



## College of Homeopaths of Ontario

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**Date:** February 24, 2021

**To:** All Stakeholders

**Re:** Formal Consultation on

### Revision of Bylaws related to the fees to register a Health Professional Corporation

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**Consultation Closing Date: Monday, May 3, 2021**

The College invites feedback from stakeholders on proposed changes that would revise **Bylaw 19.03D Fee Amounts, B6** by decreasing the related fees as follows:

#### Bylaw 19.03D Fees Relating to Professional Corporations and Certificates of Authorization

	Fee Type	Current Fee	Proposed Fee
1	Application Fee	\$200	\$50
2	Issuance Fee	\$900	\$0
3	Renewal Fee	\$900	\$200
4	Administrative Fee (Record changes outside of renewal period)	\$60	\$50
5	Documentation Fee	\$60	\$50

Background and rationale for these proposed changes can be found on pages five and six of this document. Please read them prior to commenting.

Your comments on these changes are welcome and may be submitted online.

**Please use [this link](#) to submit your comments.**

If you have questions about these changes, please contact the College by e-mail at [janet.blanchard@collegeofhomeopaths.com](mailto:janet.blanchard@collegeofhomeopaths.com) or by phone at 647-749-4956.

We look forward to receiving your written comments by May 3, 2021.

For more information about the College and its activities, please visit [www.collegeofhomeopaths.com](http://www.collegeofhomeopaths.com).



**If you have comments on the proposed changes,  
please submit them by May 3, 2021  
using the online survey**

## **How to Provide Feedback**

The formal consultation process allows individuals to provide written comments on the proposed changes in general and to express opinions and/or concerns on any specific point raised in this package.

**Submit feedback no later than 5:00 p.m. on Monday, May 3  
using the on-line survey:**

<https://www.surveymonkey.com/r/MKVVDQZ>

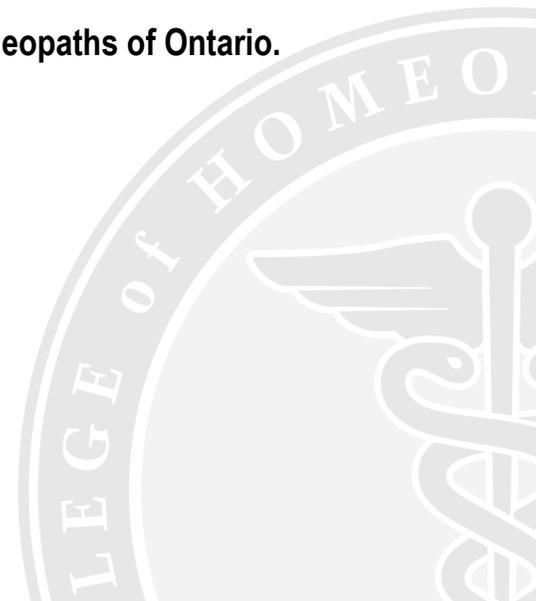
The CHO extends its sincere thanks for taking the time to provide your feedback. Your participation promotes the continued quality of homeopathy care and public protection in Ontario. All written comments and feedback will be carefully considered by the College and its committees.

## **Guidelines for Posting Feedback**

To encourage transparency and open dialogue, feedback from individuals and organizations will be posted on the CHO website at the discretion of the College and according to the following guidelines:

1. The feedback form is complete and returned to the College using the on-line survey with consent indicated.
2. Comments are related to the matter under consultation.
3. The response does not include abusive, derogatory, threatening or harassing comments about individuals or organizations.
4. Names of organizations submitting feedback will be posted; however, names of individuals will not. Submissions from individuals will be assigned a numerical code.
5. All feedback will be carefully considered by the College and its committees.

**Thank you for your contribution to the work of the College of Homeopaths of Ontario.**



## Background

### Process for Amending Bylaws

The CHO bylaw development and amendments are governed by sections of the *Regulated Health Professions Act, 1991, Schedule 2 the Health Professions Procedural Code*.

