



Province of Alberta

HEALTH PROFESSIONS ACT

PHYSICIANS, SURGEONS, OSTEOPATHS AND PHYSICIAN ASSISTANTS PROFESSION REGULATION

Alberta Regulation 200/2020

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Extract

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ALBERTA REGULATION 200/2020

Health Professions Act

**PHYSICIANS, SURGEONS, OSTEOPATHS AND PHYSICIAN
ASSISTANTS PROFESSION REGULATION**

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Definitions

- 1 In this Regulation,
 - (a) “Act” means the *Health Professions Act*;
 - (b) “Bylaws” means the bylaws made by the Council under section 132 of the Act;

- (c) “College” means the College of Physicians and Surgeons of Alberta;
- (d) “Competence Committee” means the competence committee of the College;
- (e) “Complaints Director” means the complaints director of the College;
- (f) “Council” means the council of the College;
- (g) “courtesy register” means the courtesy register category of the regulated members register
 - (i) for physicians, surgeons and osteopaths referred to in section 2(a)(iv), or
 - (ii) for physician assistants referred to in section 2(b)(iii);
- (h) “emergency register” means the emergency register category of the regulated members register
 - (i) for physicians, surgeons and osteopaths referred to in section 2(a)(v), or
 - (ii) for physician assistants referred to in section 2(b)(iv);
- (i) “general register” means the general register category of the regulated members register
 - (i) for physicians, surgeons and osteopaths referred to in section 2(a)(i), or
 - (ii) for physician assistants referred to in section 2(b)(i);
- (j) “independent practice in Alberta” means the practice of a physician, surgeon or osteopath
 - (i) who is registered on the general register, provisional register, emergency register, courtesy register or telemedicine register, and
 - (ii) whose practice permit is not subject to any condition to practice under supervision generally or in any area of the practice of the physician, surgeon or osteopath;
- (k) “physicians, surgeons and osteopaths limited practice register” means the physicians, surgeons and osteopaths limited practice register category of the regulated members register for physicians, surgeons and osteopaths referred to in section 2(a)(iii);

- (l) “provisional register” means the provisional register category of the regulated members register
 - (i) for physicians, surgeons and osteopaths referred to in section 2(a)(ii), or
 - (ii) for physician assistants referred to in section 2(b)(ii);
- (m) “Registrar” means the registrar of the College;
- (n) “scope of practice” means the range of clinical skills and procedures that a physician, surgeon or osteopath is competent to perform based on their training and practice experience;
- (o) “sponsor” means the sponsor identified in a sponsorship agreement;
- (p) “sponsorship agreement” means an agreement referred to in section 7;
- (q) “Standards of Practice” means the standards of practice adopted by the Council in accordance with the Bylaws and section 133 of the Act;
- (r) “student register” means the student register category of the regulated members register
 - (i) for physicians, surgeons and osteopaths referred to in section 2(a)(vii), or
 - (ii) for physician assistants referred to in section 2(b)(vi);
- (s) “telemedicine register” means the telemedicine register category of the regulated members register
 - (i) for physicians, surgeons and osteopaths referred to in section 2(a)(vi), or
 - (ii) for physician assistants referred to in section 2(b)(v).

Register categories

2 The regulated members register established by the Council under section 33(1)(a) of the Act has the following categories:

- (a) for the registration of physicians, surgeons and osteopaths,
 - (i) the physicians, surgeons and osteopaths general register,

- (ii) the physicians, surgeons and osteopaths provisional register,
 - (iii) the physicians, surgeons and osteopaths limited practice register,
 - (iv) the physicians, surgeons and osteopaths courtesy register,
 - (v) the physicians, surgeons and osteopaths emergency register,
 - (vi) the physicians, surgeons and osteopaths telemedicine register, and
 - (vii) the physicians, surgeons and osteopaths student register;
- (b) for the registration of physician assistants,
- (i) the physician assistants general register,
 - (ii) the physician assistants provisional register,
 - (iii) the physician assistants courtesy register,
 - (iv) the physician assistants emergency register,
 - (v) the physician assistants telemedicine register, and
 - (vi) the physician assistants student register.

Registration

General registers

3(1) An applicant for registration as a regulated member on the physicians, surgeons and osteopaths general register must

- (a) have received a medical or an osteopathic medical degree from a program approved by the Council,
- (b) have successfully completed post-graduate medical training approved by the Council, and
- (c) have successfully completed the registration examination approved by the Council.

