

“As of Right” Guidance Document

September 1, 2023

Introduction to “As of Right”

Ontario’s new “As of Right” exemption is a first-in-Canada approach that aims to expedite the process for health care workers registered in other Canadian jurisdictions to begin practice in Ontario.

Subject to conditions, the “As of Right” exemption enables physicians, nurses, respiratory therapists, and medical laboratory technologists registered in another Canadian province or territory to start working and caring for people in Ontario without having first being registered with an Ontario health regulatory college.

Under the “As of Right” exemption, those four classes of interjurisdictional practitioners (IJPs) may practice for up to 6 months whilst completing the registration process and waiting for their application to be approved. This 6-month period reduces administrative barriers associated with the registration process that can delay an individual’s ability to begin caring for patients in Ontario immediately.

Guidance Document Purpose

This guidance document provides information to potential applicants and employers on the implementation of “the As of Right” initiative. Applicants may use this document to assist them while determining their eligibility and to understand their obligations and best practices as an IJP. Additionally, employers may use this document to assist them in determining the eligibility of an IJP during the hiring process, as well as their obligations as employers.

This document is to be used in conjunction with any applicable legislation, regulation, directives, and orders, and is not intended as a substitute. Nothing in this document constitutes legal advice. In the event of any conflict between this document and any applicable legislation, regulation, directive, or order, the legislation, regulation, directive, or order prevails.

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Pathway to Registration

1. The person is registered with a regulatory authority in a Canadian jurisdiction, other than Ontario, and holds in that jurisdiction the equivalent of an Ontario certificate of registration and ensures that they meet the conditions for exemption.



2. For physicians, nurses, medical laboratory technologists or respiratory therapists, the employer (public hospital/long-term care home) goes through their usual interviewing/hiring process and extends a job offer. The person informs the employer that they intend on participating in “As of Right” and that they meet the conditions for exemption.

Additionally, out-of-province physician applies for hospital privileges or a position providing professional services in or on behalf of a public hospital, the University of Ottawa Heart Institute, or in a Long-Term Care home.



3. Before beginning practice in Ontario, the person submits a completed application for a certificate of registration with the applicable Ontario health regulatory college.



4. The person practices in Ontario while they assemble and complete their application for a certification of registration with the relevant Ontario health regulatory college.



5. The person must obtain registration with the college within 6-months of practice in Ontario.

As of Right Applicants

Eligibility

The following professions regulated in other Canadian jurisdictions are eligible for “As of Right”:

1. Physicians and surgeons;
2. Registered nurses (RNs), registered practical nurses (RPNs), and nurse practitioners (NPs);
3. Respiratory therapists (RTs); and
4. Medical laboratory technologists (MLTs)

Conditions of Practice

In order to qualify as an IJP and be able to practice under the “As of Right” exemption in Ontario, IJPs must meet all of the following conditions. Additionally, employers are strongly encouraged to require IJPs to sign an attestation that they meet all the following conditions of exemption and will inform the employer if/when they cease meeting any of the following conditions during the course of practice.

No.	Condition	Description / Notes
1	The person is registered with a regulatory authority in a Canadian jurisdiction, other than Ontario, and holds in that jurisdiction the equivalent of a certificate of registration authorizing independent practice in Ontario.	<p>IJPs must be registered with a regulatory authority in another Canadian jurisdiction and be permitted to practice without any terms, limitations or conditions. International professionals may use the “As of Right” exemption if they are registered in another Canadian jurisdiction in one of the eligible professions. The IJP is accountable to ensure they are registered in another Canadian jurisdiction. The employer can verify an IJP’s registration through the province or territory’s public register.</p> <p>Respiratory therapists and medical laboratory technologists are not regulated in British Columbia, the Northwest Territories, or the Yukon. Therefore, individuals from these jurisdictions do not meet this condition and could not practice “As of Right” in Ontario.</p>
2	A regulatory authority in a Canadian jurisdiction has not refused to grant the person a certificate of registration in the profession	IJPs cannot have been denied registration with a Canadian regulatory body within two years before their application for a certificate of registration in the relevant Ontario

