

# Proposed Registration Regulation Consultation Guide

Proposed Regulation	Current Registration Regulation	Rationale	Impact
<p><b>Definitions</b></p> <p>1. In this Regulation,</p> <p>“continuity of care” means midwifery care provided in accordance with the standards of practice and policies of the College.</p> <p>“course of care” means midwifery care within the scope of practice in section 3 of the Act that a member provides during pregnancy, labour and delivery, and the post-partum period, and includes care of the newborn baby eight weeks after birth.</p> <p>“out of hospital” means at a residence or remote clinic or birth centre.</p> <p>“Supervisor” means a member who has,</p> <p>(a) been approved by the College to supervise a member who holds a supervised and emergency certificate of registration, and</p> <p>(b) who has given an undertaking to the College in a form satisfactory to the Registrar with respect to the supervision;</p>	<p><b>Definitions</b></p> <p>1. In this Regulation,</p> <p>“active practice” means the provision of midwifery care to a woman throughout pregnancy, labour, birth and the postpartum period in accordance with section 12.</p> <p>“clinical preceptor” means a practising member who teaches a midwifery student as part of the student’s practice in a clinical setting.</p> <p>“clinical teacher” means a member who is on the faculty of a midwifery program that meets the description set out in subparagraph 1 i or ii of subsection 8(1)</p> <p>“continuity of care” means midwifery care provided in accordance with the standards of practice of the College.</p> <p>“primary midwife” means a midwife who assumes sole responsibility for the care of a woman in the intrapartum period, or, working with</p>	<ul style="list-style-type: none"> <li>The definitions have been updated to reflect contemporary midwifery practice, College regulatory processes, and gender inclusive language</li> </ul>	<p><b>Clients &amp; the Public</b></p> <ul style="list-style-type: none"> <li>The proposed changes foster a better understanding of elements of midwifery care</li> </ul> <p><b>Midwives &amp; Applicants</b></p> <ul style="list-style-type: none"> <li>The proposed changes foster a better understanding of the registration requirements as articulated in the regulation</li> </ul>

<p>“primary midwife” means a midwife who assumes sole responsibility for the care of a client in the intrapartum period, or, working with another midwife or a small group of midwives, assumes primary responsibility for the care of a client in the intrapartum period.</p>	<p>another midwife or a small group of midwives, assumes primary responsibility for the care of a woman in the intrapartum period, and, subject to meeting those requirements, may include a midwife who attends a birth as a supervisor approved by the College, a member registered with a certificate of registration in the supervised practice class when acting under a plan of supervised practice and evaluation that has been accepted by the College, and a clinical preceptor.</p> <p>“remote birth centre” means a birth centre located at a distance of at least 30 minutes journey from a hospital with surgical facilities, using a method of transportation ordinarily used for health care purposes in the area;</p> <p>“supervisor” means a member who has been approved by the College to mentor and monitor a member who holds a supervised practice certificate of registration.</p>		
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The following statements may be used as prompts for your feedback. Do you agree or disagree? Why or why not?

- The proposed definitions are sufficiently clear for midwives and applicants.
- The proposed definitions are sufficiently clear for clients and the public.
- The proposed definitions accurately reflect contemporary midwifery practice.

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<p><b>Classes of Certificates</b></p> <p>2. The following are prescribed as classes of certificates of registration:</p> <ol style="list-style-type: none"> <li>1. General</li> <li>2. Supervised</li> <li>3. Emergency</li> <li>4. Non-practising</li> </ol>	<p><b>Classes of Certificates</b></p> <p>2. The following are prescribed as classes of certificates of registration:</p> <ol style="list-style-type: none"> <li>1. General</li> <li>2. Supervised practice</li> <li>3. Inactive</li> <li>4. Transitional</li> </ol>	<ul style="list-style-type: none"> <li>• The transitional class has been eliminated as:</li> <li>• it enables an applicant to become registered without receiving results of the qualifying examination, which is not in the public interest</li> <li>• this class of registration is not necessary to expedite access to the profession as applicants can act as a second birth attendant until registered and applicants were still required to have taken the qualifying examination prior to registration in this class</li> <li>• it is administratively burdensome as holders have to agree to practise under supervision and have an approved supervisor</li> <li>• The qualifying examination is now administered online, and the results are generally released within 4-6 weeks of the examination taking place enabling registration in general or supervised class immediately</li> </ul>	<p><b>Clients &amp; the Public</b></p> <ul style="list-style-type: none"> <li>• The emergency class will facilitate the availability of midwives to assist with the provision of health care during exceptional times (e.g., a pandemic). This increases access to health care for the public during those exceptional times</li> <li>• The non-practising class title is less confusing for the public and clarifies the ability of the midwife to provide midwifery care</li> </ul> <p><b>Midwives &amp; Applicants</b></p> <ul style="list-style-type: none"> <li>• Applicants can apply to be in the emergency class when rare circumstances make it difficult for applicants to meet all entry to practice requirements and an expedited registration process may be needed</li> </ul>

		<p>upon release of the results and where all requirements for registration are met</p> <ul style="list-style-type: none"> <li>• The emergency class has been introduced to enable entry to practice for eligible midwifery students/ other applicants in specific emergency situations only (e.g., pandemic) that would be in the public interest</li> <li>• since the emergency class was originally proposed, the Ministry has made an emergency class mandatory</li> <li>• Under the <i>Regulated Health Professions Act</i> (RHPA), health regulatory Colleges are required to develop regulations creating an emergency class of registration<sup>1</sup>. Features of this class must include: <ul style="list-style-type: none"> <li>1. The specific emergency circumstances that will cause the class to be open for registration.</li> <li>2. A time period of no more than a year duration, but renewable for the same period of time with no limit on the number of times they may be renewed as long as the emergency circumstance persists.</li> <li>3. Circumstances in which a</li> </ul> </li> </ul>	
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		<p>member of the emergency class must become eligible for registration in another registration class and be exempt from at least some registration requirements that would ordinarily apply to that other class of registration.</p> <ul style="list-style-type: none"> <li>• The “inactive” class is renamed to “non-practising” which is more transparent for the public to understand the midwife’s inability to provide midwifery care if in this class</li> </ul>	
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The following statements may be used as prompts for your feedback. Do you agree or disagree? Why or why not?

- The titles of the four classes of registration (General, Supervised, Emergency and Non-Practising) are sufficiently clear.
- The elimination of the transitional class is in the public interest.
- The addition of the emergency class is in the public interest and helps to serve Ontarians.
- Renaming the “inactive” class to “non-practising” is a more transparent title to reflect that midwifery care cannot be provided by those registered in this class.

Proposed Regulation	Current Registration Regulation	Rationale	Impact
<p><b>Application for certificate of registration</b></p> <p>3. 1) A person may apply for a certificate of registration by submitting a completed application in the form provided by the Registrar together with any applicable fees required under the by-laws and any supporting documentation requested by the Registrar.</p> <p>(2) An applicant shall be deemed not to have satisfied the registration requirements for a certificate of registration if the applicant makes a false or misleading statement or representation on or in connection with their application, and any certificate of registration issued to such an applicant may be revoked by the Registrar.</p>	<p><b>Application</b></p> <p>3. A person may apply for a certificate of registration by submitting a completed application to the Registrar together with the application fee.</p>	<ul style="list-style-type: none"> <li>This section has been updated to be clearer regarding fees, supporting documentation, and declarations associated with registration applications</li> </ul>	<p><b>Midwives &amp; Applicants</b></p> <ul style="list-style-type: none"> <li>The proposed changes facilitate a clearer understanding of the registration application process</li> </ul>

The following statement may be used as a prompt for your feedback. Do you agree or disagree? Why or why not?

- The revised application requirements are sufficiently clear for applicants.

Proposed Regulation	Current Registration Regulation	Rationale	Impact
<p>[Note: This section applies to all applicants seeking registration in any class.]</p> <p><b>Requirements for issuance of certificate of registration, any class</b></p> <p>4. An applicant must satisfy the following requirement for the issuance of a certificate of registration of any class:</p> <p>1. The applicant must, at the time of the application, provide written details about any of the following that relate to the applicant and, where any of the following change with respect to the applicant after submitting the application but before the issuance of a certificate, the applicant must immediately provide written details with respect to the change:</p> <p>i. A finding of professional misconduct, incompetence, incapacity, professional negligence, malpractice or any similar finding</p>	<p><b>Issuance</b></p> <p>3. A certificate of registration shall be issued if the member,</p> <p>(a) pays the administrative fee</p> <p>(b) pays the annual fee</p> <p>(c) satisfies the registration requirements for a certificate of the applicable class</p>	<ul style="list-style-type: none"> <li>• Articulating standard requirements for issuing a certificate for all classes of registration sets a minimum standard of professionalism and safety in the practise of midwifery</li> <li>• Corresponding fees are already covered by section 3 of the proposed regulation so are not repeated here</li> </ul>	<p><b>Clients &amp; the Public</b></p> <ul style="list-style-type: none"> <li>• The proposed changes enable the College to gain a clearer picture into the applicant’s suitability to practice and can therefore make decisions in the public’s interest.</li> </ul> <p><b>Midwives &amp; Applicants</b></p> <ul style="list-style-type: none"> <li>• Applicants will need to be aware of all requirements when applying for registration</li> </ul>

