

# Fair Registration Practices Report

## Massage Therapists (2015)

The answers seen below were submitted to the OFC by the regulated professions.

This Fair Registration Practices Report was produced as required by:

- the Fair Access to Regulated Professions and Compulsory Trades Act (FARPACKTA) s. 20 and 23(1), for regulated professions named in Schedule 1 of FARPACKTA
- the Health Professions Procedural Code set out in Schedule 2 of the Regulated Health Professions Act (RHPA) s. 22.7 (1) and 22.9(1), for health colleges.

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## 1. Qualitative Information

### a) Requirements for registration, including acceptable alternatives

#### i. Describe any improvements / changes implemented in the last year.

##### Letters of Standing

During the reporting year, the Application for Initial Registration was updated so that, at the time of Initial Registration, applicants must not only report if they are registered with another professional regulator inside or outside Ontario (e.g., with the College of Traditional Chinese Medicine in Ontario, with the College of Nurses in B.C.), but they are also required to provide a Letter of Standing directly from their other regulator(s) to CMTO. Previously, a Letter of Standing was only required from the Massage Therapy regulator of applicants for registration under AIT.

A letter of standing provides important information to CMTO regarding the applicant's registration history with other regulatory bodies, including findings of professional misconduct, incompetence or incapacity, whether or not the individual has any terms, conditions or limitations on their registration, and whether their certificate of registration has ever been suspended or revoked. The letter of standing provides some assurance to the College as to the high ethical standards in the candidates admitted to the profession.

##### Professional Liability Insurance

Effective May 2015, the CMTO By-laws regarding professional liability insurance were updated. Previously, the registrants were required to hold professional liability insurance that was occurrence-based and provided a minimum coverage of \$2,000,000 per year.

Under the updated policy, applicants for registration must demonstrate that they have professional liability insurance coverage of at least \$2,000,000 per occurrence and \$5,000,000 in the aggregate per year, and they may have a deductible of not more than \$5,000. The insurance policy must be 'occurrence-based' in that the policy provides coverage based on when an 'occurrence' allegedly took place and for a minimum of 10 years following the registrant's cessation of practice.

Professional liability insurance protects the public interest by ensuring that there is a financial resource that is independent of the registrant to meet the costs of any damages that may be awarded against the registrant in court

#### ii. Describe the impact of the improvements / changes on applicants.

##### Letters of Standing

All applicants are now required to submit a letter of standing from any professional regulator with whom they are currently registered or have previously been registered.

##### Professional Liability Insurance

This change provides applicants and registrants with a more detailed guidance with regard to the professional liability insurance requirement, and ensures their personal resources are not wiped out by the costs of any damages that may be awarded against the registrant in court. The impact on applicants was minimal. CMTO conducted a survey of insurance providers which showed that most policies already incorporated the terms articulated in the CMTO By-Laws.

#### iii. Describe the impact of the improvements / changes on your organization.

##### Letters of Standing

This change ensures that CMTO has a full and accurate picture of the applicant's registration history with other professions.

##### Professional Liability Insurance

This by-law update has no material impact on CMTO and ensures that there is a financial resource that is independent of the registrant to meet the costs of any damages that may be awarded against the registrant in court.

### b) Assessment of qualifications

#### i. Describe any improvements / changes implemented in the last year.

**Incorporating the Inter-Jurisdictional Competency Standards into the Certification Examinations**

The College incorporated the national Inter-Jurisdictional Competency Standards (<http://www.cmta.com/assets/Inter-Jurisdictional-Competency-Standards-June-2012.pdf>) into the Certification Examinations as of May 2015. Authorized Ontario Massage Therapy education providers incorporated these standards into their curriculum in 2013. The timing of the introduction of the updated Certification Examinations ensured that students taking the exams were taught the updated curriculum.

**ii. Describe the impact of the improvements / changes on applicants.**

**Incorporating the Inter-Jurisdictional Competency Standards into the Certification Examinations**

This change ensures that the Certification Examinations reflect the education received by applicants and are an accurate reflection of current Massage Therapy practise.