	<p>within the two years preceding their application for a certificate of registration</p>	<p>regulatory college. The IJP is accountable to ensure they have not been refused a certificate of registration from a regulatory authority in another Canadian jurisdiction. The employer can verify this through the interview process.</p> <p>Additionally, if an application under the “As of Right” exemptions were to be denied, this condition prevents the same applicant from resubmitting a new application under the “As of Right” exemption for two years.</p>
<p>3</p>	<p>A finding of professional misconduct, incompetence or incapacity has not been made about or against the person as a result of a proceeding in relation to the profession.</p>	<p>IJPs who were found, as the result of a proceeding, to have engaged in professional misconduct, been found incompetent or had a finding of incapacity made against them would not meet this condition including in cases where IJPs have terms, conditions and limitations placed upon their certificate of registration.</p> <p>The IJP is accountable to ensure they meet this condition. The employer can verify this through the interview process.</p>
<p>4</p>	<p>The person must not be the subject of any current professional misconduct, incompetence, or incapacity proceeding or any similar proceeding in relation to the profession.</p>	<p>IJPs must not be the subject of a current disciplinary proceeding in any jurisdiction in relation to the profession. The IJP is accountable to ensure they meet this condition. The employer can verify this through the interview process.</p>
<p>5</p>	<p>In Ontario, with respect to the practice of the profession, the person only provides professional services in or on behalf of a public hospital, the University of Ottawa Heart Institute, or a long-term care home.</p>	<p>IJPs are only permitted to provide professional services in public hospitals, the University of Ottawa Heart Institute, or in long-term care homes. IJPs are permitted to practice in locations outside a public hospital or the University of Ottawa Heart Institute if it is linked services provided within a public hospital setting</p>
<p>6</p>	<p>The person has submitted to the relevant College an application for a certificate of registration prior to providing professional services in accordance with condition 5.</p>	<p>Prior to beginning the 6-month period of practice, IJPs are required to submit an application to the applicable Ontario health regulatory college. This is the first step in the registration process and is usually completed online. It is the employer’s</p>

		<p>accountability to verify this (e.g., applicant can show employer documentation that they submitted an application to the regulatory body).</p> <p>The employer would notify the relevant Ontario health regulatory college of their decision to hire an IJP to allow regulatory colleges to be aware of those who are practicing the profession under the “As of Right” exemption.</p>
7	The person holds professional liability insurance or benefits from professional liability insurance coverage or a similar protection that extends coverage to Ontario.	Professional liability protection provides financial compensation for members of the public who have been harmed as a result of malpractice or negligence by a professional. The employer is responsible for verifying that the IJP holds or benefits from appropriate professional liability insurance prior to providing professional services.
8	The person must use the proper titles relevant to their qualifications and may only use titles recognized in Ontario that are equivalent to their title/certification in the Canadian jurisdiction in which they are already registered.	As described further in this document, an IJP originating jurisdiction may use titles that differ in Ontario (e.g., licensed practical nurse vs. registered practical nurse); regardless, IJPs must abide by Ontario legislation regarding the use of titles.

An IJP would lose their exemption in any of the following circumstances:

No.	Condition	Description
1	The person’s application for a certificate of registration has been rejected by the relevant Ontario health regulatory college before 6 months have elapsed since they first began to provide professional services in Ontario.	IJPs’ whose application for registration with the relevant Ontario health regulatory college (e.g., the College of Physicians and Surgeons of Ontario, the College of Nurses of Ontario, etc.) has been denied prior to the end of the 6-month practice period must immediately stop practicing. The IJP is accountable to notify the employer if/when they have denied a certificate of registration by the relevant Ontario health regulatory college. Employers are strongly encouraged to monitor and confirm the status of the IJP’s application with the IJPs they employ during the “As of Right” exemption period.

