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## Traditional Chinese Medicine Act, 2006

### ONTARIO REGULATION 27/13 REGISTRATION

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*This is the English version of a bilingual regulation.*

#### CONTENTS

<a href="#">1.</a>	Definition
<a href="#">2.</a>	Classes of certificates
<a href="#">3.</a>	Application for certificate of registration
<a href="#">4.</a>	Requirements for issuance of certificate of registration, any class
<a href="#">5.</a>	Terms, conditions and limitations of every certificate
<a href="#">9.</a>	Registration requirements, General class
<a href="#">10.</a>	Terms, etc., General certificate
<a href="#">11.</a>	Labour mobility, General class
<a href="#">12.</a>	Registration requirements, Student class
<a href="#">13.</a>	Terms, etc., Student class
<a href="#">14.</a>	Labour mobility, Student class
<a href="#">15.</a>	Registration requirements, Inactive class
<a href="#">16.</a>	Additional terms, etc., Inactive class
<a href="#">17.</a>	Issuing other certificate to Inactive holder
<a href="#">18.</a>	Registration requirements, Temporary class
<a href="#">19.</a>	Additional terms, etc., Temporary class
<a href="#">20.</a>	Labour mobility, Temporary class
<a href="#">21.</a>	Suspensions, revocations and reinstatements
<a href="#">22.</a>	Registrar to give notice

Commented [A1]: To be updated once sections are finalized

#### Definition

1. In this Regulation,

“full-time education” means a program of study that annually consists of at least 480 hours of classroom theoretical instruction or at least 620 hours of practical instruction or some combination of the two where, for every hour of classroom theoretical instruction that is less than 480 hours there must be a corresponding increase of 1.3 hours in the number of hours of practical instruction. O. Reg. 27/13, s. 1.

#### Classes of certificates

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

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).

6. Emergency

7. Provisional

#### Declaration of Emergency

**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:

1. 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;
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; or
3. Any other emergency circumstance where it is in the public interest to issue a certificate in the Emergency class.

**Application for certificate of registration**

**3.** (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. 27/13, s. 3 (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. 27/13, s. 3 (2).

**Requirements for issuance of certificate of registration, any class**

- 4.** (1) 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 a fine greater than \$1,000.00 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 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 the purposes of being licensed or certified to practise any regulated health profession, whether in Ontario or 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, whether in Ontario or another jurisdiction, with a body responsible for the regulation of a profession.
    - viii. Where the applicant is a member of another regulated profession in Ontario or any regulated profession in another jurisdiction, any failure by the applicant to comply with any obligation to pay fees or provide information to the body responsible for the regulation of such professions, the initiation of any investigations by such bodies in respect of the applicant or the imposition of sanctions on the applicant by such bodies.
    - ix. Any other event that would provide reasonable grounds for the belief that the applicant will not practise traditional Chinese medicine in a safe and professional manner.
  2. The applicant must, at the time of application, provide the Registrar with the results of a criminal background check.
  3. The applicant's previous conduct must afford reasonable grounds for the belief that he or she will practise the profession in a safe and professional manner.
  4. The applicant must be able to speak, read and write either English or French with reasonable fluency.
  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 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.

6. 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.
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.
8. The applicant must provide evidence satisfactory to the Registrar that the applicant will have professional liability insurance in the amount and in the form required under the by-laws as of the anticipated date for the issuance of his or her certificate of registration. O. Reg. 27/13, s. 4 (1).

(2) REVOKED: O. Reg. 27/13, s. 24 (1).

