



Province of Alberta

HEALTH PROFESSIONS ACT

**PHYSICAL THERAPISTS  
PROFESSION REGULATION**

**Alberta Regulation 64/2011**

Extract

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**ALBERTA REGULATION 64/2011**

**Health Professions Act**

**PHYSICAL THERAPISTS PROFESSION REGULATION**

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**Definitions**

1 In this Regulation,

- (a) “Act” means the *Health Professions Act*;
- (b) “College” means the College of Physical Therapists of Alberta;
- (c) “Competence Committee” means the competence committee of the College;
- (d) “Complaints Director” means the complaints director of the College;
- (e) “Council” means the council of the College;
- (f) “courtesy register” means the courtesy register category of the regulated members register;

- (g) “general register” means the general register category of the regulated members register;
- (h) “provisional register” means the provisional register category of the regulated members register;
- (i) “Registrar” means the registrar of the College;
- (j) “registration year” means the period of time between 2 successive dates established in the bylaws made under section 132 of the Act by which a regulated member is required to apply for the renewal of a practice permit;
- (k) “Reinstatement Review Committee” means the reinstatement review committee of the College.

#### **Register categories**

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

- (a) general register;
- (b) provisional register;
- (c) courtesy register.

### **Registration**

#### **General register**

**3** An applicant for registration as a regulated member on the general register must

- (a) have obtained a minimum of a baccalaureate degree from a physical therapy program approved by the Council,
- (b) have successfully completed a written knowledge-based examination approved by the Council, and
- (c) have successfully completed a clinical competency examination approved by the Council.

#### **Current qualifications**

**4(1)** An applicant for registration under section 3 must have met the requirements set out in that section within the 3 years immediately preceding the date the Registrar receives a complete application, or

- (a) in the 5 years immediately preceding the date the Registrar receives the complete application, have been engaged in the practice of physical therapy for at least 1200 hours, or
  - (b) demonstrate to the satisfaction of the Registrar that the applicant is currently competent to practise as a physical therapist.
- (2) For the purpose of subsection (1)(b), the Registrar may require an applicant to do one or more of the following:
- (a) successfully complete coursework and examinations;
  - (b) undergo an evaluation of competencies;
  - (c) successfully complete additional clinical training.
- (3) For the purpose of subsection (2), the Registrar may register an applicant on the provisional register.

**Equivalent jurisdiction**

**5** An applicant for registration as a regulated member who is currently registered in good standing in another jurisdiction recognized by the Council under section 28(2)(b) of the Act as having substantially equivalent registration requirements to those set out in sections 3 and 4 may be registered on the general register.

**Substantial equivalence**

**6(1)** An applicant for registration who does not meet the requirements under sections 3 and 4 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 set out in sections 3 and 4 may be registered on the general register.

(2) To assist with determining whether or not an applicant's qualifications are substantially equivalent under subsection (1), the Registrar may

- (a) engage the services of experts and other resources, and
- (b) require the applicant to undergo an examination, testing or an assessment activity.

(3) The Registrar may require an applicant to undergo any education or training activities the Registrar may consider necessary in order for the applicant to be registered.

(4) The Registrar may require an applicant to pay all costs incurred under this section.

#### **Provisional register**

**7(1)** An applicant for registration as a regulated member on the general register may be registered on the provisional register if the applicant

- (a) has fulfilled the registration requirements set out in section 3(a) and (b) but has not fulfilled the requirements set out in section 3(c),
- (b) is qualified to practise physical therapy in another jurisdiction and the applicant's competencies are being assessed by the Registrar in accordance with section 6, or
- (c) is enrolled in a program of academic or experiential upgrading as directed by the Registrar for the purpose of completing the requirements set out in section 4.

(2) A regulated member registered on the provisional register may practise only under the supervision of a regulated member registered on the general register or courtesy register.

(3) If an applicant fails the examination referred to in section 3(c) a second time, the applicant's registration is cancelled.

(4) A registration on the provisional register is valid for a period not to exceed 2 years.

(5) Despite subsections (3) and (4), the Registrar may extend a registration on the provisional register if the Registrar is of the opinion that extenuating circumstances exist.

#### **Courtesy register**

**8(1)** A person who applies for registration in Alberta on a temporary basis for a specified purpose approved by the Registrar may be registered on the courtesy register if that person

- (a) is registered as a physical therapist in good standing in another jurisdiction, and
- (b) satisfies the Registrar of that person's competence to provide the services related to the approved purpose.

(2) Where a person is registered on the courtesy register, the registration is

- (a) for the purpose approved by the Registrar, and

- (b) for a term not to exceed one year, as specified by the Registrar.

**(3)** A person who is registered on the courtesy register must remain registered and in good standing in the jurisdiction in which the person was registered at the time of the person's application for registration on the courtesy register.