2	The person has not been issued a certificate of registration by the College within the 6 months following the day they first began to provide professional services in Ontario.	<p>IJPs may practice for a maximum of 6-months before obtaining a certificate of registration from their respective Ontario health regulatory college.</p> <p>IJPs who are not registered by the 6-month mark must cease practicing immediately. The IJP is accountable to notify the employer if/when they have not been issued a certificate of registration within 6 months. Employers are strongly encouraged to maintain a database of IJPs they have employed, noting the first day they have provided professional services.</p>
3	The person ceases to meet the conditions described in the table above (See <i>Conditions of Practice</i>).	<p>IJPs must continuously meet the above conditions in order to practice and must stop practicing if they fail to meet them.</p> <p>An example of a condition of practice ceasing to apply would be where a finding of professional misconduct, incompetence, or incapacity has been made against the IJP in relation to the relevant profession or where such a proceeding has been initiated against them during the “As of Right” exemption period.</p>

Obligations of IJPs

Self-Reporting Eligibility

It is the responsibility of IJPs to carefully review the conditions for exemption to ensure they are eligible for the “As of Right” exemption. A person who contravenes any provision of the *Medicine Act, 1991*, *Respiratory Therapy Act, 1991*, *Medical Laboratory Technology Act, 1991*, or the *Nursing Act, 1991* is guilty of an offence and, on conviction, is liable to a fine of not more than \$25,000 for a first offence and not more than \$50,000 for a second or subsequent offence¹.

When applying for a position with an employer, IJPs are required to indicate that they intend to participate in “As of Right” and that they meet the conditions for exemption. It is the responsibility of the employer to verify that IJPs meet the conditions for exemption. Employers are strongly encouraged to require IJPs to sign an attestation ensuring that they meet all the conditions of exemption and will inform the employer

¹ RHPA, Schedule 2 Subsection 93(1). See also e.g., s.11 of the *Respiratory Therapy Act, 1991*.

if/when they cease meeting any of the conditions during the course of practice. Additionally, employers are strongly encouraged to maintain a database of IJPs they have employed, noting the first day they have provided professional services

Registration in Ontario

IJPs are required to register with the applicable college within six months of beginning practice in Ontario. As such, IJPs are strongly encouraged to complete their application for registration with the relevant Ontario health regulatory college as soon as possible to increase the likelihood that their application will be processed and approved by the applicable Ontario health regulatory College within the six-month exemption period. It can take several months to obtain all required documentation and submit a completed application to the college. Additionally, regulatory colleges may have high processing times, including and especially, during specific times of the year when new graduates are applying for membership. IJPs should contact the applicable college to determine processing timelines.

IJPs should notify their employer once they are registered; at this point, they will practice as an Ontario regulated health professional instead of an “As of Right” applicant.

Professional Liability Protection

Professional liability protection (PLP) provides financial compensation to members of the public who have been harmed as a result of malpractice or negligence by a professional.

As outlined in the conditions for exemption, IJPs are required to hold professional liability insurance or benefit from PLP coverage or a similar protection that extends coverage to Ontario. PLP must be secured before the IJP begins providing professional services in Ontario. The value of the coverage should be consistent with what is required by the applicable Ontario College. In Ontario, PLP is generally procured through an employer, a provincial or national association/protective association, or an insurance provider. It is the responsibility of the individual IJP to procure (or to ensure that they benefit from) adequate coverage.

For guidance on PLP, including the level of coverage required, IJPs should contact their prospective employer, the applicable Ontario college, or the Healthcare Insurance Reciprocal of Canada (HIROC), Canadian Nurses Protective Society (CNPS), or the Canadian Medical Protective Association (CMPA).

College Policies, Bylaws, and Practice Standards

During the 6-month period, despite not yet being registered with the relevant Ontario health regulatory college, it is strongly recommended that IJPs familiarize themselves

with and uphold the College's policies, practice standards and bylaws for the duration of the "As of Right" exemption period. Employers may require applicants to familiarize themselves with the relevant legislation and College policies or practice standards as part of their conditions of employment. Failure to follow policies or practice standards may also reflect negatively on the applicant regarding the College's decision to grant or deny their application for a certificate of registration.