**iii. Describe the impact of the improvements / changes on your organization.**

**Incorporating the Inter-Jurisdictional Competency Standards into the Certification Examinations**

This change had a very significant impact on CMTA. All exam items for both the MCQ and the OSCE examinations were reviewed and updated for currency. A high volume of new exam items had to be written. This review and update required considerable resources including staff, volunteers, consultants and translators. The annual training session for examiners was also reviewed and updated.

**c) Provision of timely decisions, responses, and reasons**

**i. Describe any improvements / changes implemented in the last year.**

No changes this year

**ii. Describe the impact of the improvements / changes on applicants.**

No changes this year

**iii. Describe the impact of the improvements / changes on your organization.**

No changes this year

**d) Fees**

**i. Describe any improvements / changes implemented in the last year.**

As of May 2015, some fees related to registration were reduced:

- The Late Fee for annual renewal was reduced from \$200 to \$100;
- The Reinstatement Fee for registrants whose certificate of registration is suspended for non-payment of dues was reduced from \$600 to \$300;
- The initial fee to issue a Certificate of Authorization for Professional Corporations was reduced from \$400 to \$200; and
- The annual renewal fee for a Certificate of Authorization for Professional Corporations was reduced from \$400 to \$200.

In addition, in 2015 the CMTA Council chose to implement the lowest renewal fee increase permitted under the CMTA bylaws (less than \$10).

Initial Registration applicants must pay the application fee plus the pro-rated registration fee. The fee is based on the month they apply for registration and covers registration fees for the remainder of the calendar year. The registration fee for a General Certificate of registration in 2015 was \$578.

**ii. Describe the impact of the improvements / changes on applicants.**

This change reduces the financial impact of registration for initial applicants and those who seek to reinstate their registration if it is suspended for non-payment of dues.

**iii. Describe the impact of the improvements / changes on your organization.**

Keeping fees low means that CMTA must be vigilant in the management of financial resources.

**e) Timelines**

**i. Describe any improvements / changes implemented in the last year.**

No changes this year

**ii. Describe the impact of the improvements / changes on applicants.**

No changes this year

**iii. Describe the impact of the improvements / changes on your organization.**

No changes this year

**f) Policies, procedures and/or processes, including by-laws**

**i. Describe any improvements / changes implemented in the last year.**

**Language Fluency Policy**

In June 2015 CMTO completed a comprehensive review of its language fluency policy. The review had two main purposes: to validate whether the required Canadian Language Benchmark scores still identified appropriate language levels for entry-to-practice (ETP) to the profession, and to enhance the clarity, rationale and procedural fairness of the policy.

The review confirmed that the required scores reflect the appropriate language proficiency required for Massage Therapy practice. The revised language fluency policy(<http://www.cmto.com/assets/CMTO-Language-Fluency-Policy-effective-February-1-2016.pdf>) provides a greater number of valid and objective language tests, including tests for both English and French, and including two tests (one in English and one in French) that are also accepted by Citizenship and Immigration Canada for the purpose of immigration to Canada. However, the Canadian Language Benchmarks Placement Test (CLBPT) is no longer recognized as an approved tool for demonstrating language fluency.

The revised policy was approved by Council on December 7, 2015 for implementation February 1, 2016. There is a transition period from February 1, 2016 to May 31, 2016 during which the requirements of both the former policy and the updated policy are in effect. This transition period will accommodate potential applicants who may have already started work on meeting the language fluency requirement using the CLBPT.

**Timing of completion of Refresher Course**

Applicants must successfully meet the academic requirement for registration prior to attempting the Certification Examinations, and the Registration Regulation requires that the approved education must be completed no more than three years prior applying for registration. In 2015, a policy was developed confirming that applicants must demonstrate that their approved Massage Therapy education is current prior to being eligible to register for a Certification Exam, and prior to applying for registration. This may be done by:

- Demonstrating successful completion, no more than three years prior to the date of the exam administration or Application for Initial Registration, of an approved educational program; or
- Successful completion, no more than 15 months prior to the date of the exam administration or Application for Initial Registration, of a refresher course approved by the Council.

