



The College of Naturopaths of Ontario

WHITE PAPER
CLASSES OF REGISTRATION FOR THE NATUROPATHIC PROFESSION IN ONTARIO
For Discussion Purposes Only

Over the course of the first decade as the regulatory authority for naturopathic doctors in Ontario, several questions have arisen with respect to the classes of registration for the naturopathic profession in Ontario as set out in the Registration Regulation. This consultation document sets out those questions and seeks the input of registrants and system partners on those questions.

Readers are reminded that this is a fact-finding process directed by the Council of the College; no decision has been made to act on any questions posed in this document. At the end of this consultation, the College Council will be informed of the consultation and the outcomes to provide direction on next steps, if any.

General Background to Classes

The Registration Regulation made under the *Naturopathy Act, 2007* establishes the classes of registration for the profession in Ontario as follows:

- General class,
- Inactive class,
- Emergency class.

Nomenclature

The first area of consideration is whether the nomenclature or wording for the classes is appropriate for the public and the profession. As a regulator, the College wants the public to be able to readily discern between the types of naturopathic practice. For example, inactive tends to convey the notion that the individual is not presently practising the profession. On the other hand, it is not necessarily clear what information is being conveyed by the “general class” nomenclature.

There are two areas to review when considering the names of the classes of registration. What terminology do other Provinces that regulate naturopathic doctors use and what do the other professions in Ontario use? Appendix A – Comparison of Classes provides some information in this regard.

The first table on Appendix A lists each of the other regulated jurisdictions in Canada and the classes of registration used by the naturopathic regulatory authority. Here we note terms such as Full practising, Non-practising, and General class. The information suggests there is not much uniformity among the provinces.



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The second table on Appendix A lists each of the other regulated professions in Ontario. This table demonstrates several interesting principles. The first is that “General class” is used most frequently by the other professions as well; however, some distinction can be made between those that were established at the time the *Regulated Health Professions Act, 1991* was first created compared to those that are more recently created. For example, as of the writing of this document, the *Psychology and Applied Behaviour Analysis Act, 2021* is the most recent addition to the legislation governing health professions. The registration classes within the regulation made under this legislation are more detailed and descriptive than those created earlier.

Consideration 1: Having considered the environment, should changes to the nomenclature for the classes of registration be considered by the College? (Note: the question of whether there should be other classes of registration is addressed below.)

Classes of Registration – Non-clinical

The Registration Regulation also enables the College, with the consent of the registrant or by order of the Registration Committee and/or other Committees of the College, to place terms, conditions, and limitations on certificates of registration which are noted, for the purposes of providing the public with valuable information, on the College’s public register. This has allowed the College to create the “non-clinical” terminology, a “subset” of the General class for individuals who need to maintain their General class registration but are not able to meet the currency requirements for the class. This is typically used for registrants who are academics within the educational program or who are employed in roles such as government employees or employees of supplement manufacturers, where seeing patients is not possible.

In the period when the College was first being established and the regulations being developed, consideration was given to creating an “academic” class for individuals working in the educational programs; however, it was determined that there were not enough individuals to warrant the class. Similarly, the same conclusion was made with respect to consideration of a broader “non-clinical” class as opposed to the current practice of using a term, condition, or limitation.

Over the past two years, the College has fully implemented its currency audit process, and it has been noted that more individuals cannot meet those requirements. After two full years of currency audits, the College now has 13 registrants in the General class who have a non-clinical term condition and limitation on their certificate. Presently, four of Ontario’s health professions have a non-clinical class of registration and six have an academic class.



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Consideration 2: Should the College contemplate creation of a non-clinical class of registration rather than apply non-clinical terms, conditions, and limitations on certificates as it does today? Is non-clinical the correct terminology or should another term be used?

Classes of Registration – Student, Supervised or Temporary

The question of whether the College might have a student registration class was considered before proclamation. At the time, it was believed that with a single educational program in Ontario, this class would not be necessary. However, referring to Appendix A, we note that two of the other provinces have a student class, with British Columbia the second largest naturopathic regulator in Canada among them. Among the other health professions in Ontario, only two have a student class.

