



**College of Massage Therapists of Ontario
By-Law No. 8**

The Register and Registrant Information

Interpretation

1. Singular and Plural / Gender

In these and all by-laws of the College, the singular shall include the plural, the plural shall include the singular, and any pronouns shall include all genders.

2. Consistency with the *Regulated Health Professions Act, 1991 (RHPA, 1991)* and the *Massage Therapy Act, 1991*

All provisions of these and all by-laws of the College shall be interpreted in a manner consistent with the *RHPA, 1991* and the *Massage Therapy Act, 1991* and where any inconsistency is found to exist, the inconsistent provision shall, where practical, be severed from the by-law.

3. Calculating Time

A reference to the number of days between two events means calendar days and excludes the day on which the first event happens and includes the day on which the second event happens.

4. Statutory Holidays

A time limit that would otherwise expire on a statutory holiday or a weekend is extended to include the next day that is not a statutory holiday or a weekend.

Definitions

5. In this By-Law, unless otherwise defined or required by the context,

- (A) "**Act**" means the *Massage Therapy Act, 1991* and includes the regulations made under it;
- (B) "**By-laws**" means all by-laws of the College;
- (C) "**Code**" means the *Health Professions Procedural Code*, which is Schedule 2 of the *Regulated Health Professions Act, 1991*;
- (D) "**College**" means the College of Massage Therapists of Ontario (CMTO);
- (E) "**Council**" means the Council established under section 5 of the *Massage Therapy Act, 1991*;
- (F) "**eHealth Ontario**" is a government initiative which enables doctors and clinicians to talk to one another and share client information electronically;
- (G) "**ICRC**" means the Inquiries, Complaints and Reports Committee of the College;
- (H) "**Registrar**" means the Registrar and Chief Executive Officer of the College, or in the case of the absence or inability of the Registrar, the Deputy Registrar of the College and/or includes a person appointed as Interim Registrar by the Council;
- (I) "**RHPA**" means the *Regulated Health Professions Act, 1991*, including its associated regulations and the *Code*;
- (J) "**SCERP**" means Specified Continuing Education or Remediation Program.

Any term not defined in this By-Law shall have the meaning provided to it in the *RHPA, 1991* or the *Massage Therapy Act, 1991*.

General

6. The Registrar shall maintain a register on behalf of the College in an up-to-date manner.

Contents of the Register

7. In addition to the information listed in section 23(2) of the *Code*, the register shall contain the following information with respect to each registrant which shall be designated as public information:

(A) The name, address and telephone number of any Massage Therapy practice of which a registrant is an employee, contractor or otherwise associated;

(B) Commonly used name;

(C) Former legal names under which the registrant practised Massage Therapy;

(D) Practice website and email address, if any;

(E) The registrant's electoral district for elections to the Council;

(F) Massage Therapy educational institution and year of graduation;

(G) Whether the registrant is authorized to perform acupuncture and if so authorized, the effective date(s) of authorization;

(H) Any language in which a registrant is able to communicate and provide services to clients, including languages used to communicate with speech or hearing-impaired clients;

(I) The gender to which the registrant identifies;

(J) The date that the registrant first became registered;

(K) The date of issue of any certificate of authorization for a registrant offering Massage Therapy services through a health profession corporation;

(L) All changes in status of a certificate of registration or certificate of authorization and the effective date of the change;

(M) The effective date of resignation of a registrant;

- (N) If the registrant resigned while under investigation by the College, a notation of that fact, including the nature of the investigation;
- (O) The effective date and reasons for a revocation, suspension, or reinstatement of a registrant's certificate of registration;
- (P) With respect to any allegation:
- i. Concerning the capacity of a registrant referred to the Fitness to Practise Committee:
 - (a) The date of the referral of the allegation;
 - (b) A brief summary of each allegation;
 - (c) The status of the hearing, including the date of commencement, continuation or adjournment;
- (Q) Information about the registrant's registration or licensure in any profession or trade and in any jurisdiction, to the extent that the information is public in that jurisdiction;
- (R) Where a decision of a panel of the ICRC with respect to the registrant resulting from a complaint made or Registrar's investigation begun on or after March 1, 2016, orders an oral caution or a Specified Continuing Education or Remediation Program (SCERP):
- i. A notation of that fact and a summary of the contents of the caution and/or SCERP;
 - ii. The date of the decision;
 - iii. If applicable, a notation that the decision is under review or appeal, which notation shall be removed once the review or appeal is finally disposed of; and
- (S) Where a charge or a finding under the *Health Insurance Act* was made against the registrant on or after March 1, 2016:
- i. A summary of the charge and any subsequent finding and penalty;
 - ii. The date of the decision;
 - iii. Where the finding or penalty is under appeal, a notation to that effect until the appeal is finally disposed of;

- iv. Any such summary shall be removed if no finding is made or if the decision on finding and penalty is overturned, unless the registrant wishes the summary and fact of successful appeal to be maintained on the register for a period; and
- v. No information shall be included in contravention of a court-imposed publication ban known to the College;

(T) Any information that the College and the registrant have jointly agreed will be included.

Information not Available to the Public

8. The register shall contain the following information that shall not be available to the public:

- (A) The birth date of the registrant;
- (B) Any information relating to the registrant's formal post-secondary education (other than the Massage Therapy program attended), including the name of the institution and year of graduation;
- (C) The registrant's certificate of registration number, which will be provided by the College to eHealth Ontario for the purposes of healthcare provider collaboration.

Information Required of Registrants

9. A registrant shall provide to the College annually, or upon request by the Registrar, in the form and manner prescribed by the Registrar and by the deadline prescribed by the Registrar, the following information:

- (A) The practice name, business address, telephone number, website address and email address, if any, of each location where the registrant practices Massage Therapy;
- (B) The address and telephone number of the registrant's principal place of residence;
- (C) Email address for the purposes of corresponding with the CMTO;
- (D) The preferred mailing address for College correspondence;
- (E) Information about any other trades in any jurisdiction in which the registrant is registered/licensed;
- (F) The gender to which the registrant identifies;

- (G) Proof of professional liability insurance that meets the requirements;
 - (H) A declaration of compliance with the terms and conditions of the certificate of registration in the form provided;
 - (I) Information with respect to any charge or finding under the *Health Insurance Act*;
 - (J) The number of hours of Massage Therapy provided by the registrant in the last 12 months;
 - (K) A copy of any documents relating to charges against the registrant or relating to the custody or release of the registrant imposed by a court or other lawful authority, including but not limited to any Summons, Appearance Notice, Promise to Appear, Undertaking or Recognizance, Criminal Information, Indictment, Common Law Peace Bond or Recognizance under section 810 of the Criminal Code; and
 - (L) All information about the registrant required to be kept in the register by the *RHPA, 1991*, the *Code*, the regulations or the CMTO by-laws.
10. A registrant must notify the Registrar within 14 days of any change to any of the information listed in section 9 of this by-law.

Administration

- 11. This By-Law shall be administered by the Registrar.
- 12. This By-Law comes into force on the date enacted.

Enacted November 19, 1999

Amended September 2003, September 2004, November 2007, February 2008, November 2008, May 2009, January 2016, February 12, 2019, September 2021