The policy ensures that an applicant's education is current at the time of writing their examinations, and also helps ensure that applicants who successfully complete the exams are not able to delay their registration beyond a point at which their education is no longer current.

**Refresher Course Tutor Criteria**

An applicant is required to complete the CMTO Refresher Course if they graduated from an approved Massage Therapy program more than three years before registering for a Certification Examination or applying for Initial Registration. The goal of the Refresher Course is to provide an individualized program that delivers targeted remediation to the applicant or registrant participating in the program.

In 2015, staff developed a document 'Role, Qualifications and Responsibilities of Refresher CourseTutors'(<http://www.cmto.com/assets/Refresher-Course-Tutor-Application-Guide.pdf>) to identify the role of a tutor and the qualifications that must be met in order to be approved as a tutor. The document provides potential tutors with information about how the Refresher Course program works and what is required of a tutor who is assisting an applicant or registrant to complete their program.

**By-laws Amendment**

In July 2015, CMTO's By-laws No. 7 and 10 were updated:

- **By-Law No. 7 - Fees for Registration, Examinations and Other Activities of the College**  
As a result of the amendments to By-law No. 7 the late fee was decreased from \$200 to \$100, the Reinstatement fee for registrants whose certificate of registration is suspended for non-payment of dues was decreased from \$600 to \$300, and the initial registration and renewal fee to issue a Certificate of Authorization for Professional Corporations was decreased from \$400 to \$200.
- **By-law No. 10 – Professional Liability Insurance**  
Effective May 2015, amendments to By-law No.10, professional liability insurance must provide a minimum coverage in the amount of \$2,000,000 per occurrence and \$5,000,000 in the aggregate per year and a deductible of not more than \$5,000. The insurance policy must be 'occurrence-based' in that the policy provides coverage based on when an 'occurrence' allegedly took place and for a minimum of 10 years following the registrant's cessation of practice.

**ii. Describe the impact of the improvements / changes on applicants.**

**Language Fluency Policy**

The revised language fluency policy provides a greater number of valid and objective language tests, including tests for both English and French, and including two tests (one in English and one in French) that are also accepted by Citizenship and Immigration Canada for the purpose of immigration to Canada.

**Timing of completion of Refresher Course**

The policy ensures that an applicant's education is current at the time of writing their examinations, and also helps ensure that applicants who successfully complete the exams are not able to delay their registration beyond a point at which their education is no longer current.

**Refresher Course Tutor Criteria**

The updated criteria ensure that an applicant who is required to take the Refresher Course has access to qualified tutors.

**By-laws Amendment**

These by-laws ensure that the updates related to fee increases and professional liability insurance requirements were circulated to registrants for feedback prior to implementation, and provide applicants with clear, easily accessible information about these requirements.

**iii. Describe the impact of the improvements / changes on your organization.****Language Fluency Policy**

The revised language fluency policy required CMTO to review, update and re-post our online/hard copy documents and forms related to registration. The CMTO database was updated to reflect the updated data elements that came into effect with the new policy. The updated policy and the rationale for the changes were shared with all College staff.

**Timing of completion of Refresher Course**

All registration staff were provided with information about this policy change so that applications could be processed accordingly.

**Refresher Course Tutor Criteria**

The updated criteria required CMTO staff to develop a fee guideline for tutors to ensure that fees charged to applicants were transparent and fair.

**By-laws Amendment**

CMTO conducted research related to the proposed by-law changes. The draft by-laws were circulated to registrants and other stakeholders for comment prior to Council approving them for implementation. The updated by-laws were shared with all registrants and posted to the CMTO website.

**g) Resources for applicants****i. Describe any improvements / changes implemented in the last year.**

Key registration forms, guides, handbooks and process flow charts were updated as needed throughout the year to convey clear, current and accurate information.

The CMTO reviewed its website in 2015 and is in the process of transitioning to a new website.

The CMTO identified key documents to be translated in to French to provide francophone applicants access registration materials in French. At the time of completing this report a separate French language page is available on the CMTO website with access to key registration policies, processes and forms in French.

