

FALL 2020

INFORMED

NEWSLETTER OF THE COLLEGE OF NATUROPATHS OF ONTARIO

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REGISTRAR'S MESSAGE

“The new normal”

With emergency measures put in place by governments and the decisive actions taken by Ontarians and people across Canada to bring the COVID-19 infection rates under control, the conversation progressed from “how do we minimise the disease’s burden on the healthcare system and providers” to “how do we stem its spread and reduce the chances of a heavy second wave?”

Naturally, those three words, “the new normal”, began to manifest—including in the field of naturopathy. While we understand that the new normal for society will include less physical contact, more physical distancing and wearing masks to protect others, we do not truly know what this new normal will look like for health professionals and regulators.

How will it affect the way the College and naturopaths work, the services provided by naturopaths, and the process of registering new NDs to practise? What changes will it bring upon the College and how we regulate the profession to protect the public?

With naturopathic practices temporarily closed for extended periods of time, quarantine rules, and social distancing and PPE measures enacted by law, naturopathy has undoubtedly been hit hard. The College’s vital mission of protecting the public, setting standards and guidelines, and holding NDs accountable needed to continue. How did we react?

Despite the uncertainty of the future, the College rolled up its sleeves, innovated and got back to work.



With the closure of offices and group workspaces, we quickly adapted to a new remote working environment. This included setting up home offices, standardising procedures to make sure we could work efficiently and reaching out to the public and NDs to reassure them that we were still functional and responsive.

One of the College’s top priorities during the drastically new working environment was making sure all stakeholders, NDs, patients, etc. were made aware of directives from the government. To that end, we undertook extensive work to ensure we fully understood the directives, collaborated with other regulatory Colleges, worked closely with our stakeholders and communicated critical information to the profession.

We also reviewed our core functions to ensure we could continue to deliver our regulatory programs to fulfill our mandate to protect the public. We recognised the challenges that were facing the profession and we identified steps we could take to ensure the profession would be able to function within the professional regulation model— also vital to the safety of the public.

REGISTRAR'S MESSAGE

Among the most affected departments in the College was Registration and Examinations. With naturopathic practices closed, new NDs ready to get to work, and a temporary shutdown of the profession while the pandemic response was in play, the department looked for solutions to keep the gears turning.

This involved recommending to and receiving approval from the Council for measures that included reducing renewal fees and extending registration fee payment deadlines from March to September (including refunding those who had already paid for the 2020–21 registration year), providing much-needed relief for Members who were facing difficulty with paying fees. The same deadline change was applied to CPR certificate renewals as Members were finding it difficult to find course availability in the spring. NDs who were able to meet the original March deadline for registration were also issued a temporary certificate of registration that allows them to practise in the interim until the renewal fee payment deadline of September 30.

Examinations for new NDs were also put on hold due to an abundance of caution, including compliance with social distancing measures and group assembly limitations. As a result, the College was forced to cancel two exams and defer two more to a later date.

On-the-fly planning and quick decision-making allowed the College to innovate to reduce the impact on applicants seeking registration to practise the profession.

This included moving the Clinical Sciences Exam to an all-online format for the first time, while redesigning the Clinical Practical Examination to ensure the safety of all candidates, staff and

invigilators. Among the many measures to be put in place are temperature checks, reducing participant numbers, physical distancing, using personal protective equipment and more.

For the first time in College history, disciplinary hearings were also held virtually, thanks to remote conferencing applications and training to take advantage of all these platforms have to offer. The College Council and Committee meetings also shifted exclusively to online platforms and training was provided to the Chair of the Council and Chairs of the Committees to be well equipped for the new approach.

Though COVID-19 has impacted everyone professionally and personally, we've strived to stay one step ahead and to be innovative, creative and, dare I say, nimble. As we plan a return to the office, the College has progressed in leaps and bounds with its response to the pandemic by innovating and overcoming the obstacles that would have otherwise hindered us from keeping NDs and the public informed and aware.

What is the new normal? Is it more remote work? Does it involve more examinations held online? Is it a matter of increased flexibility? It is still very difficult to be sure exactly what normal might look like, and in fact it may not ever be one approach but rather, an approach that requires all of us to adapt to new situations and environments quickly.

Whatever happens, the College is ready for it.

