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CHAPTER D-10.1

DIETITIANS ACT

REGISTRATION REGULATIONS

Made by the Prince Edward Island Dietitians Registration Board pursuant to section 9 of the *Dietitians Act* R.S.P.E.I. 1988, Cap. D-10.1, after consultation with the Prince Edward Island Dietetic Association and approved by the Lieutenant Governor in Council.

1. In these regulations

Definitions

(a) “Act” means the *Dietitians Act* R.S.P.E.I. 1988, Cap. D-10.1;

Act

(b) “NAFTA” means the North American Free Trade Agreement;

NAFTA

(c) “refresher program” means a training program to review and update basic knowledge and skills in dietetics, one that is directed or sanctioned by the Board and may consist of a formal curriculum, a set of individualized assignments of studies and experiences, a set of continuing professional development credits, or a combination of such elements. (EC454/95)

refresher program

APPLICATION

2. A person seeking to be registered shall, in such manner as the Board may require, submit to the Registrar a written application including, unless the Registrar otherwise directs

Application for
registration

(a) a description of the basic professional education program, including name and location of the school, the nature of the curriculum with an outline of courses, and the number of and the actual years attended;

(b) proof of successful completion of the educational program;

(c) evidence of any related or subsequent educational qualification;

(d) proof of fulfilment of the practical training and professional experience requirements of section 4;

(e) an outline of the type, duration and dates of further active professional practice, if applicable, indicating how this may be confirmed if necessary;

(f) evidence of current registration and good standing in another jurisdiction, if applicable;

(g) evidence of successful completion of a refresher program, with date, if applicable; and

(h) such other information or evidence as the Registrar may request for the purpose of amplifying or substantiating proof of the applicant's compliance with registration requirements. (EC454/95)

REQUIREMENTS FOR REGISTRATION

- Education qualification **3.** (1) For the purpose of meeting the professional education requirement of clause 10(1)(a) of the Act, an applicant must successfully have completed a training program
- (a) at the baccalaureate, master's or doctoral level;
 - (b) at an institution that is recognized by the Canadian Dietetic Association or the Board, for the time of the applicant's graduation, for granting degrees of acceptable standard;
 - (c) with a major in a subject area such as dietetics, nutrition, food science, home economics, biochemistry, consumer studies, education or health education.
- Idem*, course credits (2) An applicant must have obtained, whether as part of the program referred to in subsection (1) or distinct from it, course credits which fulfil the table of academic requirements, current at the time of the applicant's acquiring such educational requirements, set by the Canadian Dietetic Association, or such modified form of it as may be adopted by the Board.
- Idem* (3) In a case where the requirements of subsection (2) are not exactly met, the Board may accept the applicant's course-credit qualification if it appears to be substantially equivalent or if the applicant successfully completes such supplemental course-work or testing as the Board may require. (EC454/95)
- Professional experience **4.** (1) For the purpose of assessing the practical training and professional experience requirement of clause 10(1)(b) of the Act, the Board sets as its standard 1800 hours of work or such other amount as may be accepted by the Canadian Dietetic Association, whether during academic education or following it, which
- (a) applies dietetic-related knowledge and skills;
 - (b) provides experience in
 - (i) each of the fields of food-service management, clinical dietetics, and community dietetics, and
 - (ii) each of the functions of program planning, research, and education or communication;
 - (c) is supervised by a dietitian registered in this province or in another jurisdiction recognized by the Board, or by an allied professional that is acceptable to the Board;
 - (d) is approved either by the Canadian Dietetic Association for purposes of an approved internship program or by the Board as a comparable experience.

(2) In assessing whether an applicant's experience satisfies the requirements of subsection (1), the Board may *Idem*

- (a) accept experience other than that approved according to clause (1)(d), calculating it at such reduced rate of hours as may appear to be warranted depending on the evident professional-learning quality of the experience;
- (b) use, as a reference guide, lists of professional competencies published by the Canadian Dietetic Association. (EC454/95)

5. For the purpose of assuring currency of professional knowledge and skills under clause 10(1)(d) of the Act, registration shall not be granted unless the applicant has *Currency requirements*

- (a) completed the practical training and professional experience requirement referred to in section 4 within the five years preceding the application;
- (b) actively practised as a dietitian for at least
 - (i) 800 hours within the five years,
 - (ii) 400 hours within the three years, or
 - (iii) 225 hours in a single block of continuous work within the three years
 preceding the application and met the continuing professional development requirements of the jurisdiction where the applicant was registered during that time; or
- (c) successfully completed a refresher program within the three years preceding the application. (EC454/95)

6. In accordance with subsection 10(2) of the Act, the Board may refuse to register an applicant who *Good standing*

- (a) has been or is being investigated or disciplined for professional misconduct, negligence or incompetence by a regulatory authority or professional organization, until such time as the said authority or organization declares the applicant to be in good standing; or
- (b) has been convicted of an offence of such a nature and direct relevance to professional practice that, in the judgment of the Board without any negative vote, the applicant would pose a danger to clients in the context of practice. (EC454/95)