**ii. Describe the impact of the improvements / changes on applicants.**

Applicants are provided with clear, current and accurate registration information; francophone applicants have access to registration information in French.

**iii. Describe the impact of the improvements / changes on your organization.**

Considerable resources were required to update the registration forms, guides, handbooks and process flow charts, including registration staff, IT staff, and translation consultants. Significant financial resources and staff time were also engaged in the website update.

**h) Review or appeal processes****i. Describe any improvements / changes implemented in the last year.**

No changes this year

**ii. Describe the impact of the improvements / changes on applicants.**

No changes this year

**iii. Describe the impact of the improvements / changes on your organization.**

No changes this year

**i) Access to applicant records****i. Describe any improvements / changes implemented in the last year.**

No changes this year

**ii. Describe the impact of the improvements / changes on applicants.**

No changes this year

**iii. Describe the impact of the improvements / changes on your organization.**

No changes this year

**j) Training and resources for registration staff, Council, and committee members**

**i. Describe any improvements / changes implemented in the last year.**

Registration Committee members and staff attended a decision and reason writing workshop on April 9, 2015. The workshop was facilitated by Richard Steinecke of Steinecke, Maciura, LeBlanc.

The Registration Committee was provided with annual orientation and training on April 20, 2015 by the director of Registration Services. The Committee was trained in the requirements of the *Regulated Health Professions Act (RHPA)*, the *Health Professions Procedural Code* including the fair registration practices requirements, the *Massage Therapy Act*, the Registration Regulation, the Examination Regulation, and CMTO's registration policies and procedures. This was followed by half day training session provided by Richard Steinecke on April 21, 2015, addressing decision making by the Registration Committee, mobility issues, dealing with special considerations, and anti-discrimination.

Registration Services staff was provided training by College legal counsel Julie Maciura of Steinecke, Maciura, LeBlanc on September 25, 2015. The training included issues respecting regulation and legal framework, registration processes, appeals, fairness, human rights, confidentiality and conflicts of interest.

Registration Services staff created a Registration Panel Review Worksheet and a Decision and Reasons template for the Registration Committee members. Some training was provided on the use of these tools to assist the Committee with their deliberations and to ensure that all relevant information is considered, all issues are addressed, and the Committee's decisions and reasons are articulated in a clear and transparent manner.

**ii. Describe the impact of the improvements / changes on applicants.**

Staff better understand how registration fits in the regulatory framework, and the importance of fair and transparent registration practices. This ensures they provide clear and accurate information and service to registration applicants.

**iii. Describe the impact of the improvements / changes on your organization.**

Staff better understand how registration fits in the regulatory framework, and the importance of fair and transparent registration practices. This ensures they provide clear and accurate information and service to registration applicants.

**k) Mutual recognition agreements**

**i. Describe any improvements / changes implemented in the last year.**

CMTO began accepting registrants from New Brunswick under the AIT in 2015.

**ii. Describe the impact of the improvements / changes on applicants.**

Applicants from New Brunswick are able to apply under the less onerous AIT process.

**iii. Describe the impact of the improvements / changes on your organization.**

This change has minimal impact on CMTO, a process for recognizing AIT applicants has been in place for several years.

**l) Other (include as many items as applicable)**

**i. Describe any improvements / changes implemented in the last year.**

The Registration Committee conducted an extensive review of the Registration Regulation in 2014 and 2015 to ensure that it accurately reflects current practices and addresses some issues of concern relating to the approval of Massage Therapy courses of study.

Two significant amendments were proposed:

1. That Massage Therapy programs be approved by the CMTO Registration Committee, not the Ministry of Training, Colleges and Universities. This provides the College with more direct oversight and control over which Massage Therapy programs are acceptable; and
2. That the requirement to practise 500 hours over the previous three years to maintain currency be expanded to include more than direct client care.

The Proposed Amendments to Ontario Regulation 864/93 (<http://www.cmtto.com/assets/Proposed-amendments-to-the-Registration-Regulations.pdf>) were circulated to all registrants and other stakeholders for comment on March 19, 2015. In May 2015, the CMTO Council voted to submit the regulation to the Ministry of Health and Long Term Care for approval.

ii. Describe the impact of the improvements / changes on applicants.