Andrew Parr, CAE
Registrar & CEO

REGISTRATION RENEWAL

IMPORTANT!*Registration renewal fees due September 30, 2020*

In April, the College Council approved several important measures to ease the financial burden that Members are experiencing because of COVID-19. Among these measures were a 40% reduction of the registration renewal fees for 2020–2021, an extended renewal fee payment deadline from March 31, 2020 to September 30, 2020 and a CPR certification renewal extension for those whose CPR expired on or after February 1, 2020.

WHAT DO I NEED TO DO BY SEPTEMBER 30, 2020?

By 5 p.m. EDT, you must have:

- [Paid your registration fee](#) to complete your 2020–21 registration renewal for practising naturopathy in Ontario. Temporary Certificates of Registration expire on this date.
- [Renewed your CPR Certification](#) if it expired on or after February 1, 2020. This includes updating your CPR information on file with the College.
- [Completed the advertising self-assessment questionnaire.](#)

HOW TO PAY?

Online: Members can pay their 2020 registration fees online at any time by clicking on the cart on their account page.

Cheque or money order: Members who are not paying online must ensure their cheque, money order or bank draft is received by the College by 5 p.m. on September 29, 2020. If paying your fee by cheque or money order it must be made payable to the College of Naturopaths of Ontario.

WHAT IF I MISS THE DEADLINE?

Those who do not pay their registration renewal fee by the 5 p.m. EDT, September 30, 2020 deadline will be charged a late fee of \$322.05* in addition to being sent the Notice of Intent to Suspend. If suspended, a reinstatement fee of \$279.11* will also be charged. These fees apply to both the General and Inactive classes.

In addition to the above, Members are reminded that their information on file with the College must be current and accurate at all times. Changes to Professional Liability Insurance coverage, CPR certification, clinic location(s), and contact information can be updated through your College user account.

Visit our Registration Renewal 2020 web page for details.

*HST included

REVISED: Standard of Practice for Infection Control and COVID-19

Infection prevention and control have always been an important part of a Member’s practice. Practising universal precautions with every patient protects the naturopath and the patient from possible exposure to infection.

With the current COVID-19 pandemic, the need for exceptional infection control practices is more important than ever.

In light of this, the College reviewed the [Standard of Practice for Infection Control](#) and has made some

amendments. This article highlights some of the infection control performance indicators that should be in place. It also references information in the [COVID-19 Reopening Guideline](#) to help Members apply the standard as it relates to COVID-19.

The *Standard of Practice for Infection Control* and the *COVID-19 Reopening Guideline* include links to Ministry of Health and Public Health Ontario resources that contain a wealth of information. Members are encouraged to read and apply the information to their practices.

<i>Standard of Practice for Infection Control</i> Performance Indicators	<i>Guideline to COVID-19 Reopening</i>
Maintain current knowledge of infection control protocols relevant to naturopathic practice.	<p>To provide in-person services Members should:</p> <ul style="list-style-type: none"> • review the College’s <i>COVID-19 Reopening Guideline</i>; • put in place the measures outlined in the Ministry of Health’s COVID-19 Operational Requirements: Health Sector Restart; and • use the links provided in these resources for additional information.
Infection control measures include a risk assessment of the patient and of the health care provider’s interaction with the patient.	<p>On the day of and prior to their appointment, patients must be screened (by any reliable means including phone, e-mail, etc.) for the symptoms and criteria listed in the Guideline.</p> <p>If a patient screens positive while at the clinic, they should be given a surgical/procedure mask, be advised to perform hand hygiene, and referred to Public Health, their medical physician or Telehealth for further assessment and testing.</p> <p>If the patient answers “yes” to any of the assessment questions and has not been tested for COVID-19, they should not be seen in-person and should call their local Public Health unit and/or Telehealth for assessment.</p>
Knowing their personal immune status relevant to the practice setting and taking appropriate action to ensure patient protection.	<p>On the day of and prior to seeing patients in-person, the ND must self-assess themselves for the symptoms and criteria listed in the Guideline or use the online COVID-19 Self-Assessment Tool. If the naturopath answers “yes” to any of the questions and has not been tested for COVID-19, they should not provide any in-person appointments and should call their local Public Health unit and/or Telehealth for an assessment.</p>