In addition, observing policies or practice standards, laws, and by-laws may be expected of IJPs by their new employers. IJPs can access relevant information on the following college websites:

- [CPSO policies](#)
- [CPSO bylaws](#)
- [CNO bylaws](#)
- [CNO practice standards](#)
- [CMLTO bylaws](#)
- [CMLTO practice standards](#)
- [CRTO bylaws](#)
- [CRTO policies](#)
- [CRTO practice standards](#)

Reporting

Schedule 2 (Health Professions Procedural Code) of Ontario's *Regulated Health Professions Act, 1991* (RHPA) requires members of health regulatory colleges to file mandatory reports under certain circumstances. While IJPs are not bound by the following requirements for the duration of the "As of Right" exemption status, they are strongly encouraged to observe the following:

As set out in Schedule 2 of the *Regulated Health Professions Act* (the Health Professions Procedural Code), Members of Ontario's regulatory colleges must file a report with their college when:

- They have been found guilty of a criminal offence;²
- They have been charged with an offence, and the report shall include information about any bail conditions or restrictions connected with the charge;³
- A finding of professional negligence or malpractice is made against them;⁴
- The person is a member of another body that governs a profession inside or outside Ontario;⁵

² RHPA, Schedule 2 Subsection 85.6.1(1)

³ RHPA, Schedule 2 Subsection 85.6.4(1)

⁴ RHPA, Schedule 2 Subsection 85.6.2(1)

⁵ RHPA, Schedule 2 Subsection 85.6.3(1)

- A finding of professional misconduct or incompetence is made against the person by another body that governs a profession inside or outside Ontario;⁶
- They have reasonable grounds, obtained in the course of their practice, to believe that a patient has been sexually abused by a member of the same or a different health regulatory college.⁷

While not bound by the RHPA, the following reporting requirements **do automatically apply** to IJPs:

- An out-of-province physician or nurse is required to report the presence or suspected presence of diseases of public health significance in non-hospital patients to the applicable medical officer of health. (*Health Protection and Promotion Act*)⁸
- If providing insured services in a public hospital or in a long-term care home, out-of-province physicians and nurses are required to report suspected instances of health insurance fraud to the General Manager of the Ontario Health Insurance Plan. (*Health Insurance Act*)⁹
- Report to the Information and Privacy Commissioner when personal health information is lost, stolen, used, or disclosed without authority in the circumstances set out under the *Personal Health Information Protection Act, 2004*.¹⁰

What are IJPs allowed to do?

Controlled Acts

A controlled act is a type of medical procedure available only to certain professions, as outlined in the *Regulated Health Professions Act 1991*, its regulations, and the professional acts of the various Health Colleges and their regulations.

With some exceptions outlined below, IJPs will be allowed to practice as if they were an Ontario-registered health professional. Except where outlined below, they will be able to perform the same controlled acts as their Ontarian-certified counterparts and have access to the same scope of practice. IJPs must abide by the Ontarian scope of practice for their profession and must refrain from performing controlled acts that are not authorized to be performed by members of their profession or certification in Ontario (regardless of the scope of practice for the relevant profession/certification in their home jurisdiction. It is the employer's responsibility to ensure that the IJP only performs

⁶ RHPA, Schedule 2 Subsection 85.6.3(2)

⁷ RHPA, Schedule 2 Subsection 85.1(1)

⁸ *Health Protection and Promotion Act*, 1990, s.25

⁹ *Health Insurance Act*, 1990, s. 43.1

¹⁰ O. Reg 329/04 (General) to the *Personal Health Information and Protection Act, 2004*, s. 6.3.

controlled acts in accordance with the standards of practice outlined in the *Regulated Health Professions Act, 1991* and its regulations as well as the relevant professional acts and their regulations.

IJPs must ensure they have the knowledge, skill, and judgement to perform the controlled acts they wish to perform – if they lack the knowledge, skill, or judgement to perform an act, particularly if they were not authorized to perform that act in their home jurisdiction, the IJP should refrain from performing that act while practicing in Ontario. The IJP may only perform a controlled act should they develop the requisite knowledge, skill, and judgement to do so.

Ontario medical laboratory technologists, respiratory therapists, and some nurses also have restrictions on their ability to perform certain controlled acts independently – these restrictions will also apply to IJPs.

It is the responsibility of the IJP to familiarize themselves with their new scope of practice and observe any restrictions to their practice set out in legislation or regulation, as well as detailed in Ontario regulatory health college policies, practice standards, laws, or bylaws, as well as any terms or conditions imposed on their professional practice imposed by their new employer(s).

