



Province of Alberta

HEALTH PROFESSIONS ACT

**PODIATRISTS PROFESSION
REGULATION**

Alberta Regulation 60/2012

Extract

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ALBERTA REGULATION 60/2012

Health Professions Act

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- (a) “Act” means the *Health Professions Act*;
- (b) “active practice” means providing services or restricted activities referred to in section 3(a) and (c) of Schedule 21.1 to the Act to individuals other than family members on an ongoing and regular basis or engaging in activities referred to in section 3(b) of that Schedule on an ongoing and regular basis;
- (c) “College” means the College of Podiatric Physicians of Alberta;
- (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 Committee” means the registration 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(1) An applicant for registration as a regulated member on the general register must

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

(2) An applicant must

- (a) have completed the requirements set out in subsection (1) within the 3 years immediately preceding the date the Registrar receives a complete application, or
- (b) demonstrate to the satisfaction of the Registrar or Registration Committee that the applicant is currently competent to practise as a podiatrist.

(3) For the purposes of subsection (2)(b), the Registrar or Registration Committee may require an applicant to undergo any examination, testing, assessment, training or education that the Registrar or Registration Committee considers necessary.

Equivalent jurisdiction

4 An applicant for registration as a regulated member on the general register 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 the registration requirements set out in section 3 may be registered on the general register.

Substantial equivalence

5(1) An applicant for registration as a regulated member on the general register who does not meet the registration requirements set out in section 3 but whose qualifications have been determined by the Registrar or Registration Committee under section 28(2)(c) of the Act to be substantially equivalent to the registration requirements set out in section 3 may be registered on the 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 or Registration Committee considers necessary to assist with the determination.

(3) For the 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 or Registration Committee 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 or Registration Committee considers necessary in order to assess an application under this section.

Provisional register

6(1) Subject to subsection (2), an applicant for registration as a regulated member may be registered on the provisional register if the applicant has successfully completed all the requirements for the granting of a podiatric medical degree from a program approved by the Council and

- (a) has not passed the registration examination approved by the Council,
- (b) is enrolled in a program of residence 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) Every regulated member registered on the provisional register must practise under the supervision of a regulated member registered on the general register or under the supervision of another regulated health professional approved by the Registrar.
- (3) A registration on the provisional register may not exceed 3 years.
- (4) The Registrar may extend a registration on the provisional register if the Registrar is of the opinion that extenuating circumstances exist.
- (5) If a regulated member registered on the 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 general register.

Courtesy register

- 7(1) An applicant who is registered as a podiatrist in good standing in another jurisdiction and who applies for registration in Alberta on a temporary basis for a specified purpose approved by the Registrar and who satisfies the Registrar of the person's competence to provide the services related to the specified purpose may be registered on the courtesy register for a period of time approved by the Registrar.
- (2) It is a condition of registration on the courtesy 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 courtesy register, and if the registration in the other jurisdiction is suspended or cancelled, the courtesy registration is cancelled.
- (3) A registration on the courtesy register under this section may not exceed one year.

Good character and reputation

- 8(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 previously been disciplined by another regulatory body responsible for the regulation of podiatrists or of another profession;
- (b) a written statement by the applicant as to whether an application for registration 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 with, pleaded guilty to or 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, if convicted, has not been pardoned;
- (e) any other relevant written 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 of rehabilitation to the Registrar.

(4) The Registrar may also consider information other than that provided by the applicant in determining whether the applicant is of a 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.

English language requirements

9(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 podiatry.

(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

10 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.

Citizenship

11 An applicant for registration as a regulated member must provide proof of Canadian citizenship or proof of having been lawfully admitted to and being entitled to work in Canada.

CPR certification

12 An applicant for registration as a regulated member is required to provide evidence of current cardiopulmonary resuscitation certification at a level required by the Council.

Fitness to practise

13 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.

Titles and Abbreviations**Authorization to use titles**

14(1) A regulated member registered on the general register or courtesy register may use the following titles, abbreviations and initials:

- (a) podiatrist;
- (b) podiatric surgeon;
- (c) doctor of podiatric medicine;
- (d) podiatric physician;
- (e) D.P.M.;
- (f) doctor;
- (g) Dr.