No changes this year

iii. Describe the impact of the improvements / changes on your organization.

No changes this year

Describe any registration-related improvements/changes to your enabling legislation and/or regulations in the last year

No changes this year

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## 2. Quantitative Information

### a) Languages

Indicate the languages in which application information materials were available in the reporting year.

Language	Yes/No
English	Yes
French	Yes

Other (please specify)

Additional comments:

A French language page is available on the CMTO website with access to documents in French.  
<http://www.cmta.com/francais/>

### b) Gender of applicants

Indicate the number of applicants in each category as applicable.

Gender	Number of Applicants
Male	193
Female	638
None of the above	0

Additional comments:

The CMTO defines an applicant as someone who submitted an application for Initial Registration and paid the application fee.

### c) Gender of members

Indicate the number of members in each category as applicable. Select the option that best corresponds to the terminology used by your organization.

Gender	Number of Members
Male	2840
Female	10274
None of the above	0

Additional comments:

Total number of registrants as on December 31, 2015 was 13114.

### d) Jurisdiction where applicants obtained their initial education

Indicate the number of applicants by the jurisdiction where they obtained their initial education<sup>1</sup> in the profession or trade.

Ontario	Other Canadian Provinces	USA	Other International	Unknown	Total
823	8	0	n/a 0 Total 0	0	831

<sup>1</sup> Recognizing that applicants may receive their education in multiple jurisdictions, for the purpose of this question, include only the jurisdiction in which an entry-level degree, diploma or other certification required to practice the profession or trade was obtained.

Additional comments:

The CMTO defines an applicant as someone who submitted an application for Initial Registration and paid the application fee.

**e) Jurisdiction where applicants who became registered members obtained their initial education**

Indicate the number of applicants who became registered members in the reporting year by the jurisdiction where they obtained their initial education<sup>1</sup> in the profession or trade.

Ontario	Other Canadian Provinces	USA	Other International	Unknown	Total
785	8	0	n/a 0 Total 0	0	793

<sup>1</sup> Recognizing that applicants may receive their education in multiple jurisdictions, for the purpose of this question, include only the jurisdiction in which an entry-level degree, diploma or other certification required to practice the profession or trade was obtained.

Additional comments:

**f) Jurisdiction where members were initially trained**

Indicate the total number of registered members by jurisdiction where they obtained their initial education<sup>1</sup> in the profession or trade.

Ontario	Other Canadian Provinces	USA	Other International	Unknown	Total
12621	105	2	France 1 Israel 1 Japan 1 Lebanon 1 Germany 2 Russia 1 Poland 6 Romania 2 New Zealand 1 Total 16	370	13114

<sup>1</sup> Recognizing that applicants may receive their education in multiple jurisdictions, for the purpose of this question, include only the jurisdiction in which an entry-level degree, diploma or other certification required to practice the profession or trade was obtained.

Additional comments:

Members include all General and Inactive Certificate holders.

**g) Applications processed**

Indicate the number of applications your organization processed in the reporting year:

Jurisdiction where applicants were initially trained in the profession (before they were granted use of the protected title or professional designation in Ontario)

from January 1 <sup>st</sup> to December 31 <sup>st</sup> of the reporting year	Ontario	Other Canadian Provinces	USA	Other International	Unknown	Total
<b>New applications received</b>	823	8	0	0	0	<b>831</b>
<b>Applicants actively pursuing licensing (applicants who had some contact with your organization in the reporting year)</b>	823	8	0	0	0	<b>831</b>
<b>Inactive applicants (applicants who had no contact with your organization in the reporting year)</b>	0	0	0	0	0	<b>0</b>
<b>Applicants who met all requirements and were authorized to become members but did not become members</b>	27	7	0	0	0	<b>34</b>
<b>Applicants who became FULLY registered members</b>	793	8	0	0	0	<b>801</b>
<b>Applicants who were authorized to receive an alternative class of licence<sup>3</sup> but were not issued a licence</b>	0	0	0	0	0	<b>0</b>
<b>Applicants who were issued an alternative class of licence<sup>3</sup></b>	0	0	0	0	0	<b>0</b>

<sup>1</sup> An alternative class of licence enables its holder to practice with limitations, but additional requirements must be met in order for the member to be fully licensed.

