

Policy

Type:	Registration		
Number:			
Name:	Emergency Class Policy		
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Policy Statement

The emergency class certificate of registration provides a route of entry for applicants who do not meet the core registration requirements and enables them to register with the College under certain safeguards during a proclaimed emergency. As of August 31, 2023, the revised General Regulation of the *Kinesiology Act, 2007* enables the Minister of Health or Council to open the emergency class for registration in an emergency circumstance. In making this determination, Council must consider the relevant factors affecting applicants' ability to meet the ordinary registration requirements and be satisfied it serves the public interest.

Purpose

This policy describes when Council can declare that there are emergency circumstances to warrant the issuance of emergency class certificate.

Applicable Legislation and Regulation

1. Health Professions Procedural Code of the Regulated Health Professions Act, 1991
2. Ontario Regulation 401/12 under the Kinesiology Act, 2007
3. By-laws of the College of Kinesiologists of Ontario

Opening the Emergency Class

Under Section 9.1(1)1 of the General Regulation, the emergency class of registration will become available in one of the following two situations:

1. The Minister of Health has requested that Council initiates registration under the emergency class because in the Minister's opinion, there are emergency circumstances that require this.
2. Council has determined, taking into account all of the relevant circumstances that impact the ability of applicants to meet ordinary registration requirements, that there are emergency circumstances, and it is in the public interest that the CKO issue emergency certificates of registration.

When deciding whether an emergency circumstance exists, Council must consider each of the following criteria:

- (1) **Scale and immediacy of the emergency:** An emergency is an unforeseen and often sudden event or situation that poses an immediate and significant threat to public safety, public health, or the functioning of essential services for a population or group at-large. This includes but is not limited to natural disasters (e.g., earthquakes, floods), public health crises (e.g., pandemics), civil unrest or acts of terrorism.
- (2) **Impact of the emergency on public health and/or safety:** An emergency circumstance is characterized by its potential to cause substantial harm to the public or significant disruption to the healthcare system. The scale of the emergency may vary, from localized incidents to provincial or national crises.
- (3) **Duration of the emergency:** An emergency may be of varying duration, ranging from short-term, acute crises (e.g. natural disaster) to prolonged or ongoing situations (e.g. pandemics). The duration may be approximated based on the specific nature of the emergency and its impact.
- (4) **Proportionality:** The decision to open the emergency class certificate should be proportionate to the severity of the emergency. If there are other solutions or remedies available within the legislative framework, they should be considered first. Council should avoid implementing excessive measures.
- (5) **Public Interest:** Issuing the emergency certificate must be in the best interest of the public. When assessing public interest, Council will weigh the potential benefits of open registration in the emergency class against any legitimate risks or concerns. The benefits include addressing the emergency effectively, ensuring access to necessary services, and safeguarding public safety and health. However, there may also be risks, such as potential compromises in quality or safety due to the expedited registration process.

Provided it has been established that there is an emergency circumstance, either by request from the Minister of Health or by Council through consideration of the above criteria, the College will issue emergency certificates of registration.

Terms, Conditions and Limitations

Pursuant to section 9.1(3)1. of the General Regulation, every registrant in the emergency class must practice under the supervision of a holder of a general class certificate of registration whose certificate is not subject to additional terms, conditions, and limitations and who is in good standing.

Pursuant to section 9.1(3)2 of the General Regulation, every registrant in the emergency class shall, at all times when providing kinesiology services, identify themselves as practising under supervision.

In accordance with College By-law 21.06(1), the above information will be included on the Public Register.

Closing the Emergency Class

Council will monitor and reassess the situation as the emergency evolves. Under the regulation, all emergency certificates of registration will expire 90 days after Council has determined the emergency circumstances have ended.

Furthermore, no emergency certificates of registration will be issued once Council has determined that the emergency circumstances have ended.