

# Fair Registration Practices Report

## Massage Therapists (2017)

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 (FARPACTA) s. 20 and 23(1), for regulated professions named in Schedule 1 of FARPACTA
- 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.

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

### b) Assessment of qualifications

#### 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

### 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.**

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

**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.**

**Direct Client Care Policy**

A revised Direct Client Care Policy was implemented on May 15, 2017. Under the revised policy, the definition of direct client care was expanded such that the care must be completed by a Registered Massage Therapist (RMT or MT) in a regulated jurisdiction in Canada.

**Refresher Course Requirement at Initial Registration/Currency of Education Policy**

Up-to-date education is an important requirement, both at the time the Certification Examinations and at the time of Initial Registration. CMTO's Council has determined that in order to be eligible to participate in the Certification examinations (OSCE and MCQ), an applicant must have:

- Successfully completed an approved Massage Therapy program no more than three years prior to the date of the Certification Examination administration, or
- Successfully completed, no more than 15 months prior to the date of the exam administration, a refresher course approved by the Council.

The Registration Regulation under the Massage Therapy Act, 1991 requires this same requirement to be met at the time an applicant wishes to become registered.

As a result of these requirements, a candidate whose education is current at the time of writing the Certification Examinations may find that at the time of their application for registration, only a few weeks or months later, they are required to take a Refresher Course because their education is more than three years old. This could occur because it has taken the candidate a full three years from the date they graduated to complete the exams, or as a result of the time it takes for candidates to receive their Certification Examination results.

To address these specific cases, the Registration Committee delegated authority to the Director, Registration Services, to waive the Refresher Course requirement, at his or her discretion, for applicants who have successfully completed the examination requirement within six months before submitting an application for Initial Registration.

### **Acupuncture Authorization process**

In January 2017, CMTO implemented an updated process for authorizing registrants to perform acupuncture.

All registrants authorized to perform acupuncture are listed on CMTO's Acupuncture Roster, accessible through the existing public register. Registrants wishing to be added to the Acupuncture Roster must first complete an acupuncture program that provides them with the entry-level acupuncture practice competencies as set out in CMTO's Acupuncture Practice Competencies and Performance Indicators (APC/PIs). The APC/PIs state the learning outcomes that must be provided by acupuncture education programs to enable their inclusion by CMTO in the list of "Confirmed Acupuncture Education Programs".

Once the registrant has successfully completed the Confirmed Acupuncture Education Program, they must then arrange for the program to submit documentation directly to CMTO confirming their successful completion of the program. In addition, the registrant must complete the online application and declaration process.

Registrants who were authorized by CMTO to practise using acupuncture prior to the implementation of the new process were grandparented under CMTO's new acupuncture policy.

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

### **Direct Client Care Policy**

An applicant whose Massage Therapy education was completed more than three years prior to writing the Certification Examinations, or more than three years prior to applying for registration, must successfully complete a refresher course approved by the Council. CMTO's current Refresher Course has two components: the CMTO Standards and Regulations e-Workshop and a tutoring component. Refresher Course participants who have a minimum of 500 hours of direct client care in the previous three years are exempt from the tutoring component. Only an applicant from a regulated jurisdiction in Canada can use their practice hours to be exempt from the tutoring component of the Refresher Course.

### **Refresher Course Requirement at Initial Registration/Currency of Education Policy**

Applicants who have demonstrated their competence by successfully completing the Certification Examinations and whose education is more than three years old at the time they submit their application may be permitted to register without having to take a Refresher Course provided there is not more than a six-month delay between successful completion of the examinations and submitting an application for Initial Registration.

### **Acupuncture Authorization Process**

An applicant who wishes to use acupuncture in their Massage Therapy practice may complete a Confirmed Acupuncture Education program prior to registration, and may become authorized by CMTO to use acupuncture upon registration provided they meet all of the requirements of the authorization process.

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

#### **Direct Client Care Policy**

The updated policy ensures that new applicants being exempt from the tutoring component of the Refresher Course have practised in a jurisdiction with comparable standards and with appropriate regulatory oversight and practitioner accountability.

#### **Refresher Course Requirement at Initial Registration/Currency of Education Policy**

CMTO believes that this policy is a more fair approach to ensuring currency of education for examination candidates and applicants for registration.

#### **Acupuncture Authorization Process**

The updated process gives CMTO appropriate oversight and improves accountability of registrants practising using acupuncture.

### **g) Resources for applicants**

#### **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

### **h) Review or appeal processes**

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

#### **Certification Examination Review Policy**

CMTO's examination review policy allows a candidate to request a review of their examination if he or she is of the

opinion that extraordinary circumstances arose coincidental to the holding of the examination that had an adverse impact on their examination result. The Registrar conducts an internal review of the available information, including the candidate's submissions.

The previous examination review process allowed for the Registrar's decision to be reviewed by the Registration Committee and the Health Professions Appeal and Review Board (HPARB). This was problematic because certification examinations are a non-exemptible requirement and neither the Registration Committee nor HPARB has the statutory authority to exempt this requirement.

The updated Certification Examination Review Policy removes any reference to further appeal of the Registrar's decision to the Registration Committee or HPARB; the Registrar's decision is final.

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

The updated policy clarifies that successful completion of the certification examinations is a non-exemptible registration requirement and that neither the Registration Committee nor HPARB may exempt an applicant from this requirement.

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

The updated policy is fair, transparent and consistent with the legislation.