**Terms, conditions and limitations of every certificate**

5. (1) 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 event occurs:
  - 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 the purposes of being licensed or certified to practise any regulated health profession, whether in Ontario or 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 any other jurisdiction.
  - vii. Where the member is a member of another regulated profession in Ontario or any regulated profession in another jurisdiction, any failure by the member to comply with any obligation to pay fees or provide information to the body responsible for the regulation of such professions, the initiation of any investigations by such bodies in respect of the member or the imposition of sanctions on the member by such bodies.
  - viii. Any other event that would provide reasonable grounds for the belief that the member will not practise traditional Chinese medicine 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 as soon as possible after receiving notice of the finding, but not later than 30 days after receiving the notice.
3. The member shall maintain professional liability insurance in the amount and in the form required under the by-laws, and the member shall provide the College, within two days, with written notice if the member no longer maintains such insurance.
4. The member shall not practise the profession if the member does not have professional liability insurance in the amount and in the form required under the by-laws.
5. The member shall,
  - i. where the member is issued a certificate of registration by the College, prominently display his or her certificate of registration at any location at which he or she practises the profession, and
  - ii. where the member is issued a badge by the College, at all times while practising the profession, prominently display the badge on the outside of his or her clothing.
6. Immediately prior to the member's resignation, or to the suspension, revocation or expiry of the member's certificate of registration, the member shall return his or her certificate of registration and, if he or she has one, his or her related badge, to the Registrar.
7. Subject to subsection (2), a member who holds a certificate of registration listed in Column 1 of the Table to this subsection,
  - i. shall only use the titles listed in Column 2 opposite the certificate of registration, and
  - ii. shall only use the designations listed in Column 3 opposite the certificate of registration, if applicable.

8. The member shall only practise in the areas of traditional Chinese medicine in which the member is educated and experienced.

TABLE

Item	Column 1 Certificate of Registration	Column 2 Title	Column 3 Designation
1.	General	Traditional Chinese Medicine Practitioner	R. TCMP
2.	General	Acupuncturist	R. Ac
3.	Student	Student Traditional Chinese Medicine Practitioner	none
4.	Student	Student Acupuncturist	none
5.	Inactive	Traditional Chinese Medicine Practitioner (Inactive)	R. TCMP (Inactive)
6.	Inactive	Acupuncturist (Inactive)	R. Ac (Inactive)
7.	Temporary	Traditional Chinese Medicine Practitioner (Temp.)	R. TCMP (Temp.)
8.	Temporary	Acupuncturist (Temp.)	R. Ac (Temp.)
8.1.1	Emergency	Traditional Chinese Medicine Practitioner (Emergency)	R. TCMP (Emerg.)
8.1.2	Emergency	Acupuncturist (Emergency)	R. Ac (Emerg.)
8.2.1	Provisional	Traditional Chinese Medicine Practitioner (Provisional)	R. TCMP (Prov.)
8.2.2	Provisional	Acupuncturist (Provisional)	R. Ac (Prov.)
9., 10.	REVOKED: O. Reg.184/19, s. 1 (3).		

O. Reg. 27/13, ss. 5 (1), 23 (1), 24 (1); O. Reg.184/19, s. 1.

(2) ~~Revoked. 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).~~

**6.-8.** REVOKED: O. Reg. 27/13, s. 24 (1).

**Registration requirements, General class**

9. (1) Subject to subsection (3), the following are non-exemptible registration requirements for a General certificate of registration:

1. The applicant must have successfully completed a post-secondary program in traditional Chinese medicine that,
  - 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
  - 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.
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 involving at least 500 hours of direct patient contact.
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.
4. The applicant must have successfully completed the jurisprudence course set or approved by the Registration Committee.
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.
6. The applicant must have successfully completed the registration examinations that are set or approved by the Council. O. Reg. 27/13, ss. 9 (1), 23 (3).

(2) If the applicant has not satisfied the requirements set out in paragraph 1 of subsection (1) either within one year immediately before the date that the applicant submitted his or her application or at some point following the submission of his or her application, the applicant must,

(a) have practised the profession during the three-year period of time that immediately preceded the date that the applicant submitted his or her application, which practice included conducting a minimum of 500 traditional Chinese medicine acupuncture patient visits; or

(b) have, within the 12-month period that immediately preceded the date that the applicant submitted his or her application, successfully completed a refresher program approved by the Registration Committee. O. Reg. 27/13, s. 9 (2).