(2) An applicant for registration as a regulated member on the physician assistants general register must

- (a) have graduated from a program of studies for physician assistants approved by the Council, and
 - (b) have successfully completed a registration examination approved by the Council.
- (3)** An applicant must have completed the requirements set out in subsection (1) or (2) within the 3 years immediately preceding the date the Registrar receives a complete application.
- (4)** If an applicant is unable to meet the requirements set out in subsection (3), the applicant must
- (a) within the 3 years immediately preceding the date the Registrar receives the complete application, have been registered in good standing and carried on an active practice in a jurisdiction that regulates the practice of medicine, osteopathy or physician assisting, whichever applies, or
 - (b) demonstrate to the satisfaction of the Registrar that the applicant is currently competent to practise medicine, osteopathy or physician assisting, whichever applies.
- (5)** For the purposes of subsection (4)(b), the Registrar may require an applicant to undergo any examination, testing, assessment, training or education that the Registrar considers necessary.

Equivalent jurisdiction

- 4** An applicant for registration as a regulated member on a general register may be registered if the applicant
- (a) is currently registered as a physician, surgeon, osteopath or physician assistant in another jurisdiction recognized by the Council under section 28(2)(b) of the Act as having substantially equivalent registration requirements to the registration requirements set out in section 3, and
 - (b) is in good standing in that jurisdiction.

Substantial equivalence

- 5(1)** An applicant for registration as a regulated member on a general register who does not meet the registration requirements under section 3 but whose qualifications have been determined by the Registrar under section 28(2)(c) of the Act to be substantially equivalent to the registration requirements under section 3 may be registered on the appropriate general register.

- (2) In determining whether an applicant's qualifications are substantially equivalent under subsection (1), the Registrar may require the applicant to undergo any examination, testing or assessment activity the Registrar considers necessary.
- (3) For a determination under subsection (2), the Registrar may use the services of experts and other resources to assist with the examination, testing or assessment activity.
- (4) The Registrar may require an applicant to pay all the costs incurred under subsections (2) and (3).
- (5) The Registrar may require an applicant under subsection (1) to undergo any education or training activities the Registrar considers necessary in order for the applicant to be registered.
- (6) The Registrar may require an applicant under subsection (1) to provide any other relevant information or evidence that the Registrar considers necessary in order to assess an application under this section.

Provisional registers

- 6(1)** Subject to subsection (3), an applicant for registration as a regulated member may be registered on the physicians, surgeons and osteopaths provisional register if the applicant has successfully completed all the requirements for the granting of a medical or an osteopathic medical degree from a medical program approved by the Council and the applicant
- (a) has not passed the registration examination approved by the Council,
 - (b) is enrolled in a program of post-graduate medical training in Alberta approved by the Council,
 - (c) is undergoing an assessment of qualifications for the purpose of determining substantial equivalency under section 5, or
 - (d) is engaged in education or training activities for the purpose of registration under section 5.
- (2)** Subject to subsection (3), an applicant for registration as a regulated member may be registered on the physician assistants provisional register if the applicant has complied with section 3(2)(a) and the applicant
- (a) has not passed the registration examination referred to in section 3(2)(b),

- (b) is undergoing an assessment of qualifications for the purpose of determining substantial equivalency under section 5, or
 - (c) is engaged in education or training activities for the purpose of registration under section 5.
- (3)** Every regulated member registered on a provisional register must practise in accordance with the conditions specified by the Registrar.
- (4)** The conditions that the Registrar may specify under subsection (3) include, but are not limited to, conditions that the regulated member
- (a) practise under the supervision of another regulated member,
 - (b) practise only within a specified scope of practice,
 - (c) practise only within a specified practice setting or program,
 - (d) practise only within a specified practice location,
 - (e) complete specified training or examinations within a specified time limit, and
 - (f) obtain a sponsorship agreement in accordance with section 7 and maintain that sponsorship while this condition is in effect.
- (5)** A registration on a provisional register is valid,
- (a) in the case of a registration on the physicians, surgeons and osteopaths provisional register, for 6 years, and
 - (b) in the case of a registration on the physician assistants provisional register, for 3 years.
- (6)** Despite subsection (5), the Registrar may, if the Registrar is of the opinion that extenuating circumstances exist, extend a registration on a provisional register for an additional period that the Registrar considers appropriate.
- (7)** If a regulated member registered on a provisional register meets the registration requirements set out in section 3, the Registrar must remove the regulated member's name from the provisional register and enter it on the appropriate general register.

Sponsorship agreement

7 A sponsorship agreement referred to in section 6(4)(f) must satisfy the Registrar as to the following:

- (a) the agreement is between a regulated member and either
 - (i) Alberta Health Services, or
 - (ii) another sponsor approved by the Council;
- (b) the member's engagement is in alignment with the requirements of the health care system;
- (c) appropriate organizational supports will be available to the member;
- (d) a physician registered in independent practice in Alberta will provide appropriate supervision to the member.

