



College of Homeopaths of Ontario

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www.collegeofhomeopaths.com

Date: January 30, 2023
To: All Stakeholders
Re: Formal Consultation on

- A. Creation of a new class of membership granting a Certificate of Registration emergency class.**
 - B. Revision of Bylaws to introduce fees for the proposed emergency class.**
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Consultation Closing Date: Wednesday, April 5, 2023

The College invites feedback from stakeholders on proposed changes to:

- A.** Introduce a new class of membership by granting a Certificate of Registration for emergency class, and
- B.** Set the fee for new and renewing registrants in the emergency class.

Background and rationale for these proposed changes can be found starting on page two 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 or by phone at 647-749-4956.

We look forward to receiving your written comments by April 5, 2023.

For more information about the College and its activities, please visit www.collegeofhomeopaths.com.



**If you have comments on the proposed changes,
please submit them by April 5, 2023
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 Wednesday, April 5, 2023
using the on-line survey:**

<https://www.surveymonkey.com/r/JVH8WJ7>

The CHO extends its sincere thanks for taking the time to provide your feedback. 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 may 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.



Section A: Certificate of Registration for Emergency Class

Background

Under the *Regulated Health Professions Act (RHPA)* and *Registration Requirements Regulation (O. Reg. 508/22)* the College has been mandated by the Government of Ontario to draft and submit regulations to create an emergency class of registration. This is an important step in the province's emergency preparedness process and a requirement for each of the colleges regulated under the RHPA. Further, opening this class may help the Government to ensure there is an adequate supply of qualified professionals to service the health care needs of the Ontario public.

In accordance with O. Reg. 508/22, the draft emergency class regulation must include:

1. The specific emergency circumstances that will create the class to be open for registration.
2. A time period of no more than a year duration, but renewable for the same period of time with no limit on the number of times they may be renewed as long as the emergency circumstance persists.
3. Circumstances in which a member of the emergency class must become eligible for registration in another registration class and be exempt from at least some registration requirements that would ordinarily apply to that other class of registration.

This regulation must be in place by August 31, 2023.

Here are some highlights – please note these apply only to emergency class registration:

- Council would be able to use the emergency class regulation in the public interest, such as:
 - Circumstances which would create a significant delay to application processing time;
 - Supply and demand concerns about having an adequate supply of qualified members to service the health care needs of the Ontario public; and
 - At the direction of the government.
- Allow members of the emergency class to be exempt from completing the individual assessment process if they satisfy a practice assessment, provide evidence that they are able to practice the profession in a competent/safe/ethical manner, and all other requirements for Full Class – should they choose to transition to permanent (Full Class) registration with the College.
- The College would create a process to review equivalent programs from any jurisdiction. Equivalent programs would require approval by Council.

As required, the CHO may create new registration policies and processes to support the implementation of the emergency class. All processes will comply with legal obligations overseen by the Office of the Fairness Commissioner including fair registration principles/practices and embedded concepts of transparency, objectivity, impartiality, and fairness (TOIF).

College Process for Public Consultations and Approval of New or Amended Regulations

Steps for regulation development and implementation

1. **Drafting** – Draft changes are based on direction from the appropriate committee – depending on the nature of the regulation. For example, issues related to the registration regulation are managed by the Registration Committee. The intended change is communicated to legal counsel who provides draft language. Staff and the Committee review the draft language and may have panel deliberation/discussion with legal counsel prior to forwarding a recommendation to Council.
2. **Review by Council** – Council receives the recommendation from committee and a marked-up version of a rationale chart of the proposed regulatory changes. Council has the chance to discuss and debate the proposed changes, and may provide additional feedback or direction to the committee. Regulatory changes sometimes require discussion at more than one Council meeting. Once the regulation amendments are accepted by Council they may be “approved in principle pending the results of public consultation.” During the consultation period the regulatory changes are considered proposed not 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, the Office of the Fairness Commissioner, etc. Feedback is collected through a feedback survey and written correspondence from interested parties. In the case of regulatory changes, the feedback is provided to the managing committee, who may wish to propose further amendments as tweaks or, if warranted, significant amendments. Only if an amendment is considered substantial would further consultation be required.
4. **Final Approval by Council** – At the next meeting following the consultation period Council will again review the proposed changes, considering any committee recommendations and feedback from the consultation or any other new information put forward. Council may find that changes are appropriate. Minor changes may be incorporated without substantially changing the intent of the proposed regulation. If Council as a whole is satisfied with the proposed regulation, they may approve it for submission to the Government. If Council determines that substantial changes are required, the regulation may require additional consultation for a further 60-day period before it can be put for a final vote.
5. **Submission to Government** – Regulations are under the jurisdiction of the Government of Ontario. When a regulation has passed through Council, staff prepare a written regulatory submission which addresses a lengthy questionnaire, provides details on the reason for the submission, supporting evidence, and rationale for each proposed change. The submission also includes proof of consultation, copies of all feedback received through the public consultation, any responses provided to the public, Council minutes and record of votes, and any other supporting documentation which explains the College’s research, development and planned implementation.
6. **Regulatory Review and Government Approval** – Submissions to the Government via the Ministry of Health are reviewed by Ministry staff. The Ministry staff will meet with College staff to address questions and seek/provide clarification. The Government puts the document through another round of public consultation on the Regulatory Registry. (If the regulation is time-sensitive, the Government’s consultation may occur concurrently with the College’s consultation.) Once the Government has completed its approval stage an official copy is provided to the College for signature. The regulation is signed by the Ontario’s Lieutenant Governor in Council, receives Royal Assent and is published in The Ontario Gazette. At the point the regulation receives Royal Assent the College must be ready to implement the new requirements.