(3), (4) REVOKED: O. Reg. 27/13, s. 24 (1).

(5) The requirement in paragraph 2 of subsection (1) is not considered to have been met if the program referred to in that paragraph commenced prior to the commencement of the program in traditional Chinese medicine referred to in paragraph 1 of subsection (1). O. Reg. 27/13, s. 9 (5).

(6) The requirements in paragraphs 3 and 4 of subsection (1) are not considered to have been met unless the applicant satisfies those requirements either within the three-year period immediately before the date of that applicant's application or at some point following the submission of his or her application. O. Reg. 27/13, s. 9 (6).

(7) Subject to subsections (8) and (9), the requirements in paragraph 6 of subsection (1) are not considered to have been met unless the applicant successfully completed the examinations,

(a) after the date on which he or she met the requirements in paragraph 5 of subsection (1); or

(b) within three attempts. O. Reg. 27/13, s. 23 (4).

(8) In the case of an applicant who does not successfully complete the examinations within three attempts, the requirements in paragraph 6 of subsection (1) will be considered to have been met if the applicant successfully completed the examinations on the applicant's fourth 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. 27/13, s. 23 (4).

(9) Where, by virtue of clause (b) of subsection (7) and subsection (8), an applicant is not considered to have met the requirements in paragraph 6 of subsection (1), the successful completion of the examinations on any further attempt will not be considered as satisfying the requirements in paragraph 6 of subsection (1) unless, prior to sitting the examinations, the applicant completes another program mentioned in paragraph 1 of subsection (1). O. Reg. 27/13, s. 23 (4).

(10) Where, by virtue of clause (a) of subsection (7), an applicant is not considered to have met the requirements in paragraph 6 of subsection (1), the attempt or attempts to sit the examinations that led to the meeting of those requirements will not be considered for the purposes of clause (7) (b) and subsection (8). O. Reg. 27/13, s. 23 (4).

#### Terms, etc., General certificate

**10.** (1) The following are terms, conditions and limitations on every General certificate of registration:

1. The member must either,

i. conduct a minimum of 500 traditional Chinese medicine patient visits, which may include traditional Chinese acupuncture patient visits, during every three-year period where the first three-year period begins on the day that the member is issued a General certificate of registration and each subsequent three-year period begins on the first anniversary of the commencement of the previous period, or

ii. within the 12 months prior to the expiry of each period referred to in subparagraph i in which the member does not meet the requirements of that subparagraph, successfully complete a refresher program approved by the Registration Committee.

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). Revoked.~~

(2) If a member fails to meet the term, condition and limitation described in paragraph 1 of subsection (1), the Registrar shall refer the member to the Quality Assurance Committee for a peer and practice review. O. Reg. 27/13, s. 10 (2).

(3) A member referred to in paragraph 2 of subsection (1) must successfully complete the examinations referred to in that paragraph within two attempts and must attempt every set of those examinations that is offered until such time as the examinations are successfully completed or he or she fails the examinations for a second time, whichever comes first. O. Reg. 27/13, s. 23 (6).

(4) A member who is issued a General certificate of registration pursuant to subsection 9 (3) or section 11 is not required to meet the term, condition and limitation described in paragraph 2 of subsection (1). O. Reg. 27/13, s. 23 (6).

#### Labour mobility, General class

**11.** (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, 2, 3, 5 and 6 of subsection 9 (1) and in subsection 9 (2) of this Regulation. O. Reg. 27/13, s. 23 (7).

(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 practitioner of traditional Chinese medicine in every jurisdiction where the applicant holds an out-of-province certificate. O. Reg. 27/13, s. 11 (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 traditional Chinese medicine 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. 27/13, s. 11 (3).

(4) An applicant referred to in subsection (1) is deemed to have met the requirement of paragraph 4 of subsection 4 (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. 27/13, s. 11 (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. 27/13, s. 11 (5).

