

College of MASSAGE THERAPISTS of Ontario

2023 Fair Registration Practices Report

Prepared for the Office of the Fairness Commissioner (OFC)



FAIRNESS COMMISSIONER
COMMISSAIRE À L'ÉQUITÉ

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1. Background

Under section 20 of the Fair Access to Regulated Professions and Compulsory Trades Act, 2006 (FARPACTA), which is substantially similar to section 22.7(1) of Schedule 2 of the Regulated Health Professions Act, 1991 (RHPA),

“A regulated profession shall prepare a fair registration practices report annually or at such other times as the Fairness Commissioner may specify or at such times as may be specified in the regulations”.

Section 23 of FARPACTA and Section 22.9 of Schedule 2 of the RHPA then go on to indicate that the Fairness Commissioner shall specify the form in which these reports shall be prepared, along with the required filing dates. This section also stipulates that a regulator must make these reports public.

It is pursuant to these authorities that the Office of the Fairness Commissioner (OFC) has required that each regulator complete its 2023 Fair Registration Practices Report (FRP).

Please note that this report covers the time-period from January 1 to December 31, 2023.

The FRP:

- Collects information about the organization, applicants to the profession and current membership.
- Provides information to the public about how the organization has implemented fair registration practices during the reporting period.
- Helps the OFC to successfully undertake the education and compliance activities which include monitoring, applying a risk-informed compliance framework, assessing performance, and sharing best practices.
- Determines whether the regulator is complying with recently enacted legislative and regulatory provisions designed to reduce barriers for domestic labour mobility and internationally trained applicants.
- Identifies trends across regulated professions and regulated health colleges.

Please note that the 2023 version of the FRP has changed from the previous version in terms of both form and content as the OFC’s enabling statutes have evolved and as the office migrates to a more permanent portal-enabled database solution.

2. Organization information

Organization name	College of MASSAGE THERAPISTS of Ontario
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3. Registration requirements

Applicants to the regulated professions and compulsory trades must fulfil registration requirements to practice their profession or use a professional title. This section summarizes registration requirements for each profession or trade regulated by College of MASSAGE THERAPISTS of Ontario

Licensing requirements (brief description for each requirement listed):

Profession/ Trade Name	Massage Therapist
Academic requirement	Diploma in Massage Therapy from a recognized Massage Therapy education program.
Experience requirement	Not applicable.
Language requirement	Applicants for registration must be able to speak and write either English or French with reasonable fluency. Applicants meet this requirement in the following ways: - Signing a self-declaration indicating that their first and primary language is English or French. - Signing a self-declaration indicating that their secondary school education was completed in English

	<p>or French - Providing test results from an approved standardized language fluency test demonstrating that they have achieved the minimum scores determined by the College. - Providing evidence in the form of an original transcript from a recognized Massage Therapy education program that has a minimum language fluency requirement for admission, and the original transcript shows successful completion of at least two full (e.g. 3-credit or 30-hour) mandatory courses in English, French or health-related communications. - Providing to the College other compelling evidence of language fluency. This could be, for example, evidence that the applicant completed a university degree in English or French. CMTO's Language Fluency Policy is attached here - https://www.cmtto.com/policies/language-fluency-policy-1/</p>
<p>Additional information on licensing requirements (may include links to appropriate page on regulator website):</p>	<p>Applicants must successfully complete the two Certification examinations: - the written Multiple-Choice Question (MCQ) exam; and - the Objectively Structured Clinical Evaluation (OSCE) https://www.cmtto.com/become-an-rmt/apply-for-registration/certification-examinations/ Applicants are also required to complete the CMTO's Jurisprudence Program. https://www.cmtto.com/become-an-rmt/online-jurisprudence-program/ Applicants must be able to demonstrate up-to-date education both at the time the Certification Examinations are completed and at the time they submit an application</p>

	<p>for registration (as required by the Registration Regulation). An applicant who graduated more than three years prior to their exam date, or more than three years prior to applying for registration, must complete a Refresher Course.</p> <p>https://www.cmtto.com/policies/education-requirement-for-exam-eligibility-and-initial-registration/</p> <p>https://www.cmtto.com/policies/refresher-course/</p>

4. Third party assessments

Third party organizations that assess qualifications on behalf of the regulator.