ISSUANCE OF CERTIFICATE

7. (1) The Board, or the Registrar on its behalf and subject to its direction, shall assess any application for registration and decide whether the requirements are met. *Decision on eligibility*

(2) The Registrar may decide and act accordingly in the case of an application where the requirements are clearly met or not met, and shall subsequently so inform the Board. *Idem*

- Idem* (3) The Registrar shall, where the eligibility of an application is questionable, present the matter to the Board for decision. (EC454/95)
- Inform applicant **8.** The Registrar shall in writing notify the applicant of the decision on registration and shall
- (a) in the case of an application judged eligible, upon receipt of the required fee, register the person and issue a certificate; or
 - (b) in the case of an application judged ineligible, furnish the applicant with an outline of the reasons therefor and also any directions regarding subsequent re- application. (EC454/95)

SPECIAL (LIMITED) CERTIFICATE

- Special certificate **9.** (1) Where authorization may be necessary to practise in unusual circumstances including, for example, a visit to the province or performing clinical elements of a training or refresher program, notwithstanding that the qualifications for registration may not be fully met or that all of the required evidence of qualification is not provided, the Board may grant a special limited certificate to an applicant who in the Board's judgment is capable of practising with such privileges or restrictions as may be determined concerning duration or scope of function permitted.
- Idem* (2) The term and particular conditions shall be clearly indicated on such a certificate and recorded in the register. (EC454/95)

RENEWAL OF CERTIFICATE

- Certificate year **10.** (1) The standard year for effect and expiry of a certificate shall be from April 1 to March 31.
- Idem* (2) The Board may by resolution fix dates of the certificate year in substitution for those set in subsection (1). (EC454/95)
- Application for renewal **11.** (1) A person seeking annual renewal of a certificate shall apply to the Registrar at least thirty days before its expiry, providing payment of the required renewal fee and such evidence of continuing compliance with the prescribed standards as may be required.
- Renewal (2) If there is any evidence that the applicant for renewal is in violation of the Act, regulations or terms of the certificate, or lacking the requirements for continuing professional development prescribed in section 12, the Board may refuse, suspend or impose conditions on renewal, but otherwise the certificate shall be renewed.

(3) The prescribed penalty fee for late payment may be levied where a person fails to make application with the renewal fee before the expiry of the certificate. (EC454/95) Late payment

12. (1) A person who applies for renewal of a certificate shall demonstrate to the satisfaction of the Board that the person has maintained familiarity with current practice and endeavoured to enhance professional competency by meeting such requirements for continuing professional development as are prescribed in these regulations or in other regulations concerning standards of practice made under the Act, whichever requirements are the more demanding. Continuing professional development

(2) Where an applicant fails to comply with subsection (1), the Board may refuse, suspend or impose conditions on renewal, or may require the applicant, within such period as it may specify, to Failure to comply

- (a) successfully complete a refresher program or such continuing professional development activities as may be assigned or approved by the Board;
- (b) pass an examination approved by the Board or administered in accordance with section 14; or
- (c) fulfil both (a) and (b).

(3) The prescribed minimum requirement of continuing professional development for purposes of renewing a certificate is ten credit hours in the year, or thirty credit hours in the three years, preceding the application for renewal. Credit hours

- (4) Credit hours of continuing professional development must *Idem*
- (a) be earned from activities listed in subsection (5);
 - (b) comprise activities listed in two or more different clauses of subsection (5);
 - (c) relate clearly and directly to the actual practice of dietetics as defined in the Act.

(5) For purposes of fulfilling the requirement of subsection (3) the following continuing professional development activities may be counted for credit hours: *Idem, accepted types*

- (a) a course, lecture, workshop, seminar or similar activity given, sponsored or approved by the Canadian Dietetic Association or a provincial dietetic association or certification body, or by an equivalent national association or state body of another NAFTA-governed jurisdiction;
- (b) a course, lecture, workshop, seminar or similar activity given or sponsored by the National Institute of Nutrition or such comparable institute;

- (c) a course, lecture, workshop, seminar or similar activity given or sponsored by a school of dietetics, home economics or food science or similar post-secondary education program that is recognized by the Canadian Dietetic Association;
- (d) a course, lecture, workshop, seminar or similar activity given or sponsored by the professional association, or regulatory or certification body, in a NAFTA-governed jurisdiction, of a health profession other than dietetics;
- (e) any other course, lecture, workshop, seminar or similar activity that may be expressly approved by the Board;
- (f) preparing and delivering a course, lecture, workshop, seminar or similar activity, provided it has been approved in advance by the Board, to be counted as two credit hours, to a maximum accumulation of six credit hours in any three-year period;
- (g) preparing and publishing an article in a recognized professional journal, to be counted as three credit hours, to a maximum accumulation of nine credit hours in any three-year period;
- (h) preparing and publishing a case report in a recognized journal, to be counted as one credit hour, to a maximum accumulation of three credit hours in any three-year period;
- (i) preparing examinations and evaluating candidates, to be counted as one credit hour, to a maximum accumulation of three credit hours in any three-year period;
- (j) using a professional-education program given in a professional journal or by audio or video cassette or some other electronic means, provided that the program incorporates some form of evaluative testing and is approved by the Board, to be counted as two credit hours, to a maximum accumulation of six credit hours in any three-year period;
- (k) working, for at least one day in an arrangement approved by the Board, with or under the consultancy of a colleague or other related professional in order to acquire knowledge and skills which have lapsed or were not previously possessed, to be counted as two credit hours, to a maximum accumulation of six credit hours in any three-year period. (EC454/95)

