

BY-LAW NO. 2011-6

**College of Audiologists and
Speech-Language Pathologists of Ontario**

A By-law relating to The Register of the College

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1 INTERPRETATION

- 1.1 The Definitions set out in By-law No. 2011-1 shall apply to this By-law.
- 1.2 In this By-law, unless the context otherwise requires, the singular number or the masculine gender shall include the plural number or the feminine gender, as the case may be.
- 1.3 Each provision of this or any other By-law and any part thereof of the College shall be interpreted in a manner consistent with the RHPA, Code, ASLPA and Regulations, and where an inconsistency is found to exist, and where practical, the inconsistent provision shall be severed from such By-law or any part thereof.
- 1.4 In this By-law, "Professional Corporation" means a corporation incorporated or continued under the Ontario *Business Corporations Act* that holds a valid certificate of authorization or other authorizing document issued by the College.

2 NAME IN THE REGISTER

- 2.1 Subject to Article 3, a member's name in the Register shall be the full name indicated on the documents used to support the member's initial registration with the College.

3 CHANGE OF NAME

- 3.1 The Registrar may enter a name other than the name referred to in Article 2, in the Register if the Registrar:
 - 3.1.1 has received a written request from the member;
 - 3.1.2 is satisfied that the member has legally changed his or her name; and
 - 3.1.3 is satisfied that the name change is not for any improper purpose.

4 BUSINESS ADDRESS

- 4.1 A member's business address in the Register for the purposes of paragraph 1 of Section 23(2) of the Code shall be:
 - 4.1.1 where the member is employed or self-employed as an audiologist or a speech-language pathologist, if the member is only employed at one location in Ontario. In the event that the member is employed in more than one location in Ontario, the member's business address shall be the location where the member generally works, or anticipates to work, the most hours.

- 4.1.2 where the member is not employed or self-employed in Ontario as an Audiologist or Speech-Language Pathologist, the Registrar shall enter the member's business address as the location designated by the member or any other address approved by the Registrar.

5 BUSINESS TELEPHONE NUMBER

- 5.1 A member's business telephone number in the Register of the College shall be the telephone number associated with the location referred to in Article 4 or such other telephone number designated by the member.

6 MAINTAINING THE REGISTER

- 6.1 The Registrar shall maintain a Register in accordance with section 23 of the Code.

7 OTHER INFORMATION FOR THE REGISTER

- 7.1 In addition to the information set out in subsection 23 (2) of the Code, the Register shall contain the following information available to the public with respect to each member:

7.1.1 If the member uses a name that is different from their legal name or an abbreviation of their legal name in the course of offering or providing professional services, such name or abbreviation used;

7.1.2 All other business addresses and business telephone numbers where the member is employed or self-employed as an audiologist or speech-language pathologist;

7.1.3 The member's registration number;

7.1.4 The dates on which each class of registration that the member holds was obtained and, if applicable, the dates on which each terminated;

7.1.5 If the member ceased to be a member, a notation specifying the reason for the termination of membership and the date upon which the member ceased to be a member;

7.1.6 For every matter that has been referred by the Inquiries, Complaints and Reports Committee to the Discipline Committee under section 26 of the Code and has not been finally resolved, until the matter has been resolved,

7.1.6.1 a notation of that fact, including the date of the referral;

7.1.6.2 the notice of hearing;

- 7.1.6.3 a summary of each specified allegation; and
- 7.1.6.4 the status of the hearing.
- 7.1.7 A notation, including the date of the referral, for every matter that has been referred by the Inquiries, Complaints and Reports Committee to the Fitness to Practice Committee under section 61 of the *Code* and has not been finally resolved, until the matter has been resolved;
- 7.1.8 Any information jointly agreed to be placed on the Register by the College and the member;
- 7.1.9 Where the member is subject to an interim order, a notation of that fact, the nature of the order and the date that the order took effect;
- 7.1.10 Where the member's certificate of registration is subject to a suspension for failure to pay a fee, the reason for the suspension and the date of the suspension in addition to the fact of the suspension;
- 7.1.11 Where the College is aware that a finding of professional misconduct or incompetence or similar finding has been made against the member by a body that governs a profession, inside or outside of Ontario, and that finding has not been reversed on appeal,
 - 7.1.11.1 a notation of the finding,
 - 7.1.11.2 the name of the governing body that made the finding,
 - 7.1.11.3 a brief summary of the facts on which the finding was based,
 - 7.1.11.4 the penalty and any other orders made relative to the finding,
 - 7.1.11.5 the date the finding was made, and
 - 7.1.11.6 information regarding any appeals of the finding.
- 7.1.12 Where the College is aware that a finding of incapacity or similar finding has been made against the member by a body that governs a profession, inside or outside of Ontario, and that finding has not been reversed on appeal,
 - 7.1.12.1 a notation of the finding,
 - 7.1.12.2 the name of the governing body that made the finding,
 - 7.1.12.3 the date the finding was made,
 - 7.1.12.4 a summary of any order made as per sections 23(8) and (9) of the *Code*, and
 - 7.1.12.5 information regarding any appeals of the finding.

