



PRINCE EDWARD ISLAND
ÎLE-DU-PRINCE-ÉDOUARD

REGULATED HEALTH PROFESSIONS ACT PHYSIOTHERAPISTS REGULATIONS

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For more information concerning the history of these regulations, please see the *Table of Regulations* on the Prince Edward Island Government web site (www.princeedwardisland.ca).

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PHYSIOTHERAPISTS REGULATIONS

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REGULATED HEALTH PROFESSIONS ACT
CHAPTER R-10.1
PHYSIOTHERAPISTS REGULATIONS

Pursuant to sections 2 and 96 of the *Regulated Health Professions Act* R.S.P.E.I. 1988, Cap. R-10.1, Council made the following regulations:

PART 1 – INTERPRETATION AND DESIGNATION

1. Definitions

In these regulations

- (a) “**Act**” means the *Regulated Health Professions Act* R.S.P.E.I. 1988, Cap. R-10.1;
- (b) “**Council**” means the Council of the Prince Edward Island College of Physiotherapy;
- (c) “**physiotherapist**” means a member who is registered in the physiotherapists register, except where otherwise provided;
- (d) “**physiotherapist resident**” means a member who is registered in the physiotherapist residents register;
- (e) “**physiotherapist residents register**” means the register established under clause 4(b);
- (f) “**physiotherapists register**” means the register established under clause 4(a);
- (g) “**physiotherapy**” means the health profession in which a person applies specialized knowledge, skill and judgment in
 - (i) assessing, diagnosing and treating the body by physical or mechanical means to restore, maintain or promote physical function, mobility or health, or to relieve pain,
 - (ii) planning, administering and evaluating preventive, therapeutic and health maintenance programs,
 - (iii) conducting research, education, management or administrative activities incidental to performing the services referred to in subclauses (i) and (ii);
- (h) “**Physiotherapy Competency Examination**” means the examination, consisting of a written component and a clinical component, established by the Canadian Alliance of Physiotherapy Regulators;
- (i) “**refresher program**” means a refresher program in physiotherapy consisting of a formal curriculum, a set of individualized assignments of studies and experiences, a

set of continuing education credits, a practicum or a combination of these elements.
(*EC613/20; 343/21*)

2. Designation of physiotherapy

Physiotherapy is designated as a regulated health profession. (*EC613/20*)

3. Continuation of College

The Prince Edward Island College of Physiotherapy established as a body corporate under the *Physiotherapy Act* R.S.P.E.I. 1988, Cap. P-7, is hereby continued as the college for physiotherapy. (*EC613/20*)

PART 2 – REGISTRATION

Register

4. Sub-registers and parts

The register for physiotherapy is divided into the following sub-registers and parts:

- (a) the physiotherapists register, consisting of the following parts:
 - (i) general registration,
 - (ii) special registration;
- (b) the physiotherapist residents register. (*EC613/20*)

Physiotherapists

Registration

5. General registration

An applicant for general registration in the physiotherapists register shall

- (a) for the purpose of clause 12(2)(c) of the Act, meet the education requirement set out in section 12;
- (b) for the purpose of clause 12(2)(d) of the Act, have successfully completed the examinations set out in clause 13(1)(a);
- (c) for the purpose of clause 12(2)(f) of the Act, demonstrate currency of professional knowledge and skills in accordance with section 14; and
- (d) for the purpose of clause 12(2)(j) of the Act, hold or be covered by professional liability insurance or protection as required in section 15. (*EC613/20*)

6. Special registration

- (1) Where the Council directs the registrar to register an applicant pursuant to subsection 13(3) of the Act, the registrar shall register the applicant in the special registration part of the physiotherapists register.

