



College of Homeopaths of Ontario Registration Policies

Title: Information Required on the Application Form

Category: General Requirement
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Note to Readers: In the event of any inconsistency between this document and the legislation that affects homeopathy practice, the legislation governs. The College has the power and authority to implement the applicable acts and regulations under the Regulated Health Professions Act, 1991. The factors outlined in this policy will be considered and every application will be reviewed on a case by case basis. If you have a question on how this policy affects your individual situation please contact the College directly.

It is important to note that College publications may be used by the College or other bodies in determining the interpretation of the provisions within the Homeopathy Act, 2007, its regulations and the College's Bylaws.

Applicable Categories of Registration (unless otherwise noted):

1. Applicant Full Certificate of Registration
2. Applicant Grandparented Certificate of Registration

Type of Requirement: Exemptible for Applicants.

Applicable CHO Registration Regulation: Section 4 Requirements for issuance of Certificate of Registration, any class.

Policy

As outlined in the Registration Application Guide, the Applicant will be directed to include information to support their application for registration.

Requests for additional information in the application process may be as directed, as deemed necessary and appropriate, to demonstrate and support the Applicant's ability to practice safely, competently, and ethically without putting the public safe at risk. If asked the Applicant is required to provide additional information.

Purpose and Principles(s)

The College is entrusted with the responsibility to determine that its Registrants are competent and free of any findings or proceedings that would call into question their current suitability to practise or put patients at risk.

The public expects the College to identify and restrict any Applicants whose conduct and/or capacity suggests that they would not be suitable to practise safely and professionally.

Applicants are required to provide open, honest and factual disclosure in their application for registration. In accordance with the Registration Regulation, Section 4, Requirements for issuance of certification of

registration, any class, disclosure covers previous findings against the Applicant or any current proceedings against them that would call into question their suitability to practise the profession safely and professionally.

The College expects Applicants to act honestly and with integrity. While sensitive, Applicants are obliged to disclose this important information as part of the application process. However, the College recognizes that Applicants may not remember all minor non-criminal offences (e.g., parking, speeding tickets) that have occurred in their lifetime and so their reporting by Applicants is slightly different than the ongoing reporting requirements for Registrants.

The intent is that all potentially relevant matters are reported and it is the College that then evaluates their significance. It may well be that even though there has been an event in the past, it no longer reflects significantly on the suitability of the Applicant to be a Registrant of the College. Factors such as the nature of the event, how long ago it occurred, and the person's growth / reformation since then are taken into consideration. The issue is the current competence and character of the Applicant.

Reporting requirements apply to conduct occurring in Ontario or another jurisdiction. In some cases reporting requirements apply to any regulated profession, not just the practice of a regulated health profession.

Procedure

1. a. Applicants must complete all forms related to self-disclosure as part of the Registration Application Guide.
 - b. Further documentation may be required if requested by the Registrar or Registration Committee. If additional information is not provided by Applicant, the College will request further follow-up.
 - c. The Applicant will be directed to respond within thirty (30) days to provide with information.
 - d. Once information is received the Registrar or Registration Committee will review all of the material required to make and render an informed decision. If the Registration Committee makes an order under s. 20(1) of the Code, it will provide written Decisions and Reasons to the Applicant within thirty (30) days.
 - e. Under this section a panel shall give the Applicant notice of an order it makes under subsection 18 (2) or 19 (6) and written reasons for it if the order,
 - i. Directs the Registrar to refuse to issue a Certificate of Registration;
 - ii. Directs the Registrar to issue a Certificate of Registration if the Applicant successfully completes examinations [or assessment¹] or additional training;
 - iii. Directs the Registrar to impose terms, conditions and limitations on a Certificate of Registration of the Applicant; or
 - iv. Refuses an application for an order removing or modifying any term, condition or limitation imposed on a Certificate of Registration. 1991, c. 18, Sched. 2, s. 20 (1).
2. a. The Applicant would provide detail in the application of health conditions including medical reports or any previous modifications have been made to practice which would affect the Applicant's ability to conduct themselves in a safe and competent manner. (see s. 4(1)ii, iii, and ix.)
 - b. The Registrar may request more details on health conditions including medical reports if deemed necessary to make a fair and objective decision (see s. 4(1) 4).
3. a. Additional information may be required for Proof of prior registration or Good Standings in another regulatory body (see s. 4(1) 1 (vii) and s. 4(1) 5 and 6).

¹ CHO utilizes the individual assessment process.

4. a. Once he/she has received the Decisions and Reasons, the Applicant has the opportunity to appeal the decision to the College and/or the Health Professions Review and Appeals Board. (See Policy REG AD 01 on the Registration Appeals Process and Timelines for more information.)

Possible Outcomes

After considering all of the information provided with the completed application form, the Registration Committee may:

1. Direct the Registrar to issue a Certificate of Registration.
2. Direct the Registrar to issue a Certificate of Registration if the Applicant successfully completes examinations [or assessment²] set or approved by the panel.
3. Direct the Registrar to issue a Certificate of Registration if the Applicant successfully completes additional training specified by the panel.
4. Direct the Registrar to impose specified terms, conditions and/or limitations on a Certificate of Registration of the Applicant and specifying a limitation on the Applicant's right to apply under subsection 19 (1).
5. Direct the Registrar to refuse to issue a Certificate of Registration.

