



Province of Alberta

## HEALTH PROFESSIONS ACT

# PHYSICIANS, SURGEONS AND OSTEOPATHS PROFESSION REGULATION

### **Alberta Regulation 350/2009**

With amendments up to and including Alberta Regulation 59/2012

### Office Consolidation

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(Consolidated up to 59/2012)

**ALBERTA REGULATION 350/2009**

**Health Professions Act**

**PHYSICIANS, SURGEONS AND  
OSTEOPATHS PROFESSION REGULATION**

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- (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) “emergency register” means the emergency register category of the regulated members register;
- (h) “general register” means the general register category of the regulated members register;
- (i) “limited practice register” means the limited practice register category of the regulated members register;
- (j) “provisional register” means the provisional register category of the regulated members register;
- (k) “Registrar” means the registrar of the College;
- (l) “students register” means the students register category of the regulated members register;
- (m) “telemedicine register” means the telemedicine register category of the regulated members register.

**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) limited practice register;
- (d) courtesy register;
- (e) emergency register;
- (f) telemedicine register;
- (g) students register.

## Registration

### General register

**3(1)** An applicant for registration as a regulated member on the 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 must have completed the requirements set out in subsection (1) within the 3 years immediately preceding the date the Registrar receives a complete application.

**(3)** If an applicant is unable to meet the requirements set out in subsection (2), 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 or osteopathy, or
- (b) demonstrate to the satisfaction of the Registrar that the applicant is currently competent to practise medicine or osteopathy.

**(4)** For the purposes of subsection (3)(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 the general register who is currently registered as a physician, surgeon or osteopath 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 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 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 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 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 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 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) Every regulated member registered on the provisional 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 another regulated member,
  - (b) practise only within a specified area of practice,
  - (c) practise only within a specified practice setting or program,
  - (d) practise only within a specified practice location, and
  - (e) complete specified training or examinations within a specified time limit.
- (4) A registration on the provisional register is valid for 6 years.
- (5) Despite subsection (4), the Registrar may extend a registration on the provisional register beyond 6 years if the Registrar is of the opinion that extenuating circumstances exist.
- (6) 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.

#### **Limited practice register**

- 7(1) Subject to subsection (2), an applicant for registration as a regulated member who is not eligible for registration on the general register may be registered on the 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 research, medical administration or medical education.

(2) Every regulated member registered on the 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,
- (b) practise only within a specified area of practice,
- (c) practise only within a specified practice setting or program, and
- (d) practise only within a specified practice location.

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#### **Courtesy register**

**8(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 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 specified by the Registrar.

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

(3) 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.

#### **Emergency register**

**9(1)** An applicant for registration as a regulated member on the 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) A registration on the emergency register is valid for the period of time that may be required to address an emergency, as determined by the Registrar.

#### **Telemedicine register**

**10(1)** An applicant for registration as a regulated member on the telemedicine register may be registered on the telemedicine register if the applicant

- (a) is not a regulated member of the College,
- (b) is registered in good standing and carrying on an active practice in a jurisdiction that regulates the practice of medicine or osteopathy, and
- (c) meets the requirements set out in section 3, 4 or 5, as the case may be.

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

(3) It is a condition of registration on the telemedicine 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 telemedicine register and if the registration in the other jurisdiction is suspended or cancelled, the telemedicine registration is cancelled.

#### **Students register**

**11** An applicant for registration as a regulated member on the students register must

- (a) be currently enrolled in an undergraduate medical program in Alberta approved by the Council, or
- (b) be undertaking medical education in Alberta while enrolled in an undergraduate medical program in another jurisdiction.

#### **Good character and reputation**

**12(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 physicians, surgeons or osteopaths, 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 health 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 suit;
- (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 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**

**13(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**

**14** 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**

**15(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 or osteopathy.

(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 and Abbreviations****Authorization to use titles**

**16(1)** A regulated member registered on the general register, provisional register, limited practice register, courtesy register, emergency register or telemedicine register may use the title "Doctor" and the abbreviation "Dr".

(2) A regulated member registered on any of the registers mentioned in subsection (1) may, subject to subsection (3), use the titles, abbreviations or initials listed in section 2 of Schedule 21 to the Act that are appropriate to that regulated member's area of practice.

(3) The Registrar must specifically approve and authorize the use of the titles, abbreviations or initials referred to in subsection (2) and indicate the authorization on the appropriate category of the regulated members register.

(4) A regulated member 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 on the appropriate category of the regulated members register.

## Restricted Activities

### Authorized restricted activities

**17** A regulated member registered on the general register, provisional register, limited practice register, courtesy register, emergency register or telemedicine register 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 anesthetic gases, including nitrous oxide, for the purposes of anesthesia 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 fetus;
- (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.