Application after
lapse

13. (1) A person seeking to renew entitlement to practise whose registration has lapsed under subsection 16(1) of the Act shall apply to the Registrar.

Renewal after lapse

(2) Subject to section 15 of the Act, a dietitian whose registration has so lapsed is entitled to have it renewed if application is made and the fee paid within three years of the expiry.

(3) If the lapse extends for a period of more than three years, the person must apply as if for initial registration and the Board may renew the registration subject to such special terms and conditions as it considers appropriate. (EC454/95) *Idem*

EXAMINATION

14. (1) Where an examination is necessary under subsection 12(2) or for some other prescribed purpose, the Board shall appoint an Examination Committee to set and administer it and assess the candidate's performance on it. *Examination Committee*

(2) The Examination Committee shall comprise at least two dietitians and a layperson, who may be but need not be Board members, and the Board shall designate one of the persons to chair the Committee. *Idem*

(3) The Examination Committee may act as examiners, but may also appoint other or additional examiners. *Examiners*

(4) The Board shall, with consideration of the purpose of the examination and of the extent and nature of an applicant's education and experience, determine in general the type of examination to be given to the applicant and the requirements for passing. *Design of examination*

(5) The chairperson of the Examination Committee shall ensure that the candidate is informed in advance regarding the time and place of the examination, with an explanation in general terms of its form and content. *Arrangement with candidate*

(6) The candidate for an examination shall, at such time prior to the examination as may be directed, pay to the Registrar such examination fee as is authorized by the Board. *Fee*

(7) Following the examination the Examination Committee, through its chairperson, the Registrar or other examiner appointed under subsection (3), shall *Report*

(a) submit to the Board a written report outlining the conduct of the examination, the exact instructions, questions or tasks set, and the results achieved by the candidate, and giving the Examination Committee's conclusion as to whether or not the candidate has passed the examination;

(b) furnish such explanatory interpretation, including particular observations by examiners, as Board members may require.

(8) The Board may permit an applicant who has not passed the examination to retake it, or a partial or modified form of it, on condition *Supplemental examination*

that the applicant first fulfil such educational or experience requirements as the Board may direct. (EC454/95)

INFORMATION

- Further information **15.** For the purpose of assessing an application for a certificate to practise, the Board or the Registrar may seek and take into account detailed information from the applicant and from other persons or bodies concerning the applicant's training, credentials and experience, including verification of coursework, examination results, standing with another regulatory body or professional organization, circumstances of previous practice and the like. (EC454/95)
- Keeping of application information **16.** Written information and documents, excepting an irreplaceable original such as an actual degree, submitted in connection with an application and any written report on the applicant's eligibility shall
- (a) be the property of the Board and shall be retained by the Registrar for at least one year following the decision on issuing a certificate;
 - (b) during that time be available for inspection by the applicant and the applicant's formally authorized representative;
 - (c) subject to section 17, not be accessible to any person other than the applicant or representative, the Registrar, the Board or its designate, without the express consent of both the applicant and the Board; and
 - (d) if disposed of, be disposed of in a manner which preserves confidentiality. (EC454/95)
- Disclosure of information **17.** The Registrar may disclose
- (a) information relevant to a person's application, registration, professional status or standing to another regulatory authority or professional organization;
 - (b) factual information about a person's registration and practice status or standing to an organization, employer or client who uses or is considering using the person's services. (EC454/95)
- Registrar to be informed **18.** The holder of a certificate shall without delay notify the Registrar of any change of status or change in the information provided in the most recent application that may affect the person's eligibility to practise or the Registrar's ability to contact the person. (EC454/95)

RESERVED TITLE

- Reserved title **19.** In accordance with section 20 of the Act, "dietitian-nutritionist" and "dietitian/nutritionist" and their French equivalents are prescribed as reserved titles. (EC454/95)

FEES

20. (1) The following fees are prescribed: Fees
- (a) registration and initial certificate\$75
 - (b) registration and part-year (less than 4 months)
initial certificate\$40
 - (c) annual renewal.....\$60
 - (d) penalty for late annual renewaladditional \$25
 - (e) renewal of lapsed registration - same as for initial
 - (f) special limited certificate: as the Board determines appropriate,
but not above the fee for an initial certificate

(2) The Board may, with the approval of the Association and having *idem* informed the Minister, prescribe fees in substitution for those established by subsection (1). (EC454/95)