Organization name	Function
Prometric	OSCE / Skill based exam
Prometric	Knowledge based exam

Fair access legislation requires regulators to take reasonable measures to ensure that any third parties undertake assessment of qualifications in a way that is transparent, objective, impartial and fair.

College of MASSAGE THERAPISTS of Ontario takes the following measure(s) to ensure fair and timely assessments:

Prometric uses internationally recognized testing standards, designed to ensure validity, fairness, and defensibility. The certification examinations are developed by subject-matter experts (SMEs), all of whom are Registered Massage Therapists registered in Ontario. The exams also undergo rigorous psychometric review. The minimum passing score for the MCQ examination is established by a panel of SMEs based upon considerations such as the relevance of each question to competent practice, the difficulty of each question, and the ability of the question to differentiate between the competent and non-competent candidate at the

entry-to-practice level. The score a candidate receives on the OSCE is based on the candidate's performance in each station as evaluated by Massage Therapist examiners who are trained to apply established standard and objective marking criteria. Official MCQ results are emailed to candidates within six to eight weeks following the exam date. OSCE results are emailed to candidates within six to eight weeks after the date of their OSCE examination. However, for candidates who take the OSCE in May, June and July, result notifications take longer as Prometric requires a critical mass of candidate results to determine the cut score.

5. Accomplishments, risks and mitigations

Key accomplishments and risks pertaining to fair registration practices during the reporting period are summarized below.

A. Accomplishments

1	CMTO's new Jurisprudence Program was introduced in 2023. The program is mandatory for Refresher Course participants. The online program is if offered on-demand and free of charge and focuses on topics such as the prevention of sexual abuse, Standards of Practice, legislation and regulation and professionalism and ethics. For RMTs who are not taking a Refresher Course, the program is optional. The program is designed to provide a review of the requirements and expectations for delivering quality, safe and client-centered care. Completion of the Jurisprudence Program could be used to fulfill professional learning goals.
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B. Risks and Mitigations

Risk	Mitigation Measure
In 2023, CMTO reviewed applications for registration from candidate who were identified as having had access to live 2022 OSCE scenarios before taking the exam. CMTO had invalidated their 2022 OSCE scores. These candidates	CMTO developed an outcomes rubric to outline appropriate remediation for these candidates depending on the level of their involvement and the degree of misconduct. If the candidate was honest in their communication

<p>were required to retake the OSCE in 2023 in order to successfully meet the examination requirement of registration.</p>	<p>with CMTO, showed insight and had extenuating circumstances, they were registered with an Undertaking negotiated with Registrar requiring the candidate to complete CMTO's Jurisprudence Program and CMTO's Professionalism Workshop. If the candidate was dishonest at any time during their communications with CMTO and did not show insight they were registered with an Undertaking negotiated with Registrar requiring the candidate to complete CMTO's Jurisprudence Program and participate in Ethics and Professionalism one-on-one coaching. If a candidate, in addition to receiving live exam scenarios, shared the scenarios from their own OSCE exam with other individuals including their instructor, those candidates were referred to the Registration Committee and would be registered with Terms, Conditions and Limitations(TCLs), including, completion of CMTO's Jurisprudence Program, and/or Professionalism workshop, participate in Ethics and Professionalism one-on-one coaching, and meet with the Registrar. The TCLs were posted on CMTO's public register until each component was completed.</p>
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6. Changes to registration practices

During the January 1 to December 31, 2023 reporting period, College of MASSAGE THERAPISTS of Ontario has introduced the following changes impacting its

registration processes. Changes, anticipated impacts, and risk mitigation are summarized below.