**Good character, reputation**

**9(1)** An applicant for registration as a regulated member must provide evidence of having good character and reputation by submitting one or more of the following on the request of the Registrar:

- (a) if applicable, a written reference satisfactory to the Registrar from another jurisdiction in which the applicant is or was registered;
- (b) a written statement by the applicant
  - (i) as to whether the applicant is currently undergoing an investigation or is subject to an unprofessional conduct process or has previously been disciplined by another regulatory body responsible for the regulation of physical therapists or of another profession,
  - (ii) as to whether the applicant has ever 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, and
  - (iii) stating that all information in the application is true to the best of the applicant's knowledge;
- (c) the results of a current criminal records check;
- (d) any other relevant evidence as required by the Registrar.

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

**English language requirements**

**10(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 physical therapy.

**(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.

**Liability insurance**

**11(1)** An applicant for registration as a regulated member must provide evidence of having the type and amount of professional liability insurance required by the Council.

**(2)** The Council may set the amount and type of insurance required based on the category of register on which the applicant is registered.

**Titles****Authorization to use titles, etc.**

**12(1)** Regulated members registered on the general register or courtesy register may use the following titles and initials:

- (a) physical therapist;
- (b) physiotherapist;
- (c) P.T.

**(2)** Regulated members registered on the provisional register may use the titles physical therapist intern and physiotherapist intern.

**(3)** A regulated member who has earned a doctorate degree in a physical therapy program approved by the Council or a doctorate degree in a related area approved by the Council may use the title doctor or the abbreviation Dr. in connection with the practice of physical therapy.

**(4)** A regulated member registered on the general register or courtesy register may use the title specialist if the regulated member

- (a) meets the requirements established by the Council for the use of the title specialist, and
- (b) is authorized by the Registrar to use that title.

### Restricted Activities

#### Basic authorized activities

**13** A regulated member may, in the practice of physical therapy 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 other invasive procedures on body tissue below the dermis or the mucous membrane for the purpose of wound debridement and care;
- (b) to insert or remove instruments, devices or fingers
  - (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 labia majora,
  - (v) beyond the anal verge, or
  - (vi) into an artificial opening into the body;
- (c) to reduce a dislocation of a joint.

#### Other authorized activities

**14** Only a regulated member

- (a) who is registered on the general register or on the courtesy register,
- (b) who has provided evidence to the Registrar of having the competencies required to perform the restricted activities described in clauses (d) to (h), and
- (c) who has received notification from the Registrar that the authorization is indicated on the general register or on the courtesy register, as the case may be,

may, in the practice of physical therapy and in accordance with the standards of practice, perform the following restricted activities:

- (d) to cut a body tissue or to perform other invasive procedures on body tissue below the dermis or the mucous membrane for the purpose of needle acupuncture;

- (e) to cut a body tissue, to administer anything by an invasive procedure on body tissue or to perform other invasive procedures on body tissue below the dermis or the mucous membrane for the purpose of intramuscular stimulation and biofeedback;
- (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 order a form of ionizing radiation in medical radiography, limited to x-rays only;
- (h) to order non-ionizing radiation in
  - (i) magnetic resonance imaging, and
  - (ii) ultrasound imaging.

#### **Restriction**

**15(1)** Despite any authorization to perform restricted activities, regulated members must restrict themselves in performing restricted activities to those activities that they are competent to perform and to those that are appropriate to the member's area of practice and the procedure being performed.

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

#### **Regulated members, students, supervision**

**16(1)** A regulated member registered on the provisional register is permitted to perform those restricted activities described in section 13 only with the consent of and under the supervision of a regulated member registered on the general register or the courtesy register.

**(2)** A regulated member registered on the general register who is learning to perform a restricted activity referred to in section 14 is permitted to perform the restricted activities described in that section with the consent of and under the supervision of a regulated member registered on the general register or the courtesy register who is authorized to perform the restricted activities described in section 14 pursuant to section 14(b) and (c).

**(3)** A student who is enrolled in a physical therapy program approved by the Council is permitted to perform those restricted activities described in section 13 or 14 that are part of the student's program of study with the consent of and under the supervision of a

regulated member registered on the general register or the courtesy register who is authorized to perform the restricted activity that is being performed by the student.

**(4)** A student who is enrolled in a health services program of studies approved by the council of another college under the Act that includes studies related to the restricted activities described in section 13 or 14 is permitted to perform those restricted activities that are part of the student's program of study with the consent of and under the supervision of a regulated member registered on the general register or the courtesy register who is authorized to perform the restricted activity that is being performed by the student.