**Physicians, surgeons and osteopaths,
limited practice register**

8(1) Subject to subsection (2), an applicant for registration as a regulated member who is not eligible for registration on the physicians, surgeons and osteopaths general register may be registered on the physicians, surgeons and osteopaths limited practice register if the applicant

- (a) has successfully completed all the requirements for the granting of a medical or an osteopathic medical degree from a medical program approved by the Council,
 - (b) to the satisfaction of the Registrar
 - (i) has completed the relevant post-graduate medical training for the limited professional services that the applicant will be providing, and
 - (ii) has the necessary combination of experience, practice or other qualifications and competencies,
- and
- (c) provides limited professional services within a service or program approved by the Council as a clinical assistant or surgical assistant or as an assistant in medical administration, medical education or medical research.

(2) Every regulated member registered on the physicians, surgeons and osteopaths limited practice register must practise in accordance with the conditions specified by the Registrar.

(3) The conditions that the Registrar may specify under subsection (2) include, but are not limited to, conditions that the regulated member

- (a) practise under the supervision of a regulated member who is a physician, surgeon or osteopath,
- (b) practise only within a specified scope of practice,
- (c) practise only within a specified practice setting or program, and
- (d) practise only within a specified practice location.

Courtesy registers

9(1) An applicant who is registered as a physician, surgeon or osteopath in good standing in another jurisdiction who applies for registration in Alberta on a temporary basis for a specified purpose approved by the Registrar and who

- (a) provides the name and contact information of the physician, surgeon or osteopath registered in independent practice in Alberta who will support the application and provide the confirmation required under subsection (3), and
- (b) satisfies the Registrar of the applicant's competence to provide the services related to the specified purpose

may be registered on the physicians, surgeons and osteopaths courtesy register for a period of time specified by the Registrar.

(2) An applicant who is registered as a physician assistant in good standing in another jurisdiction who applies for registration in Alberta on a temporary basis for a specified purpose approved by the Registrar and who

- (a) either
 - (i) provides the name and contact information of the physician, surgeon or osteopath registered in independent practice in Alberta who will support the application and provide the confirmation required under subsection (3), or
 - (ii) provides confirmation from Alberta Health Services that it will support the application,

and

- (b) satisfies the Registrar of the supervisor's and applicant's competence to provide the services related to the specified purpose

may be registered on the physician assistants courtesy register for a period of time specified by the Registrar.

(3) A physician, surgeon or osteopath referred to

- (a) in subsection (1)(a) must provide to the Registrar, in writing, a confirmation of the purpose for which the applicant is applying for courtesy registration, and
- (b) in subsection (2)(a)(i) must provide to the Registrar, in writing,
 - (i) a confirmation of the purpose for which the applicant is applying for courtesy registration, and
 - (ii) the name and contact information of the physician who will supervise the physician assistant's practice.

(4) When the Registrar registers a person on a courtesy register, the Registrar must identify on the register any title that the regulated member may use while registered on that courtesy register.

(5) It is a condition of registration on a courtesy register that the person must remain registered in good standing in at least one other jurisdiction in which the person was registered at the time of the person's application for registration on that courtesy register.

(6) If subsection (5) is not complied with, the courtesy registration is cancelled.

Emergency registers

10(1) An applicant for registration as a regulated member on the physicians, surgeons and osteopaths emergency register must satisfy the Registrar that the applicant is registered in good standing and entitled to practise medicine or osteopathy in another jurisdiction in Canada or in the United States of America.

(2) An applicant for registration as a regulated member on the physician assistants emergency register must satisfy the Registrar that the applicant is registered in good standing or otherwise regulated and entitled to practise as a physician assistant in another jurisdiction in Canada or in the United States of America.

(3) A registration on an emergency register is valid for the period of time that may be required to address an emergency, as determined by the Registrar.

(4) It is a condition of registration on an emergency register that the person must remain registered in good standing in the jurisdiction in which the person was registered at the time of the person's application for registration on the emergency register, and if the registration in the other jurisdiction is suspended or cancelled, the emergency registration is cancelled.

Telemedicine registers

11(1) An applicant for registration as a regulated member on the physicians, surgeons and osteopaths telemedicine register may be registered on the telemedicine register if the applicant

- (a) is not a regulated member of the College, and
- (b) meets the requirements set out for physicians, surgeons and osteopaths in section 3, 4 or 5, as the case may be.

(2) An applicant for registration as a regulated member on the physician assistants telemedicine register may be registered on the physician assistants telemedicine register if the applicant

- (a) is not a regulated member of the College, and
- (b) meets the requirements set out for physician assistants in section 3, 4 or 5, as the case may be.

