

	<b>Unauthorized Use of Title and Holding out Prior to Registration</b>	
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### 1.0 BACKGROUND

Under the *Respiratory Therapy Act, 1991*, (RTA), no person other than a member of the College of Respiratory Therapists of Ontario (CRTO) shall use the title “respiratory therapist”, “RT”, a variation or abbreviation or an equivalent in another language, and no person other than a member shall hold themselves out as a person who is qualified to practise in Ontario as a respiratory therapist or in a specialty of respiratory therapy<sup>1</sup>.

Under the RTA, titles and designations are set out for a member who holds a certificate of registration such as Registered Respiratory Therapist (RRT), Graduate Respiratory Therapist (GRT), and Practical Respiratory Therapist (PRT). For a full list of titles and designations, see Appendix A.

### 2.0 POLICY STATEMENT

It is the policy of the CRTO that the Registrar has an obligation to address any information received regarding a person’s unauthorized use of a restricted title, or designation, or holding themselves out as a person who is qualified to practise in Ontario as a Respiratory Therapist (RT), or in a specialty of Respiratory Therapy.

### 3.0 PURPOSE

#### **Purpose as it relates to Persons or Inactive and/or Suspended Members**

The purpose of this policy is to describe the possible outcomes the Registrar will consider when information is received by the CRTO regarding a person’s unauthorized use of restricted title, or designation, or is holding themselves out as a person who is qualified to practise in Ontario as an RT, or in a specialty of Respiratory Therapy. The Registrar will use this policy to determine what action, if any, is appropriate.

#### **Purpose as it relates to Applicants**

If a person who is seeking a certificate of registration with the CRTO has been using a restricted title, designation, or holding themselves out as a person who is qualified to practise in Ontario as an RT or in a specialty of Respiratory Therapy, prior to being issued a certificate of

<sup>1</sup> This includes Registered Respiratory Therapist (RRT), Graduate Respiratory Therapist (GRT), and Practical Respiratory Therapist (PRT), or an equivalent in another language.



registration, the Registrar will refer to this policy in determining if the application for registration will be referred to the Registration Committee.

#### 4.0 SCOPE OF POLICY & APPLICABILITY

The Registrar must administer legislation in the interest of protecting the public. This policy applies to all persons, including inactive and/or suspended members of the CRTO, and applicants for registration with the CRTO.

Based on the information received, the Registrar considers the following:

- a. Any potential risk to the public posed by the individual's/applicant's conduct;
- b. The nature of the evidence to support that the individual/applicant used the restricted title or held themselves out as a Respiratory Therapist without proper authorization;
- c. Whether the individual's/applicant's conduct was intentional;
- d. The length of time in which the individual/applicant used the restricted title or held themselves out as Respiratory Therapist without proper authorization;
- e. The attitude or remorse expressed by the individual/applicant; and
- f. The individual's/applicant's willingness to sign an Acknowledgement and Undertaking with the CRTO.

#### 5.0 RESPONSIBILITIES

##### **As it applies to Persons or Inactive and/or Suspended Members**

Upon receipt of information suggesting a person's unauthorized use of a restricted title, designation, or holding themselves out, it is the responsibility of the Registrar to take actions such as:

- a. Educate and remediate;
- b. Require that the person pay to the CRTO the fees of which they did not pay for the length of time that they used a designated title;
- c. Order that they cease and desist; and/or
- d. Prosecute under the *RTA* and the *Regulated Health Professions Act (RHPA)*.

##### **As it applies to Applicants for Registration**

Upon learning of an applicant's use of a restricted title, designation, or holding themselves out, the Registrar may do one or more of the following:

- a. Ask the applicant to submit a letter of explanation;
- b. Request that the applicant enter into an undertaking to successfully complete a Specified Continuing Education or Remediation Program (SCERP) as determined by the Registrar prior to registration<sup>2</sup>;
- c. Require the applicant to review any applicable legislation or CRTO publications related to registration, use of title and professional conduct<sup>3</sup>; and/or
- d. Refer the applicant to the Registration Committee.

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<sup>2</sup> Such as completing a Launch RT Jurisprudence Assessment or submitting a reflective paper acceptable to the Registrar.

<sup>3</sup> Such as the CRTO Professional Practice Guideline – Registration and Use of Title, CRTO publication – A Commitment to Ethical Practice, and CRTO Standards of Practice.



## 6.0 AUTHORITY & MONITORING

The Registrar shall address information that comes to their attention in keeping with the CRTO's mandate of protecting the public.

It is the responsibility of CRTO staff to carry out and fulfill the directions as given by the Registrar.

## 7.0 CONSEQUENCES FOR NON-COMPLIANCE

### Persons or Inactive and/or Suspended Members

Persons who have misused the title and who were not registered with the CRTO at the time of the finding will be asked to cease and desist using the RT title and practising all RT-related activities. Further continuation of such authorized conduct may result in prosecution under the *RTA* and *RHPA*.

Persons who have misused the title while holding an Inactive Certificate or while under suspension will be referred to the Inquiries, Complaints and Reports Committee (ICRC) of the CRTO. In addition to the referral to the ICRC, they may be asked to cease and desist the use of RT title, designation, and the practice of RT-related activities.

### Applicants for Registration

An applicant's unauthorized use of title, designation, or holding out as a respiratory therapist prior to having been issued a certificate of registration by the CRTO, may provide reasonable grounds for the belief that the applicant will not practise "with decency, integrity and honesty and in accordance with the law" as required under the *Registration Regulation*.

If the Registrar has reasonable and probable grounds to believe that an applicant will not practice safely, ethically, honestly, with decency, with integrity and in accordance with the law, the application will be referred to the Registration Committee for review<sup>4</sup>.

## 8.0 RELATED DOCUMENTS

- [Respiratory Therapy Act, 1991, \(RTA\)](#)
- [O. Reg. 596/94 General - Titles](#)
- [Determining Applicant's Suitability to Practice Fact Sheet](#)

## 9.0 APPENDICES

Appendix A – Titles and Designations

## 10.0 CONTACT INFORMATION

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<sup>4</sup> The CRTO has published a Fact Sheet *Determining Applicants' Suitability to Practice*, outlining the criteria that a panel of the Registration Committee may use to determine an applicant's suitability to practice.

## Appendix A – Titles and Designations

<b>Certificate of Registration</b>	<b>English Title</b>	<b>French Title</b>	<b>Designation</b>
General	Registered Respiratory Therapist; or Respiratory Therapist	Thérapeute Respiratoire Autorisé(e); or Thérapeute Respiratoire	RRT
Graduate	Graduate Respiratory Therapist	Thérapeute Respiratoire Diplômé(e)	GRT
Limited	Practical Respiratory Therapist	Thérapeute Respiratoire Auxiliaire	PRT