A. Registration requirements and practices

Registration process	Changes Made (Yes / No)	Description
Registration requirements either through regulation, by-law or policy	No	
New or consolidated class of certificates or licenses	Yes	In April 2022, Bill 106, the Pandemic and Emergency Preparedness Act, 2022 came into effect requiring all health regulatory colleges in Ontario to create an emergency class of registration for qualified practitioners. The Registration Regulation of the Massage Therapy Act, 1991 was updated to include an Emergency Class of registration for individuals seeking registration with CMTO effective August 31, 2023.
Assessment of qualifications, including competency-based assessments and examinations	No	
Documentation requirements for registration	No	
Timelines for registration, decisions and/or responses	No	

Registration and/or assessment fees	Yes	The Initial Registration application fee was increased from \$100 to \$225. This represents the first increase to the application fee in more than ten years.
Changes to internal review or appeal process	No	
Access by applicants to their records	No	

B. Training, policy and applicant supports

Registration process	Changes Made (Yes / No)	Description
Training and resources for staff who deal with registration issues	Yes	An orientation was provided to the Registration Committee focusing on key issues including registration regulations, legislative authority, conflict of interest, appearance/perception of bias, CMTO registration requirements, human rights and decision-making process and considerations. CMTO was named in a Human Rights complaint, submitted by two individuals who had been contracted to work on the OSCE Exam team. As required by the mediation settlement, Registration staff completed three Communications courses.
Resources or training to support applicants to move through the licensing process	Yes	The initial registration application guide, document checklist and fee document are updated on an annual basis.
Anti-racism and inclusion-based policies and practices	No	

C. System partners

Registration process	Changes Made (Yes / No)	Description
Steps to increase accountability of third-party service provider(s)	Yes	<p>In 2023, Prometric developed a mechanism for exam candidates to report an incident that occurred during their exam (in addition to the exam review process). Exam Breach Due to the exam breach in 2022, statistical analysis and archival of exposed exam items was conducted. New exam items were also written and pretested. OSCE Exam Staff Training – Standardized Patients Changes were made for the 2023 OSCE staff training for standardized patients. The job description was improved and a new checklist was developed for use in the hiring process. Increased training was delivered to standardized patients pertaining to CMTO’s inappropriate touch policy. Continuous Improvement is being made and Prometric has reviewed its procedures against currently available best practice guidelines and is committed to monitoring processes. Quarterly Reports As part of the continued oversight of the certification examinations, Prometric provides CMTO with a quarterly report of the exam administrations for the year. The report contains certification examination statistics, including total number of exam administrations, accommodations, incident reports, appeals and pass rates.</p>
Accreditation of educational programs	No	
Mutual recognition agreements	No	

D. Responsiveness to changes in the regulatory environment

Registration process	Changes Made (Yes / No)	Description
Emergency registration plans	Yes	Effective August 31, 2023, Emergency Class of registration to be issued to individuals seeking registration with CMTO during an emergency.
Technological or digital improvements	Yes	CMTO’s database provider Thentia, released a system upgrade launching their 2.0 model. This was launched for CMTO on March 27, 2023. This migration was undertaken to improve system compatibility and scalability for future enhancements and new analytics module to support CMTO reporting needs.
Steps to address labour shortages in the profession or trade	No	
Other	No	

7. Membership and application data

The Office of the Fairness Commissioner collects membership and application data from regulators through annual Fair Registration Practices Reports, which are also made available to the public. Information is collected for the purpose of discerning statistical changes and trends related to a regulator’s membership, application volumes, licensure/certification results, and appeals year over year.

A. Race-based data collected

	Race-based data collected? (Yes or No)
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Members	No
Applicants	No

Additional description:

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B. Other identity-based or demographic data collected

	Other identity-based or demographic data collected? (Yes or No)
Members	No
Applicants	Yes

Additional description:

For applicants CMTO collects date of birth, as well as gender information and provides three options M, F and X. For registrants, CMTO collects languages used in practice and other practice related data.

C. Languages of service provision

College of MASSAGE THERAPISTS of Ontario makes application materials and information available to applicants in the following languages.

Language	Yes / No
English	Yes
French	Yes
Other (please specify)	A French language page is available on the CMTO website with access to some documents in French https://www.cmto.com/en-francais/

D. Membership Profile

Profession Name	Total Number of Members
Massage Therapist	15688

Class of License	Total Number of Members	Total Number of Internationally Educated Members
Full / General/ Independent Practice	15079	16
Inactive Certificate	609	0

Gender	Number of Members
Male	3557
Female	12103
Other / not collected	0
X (includes trans, non-binary, and two-spirit people)	28

Jurisdiction of Initial Training	Number of Members
Ontario	15538
Other provinces and territories	124
United States	0
Other International	16
Other/not collected	10

Country of Initial Training	Number of Members
Canada	15662
Czechia	1
Germany	3
Israel	1

Japan	1
China	1
Netherlands	1
Poland	6
Romania	1
Ukraine	1
Other Countries	10

Official language of preference	Number of Members
English	15688
French	0

Racial identity (optional)	Number of Members
Not collected	15688

E. Data Notes

CMTO does not collect Racial identity data.