STANDARD OF PRACTICE FOR INFECTION CONTROL

<i>Standard of Practice for Infection Control</i> Performance Indicators	<i>Guideline to COVID-19 Reopening</i>
Taking the measures necessary to prevent the transmission of infection from the Member to the patient or other health care providers and staff.	<p>NDs must wear a surgical/procedure mask (or of higher grade, where necessary) during direct patient care (i.e., all in-person appointments), and when they cannot maintain physical distancing measures with co-workers and staff (i.e., two-metre separation between people).</p> <p>They are also to practise proper hand hygiene and use gloves whenever they are in direct physical contact with a patient who has screened positive. Additional personal protective equipment (PPE) should be considered if it is appropriate for the procedure being provided or for a patient who is of higher risk for severe COVID-19 disease.</p>
Hand hygiene with an appropriate alcohol-based hand sanitiser; or soap and water.	<p>Hand hygiene must be performed:</p> <ul style="list-style-type: none"> • before and after each patient contact; • before and after performing an invasive procedure; • before preparing, handling or eating food; • after care involving body fluids and before moving to another activity; • before putting on and after taking off gloves and other PPE; • after personal body functions (e.g., blowing one’s nose); • whenever hands come into contact with secretions, excretions, blood and body fluids; • after contact with items from a patient; and • whenever there is doubt about the necessity for doing so.
Appropriate use of personal protective equipment (PPE), including safe application, removal and disposal.	<p>Recommendations in the Public Health Ontario resources should be followed for how to put on and take off PPE, and how to use and dispose of PPE when caring for patients.</p>
Signage in the reception area instructing patients on when and how to use alcohol-based hand sanitiser and masks.	<p>Passive screening protocols should include posting signage at points of entry to the facility and at reception, requiring all patients to wear a face covering and perform hand hygiene. Signage should be accessible and accommodating to patients. Sample signage can be found on the Ministry of Health Guidance for Health Sector web page.</p>
Proper and adequate cleaning of equipment and the clinic environment.	<p>Cleaning protocols as outlined in the Guideline are in place, using Health Canada-approved products and additional Public Health resources on cleaning equipment and the clinic environment.</p>
Proper and adequate engineering controls (e.g. well-maintained ventilation, barriers such as the use of Plexiglass, hand washing sinks etc.).	<p>The clinic’s physical design and ventilation should be reviewed and appropriate measures taken to reduce the risk of exposure.</p> <p>Consider installing a physical barrier, such as a cubicle, partition or window, to separate staff and patients.</p> <p>Have sufficient means for frequent and proper hand hygiene for staff and patients. This can be done using sinks supplied with soap and water, or with alcohol-based hand sanitiser (greater than 60% alcohol content).</p>

NEW GUIDELINE

Telepractice Do's

Telepractice is the provision of naturopathic care for the purpose of diagnosis and patient care by means of telecommunications and information technology where the patient and the provider are separated by distance.

These tips are based on the College's new [Telepractice Guideline](#).

- 1** Meet the same standards of practice you follow when seeing a person in your office.
- 2** Consider the patient's existing health status, specific health care needs and circumstances to decide if a telepractice visit is in the patient's best interest.
- 3** Make sure that both the technology and locations (of the ND and the patient) being used, will protect the privacy and confidentiality of the patient's personal health information.
- 4** Gather all the information needed to be able to make a diagnosis and provide the appropriate treatment.
- 5** If more information is needed, recommend the patient make an in-person visit with you or refer them to an appropriate health care provider close to where they are located.
- 6** Ensure the patient is aware of the limitations of a telepractice visit, along with potential privacy, confidentiality and security risks and has consented to the visit.
- 7** Confirm the identity of the patient and the Member at each visit.
- 8** Ensure that both your location and the patient's location, if in a different jurisdiction, allow you to legally practise naturopathy.
- 9** Note in the patient chart that the visit was provided by telepractice.
- 10** Check that your professional liability insurance applies to telepractice visits.

DISCIPLINE OUTCOMES



Discipline Decision Summary

Discipline is a critical aspect of self-regulation and maintaining public trust. The College has the responsibility and the authority to investigate breach of a regulation or a professional standard by a naturopath, and to take action and assess a range of appropriate penalties. Any decisions are made in the best interests of the public. Publishing summaries of the decisions in this newsletter is part of the transparency of the discipline process and is intended to help readers understand what may constitute professional misconduct.