<p>against the applicant made by a body that governs a profession in any jurisdiction.</p> <p>ii. A current investigation, inquiry or proceeding for professional misconduct, incompetence or incapacity or any similar investigation, inquiry or proceeding against the applicant by a body that governs a profession in any jurisdiction.</p> <p>iii. A refusal to register the applicant to practise as a midwife or another profession in any jurisdiction.</p> <p>iv. The termination or suspension of the applicant's registration, licensure or similar status by a body that governs a profession in any jurisdiction.</p> <p>v. The imposition of any term, condition, limitation or other restriction on the applicant's registration, licensure or similar status by a body that governs a profession in any jurisdiction.</p>			
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<ul style="list-style-type: none"> <li>vi. Information about a coroner’s inquest proceeding or verdict relating to the applicant’s conduct.</li> <li>vii. A finding of guilt for any of the following: <ul style="list-style-type: none"> <li>A. A criminal offence</li> <li>B. An offence resulting in either imprisonment or a fine greater than \$1,000.</li> </ul> </li> <li>viii. Information about any finding, decision, or restriction relating to the applicant that would be required to be included on the public register if the applicant was a member.</li> <li>ix. Any other event that would provide reasonable grounds for the belief that the applicant will not practise midwifery in a safe and professional manner.</li> </ul> <ul style="list-style-type: none"> <li>• The applicant’s past and present conduct must afford reasonable grounds for the belief that the applicant, <ul style="list-style-type: none"> <li>i. will practise midwifery with decency, honesty</li> </ul> </li> </ul>			
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<p>ii. and integrity and in accordance with the law, is mentally competent and physically able to practice in a safe manner,</p> <p>iii. has sufficient knowledge, skill and judgment to competently engage in the practice of midwifery authorized by the certificate of registration, and</p> <p>iv. will display an appropriate professional attitude.</p> <ul style="list-style-type: none"> <li>• The applicant must be able to speak, read and write in English or in French with reasonable fluency.</li> <li>• The applicant must, at the time of the application, provide the Registrar with the results of a police record check.</li> <li>• The applicant must provide proof of professional liability insurance coverage in the amount and in the form required under the by-laws.</li> </ul>			
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The following statements may be used as prompts for your feedback. Do you agree or disagree? Why or why not?

- The reporting requirements for applicants applying to any class of registration are sufficiently clear.
- The application requirements allow the College to gain a clearer picture into the applicant’s suitability to practice and accordingly make decisions in the public’s interest.

Proposed Regulation	Current Registration Regulation	Rationale	Impact
<p>[Note: This section applies to all classes of registration.]</p> <p><b>Terms, conditions, and limitations on every certificate</b></p> <p>5. Every certificate of registration is subject to the following terms, conditions and limitations:</p> <ol style="list-style-type: none"> <li>1. The member shall provide the College with written details about any of the following that relate to the applicant, within 10 calendar days of its occurrence: <ol style="list-style-type: none"> <li>i) A finding of professional misconduct, incompetence, incapacity, professional negligence, malpractice, or any similar finding against the member made by a body that governs a profession in any jurisdiction.</li> <li>ii) A current investigation, inquiry or proceeding for professional misconduct,</li> </ol> </li> </ol>	<p><b>Conditions of every certificate</b></p> <p>10. The following are conditions of every certificate of registration of every class:</p> <ol style="list-style-type: none"> <li>1. The member shall disclose the following events to the Registrar within 30 days of the event occurring, whether the event occurs in Ontario or in any other jurisdiction: <ol style="list-style-type: none"> <li>i) A finding against the member of professional misconduct, incompetence or incapacity or any like finding made by a regulatory body or where there is no regulatory body, by a professional association.</li> <li>ii) The initiation of a proceeding against the member that is in relation to professional misconduct, incompetence or incapacity or any like finding made by a regulatory body or, where there is no regulatory body, by professional association.</li> <li>iii) A denial of registration, licensure or similar status by a</li> </ol> </li> </ol>	<ul style="list-style-type: none"> <li>• The wording of this section (found in s. 10 and s. 11 of the current regulation) has been broadened to include other circumstances that relate to the professional conduct of a midwife and require a midwife to notify the College</li> <li>• Reference to outdated College processes (e.g., midwives having to display registration cards upon request) have been removed</li> </ul>	<p><b>Clients &amp; the Public</b></p> <ul style="list-style-type: none"> <li>• It is in the public’s interest for the terms, conditions, and limitations on midwives’ certificates to be broadened to ensure that midwives remain suitable to practise</li> </ul> <p><b>Midwives &amp; Applicants</b></p> <ul style="list-style-type: none"> <li>• Midwives will have to be aware of the new circumstances that require them to report to the College</li> </ul>

<p>incompetence or incapacity or any similar investigation, or proceeding against the member by a body that governs a profession in any jurisdiction.</p> <p>iii) A refusal to register the member to practice as a midwife or another profession in any jurisdiction.</p> <p>iv) The termination or suspension of the member's registration, licensure or similar status by a body that governs a profession in any jurisdiction.</p> <p>v) The imposition of any term, condition, limitation or other restriction on the member's registration, licensure or similar status by a body that governs a profession in any jurisdiction.</p> <p>vi) Information about a coroner's inquest proceeding or verdict</p>	<p>regulatory body or, where there is no regulatory body, by a professional association.</p> <p>iv) The termination or suspension of the Member's registration, licensure or similar status by a regulatory body or, where there is no regulatory body, by a professional association.</p> <p>v) The imposition of any term, condition, limitation or other restriction on the member's registration, licensure or similar status by a regulatory body or, where there is no regulatory body, by a professional association.</p> <p>vi) The member's conduct becomes or is the subject of a coroner's inquest proceeding or verdict.</p> <p>vii) A finding of guilt either for a criminal offence or for any other offence.</p> <p>viii) The settlement by the member of an action with respect to the member's professional activities, whether actual or potential, or the member's becoming subject to a judgment in any action in respect of such activities.</p>		
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<p>relating to the member's conduct.</p> <p>vii) A finding of guilt for any offence.</p> <p>viii) Any other event that would provide reasonable grounds for the belief that the member will not practise midwifery in a safe and professional manner.</p> <p>2. At the request of the Registrar, the member must provide the Registrar with the results of a police record check.</p> <p>3. The member shall practise only in the areas of midwifery in which the member has the necessary knowledge, skill and judgment.</p> <p>4. The member shall not make a false or misleading representation or declaration to the College.</p> <p>5. The member shall maintain professional liability insurance in the amount</p>	<ul style="list-style-type: none"> <li>• The member shall not make a false or misleading representation or declaration to the College.</li> <li>• The member shall, <ul style="list-style-type: none"> <li>i. Clearly display his or her certificate of registration as issued by the College at his or her principal place of practice, and</li> <li>ii. On request, make available for inspection his or her current registration card as issued by the College.</li> </ul> </li> <li>• The member shall continue to be a Canadian citizen or a permanent resident of Canada or authorized under the <i>Immigration and Refugee Protection Act</i> (Canada) to engage in employment in Canada.</li> </ul> <p><b>Condition re insurance</b></p> <p>11. It is a condition of every general, supervised practice and transitional certificate of practice that the member shall have and continue to have personal protection against professional liability in accordance with the by-laws of the College.</p>		
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<p>and in the form required under the by-laws.</p> <p>6. The member shall provide the College with written details within two days of the member becoming aware that they do not have the professional liability insurance that they are required to have under the by-laws.</p>			
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The following statements may be used as prompts for your feedback. Do you agree or disagree? Why or why not?

- The reporting requirements are sufficiently clear for midwives.
- The broadened terms, conditions, and limitations sufficiently cover all circumstances that pertain to the professional conduct of a midwife that the College would need to know about for determining the midwife's suitability to practice.