In consideration of a student class, the question is about the public and the profession's interest. It might benefit the public to have a student class of registration for individuals in the educational program as part of the College as a means for the College to be able to communicate and educate future registrants about the regulatory model. It may also enable the earlier creation of a positive relationship between the College and the profession. There is a risk that this may be seen as a "cash grab" by the College; however, this risk can be offset by careful consideration of the amount of registration fees, if any, that must be paid.

We also note that several of the Ontario health regulatory Colleges have a class of registration to support the transition of individuals from student to registrant. It will appear under several different terms, including "Intern", "Supervised practice", "Provisional", or "Qualifying", with the notion being that an individual who is working towards becoming regulated, i.e. they have graduated but have not yet completed the examinations and/or the application process, may become a registrant of the College. By becoming a registrant, the College can communicate with them and help them become familiar with the regulatory model.

The consideration is whether this supports the public interest mandate of the College and its impact on the profession itself. The College is aware that many individuals remain in this transitional period for up to two years. During this time, they are practising under the supervision of a registrant of the College. This means the responsibility for the supervised individual's performance rests with the registrant of the College. This can be considered a daunting and onerous task with little or no support from the College. However, it may still serve both the professions' and the public interest to consider such a class of registration.

Consideration 3: Should the College create a "student" class of registration for individuals who are in an Ontario naturopathic educational program and who have not graduated?



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Consideration 4: Should the College create a transitional (supervised practice, intern or provisional) registration class to regulate graduates who are working under a registrant's supervision?

Classes of Registration – Inactive, Out of Province, Parental Leave

The Registration Regulation currently includes the Inactive class. This class was intended to allow individuals to temporarily step away from practising naturopathy without having to resign their certificate of registration. This class also provides individuals with the ability to pay a lower registration fee and reduce certificate maintenance requirements while providing clarity to the public regarding their non-practise status. The most common leaves of absence are maternity and parental leave; however, since proclamation of the *Naturopathy Act, 2007*, it has been noted that many registrants have been reluctant to use this class of registration, despite having ceased practise because of one of these leaves. This creates several issues for them including:

- Continued currency requirements that must be met,
- Continued participation in the Quality Assurance program,
- Maintaining full professional liability insurance,
- Maintaining full CPR certification,
- Needing to pay the annual General class registration fee without a means to recoup this cost through regular practise of the profession.

Although the College is not entirely clear as to why some registrants are reluctant to move to the Inactive class while on maternity or parental leave, we understand that it may relate to:

- Uncertainty about how long they may be on maternity or parental leave,
- The need or desire to do some part-time work while on leave,
- Costs and administrative burden around obtaining tail insurance while in the Inactive class,
- Concerns that they will encounter challenges when wanting to move back to the General class.

Each of these can be addressed. For example, moving from the Inactive class back to the General class when a registrant has been in the Inactive class for less than two years is as easy as completing an online form, paying the class change administrative fee and paying any registration fee differences for that year, all of which can be done in a few days. Tail insurance is challenging as the College will require proof of purchasing the five-year tail set out in the by-laws even if planning only to be on leave for a year. The challenge here is that while a registrant plans to only take a year or less, plans change, and the insurance for five years is a matter of public interest.

The College also has many registrants who are practising in other jurisdictions who choose to move to the Inactive class as a means of a) maintaining their registration with the College in case they



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may return to Ontario, b) reducing their annual costs and c) removing themselves from the Quality Assurance requirements placed on the General class.

Consideration 5: What changes, if any, should be made to the Inactive class to facilitate its intended use as a class for leaves of absence?

Classes of Registration – Extended Class

Under the General Regulation made under the *Naturopathy Act, 2007*, registrants of the College who wish to prescribe, dispense, compound, or sell a drug, or who wish to administer a substance by inhalation or non-intravenous injection must first have met the Standard of Practice for Therapeutic Prescribing. At the time of writing, there were 876 registrants of the College who have met this Standard.

The General Regulation also requires that any registrant of the College who wishes to administer a substance by Intravenous Infusion Therapy (IVIT) must also have met the Standard of Practice for IVIT in addition to the Standard of Practice for Therapeutic Prescribing. At the time of writing, there were 361 College registrants who have met this Standard.

Both Standards require the successful completion of a College-approved course, and an examination set by the College. Both are post-registration standards which means that they can only be met after an individual has become registered with the College, although the College does permit 4th year students and new naturopathic program graduates to take the Therapeutic Prescribing Course and Examination to facilitate the addition of this aspect to their practice immediately following registration with the College.