Member:
LESLIE YAN WAN EE,
REGISTRATION #0844

Hearing date: April 7, 2020

SUMMARY OF ALLEGATIONS

- Failing to comply with an order of the Discipline Committee and/or to carry out or abide by an undertaking given to the Board of Director of Drugless Therapy—Naturopathy.
- Performing and/or supervising intravenous therapy without having completed the Board therapy verification course and examination.
- Holding out as someone authorised to perform and/or supervise intravenous therapy.
- Delegating the controlled act of intravenous therapy to nurses.
- Signing or issuing, in his professional capacity, a document that the Member knows or ought to know contains a false or misleading statement.

DISCIPLINE OUTCOMES

The Agreed Statement of Facts and the Joint Submission as to Penalty and Costs had been agreed on before the hearing. The Discipline Panel found that the Member committed acts of professional misconduct as admitted by the Member.

CHRONOLOGY

March 5, 2014:

The Member was subject to a disciplinary proceeding that resulted in a voluntary plea to professional misconduct. The Member signed an undertaking ordered by the Discipline Committee, which mandated that the Member complete the next available IV Therapy Certification Course and certification examination, and until the Member successfully complete both, he could not perform and/or supervise intravenous therapy.

May 2014:

The Member performed IVIT on a patient. The Member did not advise the patient that he was not authorised to perform and/or supervise IVIT or that he was unable to determine whether their condition warranted the performance of IVIT.

August 2016:

A patient attended the Timeless Health clinic for IVIT, they met with the Member, received treatment from nurses and met with the Member again. The Member's chart indicated that the IV was referred to and approved by another doctor. When interviewed the patient did not recall being informed about a referral or the Member advising them that he was not authorised to perform, delegate and/or supervise IVIT.

October 18, 2017:

A patient received IV therapy which was approved by another ND. The Member requested a nurse to perform IVIT on the patient and supervised the administration of this therapy. When interviewed, the nurse did not recall being informed about the referral or having been advised by the Member that he was not authorised to perform, delegate and/or supervise IVIT or determine whether the patient's condition warranted IVIT.

January 25, 2018:

An undercover investigator attended a scheduled appointment with the Member for IV therapy. The Member informed the investigator that a nurse would inject but that he would watch and supervise. At no point did the Member advise the investigator that he was not authorised to perform, delegate and/or supervise IVIT or determine whether their condition warranted IVIT.

ADMISSION OF PROFESSIONAL MISCONDUCT

The parties submitted that the public was protected because the Member had accepted responsibility for his actions and had agreed to an appropriate penalty which provided for specific and general deterrence, rehabilitation and monitoring.

DISCIPLINE OUTCOMES

ORDER

The Discipline Panel imposed an order:

1. Requiring the Member to appear before the Panel to be reprimanded immediately following the hearing of this matter.
2. Directing the Registrar to suspend the Member's certificate of registration for a period of six months.
3. Directing the Registrar to impose the following specified terms, conditions and limitations on the Member's certificate of registration:
 - a. Requiring that the Member unconditionally pass a course in ethics;
 - b. Requiring that the Member successfully complete the College Jurisprudence Course;
 - c. Requiring that the Member write an essay between 1000–1500 words in length on the following issue:
 - i. The lessons he learned during the investigation and hearing and in completing the ethics and Jurisprudence courses; and
 - d. Prohibiting the Member from performing and/or supervising intravenous therapy.
4. Requiring the Member to pay the fine of not more than \$350 to the Minister of Finance.
5. Requiring the Member to pay the College's fixed costs in the amount of \$6,500.

The Panel concluded that the proposed penalty was reasonable and in the public interest, and that it satisfied the principle of public protection.

Copies of the full discipline decisions are available on the [Public Register](#) in the Members' profiles. All decisions can also be reviewed in the [Resources section](#) of the College's website.

COLLEGE'S COSTS

Section 53.1 of the *Health Professions Procedural Code* provides that, in an appropriate case, a discipline panel may make an order requiring a Member who the panel finds has committed an act of professional misconduct, to pay all or part of the College's costs and expenses. The panel awards costs on a case-by-case basis.