No renewal or reinstatement

- (2) Registration in the special registration part of the physiotherapists register is not subject to renewal or reinstatement. (EC613/20)

Renewal of Registration**7. Renewal of general registration**

An applicant for renewal of registration in the general registration part of the physiotherapists register shall

- (a) for the purpose of subclause 22(2)(a)(i) of the Act, fulfil the requirements for continuing education and competency set out in subsection 16(1);
- (b) for the purpose of subclause 22(2)(a)(ii) of the Act, demonstrate currency of professional knowledge and skills in accordance with section 14; and
- (c) for the purpose of subclause 22(2)(a)(v) of the Act, hold or be covered by professional liability insurance or protection as required in section 15. (EC613/20)

Reinstatement of Registration**8. Reinstatement period**

For the purpose of subsection 24(1) of the Act, the maximum period of time after the expiration or cancellation of registration within which a person may apply for reinstatement of the registration is three years. (EC613/20)

9. Reinstatement of general registration

An applicant for reinstatement of registration in the general registration part of the physiotherapists register shall

- (a) for the purpose of clause 24(4)(c) of the Act, demonstrate currency of professional knowledge and skills in accordance with section 14; and
- (b) for the purpose of clause 24(4)(f) of the Act, hold or be covered by professional liability insurance or protection as required in section 15. (EC613/20)

Physiotherapist Residents**10. Physiotherapist residents register**

- (1) An applicant for registration in the physiotherapist residents register shall
- (a) for the purpose of clause 12(2)(c) of the Act, meet the education requirement set out in section 12;
 - (b) for the purpose of clause 12(2)(d) of the Act, have successfully completed the examination set out in clause 13(1)(b);
 - (c) for the purpose of clause 12(2)(f) of the Act, demonstrate currency of professional knowledge and skills in accordance with section 14; and
 - (d) for the purpose of clause 12(2)(j) of the Act, hold or be covered by professional liability insurance or protection as required in section 15.

Subject to supervision

- (2) A physiotherapist resident shall be supervised in practising physiotherapy by a physiotherapist approved by the Council.

Not subject to reinstatement

- (3) Registration in the physiotherapist residents register is not subject to reinstatement. (EC613/20)

Renewal of Registration

11. Renewal of registration as physiotherapist resident

An applicant for renewal of registration in the physiotherapist residents register shall

- (a) for the purpose of subclause 22(2)(a)(ii) of the Act, demonstrate currency of professional knowledge and skills in accordance with section 14; and
- (b) for the purpose of subclause 22(2)(a)(v) of the Act, hold or be covered by professional liability insurance or protection as required in section 15. (EC613/20)

Prescribed Requirements

12. Education

For the purpose of clause 12(2)(c) of the Act, the requirement with respect to education is the successful completion of:

- (a) a bachelor or masters degree from a physiotherapy program approved by the Council; or
- (b) education that the Canadian Alliance of Physiotherapy Regulators considers substantially equivalent to a degree set out in clause (a). (EC613/20)

13. Examinations

- (1) For the purpose of clause 12(2)(d) of the Act,
- (a) the required examination for registration in the general registration part of the physiotherapists register is the Physiotherapy Competency Examination, both the written component and the clinical component, or other competency examination approved by the Council; and
- (b) the required examination for registration in the physiotherapist residents register is the written component of the Physiotherapy Competency Examination, or other competency examination approved by the Council.

Successful completion of examination

- (2) The successful completion of an examination referred to in subsection (1) means
- (a) in respect of the Physiotherapy Competency Examination, obtaining the established pass mark; and
- (b) in respect of any other competency examination, meeting the minimum standard approved or adopted by the Council. (EC613/20; 448/24)

14. Currency requirements

- (1) For the purpose of clause 12(2)(f), subclause 22(2)(a)(ii) and clause 24(4)(c) of the Act, to demonstrate currency of professional knowledge and skills an applicant shall have, within the five years immediately preceding the application,
 - (a) successfully completed the educational requirement set out in section 12;
 - (b) actively practised physiotherapy, as a physiotherapist authorized to practise physiotherapy in the jurisdiction of practice without any restrictions, for at least 1,200 hours; or
 - (c) successfully completed a refresher program satisfactory to the registrar.

Refresher program

- (2) Where an applicant fails to demonstrate currency of professional knowledge and skills in accordance with subsection (1), the Council may require the applicant to complete a refresher program approved by the Council within the time period specified by the Council. *(EC613/20)*

15. Insurance requirements

- (1) For the purpose of clause 12(2)(j), subclause 22(2)(a)(v) and clauses 24(4)(f) and 25(3)(c) of the Act, an applicant or a member registered under these regulations, as the case may be, is required to hold or be covered by professional liability insurance under a policy that
 - (a) is issued in the name of the applicant or member or clearly covers the applicant or member;
 - (b) applies to any practice setting in Prince Edward Island;
 - (c) provides coverage of not less than \$5,000,000 per claim or occurrence and an aggregate limit of not less than \$5,000,000 excluding legal or court costs;
 - (d) covers liability for any professional service the applicant will be providing or the member provides practising physiotherapy; and
 - (e) provides an extended reporting period of at least three years in the case of a claims-based policy or a minimum retroactive date of five years in the case of an occurrence-based policy.