Use of Titles

Ontario law sets out which professionals may use restricted professional titles, such as “Doctor” or “Respiratory Therapist”, as well as specialty designations such as “Anesthesiologist” or “Nurse Practitioner - Paediatrics”. An out-of-province professional is restricted to using the titles that their Ontario counterpart could use, even if they were authorized to use a different or additional title in their originating jurisdiction.

Out-of-province physicians may use the title “doctor”, a variation or abbreviation or an equivalent in another language of the title that corresponds to their specialty certification by the College of Family Physicians of Canada or by the Royal College of Physicians and Surgeons of Canada.

Out-of-province nurses may use the title of “nurse”, as well as the title associated with their originating jurisdiction’s registration (registered nurse, registered practical nurse, or nurse practitioner) or any abbreviation or variation thereof. Out-of-province nurse practitioners with the appropriate specialty certificate or equivalent may add “Primary Health Care”, “Paediatrics”, or “Adult” to their title, as well as use any abbreviation or variation thereof (e.g., NP-PHC). Out-of-province nurses may only use these three subspecialty titles, even if they are accustomed to using another title in their home jurisdiction, as these are the only subspecialty designations recognized in Ontario.

Out-of-province respiratory therapists may use the title “respiratory therapist” or any abbreviation or variation thereof. Ontario does not recognize the use of any other title for respiratory therapists.

Out-of-province medical laboratory technologists may use the title “medical laboratory technologist” or any abbreviation thereof. Ontario does not recognize the use of any other title for medical laboratory technologists.

As of Right Employers & The Public

Public hospitals, the University of Ottawa Heart Institute, and long-term care homes are permitted to hire IJPs or to grant them hospital privileges. Employers are not obligated to hire IJPs; these changes have been made to provide additional options for eligible hospitals and long-term care homes to recruit and retain workers.

Employer Obligations

In addition to internal human resource policies and practices, employers have an obligation to verify if the IJPs they employ meet all the “As of Right” conditions of exemption. One of those conditions is to ensure that IJPs are registered with a health regulatory college in another Canadian jurisdiction.

Verification of Registration and Professional Misconduct

Employers should ensure that IJPs are appropriately registered and free of findings or investigations into professional misconduct. This section provides guidance on how to proceed in exercising due diligence.

All health regulatory colleges in Canada provide a public registry that allows individuals to search for a member of that regulatory college. For example, the College of Physicians and Surgeons of British Columbia (CPSBC) allows individuals to see a member’s registration status, practice type (e.g., family practice, specialty practice, general surgery, etc.), education, any disciplinary actions taken against the member, and any practice conditions placed on a member following a disciplinary action by the College.

Reporting on public registries across Canada’s health regulatory colleges may be inconsistent. For example, CPSBC only reports disciplinary actions on its public registry if there has been a finding of misconduct, while in Alberta the public registry lists upcoming hearings on their public registry. This inconsistency in reporting means that employers of IJPs should not only rely on these public registry databases. Employers should ask IJP applicants to self-report that they meet the eligibility requirements and should make best efforts, where information is available, to verify their claims. It is important to note that this inconsistency means that IJPs may not be aware that they

are subject to an investigation by their originating jurisdiction's health regulatory college. Therefore, IJPs can only self-report to the best of their knowledge.

Mandatory Reporting Requirements

While IJPs are not bound by the mandatory reporting requirements set out in Schedule 2 of the *Regulated Health Professions Act, 1991* (Health Professions Procedural Code), they are strongly encouraged to observe them. In addition, it is the employer's responsibility to file a report with the applicable Ontario health regulatory college if the employer has reasonable grounds to believe that an IJP has sexually abused a patient.

Accountability/Filing a Complaint Against an IJP

During the 6-month period, the IJPs will operate outside the health regulatory college system, which may differ from an employer's normal accountability and complaints processes. Patients who wish to file a complaint against an IJP can do so by filing it with the Patient Relations office or department of a public hospital where the IJP is employed. The usual and customary process for resolving complaints will ensue. However, in the event of a serious wrongdoing or professional misconduct, employers are strongly recommended to notify both the relevant Ontario health regulatory college and the IJP's home jurisdiction regulatory college.