(3) Every regulated member registered on a telemedicine register may practise only from a jurisdiction outside of Alberta.

Student registers

12(1) An applicant for registration as a regulated member on the physicians, surgeons and osteopaths student register must

- (a) be currently enrolled in an undergraduate medical program in Alberta approved by the Council, or
- (b) be undertaking or intending to undertake medical education in Alberta while enrolled in an undergraduate medical program that is acceptable to the Registrar in another jurisdiction.

(2) An applicant for registration as a regulated member on the physician assistants student register must

- (a) be currently enrolled in a physician assistants program in Alberta approved by the Council, or
- (b) be undertaking or intending to undertake physician assistant training in Alberta while enrolled in a physician assistants program that is acceptable to the Registrar in another jurisdiction.

Good character and reputation

13(1) An applicant for registration as a regulated member in any category of the regulated members register must provide evidence satisfactory to the Registrar of having good character and reputation.

(2) To comply with subsection (1), an applicant must submit one or more of the following on the request of the Registrar:

- (a) a written statement by the applicant as to whether the applicant is currently undergoing an investigation or is subject to an unprofessional conduct process or has been previously disciplined by another regulatory body responsible for the regulation of physicians, surgeons, osteopaths or physician assistants, as the case may be, or of another profession;
- (b) a written statement by the applicant as to whether an application for registration as a professional by the applicant in any other jurisdiction was ever previously rejected;
- (c) the results of a current criminal records check;
- (d) a written statement by the applicant as to whether the applicant has ever been charged, pleaded guilty or has been found guilty of a criminal offence in Canada or an offence of a similar nature in a jurisdiction outside Canada for which the applicant has not been pardoned;
- (e) a written statement by the applicant as to whether the applicant's hospital privileges or the applicant's privileges to any other related facility are currently or have previously been voluntarily or involuntarily limited, suspended or revoked;
- (f) a written statement by the applicant as to whether there has ever been a judgment against the applicant's practice in a civil action;
- (g) any other relevant evidence as required by the Registrar.

(3) If an applicant has engaged in an activity that has, in the opinion of the Registrar, undermined the applicant's good character and reputation in the past, the applicant may provide evidence satisfactory to the Registrar of the applicant's rehabilitation.

(4) The Registrar may also consider information other than that provided by the applicant in determining whether the applicant is of good character and reputation, but if the Registrar considers that information, the Registrar must give the applicant sufficient particulars of that information to allow the applicant to respond to that information.

Liability insurance

14(1) An applicant for registration as a regulated member must provide evidence satisfactory to the Registrar of having the type and amount of professional liability insurance required by the Council.

(2) Membership in the Canadian Medical Protective Association is considered to meet the requirements of subsection (1).

Fitness to practise

15 An applicant for registration as a regulated member must, on the request of the Registrar, submit evidence satisfactory to the Registrar confirming the member's fitness to practise.

English language requirements

16(1) An applicant for registration as a regulated member must be reasonably proficient in English to be able to engage safely and competently in the practice of medicine, osteopathy or in physician assisting, as the case may be.

(2) An applicant may be required by the Registrar to demonstrate proficiency in the English language in accordance with the requirements approved by the Council.

Titles, Abbreviations and Initials

Authorization to use titles

17(1) A regulated member registered in a register category for the registration of physicians, surgeons and osteopaths referred to in section 2(a) may use the title "Doctor" and the abbreviation "Dr."

(2) In addition to the title and abbreviation listed in subsection (1),

- (a) a regulated member registered in a register category for the registration of physicians or surgeons referred to in

section 2(a) may use the titles “physician”, “medical doctor”, “medical practitioner” and the initials “M.D.”, and

- (b) a regulated member registered in a register category for the registration of osteopaths referred to in section 2(a) may use the titles “osteopath”, “osteopathic practitioner”, “doctor of osteopathic medicine”, “doctor of osteopathy”, “osteopathic medical practitioner” and the initials “D.O.”.

(3) A regulated member referred to in subsections (1) and (2) may, subject to subsection (4), use the titles, abbreviations or initials listed in section 2 of Schedule 21 to the Act that are appropriate to that regulated member’s scope of practice.

(4) The Registrar must specifically approve and authorize the use of the titles, abbreviations or initials referred to in subsection (3) and indicate the authorization on the appropriate category of the regulated members register.

(5) A regulated member referred to in subsections (1) and (2) may use the title “specialist” if the regulated member

- (a) is authorized by the Registrar to use that title, and
- (b) has received notification from the Registrar that the authorization is indicated in the appropriate category of the regulated members register.