Proof of insurance

- (2) An applicant or a member registered under these regulations, as the case may be, shall provide or ensure the registrar is provided with the most current certificate of professional liability insurance issued by the insurer that confirms the applicant or member is insured under a policy that meets the requirements of subsection (1). *(EC613/20)*

16. Continuing education and competency

- (1) Subject to subsection (2), for the purpose of subclause 22(2)(a)(i) of the Act, an applicant shall have
 - (a) completed at least 30 hours of continuing education that meets the standards and requirements established by the Council in accordance with section 60 of the Act in each three-year period defined by the Council, subject to proration; and
 - (b) participated in any methods or programs established by the Council in accordance with section 60.1 of the Act to assess the competency of members, as required by the Council.

Failure to meet continuing education or competency requirements

- (2) Where an applicant fails to meet the requirements described in clause (1)(a) or (b), the Council may require the applicant to do one or both of the following within the time period specified by the Council:
- (a) successfully complete a continuing education program approved by the Council;
 - (b) pass an examination administered or approved by the Council.

Record

- (3) A physiotherapist shall
- (a) keep a record in a form satisfactory to the registrar of the activities that the physiotherapist undertakes for the purpose of this section; and
 - (b) provide copies of the record referred to in clause (a) on the request of and in accordance with the directions of the registrar. (EC613/20)

PART 3 – DESIGNATIONS AND RESERVED ACTIVITIES

17. Designations of members

For the purpose of subsection 89(1) of the Act,

- (a) the designations of a physiotherapist include the following titles, abbreviations and initials:
 - (i) physiotherapist,
 - (ii) physical therapist,
 - (iii) P.T. or PT; and
- (b) the designation of a physiotherapist resident is the title “physiotherapist resident”. (EC613/20)

18. Reserved activities, physiotherapist

- (1) Subject to any terms or conditions imposed on the physiotherapist’s registration, a physiotherapist is authorized to perform the following reserved activities:
- (a) communicating to the person or the person’s personal representative a diagnosis identifying a disease or disorder associated with physical dysfunction, injury or pain as the cause of symptoms of the person in circumstances in which it is reasonably foreseeable that the person or the person’s personal representative will rely on the diagnosis;
 - (b) administering oxygen by inhalation, where prescribed by a medical practitioner or nurse practitioner;
 - (c) putting an instrument beyond the larynx in the provision of tracheal suctioning;
 - (d) applying sound and electrical energy in the provision of treatment;
 - (e) administering a drug prescribed by a medical practitioner or nurse practitioner, topically.

Reserved activities, physiotherapist resident

- (2) Subject to any terms or conditions imposed on the physiotherapist resident’s registration, a physiotherapist resident is authorized to perform the reserved activities set out in subsection (1) under the supervision of a physiotherapist. (EC613/20)

19. Application for special authorization

- (1) A physiotherapist may apply to the registrar, in the form approved by the Council, for special authorization to perform one or more of the following reserved activities:
- (a) putting an instrument or finger beyond the labia majora or anal verge to assess or rehabilitate pelvic musculature in relation to incontinence or pain disorders;
 - (b) performing a procedure on tissue below the dermis in the form of dry needling in the treatment of pain and movement impairment;
 - (c) moving the joints of the spine beyond the individual's usual physiological range of motion using a fast, low amplitude thrust in the treatment of neuro-musculo-skeletal pain and dysfunction;
 - (d) ordering the application of electrical energy in the form of ionizing radiation to conduct an X-ray.

Eligibility

- (2) An applicant is eligible for special authorization to perform a reserved activity listed in subsection (1) if the applicant has successfully completed the applicable training program approved by the Council:
- (a) for the purpose of clause (1)(a), a post-graduate program in the assessment and rehabilitation of pelvic musculature in relation to incontinence or pain disorders;
 - (b) for the purpose of clause (1)(b), a post-graduate program in dry needling;
 - (c) for the purpose of clause (1)(c), a post-graduate program in spinal manipulation;
 - (d) for the purpose of clause (1)(d), a post-graduate program in medical imaging for musculoskeletal conditions.

