



Appeals to the Health Professions Appeal and Review Board

Policy 10.9

Section:	Registration		
Approved By:	Registration Committee	Public:	Yes
Approved Date:	August 18, 2009	Review Schedule:	Every 3 Years
Effective Date:	August 19, 2009	Last Reviewed:	
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Legislative Requirement

In accordance with the Health Professions Procedural Code (the Code), being Schedule 2 to the *Regulated Health Professions Act, 1991*, when an applicant for registration is notified of the Registration Committee's order and the written reasons for that order, they will also be advised of their right to appeal that decision to the Health Professions Appeal and Review Board (the Board).

The Board is an independent adjudicative agency (which means that it is separate from the College). The Board conducts reviews and hearings of orders of the Registration Committees of all health regulatory Colleges in Ontario.

An applicant may choose to have either a documentary review of the Registration Committee's order ("a review") or an oral hearing before the Board ("a hearing"). Following a review or hearing, the Board will make an order with written reasons for its decision and provide it to the parties. The Board may make an order doing any one or more of the following:

- confirm the order made by the panel of the College's Registration Committee
- require the Registration Committee to order the College's Registrar to issue a certificate of registration to the applicant if they successfully complete particular examinations or training the Committee may specify

- require the Registration Committee to order the College's Registrar to issue a certificate of registration to the applicant, with or without the imposition of specific terms, conditions and limitations the Board considers appropriate
- refer the matter back to the Registration Committee for further consideration by a panel, together with any recommendations the Board considers appropriate

Through this appeal process, the Board monitors the Registration Committee's activities to ensure the Committee fulfills its duty in the public interest and as mandated by legislation.

Policy

When an applicant for registration is provided with written notice of the Registration Committee's order and the written reasons for that order, the applicant will also be provided with written notice of their right to appeal to the Board.

This written notice will inform the applicant:

- how they can contact the Board
- when their notice of appeal must be filed with the Board (being 30 days from the date of the applicant's written notice letter from the College)
- that their notice of appeal must specify whether they require a review or a hearing (as described above)

When a notice is received from the Board confirming that an applicant requires a review or hearing, College staff will (on the Registration Committee's behalf) provide the Board with:

- a copy of the order
- the written reasons for that order
- copies of all documents and things on which the decision to make the order was based

This information will be provided to the Board within 15 days of the date the notice is received.