(6) A regulated member registered in a register category for the registration of physician assistants referred to in section 2(b) may use the title “Physician Assistant” and the initials “P.A.”.

Restricted Activities

Physicians, surgeons and osteopaths, authorized restricted activities

18 A regulated member registered in a register category for the registration of physicians, surgeons and osteopaths referred to in section 2(a)(i) to (vi) may, in the practice of medicine or osteopathy and in accordance with the Standards of Practice, perform the following restricted activities:

- (a) to cut a body tissue, to administer anything by an invasive procedure on body tissue or to perform surgical or other invasive procedures on body tissue below the dermis or the mucous membrane or in or below the surface of the cornea;
- (b) to insert or remove instruments, devices, fingers or hands

- (i) beyond the cartilaginous portion of the ear canal,
 - (ii) beyond the point in the nasal passages where they normally narrow,
 - (iii) beyond the pharynx,
 - (iv) beyond the opening of the urethra,
 - (v) beyond the labia majora,
 - (vi) beyond the anal verge, or
 - (vii) into an artificial opening of the body;
- (c) to insert into the ear canal, under pressure, liquid, air or gas;
 - (d) to set or reset a fracture of a bone;
 - (e) to reduce a dislocation of any joint;
 - (f) to use a deliberate, brief, fast thrust to move the joints of the spine beyond the normal range but within the anatomical range of motion, which generally results in an audible click or pop;
 - (g) to prescribe a Schedule 1 drug within the meaning of the *Pharmacy and Drug Act*;
 - (h) to dispense, compound, provide for selling or sell a Schedule 1 drug or Schedule 2 drug within the meaning of the *Pharmacy and Drug Act*;
 - (i) to administer a vaccine or parenteral nutrition;
 - (j) to prescribe, compound or administer blood or blood products;
 - (k) to prescribe or administer diagnostic imaging contrast agents;
 - (l) to prescribe or administer anaesthetic gases, including nitrous oxide, for the purposes of anaesthesia or sedation;
 - (m) to prescribe or administer radiopharmaceuticals, radiolabelled substances, radioactive gases or radioaerosols;
 - (n) to order or apply any form of ionizing radiation in medical radiography, nuclear medicine or radiation therapy;

- (o) to order or apply non-ionizing radiation in lithotripsy, magnetic resonance imaging or ultrasound imaging, including any application of ultrasound to a foetus;
- (p) to prescribe or fit an implant-supported prosthesis;
- (q) to perform a psychosocial intervention with an expectation of treating a substantial disorder of thought, mood, perception, orientation or memory that grossly impairs judgment, behaviour, capacity to recognize reality or ability to meet the ordinary demands of life;
- (r) to manage labour or deliver a baby;
- (s) to prescribe or dispense corrective lenses.

Physician assistants, supervision

19(1) A regulated member registered in a register category for the registration of physician assistants referred to in section 2(b)(i) to (v) may, in the practice of physician assisting and in accordance with the Standards of Practice, perform the restricted activities referred to in section 18 under the supervision of a physician, surgeon or osteopath registered to practise in Alberta.

(2) The supervision provided by a physician, surgeon or osteopath who supervises a physician assistant under this section must be carried out in accordance with the Standards of Practice.

(3) In regard to any restricted activity,

- (a) a physician, surgeon or osteopath must only supervise a restricted activity that the supervising physician, surgeon or osteopath is competent to perform and that is appropriate to the supervisor's scope of practice, and
- (b) a physician assistant must not perform a restricted activity that the supervising physician, surgeon or osteopath is not competent to perform or that is not appropriate to the scope of practice of the supervising physician, surgeon or osteopath.

Students, supervision

20(1) A person who is registered on the physicians, surgeons and osteopaths student register referred to in section 2(a)(vii) is authorized to perform the restricted activities set out in section 18, in the practice of medicine or osteopathy, under the supervision of a physician, surgeon or osteopath registered to practise in Alberta and in accordance with the Standards of Practice.

(2) A person who is registered on the physician assistants student register referred to in section 2(b)(vi) is authorized to perform the restricted activities set out in section 18, in the practice of physician assisting, under the supervision of a physician, surgeon, osteopath or physician assistant instructor registered to practise in Alberta and in accordance with the Standards of Practice.

(3) Supervision under this section must be carried out in accordance with the requirements for the supervision of students approved by the Council.