Draft Emergency Class Registration Regulation for the College of Homeopaths of Ontario

Section	From <i>O.Reg. 18/14, CHO Registration Regulation as at Jan 16, 2023</i>	Proposed Text ¹	Explanation/Rationale (These notes apply only to emergency class registration.)
2	The following are prescribed class of certificates of registration: a) Full. b) Grandparented. c) Inactive.	The following are prescribed class of certificates of registration: a) Full. b) Grandparented. c) Inactive. d) Emergency.	The addition of an emergency class has been made at the direction of the Ministry of Health pursuant to <i>O.Reg. 508/22 Regulation Requirements</i> under the <i>Regulated Health Professions Act, 1991 (RHPA)</i> .
<p>Requesting change in numbering to insert emergency class after inactive class. At the pleasure of the legislative drafters, the College respectfully requests that numbering of the College’s current <i>Registration Regulation O.Reg. 18/14</i> be adjusted to insert the proposed section 14 to 20 related to emergency class before the current sections: 44 <u>21</u> – Reinstatement 45 <u>22</u> – Suspensions, failure to provide information 46 <u>23</u> – Suspension, lack of insurance 47 <u>24</u> – Lifting of suspension for failure to pay fees, etc. 48 <u>25</u> – Automatic revocation</p>			
Registration Requirements, Emergency Class			
14 ²	New provision	<p>The following are requirements for the issuance of a certificate of registration in the emergency class:</p> <p>(1) The Council of the College has determined that there are emergency circumstances such that it is in the public interest to issue certificates of registration in the emergency class. In making such determination, the Council may take into account the relevant circumstances including, but not limited to, the presence of a significant interruption in the processing of applications for registration for other</p>	<p>The subsections under 14 provide details on when the emergency class may be initiated, including at the direction of Council and/or at the request of the Minister of Health.</p> <p>This is a non-exemptible requirement meaning that the class can only be initiated by one of these two authorities.</p>

¹ Numbering to be corrected upon review by legislative drafters.

² Numbering of section 14 series of provisions to be corrected upon review by legislative drafters.

Section	From <i>O.Reg. 18/14, CHO Registration Regulation</i> as at Jan 16, 2023	Proposed Text ¹	Explanation/Rationale (These notes apply only to emergency class registration.)
		<p>classes such that there is a lengthy delay in their being registered, supply of an adequate number of qualified Homeopaths to meet health care system demands, and/or requests by the Minister of Health to initiate registrations under the emergency class.</p>	
14		<p>1. (2) The applicant must have satisfied the educational requirements set out in paragraphs 1 and 2 of subsection 6(1) offered by an approved program in Ontario <u>or an equivalent program in any jurisdiction approved by Council.</u></p>	<p>Applicants to emergency class are considered to have satisfied the education and clinical training requirements specified under the full class requirements of the regulation provided the applicant has graduated from an approved program offered in Ontario or an equivalent program in any jurisdiction approved by Council.</p> <p>Through policy, based on previously established criteria for education and training, the Registration Committee may conduct comprehensive review of programs of post-secondary education and clinical training in other jurisdictions to determine if they are equivalent to that of an Ontario approved program. The Committee may make recommendations to Council for approval.</p> <p>This process is intended to satisfy requirements of the Office of the Fairness Commissioner (OFC) to ensure that registration practices and processes conform to legal obligations and the principle of transparent, objective, impartial, fair and inclusive, and the Ministry of Health's requirement to ensure processes are rigorous and adequate to ensure public protection.</p>

