

## COLLEGE OF RESPIRATORY THERAPISTS OF ONTARIO



Title: **Removal of Information from the Register**

Number: **RG-Removal of Info from the Register-428**

Date originally approved:  
**September 25, 2015**

Date(s) revision approved:

### POLICY

In accordance with S.23(6) of the *Regulated Health Professions Act*, the Registrar may withhold or withdraw information about a Member from the Register if s/he has reasonable ground to believe that disclosure of that information may jeopardize the safety of any individual. In addition, the Registrar may refuse to disclose specific information about a Member if s/he believes that the information is obsolete or no longer relevant to the Member's suitability to practice<sup>1</sup>.

The CRTO believes that transparency is fundamental to regulating Respiratory Therapy in the public interest. In keeping with its values of accountability, fairness, openness and effectiveness, it is the CRTO's policy to include on the Register the following:

1. Information regarding a Member's registration with any other body that governs a profession, including disciplinary findings, whether inside or outside of Ontario made after January 1, 2016;
2. Information regarding the suspension or cessation of a Member's registration with the CRTO after January 1, 2016;
3. Where a Member has been charged with an offence on or after January 1, 2016 under the *Criminal Code of Canada*, or under the *Health Insurance Act*, or under the *Controlled Drugs and Substances Act (Canada)*, or any other offence that relates to a Member's suitability to practice, the fact and content of the charge and, where applicable bail conditions and, where known the date and outcome of the charge(s);
4. Information about a finding by a court made after January 1, 2016 that a Member has been found guilty of an offence under the *Criminal Code of Canada*, or under the *Health Insurance Act*, or under the *Controlled Drugs and Substances Act (Canada)*, or any other offence that relates to a Member's suitability to practice, including:
  - i. the date and a summary of the finding,
  - ii. the date and the sentence imposed, if any, and
  - iii. where the finding is under appeal, a notation to that effect;
5. For every matter disposed of by the Inquiries, Complaints and Reports Committee after January 1, 2016 that requires a Member to appear before a panel to be orally/verbally cautioned:
  - i. a summary of the issue(s) that led to the disposition,
  - ii. a summary of the caution,
  - iii. where applicable, a notation that the decision is under appeal,
  - iv. the date on which the caution was delivered by a panel;

6. For every matter disposed of by the Inquiries, Complaints and Reports Committee after January 1, 2016 that requires a Member to complete a Specified Continuing Education or Remediation Program (SCERP):
  - i. a summary of the issue(s) that led to the disposition,
  - ii. the elements of the SCERP,
  - iii. where applicable, a notation that the decision is under appeal,
  - iv. the date on which the SCERP was completed;
7. For every matter disposed of by the Inquiries, Complaints and Reports Committee after January 1, 2016 that requires a Member to undertake certain actions as specified in an Undertaking, with the exception of matters related to incapacity:
  - i. a summary of the issue(s) that led to the disposition,
  - ii. a summary of the Undertaking,
  - iii. where applicable, a notation that the decision is under appeal,
  - iv. the date on which the Undertaking was completed or concluded.
8. For every matter that has been referred by the Inquiries, Complaints and Reports Committee to the Discipline Committee under section 26 of the Code and has not been finally resolved,
  - i. the date of the referral,
  - ii. the notice of hearing, exclusive of the Member's residential address,
  - iii. any hearing dates, times and location(s), including dates, times and location for the continuation of a hearing.

In keeping with the intent of the legislation<sup>ii</sup> however, the CRTO will remove information from the Register if, after six (6) years, a written request is submitted and there have been no other concerns of a similar nature reported within that time. In accordance with the *Regulated Health Professions Act* Members may not, however, request the removal of information related to disciplinary proceedings concerning sexual abuse.

Information contained in the Register that has been removed in accordance with Article 31.27 of the CRTO By-Law or policies will be retained and may be disclosed in the public interest, upon written request.

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<sup>i</sup> S.23(7) RHPA

<sup>ii</sup> Ibid.