Self-restriction

21(1) Despite any authorization to perform restricted activities,

- (a) a physician, surgeon or osteopath must only perform a restricted activity that the physician, surgeon or osteopath is competent to perform and that is appropriate to the clinical circumstance and that regulated member's scope of practice, and
- (b) a physician assistant must only perform a restricted activity that the physician assistant is competent to perform and that is appropriate to the clinical circumstance and scope of practice of the supervising physician, surgeon or osteopath.

(2) A regulated member who performs a restricted activity must do so in accordance with the Standards of Practice.

Non-regulated persons, supervision

22(1) A person who is not described in section 4(1)(a) of Schedule 7.1 to the *Government Organization Act* is permitted to perform a restricted activity described in section 18 only if that person

- (a) while performing a restricted activity, has the consent of, and is being supervised in accordance with subsection (2) by, a physician, surgeon or osteopath registered to practise in Alberta and who is authorized to do that restricted activity independently, and
- (b) is engaged in providing health services to another person.

(2) When a physician, surgeon or osteopath supervises a person referred to in subsection (1) performing a restricted activity, the physician, surgeon or osteopath must

- (a) not be a regulated member registered on the physicians, surgeons and osteopaths student register,

- (b) be authorized to perform the restricted activity being performed,
- (c) if the person being supervised is a regulated member of another college, be satisfied the other college is aware that the person is performing the restricted activity under supervision,
- (d) supervise the person who is performing the restricted activity by being readily available for consultation by the person who is under supervision, and
- (e) comply with the Standards of Practice governing the provision of supervision by regulated members of persons performing restricted activities in accordance with section 4(1)(b) of Schedule 7.1 to the *Government Organization Act*.

Continuing Competence

Continuing competence program

23 The continuing competence program of the College comprises

- (a) general assessment,
- (b) continuing professional development, and
- (c) competence assessment.

General assessment

24(1) A regulated member registered on the physicians, surgeons and osteopaths general register must submit to a general assessment by the Competence Committee once every 5 years or otherwise as determined in accordance with the rules established under section 27.

(2) A regulated member registered on one of the following registers may be required to submit to a general assessment by the Competence Committee once every 5 years or otherwise as determined in accordance with the rules established under section 27:

- (a) the physicians, surgeons and osteopaths provisional register;
- (b) the physicians, surgeons and osteopaths limited practice register;

- (c) the physicians, surgeons and osteopaths telemedicine register;
- (d) the physician assistants general register;
- (e) the physician assistants provisional register;
- (f) the physician assistants telemedicine register.

(3) Despite subsections (1) and (2), the Registrar may, if the Registrar is of the opinion that extenuating circumstances exist, vary the period within which a general assessment must be submitted.

(4) A general assessment referred to in subsections (1) and (2) consists of a survey or other tool approved by the Competence Committee to assess a regulated member's

- (a) professional knowledge and skills,
- (b) communication skills,
- (c) practice management, and
- (d) professional ethics.

Continuing professional development

25(1) Every regulated member registered on a general register must undertake continuing professional development by

- (a) participating in a professional development program approved by the Council in accordance with the rules established under section 27,
- (b) keeping records, in a form satisfactory to the Registrar, of any activities undertaken for the purpose of continuing professional development, and
- (c) on the request of, and in accordance with the directions of, the Registrar, providing copies of the records referred to in clause (b).

(2) Regulated members registered on a provisional register, limited practice register or telemedicine register may be required by the Registrar or Competence Committee to fulfill the requirements of subsection (1) and when so required, must comply with all the requirements of subsection (1).

Competence assessment

26(1) The Competence Committee may, in accordance with the rules established under section 27, require a regulated member to undergo an assessment for the purpose of evaluating the regulated member's competence.

(2) For the purpose of an assessment under subsection (1), the Competence Committee may use one or more of the following processes:

- (a) practice visits;
- (b) examinations;
- (c) individualized assessments of professional competence that may include, but are not limited to, assessments of
 - (i) professional knowledge or skills,
 - (ii) communication skills,
 - (iii) mental and physical health,
 - (iv) professional ethics, and
 - (v) practice management;
- (d) interviews;
- (e) any other type of evaluation required by the Competence Committee.

Continuing competence program rules

27(1) The Council may establish rules governing

- (a) the assessments referred to in sections 24 and 26,
- (b) the professional development programs that may be approved for the purpose of section 25,
- (c) the assessment and approval of programs as substantially equivalent to the professional development programs approved by the Council,
- (d) the type of professional development activities that a regulated member may undertake for the purpose of section 25,
- (e) the records referred to in section 25(1)(b) and the provision of those records in accordance with the directions of the Registrar,

- (f) audits of a regulated member's records referred to in section 25(1)(b), or
 - (g) the requirements or circumstances when regulated members registered on a provisional register, limited practice register or telemedicine register may be required to participate in a professional development program under section 25.
- (2) The Registrar and the Competence Committee may recommend rules or amendments to the rules to the Council.
- (3) Before the Council establishes any rules or amendments to the rules, the rules or the amendments to the rules must be made available to all regulated members for their review.
- (4) The Council may establish the rules or amendments to the rules 30 or more days after they are made available under subsection (3) and after having considered any comments received on the proposed rules or proposed amendments to the rules.

