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On April 22, 2021, the College received a memo from the Ministry of Health providing information on new directives in effect in Ontario. The new regulation is available to read here: Ontario Regulation 305/21 Regulated Health Professionals, made under the Emergency Management and Civil Protection Act, 1990.

A new order under the *Emergency Management and Civil Protection Act, 1990* (EMCPA) authorizes health care professionals to provide patient care services outside their regular scope of practice and enables hospitals to employ, contract, appoint or otherwise engage regulated health professionals from out-of-province.

Under this new order, health professionals, from Ontario or out-of-province are authorised to engage outside of their regular scope of practice provided it is necessary for the health care professional to provide such services to respond to, prevent, or alleviate the effects of the COVID-19 outbreak. The services provided must also be consistent with the duties that have been assigned or the privileges that have been granted by the hospital.

The College interprets this new order to apply only to health professionals providing care within a hospital (who are either employees of or hold privileges in that hospital). It does not permit health professionals to practise outside of scope while they are working in a clinic or home setting.

This is a change from recent orders as it allows regulated health professionals with hospital privileges to provide care outside of scope, not just under delegation but under their own authority, as long as the services are consistent with the duties that have been assigned or the privileges that have been granted by the hospital.

While this order allows regulated health professionals to work outside of scope to respond to, prevent, or alleviate the effects of the COVID-19 outbreak, health professionals are still required to work within their abilities and only deliver treatment and services they are reasonably qualified to provide, i.e., that they have the knowledge, skill and judgement to perform. A registrant of the College continues to be subject to the jurisdiction of the College for incompetence that occurs while providing services under this new order.

The College has recently become aware of these changes and will continue to monitor the situation. Should we have any additional guidance we will be in touch in the coming days.



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