RHPA prescribes the scope of bylaw creation permissible by the College and makes it clear that only Council may make, amend or revoke regulations and by-laws (section 94(1)(j)). While only Council may make the ultimate decision related to changes to the College's Bylaws, it may delegate the research and writing of any new bylaw or revisions (including recommendation for revocation) of existing bylaws to a committee or panel. In the case of CHO, the role of bylaw management rests with the Governance Panel. Bylaw development/revision is always done in consultation with CHO Legal Counsel, who ensures that recommendations are sound and congruent with applicable statutes, changes are reflected in the most appropriate section of the bylaws, and that all sections of the bylaws accurately reflect the desired intent.

Once Council is in agreement with proposed bylaw changes it may approve the changes for immediate implementation or **opt to** publicly circulate the revisions for a period of no less than 60 days (RHPA Schedule 2 Section 94 (2)). Some bylaws **must be** circulated to members and the public at large. This is the case when the proposed change has a direct impact on applicants, registrants or the public. For example, the College must consult on bylaws related to:

- specific information to be kept in the Public Register and information which may be withheld from the public re 23(6) (s. 94(1)(l.2);
- requiring members to give the College their home addresses and such other information as may be specified in the by-law about themselves and the places they practise the profession, the services they provide there, their participation in continuing education programs and the names, business addresses, telephone numbers and facsimile numbers of their associates, partners, employers and employees and prescribing the form and manner in which the information shall be given (s. 94(1) (l.3);
- annual fees paid by members, fees upon application for a certificate and upon registration and fees for examinations, appeals from examinations, election recounts and continuing education programs and for anything the Registrar or a committee of the College is required or authorized to do and requiring members to pay penalties for the late payment of any fee (s. 94(1) (s));
- specifying the amount of any fee or penalty required under clause (s) (s. 94(1)(t));
- requiring members to pay specified amounts to pay for the program required under section 85.7 (Funding for Therapy and Counselling), including amounts that are different for different members or classes of members and including amounts that are (i) specified in the by-law, (ii) calculated according to a method set out in the by-law, or (iii) determined by a person specified in the by-law(s. 94(1)(v));
- requiring members to participate in an arrangement set up by the College in which members pay a person such amounts as may be determined by the person for the members or for classes of members and the person pays amounts to the College to pay for the program required under section 85.7 7 (Funding for Therapy and Counselling) (s. 94(1)(w)); and
- requiring members to have professional liability insurance that satisfies the requirements specified in the by-laws or to belong to a specified association that provides protection against professional liability and requiring members to give proof of the insurance or membership to the Registrar in the manner set out in the by-laws(s. 94(1)(y)).

With rare exception (i.e. one-time occurrence), it has been standard process of the CHO to publicly circulate bylaw changes for consultation and feedback. This consistent action of public dialogue fits with the College intention to improve transparency.

#### **Steps for implementation**

1. **Drafting** – Draft changes are based on direction from the Executive Committee, Council, the Government or good oversight by the Governance Panel. The intended change is communicated to legal counsel who provides draft language. Staff and the Governance Panel review the draft language and may have further panel deliberations and discussion with legal counsel prior to forwarding a recommendation to Council.

2. **Review by Council** – Council receives the recommendation from Governance Panel and a marked-up version of the proposed bylaw changes. Council has the chance to discuss and debate the proposed changes, and may provide additional feedback or direction to the Governance Panel. Bylaw changes sometimes require discussion at more than one Council meeting. Once the bylaw changes are accepted by Council they may be “approved in principle pending the results of public consultation”. During this period of consultation the changes are considered proposed not final. If Council decides not to circulate and consult then they may make a motion to approve the change as final.
3. **Circulation and Consultation** – the 60-day consultation period is typically 65 days in length allowing time to distribute the consultation document to interested parties. Distribution occurs via the College’s website, email to registrants, and outreach to other stakeholders such as government, other RHPA Colleges, patient advocacy groups, etc. Feedback is collected through a feedback survey and the College may also receive written correspondence from interested parties. The feedback is provided to Council in an aggregate form at the conclusion of the consultation period. Feedback may validate the proposed changes or may flag areas of concern requiring further consideration or change.
4. **Final Approval by Council** – At the next meeting following the consultation period Council will again review the proposed changes, considering any feedback from the consultation or any other new information put forward for consideration. As a result of feedback Council may find that changes are appropriate. Minor changes may be incorporated without substantially changing the intent of the proposed bylaw(s). If Council as a whole is satisfied with the proposed bylaws they may approve them effective immediately.