Proposed Regulation	Current Registration Regulation	Rationale	Impact
<p>[Note: This section sets out education and clinical experience requirements for graduates of Canadian universities, internationally educated midwife applicants, and former midwives.]</p> <p><b>General class, registration requirements</b>  <b>6.</b> (1) The following are registration requirements for a general certificate of registration:</p> <p><b>1.</b> The applicant must have at least one of the following:</p> <p>i. A baccalaureate degree in health sciences (midwifery) awarded by a university in Canada as a result of successful completion of a program that was approved by Council or that was approved by a body or bodies approved by Council for that purpose.</p> <p>ii. Qualifications that are substantially equivalent to the degree referred to in subparagraph i, as determined by the Council or by a body or</p>	<p><b>Issuance – general class</b></p> <p><b>8.</b> (1) Subject to subsections (2) to (5) and to subsection 15(4), the following are non-exemptible registration requirements for a certificate of registration of the general class:</p> <p><b>1.</b> The applicant must have at least one of the following,</p> <p>i) A baccalaureate degree in health science (midwifery) from a university in Ontario.</p> <p>ii) A degree, diploma or certificate from a program listed in Schedule 1.</p> <p>iii) Qualifications that are equivalent to the degree referred to in subparagraph i, as determined by the Council or by a body or bodies designated by the Council.</p> <p><b>2.</b> The applicant must,</p> <p>i. Have current clinical experience consisting of active practice for at least two years</p>	<ul style="list-style-type: none"> <li>• Canada-wide degrees in health sciences (midwifery) are now recognized as opposed to being limited to the province of Ontario, which allows for applicants who completed a recognized midwifery education program outside the province of Ontario, to apply directly for registration in Ontario without having to first be registered in another jurisdiction.</li> <li>• The conditions of a general certificate that were previously found under section 8 of the Registration Regulation and non-exemptible registration requirements previously found in section 7 of the Registration Regulation are now included in this section</li> <li>• A midwife who has resigned is not required to meet some registration requirements if they re-apply within four years of having resigned (previously five years) because they would have previously met some of those entry to practice requirements and with respect to clinical currency,</li> </ul>	<p><b>Clients &amp; the Public</b></p> <ul style="list-style-type: none"> <li>• Have a clearer understanding of requirements for midwives to become registered in the General Class</li> </ul> <p><b>Midwives &amp; Applicants</b></p> <ul style="list-style-type: none"> <li>• Applicants now have direct entry to the College even if they have completed their midwifery education elsewhere in Canada</li> </ul>

<p>bodies designated by the Council.</p> <p>2. The applicant must,</p> <p>i. Demonstrate evidence of clinical experience as a midwife within two years immediately before the date on which the applicant submitted their application, and</p> <p>ii. Have attended at least 60 births, of which at least,</p> <p>A. 40 were attended as primary midwife,</p> <p>B. 30 were attended as part of the care provided in accordance with the principles of continuity of care,</p> <p>C. 10 were attended in hospital, of which at least five were attended as primary midwife, and</p> <p>D. 10 were attended out-of-hospital, of which at least five were attended as primary midwife.</p>	<p>out of the four years immediately before the date of the application, and</p> <p>ii. Have attended at least 60 births, of which at least,</p> <p>A. 40 were attended as primary midwife</p> <p>B. 30 were attended as part of the care provided to a woman in accordance with the principles of continuity of care</p> <p>C. 10 were attended in hospital, of which at least five were attended as primary midwife, and</p> <p>D. 10 were attended in a residence or remote clinic or remote birth centre, of which at least five were attended as primary midwife</p> <p>3. The applicant must have successfully completed the qualifying examination that was set or approved by the Registration Committee at the time the applicant took the examination</p>	<p>based on skills fade research a two year timeframe would be too short and not necessarily require upgrading activities while the five year timeframe may require additional upgrading/registration requirements.</p> <ul style="list-style-type: none"> <li>• The number of attempts permitted for passing the qualifying examination is no longer mentioned in the regulation as this will be regulated by the body administering the examination, currently the Canadian Midwifery Regulators Council, who establish eligibility and retake policies.</li> <li>• Reference to completing a “requalification program” for an applicant that has previously resigned has changed to “upgrading activities” to better reflect language that is consistent with what may be required of the applicant in terms of an individualized set of activities to address identified gaps in knowledge, skill and judgment as specified by the Registration Committee for a return to practice, as opposed to a “requalification program” that does not exist.</li> </ul>	
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<p>3. The applicant must have successfully completed the qualifying examination that was set or approved by the Registration Committee at the time the applicant took the examination.</p> <p>4. The applicant must have successfully completed the jurisprudence course set or approved by the Registration Committee.</p> <p>5. The applicant must provide satisfactory evidence of competency in neonatal resuscitation.</p> <p>6. The applicant must provide satisfactory evidence of competency in cardiopulmonary resuscitation.</p> <p>7. The applicant must provide satisfactory evidence of competency in emergency skills.</p> <p>(2) An applicant who holds a qualification referred to in subparagraph 1 ii of subsection (1) is considered to have met the requirements of subparagraph 2 ii of subsection (1) if,</p> <p>(a) the applicant has attended at least 40 births as primary midwife, of which at least,</p> <p>(i) 10 were attended as part of the care provided to a client in accordance with the principles of continuity of care,</p>	<p>(1.1) The requirement in paragraph 3 of subsection (1) is not considered to have been met unless the applicant</p> <p>(a) successfully completed the qualifying examination within the applicant's first three attempts, or</p> <p>(b) successfully completed the qualifying examination on the applicant's fourth or any subsequent attempt after having first successfully completed the further education or training or combination of education and training, if any, that may have been specified by a panel of the Registration Committee</p> <p>(2) Subparagraph 2 i of subsection (1) does not apply to an applicant who, within the two years immediately preceding the date of application, satisfied the educational requirements in paragraph 1 of subsection (1) or successfully completed a supervised practice approved by a panel of the Registration Committee.</p> <p>(3) An applicant who holds a qualification referred to in subparagraph 1 i of subsection (1) is not considered to have met the requirements set out in subparagraph 2 ii of subsection (1) unless</p>		
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<p>(ii) 10 were attended in hospital, and</p> <p>(iii) Five were attended out-of-hospital; and</p> <p>(b) the applicant agrees to comply with the terms imposed by the Registration Committee relating to this requirement.</p> <p>(3) An applicant who is former member and who had previously resigned from the College is not required to meet the requirements of subsection (1) if,</p> <p>(a) The applicant reapplies for a general certificate of registration within 4 years of having resigned and had met their new registrant conditions.</p> <p>(b) the applicant successfully completes upgrading activities that has been approved by the Registration Committee for that purpose; and</p> <p>(c) the applicant meets all other registration requirements for the general certificate of registration.</p> <p>(4) The requirements in paragraph 1, 2, 3, and 4 of subsection (1) are non-exemptible.</p>	<p>those requirements were met while the applicant was under the supervision of a clinical teacher or clinical preceptor.</p> <p>(4) An applicant who holds a qualification referred to in subparagraph 1 iii of subsection (1) is considered to have met the requirements of subparagraph 2 ii of subsection (1) if,</p> <p>(a) the applicant has attended at least 40 births as primary midwife, of which at least</p> <p>(i) 10 were attended as part of the care provided to a woman in accordance with the principles of continuity of care</p> <p>(ii) 10 were attended in hospital, and</p> <p>(iii) one was attended in a residence, a remote birth clinic, or a remote birth centre;</p> <p>(b) the applicant has attended at least one birth other than the one required under subclause (a) (iii) at a place referred to in that subclause, whether or not as primary midwife; and</p> <p>(c) the applicant agrees to comply with the terms imposed by the Registration Committee relating to this requirement</p>		
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	<p>(5) An applicant who is a former member and who had previously resigned from the College is not required to meet the requirements of subsection (1) if,</p> <p>(a) the applicant reapplies for a general certificate of registration within five years of having resigned;</p> <p>(b) the applicant had held a general certificate of registration for at least one year and, while holding that certificate, had provided midwifery care in accordance with clause 12(2)(a);</p> <p>(c) the applicant successfully completes a requalification program that has been approved by the Registration Committee for that purpose; and (d) the applicant meets all the requirements in sections 6 and 7</p>		
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The following statements may be used as prompts for your feedback. Do you agree or disagree? Why or why not?

- The requirements applicants must meet to be registered in the general class of registration at the College are sufficiently clear.
- Recognizing Canada-wide degrees in this section reduces barriers for applicants to register with the College.

Proposed Regulation	Current Registration Regulation	Rationale	Impact
<p>[Note: This section sets out new registrant conditions and clinical currency requirements for practising midwives (after they have met their new registrant conditions). It also sets out the procedures that apply in situations where midwives are not able to demonstrate clinical currency.]</p> <p><b>Terms, etc., General class</b>  7. (1) Every general certificate of registration is subject to the following limitations:</p> <ol style="list-style-type: none"> <li>1. A member must practice midwifery under the mentorship of a holder of a general certificate of registration until such time as they have completed the minimum number of courses of care specified in policy approved by Council.</li> <li>2. During every two-year period a member must practise midwifery for the minimum number of hours specified by Council, with the first two-year period beginning on the day the member is issued a</li> </ol>	<p><b>Conditions, general certificate</b>  12. (1) The following are conditions of general certificate of registration:</p> <ol style="list-style-type: none"> <li>1. The member shall carry on an active practice in accordance with this section, and shall correct any deficiencies in accordance with subsection (5), unless a panel of the Registration Committee grants an exception under extenuating circumstances.</li> <li>2. The member shall, in every year, provide evidence satisfactory to the College of continuing competency in neonatal resuscitation.</li> <li>3. The member shall, every two years, provide evidence satisfactory to the College of continuing competency in emergency skills and cardiopulmonary resuscitation.</li> <li>4. Unless the member qualified for a certificate of registration under section 9, the member, in his or her first year of practice after</li> </ol>	<ul style="list-style-type: none"> <li>• The new regulation proposes having new registrants practise under the guidance of a mentor until such time that they have completed specified minimum courses of care <ul style="list-style-type: none"> <li>• This enables the College to establish a mentorship program to support new registrants and facilitates skill consolidation across the scope of practice. This is in keeping with feedback received relating to new registrant conditions</li> </ul> </li> <li>• The new regulation proposes governing clinical currency requirements through policy and based on a specified minimum number of hours during every 2 year period given that: <ul style="list-style-type: none"> <li>• policies can be more detailed in setting out what constitutes clinical currency, how the College determines ongoing currency, and what action will be taken if a midwife cannot demonstrate ongoing currency</li> </ul> </li> </ul>	<p><b>Clients &amp; the Public</b></p> <ul style="list-style-type: none"> <li>• Can be assured that the new requirements will contribute toward the objective of ensuring midwives possess and maintain knowledge, skills, and behaviours relevant to their professional practice, and exercise clinical and professional judgment to provide safe and effective care</li> </ul> <p><b>Midwives &amp; Applicants</b></p> <ul style="list-style-type: none"> <li>• Will face fewer barriers to meeting clinical currency requirements that are out of their control (e.g., community limitations or a client’s choice of place of birthplace)</li> <li>• The proposed changes allow the profession to evolve and give midwives more flexibility to organize their practice in a way that better meets the needs of their clients given the unique conditions under which midwives work</li> </ul>