The following costs and expenses were incurred by the College in regard to this matter:

- Legal costs and expenses: \$27,000
- Investigation costs: \$4,300
- Other costs: \$3,100

As previously noted, the Panel ordered the Member to pay the College's costs fixed in the amount of \$6,500, which amounted to 18% of the College's costs.

The improper use of “Oncology” in ND advertising

The use of improper language in advertising is a recurring theme in complaints received by the College, including use of the term “oncology”.



In a matter that was investigated by the Inquiries, Complaints and Reports Committee (ICRC), a Member used the term “Naturopathic Integrative Oncology” in their advertising. The ICRC was of the opinion that the use of the term, when viewed in combination with other statements made on the Member’s website, may mislead the public to believe that the Member is trained to treat cancer, or that the Member is holding themselves out to be an oncologist. Oncologist is a specialty title restricted to medical doctors who have met the specialty criteria set out by the Royal College of Physicians and Surgeons of Canada. In reaching its decision, the ICRC reasoned that since there are no recognised speciality programs for naturopathic doctors (NDs) in Canada to enable them to diagnose or treat cancer, it is not appropriate for NDs to use the term “naturopathic oncology” or “naturopathic oncologist”.

The ICRC had serious concerns with the use of the term “oncology” in the ND’s advertising as it not only appeared to violate the regulations, professional standards and guidelines, but more importantly, it jeopardises the public’s ability to make informed choices regarding their health care.

WHY “ONCOLOGY” SHOULD NOT BE USED BY NDS.

1. Oncology is considered a specialty of medicine. Referring to oncology treatments or naturopathic oncology could violate the *Medicine Act, 1991*. Section 9(3) of the *Medicine Act, 1991* states *No person other than a member¹ shall hold himself or herself out as a person who is qualified to practise in Ontario as an osteopath, physician or surgeon or in a specialty of medicine.*

2. It is professional misconduct to inappropriately use a term, title or designation indicating or implying a specialisation in the profession. Language such as “naturopathic oncologist” or “naturopathic oncology” implies a specialisation and is therefore considered professional misconduct under the *Professional Misconduct Regulation* made under the *Naturopathy Act, 2007*.

¹ Of the College of Physicians and Surgeons of Ontario

THE IMPROPER USE OF “ONCOLOGY” IN ND ADVERTISING

Additionally, using a designation such as “FABNO” (Fellow of the American Board of Naturopathic Oncology) may also be considered professional misconduct as it implies a specialisation. The ICRC investigated another matter where a Member had used the designation “FABNO” after their name. The Member’s professional biography also included a statement that they had achieved “competence in both naturopathic and conventional oncology and meets the highest standard of the profession as a specialist in naturopathic oncology”. Among other things, the Member was counselled that their advertising may be misleading to the public about the role of naturopathy in cancer care.

3. Treating cancer is outside the scope of practice of naturopaths in Ontario. Under the College’s regulations, NDs do not have access to necessary tools to diagnose or treat cancer. However, they can provide adjunctive care to support cancer care and treatment. NDs who suspect that a patient may have cancer are required to refer the patient to another regulated health professional (e.g., a medical doctor) who can make a diagnosis and provide cancer treatment.

4. Advertisements must be accurate and must only reflect treatments that are within the Member’s scope of practice. Providing the public with accurate, factual, objective and verifiable information to make an informed choice in health care is in the public’s best interest.



CONSIDER ALTERNATIVE LANGUAGE

The ICRC understands that websites and social media are a means for many NDs to promote themselves and their practices. However, NDs who advertise their professional services must do so in ways that do not mislead the public or exploit the vulnerability of patients who may be suffering and seeking help for a disease or illness, such as cancer.

When it comes to advertising naturopathic cancer care, the best approach is to use clear language, specifically advertising the service for what it is—adjunctive cancer care. In respect to advertising to prospective patients with cancer, NDs should be clear and concise in their advertising by stating that they are not able to treat cancer but rather, can offer adjunctive support, which may be described as cancer symptom management.

BOTTOM LINE

The term oncology is never appropriate to use in reference to a naturopath’s practice and is considered to be professional misconduct.