- 7.1.13 Where a decision of the Discipline Committee has been published by the College with the member's name or former name included,
- 7.1.13.1 a notation of that fact, and
 - 7.1.13.2 identification of the specific publication of the College which contains the information.
- 7.1.14 Where, during or as a result of an investigation, inquiry or proceeding under section 25 of the Code a member has resigned, a notation of that fact;
- 7.1.15 In addition to the name of every professional corporation of which the member is a shareholder, the business address, business telephone number, business e-mail address, if there is one, and any operating names of the professional corporation;
- 7.1.16 Any of the information in respect of a former member that was on the Register just before the membership terminated, for a period of at least two years after the termination of registration, except for any information related to discipline proceedings in Ontario, in which case it shall be entered on the Register for a period of fifty years after the termination of registration.
- 7.1.17 A summary of any findings of guilt, of which the College is aware, made by a court on or after January 1, 2016 against a member in respect of a provincial, federal or other offence that the Registrar believes is relevant to the member's suitability to practise. Any such summary shall be removed if the finding is successfully appealed or otherwise set aside or if a record suspension has been granted by the Parole Board of Canada or similar authority.
- 7.1.18 A summary of any existing charges against a member, commenced on or after January 1, 2016, of which the College is aware, in respect of a federal, provincial or other offence that the Registrar believes is relevant to the member's suitability to practise.
- 7.1.19 A summary of any existing conditions, terms, orders, directions or agreements commenced on or after January 1, 2016 relating to the custody or release of the member in respect of federal, provincial or other offence processes of which the College is aware and that the Registrar believes is relevant to the member's suitability to practise.
- 7.1.20 Where the College is aware that a member is or was registered or licensed to practise a profession inside or outside of Ontario, a notation of that fact.
- 7.1.21 Where, for a complaint filed on or after January 1, 2016 or for a matter in which an investigator is appointed under 75(1)(a) or 75(1)(b) of the Code on or after January 1, 2016, a panel of the Inquiries, Reports and Complaints Committee requires a member to appear before a panel of the Committee to be cautioned, as authorized by paragraph 3 of subsection 26(1) of the Code,
- (a) a notation of that fact,

- (b) a summary of the caution,
- (c) the date of the panel's decision, and
- (d) if applicable, a notation that the panel's decision is subject to review or appeal and therefore is not yet final, which notation shall be removed once the review is finally disposed of.

7.1.22 Where, for a complaint filed on or after January 1, 2016 or for a matter in which an investigator is appointed under 75(1)(a) or 75(1)(b) of the Code on or after January 1, 2016, a panel of the Inquiries, Reports and Complaints Committee requires a member to complete a specified continuing education or remediation program, as authorized by paragraph 4 of subsection 26(1) and subsection 26(3) of the Code,

- (a) a notation of that fact,
- (b) a summary of the specified continuing education or remediation program,
- (c) the date of the panel's decision,
- (d) if applicable, a notation that the requirements of the specified continuing education or remediation program have been fulfilled or completed by the member, and
- (e) if applicable, a notation that the panel's decision is subject to review or appeal and therefore is not yet final, which notation shall be removed once the review is finally disposed of.

7.1.23 Where as a result of an appeal or review from the decision of the Inquiries, Complaints or Reports Committee, a member is no longer required to attend before a panel of that committee to be cautioned or to complete a specified continuing education or remediation program, the information placed in the register as a result of Articles 7.1.21 or 7.1.22 shall be removed, once the appeal or review has become final and the Registrar may enter a summary of the process leading up to and the results of the variation.