**Registration requirements, Student class**

**12.** (1) The following are registration requirements for a Student certificate of registration:

1. The applicant must,
    - i. be enrolled in a post-secondary program in traditional Chinese medicine referred to in paragraph 1 of subsection 9 (1),
    - ii. be enrolled in a program referred to in paragraph 2 of subsection 9 (1), or
    - iii. have applied to take the registration examinations referred to in paragraph 6 of subsection 9 (1), but have not yet taken the examinations.
  2. The applicant must not have previously held a Student certificate of registration and been unsuccessful in an attempt to meet the requirements of paragraph 1, 2 or 6 of subsection 9 (1) unless the Registrar is of the opinion that there are exceptional circumstances that likely contributed to the applicant's failure to meet those requirements. O. Reg. 27/13, ss. 12 (1), 23 (8, 9).
- (2) The requirements of paragraph 1 of subsection (1) are non-exemptible. O. Reg. 27/13, s. 12 (2).

**Terms, etc., Student class**

**13.** The following are terms, conditions and limitations on every Student certificate of registration:

1. The member shall only practise the profession while under the supervision of a member who holds a General certificate of registration who can communicate with the member in the member's language and who has been approved by the Registrar.
2. The member's certificate of registration expires on the earliest of,
  - i. the date the holder is no longer actively engaged in pursuing the educational program, examinations or program of clinical experience referred to in paragraph 1 of subsection 12 (1) unless the Registrar permits the holder, in writing, to interrupt the pursuit of those requirements,
  - ii. the date that is seven years following the date on which the Student certificate of registration was issued unless a panel of the Registration Committee determines that exceptional circumstances exist which warrant an extension of the holder's certificate of registration, and
  - iii. the date the holder is issued a certificate of registration of another class.
3. Where a certificate of registration is extended by a panel of the Registration Committee under subparagraph 2 ii, the extension is subject to any terms, conditions and limitations as determined by that panel of the Registration Committee. O. Reg. 27/13, ss. 13, 23 (10), 24 (2).

**Labour mobility, Student class**

**14.** (1) Where section 22.18 of the Health Professions Procedural Code applies to an applicant for a Student certificate of registration, the applicant is deemed to have met the requirements set out in paragraph 1 of subsection 12 (1). O. Reg. 27/13, s. 14 (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 practitioner of traditional Chinese medicine in every jurisdiction where the applicant holds an out-of-province certificate. O. Reg. 27/13, s. 14 (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 traditional Chinese medicine to the extent that would be permitted by a Student 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. 27/13, s. 14 (3).

(4) An applicant referred to in subsection (1) is deemed to have met the requirement of paragraph 4 of subsection 4 (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. 27/13, s. 14 (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. 27/13, s. 14 (5).

**Registration requirements, Inactive class**

**15.** (1) The following are 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 not be in default of any fee, penalty or other amount owing to the College.
  3. The applicant must have provided the College with any information that it has required of the applicant.
  4. The applicant must have provided the College with an undertaking, in a form acceptable to the Registrar, that he or she will not practise the profession while holding an Inactive certificate of registration.
  5. The applicant must not have held an Inactive certificate of registration within the five-year period immediately before the date on which he or she submitted the application unless the Registrar is of the opinion that exceptional circumstances justify exempting the applicant from this requirement. O. Reg. 27/13, s. 15 (1), 24 (2).
- (2) The requirements of paragraphs 1 to 4 of subsection (1) are non-exemptible. O. Reg. 27/13, s. 15 (2).

**Additional terms, etc., Inactive class**

**16.** The following are additional terms, conditions and limitations on every Inactive certificate of registration:

1. The member shall not engage in the practice of traditional Chinese medicine.
2. The member shall not supervise the practice of the profession.
3. The member shall not make any claim to or representation of having any competence in the profession. O. Reg. 27/13, s. 16.