**(5)** A regulated member who consents to supervise under subsections (1) to (4) must

- (a) be authorized to perform the restricted activity that is being supervised,
- (b) be present or on-site while the regulated member or the student is performing the restricted activity, and
- (c) be able to observe and promptly intervene to stop or change the actions of the regulated member or the student who is under supervision.

### **Continuing Competence**

#### **Continuing competence program**

**17** The continuing competence program of the College comprises

- (a) competence development,
- (b) competence assessment, and
- (c) practice visits.

#### **Competence development**

**18(1)** As part of the continuing competence program, a regulated member registered on the general register must, in each registration year,

- (a) complete a reflective practice review in a form satisfactory to the Competence Committee, and
- (b) engage in continuing professional development activities required by the rules under section 21.

- (2) A reflective practice review includes
- (a) a self-assessment of the member's own practice against competencies or standards of practice adopted by the Council or any other criteria approved by the Council,
  - (b) the development and implementation of a written learning plan that follows from the member's self-assessment of the member's practice under clause (a), and
  - (c) a written self-evaluation of the results of the learning plan referred to in clause (b).
- (3) Each regulated member must
- (a) undertake learning activities pursuant to the member's learning plan, and
  - (b) complete the requirements for continuing professional development required by the rules under section 21.
- (4) In accordance with the rules established under section 21, each regulated member must
- (a) keep records, in a form satisfactory to the Competence Committee, of the activities that the regulated member undertakes in any one-year period for the purpose of continuing competence development for a period of 5 years, and
  - (b) provide, on the request of and in accordance with the directions of the Competence Committee, copies of the records referred to in clause (a).

#### **Competence assessment**

**19(1)** The Competence Committee may, in accordance with the rules established under section 21, require a regulated member registered on the general register to undergo an assessment for the purpose of evaluating the member's continuing competence.

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

- (a) examinations;
- (b) evaluation of the records referred to in section 18(4)(a);
- (c) interviews;

- (d) any other type of evaluation required by the Competence Committee.

**Practice visits**

**20** The Competence Committee is authorized to carry out practice visits and may, for the purpose of assessing continuing competence, select individual regulated members or a group of regulated members for practice visits in accordance with the rules established under section 21.

**Program rules**

**21(1)** The Council may establish rules governing the operation of the continuing competence program, including, but not limited to, the following:

- (a) the requirements of a reflective practice review;
- (b) the records referred to in section 18(4)(a) and providing the records in accordance with the directions of the Competence Committee;
- (c) audits of a regulated member's records referred to in section 18(4)(a);
- (d) the requirements for continuing professional development;
- (e) how competence assessments are to be conducted;
- (f) the selection of regulated members for competence assessments;
- (g) respecting the minimum acceptable performance level for competence assessments;
- (h) how practice visits are to be conducted;
- (i) the selection of regulated members for practice visits;
- (j) respecting the minimum acceptable performance level for practice visits.

**(2)** Before the Council establishes any rules or amendments to the rules, the proposed rules or proposed amendments to the rules must be distributed by the Registrar to all regulated members for their review.

**(3)** The Council may establish the rules or amendments to the rules 30 or more days after their distribution under subsection (2) and

after having considered any comments received on the proposed rules or proposed amendments to the rules.

**Rule distribution**

**22** The rules and any amendments to the rules established under section 21 must be made available by the College to all regulated members and, on request, in printed form to the Minister, regional health authorities and any person who requests them.

**Actions to be taken**

**23** If a review of the records referred to in section 18(4)(a), a competence assessment under section 19 or a practice visit under section 20 is unsatisfactory or a regulated member fails to comply with the rules under section 21, the Competence Committee may direct a regulated member to undertake one or more of the following actions within the time period, if any, specified by the Competence Committee:

- (a) successful completion of continuing competence program requirements;
- (b) successful completion of any examinations, testing, assessment, training, education or counselling 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 on specified matters on specified dates;
- (f) to refrain from supervising persons engaged in the practice of physical therapy;
- (g) correction of any problems identified in the practice visit;
- (h) demonstration of competence gained in a specified area.

**Member responsible for costs**

**24** Any action that a regulated member must undertake in response to a direction by the Competence Committee under section 23 is undertaken at the cost of the member.

## Practice Permit

### Renewal requirements

**25** A regulated member applying for the renewal of the member's practice permit must provide evidence satisfactory to the Registrar of

- (a) having met the continuing competence program requirements,
- (b) continuing to meet the requirements set out in sections 9(1)(b) and 11, and
- (c) meeting at least one of the following:
  - (i) having met the requirements of section 3 in the previous 3 years;
  - (ii) in the 5 years immediately preceding an application for renewal, having been engaged in the practice of physical therapy for at least 1200 hours;
  - (iii) demonstrating to the satisfaction of the Registrar that the member is currently competent to practise as a physical therapist.