Employers, as health information custodians, should issue a notice to the appropriate regulatory college within 30 days when a IJP health care practitioner resigns or is terminated or suspended due to an unauthorized collection, use, disclosure, retention, or disposal of personal health information.

These complaints may inform the Ontario health regulatory college's decision to grant or deny a certificate of registration and therefore provide a form of accountability, as an investigation, professional misconduct hearing, or denial of a certificate of registration may prevent the IJP from practicing in Ontario.

For more information on the Colleges' complaints processes, please visit the appropriate website:

[The College of Physicians and Surgeons of Ontario Complaints Website](#)

[The College of Nurses of Ontario Complaints Website](#)

[The College of Respiratory Therapists of Ontario Complaints Website](#)

[The College of Medical Laboratory Technologists of Ontario Complaints Website](#)

In addition, if a patient or family member has a complaint about an IJP employed at a long-term care home, they can also contact the Ministry of Long-Term Care (MLTC).

Through the MLTC's [long-term care home complaints process](#), individuals can file urgent complaints¹¹ or non-urgent complaints¹².

If a patient or family member is not satisfied with how a public hospital or long-term-care home responded to their complaint, they have the option of filing a complaint with the [Ontario Patient Ombudsman](#). The Ontario Patient Ombudsman will review the complaint to ensure they have the jurisdiction to resolve the complaint, if needed. If the Ontario Patient Ombudsman determines that an investigation should occur, they will then provide the patient and/or family member with the results of their decision.

Optional Pathways to Registration

Select Ontario health regulatory colleges may include optional pathways for IJPs to begin practicing immediately (e.g., CNO can process labour mobility applicants within a few days). If IJPs pursue this route through the select Ontario health regulatory colleges, they will not be held to the “As of Right” provisions and exemptions. As members of the Ontario health regulatory colleges, they will be subject to the same rights, privileges, investigations processes, etc. that apply to all members.

¹¹ Urgent complaints include cases of harm, neglect, or danger to residents.

¹² Non-urgent complaints include less serious complaints related to diet, activities, or care.

Appendix A: Applicant Checklist

Before Providing Professional Services in Ontario:

- ✓ Job offer in one of the four selected professions to provide professional services in or on behalf of a public hospital, the University of Ottawa Heart Institute, or a long-term care home
- ✓ Satisfy all conditions of exemption
- ✓ Submit an application for a certificate of registration to the applicable Ontario health regulatory college

During the 6-Month Practice Period

- ✓ Continue to meet all the conditions of exemption and report if the IJP does not meet any of the conditions of exemption
- ✓ Continue to gather the required documentation and assemble an application to register with the applicable college
- ✓ Submit a completed application to the college

By 6-months of Practice

- ✓ Receive a certification of registration with the applicable Ontario regulatory college

Appendix B: Questions & Answers

1. What professions are permitted to practise under the proposed exemption?

The following professions registered in other Canadian jurisdictions would be permitted to practise under the exemption:

- Physicians and surgeons
- Nurse practitioners, registered nurses, and registered practical nurses
- Respiratory therapists
- Medical laboratory technologists

2. What settings will IJPs be permitted to practise in?

IJPs would be permitted to provide professional services in or on behalf of a public hospital, long-term care home, or the University of Ottawa Health Institute.

3. Will hospitals and long-term care homes be required to hire IJPs?

Hospitals and long-term care homes would not be required to hire IJPs. Employers would determine if, and how many, IJPs they would hire based on staffing needs and recruitment plans.

4. How long will IJPs be permitted to practise in Ontario without registering?

IJPs would be required to register with the applicable college within six months of their first day of providing professional services in Ontario. IJPs who fail to register will not be able to practise in Ontario beyond the 6-month period (or, beyond the moment within the 6-month period where the applicable college has notified the IJP that their application for a certificate of registration has been rejected)

5. What does it mean for an IJP to apply for registration to the college prior to providing professional services or beginning employment in Ontario?

IJPs would be required to submit an application for registration with the applicable college before they begin practising in Ontario.