Granting of special authorization

- (3) On receipt and review of an application made in accordance with subsection (1), the registrar may, if the registrar is satisfied the applicant has completed the required training program in accordance with subsection (2),
- (a) grant the applicant special authorization to perform the reserved activity; and
 - (b) note the special authorization in the register in relation to the physiotherapist and on his or her certificate of registration.

Referral to the Council

- (4) Where the registrar is not satisfied that the applicant has completed the required training program in accordance with subsection (2), the registrar shall refer the application to the Council.

Review by the Council

- (5) On receipt of an application referred by the registrar, the Council shall review the application and may
- (a) direct the registrar to
 - (i) grant the applicant special authorization to perform the reserved activity, and
 - (ii) note the special authorization in the register in relation to the physiotherapist and on his or her certificate of registration; and
 - (b) impose any terms and conditions on the special authorization that the Council considers appropriate.

Notice of refusal

- (6) On refusing to grant special authorization to perform a reserved activity set out in subsection (1), the Council shall serve on the applicant written notice of the refusal, including reasons, and the applicant’s right to appeal the refusal.

Appeal

- (7) A physiotherapist who is aggrieved by a refusal of the Council to grant a special authorization to perform a reserved activity set out in subsection (1) may appeal the refusal to the Supreme Court within 30 days after being served with notice of the refusal.

Powers of court

- (8) On hearing the appeal, the court may
- (a) confirm the refusal;
 - (b) refer the matter, or any issue, back to the Council for further consideration; or
 - (c) provide any direction that it considers appropriate.

Costs

- (9) The court may make any order as to the costs of an appeal that it considers appropriate.

Suspension, cancellation, expiration, renewal

- (10) A special authorization granted under this section is suspended or cancelled, or expires, on the suspension, cancellation or expiration of the physiotherapist’s registration, as the case may be, and may be renewed on renewal of the physiotherapist’s registration. (EC613/20; 448/24)

PART 4 – GENERAL

20. Name of corporation

- (1) For the purpose of clause 15(1)(d) of the Act, the name of a corporation applying for a permit to carry on the business of providing the professional services of a physiotherapist or a physiotherapist resident shall be, in the opinion of the registrar, in good taste, dignified and professional.

Change of name

- (2) Before changing its name, a health profession corporation shall obtain written confirmation from the registrar that the proposed name meets the requirements of subsection (1). (EC613/20)

20.1 Exception, corporation

The prohibition in subsection 90(1) of the Act does not apply in respect of a corporation other than a health profession corporation carrying on the business of providing the professional services of a physiotherapist or a physiotherapist resident. (EC1062/21)

21. Definitions

- (1) In this section,
- (a) “**Authorization Regulations**” means the *Physiotherapy Act* Authorization Regulations (EC574/03);
 - (b) “**former Act**” means the *Physiotherapy Act* R.S.P.E.I. 1988, Cap. P-7.

Transition of members

- (2) For the purpose of section 98 of the Act, a person who, immediately before this section comes into force, holds a license, certification, or authorization listed in Column 1 below, is deemed, on the coming into force of this section, to be registered or have a special authorization, as the case may be, as set out in the corresponding provision in Column 2 below:

Transition of Members

Column 1 Former Act	Column 2 <i>Regulated Health Professions Act</i>
(a) license to practice physiotherapy	physiotherapists register – general registration
(b) specialist certification or endorsement to render acupuncture	special authorization – reserved activity of dry needling
(c) special authorization - clause 6(1)(a) of the Authorization Regulations	physiotherapist residents register
(d) special authorization - clause 6(1)(b) of the Authorization Regulations	physiotherapists register – special registration
(e) special authorization - clause 6(1)(c) of the Authorization Regulations	physiotherapists register – special registration

No transition

- (3) A special authorization issued pursuant to section 9 of the former Act and clauses 6(1)(d), (e) or (f) of the Authorization Regulations, is not considered a document equivalent to a certificate of registration for the purpose of subsection 98(1) of the Act and ceases to be valid on the coming into force of these regulations. (EC613/20)