Rule distribution

28 The rules and any amendments to the rules established under section 27(4) must be made available by the College to all regulated members and, in printed or electronic form, on request to the Minister, regional health authorities and any person who requests them.

Actions to be taken

29 If the results of a general assessment under section 24 or of a competence assessment under section 26 are unsatisfactory, the Competence Committee or Registrar may require a regulated member to undertake remedial action, including, but not limited to, the following:

- (a) successful completion of continuing competence program requirements or professional development activities;
- (b) successful completion of any examinations, testing, assessment, training, education or treatment to enhance competence in specified areas;
- (c) to practise under the supervision of another regulated member;
- (d) limitation of practice to specified procedures or practice settings;

- (e) to report to the Competence Committee or Registrar on specified matters on specified dates;
- (f) correction of any problems identified in the practice visit;
- (g) demonstration of competence gained in a specific area.

Members responsible for costs

30 A regulated member is responsible for the costs of

- (a) an assessment under section 26, and
- (b) any action that the regulated member must undertake in response to a direction by the Competence Committee or Registrar under section 29.

Practice Permit**Applying for renewal**

31 Regulated members applying for renewal of their practice permit must

- (a) continue to meet any requirement for a sponsorship agreement that applies under section 6(4)(f) and 7,
- (b) continue to meet the requirements set out in sections 13 to 16, and
- (c) meet the requirements of the continuing competence program.

Practice permit conditions

32 The Registrar may impose conditions on a practice permit, which may include, but are not limited to, the following:

- (a) completing any examinations, testing, assessment, counselling, training or education as considered necessary by the Registrar or the Competence Committee;
- (b) limiting a member's practice to specified professional services, restricted activities or practice settings;
- (c) limiting a practice permit to a specified purpose and time;
- (d) practising under the supervision of another regulated member for the period of time considered necessary by the Registrar;

- (e) reporting to the Registrar on specified matters on specified dates.

Alternative Complaint Resolution

Process conductor

33 When a complainant and an investigated person have agreed to enter into an alternative complaint resolution process, the Complaints Director must appoint a person in accordance with section 58(2) and (3) of the Act to conduct the alternative complaint resolution process.

Agreement

34 The person conducting the alternative complaint resolution process must, in accordance with Division 2 of Part 4 of the Act and any Regulations that apply, and in consultation with the complainant and the investigated person, establish the procedures for and objectives of the alternative complaint resolution process, which must be set out in writing and signed by the complainant, the investigated person and a representative of the College.

Confidentiality

35 The complainant and the investigated person must, subject to sections 59 and 60 of the Act, agree to treat all information shared during the process as confidential.

Leaving the process

36 The complainant or the investigated person may withdraw from the alternative complaint resolution process at any time.

Reinstatement

Application for reinstatement

37(1) A person whose registration and practice permit have been cancelled under Part 4 of the Act may apply in writing to the Registrar to have the registration reinstated and the practice permit reissued.

(2) An application under subsection (1) must

- (a) not be made earlier than 3 years after the date of the cancellation, and
- (b) not be made more frequently than once in each year following a refusal of an application under section 39(a).

(3) An applicant under subsection (1) must provide evidence of the applicant's qualifications for registration.

Consideration of application

38(1) An application under section 37 must be considered by the Registrar in accordance with the application for registration process set out in sections 28 to 30 of the Act.

(2) When reviewing an application in accordance with subsection (1), the Registrar must consider

- (a) the record of the hearing at which the applicant's registration and practice permit were cancelled, and
- (b) whether the applicant
 - (i) meets the current requirements for registration,
 - (ii) has met any conditions imposed under Part 4 of the Act before the applicant's registration and practice permit were cancelled,
 - (iii) is fit to practise medicine, osteopathy or physician assisting, and
 - (iv) does not pose a risk to public safety or to the integrity of the profession.

Decision

39 The Registrar may, on completing the review of an application in accordance with section 38, issue a written decision containing one or more of the following orders:

- (a) an order refusing the application;
- (b) an order approving the application;
- (c) an order to defer the reinstatement of the applicant until the applicant has complied with conditions imposed by the Registrar.

Review of decision

40(1) An applicant whose application is refused or whose application for reinstatement is deferred under section 39 may, within 30 days of receipt of the decision, request a review of the decision by the Council.

