

Practising Without a Certificate of Registration

8-140

Section:	Registration
Applies to:	All applicants for all classes of registration and suspended registrants
Approved by:	Registration Committee
Date Established:	May 2009
Date Revised:	October 2011, September 2016, September 2021

Purpose

This policy describes the steps the College takes when an individual has been practising occupational therapy:

- before the College has issued a certificate of registration, or
- when their certificate of registration was suspended.

Principles

Only registrants of the College with a certificate of registration can use the title “occupational therapist” (or any variation, abbreviation or equivalent in another language) or holds themselves out as qualified to practice as an occupational therapist in Ontario.

Policy

Practising and/or using the title occupational therapist without authorization are serious conduct issues. Individuals found to be practising or using title without a certificate of registration issued by the College, could result in a review of the individual’s suitability to practice.

Process for the review

The Registrar will review all cases where a person may have misused the title occupational therapist or held themselves out to be qualified to practice as an occupational therapist when they did not have a certificate of registration.

The Registrar will consider factors such as:

- the strength of the evidence that the person engaged in the conduct
- whether the person willfully engaged in the conduct
- how long the person engaged in the conduct
- the attitude or remorse expressed about the conduct

- any consequences they have already received, such as loss of a job or criminal charges
- the risk to the public posed by the conduct
- any actual harm caused by the conduct.

Depending on the seriousness of the conduct, the Registrar can take one of three courses of action:

1. Refer the matter to the Registration Committee if the Registrar has doubts about whether the applicant will practise safely and ethically. The Committee will review the applicant's suitability to practise.
2. Require the applicant to sign an undertaking before being issued a certificate of registration. The undertaking could include:
 - Writing a letter acknowledging the conduct
 - Completing a Prescribed Regulatory Education Program module
 - Paying fees that would have been payable had they been registered with the College during the period they were practising without authority.
3. Refer the matter to the Inquiries, Complaints, and Reports Committee if a person engaged in the conduct while their registration was suspended.

Legal requirement

[Occupational Therapy Act, 1991, s. 7](#)

[Ontario Regulation 226/96: General, under the Occupational Therapy Act, 1991, s. 35\(1\)4](#)

[Ontario Regulation 95/07: Professional Misconduct, under the Occupational Therapy Act, 1991](#)

Related policies

[Determining Suitability to Practise at Registration \(8-72\)](#)