



PLEASE NOTE

This document, prepared by the [Legislative Counsel Office](#), is an office consolidation of this regulation, current to February 1, 2004. It is intended for information and reference purposes only.

This document is *not* the official version of these regulations. The regulations and the amendments printed in the [Royal Gazette](#) should be consulted to determine the authoritative text of these regulations.

For more information concerning the history of these regulations, please see the [Table of Regulations](#).

If you find any errors or omissions in this consolidation, please contact:

Legislative Counsel Office
Tel: (902) 368-4291
Email: legislation@gov.pe.ca

CHAPTER O.1.1
OCCUPATIONAL THERAPISTS ACT
REGISTRATION REGULATIONS

Made by the Prince Edward Island Occupational Therapists Registration Board pursuant to section 6 of the *Occupational Therapists Act* Stats. P.E.I. 1994, c.43, after consultation with the Prince Edward Island Society of Occupational Therapists and approved by the Lieutenant Governor in Council.

- 1.** In these regulations
- Definitions
- (a) “Act” means the *Occupational Therapists Act* R.S.P.E.I. 1988, Cap. O-1.1; Act
- (b) “NAFTA” means the North American Free Trade Agreement; NAFTA
- (c) “refresher program” means a program to review and update basic knowledge and skills in occupational therapy as described in subsection 6(2). (EC385/96) 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;

- (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; and
- (i) the fee prescribed for processing an application. (EC385/96)

REQUIREMENTS FOR REGISTRATION

Education
qualification

- 3.** (1) For the purpose of meeting the professional education requirement of clause 7(1)(a) of the Act, an applicant must successfully have completed a training program in occupational therapy
- (a) at a degree or post-secondary diploma level;
 - (b) at an institution or provided by an organization that, for the time of the applicant's graduation, is
 - (i) accredited by the Canadian Association of Occupational Therapists, or
 - (ii) approved by the World Federation of Occupational Therapists.

Alternative
qualification

- (2) The Board may accept the training of an institution or organization other than one accredited or approved under clause (1)(b), but only if the applicant provides an assessment, conducted by the Canadian Association of Occupational Therapists or such other body as the Board may formally recognize for this purpose, and
- (a) the assessment demonstrates that the applicant's training is essentially equivalent in scope, content and quality to that given by an institution or organization accredited or approved under clause (1)(b); or
 - (b) the applicant successfully completes such further training and experiences as the assessment indicates are necessary to achieve equivalency to the required standard of training. (EC385/96)

Practical training
and experience

- 4.** For the purpose of meeting the practical training and professional experience requirement of clause 7(1)(b) of the Act, an applicant must
- (a) successfully have completed whatever clinical and fieldwork components were required as part of the curriculum of the training program described in subsection 3(1); or
 - (b) fulfil such requirements for equivalency as may be indicated by the assessment described in subsection 3(2). (EC385/96)

Examination

- 5.** (1) For the purpose of demonstrating professional competency under clause 7(1)(c) of the Act, an applicant must have passed the national standard examination of the Canadian Association of Occupational Therapists.

Idem, exception

- (2) An applicant who graduated, at a time before the coming into force of these regulations, from the training program of a Canadian institution

accredited by the Canadian Association of Occupational Therapists is not required to take the examination required under subsection (1). (EC385/96)

6. (1) For the purpose of assuring currency of professional knowledge and skills under clause 7(1)(d) of the Act, the applicant must have Currency requirement

- (a) completed the professional education requirement referred to in section 3 within the five years preceding the application;
- (b) actively practised occupational therapy for at least
 - (i) 900 hours within the five years,
 - (ii) 500 hours within the three years, or
 - (iii) 300 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.

(2) To meet the requirement of clause (1)(c) a refresher program must Idem, refresher program

- (a) be supervised by a person approved by the Board;
- (b) consist of at least 600 hours of work or study approved by the Board, of which at least half must be actual clinical work;
- (c) include a variety of types of occupational therapy practice; and
- (d) be based on 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. (EC385/96)

7. In accordance with subsection 7(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 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. (EC385/96)

ISSUANCE OF CERTIFICATE

8. (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

Idem (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. (EC385/96)

Idem (3) The Registrar shall, where the eligibility of an applicant is questionable, present the matter to the Board for decision.