If Council determines that substantial changes are required, the bylaw(s) may require additional consultation for a further 60-day period before it can be put forward for a final vote.

## Proposed Bylaw Changes – February 2021

### Relating to

### Bylaw 19.03D Fee Amounts relating to Professional Corporations and Certificates of Authorization

#### Rationale for Change

The *Regulated Health Professions Act*, through Ontario Regulation 39/02 "Certificates of Authorization" permits registrants of the College of Homeopaths of Ontario who choose to form a health professional corporation must first incorporate with the Ministry of Government and Consumer Services<sup>1</sup> under the *Ontario Business Corporations Act*<sup>2</sup> before submitting an application to the College for a Certificate of Authorization. A homeopathy professional corporation must have a Certificate of Authorization issued by the College before the corporation may practice the profession of homeopathy. Certificates of authorization are renewable each year.

Registrants are responsible for ensuring they are in strict compliance with the OBCA if they do wish to incorporate a homeopathy professional corporation. There are several tax and business incentives to setting up a professional corporation.

#### Health Profession Corporation Fee Schedule

CHO health profession corporation fees payable by Registrants are as follows and such amounts do not include the applicable taxes which must also be paid as part of the fee.

#### Bylaw 19.03D Fees Relating to Professional Corporations and Certificates of Authorization

	Fee Type	Current Fee	Proposed Fee
1	Application Fee	\$200	\$50
2	Issuance Fee	\$900	\$0
3	Renewal Fee	\$900	\$200
4	Administrative Fee (Record changes outside of renewal period)	\$60	\$50
5	Documentation Fee	\$60	\$50

Fees were originally set in 2015, based on a comparison against that of other RHPA colleges. Below, is a list of RHPA College HPC fees as of November 23, 2020.

#### Other Colleges

Lowest application fee: Traditional Chinese Medicine \$50  
Highest application fee: Denturists \$1000  
Average application fee: \$414

Lowest annual fee: Dental Hygienists \$150  
Highest annual fee: Dental Technologists \$1326  
Average annual fee: \$408

<sup>1</sup> [www.ontario.ca/serviceontario](http://www.ontario.ca/serviceontario)

<sup>2</sup> [www.e-laws.gov.on.ca/html/statutes/english/elaws\\_statutes\\_90b16\\_e.htm](http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90b16_e.htm)

<b>College</b>	<b>Application Fees</b>	<b>Annual Fee</b>	<b>Issuance Fee*</b>	<b>Other Fees</b>
Audiologists/Speech Language Pathologists	\$100	\$500	\$200	Document \$50
Chiroprodists	\$100	\$900 \$475 half year	--	--
Chiropractors	\$50	\$200	\$600	Change/Admin \$50 Document \$50
Dental Hygienists	\$750	\$150	\$750	--
Dental Technologists	\$121	\$1326	\$1326	--
Dentists	\$750	\$175	\$750	--
Denturists	\$1000	\$350	--	Late Fee \$150
Dietitians	\$185	\$641	--	--
Homeopaths	\$200	\$900	\$900	Change/Admin \$50 Document \$50
Kinesiologists	\$200	\$400	--	--
Massage Therapists	\$200	\$200	--	--
Laboratory Technologists	\$150	\$340	--	Change/Admin \$100 Certificate \$100
Medical Radiologists/Image Teces	\$500	\$425	--	--
Midwives	\$250	\$500	--	--
Naturopaths	\$400	\$200	\$250	Change/Admin \$50 Document \$50
Nurses	\$500	\$250	--	--
Occupational Therapists	\$500	\$250	--	--
Opticians	\$750	\$380	--	--
Optometrists	\$440	\$220	\$200	Certificate \$26 Duplicate \$11 Late Fee \$105
Pharmacy/Pharma Teces	\$938	\$375	--	--
Physicians and Surgeons	\$400	\$175	--	--
Physiotherapists	\$700	\$250	--	--
Psychologists and Psychological associates	\$350	\$250	--	Certificate \$50
Psychotherapists	\$624	\$416	--	--
Respiratory Therapists	\$650	\$650	--	--
Traditional Chinese Medicine	\$50	\$200	--	--

\*Issuance Fee: Some Colleges use this fee to cover the costs of verification of the business identity and status and issuance of an official certificate of authorization.