



## Guideline for Suspended Members of the College of Homeopaths of Ontario

The following information outlines the responsibilities of suspended members of the College whose certificate of registration has been suspended. This Guideline applies to administrative suspensions (including suspensions for non-payment of fees) and suspensions ordered by a Committee of the College.

### Who must the member inform?

When suspended, the suspended member must immediately inform the following people about the suspension:

- Staff in the offices or practices in which the member works. This includes other regulated health professionals working in the offices/practices and administrative staff.
- Homeopaths with whom the member works, whether that member is a principal in the practice or otherwise associated with the practice.
- Homeopaths or other individuals who routinely refer patients to the member.
- Owners of a practice or office in which the member works.
- Administrators at the facility where the member works (i.e. pharmacies, hospitals, long-term care facilities, etc.)
- Patients who ask to book an appointment during the suspension, or whose previously booked appointment must be rescheduled due to the suspension. Members may assign administrative staff to inform patients about the suspension. All communications with patients must be truthful and honest.

### What can a suspended member not do while suspended?

While suspended, suspended members are not members in good standing with the College and must not engage in the practice of homeopathy, including, but not limited to:

1. use a restricted title or designation (homeopath or HOM).
2. hold themselves out as a member in good standing of the College.
3. hold themselves out as being able to practice or act in any manner that suggests the member is entitled to practise homeopathy. This includes offering clinical advice in social settings. Members must ensure that administrative or office staff do not suggest to patients in any way that the member is entitled to engage in the practice of homeopathy.
4. advertise homeopathy services to the public (including on a clinic website or social media).
5. giving orders to administrative staff, students or other practitioners.
6. supervising work performed by others.
7. acting as a clinical instructor, externship supervisor or mentor.

A suspended member must not be present in offices or practices where they work when patients are present, except for emergencies that do not involve patients. The suspended member must immediately advise the Registrar in writing about any such emergencies.

### **Can a suspended member financially benefit while suspended?**

A suspended member must not benefit or profit, directly or indirectly, from the practice of homeopathy.

Prior to a suspension taking effect, a member may arrange for another homeopath (a locum) to take over their practice during the suspension period:

If another homeopathy assumes the practice and all of the billings of the practice during the suspension period belong to the locum.

If the locum agreement does not address payment of practice related expenses such as rent, utilities, staff, etc., a suspended member may be reimbursed for actual out of pocket expenses incurred in respect of the practice during that period.

If a member arranges for a locum to assume their practice during the suspension period, a member must advise the Registrar in writing.

Suspended members are permitted to sign and/or submit insurance claims for work that was completed prior to the suspension.

Suspended members must not sign insurance claims for work that has been completed by others during the suspension period.

### **What if I have a professional corporation?**

As noted above, a suspended member is not permitted to financially benefit from practice while their certificate of registration is suspended. Therefore, a suspended member cannot invoice or earn any income from the practice of homeopathy – either directly or through a health profession corporation

Section 85.14 (1) of the Health Professions Procedural Code provides that a health profession corporation shall not do, or fail to do, something that would constitute professional misconduct if a member of the health profession did, or failed to do, it.

Similarly, section 85.14(3) of the Health Professions Procedural Code provides that a health profession corporation shall not practise a health profession when it does not satisfy the requirements for a professional corporation under the Business Corporations Act.

### **Cooperation with the College**

A suspended member must co-operate with any monitoring the Registrar feels is needed to ensure that the suspended member has complied with this Guideline and any other relevant bylaws, regulations and acts governing the profession. The suspended member must provide the College with access to any records associated with the practice that the College may require to verify that the suspended member has not engaged in the practice of homeopathy or profited during the suspension.

Suspended members must continue to pay their annual renewal fee and certificate of authorization fee on time, or any other fees owing to the College.