



Mandatory Reporting



practice management
resources
public protection
results

Registrant Self-Reporting Requirements for the Public Register

There are a number of reporting requirements to which CHO registrants must adhere. These items are contained in the College's Registration Regulation and Bylaws and are captured below. Some items must be reported within 30 days, while other items such as criminal charges and bail conditions should be communicated to the College immediately or within a reasonably practicable period of time. Soon many of these items will become mandatory reporting requirements under the *Regulated Health Professions Act, 1991* (RHPA).

In accordance with section 5.1 of the *Homeopathy Act, 2007*, Ontario Regulation 18/14, Registration, every registrant shall provide the College with written details about any of the following that relate to the member:

Information registrants must immediately report to the College

1. **Professional Liability Insurance:** CHO Registration Regulation section 5.3. The member shall maintain professional liability insurance in the amount and in the form required under the bylaws, and the member shall provide the College, within two days, with written notice if the member no longer maintains such insurance.
2. **Federal or Provincial Offences Conditions of Release:** CHO bylaw 21.11 – Immediate Notification to College: A Registrant shall immediately notify the College in writing or electronically of any currently existing conditions of release (not including any information subject to a publication ban) following a charge for a federal or provincial offence or subsequent to a finding of guilt and pending appeal and any variations to those conditions.
3. *New Mandatory Self-Reporting Obligations for Registrants upon proclamation of changes to Code s. 85.6.3 and 85.6.4. A Registrant shall*
 - a) **Issues of Registration & Professional Misconduct or Incompetency:** Report in writing all other regulatory bodies with which they are registered and any findings of professional misconduct or incompetence (but not incapacity) made by those bodies. (This will work in conjunction with section 5 of the CHO Registration Regulation 18/14.)
 - b) **Bail Conditions:** Report in writing all charges for an offence and any resulting bail conditions or other similar restrictions. RHPA does not distinguish between minor (e.g., speeding) and serious offences. It is the role of the College to review the materials provided and determine if the charges impact the registrant's ability or suitability to practice the profession safely and competently. (This will work in conjunction with CHO Bylaw 21.11.)

For full details see the policy and bylaw section of the website, or contact us at:

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Information registrants must report within 30 days

1. CHO Registration Regulation section 5.1. 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.
2. CHO Registration Regulation section 5.1. 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.
3. CHO Registration Regulation section 5.1. iii. A finding of professional negligence or malpractice in any jurisdiction.
4. CHO Registration Regulation section 5.1. iv. A refusal by any body responsible for the regulation of a health profession in any jurisdiction to register or license the member.
5. CHO Registration Regulation section 5.1. v. An attempt to pass a registration examination or assessment 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.
6. CHO Registration Regulation section 5.1. 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 another health profession in Ontario or of any health profession in any other jurisdiction.
7. CHO Registration Regulation section 5.1. vii. Where the member is a member of another regulated health profession in Ontario or any regulated health 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 a profession, the initiation of any investigations by such a body in respect of the member or the imposition of sanctions on the member by such a body.
8. CHO Registration Regulation section 5.1. viii. Any other event that would provide reasonable grounds for the belief that the member will not practise homeopathy in a safe and professional manner.
9. CHO Registration Regulation section 5. 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.**
10. Change in address or contact information.
11. Change in information related to a health professions corporation.
12. CHO Bylaws

21.10 – Notification of Changes

The Registrant shall notify the College, in writing, of any changes to the following information within 30 days of the effective date of the change:

- (i) the Registrant's name,
- (ii) the address and telephone number of the Registrant's primary residence in Ontario and, if the Registrant does not reside in Ontario, the address and telephone number of the Registrant's primary residence,
- (iii) the Registrant's business address or business telephone number,
- (iv) the name, address or telephone number of any business or entity that employs the Registrant as a practitioner of homeopathy, and, if the Registrant is self-employed as a practitioner of homeopathy, any changes to the address or telephone number of the location where the Registrant practises other than addresses of individual patients, and
- (v) the Registrant's business email address and the Registrant's preferred e-mail address for communications with the College.

Professional Practice Standard 12: Mandatory Reporting on Patient Care

There are various situations wherein a Registrant will have a legislative duty to report verbal, physical, psychological, emotional or sexual abuse of a patient. It is expected that the Registrant will report as required.

Mandatory reporting refers to the obligation under the *Regulated Health Professions Act, 1991*, (RHPA) and the Health Professions Procedural Code for Registrants, regulated health-care professionals, and employers to file written reports to the College in a number of circumstances. It is one of the ways the College fulfills its role to protect the public's interest and to maintain the public's trust in the homeopathic profession.

REGISTRANTS ARE REQUIRED TO REPORT:

Sexual abuse

A Registrant must file a written report to the College if they have reasonable grounds, obtained in the course of his or her practice, to believe that a patient has been sexually abused by any Registrant of the College of Homeopaths of Ontario (the College) or by any Registrant of another health regulatory college.

Offences and professional negligence or malpractice

Under sections 85.6.1 and 85.6.2 of the Health Professions Procedural Code, a Registrant must file a written report to the College if he or she has been found guilty of an offence or has had a finding of professional negligence or malpractice made against him or her. These are findings made by a court or in a civil proceeding or lawsuit. They often result in an award of damages. The College is required to post findings of professional negligence or malpractice against the Registrant on the public register.

Suspected child abuse or neglect

In accordance with s. 72(1) of the *Child and Family Services Act*, RSO 1990, Chapter C.11 (CFSA), any person who performs professional or official duties with respect to children, and who has reasonable grounds to suspect an activity listed in section 72(1) of the Act (also refer to CHO Standard 12), is required to report the suspicion and the information on which it is based forthwith to a child protection society.

Suspected abuse of a senior citizen or Elder

Under the *Long Term Care Homes Act, 2007*, S.O. 2007, Chapter 8 and the *Retirement Homes Act, 2010*, S.O. 2010, Chapter 11, s. 24(1) and s. 75(1), respectively, if a person has reasonable grounds to suspect that a resident has suffered or may suffer harm as a result of unlawful conduct, improper or incompetent treatment or care, abuse or neglect, or misuse or misappropriation of a resident's money or misuse or misappropriation of funding provided to a licensee he or she shall immediately report the suspicion and the information upon which it was based to the Director or Registrar.

Professional misconduct, incompetence and incapacity by Registrants and other regulated health care professionals

Mandatory reporting is considered an essential professional obligation because it is the best means of ensuring issues of abuse, misconduct, incompetence, professional negligence, or concerns regarding incapacity are brought to the attention of the College. It is the responsibility of the College to review or investigate any report in the context of its self-regulatory role to protect the public from harm.