<p>general certificate of registration, and each subsequent two-year period beginning on the first anniversary of the commencement of the previous period.</p> <p>(2) For the purpose of paragraph 1 of subsection (1), the minimum number of courses of care is the number specified in the policy approved by Council which is in effect on the date the Member begins practising midwifery under mentorship as required by paragraph 1.</p> <p>(3) A member providing mentorship under paragraph 1 of subsection (1) must meet the criteria and have the qualifications set out in policy approved by Council.</p> <p>(4) For the purpose of paragraph 2 of subsection (1), the minimum number of hours are the number of hours specified and approved by Council as of the first day of each two-year period in paragraph 2.</p> <p>(5) If the member fails to meet the condition described in paragraph 2 of subsection (1), the member must undertake, obtain or undergo any training, experience, examinations and assessments that may be specified by the Registration Committee unless the member,</p>	<p>receiving his or her initial certificate of registration,</p> <ol style="list-style-type: none"> <li>i. must only work within an established practice, and</li> <li>ii. must attend a minimum of 30 births as a primary midwife as well as 30 births as a second midwife the latter of which must be attended with a member who is not subject to this condition.</li> </ol> <p>(2) A member satisfies the requirement for active practice if the member provides midwifery care,</p> <ol style="list-style-type: none"> <li>(a) over a one-year period, to at least 20 women, 10 of whom the member attended as primary midwife with at least five births occurring in a hospital and at least five in a residence, remote clinic or remote birth centre; or</li> <li>(b) over a two-year period, to at least 40 women, at least 20 of whom the member attended as primary midwife with at least 10 births occurring in a hospital and at least 10 in a residence, remote clinic or remote birth centre.</li> </ol>	<ul style="list-style-type: none"> <li>• policies can be updated more easily than the regulation and will continue to reflect current midwifery practice and evidence regarding clinical currency</li> <li>• the policy will be evidence-based, including data from practice surveys to determine appropriate hours or courses of care to set clinical currency requirements</li> <li>• The current regulation requires birth numbers in specific locations/settings and roles. That is problematic in that: <ul style="list-style-type: none"> <li>• the former approach is arbitrary and prescriptive</li> <li>• the former approach includes numbers that are not an evidenced-based or objective measurement of clinical currency relating to all aspects of midwifery care</li> <li>• the former approach does is not achievable for all midwives in modern midwifery practise. Some midwives will not be able to meet requirements such as out of hospital births, depending on the community</li> </ul> </li> </ul>	
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<p>(a) qualifies for and has successfully completed standard upgrading activities approved by the Registration Committee;</p> <p>(b) has given the College a written undertaking to complete upgrading activities that is acceptable to the Registrar and with which the member is in compliance; or</p> <p>(c) has resigned their general certificate of registration and applied for and received a non-practising certificate of registration.</p>	<p>(3) A member who complies with subsection (2) in the first two consecutive years after registration in Ontario may elect to satisfy the requirement for active practice by, in any subsequent five-year period, providing midwifery care to at least 100 women, at least 50 of whom the member attended as primary midwife with at least 25 births occurring in a hospital and at least 25 in residence, remote clinic or remote birth centre</p> <p>(4) Despite subsection (3), a member may satisfy the requirement for active practice over any five-year period after registration in accordance with subsection (3) if the member,</p> <p>(a) practised as a midwife in a jurisdiction outside of Ontario before being issued a certificate of registration under the Act; and</p> <p>(b) would, if the member had been registered as a midwife in Ontario, have been in compliance with clause 2 (a) or (b) in two of the four years immediately preceding the member's registration as a midwife with a general</p>	<p>they practise in or because they do not attend births, or only attend births in a certain setting</p> <ul style="list-style-type: none"> <li>• Attending births as a primary provider does not assist in the maintenance of skills related to aspects of midwifery care outside of labour and intrapartum care so it is not a good measure of overall clinical currency</li> </ul>	
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	<p>certificate of registration in Ontario.</p> <p>(5) A member who receives notice from the Registrar of having failed to satisfy the active practice requirements in subsections (2) to (4) shall not engage in the practice of midwifery unless,</p> <p>(a) within 30 days of the notice being sent, the member agrees to comply with a plan proposed by a panel of the Registration Committee that is designed to enable the member to meet the active practice requirements; and</p> <p>(b) the member gives an undertaking to the Registration Committee that he or she will comply with any term, condition or limitation imposed on his or her certificate of registration that is in relation to the plan mentioned in clause (a).</p>		
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The following statement may be used as a prompt for your feedback. Do you agree or disagree? Why or why not?

- The proposed regulation reflects the evolving practise of midwifery and sufficiently ensures midwives maintain clinical competency in the areas in which they practise.

Proposed Regulation	Current Registration Regulation	Rationale	Impact
<p>[Note: This section only applies to applicants who are registered to practise in another Canadian jurisdiction and who hold a General/Active/Practising certificate.]</p> <p><b>Labour mobility, general class</b></p> <p>8. (1) Where section 22.18 of the Health Professions Procedural Code applies to an applicant for a general certificate of registration, the applicant is deemed to have met the requirements of paragraphs 1, 2 and 3 of subsection 6 (1).</p> <p>(2) It is a non-exemptible registration requirement that an applicant referred to in subsection (1) provide one or more certificates or letters or other evidence satisfactory to the Registrar or the Registration Committee establishing that the applicant is of good character and in good standing as a midwife in every jurisdiction where the applicant holds an out-of-province certificate.</p> <p>(3) Where an applicant to whom subsection (1) applies is unable to satisfy the Registrar or the Registration Committee that the applicant practised the profession of midwifery to the</p>	<p><b>When applicant holds out-of-province certificate</b></p> <p>9. (1) Subject to subsection (2), where section 22.18 of the Health Professions Procedural Code applies to an applicant, the applicant is deemed to have met the requirements of paragraphs 3, 4, and 5 of section 7 and of paragraphs 1, 2, and 3 of subsection 8 (1).</p> <p>(2) It is a non-exemptible registration requirement that an applicant referred to in subsection (1) provide one or more certificates or letters or other evidence satisfactory to the Registrar or a panel of the Registration Committee establishing that the applicant is in good standing as a midwife in every jurisdiction where the applicant holds an out-of-province certificate.</p> <p>(3) Without in any way limiting the generality of subsection (2), being in “good standing” with respect to a jurisdiction shall include the fact that,</p> <p>(a) the applicant is not the subject of any discipline or</p>	<ul style="list-style-type: none"> <li>• Continues to facilitate labour mobility in accordance with Chapter 7 of the Canadian Free Trade Agreement</li> <li>• The reference to completing upgrading activities is now applicable to those who do not meet requirements for a general certificate of registration in the preceding two years instead of three years before an application is made to be consistent with the clinical currency requirements as established in other sections of the regulation</li> <li>• In general, out of province certificate holders will satisfy the practice requirement based on holding an active certificate in another jurisdiction</li> <li>• Applicants must demonstrate good standing and good character</li> </ul>	<p><b>Clients &amp; the Public</b></p> <ul style="list-style-type: none"> <li>• Will be able to receive care from midwives who hold a similar certificate of registration in another Canadian jurisdiction following registration in Ontario</li> </ul> <p><b>Midwives &amp; Applicants</b></p> <ul style="list-style-type: none"> <li>• From another Canadian jurisdiction who hold a General/Active/Practising certificate may be registered in the general class Ontario in accordance with these labour mobility provisions</li> <li>• Will have to be aware of the requirements regarding the registration application process when holding an out of province certificate</li> </ul>