**Issuing other certificate to Inactive holder**

**17.** (1) The Registrar may issue to the holder of an Inactive certificate of registration the General certificate of registration that he or she previously held if the member,

- (a) makes an application to the Registrar;
- (b) pays any penalty or other amount owed to the College;
- (c) pays any fees required under the College's by-laws;
- (d) provides the College with any information that it has required of the member;
- (e) satisfies the Registrar that he or she will be in compliance with all of the terms, conditions and limitations of the certificate that is being applied for as of the anticipated date on which the certificate will be issued; and
- (f) 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 the type of certificate which is being applied for. O. Reg. 27/13, s. 17 (1), 24 (2).

(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) (Revoked).~~

**Registration requirements, Temporary class**

**18.** (1) The following are registration requirements for a Temporary certificate of registration:

1. The applicant must be registered or licensed to practise traditional Chinese medicine in another jurisdiction in which the requirements for registration or licensure are similar to those in paragraphs 1 and 2 of subsection 9 (1).
2. The applicant must have an offer of employment or appointment that relates to the practice or teaching of the profession and which does not exceed six months.

3. A holder of a General certificate of registration who is approved by the Registrar must have agreed to supervise the applicant and to be responsible for ensuring that the applicant provides appropriate and continuing care to patients.
  4. The applicant must not have held a Temporary certificate of registration in the 12-month period immediately before the date on which he or she made the application unless the Registrar is of the opinion, based on exceptional circumstances, that this requirement should not apply.
  5. The applicant must have successfully completed the jurisprudence course set or approved by the Registration Committee. O. Reg. 27/13, s. 18 (1), 24 (2).
- (2) The requirements of paragraphs 1 to 4 of subsection (1) are non-exemptible. O. Reg. 27/13, s. 18 (2).
- (3) The requirement in paragraph 5 of subsection (1) is not considered to have been met unless the applicant satisfies the requirement within the three-year period immediately before the date of the applicant's application. O. Reg. 27/13, s. 18 (3).
- (4) If the applicant completed the education that was part of the requirements for the registration or licensure referred to in paragraph 1 of subsection (1) more than one year immediately before the date that the applicant submitted his or her application for a Temporary certificate of registration, the applicant must,
- (a) have practised the profession during the three-year period of time that immediately preceded the date that the applicant submitted his or her application, which practice included conducting a minimum of 500 traditional Chinese medicine patient visits, which may include traditional Chinese acupuncture patient visits; or
  - (b) have, within the 12-month period that immediately preceded the date that the applicant submitted his or her application, successfully completed a refresher program approved by the Registration Committee. O. Reg. 27/13, s. 18 (4).

**Additional terms, etc., Temporary class**

**19.** The following are additional terms, conditions and limitations on every Temporary certificate of registration:

1. The member may only practise traditional Chinese medicine under the supervision of the General member referred to in paragraph 3 of subsection 18 (1).
2. Upon the request of the Registrar, the member shall provide evidence satisfactory to the Registrar of the member's compliance with the terms, conditions and limitations set out in paragraph 1 and shall provide such evidence within the time period set by the Registrar.
3. The member's certificate of registration expires on the earlier of the expiry date noted on his or her certificate of registration and the day that is six months after the date on which the certificate was issued. O. Reg. 27/13, s. 19, 24 (2).

**Labour mobility, Temporary class**

**20.** (1) Where section 22.18 of the Health Professions Procedural Code applies to an applicant for a Temporary certificate of registration, the applicant is deemed to have met the requirements set out in paragraph 1 of subsection 18 (1). O. Reg. 27/13, s. 20 (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 practitioner of traditional Chinese medicine in every jurisdiction where the applicant holds an out-of-province certificate. O. Reg. 27/13, s. 20 (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 traditional Chinese medicine 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, 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. 27/13, s. 20 (3).

(4) An applicant referred to in subsection (1) is deemed to have met the requirement of paragraph 4 of subsection 4 (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. 27/13, s. 20 (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. 27/13, s. 20 (5).

