

Policy

Type:	Registration		
Number:			
Name:	Reinstatement to the General Class after Administrative Revocation		
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Background

Pursuant to sections 16, 17 or 18 of the General Regulation, a member who has been suspended for three consecutive years will have their certificate of registration revoked.

A member who has been suspended and/or revoked is not permitted to use the title kinesiologist or hold out as a kinesiologist.

Members who have been suspended will have received notice and confirmation of the initial suspension as well as correspondence confirming the on-going suspension (at the time of renewal).

At least sixty days before the revocation is to take effect, members will receive notice of the impending revocation. Pursuant to section 19 of the General Regulation, if members do not take steps to have the suspension lifted, the revocation will take effect three years after the members were initially suspended. Members will receive confirmation once the revocation takes effect.

A former member whose certificate of registration has been revoked may apply for reinstatement and be granted a new certificate of registration by the Registrar if they meet the following requirements, as per section 20 of the College's General Regulation:

- (a) satisfied a panel of the Registration Committee that he or she has the knowledge, skill and judgment to practise the profession in a safe and professional manner;*
- (b) paid any fees required under the by-laws for lifting the reinstatement of the certificate of registration which he or she previously held; and*
- (c) meets the requirements of subsection 16 (2) or 17 (2) or section 18, as appropriate, with all necessary modification*

The purpose of this policy is to outline the application process for reinstatement and describe the conditions under which a former member may be reinstated.

Former members must also satisfy the requirements of section 3 of the General Regulation.

This policy does not apply in instances where a member's certificate of registration has been revoked by the Discipline or Fitness to Practise committees.

Process

1) Application Form

A former member who wishes to apply for reinstatement after being revoked pursuant to sections 16, 17 or 18 must complete an application in a form provided by the Registrar.

2) Correction of Deficiencies

The former member will be expected to provide documentation to prove that they have corrected the relevant deficiencies.

Pursuant to section 16 the former member is required to provide any and all outstanding information that was requested by the College at the time of the suspension.

Pursuant to section 17 the former member is required to provide proof of professional liability insurance and/or provide an undertaking, in a form prescribed by the College, to obtain professional liability insurance, in accordance with clause 20.01 of the College By-Laws, within 30 days of being advised by the College that the member qualifies for reinstatement.

Pursuant to section 18, the former member is required to pay outstanding fees and penalties.

Members with any outstanding orders from any statutory committee and/or Council are required to provide proof of compliance with any orders as of the anticipated date on which the reinstatement is to occur.

3) Current knowledge, skill and judgment

In order to be reinstated, a panel of the Registration Committee may be asked to make a determination of whether the former member has the knowledge, skill and judgment to practise the profession in a competent, safe and professional manner. The panel will take into account the following factors:

1. Length of time since the original suspension and revocation.
2. The nature of the former member's last practice and intended practice.
3. Any education and/or training the former member undertook while under suspension/revocation.

4. Evidence of practise under the scope of the profession if the former member was practising out of province.
5. Any other relevant factors and/or submissions by the former member that may assist the panel in determining current knowledge, skill and judgement.

The former member is expected to provide verifiable information relating to these five factors.

Outcomes of panel's assessment

The Panel will make a determination as to whether the former member has the knowledge, skill and judgment to practise the profession in a competent, safe and professional manner.

If the panel determines the former member does have current knowledge, skill and judgment, then the former member has met one of the requirements for reinstatement.

If the panel determines the former member does NOT have the current knowledge, skill and judgment, then the former member will be advised that this requirement for reinstatement has not been met. The Panel may defer a decision on direction to the former member pending completion of certain specified training or education, during a prescribed period of time. In this instance, the panel may conclude that the former member, at that later date, is current in their knowledge, skill and judgment.

If no such deferral is made or agreed to by the former member, the Registrar can then advise the former member that s/he is referring the former member's application for re-instatement to a panel of the Registration Committee per section 15(2) of the *Health Professions Procedural Code*. For such referrals, the College's Policy - *Referral of a Registration Application to the Registration Committee* will apply.

4) Payment of Fees

If the former member has met all other requirements, the former member will be required to pay all outstanding fees required under the By-Laws for lifting the suspension and any other fees required under the By-Laws pursuant to section 20(b) of the General Regulation.

Reinstatement

If the Registrar determines that all of the above requirements for reinstatement have been met, s/he will issue a certificate of registration.

The former member is not authorized to resume practise until their application for reinstatement to the General Class has been approved and confirmation of their new certificate of registration has been received.