<p>extent that would be permitted by a general certificate of registration at any time in the preceding two years immediately before the date of that applicant's application, the applicant must meet any further requirement to undertake, obtain or undergo material additional training, experience, examinations or assessments that may be specified by the Registration Committee</p> <p>(4) An applicant referred to in subsection (1) is deemed to have met the requirement of paragraph 4 of section 4 where the requirements for the issuance of the applicant's out-of-province certificate included language proficiency requirements equivalent to those required by that paragraph.</p> <p>(5) Despite subsection (1), an applicant is not deemed to have met a requirement where that requirement is described in subsection 22.18 (3) of the Health Professions Procedural Code.</p>	<p>fitness to practise order of any proceeding or ongoing investigation or of any interim order or agreement as a result of a complaint, investigation or proceeding; and</p> <p>(b) the applicant has complied with all continuing competency and quality assurance requirements of the regulatory authority of the jurisdiction.</p> <p>(4) Where an applicant to whom subsection (1) applies is unable to satisfy the Registrar or a panel of the Registration Committee that the applicant practised the profession of midwifery to the extent that would be permitted by a general certificate of registration at any time in the preceding three years immediately before the date of the applicant's application, the applicant must meet any further requirement to undertake, obtain, or undergo material additional training, experience, examinations or assessments that may be specified by a panel of the Registration Committee.</p>		
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	<p>(5) An applicant referred to in subsection (1) is deemed to have met the requirement of paragraph 2 of section 7 where the requirements for the issuance of the applicant's out-of-province certificate included language proficiency requirements equivalent to those required by that paragraph.</p> <p>(6) Despite subsection (1), an applicant is not deemed to have met a requirement where that requirement is described in subsection 22.18 (3) of the Health Professions Procedural Code.</p>		
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The following statements may be used as prompts for your feedback. Do you agree or disagree? Why or why not?

- The requirements that out of province certificate holders must meet to be registered in the general class of registration are sufficiently clear.
- These provisions facilitate labour mobility and serve the public interest.

Proposed Regulation	Current Registration Regulation	Rationale	Impact
<p>[Note: These sections apply in situations where an applicant cannot meet the clinical experience at entry to practice or in situations where a midwife who moves from the Non-practising class to the General class needs to complete upgrading activities including supervised practice.]</p> <p><b>Supervised class</b></p> <p>9. It is a non-exemptible registration requirement for a Supervised certificate of registration that the applicant,</p> <p>(a) must have met all the requirements for the issuance of a general certificate of registration except for those requirements set out in paragraph 2 of subsection 6(1) (clinical experience); or</p> <p>(b) is required to undergo supervised practice as part of upgrading activities under subparagraph 4 ii of subsection 19 (1). (where a midwife moving from the non-practising to the general class does not demonstrate current knowledge, skill and judgment and the Registration Committee</p>	<p><b>Supervised Practice Certificate of Registration</b></p> <p><b>Registration requirements</b></p> <p>13. (1) Subject to subsection (2), a person may obtain a supervised practice of certificate of registration if the person,</p> <p>(a) has applied for a general certificate of registration and meets all the registration requirements for the general certificate of registration with the exception of those requirements set out in paragraph 2 of subsection 8(1); or</p> <p>(b) is required to undergo supervised practice as part of a requalification program under this Regulation.</p> <p>13 (2) A supervised practice certificate may only be granted if the following apply, as applicable:</p> <p>1. In the case of an applicant who qualifies for a supervised practice certificate of registration under clause (1)(a), if a panel of the Registration Committee has determined that the deficiencies in the applicant’s clinical experience may be fully remedied by a</p>	<ul style="list-style-type: none"> <li>• Qualifies these requirements to be non-exemptible requirements so it is clearer what is required to be met for this certificate of registration</li> <li>• Removes the requirement for a panel of the Registration Committee to determine that the deficiencies in clinical experience can be fully remedied in no more than 12 months under supervision but maintains all other requirements for a general certificate to be met, and still provides a route of entry for an applicant who does not meet the clinical currency requirements for a general certificate</li> <li>• Removes the requirement for the supervisor to be approved by a panel of the Registration Committee.</li> </ul>	<p><b>Clients &amp; the Public</b></p> <ul style="list-style-type: none"> <li>• Using the phrase “non-exemptible” makes it clear to the public that these requirements must be met</li> </ul> <p><b>Midwives &amp; Applicants</b></p> <ul style="list-style-type: none"> <li>• Promotes a better understanding of the requirements for registration in the supervised class</li> <li>• Provides clarity as to what is expected with respect to meeting clinical experience requirements under supervision</li> </ul>

<p>has determined that they require upgrading activities including supervised practise in order to prepare for reissuance of a general certificate).</p>	<p>period of no more than one year spent under the supervision of a member holding a general certificate of registration who is an approved supervisor</p> <p>2. In all cases, if the applicant has agreed to abide by a plan for supervised practice and evaluation that,</p> <ul style="list-style-type: none"> <li>i. satisfactorily addresses the deficiencies in the applicant's clinical experience,</li> <li>ii. has been agreed to by a supervisor who has been approved by a panel of the Registration Committee, and</li> <li>iii. is acceptable to the College</li> </ul>		
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The following statements may be used as prompts for your feedback. Do you agree or disagree? Why or why not?

- The requirements for registration in the supervised class are sufficiently clear for midwives and applicants.

Proposed Regulation	Current Registration Regulation	Rationale	Impact
<p><b>Supervised class, conditions, etc. of certificate</b></p> <p>10. It is an additional term, condition and limitation of every supervised certificate of registration that the member,</p> <p>(a) must at all times practice midwifery under the supervision of a Supervisor approved by the College;</p> <p>(b) be actively pursuing the requirements set out in clause 9 (a) or (b), unless the Registrar has provided the member with permission in writing to interrupt the pursuit of either of those requirements due to exceptional circumstances; and</p> <p>(c) must file any agreements and undertakings required by the College in connection with supervised practice.</p>	<p>s. 13 (7) The following are the conditions of a supervised practice certificate of registration:</p> <ol style="list-style-type: none"> <li>1. The member shall only practice midwifery in accordance with the plan for supervised practice and evaluation referred to in paragraph 2 of subsection (2).</li> <li>2. The member shall only practice midwifery while under the supervision of a supervisor who has been approved by a panel of the Registration Committee.</li> <li>3. The member must file any agreements and undertakings required by the College in connection with the plan for supervised practice and evaluation referred to in paragraph 2 of subsection (2) within the time periods specified by the College.</li> </ol>	<ul style="list-style-type: none"> <li>• Supervisors are now being approved by the College versus a panel of the Registration Committee because this makes it less administratively burdensome for the College and more streamlined for the applicant/midwife. College criteria for approval of supervisors can still be established in coordination with the Registration Committee</li> <li>• The Registrar is able to exempt a supervised certificate holder from actively pursuing the supervised requirements in exceptional circumstances such as the midwife needing to take a medical or parental leave but not being eligible to move to the non-practising class</li> <li>• Any supervised requirements will continue to be outlined in agreements and undertakings</li> </ul>	<p><b>Clients &amp; the Public</b></p> <ul style="list-style-type: none"> <li>• Provides clarity that supervisors are expected to be approved by the College and that midwives are expected to be actively pursuing their supervised requirements at all times while registered in this class</li> </ul> <p><b>Midwives &amp; Applicants</b></p> <ul style="list-style-type: none"> <li>• To practice in this class, the midwife must have a supervisor that has been approved by the College</li> <li>• At all times while holding a supervised certificate the midwife must be actively pursuing the requirements of any agreements or undertakings but would have the ability to request permission to interrupt their pursuit in exceptional circumstances. This provides flexibility that was not previously available</li> </ul>

The following statements may be used as prompts for your feedback. Do you agree or disagree? Why or why not?

- The proposed terms and conditions on supervised certificates are sufficiently clear.
- The requirements to have an approved supervisor and to be actively pursuing meeting the supervised requirements serve the public interest while providing some flexibility for midwives.

Proposed Regulation	Current Registration Regulation	Rationale	Impact
<p><b>Supervised class, expiry</b>  <b>11.</b> (1) Subject to subsection (2), a supervised certificate of registration expires on the earliest of the date on which any of the following events occur:</p> <ol style="list-style-type: none"> <li>1. The day that is two years after the certificate was issued.</li> <li>2. The day on which the member is issued a general certificate of registration.</li> <li>3. The day on which the member fails to meet the condition in clause 10 (b), unless the Registrar has provided the member with the permission mentioned in that section.</li> </ol> <p>(2) The Registrar may extend a supervised certificate of registration, subject to the member complying with any conditions set by the Registrar at the time of making the extension, if the Registrar is of the opinion that exceptional circumstances exist that warrant the extension.</p>	<p>13(3) A supervised practice certificate of registration may be granted for a period of up to one year.</p> <p>(4) If a supervised practice certificate of registration is granted for a period of less than a year, the certificate may be reissued so long as the reissuance will not result in the total period of supervised practice being longer than one year.</p> <p>(5) A supervised practice certificate of registration may not be reissued after the member has undertaken one year of supervised practice unless the Registration Committee approves of it being reissued.</p>	<ul style="list-style-type: none"> <li>• Timeline for expiry after issuance has changed from one year to two years because flexibility where a midwife is actively pursuing the supervised requirements but due to circumstances beyond their control, such as availability of births and supervisors, may need more than 12 months to complete the requirements. In addition, this provides flexibility should the midwife in exceptional circumstances need to take a leave while supervised</li> <li>• Ability to extend the term of a supervised certificate now lies with the Registrar instead of the Registration committee as it is less administratively burdensome and speeds up granting an extension when appropriate</li> <li>• It is also clear that the Supervised certificate expires when the midwife is issued a general certificate or if the midwife fails to actively pursue the requirements. For example, if a midwife's position is terminated and they do not secure another supervisor and</li> </ul>	<p><b>Clients &amp; the Public</b></p> <ul style="list-style-type: none"> <li>• Are aware that the supervised certificate expires after two years unless extended by the Registrar, which may include conditions and the other circumstances under which the certificate would expire</li> </ul> <p><b>Midwives &amp; Applicants</b></p> <ul style="list-style-type: none"> <li>• May hold a supervised certificate for up to two years without requiring a review by the Registration Committee</li> <li>• Must actively be pursuing the supervision requirements or their certificate will expire unless they have been granted permission by the Registrar to pause</li> </ul>

		place of practice to continue to meet the supervision requirements the certificate will expire. This was not previously clearly outlined	
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The following statements may be used as prompts for your feedback. Do you agree or disagree? Why or why not?