F. Applicant Profile

Profession Name	Total Number of Applicants
Massage Therapist	1005

Gender	Number of Applicants
Male	291
Female	712

X (includes trans, non-binary, and two-spirit people)	2
Other / not collected	0

Jurisdiction of Initial Training	Applications received in 2023	Applications with decisions pending
Ontario	994	0
Other provinces and territories	10	0
Other/not collected	1	0
United States	0	0
Other International	0	0

Country of Initial Training	Number of Applicants
Canada	1005

Official language of preference	Number of Members
English	1005

Racial identity (optional)	Number of Members
Not collected	0
Not collected	1005

G. Data Notes

CMTO received a total of 1005 new applications between January 1, 2023 to December 31, 2023.

H. Application Decisions

The table below summarizes the outcome of registration decisions finalized in 2023. Some applications may have been received in the previous year.

Jurisdiction of initial training	Successful	Unsuccessful	Withdrawn
Ontario	996	1	0
Other provinces and territories	10	0	0
Other/not collected	1	0	0
United States	0	0	0
Other International	0	0	0

I. New Registrants

For the 2023 reporting year, the breakdown of new registrants by class of registration is provided below:

Class of registration	Total new registrants by class	Number of internationally educated registrants
Full / General/ Independent Practice	1006	0

J. Data Notes

CMTO received 1005 new applications for registration between January 1 to December 31, 2023. 2 applications were pending a decision as on December 31, 2023. 1 application was issued a refuse to register decision in 2023. 4 applications received in 2022 and were issued a decision in 2023. Including the 4 pending application from 2022, CMTO registered a total of 1006 new members in 2023.

K. Reviews and Appeals

Applicants for registration may appeal a registration decision. An **internal review or appeal** involves formal reconsideration of a registration decision further to an application and submissions by the applicant.

Jurisdiction of initial training	Number of internal reviews and appeals processed	Number of decisions changed following internal review or appeal
Ontario	2	0

An **external review or appeal** involves review of a registration decision by an external appeal tribunal or court, such as the Health Professions Review and Appeal Board or Divisional Court.

Jurisdiction of initial training	Number of applicants who sought external review or appeal	Number of decisions changed following external review or appeal
Ontario	0	0

Issues raised in reviews and appeals can point to challenges in the registration process. The table below summarizes top issues or reasons that applicants raised during these appeal proceedings.

Issue or reason raised	Number of appeals
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Internationally trained applicants face additional challenges in the registration process. The table below summarizes top reasons for not registering internationally trained individuals.

Reason for not registering	Number of internationally trained applicants

L. Data Notes

Internal reviews include Registration Committee reviews of the Registrar's proposal to refuse to register an applicant and/or when there are doubts, on reasonable grounds about whether an 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 2023, the Registrar had referred two applications to the Registration Committee with a proposal to impose terms, conditions and limitations on the applicants certificate of registration. The review was completed in 2024. In 2023, the Registrar had referred one application to the Registration Committee as a proposed to refuse registration as the Registrar did not believe the applicant meet the registration requirement that they will practice massage therapy with decency, honesty and integrity, and in accordance with the law. In 2023, the Registrar had referred one application to the Registration Committee as a proposed to refuse registration as the Registrar did not believe the applicant meet the registration requirement. Appeals of Registration Committee decisions are not internal as they are handled by HPARB.

8. Changes Related to New Legislative and Regulatory Requirements

By Ontario law, regulated occupations must provide registration practices that are transparent, objective, impartial and fair. Non-health occupations are governed by the *Fair Access to Regulated Professions and Compulsory Trades Act, 2006 (FARPACTA)*, while health professions are governed by the *Regulated Health Professions Act, 2011 (RHPA)*.

