



BACKGROUND INFORMATION ABOUT THE RHPA AND SELF-REGULATION

In 1982 the Government of Ontario commissioned a study of the accountability environment of health care professions. The study was called *The Health Professions Legislation Review* and the resulting report is entitled *Striking a New Balance; a Blueprint For the Regulation of Ontario's Health Professions*. The purpose of health profession legislation is to protect the public from harm, arising from exposure to risk in the receipt of health care services. After broad consultation, including communication with over 200 groups and more than 75 health related professions, the review team recommended comprehensive reforms to ensure protection of the public and more choice and flexibility in the utilization of health care professionals.

To implement the substantive recommendations, the government devised a legislative scheme with several innovative features. The *Regulated Health Professions Act, 1991*, is an omnibus or umbrella law which applies equally to 23 health professions. These professions include: Audiologists, Chiropodists, Chiropractors, Dental Hygienists, Dentists, Denturists, Dietitians, Massage Therapists, Medical Laboratory Technologists, Medical Radiation Technologists, Midwives, Registered Nurses and Registered Practical Nurses, Occupational Therapists, Opticians, Optometrists, Pharmacists, Physicians, Physiotherapists, Podiatrists, Psychologists, Respiratory Therapists, and Speech-Language Pathologists.

The RHPA also includes a procedural code which sets common rules of procedure for 21 health regulatory Colleges. The 23 professions covered by RHPA include 7 new professions that, by meeting criteria set by the review team, are being given self-regulating status. The profession of Respiratory Therapy is one of these seven.

In addition to the RHPA, each of the regulated health professions is governed by profession specific legislation. For Respiratory Therapy, that legislation is the *Respiratory Therapy Act, 1991*. In addition, there are a number of regulations made under the *Respiratory Therapy Act* including Professional Misconduct, Advertising, Registration, Notice of Meetings and Hearings, Quality Assurance and Prescribed Procedures.

One interesting aspect of the RHPA is the focus on 13 controlled acts. These "controlled acts" have been identified as high risk activities and may only be performed by members of regulated health professions who are authorized to perform the act or individuals who have been properly delegated authority to perform the act. Some other notable features of the legislation are an increase in the number of public representatives appointed to each regulatory College to just under 50%, a 120 day time frame for processing complaints, and a patient relations committee to address preventative measures regarding all forms of abuse.