The applicant must complete examination requirements and/or a refresher course approved by the Registration Committee or otherwise satisfy the Registration that the member is competent to practise.
- (3) Every certificate of registration in the Emergency class of registration is subject to the following terms, conditions and limitations:
  1. The member shall practise the profession only within the scope of practice of the Emergency certificate.

2. The member shall at all times when providing chiropractic services identify themselves as member registered in the Emergency class of registration, only authorized to practise under supervision.
  3. The member shall be restricted to the title Chiropractor (Emergency Class).
  4. The member shall only practise the profession while under the direct supervision of a member who:
    - a. Holds a General certificate of registration
    - b. Is current actively providing direct patient care to patients
    - c. Is in good standing with CCO
    - d. Is not the subject of any disciplinary or incapacity proceeding or has an outstanding referral for a disciplinary or incapacity proceeding
    - e. Is authorized to practise in any area of chiropractic that requires specific additional education or certificate, such as acupuncture and chiropractic care of animals, if the member in the emergency class of registration is authorized to practise in these areas of practice
    - f. Any other criteria identified in CCO policy
- (4) 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 certificate 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 the any of the following:
    - a. 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.
    - b. The date the member is issued a General certificate of registration.
- (5) A member who holds a certificate of registration in the Emergency class of registration may be issued a certificate of registration in the General class of registration if the member satisfies the requirements for a General class certificate of registration, including meeting any requirements in Regulation, By-law and Policy and paying all applicable fees, and completes an application for registration in the General class that is approved by the Registrar.



## **INSURANCE**

17. It is a condition of every general certificate of registration and of every temporary certificate of registration that the member continue,
- (a) to maintain professional liability insurance in accordance with the by-laws; or
  - (b) to belong to an association that is specified in the by-laws as providing the member with personal protection against professional liability. O. Reg. 137/11, s. 17.

## **FAILURE TO PAY FEES**

18. (1) If the Registrar suspends a member's certificate of registration for failure to pay a required fee, the Registrar shall lift the suspension on payment of,
- (a) the fee the member failed to pay;
  - (b) the annual fee for the year in which the suspension is to be lifted; and
  - (c) any applicable penalty. O. Reg. 137/11, s. 18 (1).
- (2) If a certificate of registration has been suspended for failure to pay a required fee for more than two years from the date of the suspension and the suspension has not been lifted under subsection (1), the certificate is automatically revoked. O. Reg. 137/11, s. 18 (2).
- (3) A person whose certificate of registration was revoked under subsection (2) or a predecessor provision and who applies to be reinstated is required to pay,
- (a) the applicable application fee under the by-laws;
  - (b) the annual fees and any applicable penalties the member failed to pay up to the date of revocation; and
  - (c) the annual fee for the year in which the member wishes to be reinstated. O. Reg. 137/11, s. 18 (3).
- (4) A person whose certificate of registration was revoked pursuant to subsection (2) or a predecessor provision must successfully complete a refresher course approved by the Registration Committee, or otherwise satisfy the Registration Committee that he or she is currently competent to practise before being entitled to have his or her general certificate of registration reinstated. O. Reg. 137/11, s. 18 (4).

**TRANSITIONAL**

- 19.** (1) 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. O. Reg. 137/11, s. 19 (1).
- (2) 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 862/93 (Registration) made under the Act, as it read immediately before this Regulation came into force, applies with respect to that application. O. Reg. 137/11, s. 19 (2).
- 20.** Omitted (revokes other Regulations). O. Reg. 137/11, s. 20.
- 21.** Omitted (provides for coming into force of provisions of this Regulation). O. Reg. 137/11, s. 21.