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Existing Clause (if applicable)	Proposed New Clause	Rationale
<p>2. The following are prescribed as classes of certificates of registration:</p> <ol style="list-style-type: none"> 1. General. 2. REVOKED: O. Reg. 27/13, s. 24 (1). 3. Student. 4. Temporary. 5. Inactive. O. Reg. 27/13, ss. 2, 24 (1). 	<p>2. The following are prescribed as classes of certificates of registration:</p> <ol style="list-style-type: none"> 1. General. 2. REVOKED: O. Reg. 27/13, s. 24 (1). 3. Student. 4. Temporary. 5. Inactive. O. Reg. 27/13, ss. 2, 24 (1). <u>6. Emergency</u> <u>7. Provisional</u> 	<p>Section 2 sets out the available classes. The list will need to identify the Provisional class and Emergency class so that applicants and the public are mindful of the availability of this class.</p>
<p>-</p>	<p><u>Declaration of Emergency</u></p> <p><u>2.1 (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:</u></p> <ol style="list-style-type: none"> 1. <u>The College has been or will be unable to deliver the registration examinations set or approved by the Council in paragraph 6 of section 9(1) for a period of 12 months or longer; or</u> 	<p>This section sets out the criteria which will open this class of registration.</p> <p>As per the Ministry request, the College has specified the emergency circumstances that will cause the Emergency class to be open for issuance and renewal. The College has considered more than just a declared state of emergency by the Ministry, and included where the College cannot deliver the registration examinations for the specified amount of time.</p> <p>Furthermore, the College has included flexibility with the ability to trigger an emergency for any unforeseen circumstance where it is in the public interest to issue the emergency.</p>

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	<p><u>2. The Minister of Health has requested the College to initiate registrations under this class based on his or her opinion that emergency circumstances exist.</u></p> <p><u>3. Any other emergency circumstance where it is in the public interest to issue a certificate in the Emergency class</u></p>	
<p>5. (1) Every certificate of registration is subject to the following terms, conditions and limitations:</p> <p>7. Subject to subsection (2), a member who holds a certificate of registration listed in Column 1 of the Table to this subsection,</p> <p>i. shall only use the titles listed in Column 2 opposite the certificate of registration, and</p> <p>ii. shall only use the designations listed in Column 3 opposite the certificate of registration, if applicable.</p>	<p><u>[table to include following rows]</u></p> <p><u>8.1.1 Emergency/ Traditional Chinese Medicine Practitioner (Emergency)/ R. TCMP (Emerg.)</u></p> <p><u>8.1.2 Emergency/ Acupuncturist (Emergency)/ R. Ac (Emerg.)</u></p> <p><u>8.2.1. Provisional/ Traditional Chinese Medicine Practitioner (Provisional)/ R. TCMP (Prov.)</u></p> <p><u>8.2.2. Provisional/ Acupuncturist (Provisional)/ R. Ac (Prov.)</u></p>	<p>Paragraph 7 of subsection 5(1) refers to the Table which identifies the class and corresponding title and designation. This table will need to be amended to identify the proper titles and designations that can be used. It is imperative that this is clear for members and the public so that improper titles and designations are not used.</p>

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<p>[sets out table identifying class, title and designation]</p>		
<p>5.(2) A member who is subject to the term, condition and limitation specified in paragraph 2 of subsection 10 (1) and who has not successfully completed the registration examinations shall only use the titles “Provisional Traditional Chinese Medicine Practitioner” or “Provisional Acupuncturist” and the designations “R. TCMP (Provisional)” and “R. Ac (Provisional)”. O. Reg. 27/13, s. 23 (2).</p>	<p><u>Revoked</u></p>	<p>This section refers to a previously used Provisional title that is no longer in use. Ideally it will be removed to avoid confusion.</p>
<p>10.(1)2. Subject to subsection (4), a member who was issued a General certificate of registration before the coming into force of this paragraph must successfully complete the registration examinations referred to in paragraph 6 of subsection 9 (1). O. Reg. 27/13, ss. 10 (1), 23 (5).</p>	<p><u>Revoked</u></p>	<p>This section refers to a previously used Provisional title that is no longer in use. Ideally it will be removed to avoid confusion.</p>
<p>17.(2) Despite subsection (1), the Registrar shall not reissue a Grandparented certificate of registration after the fifth anniversary of the day this section came into force. O. Reg. 27/13, s. 17 (2)</p>	<p><u>Revoked</u></p>	<p>This section refers to a previously used Grandparented title that is no longer in use. Ideally it will be removed to avoid confusion.</p>