### Conditions

**26** When issuing a practice permit, the Registrar may impose conditions, including, but not limited to, the following:

- (a) practising under supervision;
- (b) limiting the practice to specified professional services or to specified areas of the practice of physical therapy;
- (c) refraining from performing specified restricted activities.

## Alternative Complaint Resolution

### Process conductor

**27** When a complainant and an investigated person have agreed to enter into an alternative complaint resolution process, the Complaints Director must appoint an individual to conduct the alternative complaint resolution process.

### Agreement

**28** The person conducting the alternative complaint resolution process must, 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 the representative of the College.

#### **Confidentiality**

**29** 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**

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

### **Reinstatement**

#### **Reinstatement application**

**31(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 2 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 33(a).

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

**(4)** An applicant under subsection (1) must pay any outstanding fees, costs or penalties before the Reinstatement Review Committee considers the application.

#### **Consideration of application**

**32(1)** An application under section 31 must be considered by the Reinstatement Review Committee 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 Reinstatement Review Committee 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, and
  - (iii) is fit to practise physical therapy and does not pose a risk to public safety.

#### **Decision**

**33** The Reinstatement Review Committee may, on completing a review under section 32, issue a written decision containing one or more of the following orders:

- (a) an order refusing the application;
- (b) an order directing the Registrar to reinstate the person's registration and to reissue the person's practice permit;
- (c) an order to impose specified conditions on the person's practice permit;
- (d) an order directing the applicant to pay any or all of the College's expenses incurred in respect of the application as provided for in the bylaws;
- (e) any order that the Reinstatement Review Committee considers necessary for the protection of the public.

#### **Review of decision**

**34(1)** An applicant whose application for reinstatement is refused or on whose practice permit conditions have been imposed under section 33 may request a review by the Council.

**(2)** Sections 31 and 32 of the Act apply to a review under subsection (1).

#### **Access to decision**

**35(1)** The Reinstatement Review Committee, under section 33, and the Council, under section 34, may order that its decision be published in a manner it considers appropriate.

(2) The College must make the decisions under sections 33 and 34 available for 5 years to the public on request.

### Information

#### Information to be provided

**36(1)** A regulated member or an applicant for registration must provide the following information, in addition to that required under section 33(3) of the Act, to the Registrar on the request of the Registrar, on application for registration and when there are any changes to the information:

- (a) home and business mailing addresses, e-mail addresses, telephone numbers and fax numbers;
- (b) full legal name and, if applicable, previous names and aliases;
- (c) date of birth and gender;
- (d) job title or position description;
- (e) employment status and hours worked;
- (f) employer information, including name, address, telephone number, fax number, e-mail address and the location where services are delivered;
- (g) areas of practice or specialties;
- (h) the restricted activities performed by a regulated member;
- (i) if a regulated member is registered on the provisional register, the name of the supervising regulated member;
- (j) date of completion of the written knowledge-based examination and of the clinical competency examination;
- (k) degrees and other qualifications, including school of education, year of graduation and supporting documentation;
- (l) any other college of a profession that provides health services in which a regulated member or an applicant for registration is registered and whether the regulated member or the applicant for registration is a practising member of that college;
- (m) languages in which a regulated member or an applicant for registration can provide professional services;

(n) passport-type photo.

**(2)** A regulated member must inform the Registrar of any change to the information provided under subsection (1) within 30 days of the change occurring.

**(3)** Subject to section 34(1) of the Act, the College may disclose the information collected under subsection (1)

- (a) with the consent of the regulated member whose information it is, or
- (b) in a summarized or statistical form so that it is not possible to relate the information to any particular identifiable person.

#### **Disclosure of information**

**37** The College may, under section 34(2) of the Act, disclose the following information concerning its regulated members to members of the public in order to support its physical therapist search function on the College's website:

- (a) name or names that a regulated member uses or has used in his or her practice;
- (b) a regulated member's employment information, including business name, mailing address, telephone number, fax number and e-mail address;
- (c) degrees and other qualifications obtained by a regulated member, including area of practice and specialization;
- (d) school of graduation;
- (e) gender of a regulated member;
- (f) languages in which a regulated member can provide professional services.

#### **Section 119 information**

**38** 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,
  - (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 reprimand or fine under Part 4 of the Act, for 2 years after the imposition of the 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 2 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 2 years after the date the hearing tribunal of the College rendered its decision.

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

#### **Transitional provision**

**39** On the coming into force of this Regulation, a person described in section 6 of Schedule 20 to the Act is deemed to be entered on the regulated members register in the register category that the Registrar considers appropriate.

#### **Repeal**

**40** The *General Regulation* (AR 298/85) is repealed.

**Coming into force**

**41** This Regulation comes into force on the coming into force of Schedule 20 to the *Health Professions Act*.





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