- The timeframes for holding a supervised certificate of registration and extensions are sufficiently clear.
- The proposed expiry provisions serve the public interest.

Proposed Regulation	Current Registration Regulation	Rationale	Impact
<p><b>Moving from supervised to general certificate</b>  <b>12.</b> (1) A holder of a supervised certificate of registration shall be issued a General certificate of registration upon completion of the requirements set out in paragraph 2 of subsection 6(1).</p> <p>(2) Subsection (1) does not apply to a member who is required to undergo a supervised practice as part of upgrading activities under subparagraph 4 ii of subsection 19 (1).</p>	<p>s. 13(6) A member holding a supervised practice certificate of registration may only apply for a general certificate of registration if the member submits to the College a report from his or her supervisor indicating successful completion of the period of supervision.</p>	<ul style="list-style-type: none"> <li>Provides further clarification that the requirements for midwives moving from the supervised class to general class are different than those of the midwives moving from the non-practising class to the general class who require supervised practice as part of their upgrading activities</li> </ul>	<p><b>Clients &amp; the Public</b></p> <ul style="list-style-type: none"> <li>Can be assured that midwives meet a requisite level of knowledge/skills/practice experience before providing care as part of the general class, depending on their circumstances, which enables the provision of safe care for clients</li> </ul> <p><b>Midwives &amp; Applicants</b></p> <ul style="list-style-type: none"> <li>Are expected to have met the minimum clinical experience requirements for a general certificate and if these are not met then those births will be required under supervision, while maintaining a customized upgrading approach for those who are returning to the general class from the non-practising class</li> </ul>

The following statement may be used as a prompt for your feedback. Do you agree or disagree? Why or why not?

- The requirements for moving from a supervised to a general certificate of registration are sufficiently clear and reasonable for midwives.



Proposed Regulation	Current Registration Regulation	Rationale	Impact
<p>[Note: This section only applies to applicants who are registered as a midwife in another Canadian jurisdiction and hold a similar certificate of registration.]</p> <p><b>Labour mobility, supervised class</b></p> <p><b>13.</b> (1) Where section 22.18 of the Health Professions Procedural Code applies to an applicant for a supervised certificate of registration, the applicant is deemed to have met the requirement of clause 9 (a).</p> <p>(2) It is a non-exemptible registration requirement that an applicant referred to in subsection (1) provide one or more certificates or letters or other evidence satisfactory to the Registrar or the Registration Committee establishing that the applicant is of good character and in good standing as a midwife in every jurisdiction where the applicant holds an out-of-province certificate.</p> <p>(3) Where an applicant to whom subsection (1) applies is unable to satisfy the Registrar or the Registration Committee that the applicant practised the profession of midwifery to the extent</p>	<p>14. (1) Subject to subsection (2), where section 22.18 of the Health Professions Procedural Code applies to an applicant for a supervised practice certificate, the applicant is deemed to have met the requirements of paragraph 3, 4 and 5 of section 7 and of subsections 13(1) and (2).</p> <p>(2) It is non-exemptible registration requirement that an applicant referred to in subsection (1) provide one or more certificates or letters or other evidence satisfactory to the Registrar or a panel of the Registration Committee establishing that the applicant is in good standing as a midwife in every jurisdiction where the applicant holds an out-of-province certificate.</p> <p>(3) An applicant referred to in subsection (1) is deemed to have met the requirement of paragraph 2 of section 7 where the requirements for the issuance of the applicant's out-of-province certificate included language proficiency requirements equivalent to those required by that paragraph.</p> <p>(4) Without in any way limiting the generality of subsection (2), being in</p>	<ul style="list-style-type: none"> <li>• This section has been updated to reference good character requirements, which is consistent with it being mentioned in other sections of the regulation pertaining to application requirements for labour mobility</li> <li>• Undergoing further training or assessments is now required for those who cannot satisfy the Registrar or Registration Committee that they practised the profession of midwifery to the extent that would be permitted by the Supervised certificate of registration at any time in the preceding 2 years, rather than the preceding 3 years before the date of their application because this aligns with the clinical currency requirements outlined in the other sections of the regulation</li> </ul>	<p><b>Clients &amp; the Public</b></p> <ul style="list-style-type: none"> <li>• Will be able to receive care from midwives who hold a similar certificate of registration in another Canadian jurisdiction following registration in Ontario</li> </ul> <p><b>Midwives &amp; Applicants</b></p> <ul style="list-style-type: none"> <li>• From another Canadian jurisdiction who hold a similar certificate of registration may be registered in the supervised class in Ontario in accordance with these labour mobility provisions</li> <li>• Will have to be aware of the requirements regarding the registration application process when holding an out of province certificate</li> </ul>

<p>that would be permitted by a Supervised certificate of registration at any time in the preceding two years immediately before the date of that applicant's application, the applicant must meet any further requirement to undertake, obtain or undergo material additional training, experience, examinations or assessments that may be specified by the Registration Committee.</p> <p>(4) An applicant referred to in subsection (1) is deemed to have met the requirement of paragraph 5 of section 4 where the requirements for the issuance of the applicant's out-of-province certificate included language proficiency requirements equivalent to those required by that paragraph.</p> <p>(5) Despite subsection (1), an applicant is not deemed to have met a requirement where that requirement is described in subsection 22.18(3) of the Health Professions Procedural Code.</p>	<p>"good standing" with respect to a jurisdiction shall include the fact that, (a) the applicant is not the subject of any discipline or fitness to practise order or of any proceeding or ongoing investigation or of any interim order or agreement as a result of a complaint, investigation or proceeding; and (b) the applicant has complied with all continuing competency and quality assurance requirements of the regulatory authority of the jurisdiction.</p> <p>(5) Where an applicant to whom subsection (1) applies is unable to satisfy the Registrar or a panel of the Registration Committee that the applicant practised the profession of midwifery to the extent that would be permitted by a supervised practice certificate of registration at any time in the preceding three years immediately before the date of that applicant's application the applicant must meet any further requirements to undertake, obtain or undergo material additional training, experience, examinations or assessments, if any, that may be specified by a panel of the Registration Committee.</p> <p>(6) Despite subsection (1), an applicant is not deemed to comply with a requirement where that requirement is described in subsection 22.18 (3) of the Health Professions Procedural Code.</p>		
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	<p>(7) In respect of an applicant to whom subsection (1) applies, the reference in subsection 13(7) to a plan for supervised practice and evaluation shall be read as a reference to the equivalent of such a plan as has been approved by the individual or body that granted the applicant the out-of-province certificate that is equivalent to a supervised practice certificate of registration.</p>		
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The following statements may be used as prompts for your feedback. Do you agree or disagree? Why or why not?

- The labour mobility requirements for out of province supervised or equivalent certificate holders are sufficiently clear for midwives and applicants.
- These provisions facilitate labour mobility and serve the public interest.

Proposed Regulation	Current Registration Regulation	Rationale	Impact
<p>[Note: These sections apply to applicants who may seek registration in an emergency situation. This class is required by the Registration Requirements Regulation made under the <i>Regulated Health Professions Act</i>.]</p> <p><b>Registration requirements, Emergency class</b></p> <p>14. (1) The following are registration requirements for an emergency certificate of registration:</p> <p>1. The Government of Ontario requests or Council determines it is in the public interest to register midwives in the Emergency class to address emergency circumstances.</p> <p>2. The applicant must have successfully completed a midwifery program that met, at the time the applicant completed the program, the requirements of paragraph 1 of subsection 6(1) or the applicant is registered or licensed to practise independently in a jurisdiction approved by Council or the Registration Committee.</p>	<p>N/A This is a new class of registration.</p>	<ul style="list-style-type: none"> <li>The introduction of the emergency class provides flexibility in emergency situations to enable former midwives, new applicants, and individuals from other jurisdictions to obtain a certificate of registration when there are compelling reasons to trigger this class and when certain requirements are met to ensure minimum qualifications and currency</li> </ul>	<p><b>Clients &amp; the Public</b></p> <ul style="list-style-type: none"> <li>The emergency class will facilitate the availability of midwives (including students) to assist with the provision of health care during exceptional times (e.g., a pandemic), which assists in increasing accessibility to health care for the public during those times</li> <li>The class is only temporary until the necessary entry to practice requirements are met so it still upholds requirements for entering the profession to ensure clients/the public receive care from qualified midwives</li> </ul> <p><b>Midwives &amp; Applicants</b></p> <ul style="list-style-type: none"> <li>Can apply to be in the emergency class when rare circumstances make it difficult to meet all entry to practice requirements and/or an expedited process for registration is warranted</li> </ul>

<p>3. The applicant must satisfy the Registrar that they practised midwifery within four years before the day on which the applicant met all other requirements for the issuance of the certificate of registration.</p> <p>4. The applicant must have successfully completed the jurisprudence course set or approved by the Registration Committee.</p> <p>(2) The requirements of paragraphs 1, 2, 3 and 4 of subsection (1) are non-exemptible.</p>			
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The following statements may be used as prompts for your feedback. Do you agree or disagree? Why or why not?