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-	<p><u>Registration Requirements, Emergency class</u></p> <p><u>20.1.1 (1) The following are the registration requirements for an Emergency certificate of registration</u></p>	<p>This is a new section. This will identify all requirements that applicants must meet in order to be issued a certificate of registration in this class.</p>
-	<p><u>1. The applicant must have successfully completed a post-secondary program in traditional Chinese medicine program that,</u></p> <p><u>i. in the case of a full traditional Chinese medicine program, consists of at least four years of full-time education, or education that is of equivalent duration, and</u></p> <p><u>ii. in the case of a traditional Chinese medicine acupuncture program, consists of at least three years of full-time education, or education that is of equivalent duration.</u></p>	<p>These are the educational requirements. These are the same requirements that are required for the general class (see s. 9(1)). However, unlike the general class, there is no time period stipulated so an applicant could have completed their education several years prior (see s. 9(2)). These requirements are considered to be the minimum educational requirements in order to safely practise.</p>
-	<p><u>2. The applicant must have successfully completed a program of clinical experience in the profession that is structured, comprehensive, supervised and evaluated and which consists of at least 45 weeks of clinical experience</u></p>	<p>In addition to their education program, applicants are required to show that they have completed clinical training which includes direct patient contact. This ensures that the applicant has both the theoretical and clinical skills to practise safely.</p>

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	<u>involving at least 500 hours of direct patient contact.</u>	
-	<u>3. The applicant must have successfully completed the Safety Program that was set or approved by the Council or by a body that is approved by the Council for that purpose within two preceding years of submitting the application.</u>	This requirement mirrors the requirement for the general class. The Safety Program is a low stakes program which ensures applicants are mindful and aware of the expectations regarding safe practice of TCM. However, the applicant must complete the Safety Program within two years before applying. This ensures competency and currency.
-	<u>4. The applicant must have successfully completed the jurisprudence course set or approved by the Registration Committee within the two preceding years of submitting the application.</u>	This requirement mirrors the requirement for the general class. The jurisprudence course is a low stakes assessment which ensures applicants are mindful and aware of the Ontario regulatory landscape. This assists members, and most importantly patients, to provide safe, ethical and compassionate care. However, the applicant must complete the jurisprudence course within two years before applying. This ensures competency and currency.
	<u>5. The applicant must have successfully passed an assessment conducted by a panel of the Registration Committee, or by another body that is approved by the Council for that purpose, that demonstrates that the applicant has the necessary competency to safely practise the profession as the holder of a General certificate of registration.</u>	Unlike applicants to the general class, applicants to the emergency class are not required to complete the registration examinations. However, an assessment will still be needed to ensure that the applicant's technical and clinical skills are current and safe. The Council will identify an arm's length third party to conduct the assessment.
	<u>6. A holder of a General certificate of registration who is approved by the Registrar must have agreed to supervise the</u>	In order to ensure public protection, the emergency class member will practise under the supervision of a member in the general class. The supervisor will have demonstrated the required competencies for the

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	<p><u>applicant and to be responsible for ensuring that the applicant provides appropriate and continuing care to patients.</u></p>	<p>General Class and all of the other non-exemptible requirements. The currency requirements will also have been imposed on the supervisor. This will ensure that the supervisor has the necessary competencies to supervise the emergency class member. Further, in light of the language diversity in this profession, and the need for members to communicate with the College and other stakeholders, the supervisor will be able to communicate with the emergency class member. Finally, Registrar approval for the supervisor provides another safeguard and ensures that supervisors have the necessary skill in order to take on this important role.</p>
-	<p><u>Additional terms, etc., Emergency Class</u></p> <p><u>20.1.2 (1) The following are additional terms, conditions, and limitations on every emergency certificate of registration:</u></p>	<p>This is a new section. The emergency class will have specified TCLs to reflect the less stringent entry to practise requirements (as compared to the general class).</p>
-	<p><u>1. The member may only practise traditional Chinese medicine under the supervision of the General member referred to in paragraph 6 of subsection 20.1.1 (1).</u></p>	<p>As noted, the requirement of a supervisor is to ensure public safety. The College looked to balance the need for the member to provide services against the risk of harm if the person is not yet able to perform certain tasks competently and ethically.</p>
-	<p><u>2. Upon the request of the Registrar, the member shall provide evidence satisfactory to the Registrar of the member's compliance with the terms, condition and limitation set out in paragraph 1 and shall provide such evidence</u></p>	<p>Another safeguard. This requirement will allow the College to ensure that the member has complied with the TCLs placed on their certificate.</p>