Section	From <i>O.Reg. 18/14, CHO Registration Regulation</i> as at Jan 16, 2023	Proposed Text ¹	Explanation/Rationale (These notes apply only to emergency class registration.)
			This requirement is non-exemptible meaning the applicant must have satisfied the education and clinical training requirements of the College.
14	New provision	(3) The applicant must have successfully completed the jurisprudence course set or approved by the Registration Committee.	All applicants to emergency class must have completed the jurisprudence program prior to application. This is a non-exemptible requirement meaning that the applicant must successfully complete this course.
14	New provision	(4) <u>The requirements of section 14 (1), (2) and (3) are non-exemptible.</u>	This section confirms that subsection (1), (2) and (3) above are non-exemptible requirements.
15 ³	New provision	<p>Except in the case of an applicant to whom subsection X (X) [<i>Labour Mobility</i>] applies, where the applicant has not successfully completed at least one of the requirements of paragraph 2 of subsection 14 within the three-year period immediately before the date on which the applicant submitted his or her completed application for a certificate of registration in the emergency class, the applicant has:</p> <p>(1) practised the profession for 750 hours, or (2) successfully completed a refresher program approved by the Registration Committee.</p>	<p>The subsections under 15 outline the issue of currency. Currency is typically measured in two ways:</p> <ol style="list-style-type: none"> 1. The amount of time that has elapsed since the applicant has graduated from an approved post-secondary program in homeopathy or completion of a refresher program; or 2. The number of hours the applicant has practised in the prior three-years (if the applicant previously practised outside the province of Ontario). <p>The intention of this subsection says, unless labour mobility applies (see description below), if the applicant has not completed his/her education or clinical training in the prior three-years then he/she/they is/are required to have 1. Have practised 750 hours over that period of time or 2. successfully completed a refresher program approved by the College's Registration Committee.</p>

³ Numbering of section 15 series of provisions to be corrected upon review by legislative drafters.

Section	From <i>O.Reg. 18/14, CHO Registration Regulation</i> as at Jan 16, 2023	Proposed Text ¹	Explanation/Rationale (These notes apply only to emergency class registration.)
			<p>As set out in paragraphs 1 and 2 of subsection 6(1) of the College's Registration Regulation, education in homeopathy may be covered in one program which teaches and evaluates both theory and clinical training or a student may study theory at one institution and gain their clinical training from a second institution. If the applicant did not graduate from any approved program in homeopathy in Ontario, the College may review the totality of the applicant's education and training through a fair but comprehensive substantially equivalent competency assessment also referred to as SECA.</p> <p>The currency clock starts at the end of the completion of the applicant's education and training. Regardless, education/clinical training, practice or refreshment must be current, as these are considered to be important components to safe, competent patient care.</p> <p>This subsection also refers to the exemption of an applicant who has recognition under <i>Ontario's Labour Mobility Act, 2009</i>, meaning that at a point in the future, should another province in Canada create legislation to regulate the profession of homeopathy, CHO must recognize an applicant moving from that province to Ontario⁴ and applying for registration in the same class as that which they are registered in their home province. In that case, provided the applicant demonstrates any other requirements of the CHO, this College would grant the individual a certificate of registration without delay.</p>

⁴ This can also apply to an individual who is not moving but wishing to be registered in more than one province.

Section	From <i>O.Reg. 18/14, CHO Registration Regulation</i> as at Jan 16, 2023	Proposed Text ¹	Explanation/Rationale (These notes apply only to emergency class registration.)
16 ⁵	New provision	Every certificate of registration in the emergency class is subject to the following terms, conditions and limitations: (1) The member shall use the title Homeopath (Emergency Class) and designation HOM (EC).	This section details the title and designation information for emergency class members.
17 ⁶	New provision	(1) Unless stated otherwise on the certificate, a certificate of registration in the emergency class expires on the final date of the annual renewal period after it is issued unless it is renewed prior to the renewal date.	As the emergency class is intended to be temporary, but in place for as long as is required, the subsections under 17 detail the renewal requirements and expiry of the certificate in accordance with <i>O. Reg. 508/22 Registration Requirements</i> . This subsection is intended to clarify that the length of the certificate is tied to the renewal cycle of the College. It expires on the final day of the renewal period unless the member renews.
17	New provision	(2) Unless stated otherwise on the certificate, a renewed certificate of registration in the emergency class expires <i>one year</i> after it is issued unless it is renewed again prior to each subsequent renewal date.	The member is eligible to renew each subsequent renewal period (of one year), with no limit on the number of times the certificate may be renewed as long as the emergency circumstance persists.
17	New provision	(3) Unless stated otherwise on the certificate, a certificate of registration in the emergency class shall be open as long as the emergency circumstance persists. Following which the member must meet the requirements to transition to a certificate of registration	Once the emergency circumstance is deemed to have ended, the member is required to meet the requirements to transition to full class or the emergency certificate will expire.