Inform applicant **9.** 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. (EC385/96)

SPECIAL (LIMITED) CERTIFICATE

Special certificate **10.** (1) Where authorization may be necessary to practise in unusual circumstances including, for example,
(a) a practitioner's visit to the province;
(b) the period during which a new graduate must wait for the opportunity to take the national standard examination or is awaiting confirmation of a qualification; or
(c) a need to perform 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. (EC385/96)

RENEWAL OF CERTIFICATE

Certificate year **11.** (1) The standard year for effect and expiry of a certificate shall be from May 1 to April 30.

Idem (2) The Board may by resolution fix dates of the certificate year in substitution for those set in subsection (1). (EC385/96)

Application for renewal **12.** (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.

(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 professional currency prescribed in sections 13 (active practice or other indicator of currency) or 14 (continuing professional development), the Board may refuse, suspend or impose conditions on renewal, but otherwise the certificate shall be renewed. Renewal

(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. (EC385/96) Late payment

13. To be eligible for renewal of a certificate the applicant must have Currency, for
renewal

- (a) completed the professional education requirement referred to in section 3 within the five years preceding the application;
- (b) actively practised occupational therapy for at least
 - (i) 900 hours within the five years,
 - (ii) 500 hours within the three years, or
 - (iii) 300 hours in a single block of continuous work within the three years,
 preceding the application; or
- (c) successfully completed a refresher program within the three years preceding the application. (EC385/96)

14. (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 16; 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

- Idem*
- (4) Credit hours of continuing professional development must
- (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 occupational therapy as defined in the Act.
- Idem, accepted types*
- (5) For purposes of fulfilling the requirement of subsection (3) the following continuing professional development activities may be counted, on an hour-for-hour basis unless otherwise indicated, for credit hours:
- (a) a course, lecture, workshop, seminar or similar activity given, sponsored or approved by the Canadian Association of Occupational Therapists or a provincial occupational therapists 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 Canadian Occupational Therapy Foundation or such comparable institute;
 - (c) a course, lecture, workshop, seminar or similar activity given or sponsored by a school of occupational therapy or rehabilitation or similar post-secondary education program that is recognized by the Canadian Association of Occupational Therapists;
 - (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 occupational therapy;
 - (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 or book review 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) 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;

(j) 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. (EC385/96)

15. (1) A person seeking to renew entitlement to practise whose registration has lapsed under subsection 14(1) of the Act shall apply to the Registrar. Application after lapse

(2) Subject to section 13 of the Act, an occupational therapist 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. Renewal after lapse

(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. (EC385/96) *Idem*

EXAMINATION

16. (1) Where an examination is necessary under subsection 14(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 occupational therapists 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 circumstances of the candidate's training, practice experience and apparent currency, determine in general the type of examination to be given to the candidate 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

- Fee (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.
- Report (7) Following the examination the Examination Committee, through its chairperson, the Registrar or other examiner appointed under subsection (3), shall
- (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.
- Supplemental examination (8) The Board may permit a candidate who has not passed the examination to retake it, or a partial or modified form of it, on condition that the person first fulfil such educational or experience requirements as the Board may direct. (EC385/96)

INFORMATION

- Further information **17.** 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. (EC385/96)
- Keeping of application information **18.** 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 19, 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. (EC385/96)
- Disclosure of information **19.** The Registrar may disclose

- (a) information about a person’s application, registration, certificate 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. (EC385/96)

20. 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. (EC385/96) Registrar to be informed

FEES

- 21.** (1) The following fees are prescribed: Fees
- (a) processing an application for registration\$ 30
 - (b) registration and initial certificate.....\$ 70
 - (c) registration and part-year (less than 4 months)
initial certificate\$ 40
 - (d) annual renewal\$ 70
 - (e) part-year certificate (less than 4 months).....\$ 40
 - (f) penalty for late annual renewal additional \$ 25
 - (g) renewal of lapsed registration same as for initial
 - (h) special limited certificate: as the Board determines appropriate,
but not above the fee for an initial certificate

(2) A fee is not refundable once the action for which it was paid has been carried out. (EC385/96) Idem