



PRINCE EDWARD ISLAND
ÎLE-DU-PRINCE-ÉDOUARD

OCCUPATIONAL THERAPISTS REGULATIONS

PLEASE NOTE

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This document is *not* the official version of these regulations. The regulations and the amendments printed in the *Royal Gazette* should be consulted on the Prince Edward Island Government web site to determine the authoritative text of these regulations.

For more information concerning the history of these regulations, please see the *Table of Regulations* on the Prince Edward Island Government web site (www.princeedwardisland.ca).

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**REGULATED HEALTH PROFESSIONS ACT
CHAPTER R-10.1**

OCCUPATIONAL THERAPISTS REGULATIONS

Pursuant to sections 2 and 96 of the *Regulated Health Professions Act* R.S.P.E.I. 1988, Cap. R-10.1, Council made the following regulations:

PART 1 - INTERPRETATION

1. Definitions

In these regulations

- (a) “**Act**” means the *Regulated Health Professions Act* R.S.P.E.I. 1988, Cap. R-10.1;
- (b) “**Council**” means the Council of the Prince Edward Island College of Occupational Therapists continued under section 3;
- (c) “**occupational therapist**” means a member registered in the register for occupational therapy, except where otherwise provided;
- (d) “**occupational therapy**” means the health profession in which a person applies particular knowledge, skills and judgment in providing occupational therapy services to another person, including
 - (i) promoting health and occupational performance,
 - (ii) preventing or ameliorating disability,
 - (iii) assessing and resolving occupational performance issues,
 - (iv) promoting and optimising the well-being of individuals and groups,
 - (v) designing and adapting the physical, social and emotional environment of individuals, families, groups and populations,
 - (vi) engaging in research, education, management or administrative activities incidental to performing the services referred to in subclauses (i) to (v);
- (e) “**refresher program**” means a refresher program in occupational therapy consisting of a formal curriculum, a set of individualized assignments of studies and experiences, a set of continuing education credits, a practicum or a combination of these elements. (EC34/18; 326/20)

PART 2 - DESIGNATION

2. Designation as regulated health profession

- (1) Occupational therapy is designated as a regulated health profession.

Title protection only

- (2) Occupational therapy is prescribed for the purpose of subsection 2(4) of the Act.

Designations of a member

- (3) For the purpose of subsection 89(1) of the Act, the designations of an occupational therapist include the following titles, abbreviations and initials:
- (a) occupational therapist;
 - (b) O.T.;
 - (c) registered occupational therapist;
 - (d) O.T. Reg.;
 - (e) O.T. Reg. (PEI). (EC34/18)

3. Continuation of College under new name

The College of Occupational Therapists, which was continued under these regulations on February 1, 2018, is continued as the college for occupational therapy under the name Prince Edward Island College of Occupational Therapists. (EC34/18; 326/20)

PART 3 - REGISTRATION

Register

4. Parts of register

The register for occupational therapy is divided into the following parts:

- (a) general registration;
- (b) provisional registration;
- (c) special registration. (EC34/18)

5. General registration

The registrar shall register an applicant in the general registration part where

- (a) the registrar is satisfied that the applicant meets all the requirements for registration set out in subsection 12(2) of the Act and these regulations and registers the applicant pursuant to subsection 12(3) of the Act; or
- (b) subject to section 6, the Council directs the registrar to register the applicant pursuant to subsection 12(6) or reinstate the registration of the applicant pursuant to subsection 24(4) of the Act. (EC34/18)



6. Provisional registration

- (1) The registrar shall register an applicant in the provisional registration part where
 - (a) the applicant
 - (i) has not successfully completed the examinations required in section 9, or
 - (ii) is required to complete a refresher program under subsection 10(2) that includes a practicum component; and
 - (b) the Council directs the registrar to register the applicant pursuant to subsection 12(6) of the Act, renew the applicant's registration pursuant to subsection 22(4) of the Act or reinstate the applicant's registration pursuant to subsection 24(4) of the Act, subject to the term or condition that the applicant completes the examinations or refresher program, as the case may be, within a specified period of time.

Subject to supervision

- (2) An occupational therapist registered in the provisional registration part shall be supervised in practising occupational therapy by an occupational therapist registered in the general registration part, approved by the Council.

Satisfaction of term or condition

- (3) Where an occupational therapist satisfies the term or condition imposed under clause (1)(b), the registrar shall register the occupational therapist in the general registration part.

No renewal or reinstatement

- (4) Provisional registration is for a limited time and purpose and is therefore not subject to renewal or reinstatement. *(EC34/18)*

7. Special registration

- (1) Where the Council directs the registrar to register an applicant pursuant to subsection 13(3) of the Act, the registrar shall register the applicant in the special registration part.