In 2021, both statutes were amended to incorporate substantive provisions to:

- A. Eliminate the use of Canadian experience requirements except under prescribed circumstances.
- B. Streamline language proficiency testing requirements.
- C. Provide for the continuity of registration processes during emergency situations.
- D. Set registration time limits. (FARPACTA only)

College of MASSAGE THERAPISTS of Ontario has made the following changes to comply with these new legal obligations:

A. Canadian Experience

Change required: No changes required

College of MASSAGE THERAPISTS of Ontario has taken the following measures to comply with legislative requirements on eliminating Canadian experience requirements unless an exemption is granted or an alternative is identified that meets criteria prescribed in regulations (non-health regulators) or the exceptions in legislation are met (regulated health colleges).

CMTO does not require Canadian experience.
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B. Language Proficiency Testing

Change required: Yes

College of MASSAGE THERAPISTS of Ontario has taken the following measures to comply with recent legislative changes requiring that regulators accept language proficiency testing results derived from any of the tests accepted for immigration purposes to satisfy their language proficiency requirements:

CMTO has taken the following measures to comply with recent legislative changes requiring that regulators accept language proficiency testing results derived from any of the tests accepted for immigration purposes to satisfy their language proficiency requirements: CMTO updated its language fluency policy to accept language tests accepted by the federal government for the purposes of immigration. CMTO offers applicants the following options to demonstrate language proficiency in English. • MELA Michener English Language Assessment • IELTS International English Language Testing System • TOEFL - Test of English as a Foreign Language • CELPIP - Canadian English Language Proficiency Index (added in 2023) CMTO offers applicants the following options to demonstrate language proficiency in French • TCF Canada - Test de connaissance du français pour le Canada

College of MASSAGE THERAPISTS of Ontario offers applicants the following options to demonstrate language proficiency.

- IELTS (General)
- CELPIP (General)
- TEF Canada
- TCF Canada
- Education in English or French
- Other (please specify) MELA, TOEFL (iBT), PTE

C. Emergency Registration

Change required: Yes

College of MASSAGE THERAPISTS of Ontario has taken the following measures to comply with requirements to establish an emergency class (health colleges) or develop an emergency registration plan (non-health regulators).

Emergency certificates of registration will be issued when the Ministry has identified and declared the existence of emergency circumstances such that it is in the public interest to issue and renew certificates of registration in the emergency class to qualified applicants. Registration requirements for emergency registration would be reduced while providing safeguards.

Glossary of terms

Applicant: An individual who has applied for membership in a regulated profession or compulsory trade, with the associated rights to practice their profession / trade or use a professional title.

Domestic labour mobility: Applications subject to the Canadian Free Trade Agreement, which stipulates that a certificate issued by one province or territory should be recognized by all others unless there is an exception due to public health, safety and security reasons.

Internationally educated / trained: An individual whose initial professional education was not from a Canadian educational institution, or who is applying for trade certification based on experience gained outside Canada. This category includes individuals with education / training in the US and other countries. It also includes individuals who completed their initial professional education outside Canada and later addressed gaps with courses or a bridging program based in Canada.

Jurisdiction of initial training: For professions, the jurisdiction in which an applicant obtained their initial professional education used in full or partial fulfilment of registration requirements. For trades, the jurisdiction of initial trade experience listed on a Trades Equivalency Assessment (TEA) application.

Member: An individual who has satisfied the conditions for registration in their profession / trade and has been granted the right to practice and/or the right to use a professional designation or title. Members may hold a full license to engage in independent practice, or they may hold an alternate class of registration.

Racial identity: Voluntary self-report data of racial identity as a social description. Follows categories identified in the Ontario Anti-Racism Directorate Data <<https://www.ontario.ca/document/data-standards-identification-and-monitoring-systemic-racism>> .

Registration requirements: the entry-to-practice requirements that that an applicant must meet to be granted full membership in a regulated profession or trade, with the associated right to practice or right to use a professional title.

- **Academic requirement:** The formal education, or equivalent, that is required for licensing or certification in a particular regulated profession or trade.
- **Experience requirement:** The experiential training or work experience that is required for licensing or certification in a particular regulated profession or trade.
- **Language requirement:** The level of language proficiency that is required for licensing or certification in a particular regulated profession or trade, and the language proficiency tests accepted in fulfillment of this requirement.

Third party service provider: An external organization that assesses applicant qualifications on behalf of the regulator.