⁵ Numbering of section 16 series of provisions to be corrected upon review by legislative drafters.

⁶ Numbering of section 17 series of provisions to be corrected upon review by legislative drafters.

Section	From <i>O.Reg. 18/14, CHO Registration Regulation</i> as at Jan 16, 2023	Proposed Text ¹	Explanation/Rationale (These notes apply only to emergency class registration.)
		in the full class or allow the emergency certificate to expire.	
17	New provision	(4) Despite subsections (1) through (3), pursuant to section 14(1) a certificate of registration in the emergency class expires six months after the date the Council of the College or the Minister of Health determines that emergency circumstances no longer exist even where the certificate would otherwise expire before or after that time.	The certificate will expire six months after the date that Council of the College or the Minister of Health determines that the emergency circumstance no longer exists.
18 ⁷	New provision	(1) A member who holds, or held within the previous six months, a certificate of registration in the emergency class may be issued a certificate of registration in the full class despite not having met the requirements set out in paragraph 3 of subsection 6(1), if the member applies for the certificate of registration in the full class,	<p>The subsections under 18 detail the requirements a member of the emergency class must meet to move to full class, provided that the member currently holds or held within the previous six months a certificate in emergency class.</p> <p>In accordance with O. Reg. 508/22 Registration Requirements, Colleges are directed to “specify circumstances in which a member of the emergency class may apply for another class of registration and must exempt the applicant from at least some registration requirements that would ordinarily apply to the application”.</p> <p>Subsection 18(1) exempts an emergency class member transitioning to full class from having to complete the Individual Assessment competency assessment process.</p>
18	New provision	(2) satisfies all other requirements for the certificate of registration in the full class,	The intended meaning of this subsection is that individuals transitioning to another class must satisfy all other requirements of full class.

⁷ Numbering of section 18 series of provisions to be corrected upon review by legislative drafters.

Section	From <i>O.Reg. 18/14, CHO Registration Regulation</i> as at Jan 16, 2023	Proposed Text ¹	Explanation/Rationale (These notes apply only to emergency class registration.)
			Full class is the only other active registration class available to CHO members.
18	New provision	(3) provides satisfactory evidence based on their practice of the profession, that the member will practice competently and ethically even though practising without supervision, and	The intended meaning of this subsection is that individuals transitioning to full class would be required to provide satisfactory evidence of their practice of the profession to ensure the member is able to practise competently and ethically without supervision.
18	New provision	(4) successfully completes the practice assessment designed to assess the practice competencies of a holder of a certification of registration in the emergency class.	<p>The intended meaning of this subsection is that individuals transitioning to full class would be required to successfully complete a practice assessment designed to assess practice competencies.</p> <p>Since the requirement of Individual Assessment is exempt for those moving from emergency to full class, assessment would be based on Substantially Equivalent Competency Assessment (SECA) and this would ensure public safety and protection. The SECA process, which is a comprehensive review of subjects, competencies and training, is in-person/interactive, takes less time to prepare for and is less expensive for the person being assessed.</p>
<i>Labour mobility, Emergency class</i>			
19 ⁸	New provision	(1) Where section 22.18 of the <i>Health Professions Procedural Code</i> applies to an applicant for an emergency class certificate of registration, the applicant is deemed to have met the requirements set out in paragraphs 1 and 2 of subsection 6 (1) of this Regulation. O. Reg. 18/14, s. X (1).	The subsections under 19 detail the requirements which must be considered when an applicant moves from one province to another or chooses to be registered in more than one province, and the applicant is a member of a regulatory college in another province which regulates homeopathy. The intended meaning of this subsection is that the College must recognize the member in an equivalent registration class.

⁸ Numbering of section 19 series of provisions be corrected upon review by legislative drafters.

