

## Overview

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At times, an applicant for registration may disclose information to the College of Respiratory Therapists of Ontario (CRTO) that outlines concerns regarding their conduct or appears to be relevant, to their suitability to practice. The Registrar will review the application, and if the Registrar has concerns about an applicant's suitability to practice Respiratory Therapy, the Registrar will refer the applicant to a panel of the Registration Committee for consideration.

This fact sheet outlines the criteria that a panel of the Registration Committee may use to determine if the information disclosed by an applicant identifies concerns regarding their conduct or appears to be relevant to the applicant's suitability to practice.

## Registration Regulation (Ontario Regulation 596/94, Part VIII)

Section 53(1) of the *Registration Regulation (O. Reg 596/94, PART VIII)* requires that an applicant for a certificate of registration satisfy several requirements. Collectively, these are known as the "suitability to practice" requirements. If the applicant does not meet these requirements, then a panel of the Registration Committee has some discretion in determining if the applicant should be registered or registered with restrictions. The purpose of these requirements is to ensure that members of the CRTO will provide safe and ethical care to their patients/clients.

The applicant must:

1. Fully disclose the details of any criminal offence they have been found guilty of.
2. Fully disclose the details of all professional misconduct, incompetence, incapacity, or other similar proceedings that they are the subject of and relates to their registration in Ontario from another jurisdiction in Respiratory Therapy or another profession.
3. Fully disclose the details of all previous findings of professional misconduct, incompetence, incapacity, or other similar findings they have been the subject of while in Ontario or another jurisdiction.
4. Satisfy that their past and present conduct afford reasonable grounds for belief that the applicant, is mentally competent to practise the profession, will practise with decency, integrity, and honesty, and in accordance with the law, and will display an appropriately professional attitude.

Under *section 53(2)*, any false or misleading statements/representation in the application will deem the applicant to have not satisfied the certificate of registration requirements. In addition, under *section 52(2)*, if the applicant is found guilty of an offence or becomes the subject of a preceding or finding shall immediately inform the registrar.

For a list of the full requirements please see the *Respiratory Therapy Act, (O. Reg. 596/94) s. 52 and s. 53*.



# Determining Applicants' Suitability to Practice Fact Sheet

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## Considerations of the Registration Committee

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### 1. Nature of the misconduct

The Registration Committee considers the nature of the misconduct including charges, findings of guilt, professional negligence or malpractice, employer discipline, suspensions, terminations, etc., or subject of professional misconduct, incompetence, incapacity or similar proceeding, finding, or investigation by a professional licensing or registration body.

The Committee may also consider any other event, circumstance, condition, or matter not disclosed by the above criteria that are relevant to the applicant's competence, conduct, or physical or mental capacity that may affect their ability or suitability to practice as a Respiratory Therapist.

### 2. Does the applicant's conduct reflect their suitability to be a member of the CRTO?

I.e., Elements that may be taken into consideration include the degree of dishonesty or breach of trust, motivation, duration, isolated or repeated incident, concealment, was applicant impaired or intoxicated, is the matter an issue of capacity, etc.

### 3. Has the applicant expressed remorse?

I.e., Applicant's submission/explanation, external verification, such as employer verification/character witness.

### 4. What has the applicant done to address the conduct?

I.e., Treatment (such as rehabilitation), education or remediation, continued to work with no similar incidents reported.

### 5. What has the applicant's subsequent conduct been?

I.e., Absence of subsequent wrongdoing, observations and references of those working in direct contact (especially those who are not friends and have a duty to be candid).

## Information Required

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When an applicant applies for a certificate of registration, a panel of the Registration Committee may require additional information to properly assess the application. This could include, but is not limited to:

- Facts and content of charges, any bail conditions, dates, and outcomes of **charges**;
- Date, a summary of **findings of guilt**, any sentences imposed, and if any findings are under appeal;
- Description and nature of **professional negligence or malpractice** findings with a copy of any written decisions or reasons provided for the determination, applicable dates, name and location of the court, and status of any appeals;
- Explanation from the applicant;



# Determining Applicants' Suitability to Practice Fact Sheet

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- Information directly from other sources including employer(s), regulator(s), health care practitioners, current police check and investigation; and
- Details of any actions taken to address the misconduct/incident.

## Registration Committee Decisions

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After considering the application and any information submitted by the applicant, a panel of the Registration Committee may direct the Registrar to:

- Register the applicant;
- Register the applicant with terms, conditions, and limitations (e.g., practise under supervision with employer reports; professional ethics or boundaries course; mentoring);
- Request additional information; or
- Direct the Registrar to refuse to register the applicant.

## Resources

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- [Referral to the Registration Committee](#)
- [Registration requirements and how to meet them](#)
- [Respiratory Therapy Act, Ontario Regulation 596/94 \(O. Reg. 596/94\): General](#)
- [Respiratory Therapy Act, \(O. Reg. 596/94\) s. 53\(1\): Requirements for the Issuance of Certificates of Registration, Any Class](#)

## Contact Information

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### College of Respiratory Therapists of Ontario

180 Dundas Street West,  
Suite 2103  
Toronto, ON M5G 1Z8

**Telephone:** 416-591-7800

**Toll-Free (in Ontario):** 1-800-261-0528

**General Email:** [questions@crto.on.ca](mailto:questions@crto.on.ca)



College of Respiratory  
Therapists of Ontario

Ordre des thérapeutes  
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