



# CONDUCT COUNTS!

## Professional Conduct

### SCENARIO

Julia is a very busy person and is happiest when life is that way. Over the years, she has focused on pursuing many different career paths. Nine years ago she became an RT, something Julia considers one of the proudest moments in her life. She registered with the CRTO in the General class. She worked for five years as an RT throughout Ontario and loved it! One day Julia was offered an opportunity to teach English in a far way land and thought it would be a great experience for her. She loved to go on adventures and try new challenges. Julia decided that she would contact the CRTO and change her registration from the General class to Inactive class. CRTO staff was happy to assist her in changing her registration to Inactive, but informed her that, as a Member holding an Inactive certificate, she still had certain obligations. Specifically, Ss. 63 of the Registration Regulation of the Respiratory Therapy Act states:

- “...it is a condition of an inactive certificate of registration that the members shall not,*
- (a) engage in providing direct patient care;*
  - (b) use any title or designation listed in the Table to section 67;*
  - (c) supervise the practice of the profession; or*
  - (d) make any claims or representation to having any competence in the profession.”*

Julia was so excited about her upcoming adventures, she didn't pay too much attention to the CRTO's letter and off she went to teach abroad. Julia was sent a letter after every registration renewal, reminding her of the obligations under Ss. 63 as an Inactive Member of the CRTO.

Then, about two years ago, Julia came back to Ontario and decided to get back into the health sector. However, as she was planning on doing her Masters, she only wanted to work part-time. She came across a posting for a part-time Pulmonary Function Technician at a local hospital and thought that it would be a great fit for her. During the interview for the job, Julia let the employer know that she held an Inactive certificate of registration with the CRTO. The employer stated that being a regulated healthcare professional was not a requirement for the job and told her that she could start right away. Julia thought she was fine to accept the position as she had let the employer know that she was not representing herself as an RT.

A few months ago the CRTO received an anonymous letter expressing concern that Julia was practicing Respiratory Therapy without proper registration with the CRTO, as they had looked Julia up on the public Register of Members. Once the complaint was received, the CRTO began an investigation.



## PROFESSIONALISM

“Professionalism” or professional conduct is a term often used to describe the behaviours that are expected of individuals who hold a certain role in society. A “professional” is typically someone who has obtained skills that are recognized as requiring specific, intensive training and who applies those skills in a position impacting others (e.g., engineer, lawyer, RT, PT, MD, etc.). Professionals are often held to moral, ethical and legal standards because of this potential impact.



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### RESULTS

A Panel of the Inquiries, Complaints and Reports Committee (ICRC) concluded that Julia appeared to have breached the terms, conditions and limitations of her Inactive certificate of registration. By switching to the Inactive Class, Julia had agreed to not engage in direct patient care; however, as a Pulmonary Function Tech she was providing direct care to patients during all her shifts. In her response to the investigation, Julia argued that she wasn't practicing within the scope of practice of the profession, and that her employer didn't require her to hold a General certificate with the CRTO.

The Panel disagreed with both her assertions. The Panel felt that Julia ought to have known that the role of a Pulmonary Function Technician falls within the scope of practice of Respiratory Therapy. The Respiratory Therapy Act, Section 3 defines the practice of respiratory therapy as:

*"...providing of oxygen therapy, cardio-respiratory equipment monitoring and the assessment and treatment of cardio – respiratory and associated disorders to maintain or restore ventilation"*

Additionally, regardless of what an employer lists as a requirement for a job, as a Member of the CRTO, Julia has the heightened duty to ensure she is meeting the requirements of her registration. That is not only her duty to the profession, but also to the public at large.

Based on the information before them, the ICRC required Julia to complete a Specified Continuing Education or Remediation Program (SCERP) related to the CRTO Standards of Practice, focusing on professional responsibilities and accountability.

### BOTTOM LINE

There is never a bad question! Health regulation can sometimes be confusing, however, that can never be an excuse for not meeting the obligations of being a regulated health care professional. The CRTO is there to assist the membership in understanding the applicable legislation and rules that guide their registration. The website contains Fact Sheets and FAQs on Inactive Certificates, reinstating to General class and other registration-related information. If you have a question about the limitations of your practice, your certificate of registration or the requirements of them, the CRTO encourages you to visit the CRTO website and/or contact us to clarify. Further, the CRTO is constantly providing our membership with new guidelines to assist the membership to better understand and meet the requirements of the profession. The CRTO has developed an "Am I Practising?" Fact Sheet to assist Members in understanding if and when they are practising within the scope of practice of the profession. See another article in this eBulletin for more details.

### RESOURCES

[Am I Practising?](#)

[CRTO Standards of Practice](#)

[Respiratory Therapy Act \(RTA\)](#)