- The new emergency class serves the people of Ontario in the public interest.
- The registration requirements for the emergency class are sufficiently clear for midwives and applicants.

Proposed Regulation	Current Registration Regulation	Rationale	Impact
<p><b>Additional terms, etc., Emergency class</b> 15. (1) the following are terms, conditions and limitations on every Emergency certificate of registration:</p> <ol style="list-style-type: none"> <li>1. The member must at all times practise midwifery under the supervision of a Supervisor approved by the College.</li> <li>2. The member shall at all times when practising midwifery identify themselves as a member in the Emergency class.</li> </ol>	<p>N/A This is a new class of registration.</p>	<ul style="list-style-type: none"> <li>• As emergency class certificate holders do not have to meet all entry to practise requirements, midwives in the emergency class must practise under the supervision of a Supervisor approved by the College to help ensure public safety</li> <li>• Midwives must identify themselves as belonging to this class so there is transparency associated with the nature of the care they can provide and their qualifications</li> </ul>	<p><b>Clients &amp; the Public</b></p> <ul style="list-style-type: none"> <li>• Will only receive care from midwives in this class who are under the supervision of an approved Supervisor</li> <li>• Will be aware of the midwife’s registration given their obligation to identify themselves as belonging to the emergency class</li> </ul> <p><b>Midwives &amp; Applicants</b></p> <ul style="list-style-type: none"> <li>• Must be aware of the new conditions associated with being registered in this class, including supervision requirements, and identifying themselves as a member of the emergency class</li> </ul>

The following statements may be used as prompts for your feedback. Do you agree or disagree? Why or why not?

- The terms, conditions, and limitations on an emergency class certificate of registration are sufficiently clear.
- It is in the interest of clients and the public to have midwives practise under supervision while registered in the emergency class.
- It is in the interest of clients and the public to have midwives identify that they belong to the emergency class.

Proposed Regulation	Current Registration Regulation	Rationale	Impact
<p><b>Emergency class, expiry</b>  15. (2) An emergency certificate of registration is revoked on the earliest of the date on which any of the following events occur:</p> <ol style="list-style-type: none"> <li>1. The expiry of one year from the date the certificate was issued, unless the Registrar extends the certificate for one or more extensions under subsection (3).</li> <li>2. The date to which the Registrar extended the certificate under subsection (3).</li> <li>3. The date on which the Registrar revokes the certificate under subsection (4).</li> <li>4. 90 days after receipt of notice of Council's determination that the emergency circumstances have ended.</li> </ol> <p>(3) The Registrar may extend an emergency certificate of registration for one or more periods, each of which is not to exceed one year, if, in the opinion of the Registrar, it is advisable or necessary to do so, provided Council has not</p>	<p>N/A  This is a new class of registration.</p>	<ul style="list-style-type: none"> <li>• The terms and conditions reflect the shorter-term nature of issuing an emergency class certificate as it is only meant to apply in exceptional circumstances, for a limited period of time</li> <li>• The Registrar is permitted to implement an extension only if necessary and as long as Council has not determined that the emergency circumstances have ended.</li> <li>• The certificate of registration may be revoked by the Registrar when it is in the public interest to do so</li> <li>• The certificate of registration expires 90 days after Council has determined that the emergency circumstances have ended</li> </ul>	<p><b>Clients &amp; the Public</b></p> <ul style="list-style-type: none"> <li>• Will only receive care from midwives in this class for a limited time to reflect exceptional circumstances</li> <li>• Will be able to receive ongoing care where warranted, through an extension of the term of the certificate</li> <li>• Be provided continuity of care even if the emergency circumstances have ended due to certificates only expiring 90 days after notice of Council's determination that the emergency circumstances have ended.</li> <li>• Will be protected as the Registrar may revoke an emergency certificate of registration where they or the Registration Committee are of the opinion that it is in the public interest to do so, for example if it has been determined that a midwife is no longer suitable to practise</li> </ul> <p><b>Midwives &amp; Applicants</b></p>

<p>determined that the emergency circumstances have ended.</p> <p>(4) The Registrar may revoke an Emergency certificate of registration if, in the opinion of the Registrar or the Registration Committee, it is in the public interest to do so.</p>			<ul style="list-style-type: none"> <li>• Must be aware of the terms and conditions associated with being registered in this class, including time period limitations and possible extensions</li> <li>• Will be provided with a transition period of 90 days to coordinate care following the announcement of the ending of the emergency circumstances and prior to the revocation of the certificate</li> </ul>
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The following statements may be used as prompts for your feedback. Do you agree or disagree? Why or why not?

- The time periods associated with the expiry/revocation of an emergency class certificate of registration and possible extension are sufficiently clear.
- The circumstances associated with the expiry/revocation of an emergency class certificate of registration serve the public interest of the people of Ontario.
- The 90 days provided prior to the expiry/revocation of an emergency class certificate of registration following notice from Council that the emergency circumstances have ended serves the public interest by providing sufficient time to coordinate and transition care.



Proposed Regulation	Current Registration Regulation	Rationale	Impact
<p><b>Moving from Emergency to General certificate</b></p> <p>16. (1) The requirements in paragraphs 1 and 4 of subsection 6 (1) do not apply to an applicant if the applicant held an emergency certificate of registration within two years before submitting their application for a general certificate of registration.</p> <p>(2) The births which the applicant attended while holding an emergency certificate of registration can be counted toward the requirement under subparagraph 2 ii of subsection 6 (1).</p>	<p>N/A This is a new class of registration.</p>	<ul style="list-style-type: none"> <li>Applicants applying for a general certificate of registration who held or hold an emergency certificate of registration within the two years prior to applying are exempted from having to complete the education requirement and jurisprudence course for a general certificate, having already done so for the emergency class</li> <li>In addition, the births and clinical experience obtained while holding an emergency certificate of registration are counted towards the clinical experience requirements for a general certificate</li> </ul>	<p><b>Clients &amp; the Public</b></p> <ul style="list-style-type: none"> <li>Can continue to receive care from midwives who were in the emergency class if the applicant/midwife applies and meets the requirements for a general or supervised certificate of registration because the regulation outlines the ability to move from emergency to the general class while still maintaining the qualifications for public protection</li> </ul> <p><b>Midwives &amp; Applicants</b></p> <ul style="list-style-type: none"> <li>May apply for a general certificate within two years of having held an emergency certificate and be exempted from certain requirements as well as have their births attended while holding an emergency certificate count towards meeting the clinical currency requirements for a general certificate</li> </ul>

The following statements may be used as prompts for your feedback. Do you agree or disagree? Why or why not?

- The requirements to move from an emergency certificate to a general certificate are sufficiently clear.
- Recognizing the requirements for entry into the emergency class and the births attended while in the emergency class serve to help the people of Ontario in the public interest.

Proposed Regulation	Current Registration Regulation	Rationale	Impact
<p>[Note: These sections apply to midwives who want to be issued a non-practising certificate of registration or those who currently hold a certificate of registration in the non-practising class and wish to move to the general class.]</p> <p><b>Non-practising Class</b>  <b>17.</b> The following are non-exemptible registration requirements for the issuance of a non-practising certificate of registration:</p> <ol style="list-style-type: none"> <li>1. The applicant must be a member holding a general certificate of registration.</li> <li>2. The applicant must provide an undertaking to the College in a form satisfactory to the Registrar in which the applicant undertakes to comply with the terms, conditions and limitations in section 18.</li> <li>3. The applicant must not be in default of any fee owing to the College under the by-laws.</li> <li>4. The applicant must have provided the College with any information that it has required of the applicant.</li> </ol>	<p><b>Inactive Certificate of Registration Registration Requirements</b>  <b>15.</b> (1) The following are non-exemptible registration requirements for an inactive certificate of registration:</p> <ol style="list-style-type: none"> <li>1. The applicant must be a member holding a general certificate of registration</li> <li>2. The member must not be in default of any fee, penalty or other amount owing to the College.</li> <li>3. The member must have provided the College with any information that it has required of the member.</li> </ol> <p>(2) The Registrar shall issue an inactive certificate of registration to any member who meets the requirements in subsection (1) upon application of that member.</p>	<ul style="list-style-type: none"> <li>• “Inactive” has been changed to “non-practising” to be clearer about what this class of registration means</li> <li>• Fees have been qualified to be those indicated by the by-laws to be more transparent</li> <li>• The class is retained to allow someone who is not practising to maintain their registration so they can return to practise without having to start a new application process</li> </ul>	<p><b>Clients &amp; the Public</b></p> <ul style="list-style-type: none"> <li>• Benefit from less confusion about the ability of a registered midwife to provide care due to the more transparent class title “non-practising”</li> </ul> <p><b>Midwives &amp; Applicants</b></p> <ul style="list-style-type: none"> <li>• Must be aware of the change in class title</li> </ul>

The following statement may be used as a prompt for your feedback. Do you agree or disagree? Why or why not?