7.1.24 The information under Articles 7.1.21 and 7.1.22 shall be removed from the register if the member has made a written request to the Registrar for the removal of the information because the information is no longer relevant to the member's suitability to practice, and the Registrar believes that the removal of the information from the register outweighs the desirability of public access to the information. No request shall be brought under this section earlier than two years after the decision of the panel of the Inquiries, Complaints and Reports Committee was made.

7.1.25 All of the information in the register is designated, under subsection 23(6) of the Code, as information that may be withheld from the public if the Registrar has

reasonable grounds to believe that disclosure may jeopardize the safety of an individual.

8 PROVIDING INFORMATION TO THE COLLEGE

8.1 If requested, the member shall immediately provide the College with the following information, in the form and manner requested by the College:

8.1.1 Information required to be maintained in the Register in accordance with subsection 23 of the Code and Article 7.6;

8.1.2 The address and telephone number of the member's primary residence in Ontario and, if the member does not reside in Ontario, the address and telephone number of the member's primary residence;

8.1.3 The preferred e-mail address for the member;

8.1.4 The member's gender;

8.1.5 The member's date of birth;

8.1.6 The member's citizenship or immigration status;

8.1.7 The member's preference to communicate with the College in English or French;

8.1.8 The languages in which the member provides and/or delivers professional services;

8.1.9 Proof of personal professional liability insurance in accordance with By-law No. 7 of the College;

8.1.10 The member's areas of practice and categories of clients seen;

8.1.11 Information regarding the member's employment including:

8.1.11.1 the member's title and position,

8.1.11.2 a description of the member's role, duties, and responsibilities, and

8.1.11.3 the member's employment category and status.

8.1.12 If there have been any changes to the member's name since the date of the member's initial application for registration, the former names of the member;

8.1.13 Information about the member's registration with any other body that governs a profession, whether inside or outside of Ontario, including the name of the governing body, the member's registration or license number and the date the member first became Registered;

- 8.1.14 Information about any finding of professional misconduct or incompetence or similar finding that has been made against the member by a body that governs a profession, inside or outside of Ontario, where that finding has not been reversed on appeal, including:
- 8.1.14.1 the finding,
 - 8.1.14.2 the name of the governing body that made the finding,
 - 8.1.14.3 a brief summary of the facts on which the finding was based,
 - 8.1.14.4 the penalty and any other orders made relative to the finding,
 - 8.1.14.5 the date the finding was made, and
 - 8.1.14.6 information regarding any appeals of the finding.
- 8.1.15 Information about any finding of incapacity or similar finding that has been made against the member by a body that governs a profession, inside or outside of Ontario, where that finding has not been reversed on appeal, including:
- 8.1.15.1 the finding,
 - 8.1.15.2 the name of the governing body that made the finding,
 - 8.1.15.3 the date the finding was made,
 - 8.1.15.4 a summary of any order made, and
 - 8.1.15.5 information regarding any appeals of the finding.
- 8.1.16 Information about the member's participation in the Quality Assurance program;
- 8.1.17 Information for the purpose of compiling statistical data;
- 8.1.18 Information required by the Minister of Health and Long-Term Care.
- 8.1.19 Information about any existing charges against a member, commenced on or after January 1, 2016, in respect of a federal, provincial or other offence.
- 8.1.20 Information about any existing conditions, terms, orders, directions, or agreements relating to the custody or release of the member in respect of federal, provincial, or other offence processes.

9 NOTIFICATION OF CHANGES OF INFORMATION

- 9.1** The member shall notify the College, in writing, of any changes to the following information within 30 days of the effective date of the change:

- 9.1.1 the member's name,

- 9.1.2 the member's citizenship or immigration status,
- 9.1.3 the address and telephone number of the member's primary residence in Ontario and, if the member does not reside in Ontario, the address and telephone number of the member's primary residence,
- 9.1.4 the member's business addresses or business telephone numbers,
- 9.1.5 the member's preferred email address.

Made by the Council of the College of Audiologists and Speech-Language Pathologists of Ontario on the 2nd day of October, 2015.

This By-law shall come into force and effect on the 3rd day of October, 2015.

Original effective date: January 1, 2011

Amended: June 6, 2014.

Amended: October 2, 2015.