

Policy

| | | | |
|-----------------------|--|----------------------|---|
| Type: | Registration | | |
| Number: | | | |
| Name: | Inactive Class Certificate of Registration | | |
| Status: | Final | Version #: | 1 |
| Date Approved: | June 27, 2022 | Date Revised: | |

Background

Under the College's Registration Regulation, registrants who hold a General Class Certificate of Registration may apply for an Inactive Class Certificate of Registration provided they meet the requirements under the Registration Regulation.

This includes agreeing not to engage in direct patient/client care, supervise the profession or claim any competence in the practice of kinesiology.

The Inactive Class Certificate of Registration is intended to accommodate registrants who wish to maintain their registration in the College but who do not intend to practise the profession of kinesiology for a period of time.

The purpose of this policy is to outline the eligibility requirements for an Inactive Class Certificate of Registration, describing the application process, and stating the conditions imposed on the Inactive Class Certificate of Registration.

Principles: The principles that underpin this policy include:

1. Transparency – Processes are clear, information is readily available, and College staff and the Registration Committee exercise honesty and openness in carrying out their duties.
2. Fairness, Objectivity, and Impartiality – Processes and procedures exist, address bias, and are reasonable. The College staff and Registration Committee review registration applications and make decisions that are fair and objective.
3. Focus on risk of harm - Review processes includes a risk-management, evidence-informed accountability approach to address and reduce the potential of risk of harm to patients/clients by registrants.

Applicable Legislation and Regulation:

1. Health Professions Procedural Code, Schedule 2 to the *Regulated Health Professions Act, 1991 (RHPA)*, Registration Section 15.
2. Ontario Regulation 401/12 General, Section 9. (1) (2)

Eligibility for the Inactive Class

1. The following registrants are eligible to apply for the Inactive Class Certificate of Registration, provided they satisfy all other requirements for the Inactive Class:
 - i. Registrants who are dually registered to practise in another regulated health profession, and are practising exclusively in this other profession;
 - ii. Registrants working under the direction of another regulated health care professional, and not providing any independent kinesiology patient/client care;
 - iii. Registrants working exclusively in non-clinical practice (e.g., academia, research, program development, insurance, management, administration, etc.) and are not using the knowledge, skills and judgement or claiming competence in the profession of kinesiology;
 - iv. Registrants on a leave of absence from their workplace (e.g., pregnancy, parental, family caregiver, sick, educational, etc.) and are not practising;
 - v. Registrants moving to/working in another jurisdiction outside of Ontario and who are not providing any virtual services to patients or clients within Ontario; and
 - vi. Registrants who are not practising the profession in any capacity for any other reason (e.g., unemployed, furlough, travel).

2. The following groups of registrants are not eligible to apply for the Inactive Class Certificate of Registration:
 - i. Registrants who are practising and providing direct patient/client care or services, including registrants who have additional designations that fall within the scope of practice of kinesiology and are providing services that are related to those designations (e.g. athletic therapy, osteopathy, personal trainer, exercise physiologist (CSEP) , etc.);
 - ii. Registrants who are working under the supervision of another regulated health care professional, and who are providing some independent kinesiology patient care services (e.g., PTAs, OTAs, Rehab Assistants, etc.).
 - iii. Registrants working in mixed practice are only eligible for the General Class.
 - iv. Registrants working exclusively in non-clinical practice (e.g., academia, research, program development, insurance, management, administration, etc.) who are using the knowledge, skills and judgement or claiming competence in the profession of kinesiology.

Application Process to the Inactive Class

1. Any registrant wishing to apply for an Inactive Class Certificate of Registration must complete the Inactive Class Certificate of Registration Application Form, sign the undertaking and submit it to the Registration Department. The College may request a job description from a registrant to help clarify whether they are eligible.
2. The registrant must meet the following non-exemptible requirements according to the College's Registration Regulation:
 - i. The registrant must hold a General Class Certificate of Registration.
 - ii. The registrant must sign an undertaking in which they agree to comply with the following conditions:
 - a. The registrant will not engage in providing direct patient/client care or services where they are expected to/required to exercise independent judgment or work independently in the course of their work;
 - b. The registrant will not use any title or designation other than R. Kin (Inactive);
 - c. The registrant will not supervise the provision of health care services by health care professionals /organizations and/ or students in patient/client care; and
 - d. The registrant will not make any claim or representation to having any competence in kinesiology or hold themselves out to be a kinesiologist.
3. The registrant must pay the applicable fees. The registrant must not be in default of any fee, penalty or other amount owing to the College.
4. The registrant must have provided the College with any information that it has required of the registrant.
5. The registrant must be in compliance with any outstanding requirements of the College's Quality Assurance Committee or any outstanding orders or requirements of Council, the Executive Committee, the Inquiries, Complaints and Reports Committee, the Discipline Committee and /or the Fitness to Practise Committee.

Fees

1. There is an application fee of \$50.00. Refunds for the registrant's General annual membership dues will be pro-rated. The yearly membership fee for the Inactive Class is \$200.

Conditions

The following are conditions for Inactive Class registrants in Ontario:

1. The registrant cannot:
 - engage in providing direct patient/client care or services where they are expected to/required to exercise independent judgment or work independently in the course of their work;
 - use any title or designation other than what is specified for an Inactive Class Certificate of Registration set out in the regulation (i.e., R. Kin (Inactive));
 - supervise the provision of health care services by health care professionals/ organizations and/ or students in patient care; or
 - make any claim or representation to having any competence in the profession, or hold themselves out to be a kinesiologist.
2. With the exception of Quality Assurance requirements (which may be required upon reissuance of a General Class Certificate of Registration), Inactive Class registrants will continue to be required to comply with all other requirements imposed on registrants registered in the General Class, such as:
 - Annual renewal of registration;
 - The requirement to make any mandatory reports, including the duty to self-report any offence findings, professional negligence/malpractice or misconduct as per the College's Guideline on Mandatory Reporting.
3. Dual registrants who move to the Inactive Class must ensure that they are clear and transparent with patients, clients and employers regarding their registration status, that they are not practising as a kinesiologist but as another regulated health care professional, and that they cannot bill for kinesiology care or services while in the Inactive Class, and that they are accountable to the other health regulatory body under which they are registered.
4. Registrants working under the direction of another regulated health care professional, and are providing direct patient care or services where they are expected to/required to exercise independent judgment or work independently in the course of their work must be clear and transparent with patients, clients and employers that they are not practising as a kinesiologist,

cannot bill for kinesiology services, and cannot provide any direct patient care or services where they are expected to/required to exercise independent judgment or work independently in the course of their work (i.e. all direct patient care or services must be provided under the supervision of another health care practitioner and the supervising practitioner is responsible for their practice).

5. Registrants are not permitted to accept delegated controlled acts from a regulated health care professional while practising in the Inactive Class.
6. Inactive Class registrants wishing to return to the General class must complete and submit the 'Application for re-issuance of the General class and their application must first be approved by the Registrar or the Registration Committee prior to them engaging in any activities noted in the conditions above.

Statement of Accountability

All Inactive Class registrants are accountable to the College for their conduct under the Professional Misconduct Regulation, for adhering to the practice standards and guidelines, for behaving as a professional, and may be subject to investigation in the event of a complaint.