**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.**

- Some Registration staff attended training on incapacity matters provided by Steinecke, Maciura, LeBlanc (SML) on March 10, 2017
- College legal counsel Julie Maciura of SML provided orientation to members of the Registration Committee on April 21, 2017
- Registration staff attended online webinars facilitated by the Council on Licensure, Enforcement & Regulation (CLEAR) on regulatory governance. The topics included Foundations of Occupational and Professional Regulation, Roles and Responsibilities of a Board Member, Administrative Rulemaking, Professional Discipline, and Assessing Competence. The webinars were offered between March and July 2017
- All CMTO staff participated in a Communications Training Workshop on September 18, 2017. The objective of the workshop was to identify best practices, writing tips and strategies for achieving clarity when imparting regulatory information.
- Sexual Abuse training was provided by Dr. Ruth Gallop on November 6, 2017. The presentation focused on sexual abuse in the health professions and the impact on clients and how to support clients who may have suffered abuse. This training is an important component of the College's Sexual Abuse Prevention Plan.

- All staff attended the Managing Cultural Differences Workshop on December 4, 2017. The workshop was presented by Dr. Lionel Laroche.
- All staff, independent contractors and Council and Committee completed AODA training in December 2017.

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

Applicants and registrants receive clear and accurate information and are treated with respect and compassion by CMTO staff and committee members.

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

Staff better understand the health regulatory framework, are better able to communicate complex information, and better understand and the importance of fair and transparent registration practices.

**k) Mutual recognition agreements**

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

**Canadian Free Trade Agreement and Timeframe for Practice**

The *Health Professions Procedural Code (the "Code")* being Schedule 2 to the *Regulated Health Professions Act, 1991* states that a labour mobility applicant must have "practised the profession to the extent that would be permitted by the certificate of registration for which the applicant is applying."

The Registration Regulation under the *Massage Therapy Act, 1991* requires registrants to have provided a minimum of 500 hours of direct client care in the previous three years in order to maintain their General Certificate of Registration. However, based on the above-noted labour mobility provisions in the Code, CMTO can only require a single day of relevant practice in the identified timeframe for labour mobility applicants.

Accordingly, CMTO has established a written policy clarifying that labour mobility applicants must have practised for a minimum of one day in their home jurisdiction in Canada in the three years prior to applying for registration with CMTO.

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

This policy provides clarity regarding the practice requirement for labour mobility applicants.

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

CMTO is compliant with the Canadian labour mobility requirements.

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

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

**Rescinding Approval to the Massage Therapists Association of Nova Scotia (MTANS) Certification Examination**

Several years ago, CMTO had entered into a collaborative agreement with the Massage Therapists Association of Nova Scotia (MTANS) to allow them to use CMTO's Certification Examinations. During the time that MTANS was using CMTO's examinations, CMTO accepted the MTANS examinations for the purposes of registration in Ontario.

CMTO's agreement with MTANS lapsed in November 2012. Council implement a policy that CMTO does not accept an MTANS examination completed after April 8, 2013, for the purposes of registration in Ontario.

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

MTANS has not reinstated examinations since the time CMTO stopped sharing the certification exams. For this reason, there is no impact on potential applicants, nor is there any adverse effect on an individual who took the MTANS exam at the time it was accepted by CMTO.

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

CMTO maintains appropriate control and oversight of the Certification Examinations required for registration

**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.cmto.com/francais/>

**b) Gender of applicants**

Indicate the number of applicants in each category as applicable.

Gender	Number of Applicants
Male	186
Female	586
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	3045
Female	10935
None of the above	0

**Additional comments:**

Total number of registrants as on December 31, 2017 was 13,980.

**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
761	11	0	n/a 0 Total 0	0	772

<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:****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
756	11	0	n/a 0 Total 0	0	767

<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:**

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**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
13505	99	2	Cuba 1	351	13980
			Czech Republic 1		
			France 1		
			Germany 1		
			Israel 1		
			Japan 3		
			Netherlands 1		
			Poland 11		
			Romania 1		
			Russia 2		
			Total 23		

<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.
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**g) Applications processed**

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

<p>Indicate the number of applications your organization processed in the reporting year:</p>
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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>	761	11	0	0	0	<b>772</b>
<b>Applicants actively pursuing licensing (applicants who had some contact with your organization in the reporting year)</b>	761	11	0	0	0	<b>772</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>	0	0	0	0	0	<b>0</b>
<b>Applicants who became FULLY registered members</b>	756	11	0	0	0	<b>767</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>

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
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<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 and or documents required for registration.

**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	5	0	0	0	0	5
Applicants who initiated an appeal of a registration decision	1	0	0	0	0	1
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. In 2017, five application for registration were referred to the Registration Committee for a decision.

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

One applicant initiated an appeal of a Registration Committee decision to HPARB. The applicant subsequently withdrew the appeal, which is why the "Appeals heard" row reads "zero" ("0").

CMTO is currently the administrator of the RMT Certification Examinations for Ontario. Exam candidates may request a review of their examination result. We have not included examination reviews in the numbers above as these individuals are not yet applicants, they have not submitted an Application for Initial Registration.

**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.

<b>Category</b>	<b>Staff</b>
<b>Total staff employed by the regulatory body</b>	19
<b>Staff involved in appeals process</b>	3
<b>Staff involved in registration process</b>	4

**Additional comments:**

The number of staff involved in the appeals and registration process reflects only those staff involved with initial registration, as well as those who would be involved in an appeal of a registration decision to HPARB.

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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:**

2018/03/01

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