



June 10, 2022

Transmitted by email: sean.court@ontario.ca

Sean Court, Assistant Deputy Minister (ADM)  
Strategic Policy, Planning & French Language Services Division  
Ministry of Health  
438 University Ave, 10<sup>th</sup> Floor  
Toronto ON M7A 2A5

Dear ADM Court:

We are pleased to have this opportunity to respond to the ministry consultation on Regulations under the Regulated Health Professions Act, 1991 (RHPA) - Registration Barriers for Regulated Health Professionals (Proposal Number:22-HLTC021). We hope our feedback will support the Ministry of Health's broader goal of increasing health human resource capacity and support Colleges in being responsive to emerging needs.

- **Canadian Experience**

CDTO and its national counterparts do not require Canadian experience. Thus, CDTO has no concerns complying with this portion of the proposed regulation.

- **Language Proficiency**

CDTO does not require a separate language proficiency test. Proficiency in English or French is assessed by successful completion of the Jurisprudence and Ethics Examination, and the national competency assessment, knowledge-based and performance-based, held by the Canadian Alliance of Dental Technology Regulators. If the intention of the proposed regulation is for colleges to impose a language proficiency test, this may create a barrier to applicants who are not coming through Immigration, Refugees and Citizenship Canada.

- **Timely registration decisions**

CDTO strives to provide timely registration decisions after careful consideration of the information before it. The Registrar or panels of the Registration Committee may feel pressure to prioritize compliance with timelines, putting the safety of the public at risk. CDTO seeks clarity on the consequences for not complying to timelines. Will there be an opportunity to communicate reasons for delay to the applicant and the Health Professions Appeal and Review Board?

*Initial registration decisions of the Registrar be made within 30 business days of receiving a complete application.*

The definition of a “complete application” must be clearly defined and consider many aspects of the registration process that are out of CDTO’s control. For example, time may be required to investigate concerns relating to an applicant’s competency, conduct or character.

Decisions by panels of the Registration Committee be made within 10 business days of the deadline for receiving an applicant's submission.

The ability to schedule a panel of the Registration Committee and make a decision within 10 business days “of the deadline for receiving an applicant’s submission” may prove difficult. Meetings of panels include members of the profession and public members appointed by the government whose schedules may not coincide in this short time frame.

Consideration must also be given to an “applicant’s submission” that requires clarification or additional information. This may prevent the Registration Committee from complying with the required timelines. Furthermore, clarity is sought on whether an Order and Reasons must also be provided to the applicant within this timeframe. Scheduling a Panel meeting and drafting an Order and Reasons within ten business days of an applicant’s submission will prove to be difficult. This timeline does not support the principles of fairness to the applicant.

- **Emergency class of certificates of registration**

CDTO welcomes the development of an emergency class to enable us to be responsive to emerging needs. CDTO respectfully asks for the authority to define “emergency” and when this class of registration would be used, in addition to any Ministry requirements. Professions will vary on the risks that they are susceptible to and the needs of their patients.

CDTO expresses concerns regarding the Ministry’s Analysis of Regulatory Impact that “There are no significant compliance costs as a result of the proposed regulations.” CDTO will incur significant costs in defining the criteria for an emergency class and for extensive legal review of the regulation. Furthermore, revisions to impacted By-Laws or policies, and subsequent actions (e.g., public consultation, communications) will incur additional costs.

I appreciate that the Ministry will need time to review the input of all colleges. CDTO would be pleased to answer any questions or engage in further discussion to ensure that the proposed regulations reduce barriers to registration.

Sincerely,



Judy Rigby  
Registrar and CEO

Allison Henry, Director, Health Workforce Regulatory Oversight Branch, MOH  
Stephen Cheng, Manager, Health Workforce Regulatory Oversight Branch, MOH