- (l) the member or applicant's services provided or proposed that require approval in accordance with the Standards of Practice or the Bylaws;
 - (m) the names of other jurisdictions in which the member or applicant is registered as a physician, surgeon, osteopath or physician assistant;
 - (n) any other regulated health profession in which the member or an applicant is registered and whether the member or the applicant is a practising member of that profession;
 - (o) a recent photo of the member or applicant, which must be of a size and quality similar to that required for a Canadian passport;
 - (p) in the case of a physician, surgeon or osteopath, the name and business mailing address of any physician assistant that the member is supervising;
 - (q) in the case of a physician assistant, the name and business mailing address of the supervising physician, surgeon or osteopath.
- (2) If a physician, surgeon or osteopath intends to close an office practice, the physician, surgeon or osteopath must provide to the Registrar the date by which the physician, surgeon or osteopath proposes to close the office practice.

Disclosure of information

43 The College may, under sections 34(2) and 135.92(2) of the Act, as applicable, disclose the following information concerning its regulated members to members of the public in order to support its practitioner search function on the College's website:

- (a) the full name of a regulated member and any name or names that the regulated member uses or has used in the regulated member's practice;
- (b) a regulated member's business mailing address, email address, telephone number and fax number;
- (c) the regulated member's practice locations;
- (d) degrees and other qualifications obtained by a regulated member, including specialization;
- (e) the most recent school of graduation of a regulated member;

- (f) the most recent year of graduation of a regulated member;
- (g) the gender of a regulated member;
- (h) the languages in which a regulated member can provide professional services;
- (i) whether a member's registration is restricted to a period of time and, if so, the period of time;
- (j) the status of a member's practice permit, including whether it is suspended or cancelled;
- (k) a member's practice specialization recognized by the College;
- (l) whether a member is authorized to provide a restricted activity not normally provided by regulated members of the College;
- (m) whether a member is not authorized to provide a restricted activity that is normally provided by regulated members of the College;
- (n) a copy of any decision made of unprofessional conduct by a hearing tribunal, council or court based in whole or in part on sexual abuse or sexual misconduct, including any orders made under section 82 of the Act;
- (o) whether a regulated member's practice permit has been suspended or cancelled as a result of a decision of unprofessional conduct based in whole or in part on sexual abuse or sexual misconduct;
- (p) in accordance with section 135.92(2)(g) of the Act, any conditions placed on a regulated member's practice permit as a result of a decision of unprofessional conduct based in whole or in part on sexual misconduct and details respecting those conditions;
- (q) in the case of a physician, surgeon or osteopath, the name, business mailing address and practice locations of any physician assistant that the member is supervising;
- (r) in the case of a physician assistant, the name, business mailing address and practice locations of the supervising physician, surgeon or osteopath.

Section 119 information

44 The periods of time during which the College is required to provide information under section 119(4) of the Act to a member of the public are as follows:

- (a) information referred to in section 33(3) of the Act entered in a register for a regulated member, except for the information referred to in section 33(3)(h) of the Act, while the named regulated member is registered as a member of the College;
- (b) information referred to in section 119(1) of the Act respecting
 - (i) the suspension of a regulated member's practice permit, while the suspension is in effect and for 2 years after the period of suspension has expired,
 - (ii) the cancellation of a regulated member's practice permit, for 2 years after the cancellation,
 - (iii) the conditions imposed on a regulated member's practice permit, while the conditions are in effect,
 - (iv) the directions made that a regulated member cease providing professional services, while the directions are in effect, and
 - (v) the imposition of a caution, reprimand or fine under Part 4 of the Act, for 2 years after the imposition of the caution, reprimand or fine;
- (c) information as to whether a hearing is scheduled to be held under Part 4 of the Act with respect to a named regulated member, until the hearing is concluded;
- (d) information respecting
 - (i) whether a hearing has been held under Part 4 of the Act with respect to a named regulated member, for 10 years from the date the hearing is concluded, and
 - (ii) a decision and a record of the hearing referred to in section 85(3) of the Act of a hearing held under Part 4 of the Act, for 10 years after the date the hearing tribunal of the College rendered its decision.

**Transitional Provision, Repeal
and Coming into Force**

Transitional

45 On the coming into force of this Regulation, a registered member described in section 15 of Schedule 21 to the Act is deemed to be entered on the regulated members register in the register category that the Registrar considers appropriate.

Repeal

46 The *Physicians, Surgeons and Osteopaths Profession Regulation (AR 350/2009)* is repealed.

Coming into force

47 This Regulation has effect on April 1, 2021.



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