(2) A regulated member registered on the provisional register may use the following titles, abbreviations and initials:

- (a) podiatrist;
- (b) doctor of podiatric medicine;

- (c) podiatric physician;
- (d) D.P.M.;
- (e) doctor;
- (f) Dr.

(3) 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

Restricted activities

15(1) A regulated member registered on the general register, courtesy register or provisional register may, in the practice of podiatry and in accordance with the standards of practice, perform the following restricted activities for the purpose of diagnosing and treating ailments, diseases, deformities and injuries of the human foot and ankle:

- (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;
- (b) to set or reset a fracture of a bone;
- (c) to reduce a dislocation of a joint;
- (d) to prescribe a Schedule 1 drug within the meaning of the *Pharmacy and Drug Act*;
- (e) to dispense, compound, provide for selling or sell, incidentally to the practice of podiatry, a Schedule 1 drug or Schedule 2 drug within the meaning of the *Pharmacy and Drug Act*;
- (f) to administer a vaccine;
- (g) to prescribe or administer nitrous oxide gas for the purposes of anaesthesia or sedation;
- (h) to order any form of ionizing radiation in medical radiography and nuclear medicine;

- (i) to apply any form of ionizing radiation in medical radiography;
- (j) to order any form of non-ionizing radiation in magnetic resonance imaging or ultrasound imaging;
- (k) subject to subsection (2), to apply any form of non-ionizing radiation in ultrasound imaging.

(2) No regulated member shall perform the restricted activity described in subsection (1)(k) in respect of a fetus.

Self-restriction

16(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 regulated 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.

Students, supervision

17(1) A student who is enrolled in a program of podiatric studies approved by the Council is, within the program, permitted to perform the restricted activities described in section 15 with the consent of and under the supervision of a regulated member.

(2) A student who is enrolled in a post-secondary program of studies approved by the council of another college under the Act that includes studies related to restricted activities described in section 15 is permitted to perform those restricted activities with the consent of and under the supervision of a regulated member.

(3) The supervising regulated member who consents to supervise a student under subsection (1) or subsection (2) must

- (a) be authorized to perform the restricted activity being performed,
- (b) obtain approval as a preceptor from the Registrar in accordance with the requirements set by the Council,
- (c) supervise by being physically present and available to assist the student, and
- (d) comply with the standards of practice governing the provision of supervision by regulated members of persons

performing restricted activities pursuant to section 4(1)(b) of Schedule 7.1 to the *Government Organization Act*.

Other non-regulated persons, supervision

18(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 the following restricted activities, but only if that person is providing health services to another person and has the consent of, and is being supervised in accordance with subsection (2) by, a regulated member while performing a restricted activity:

- (a) to cut a body tissue or administer anything by an invasive procedure on body tissue;
- (b) to set or reset a fracture of a bone;
- (c) to reduce a dislocation of a joint;
- (d) to apply any form of ionizing radiation in medical radiography.

(2) When a regulated member supervises a person referred to in subsection (1) performing a restricted activity, the regulated member must

- (a) be authorized to perform the restricted activity being performed,
- (b) 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,
- (c) supervise the person who is performing the restricted activity by being on site and readily available for consultation by the person who is under supervision, and
- (d) comply with the standards of practice governing the provision of supervision by regulated members of persons performing restricted activities pursuant to section 4(1)(b) of Schedule 7.1 to the *Government Organization Act*.

(3) Despite subsection (2), if the supervising regulated member is satisfied that the person performing the restricted activity can do so competently and safely, the regulated member is not required to be on site but must be available for consultation.

Practice Permit

Renewal requirements

19(1) Sections 8 to 13 apply in respect of an application by a regulated member to renew the member's practice permit.

(2) A regulated member applying for renewal of the member's practice permit must provide evidence satisfactory to the Registrar of carrying on an active practice.

Practice permit conditions

20 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 Registration Committee;
- (b) limiting a member's practice to specified professional services, restricted activities or practice settings;
- (c) practising under the supervision of another regulated member for the period of time considered necessary by the Registrar;
- (d) reporting to the Registrar on specified matters on specified dates.