Definitions

Custody

Custody is a judicial sentence, imposing a punishment (and hence the resulting punishment itself) consisting of mandatory custody of the convict, either in prison or house arrest (incarceration) or in some other closed therapeutic and/or (re)educational institution.

Finding of Negligence or Malpractice

These findings occur in civil proceedings or law suits. For example, a finding of professional negligence by a court that a homeopath fell below the accepted standard of practice of the profession and thereby harmed a patient has to be reported. The College may inquire into these findings where appropriate.

Incapacitated

Incapacitated means, "in relation to a member, that the member is suffering from a physical or mental condition or disorder that makes it desirable in the interest of the public that the member's Certificate of Registration be subject to terms, conditions or limitations, or that the member no longer be permitted to practise". (*Code*, Subsection 1(1))³

Incompetence

A Registrant may be deemed incompetent "if the member's professional care of a patient displayed a lack of knowledge, skill or judgment of a nature or to an extent that demonstrates that the member is unfit to continue to practise or that the member's practice should be restricted".⁴

Offence

An offence is a finding by a court that a person has contravened legislation, which contravention is explicitly described by the legislation as an "offence".

Related Policies, Standards, Guidelines and Regulations

CHO Factsheet 11 on Mandatory Self Reporting – Registration
REG AD 06 Documentation Policy

² CHO utilizes the individual assessment process.

³Health Professions Procedural Code, Schedule 2, Regulated Health Professions Act, 1991

⁴Ibid.

Homeopathy Act, 2007, Ontario Regulation 18/14 Registration [Note: This regulation is not yet in force. It comes into force on the day named by proclamation by the Lieutenant Governor.]

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 a fine greater than \$1,000 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 anybody responsible for the regulation of a health profession in any jurisdiction to register or license the applicant.
 - vi. An attempt to pass a registration examination or assessment which is 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 with a body responsible for the regulation of another health profession in Ontario or of any health profession in any other jurisdiction.
 - viii. Where the applicant is a member of another regulated health profession in Ontario or any regulated health 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 a profession, the initiation of any investigations by such a body in respect of the applicant or the imposition of sanctions on the applicant by such a body.
 - ix. Any other event that would provide reasonable grounds for the belief that the applicant will not practise homeopathy in a safe and professional manner.

4.(1).2 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.(1).4. 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.

4.(1).5. If the applicant is registered by any body responsible for the regulation of any other health profession in Ontario or of any health 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

4. (1).6. If the applicant ceased being registered with any body responsible for the regulation of another health profession in Ontario or any health profession in any other jurisdiction, the applicant must have been in good standing at the time he or she ceased being registered.

- 4 (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.

Health Professions Procedural Code, Schedule 2 of the Regulated Health Professions Act, 1991

Consideration by panel

18. (1) An applicant may make written submissions to the panel within thirty days after receiving notice under subsection 15 (3) or within any longer period the Registrar may specify in the notice.

Orders by panel

(2) After considering the application and the submissions, the panel may make an order doing any one or more of the following:

1. Directing the Registrar to issue a certificate of registration.
2. Directing the Registrar to issue a certificate of registration if the applicant successfully completes examinations set or approved by the panel.
3. Directing the Registrar to issue a certificate of registration if the applicant successfully completes additional training specified by the panel.
4. Directing the Registrar to impose specified terms, conditions and limitations on a certificate of registration of the applicant and specifying a limitation on the applicant's right to apply under subsection 19 (1).
5. Directing the Registrar to refuse to issue a certificate of registration.

Application for variation

19. (1) A member may apply to the Registration Committee for an order directing the Registrar to remove or modify any term, condition or limitation imposed on the member's certificate of registration as a result of a registration proceeding. 1991, c. 18, Sched. 2, s. 19 (1).

Orders

(6) After considering the application and the submissions, the panel may make an order doing any one or more of the following:

1. Refusing the application.
2. Directing the Registrar to remove any term, condition or limitation imposed on the certificate of registration.
3. Directing the Registrar to modify terms, conditions or limitations on the certificate of registration. 1991, c. 18, Sched. 2, s. 19 (6); 2007, c. 10, Sched. M, s. 25 (2).

Notice of orders

20. (1) A panel shall give the applicant notice of an order it makes under subsection 18 (2) or 19 (6) and written reasons for it if the order,

- (a) directs the Registrar to refuse to issue a certificate of registration;
- (b) directs the Registrar to issue a certificate of registration if the applicant successfully completes examinations or additional training;
- (c) directs the Registrar to impose terms, conditions and limitations on a certificate of registration of the applicant; or
- (d) refuses an application for an order removing or modifying any term, condition or limitation imposed on a certificate of registration. 1991, c. 18, Sched. 2, s. 20 (1).

Contents of notice

(2) A notice under subsection (1) shall inform the applicant of the order and of the provisions of section 19 and of subsections 21 (1) and (2). 1991, c. 18, Sched. 2, s. 20 (2); 2007, c. 10, Sched. M, s. 26.