**Additional comments:**

The CMTO defines an applicant as someone who submitted an application for Initial Registration and paid the application fee.

**New applications received:** Applications for initial registration received by the CMTO within the reporting year.

**Applicants actively pursuing licensing:** Applicants that submitted an initial registration application in the reporting year.

**Inactive applicants:** n/a

**Applicants who met all requirements and were authorized to become members but did not become**

**members:** Applicants who submitted an application for Initial Registration but did not submit the application fee.

**Applicants who became members:** Applicants registered within the reporting year

The CMTO does not have a category of alternative class of registration such as student, intern, associate, provisional or temporary.

**h) Classes of certificate/license**



Indicate and provide a description of the classes of certificate/license offered by your organization.

You must specify and describe at least one class of certificate/license (on line a) in order for this step to be complete.

#	Certification	Description
a)	General Certificate (GC)	<b>Description (a)</b>
		Required for any registrant wishing to practise Massage Therapy in Ontario.
b)	Inactive Certificate (IN)	<b>Description (b)</b>
		For Massage Therapists who are not currently practising Massage Therapy in Ontario but may return to practice in the future.

**Additional comments:**

The Massage Therapy registration regulation does not permit alternative classes or license. Initial registration must always be with a General Certificate. An Inactive Certificate may be requested after initial registration.

**i) Reviews and appeals processed**

State the number of reviews and appeals your organization processed in the reporting year (use only whole numbers; do not enter commas or decimals).

Jurisdiction where applicants were initially trained in the profession (before they were granted use of the protected title or professional designation in Ontario)

from January 1 <sup>st</sup> to December 31 <sup>st</sup> of the reporting year	Ontario	Other Canadian Provinces	USA	Other International	Unknown	Total
Applications that were subject to an internal review or that were referred to a statutory committee of your governing council, such as a Registration Committee	10	1	0	1	0	12
Applicants who initiated an appeal of a registration decision	0	0	0	0	0	0
Appeals heard	0	0	0	0	0	0
Registration decisions changed following an appeal	0	0	0	0	0	0

**Additional comments:**

Internal reviews include Registration Committee reviews of the Registrar's proposal to refuse to register an applicant (when she has doubts on reasonable grounds about whether the applicant fulfills all of the requirements for registration), and of the Registrar's proposal to impose terms, conditions, or limitations on the applicant's registration.

Appeals of Registration Committee decisions are not internal as they are handled by the Health Professions Appeal and Review Board.

In addition, CMTO is currently the administrator of the RMT Certification Examinations for Ontario. Exam candidates may request a review of their examination result. These reviews are conducted internally by the Office of the Registrar. If a candidate is not satisfied with the review result, they may complete an application for Initial Registration for review by the Registration Committee. In 2015, 11 internal examination reviews were conducted for exam candidates by the Office of the Registrar. None of these exam candidates submitted an application for registration in order to request a further review by the Registration Committee.

**j) Paid staff**

In the table below, enter the number of paid staff employed by your organization in the categories shown, on December 31 of the reporting year.

When providing information for each of the categories in this section, you may want to use decimals if you count your staff using half units. For example, one full-time employee and one part-time employee might be equivalent to 1.5 employees.

You can enter decimals to the tenths position only. For example, you can enter 1.5 or 7.5 but not 1.55 or 7.52.

Category	Staff
Total staff employed by the regulatory body	23
Staff involved in appeals process	3
Staff involved in registration process	5.5

**Additional comments:**

In addition to the 3 staff noted above who are involved in the registration appeals process, 1 CMTO staff person assists with the internal review of examination results before an exam candidate is an applicant for registration.

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### 3. Submission

**I hereby certify that:**

**Name of individual with authority to sign on behalf of the organization:**

Valerie Browne

**Title:**

Director, Registration Services

**Date:**

2016/02/29

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