NDs cannot diagnose or treat cancer as it does not fall within the scope of practice of the profession. However, NDs are able to provide adjunctive care using naturopathic treatments for cancer symptom management and to alleviate the impact of conventional cancer treatments on the body. The choice of language used in advertising can have a big influence on how the public perceives not only the naturopath, but the entire profession. It can also impact an individual’s choice of treatment.

COMING
SOON

FALL 2020



A new website and Member interface

Last year, the College recorded nearly 215,000 visits on its website. Whether you are a patient who wants to know more about a naturopath's background, an ND who wants to update your Member profile, or are looking for information about a specific topic, our goal is to make your visit simple, easy and successful.

To make that possible, we are excited to be launching a new website, database and Member interface in the coming months.

We have heard that finding information on our site can be difficult. This will change with a robust search function and an easy-access library of all the core documents and forms created by the College, including policies, standards of practice, exam handbooks and more.

Members' account pages will be easier to use as well. Members can configure their favourite queries to open whenever they log in to their profile and will be able to upload all Member forms directly using desktop or mobile devices. A feedback loop will allow staff to add comments for Members, who will receive notifications and can answer back via e-mail or text. Our new Member account interface will use the latest technology, security and user interface standards. It is uniquely focused on Canadian healthcare regulatory legislation and currently supports 43 Canadian regulatory clients.

The redevelopment of the website and College database has been underway for a year. The finished product will be a modern platform that makes it easy to interact with us online and find the information you want.

Tips for NDs joining a practice

1

Have a written agreement or contract with the clinic owner. Do not rely on a verbal agreement.

2

Hire a lawyer who is familiar with the College's regulations and standards of practice to review the contract before signing it.

3

It is recommended that the contract or agreement clearly states that the naturopath owns the patient health records and consequently keeps the original files when the naturopath leaves the clinic.

4

If the clinic owner will not abide by the requirements set by the College and allow the naturopath to take the original files when they leave, it is the responsibility of all parties to act professionally and come to an agreement to ensure records are retained according to the *Standard of Practice for Record Keeping*. This includes ensuring patient access to their records and identifying who will act as the Health Information Custodian as required by the *Personal Health Information Protection Act, 2004*.

5

In the event that you leave the clinic, you need to ensure that patients are notified in writing that you are leaving, and give them instructions about how to access a copy of their health records.

6

You can send the notification that you are leaving or designate a staff member at the clinic to do it on your behalf. This should be discussed, agreed upon, and included in the written agreement or contract.

NEWS AND EVENTS



We're five years old!

On July 1, 2015, naturopaths joined Ontario's community of the 26 self-regulated health professions that exist to provide safe, competent and ethical health care in the best interest of the public.

Coming under the *Regulated Health Professions Act, 1991* marked the starting point of a whole new and exciting journey for the profession—and we can tell you that a lot has happened in those five years! We plan on sharing some of those important milestones and achievements as the year unfolds.

Upcoming exam dates & deadlines

Exam	Exam Date	Registration Opens	Registration Closes*
Ontario Prescribing & Therapeutics Exam	Oct 25, 2020	Sept 11, 2020	Oct 2, 2020
Ontario Clinical Practical Exams	Nov 1, 2020	Sept 18, 2020	Oct 9, 2020
New Ontario Biomedical Exam	Nov 19, 2020	Sept 22, 2020	Oct 13, 2020
Ontario IVIT Exam	Dec 6, 2020	Oct 19, 2020	Nov 9, 2020

* Any requests for exam accommodations must also be received by the College by this date.

CE reminder: September 30 is the [Group III](#) reporting deadline. Visit our website for Information about CE reporting changes as a result of COVID-19 (in [Advisories](#)) and our [QA pages](#) to find your reporting group and other details.

Read our latest blog posts!

[*Providing immune support to patients during COVID-19*](#)

[*It's National Volunteer Week!*](#)

Next Council meeting:

October 28, 2020. Meetings are open to the public and College Members. Seating is limited, so please [register in advance](#) if you would like to attend. This meeting will be held via Zoom videoconferencing.

Reminder: keep your College info current

[Log in to your account](#) to update any changes to your professional profile, including address, telephone number and e-mail changes. A full list of what you must report and update is in [section 20.13 of the College by-laws](#). Read about other mandatory self-reporting requirements [here](#) and [visit this page](#) if you have recently changed your name.