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	<u>within the time period set by the Registrar.</u>	
-	<u>3. The member shall practice the profession a minimum of 170 patient visits during each 12-month period that they hold registration in the Emergency class.</u>	This requirement will allow the College to better assess the members ability to practice safely, by ensuring they remain active as a member of the Emergency Class
-	<u>4. If a member fails to meet the condition described in paragraph 3, the Registrar shall refer the member to the Quality Assurance Committee for a peer and practice assessment unless the member:</u> <u>(a) has successfully completed a refresher program approved by the Registration Committee, or</u> <u>(b) has resigned his or her Emergency certificate of registration.</u>	This condition allows the College to effectively enforce its competency requirements to ensure public protection.
-	<u>5. The member may not supervise another person in the practice of the profession.</u>	In order to ensure public protection, the ability of the emergency class member to supervise such acts, including authorized controlled acts, will be restricted.
-	<u>6. Unless stated otherwise on the certificate, a certificate of registration in the emergency class expires</u>	The emergency class is not a permanent class of registration. It is intended to be in use when emergency circumstances require it, but only until the emergency is

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	<u>one year after it is issued unless it is renewed.</u>	resolved. This time limit reflects the temporary nature of this class. However, should a prolonged emergency exist, it is necessary to allow a renewal of the certificate to ensure fairness to the member.
-	<u>7. 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.</u>	Emergency class certificates may be renewed for as long as the emergency circumstances exist.
-	<u>8. Despite paragraphs 6 and 7 a certificate of registration in the emergency class expires six months after the emergency as identified in section 2.1 no longer applies. I</u>	It is in the public interest that the emergency class is used only when necessary. Once the emergency circumstances no longer exist, it will be prudent to have emergency class members transfer to the general class as quickly as possible. This condition ensures a timely closure of the emergency class while it is not needed.
-	<u>Issuing General certificate to Emergency holder</u> <u>20.1.3. A member who holds a certificate of registration in the emergency class may be issued a certificate of registration in the General class if the member,</u>	The emergency class is intended to mitigate the potential disruption to Ontario's supply of regulated health professionals and serves as another pathway to registration when emergency circumstances exist. Those who will be practising the profession under an emergency class of registration must be provided with a route to continue to practising once the emergency circumstances no longer exist.
-	<u>a) applies for the certificate of registration in the General class,</u>	Before the member can the process to transfer to the general class, the College must receive a formal request to do so, through an application.

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-	<u>b) pays all fees as set out in the bylaws and penalties and orders owed to the College,</u>	All members of the College are expected to pay the associated with their membership fees.
-	<u>c) provides the College with any information that it has required of the member, and</u>	The College may wish for the member to provide additional information to support their application to the General Class, such as information on their practice under supervision. It would not be in the public interest to permit a transfer to the general class, if the member is unable to provide such information.
-	<u>d) If the member has held a certificate of registration in the emergency class for less than three years, the member must successfully complete the registration examinations as identified in paragraph 6 of sub-section 9(1) within two attempts. The member must attempt every set of those examinations that is offered until such time as the examinations are successfully completed or the member fails the examinations for a second time, whichever comes first.</u>	<p>All applicants to the General Class must demonstrate that they possess the necessary entry level competencies for the safe practice of TCM. Emergency Class members, who have not practised in the class for more than five years, will not be permitted a transfer to the General Class unless they are able to successfully pass the registration examinations.</p> <p>In acknowledgement of the time that the member has safely practiced the profession under supervision, the member will be allowed two attempts of the examination before their certificate in the Emergency Class expires</p>
-	<u>e) If the member has held a certificate of registration in the emergency class for three years or more, the member must:</u>	In the case of a prolonged emergency that requires members to remain in the emergency class for a significant length of time, the College is willing to consider this extended time of supervised practice in lieu of completing the registration examination.