Section	From O.Reg. 18/14, CHO Registration Regulation as at Jan 16, 2023	Proposed Text¹	Explanation/Rationale (These notes apply only to emergency class registration.)
19	New provision	(2) It is a non-exemptible registration requirement that an applicant referred to in subsection (1) provide one or more certificates or letters or other evidence satisfactory to the Registrar or a panel of the Registration Committee confirming that the applicant is in good standing as a practitioner of homeopathy in every jurisdiction where the applicant holds an out-of-province certificate. O. Reg. 18/14, s. X (2).	Labour mobility applicants are still required to satisfy good character and good standing requirements.
19	New provision	(3) If an applicant to whom subsection (1) applies is unable to satisfy the Registrar or a panel of the Registration Committee that the applicant practised the profession of homeopathy to the extent that would be permitted by an emergency class certificate of registration at any time in the two years immediately before the date of that applicant's application, it is a non-exemptible requirement that the applicant must meet any further requirement to undertake, obtain or undergo material additional training, experience, examinations or assessments that may be specified by a panel of the Registration Committee. O. Reg. 18/14, s. X (3).	A labour mobility applicant who is unable to satisfy demonstration of education and training requirements to the Registrar or a panel of the Registration Committee at any time in the two years immediately before application, would still be granted membership however the applicant must undertake, obtain or undergo the necessary components of the prescribed training, experience or assessment to successfully demonstrate all requirements.
19	New provision	(4) An applicant referred to in subsection (1) is deemed to have met the requirement of paragraph 3 of subsection 4 (1) if the requirements for the issuance of the out-of-province certificate included language proficiency requirements equivalent to those	Labour mobility applicants are deemed to have demonstrated the College's language proficiency requirements.

Section	From <i>O.Reg. 18/14, CHO Registration Regulation</i> as at Jan 16, 2023	Proposed Text ¹	Explanation/Rationale (These notes apply only to emergency class registration.)
		required by that paragraph. O. Reg. 18/14, s. X (4).	
19	New provision	(5) Despite subsection (1), an applicant is not deemed to have met a requirement if that requirement is described in subsection 22.18 (3) of the <i>Health Professions Procedural Code</i> . O. Reg. 18/14, s. X (5).	If the College has clearly listed the registration requirements for emergency class on its website and a labour mobility applicant is not deemed to have met a requirement which is described in subsection 22.18(3) ⁹ of the <i>Health Professions Procedural Code</i> of RHPA, the College is not required to register the individual.
20 ¹⁰	New provision	A member's emergency class certificate of registration is automatically revoked on the occurrence of one of the following events, whichever occurs first: (1) The expiry date on the certificate has passed and has not been renewed.	The subsections under 20 detail the triggers which would cause automatic revocation of a certificate of registration. The expiry date on the certificate has passed and has not been renewed.
20	New provision	(2) The expiry of 30 days after receipt of notification from the College that the member has met all of the educational and assessment requirements for the issuance of a full class certificate of registration.	More than 30 days have passed since the College notified the member that they have demonstrated all of the requirements for a full class certificate of registration.

⁹ 22.18 Exception, registration requirements listed on website.

(3) Despite subsection (2), the College is not prohibited from imposing on the applicant any registration requirement that,
(a) is listed on the publicly accessible website referred to in clause 9 (3) (a) of the *Ontario Labour Mobility Act, 2009*; and
(b) is stated on the website to be a permissible registration requirement for the certificate of registration being applied for, adopted by the Government of Ontario under Article 708 of the Agreement on Internal Trade. 2009, c. 24, s. 33 (5).

¹⁰ Numbering of section 20 series of provisions to be corrected upon review by legislative drafters.

Section	From O.Reg. 18/14, CHO Registration Regulation as at Jan 16, 2023	Proposed Text¹	Explanation/Rationale (These notes apply only to emergency class registration.)
20	New provision	(3) The issuance of a full class certificate of registration.	The member is issued a certificate of registration in full class.

Section B: Set the fee for new and renewing registrants in the Emergency Class

Proposed first year and annual renewal fees for Certificate of Registration emergency class.

CHO Bylaw 19.03 – Fee Amounts

Fees are based on rates applicable after April 1, 2023

Fee Item	Fee Schedule
	April 1, 2023 to March 31, 2024
B. Fees Relating to Applications for Initial Registration	
2.2 NEW→ Registration Fee Emergency Class (first year)	\$905
C. Fees Relating to Renewal of Registration	
1.1 NEW→ Annual Registration Fee (Emergency)	\$1,335

Payment may be made in full or by installments.

For first year fees a pro-rated structure applies as follows: One month after the first anniversary of proclamation, a Registrant issued a certificate of registration shall pay, in respect of the registration year in which the certificate was issued: one twelfth of the registration fee for that category of the registration multiplied by the number of calendar months remaining before the next registration year, including the month in which the certificate of registration was issued.