**Registration Requirements, Emergency class**

**20.1.1** (1) The following are registration requirements for an Emergency certificate of registration:

1. The applicant must have successfully completed a post-secondary program in traditional Chinese medicine that,



- 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
  - 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.
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 involving at least 500 hours of direct patient contact.
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.
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.
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.
6. A holder of a General certificate of registration who is approved by the Registrar must have agreed to supervise the applicant and to be responsible for ensuring that the applicant provides appropriate and continuing care to patients.

#### **Additional terms, etc., Emergency Class**

**20.1.2** (1) The following are additional terms, conditions and limitations on every Emergency certificate of registration:

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).
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.
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.
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:
  - (a) has successfully completed a refresher program approved by the Registration Committee, or
  - (b) has resigned his or her Emergency certificate of registration.
5. The member may not supervise another person in the practice of the profession.
6. 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.
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.
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.

#### **Issuing General certificate to Emergency holder**

**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,

- a) applies for the certificate of registration in the General class,
- b) pays all fees as set out in the bylaws and penalties and orders owed to the College,
- c) provides the College with any information that it has required of the member, and
- 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.
- e) If the member has held a certificate of registration in the emergency class for three years or more, the member

must:

- 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
- ii. has successfully completed such additional education, training or examination requirements determined to be necessary by a panel of the Registration Committee.

#### **Registration Requirements, Provisional class**

**20.2.1** (1) The following are the non-exemptible registration requirements for a Provisional certificate of registration:

1. The applicant must have successfully completed a post-secondary program in traditional Chinese medicine that,
  - 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
  - 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.
2. Satisfy the Registrar that the applicant practised as a traditional Chinese medicine practitioner or acupuncturist for minimum ten years.
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 least 500 hours of direct patient contact.
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.
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.
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.

#### **Additional terms, etc., Provisional Class**

**20.2.2** (1) The following are additional terms, conditions and limitations on every Provisional certificate of registration:

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.
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.
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 member is issued a Provisional certificate of registration.
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:
  - (a) has successfully completed a refresher program approved by the Registration Committee, or
  - (b) has resigned his or her Provisional certificate of registration.
5. The member may not supervise another person in the practice of the profession.
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.
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.
8. Despite paragraphs 6 and 7 a certificate of registration in the Provisional class expires:
  - (a) two-years after the date the member obtained their Provisional certificate of registration, or
  - (b) the date the member obtains a General class of certificate of registration.

### Issuing General certificate to Provisional holder

**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,

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

### Suspensions, revocations and reinstatements

- 21.** (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. 27/13, s. 21 (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; and
  - (d) in the case of a former member whose certificate of registration was suspended under subsection (1) more than three years prior to the date on which he or she made his or her application for reinstatement, 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 the type of certificate that is being applied for. O. Reg. 27/13, s. 21 (2).
- (3) Despite subsection (2), after the fifth anniversary of the day this subsection comes into force, the Registrar shall not lift the suspension of a Grandparented certificate of registration. O. Reg. 27/13, s. 21 (3).

### Registrar to give notice

**22.** The Registrar shall provide notice to a member where the member fails to meet the term, condition and limitation described in paragraph 2 of subsection 10 (1) within the timeframe provided for in subsection 10 (3) and the member's General certificate of registration shall be revoked 30 days following the date on which the notice is provided. O. Reg. 27/13, s. 22.

**23.** OMITTED (PROVIDES FOR AMENDMENTS TO THIS REGULATION). O. Reg. 27/13, s. 23.

**24.** OMITTED (PROVIDES FOR AMENDMENTS TO THIS REGULATION). O. Reg. 27/13, s. 24; O. Reg. 184/19, s. 2.

**25.** OMITTED (PROVIDES FOR COMING INTO FORCE OF PROVISIONS OF THIS REGULATION). O. Reg. 27/13, s. 25.

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[Back to top](#)