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	<p>i. <u>satisfy 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</u></p> <p>ii. <u>has successfully completed such additional education, training or examination requirements determined to be necessary by a panel of the Registration Committee.</u></p>	<p>However, to ensure public safety, this section provides the College with the ability to mandate additional education, training, or examination requirements if a panel of the Registration Committee determines it is necessary.</p>
<p>-</p>	<p><u>Registration Requirements, Provisional class</u></p> <p><u>20.2.1 (1) The following are the non-exemptible registration requirements for a Provisional certificate of registration</u></p>	<p>This is a new section. This will identify all requirements (in addition to the requirements set out in s. 3) that applicants must meet in order to be issued a certificate of registration in this class. Note that all requirements are identified as non-exemptible so that the Registration Committee (or HPARB) will not have the authority to exempt the requirements. This communicates to applicants and the public the importance and necessity of these requirements in order to safely practise the profession.</p>
<p>-</p>	<p><u>1. The applicant must have successfully completed a post-secondary program in traditional Chinese medicine program that,</u></p>	<p>These are the educational requirements. These are the same requirements that are required for the general class (see s. 9(1)). However, unlike the general class, there is no time period stipulated so an applicant could have completed their education several years prior (see</p>

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	<p><u>i. in the case of a full traditional Chinese medicine program, consists of at least four years of full-time education, or education that is of equivalent duration, and</u></p> <p><u>ii. in the case of a traditional Chinese medicine acupuncture program, consists of at least three years of full-time education, or education that is of equivalent duration.</u></p>	<p>s. 9(2)). These requirements are considered to be the minimum educational requirements in order to safely practise.</p>
-	<p><u>2. Satisfy the Registrar that the applicant practised as a traditional Chinese medicine practitioner or acupuncturist for minimum ten years.</u></p>	<p>The College acknowledges that, while not being able to meet all non-exemptible requirements for the General Class, Provisional Class applicants may still have a sufficient level of experience in the profession to be granted registration. However, to ensure public safety, the College must set a minimum level of experience to be confident that they will practice safely. To satisfy these concerns, applicants will be required to have practised for a minimum of 10 years in the profession.</p>
-	<p><u>3. The applicant must have successfully completed a program of clinical experience in the profession that is structured, comprehensive, supervised and evaluated and which consists of at least 45 weeks of clinical experience involving at</u></p>	<p>In addition to their education program, applicants are required to show that they have received clinical training which includes direct patient contact. This ensures that the applicant has both the theoretical and clinical skills to practise safely.</p>

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	<u>least 500 hours of direct patient contact.</u>	
-	<u>4. The applicant must have successfully completed the Safety Program that was set or approved by the Council or by a body that is approved by the Council for that purpose within two preceding years of submitting the application.</u>	This requirement mirrors the requirement for the general class. The Safety Program is a low stakes program which ensures applicants are mindful and aware of the safe practice of TCM.
-	<u>5. The applicant must have successfully completed the jurisprudence course set or approved by the Registration Committee within the two preceding years of submitting the application.</u>	This requirement mirrors the requirement for the general class. The jurisprudence course is a low stakes assessment which ensures applicants are mindful and aware of the Ontario regulatory landscape. This assists members, and most importantly patients, to provide safe, ethical and compassionate care.
-	<u>6. The applicant must have submitted the completed application to the Registrar on or before the second anniversary of the day this paragraph came into force.</u>	The College anticipates that this class is appropriate for a limited number of individuals. To ensure prompt uptake and compliance, the College believes it is appropriate for this class to be open for only a limited time. The College believes 2 years will be sufficient to address this need.
-	<u>Terms, etc. Provisional class</u> <u>20.2.2 (1) The following are terms, conditions and limitations on every Provisional certificate of registration:</u>	This is a new section. The Provisional class will have specified TCLs to reflect the less stringent entry to practise requirements (as compared to the general class).