No renewal or reinstatement

- (2) Special registration is for a limited time and purpose and is therefore not subject to renewal or reinstatement. *(EC34/18)*

Prescribed Requirements**8. Education**

For the purpose of clause 12(2)(c) of the Act, an applicant shall have

- (a) a bachelor's degree or master's degree in occupational therapy approved by the Council; or
- (b) qualifications that the Association of Canadian Occupational Therapy Regulatory Organizations considers substantially equivalent to a degree described in clause (a).
(EC34/18)

9. Examinations

For the purpose of clause 12(2)(d) of the Act, an applicant shall have successfully completed

- (a) a provincial examination established or adopted by the Council to assess knowledge and understanding of the jurisprudence, ethical standards and standards of practice governing occupational therapy in the province; and
- (b) a competency examination approved by the Council. *(EC34/18)*

10. Currency of professional knowledge and skills

(1) For the purpose of clause 12(2)(f), subclause 22(2)(a)(ii) and clause 24(4)(c) of the Act, an applicant shall meet one of the following requirements to demonstrate currency of professional knowledge and skills:

- (a) successful completion of the educational requirements set out in section 8 within the 18 months immediately preceding the date of the application;
- (b) active practice of occupational therapy, as an occupational therapist authorized by the laws of the jurisdiction where he or she is practising to practise without any restrictions, for at least 600 hours within the three years immediately preceding the date of the application; or
- (c) successful completion of a refresher program satisfactory to the registrar, within the 18 months immediately preceding the date of the application.

Failure to demonstrate currency

(2) Where an applicant fails to demonstrate currency under subsection (1), the Council may require the applicant to successfully complete a refresher program approved by the Council within the time period specified by the Council. *(EC34/18)*

11. Insurance

(1) For the purpose of clause 12(2)(j), subclause 22(2)(a)(v) and clauses 24(4)(f) and 25(3)(c) of the Act, an applicant or occupational therapist, as the case may be, is required to hold or be covered by professional liability insurance under a policy that

- (a) is issued in the name of the applicant or occupational therapist or clearly covers the applicant or occupational therapist;
- (b) applies to any practice setting in Prince Edward Island;
- (c) provides coverage of not less than \$5,000,000 per claim or occurrence and an aggregate limit of not less than \$5,000,000, excluding legal or court costs;
- (d) covers liability for any professional service the applicant will be providing or the occupational therapist provides practising occupational therapy; and
- (e) provides an extended reporting period of at least three years in the case of a claims-based policy or a minimum retroactive date of five years in the case of an occurrence-based policy.

Valid certificate required

(2) An applicant or occupational therapist shall provide or ensure the registrar is provided with the most current certificate of professional liability insurance issued by the insurer that confirms the applicant or occupational therapist is insured under a policy that meets the requirements of subsection (1). *(EC34/18)*



12. Continuing education and competency

- (1) Subject to subsection (2), for the purpose of subclause 22(2)(a)(i) of the Act, an applicant shall have
- (a) completed at least 30 hours of continuing education that meets the standards and requirements established by the Council in accordance with section 60 of the Act in each three-year period defined by the Council, subject to proration; and
 - (b) participated in any methods or programs established by the Council in accordance with section 60.1 of the Act to assess the competency of members, as required by the Council.

Failure to meet continuing education or competency requirements

- (2) Where an applicant fails to meet the requirements described in clause (1)(a) or (b), the Council may require the applicant to do one or both of the following within the time period specified by the Council:
- (a) successfully complete a continuing education program approved by the Council;
 - (b) pass an examination administered or approved by the Council.

Record

- (3) An occupational therapist shall
- (a) keep a record in a form satisfactory to the registrar of the activities that the occupational therapist undertakes for the purpose of this section; and
 - (b) provide copies of the record referred to in clause (a) on the request of and in accordance with the directions of the registrar. (EC34/18)

PART 4 - GENERAL**13. Reinstatement, time period**

For the purpose of subsection 24(1) of the Act, the maximum period of time is three years. (EC34/18)

14. Name of corporation

- (1) For the purpose of clause 15(1)(d) of the Act, the name of a corporation applying for a permit to carry on the business of providing the professional services of an occupational therapist shall be, in the opinion of the registrar, in good taste, dignified and professional.

Change of name

- (2) Before changing its name, a health profession corporation shall obtain written confirmation from the registrar that the proposed name meets the requirements of subsection (1). (EC34/18)

15. Revocation

The following regulations are revoked:

- (a) the *Occupational Therapists Act* Registration Regulations (EC385/96);
- (b) the *Occupational Therapists Act* Standards and Discipline Regulations (EC363/97). (EC34/18)