



College of Respiratory
Therapists of Ontario

Ordre des thérapeutes
respiratoires de l'Ontario

MANDATORY REPORTING BY EMPLOYERS/FACILITIES **Fact Sheet**

What are Facilities'/Employers' obligations?

Hospitals, home care companies and other employers of Respiratory Therapists (RTs) are obligated to submit a report to the College of Respiratory Therapists of Ontario (CRTO) if they:

- Have reason to believe that an RT:
 - has sexually abused a patient/client,
 - is incompetent,
 - is incapacitated, or
 - has committed an act of professional misconduct;
- Terminate the employment of an RT;
- Suspend an RT for any length of time (even if only for one shift);
- Restrict an RT's practice in any way (e.g., limit an RT's area of practice to one setting such as pulmonary function, or assigning to administrative duties);
- Take any other disciplinary action against the RT that is not listed above.

Reporting obligations are set out in Sections 85.2 – 85.5 of the [Health Professions Procedural Code](#), and require employers/facilities to submit details to the CRTO within 30 days of any action/incident, or sooner if there is reason to believe that patients/clients are at risk of being harmed.

Regardless of whether an RT's manager, supervisor or employer is a regulated healthcare professional themselves, the requirement to submit a report is the same. In instances where the facility intended to discipline/terminate a RT, but the RT resigned before the action was carried out, the facility still has an obligation to report its intended action to the CRTO.

*To submit a report, please
visit the CRTO website at:*

www.crto.on.ca/employers/



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***For more information about
mandatory reporting by
Employers/Facilities, please
contact:***

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What does the CRTO do once it receives a report?

The CRTO will review the report and may contact the employer/facility for additional information. If the Registrar believes that there are “reasonable and probable grounds” that the RT has committed an act of professional misconduct or is incompetent, a formal investigation may occur. In cases where the Registrar believes that the RT maybe incapacitated, a formal health inquiry may occur to identify any underlying condition(s)/illness(es) that appear to be affecting the RT’s ability to practice safely or ethically.

Failure to Submit a Report:

Failure to submit a mandatory report of sexual abuse may result in a fine of up to \$50,000 for an individual or \$200,000 for a corporation (employer/facility).

In instances where a mandatory report is not submitted, and the individual required to submit the report is a regulated healthcare professional, the lack of reporting by the individual maybe viewed as an act of professional misconduct.