Alternative Complaint Resolution

Process conductor

21 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

22 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

23 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

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

Reinstatement**Application for reinstatement**

25(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 12-month period following a refusal of an application under section 27(1)(a).

(3) An applicant under subsection (1) must provide evidence to the Registrar of

- (a) the relevant professional or personal actions that the applicant has taken since the cancellation, and
- (b) the applicant's qualifications for registration.

Consideration of application

26(1) An application under section 25 must be considered by the Registration Committee in accordance with the application for registration process set out in sections 28 to 30 of the Act.

(2) When considering an application under section 25, the Registration 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 podiatry and does not pose a risk to public safety or to the integrity of the profession.

Decision

27(1) The Registration Committee may, after considering an application in accordance with section 26, issue a written decision containing one or more of the following orders:

- (a) an order refusing the application;
- (b) an order approving the application and directing the Registrar to reinstate the applicant's registration and reissue the applicant's practice permit;
- (c) an order approving the application subject to the applicant complying with specified conditions imposed by the Registration Committee and directing the Registrar to reinstate the applicant's registration and reissue the applicant's practice permit on being satisfied that the applicant has complied with the specified conditions;
- (d) an order to impose specified conditions on the applicant's practice permit;
- (e) 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;
- (f) any order that the Registration Committee considers necessary for the protection of the public.

(2) If the Registration Committee makes an order under subsection (1)(a), (c), (d), (e) or (f), the Registration Committee must include the reasons for the order in its written decision.

(3) On making a decision under subsection (1), the Registration Committee must provide the written decision to the Registrar.

(4) On receiving a written decision under subsection (3), the Registrar must

- (a) give a copy of the written decision to the applicant, and
- (b) if the Registration Committee has made an order under subsection (1)(a), (c), (d), (e) or (f), notify the applicant

that the applicant may request a review by the Council of that decision.

Review of decision

28(1) An applicant in respect of whom an order is made under section 27(1)(a), (c), (d), (e) or (f) may, within 30 days of receipt of a copy of the written decision, request a review by the Council of that decision.

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

Access to decision

29(1) The Registration Committee, under section 27, and the Council, under section 28, may order that its decision be published in a manner it considers appropriate.

(2) The College must make a decision under section 27 or 28 available for 2 years to the public on request.

Information

Providing information

30(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 changes to the information:

- (a) home address;
- (b) business mailing address, telephone number, fax number and e-mail address;
- (c) emergency contact address, telephone number and e-mail address;
- (d) full legal name and, if applicable, previous names or aliases;
- (e) degrees and other qualifications, including specialization;
- (f) school of graduation;
- (g) year of graduation;
- (h) languages in which a regulated member or an applicant for registration can provide professional services;

- (i) date of birth;
 - (j) gender;
 - (k) names of other jurisdictions in which the member is registered as a podiatrist;
 - (l) whether the member is registered with any other college of a regulated health profession and whether the member is a practising member of that college;
 - (m) a recent passport photo.
- (2)** If a regulated member intends to close an office practice, the regulated member must provide to the Registrar the date by which the regulated member proposes to close the office practice.
- (3)** If a regulated member's practice involves any transplantation of human tissue, the regulated member must provide to the Registrar the name and address of the facility and the type of transplantation that may take place in that facility.

Disclosure of information

31 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 podiatric physician 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 business mailing address, telephone number and fax number;
- (c) degrees and other qualifications obtained by a regulated member, including specialization;
- (d) languages in which a regulated member can provide professional services.

Section 119 information

32 The periods of time during which the Council 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 5 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, for 5 years after the date the hearing tribunal of the College rendered its decision.

Transitional Provision, Repeals and Coming into Force

Transitional

33 On the coming into force of this Regulation, a person described in section 6 of Schedule 21.1 to the Act is deemed to be entered on the regulated members register in the register category that the Registrar considers appropriate.

Repeals

34 The following regulations are repealed:

- (a) *By-laws of the Alberta Podiatry Association* (AR 195/65);
- (b) *Drugs, Chemicals and Compounds Regulation* (AR 21/99).

Coming into force

35 This Regulation comes into force on the coming into force of Schedule 21.1 to the *Health Professions Act*.



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