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-	<p><u>1. The member may only practise traditional Chinese medicine under the supervision of a member who holds a General certificate of registration who has been pre-approved by the Registrar.</u></p>	<p>In order to ensure public protection, the Provisional class member will practise under the supervision of a member in the general class. The supervisor will have demonstrated the required competencies for the General Class and all of the other non-exemptible requirements. The currency requirements will also have been imposed on the supervisor. This will ensure that the supervisor has the necessary competencies to supervise the Provisional class member. Further, in light of the language diversity in this profession, and the need for members to communicate with the College and other stakeholders, the supervisor will be able to communicate with the Provisional class member. Finally, Registrar approval for the supervisor provides another safeguard and ensures that supervisors have the necessary skill in order to take on this important role.</p>
-	<p><u>2. Upon the request of the Registrar, the member shall provide evidence satisfactory to the Registrar of the member's compliance with the term, condition and limitation set out in paragraph 1 and shall provide such evidence within the time period set by the Registrar</u></p>	<p>It is in the public interest that the College has the ability to ensure that members are complying with the terms placed on their certificate. This section provides the College with this ability.</p>
-	<p><u>3. The member must conduct a minimum of 170 traditional Chinese medicine patient visits, which may include traditional Chinese acupuncture patient visits, during every twelve-month period that commences on the day that the</u></p>	<p>This requirement will allow the College to better assess the members ability to practice safely, by ensuring they remain active as a member of the Provisional Class</p>

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	<p><u>member is issued a Provisional certificate of registration.</u></p>	
-	<p><u>4. If a member fails to meet the condition described in paragraph 3, the Registrar shall refer the member to the Quality Assurance Committee for a peer and practice assessment unless the member:</u></p> <p><u>(a) has successfully completed a refresher program approved by the Registration Committee, or</u></p> <p><u>(b) has resigned his or her Provisional certificate of registration.</u></p>	<p>This condition allows the College to effectively enforce its competency requirements to ensure public protection.</p>
-	<p><u>5. The member may not supervise another person in the practice of the profession.</u></p>	<p>Only members of the General Class, who can practise independently, may supervise other members of the profession.</p>
-	<p><u>6. Unless stated otherwise on the certificate, a certificate of registration in the Provisional class expires one year after it is issued unless it is renewed.</u></p>	<p>The Provisional class is not viewed as a class of permanence. The College encourages members to take steps to transfer to the general class or resign/permit their certificate to expire. This term provides clarity to members that the certificate is not indefinite.</p>

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-	<p><u>7. Unless stated otherwise on the certificate, a renewed certificate of registration in the Provisional class expires one year after it is issued unless it is renewed again</u></p>	See above.
-	<p><u>8. Despite paragraphs 6 and 7 a certificate of registration in the Provisional class expires:</u></p> <p><u>(a) two-years after the date the member obtained their Provisional certificate of registration, or</u></p> <p><u>(b) the date the member obtains a General class of certificate of registration.</u></p>	It is not practical from the College’s perspective or the member’s perspective for the member to remain in the Provisional Class and requiring supervision indefinitely. It is in the interest of the public and the member to assess the member’s competency and have them transferred to the General class as soon as possible. However, to give the member time to prepare, the College is providing a 2 year time period for the member to complete their transfer to the General Class.
-	<p><u>Issuing General Certificate to Provisional Holder</u></p> <p>20.2.3. A member who holds a certificate of registration in the Provisional class may be issued a certificate of registration in the General class if the member,</p>	<p>The Provisional Class is intended to provide a pathway into the profession for individuals who are unable to meet all of the non-exemptible requirements for the General Class, but are otherwise qualified to practice. This section provides a mechanism for these members to eventually transfer to the General Class of registration, and remove the requirement for supervised practice.</p> <p>Provisional Class members are required to demonstrate their competency in the profession to qualify for a General Certificate. The College’s Registration Committee will be responsible for determining the</p>

	<p>a) applies for the certificate of registration in the General class,</p> <p>b) pays all fees as set out in the bylaws and penalties and orders owed to the College,</p> <p>c) provides the College with any information that it has required of the member, and</p> <p>d) the member must:</p> <p>i. satisfy 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</p> <p>ii. successfully complete such additional education, training or examination requirements determined to be necessary by a panel of the Registration Committee.</p>	<p>competencies of these members before transferring to the General Class.</p>
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