The question arises as to how the public can know, based on the class of registration of an ND in Ontario, whether the registrant has met the Standard(s)? The College's public register does indicate for individuals whether they have met one or both Standards as "extended services." Consideration might be given to creating one or two additional classes of registration to reflect the extended services.

This approach is not without precedent. The College of Nurses has an "extended" class for Registered Nurses who have met certain requirements and who can therefore provide a larger set of services to their patients.

From a public interest perspective, there may be benefit in creating one or two classes of registration to reflect the expanded scope available through registrants in such classes. On the other hand, expanding the classes of registration could risk creating public confusion.



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Consideration 6: Should the College create one or two additional classes of registration for registrants who have a) met the Standard of Practice for Therapeutic prescribing and b) who have met that standard as well as the Standard of Practice for IVIT?

Consideration 7: If the answer to consideration 6 is yes, what might the names of the class(es) be to convey difference between an ND who has met the Standard(s) compared to an ND who has not met the Standard(s)? For example, if we retained the General class, should the College create a “Prescriber class” and a Full class to distinguish between the three types of NDs?

Rostering

Rostering is an alternative approach to distinct classes of registration and the College would be neglect if it were not raised as part of this discussion document. Rostering may be used when certain controlled acts authorized to a profession are not used uniformly across the profession and therefore, the public should not assume that every member of the profession performs it. Strictly as an example, not all NDs perform manipulation although it is a controlled act authorized to the profession. In the 2024 renewals from last year (April 2024), 15% of the profession declared performing naturopathic manipulation as part of their naturopathic practice. Similarly, only 15% of the profession reported that they performed internal examinations despite the controlled act being authorized to all General class registrants. By comparison, 81% of the profession reported that they include acupuncture as part of their practice.

Through the Registration Committee’s review process for assessing any atrophy of skill or knowledge of individuals who have been inactive for more than two years and who wish to return to the General class, these two controlled acts have been noted as some of the biggest review challenges and areas where registrants more often than not seek to have a term, condition, and limitation applied to their certificate of registration rather than undertaking additional education or training to refresh knowledge, skill and judgement.

Consideration would **NOT BE GIVEN** to remove the authorization for these controlled acts from the legislation. However, consideration **might be given** to rostering these controlled acts rather than requiring them at entry-to-practice. What this would mean is that those registrants who wish to perform either naturopathic manipulation, or internal examinations would be required to demonstrate their proficiency to be added to the roster of those registrants who can include it in their practice. When in practice, registrants who wish to no longer perform these controlled acts would let the College know and they would be removed from the roster. A patient seeking these services would view the roster on the public register to find registrants who perform these



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controlled acts and NDs who are not on the roster would refer patients requiring these services to a colleague on the roster.

Consideration 8: Should the College explore rostering for naturopathic manipulation and/or internal examinations and/or acupuncture, allowing those who do not perform these to be identified as public?

Reinstatement

Over the past 10 years, there have been several instances where a registrant resigns their registration with the College to find that they later wish to reinstate that registration. Currently, the Registration Regulation does not include any provisions for the reinstatement of a certificate of registration once the registrant has resigned. Under the College's regulations, once a registrant resigns and wishes to return to practice in Ontario, they must apply and meet all the entry-to-practice requirements in the regulation. In other words, without specific provisions, reinstatement is treated the same as a new application for registration.

A canvass of the regulations made under the profession-specific Acts for the regulated health professions finds a mixture of those that enable reinstatement provisions and those that treat a reinstatement as a new application.

For those professions where reinstatement requirement is set out, they tend to include:

- Completion of a Reinstatement Application form within two years of the date they resigned their original certificate,
- Payment of a reinstatement of application fee,
- Payment of the registration fees for the year the registrant is seeking reinstatement,
- If they were suspended before they resigned, cure of the default that caused the suspension.

Consideration 9: Should the College consider adding reinstatement provisions to the regulation along the lines set out above?

Other Important Considerations

There may be other considerations that registrants and our system partners have specific to the classes of registration, post registration certifications and the controlled acts. The College welcomes comments on such issues and invites information to be brought forward.



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Consideration 10: What other matters relating to the classes of registration or the Registration Regulation, if any, should be addressed?