The employer would notify the relevant health regulatory college of their decision to hire an IJP to allow regulatory colleges to be aware of those who are practicing the profession under the “As of Right” exemption.

6. Who will verify if IJPs meet the conditions required for exemption?

The onus of credential verification would be jointly placed on employers and individual applicants. Hospitals, long-term care homes or the University of Ottawa Health Institute will have the responsibility to verify the credentials and registration of IJPs when extending a contract of employment or hospital privileges.

7. Will IJPs be permitted to perform controlled acts?

The proposed amendments to the Controlled Acts regulation made under the *Regulated Health Professions Act, 1991 (RHPA)* would exempt IJPs from the restrictions on the performance of controlled acts set out in section 27 of the Act. With the exception outlined below, IJPs will be allowed to practice as if they were an Ontario-registered health professional. They will be able to perform the same controlled acts as their Ontarian counterparts, having access to the same scope of practice. IJPs must abide by the Ontarian scope of practice for their profession, refraining from performing controlled acts they were previously authorized to perform in their home jurisdiction if it is not authorized in Ontario.

IJPs must ensure they have the knowledge, skill, and judgement to perform the controlled acts they wish to perform – if they lack the knowledge, skill, or judgement to perform an act, particularly if that act was not authorized to them in their home jurisdiction, the IJP should refrain from or refuse to perform that act. The IJP may only perform a controlled act should they develop the requisite knowledge, skill, and judgement to do so.

Ontario medical laboratory technologists, respiratory therapists, and some nurses also have restrictions (e.g., on orders from a physician, medical directives, etc.) on their ability to perform certain controlled acts independently – these restrictions will also apply to IJPs.

8. Who will handle and address complaints and investigations during the 6-month grace period?

Employers would be responsible for using existing mechanisms (e.g., patient relations office or department of the public hospital) to handle complaints and investigations during the 6-month “As of Right” exemption period. The usual and customary process for resolving complaints will ensue.

However, in the event of a serious wrongdoing or professional misconduct, employers are strongly recommended to notify both the relevant Ontario health regulatory college and the IJP’s home jurisdiction regulatory college. The college may use this information to support their registration decisions.

9. Who will be monitoring IJPs during the 6-month grace period of practice?

Employers would use the existing employee monitoring mechanisms (e.g., medical advisory committees, etc.) to monitor IJPs during the 6-month grace period. Employers would be responsible for ensuring that IJPs are only assigned tasks or asked to deliver services that they are qualified to provide.

10. Who will verify that IJPs register with the applicable Ontario regulatory college within 6 months of providing services?

Employers would use existing mechanisms to ensure that IJPs register with the applicable college within 6 months of providing professional services in Ontario (e.g., online public register).

11. How will employers ensure that IJPs are not subject to an ongoing investigation in their home jurisdiction?

Employers are expected to exercise due diligence in hiring or extending privileges to an IJP. IJPs who are subject to an ongoing investigation cannot practise under this exemption. A person who contravenes any provision of the *Medicine Act, 1991*, *Respiratory Therapy Act, 1991*, *Medical Laboratory Technology Act, 1991*, or the *Nursing Act, 1991* is guilty of an offence and, on conviction, is liable to a fine of not more than \$25,000 for a first offence and not more than \$50,000 for a second or subsequent offence.

12. Will IJPs be required to have liability insurance while practising in Ontario?

As outlined in the conditions for exemption, IJPs are required to hold professional liability insurance (PLP) or benefit from PLP coverage or a similar protection that extends coverage to Ontario. PLP must be secured before the IJP begins providing professional services in Ontario. The value of the coverage should be consistent with what is required by the applicable Ontario health regulatory college. In Ontario, PLP is generally procured through an employer, a provincial or national association/protective association, or an insurance provider. It is the responsibility of the individual IJP to procure (or to ensure that they benefit from) adequate coverage.

13. What happens if an IJP changes their place of employment during the 6-month grace period?

Should an IJP change their place of employment during the 6-month grace period, they would be required to notify the applicable Ontario health regulatory college as soon as possible. This is consistent with the requirements of professionals already registered in Ontario.