



# College of Homeopaths of Ontario Operations Policies

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Title:	Requesting a Registration Record
Category:	Administrative
Policy Type:	Internal
Policy Number:	REG AD 03
Status:	Final Approval from Council
Revision:	June 23, 2014, Updated December 21, 2017, June 28, 2018

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*Note to Readers: In the event of any inconsistency between this document and the legislation that affects homeopathy practice, the legislation governs. The College has the power and authority to implement the applicable acts and regulations under the Regulated Health Professions Act, 1991. The factors outlined in this policy will be considered and every application will be reviewed on a case by case basis. If you have a question on how this policy affects your individual situation please contact the College directly.*

*It is important to note that College publications may be used by the College or other bodies in determining the interpretation of the provisions within the Homeopathy Act, 2007, its regulations and the College's Bylaws.*

## **Applicable Categories of Registration (unless otherwise noted):**

1. Applicant or Registrant Full Certificate of Registration
2. Registrant Grandparented Certificate of Registration
3. Registrant Inactive Certificate of Registration

**Applicable Legislation:** *Health Professions Procedural Code, Schedule 2 Regulated Health Professions Act, 1991, Section 16 (1) to (6)*

## **Background**

Members of the College may access copies of certain documents from their application for registration, in accordance with the procedures and restrictions set out in this policy.

The College of Homeopaths of Ontario is committed to protecting the privacy and confidentiality of information it receives or creates in the course of fulfilling its regulatory functions. The College fulfills this commitment to privacy and confidentiality by complying with its statutory obligations under the Regulated Health Professions Act, 1991 (RHPA), and the Personal Health Information Protection Act, 2004, and by adopting the practices set out in the College's Privacy Code.

Under the Regulated Health Professions Act (1991), Schedule 2:

### Disclosure of application file

16.(1) The Registrar shall give an applicant for registration, at his or her request, all the information and a copy of each document the College has that is relevant to the application.

### Exception (2)

The Registrar may refuse to give an applicant anything that may, in the Registrar's opinion, jeopardize the safety of any person. 1991, c. 18, Sched. 2, s. 16 The policy specifies the right of an applicant to access their records of information. This policy also extends to all members of the College who may request access to their records.

### **Policy**

In accordance with the *Health Professions Procedural Code, Schedule 2 Regulated Health Professions Act, 1991*, the College will provide the Applicant for registration, at their request, all the information and a copy of each document the College has that is relevant to the application. The Registrar may refuse to give an Applicant anything that may, in the Registrar's opinion, jeopardize the safety of any person.

### **Procedure**

1. Applicants who make a written request to the Registrar may receive information and a copy of each document the College holds that is relevant to their application. There are a few exceptions:
  - a. If the Registrar is of the opinion that release of such documents may jeopardize the safety of any person.
  - b. The document is protected by privilege (solicitor-client, deliberative and/or litigation).
2. Records include all the documents that relate to the application, such as, but not limited to:
  - a. Documents provided by the Applicant as part of their application including:
    - i. Emails sent to the College by the applicant pertaining to documents supporting the applicant's request for accommodations or any other information to assist the College in making an informed decision about the individual's application for registration;
    - ii. Regulatory letters of standing and any documentation received from other regulators related to professional conduct;
    - iii. Criminal background check;
    - iv. Language assessment results;
    - v. Individual assessment results;
    - vi. Internal processing checklists; and
    - vii. All other documentation provided by the applicant as part of the individual's application for registration.
  - b. Documents that describe the regulatory body's rationale for its decision other than documents protected by the deliberative privilege of the Registration Committee itself (e.g., personal notes of deliberations);
  - c. Documents related to any assessment of qualifications completed or received by the regulator including transcripts and all materials provided in a pre-assessment application for Substantially Equivalent Competency Assessment to determine eligibility for registration;
  - d. Documents related to accommodation requests; and
  - e. Documents related to reviews, hearings and appeals.
3. The College reserves the right to charge a cost-recovery fee for photocopying documents and mailing/courier expenses. The College will inform the individual of the cost to provide the documents, and must receive the fee from the applicant before documents are disclosed.
4. Documents released will be clearly stamped "COPY".
5. The College will make every reasonable effort to respond to the request within thirty (30) days of the request being received by the College.
6. If the Registrar is of the opinion that release of any of an Applicant's documents may jeopardize the safety of any person, the Applicant will be provided only those documents that are not considered to jeopardize the safety of any person. In the event that the College refuses to provide access to all of the Applicant's documents it holds, the College will provide reasons for denying access.

7. An individual shall be able to challenge the accuracy and completeness of their personal information and request to have it amended if appropriate.
8. All original documentation submitted to the College throughout the registration process remains as part of the physical file; therefore, such documents will not be returned regardless of whether an applicant's application is withdrawn, approved or denied for registration.
9. The College has long-term retention only if the primary documents are from registration applications, such retention is permanent. Records will be stored in a protected environment for the duration of the retention period. Documents or information destroyed or deleted in accordance with the College's record retention policies cannot be provided. If an applicant's application record is inactive for a period of five year, it will be closed.

## Related Policies, Standards, Guidelines and Regulations

*Health Professions Procedural Code, Schedule 2 Regulated Health Professions Act, 1991. Section (3) to (6) are effective January 1, 2018*

### Disclosure of application file

16. (1) The Registrar shall give an applicant for registration, at his or her request, all the information and a copy of each document the College has that is relevant to the application.

### Exception

(2) The Registrar may refuse to give an applicant anything that may, in the Registrar's opinion, jeopardize the safety of any person. 1991, c. 18, Sched. 2, s. 16.

### Process for dealing with request

(3) The Registrar shall establish a process for the purposes of dealing with an applicant's request under subsection (1). 2015, c. 8, s. 38 (2).

### Fee for access

(4) The Registrar may require an applicant to pay a fee for making information and documents available to the applicant if the Registrar first gives the applicant an estimate of the fee. 2015, c. 8, s. 38 (2).

### Amount of fee

(5) The amount of the fee shall not exceed the amount of reasonable cost recovery. 2015, c. 8, s. 38 (2).

### Waiver of fee

(6) The Registrar may waive the payment of all or any part of the fee that an applicant is required to pay under subsection (4) if, in the Registrar's opinion, it is fair and equitable to do so. 2015, c. 8, s. 38 (2).

In accordance with the College's Bylaw 19 at December 21, 2017 an administrative fee is set at \$60.00 plus applicable taxes.