



PRINCE EDWARD ISLAND  
ÎLE-DU-PRINCE-ÉDOUARD

# **REGISTERED HEALTH PROFESSIONS ACT GENERAL REGULATIONS**

## PLEASE NOTE

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**REGISTERED HEALTH PROFESSIONS ACT****CHAPTER R-8.01****GENERAL REGULATIONS**

Pursuant to subsection 73(1) of the *Registered Health Professions Act* R.S.P.E.I. 1988, Cap. R-8.01, Council made the following regulations:

**1. Definitions**

In these regulations, “Act” means the *Registered Health Professions Act* R.S.P.E.I. 1988, Cap R-8.01. (EC619/18)

**2. Application Fee**

For the purpose of subsection 4(2) of the Act, the application fee for designation as a registered health profession is \$500. (EC619/18)

**3. Criteria to be considered**

- (1) For the purpose of an investigation respecting the designation of a health profession under the Act, the Minister or the Registrar, as the case may be, may consider, in addition to the criteria set out in subsection 6(1) of the Act, the following:
- (a) the extent to which the health profession has demonstrated that there is a public interest in ensuring the availability of services provided by the health profession;
  - (b) the extent to which the services of the health profession provide a recognized and demonstrated benefit to the health, safety or well-being of the public;
  - (c) the extent to which there exists a body of knowledge that forms the basis of the standards of practice of the health profession;
  - (d) whether practitioners of the health profession are awarded a certificate or degree from a recognized post-secondary educational institution;
  - (e) whether it is important that continuing competence of a practitioner of the health profession be monitored;
  - (f) the extent to which there exists within the health profession recognized leadership which has expressed a commitment to regulating the health profession in the public interest;
  - (g) the extent to which regulation of the health profession is likely to enhance inter-professional collaboration and the labour mobility of its practitioners.

**Costs may be charged**

- (2) For the purposes of section 6(2) of the Act, the costs that may be charged include, but are not limited to, all disbursements incurred by the Minister or the Registrar, as the case may be, in the conduct of the investigation of an application, including
- (a) fees and reasonable expenses for experts or investigators whose reports or attendance were reasonably necessary for the investigation; and
  - (b) long distance telephone and facsimile charges, courier delivery charges and similar miscellaneous expenses. *(EC619/18)*

**4. Proficiency in English**

For the purpose of clause 11(2)(b) of the Act, an applicant is considered to be reasonably proficient in English if the applicant

- (a) obtained, within the 24 months immediately preceding the application, the minimum score required by the Registrar on an English language proficiency test administered by a language testing agency approved by the Registrar;
- (b) completed both primary and secondary education in English;
- (c) obtained the prescribed educational requirements for registration as a member from an educational institution in which the language of instruction, including the language used in any practicum, was English;
- (d) did one or a combination of the following in a jurisdiction where the language of instruction or practice, as the case may be, was English:
  - (i) completed postgraduate education consisting of a minimum term of study specified by the Registrar,
  - (ii) practised the regulated health profession, unsupervised and in good standing, for a minimum period of time specified by the Registrar;
- (e) held, immediately preceding the application and continuously for a minimum period of time specified by the Registrar, a senior teaching appointment at an educational institution approved by the Registrar, in which the language of instruction, including the language used in any patient care, was English; or
- (f) otherwise satisfies the Registrar that the applicant is reasonably proficient in English. *(EC619/18)*

**5. Information to be registered**

- (1) For the purpose of subsection 14(1) of the Act, the following information shall be entered into a register:
- (a) whether the registrant is not authorized to provide a reserved activity that is normally provided by registrants of that health profession;
  - (b) the date and circumstances of the surrender of the registration of a registrant.

**Information to employer**

- (2) For the purpose of section 14 of the Act, a Registrar shall provide on request to an employer or prospective employer of a registrant the nature of any ongoing complaint, investigation or hearing in respect of that registrant. *(EC619/18)*



**6. Criteria to be considered**

For the purpose of clause 47(2)(h) of the Act, the criteria to be considered by a hearing committee in imposing a fine shall include

- (a) the extent of the registrant's awareness of fault;
- (b) the degree of risk or harm to the general public;
- (c) the potential further risk to the general public;
- (d) the potential effect on the health profession;
- (e) the potential effect on the registrant's livelihood; and
- (f) any restitution or remediation voluntarily undertaken by the registrant. *(EC619/18)*

**7. Requirements for name**

- (1) For the purpose of clause 51(2)(c) of the Act, the name of a corporation applying for a permit to carry on the business of providing the professional services of a registrant shall be, in the opinion of the Registrar, in good taste, dignified and professional.

**Written acknowledgement**

- (2) Before changing its name a health profession corporation shall obtain the written approval of the Registrar that the proposed name meets the requirements of subsection (1). *(EC619/18)*