

Occupational Therapy Act, 1991
Loi de 1991 sur les ergothérapeutes

ONTARIO REGULATION 226/96

GENERAL

PART VIII
REGISTRATION

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

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

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

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

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

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

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

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

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

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

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

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

GENERAL PRACTISING CERTIFICATE OF REGISTRATION

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

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

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

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

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

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

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

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

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

1. The member must,

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

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

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

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

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

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

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

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

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

PROVISIONAL PRACTISING CERTIFICATE OF REGISTRATION

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

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

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

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

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

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

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

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

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

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

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

TEMPORARY CERTIFICATE OF REGISTRATION

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

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

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

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

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

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

1. Emergency circumstances must exist such that in the opinion of the Council it is in the public interest to issue certificates of registration in the emergency class.

2. The applicant must meet the registration requirements of subsections 36 (1) to (3) with the exception of the currency requirement in paragraph 3 of subsection 36(1) and the examination requirement in paragraph 1 of subsection 36(3).

3. The applicant must provide evidence of:

- i. completion of at least 300 hours of service within the scope of practise of the profession in the five years before the date of application, or**

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

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

1. The member shall practise the profession only within the scope of their emergency certificate.
2. The member shall at all times when providing occupational therapy services identify themselves as an emergency certificate member.
3. The member shall only practise the profession while under the supervision of a member in the general class.
4. The member shall be restricted to the use of the title Occupational Therapist (Emergency Class) or "OT (Emerg.)"

(3) An emergency certificate of registration expires:

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

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

- (i) Three months after the date the Council declares that the emergency circumstances in which it is in the interest of the public to issue and renew emergency certificates of registration have ended.
- (ii) The date the member is issued a general practising certificate of registration.
- (iii) the date the member is issued a provisional practising certificate of registration.

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

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

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

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

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

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

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