



The College of Naturopaths of Ontario

# Regulatory Guidance

## Protecting Patients Act

On May 30th, 2017 the [Protecting Patients Act, 2017](#) was passed in the Ontario legislature. This legislation amended several statutes including the [Regulated Health Professions Act, 1991](#). You can view the government's news release [here](#).

What do these changes mean? Here is a summary:

- Touching of a sexual nature of a patient's genitals, anus, breasts, or buttocks will now result in mandatory revocation;
- For findings of sexual abuse that do not result in revocation, the minimum penalty must include a suspension. Previously the required minimum penalty included an oral reprimand only;
- More information will be available and maintained on the Member's profile on the public register:
  - The date that a Member dies;
  - Oral cautions, and specified continuing education and remediation programs (SCERPs) that are ordered will remain on the public register permanently;
  - A copy of the allegations of every matter referred to the Discipline Committee that has not been fully resolved;
  - When the Discipline Committee does not make a finding of professional misconduct this will be maintained on the public register for 90 days.
- The Inquiries, Complaints and Reports Committee (ICRC) can now order an interim suspension of a Member when it receives a complaint or appoints an investigator, if the ICRC feels that the Member's conduct or behaviour is likely to put patients at risk. Previously the ICRC could only order an interim suspension after specified allegations had been referred to the Discipline Committee.
- The ICRC and Discipline Committee can no longer impose gender-based restrictions on a Member (e.g. a male practitioner can only practise on male patients etc.).
- The fines for failing to report sexual abuse have increased to \$50,000 for individuals and to \$200,000 for corporations.
- Members must report if they are registered to practise another regulated profession inside or outside of Ontario. They must report any findings of professional misconduct or incapacity by those regulators.

- Patients who complaint about being sexually abused by a Member may seek funding for therapy or counselling at the time a complaint or report is filed as opposed to waiting until a finding of sexual abuse is made by the Discipline Committee.
- Members must report to the College if they have been charged with an offence, if a court has imposed any bail conditions or other restrictions, or if restrictions have been agreed to by the Member.
- "Patient" in relation to sexual abuse is defined to include anyone who stopped seeking treatment from a Member within one year.

## **Additional resources:**

*Standard of Practice for Therapeutic Relationships and Professional Boundaries*