**Students**

**18(1)** A person who is registered on the students register is authorized to perform, in the practice of medicine and in accordance with the standards of practice, the restricted activities set out in section 17 under the supervision of a regulated member.

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

**Self-restriction**

**19(1)** Despite any authorization to perform restricted activities, a regulated member must only perform a restricted activity that the regulated member is competent to perform and that is appropriate to the clinical circumstance and the regulated member's area of practice.

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

**Non-regulated persons, supervision**

**20(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 17 only if that person

- (a) has the consent of, and is being supervised in accordance with subsection (2) by, a regulated member while performing a restricted activity, and
- (b) is engaged in providing health services to another person.

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

- (a) not be a regulated member registered on the students 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 pursuant to section 4(1)(b) of Schedule 7.1 to the *Government Organization Act*.

**Continuing Competence**

**Continuing competence program**

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

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

**General assessment**

**22(1)** A regulated member registered on the general register must, in accordance with the rules established under section 25, submit to a general assessment by the Competence Committee once every 5 years.

**(2)** A regulated member registered on the provisional register may, in accordance with the rules established under section 25, be required to submit to a general assessment by the Competence Committee once every 5 years.

**(3)** A general assessment referred to in subsections (1) and (2) consists of a physician achievement review 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**

**23(1)** Every regulated member registered on the 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 25,
- (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 the 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**

**24(1)** The Competence Committee may, in accordance with the rules established under section 25, require a regulated member registered on the general register or provisional register 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, or
  - (v) practice management;
- (d) interviews;
- (e) any other type of evaluation required by the Competence Committee.

**Continuing competence program rules**

**25(1)** The Council may establish rules governing

- (a) how assessments under sections 22 and 24 are to be conducted,
- (b) the professional development programs that may be approved for the purpose of section 23,
- (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 23,
- (e) the records referred to in section 23(1)(b) and the provision of those records in accordance with the directions of the Registrar,

- (f) audits of a regulated member's records under section 23(1)(b), or
  - (g) the requirements or circumstances when regulated members registered on the provisional register, limited practice register or telemedicine register may be required to participate in a professional development program under section 23(1)(a).
- (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**

**26** The rules and any amendments to the rules established under section 25(4) must be made available by the College to all regulated members and, in printed form, on request to the Minister, regional health authorities and any person who requests them.

**Actions to be taken**

**27** If the results of a general assessment under section 22 or of a competence assessment under section 24 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**

**28** Any action that a regulated member must undertake in response to a direction by the Competence Committee or Registrar under section 27 is undertaken at the cost of the regulated member.

**Practice Permit****Applying for renewal**

**29** Regulated members applying for renewal of their practice permit must

- (a) continue to meet the requirements set out in sections 12 to 15, and
- (b) meet the requirements of the continuing competence program.

**Practice permit conditions**

**30** 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) practicing 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**

**31** 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**

**32** 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**

**33** 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**

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

**Reinstatement****Application for reinstatement**

**35(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 37(a).

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

**Consideration of application**

**36(1)** An application under section 35 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, and
  - (iii) is fit to practise medicine or osteopathy and does not pose a risk to public safety or to the integrity of the profession.

**Decision**

**37** The Registrar may, on completing the review of an application in accordance with section 36, 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**

**38(1)** An applicant whose application is refused or whose application for reinstatement is deferred under section 37 may, within 30 days of receipt of the decision, request a review of the decision by the Council.

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

**Access to decision**

**39(1)** The Registrar, under section 37, and the Council, under section 38, may order that its decision be published in a manner it considers appropriate.

**(2)** The College must make a decision under section 37 or 38 available for 2 years to the public on request.

## Information

### Providing information

**40(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 and place of birth;
- (j) gender;
- (k) names of other jurisdictions in which a regulated member or an applicant for registration is registered as a physician, surgeon or osteopath;
- (l) any other colleges of a regulated health profession 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) 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 or organs, 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**

**41** 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 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) school of graduation;
- (e) year of graduation;
- (f) gender of a regulated member;
- (g) languages in which a regulated member can provide professional services.

**Section 119 information**

**42** 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 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 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 of a hearing held under Part 4 of the Act, for 5 years after the date the hearing tribunal of the College rendered its decision.

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

#### **Transitional**

**43** 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**

**44(1)** The *Medical Profession By-laws* (AR 129/91) are repealed.

**(2)** The *Consultation Regulation* (AR 134/2008) is repealed.

#### **Coming into force**

**45** This Regulation comes into force on the coming into force of Schedule 21 to the *Health Professions Act*.









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