- The registration requirements for issuing a non-practising certificate of registration are sufficiently clear.

Proposed Regulation	Current Registration Regulation	Rationale	Impact
<p><b>Non-practising class, conditions, etc., of certificate</b>  <b>18.</b> The following are additional terms, conditions and limitations of every non-practising certificate of registration:</p> <ol style="list-style-type: none"> <li>1. The member must not provide midwifery care; and</li> <li>2. The member must not supervise midwifery care.</li> </ol>	<p>s. 15 (3) It is a condition of an inactive certificate of registration that the member shall not engage in the practice of midwifery.</p>	<ul style="list-style-type: none"> <li>• Clarifying language of the condition that midwives registered in this class are not permitted to provide midwifery care</li> <li>• It is also now clearer that those registered in this class cannot supervise midwifery care, as they would not have the ability to do so while not practising</li> </ul>	<p><b>Clients &amp; the Public</b></p> <ul style="list-style-type: none"> <li>• Benefit from greater clarity that those in this class are not able to provide midwifery care or supervise it</li> </ul> <p><b>Midwives &amp; Applicants</b></p> <ul style="list-style-type: none"> <li>• Need to be aware of activities they cannot conduct while under this class of registration</li> </ul>

The following statements may be used as prompts for your feedback. Do you agree or disagree? Why or why not?

- The terms, conditions, and limitations on a non-practising certificate of registration are sufficiently clear to midwives.
- The terms, conditions, and limitations are sufficiently clear to members of the public.

Proposed Regulation	Current Registration Regulation	Rationale	Impact
<p><b>Moving from non-practising to general certificate</b>  <b>19. (1)</b> The Registrar may issue to a member who is the holder of a non-practising certificate of registration the general certificate of registration that they previously held if the member meets the following requirements:</p> <ol style="list-style-type: none"> <li>1. the member applies in writing to the Registrar;</li> <li>2. The member pays any fees owing to the College under the by-laws;</li> <li>3. The member provides the College with any information that it has required of the member;</li> <li>4. The member; <ol style="list-style-type: none"> <li>i. demonstrates current knowledge, skill and judgement relating to the practice of midwifery that would be expected of a member holding a general certificate of registration, as determined by the Registration Committee, or</li> </ol> </li> </ol>	<p>15 (4) A member who holds an inactive certificate of registration may be reissued a general certificate of registration if he or she continues to meet the requirements in paragraphs 2 and 3 of subsection (1) and the member,</p> <ol style="list-style-type: none"> <li>(a) meets all of the registration requirements for the general certificate of registration except for those in paragraphs 1 and 3 of subsection 8(1); or</li> <li>(b) successfully completes a requalification program that has approved by a panel of the Registration Committee for that purpose.</li> </ol>	<ul style="list-style-type: none"> <li>• This section has been updated to be more comprehensive of the requirements that a midwife would need to meet to move from the non-practising class to the general class, including meeting any outstanding requirements required by any committee at the College</li> <li>• Updated language to reflect the requirements to demonstrate current knowledge, skill and judgment relating the practice of midwifery that would be expected of a midwife holding a general certificate providing flexibility in how this requirement can be met (for example, through a competency based assessment) and it relates to all knowledge and skills required for care across the scope of practice. Previously the clinical experience requirements were very focused on births</li> </ul>	<p><b>Clients &amp; the Public</b></p> <ul style="list-style-type: none"> <li>• The proposed change ensures that there are strong requirements in place for midwives to be qualified before moving back into practice</li> </ul> <p><b>Midwives &amp; Applicants</b></p> <ul style="list-style-type: none"> <li>• Will have to be aware of the new requirements</li> <li>• Upgrading activities can still be customized in accordance with any identified gaps in the midwife’s knowledge, skill or judgment</li> </ul>

<p>ii. successfully completes upgrading activities approved by a panel of the Registration Committee for that purpose.</p> <p>5. The member will be in compliance as of the anticipated date of moving from the non-practising to general class with any outstanding requirements of the College's Quality Assurance Committee and Inquiries, Complaints and Reports Committee or any outstanding orders of the Council, Executive Committee, Discipline Committee and Fitness to Practise Committee.</p>			
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The following statement may be used as a prompt for your feedback. Do you agree or disagree? Why or why not?

- The requirements to move from the non-practising to the general class are sufficiently clear for midwives.
- The requirements for midwives to demonstrate current knowledge, skill and judgment relating to the practice of midwifery in order to move back to the general class help to ensure suitability to practise and serve the public interest.

Proposed Regulation	Current Registration Regulation	Rationale	Impact
<p>[Note: This section only applies to applicants who are registered as a midwife in another Canadian jurisdiction and hold a non-practising certificate of registration.]</p> <p><b>Labour mobility – non-practising</b>  <b>20.</b> (1) Where an applicant holds a certificate of registration or other licensure or similar status that is equivalent to an inactive certificate of registration and which was issued by the regulatory body for midwifery in another province or territory of Canada, the applicant shall be deemed to have met the requirements of paragraph 1 of section 16, if,</p> <p>(a) the applicant provides one or more certificates or letters or other evidence satisfactory to the Registrar or a panel of the Registration Committee establishing that the applicant is in good standing as a midwife in every jurisdiction where the applicant holds an out-of-province certificate;</p> <p>(b) the applicant satisfies the Registrar or a panel of the Registration Committee that the applicant practised the profession of midwifery to the extent that would be permitted</p>	<p><b>When applicant holds out-of-province certificate</b>  <b>16.</b> (1) Where an applicant holds a certificate of registration or other licensure or similar status that is equivalent to an inactive certificate of registration and which was issued by the regulatory body for midwifery in another province or territory of Canada, the applicant shall be deemed to have met the requirements of paragraph 1 of subsection 15 (1) if,</p> <p>(a) the applicant provides one or more certificates or letters or other evidence satisfactory to the Registrar or a panel of the Registration Committee establishing that the applicant is in good standing as a midwife in every jurisdiction where the applicant holds an out-of-province certificate;</p> <p>(b) the applicant satisfies the Registrar or a panel of the Registration Committee that the applicant practised the profession of midwifery to the extent that would be permitted by either a general or a supervised practice certificate of registration at any time in the three years immediately before the date of supervision</p> <p>(c) the applicant meets the requirement in paragraph 7 of section 7.</p>	<ul style="list-style-type: none"> <li>This section is largely unchanged in content</li> </ul>	<p><b>Clients &amp; the Public</b></p> <ul style="list-style-type: none"> <li>This section continues to uphold a strong standard of professional conduct irrespective of which province a midwife is applying from</li> </ul> <p><b>Midwives &amp; Applicants</b></p> <ul style="list-style-type: none"> <li>Applicants applying for the non-practising class when holding an out of province certificate need to be aware of the requirements in this section</li> </ul>

<p>by either a general or a supervised practice certificate of registration at any time in the three years immediately before the date of the application; and</p> <p>(c) the applicant meets the requirements in paragraph 4 of subsection 6(1).</p> <p>(2) Without in any way limiting the generality of clause (1)(a), being in “good standing” with respect to a jurisdiction shall include the fact that,</p> <p>(a) the applicant is not the subject of any discipline or fitness to practise order or of any proceeding or ongoing investigation or of any interim order or agreement as a result of a complaint, investigation or proceeding; and</p> <p>(b) the applicant has complied with all continuing competency and quality assurance requirements of the regulatory authority of the jurisdiction.</p>	<p>(2) Without in any way limiting the generality of the clause (1) (a), being in “good standing” with respect to a jurisdiction shall include the fact that,</p> <p>(a) the applicant is not the subject of any discipline or fitness to practise order or of any proceeding or ongoing investigation or of any interim order or agreement as a result of a complaint, investigation or proceeding; and</p> <p>(b) the applicant has complied with all continuing competency and quality assurance requirements of the regulatory authority of the jurisdiction.</p>		
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The following statement may be used as a prompt for your feedback. Do you agree or disagree? Why or why not?

- The labour mobility requirements for out of province non-practising certificate holders are sufficiently clear for midwives and applicants.
- These provisions facilitate labour mobility and serve the public interest.

Proposed Regulation	Current Registration Regulation	Rationale	Impact
<p><b>Resignation</b>  <b>21.</b> (1) A member may resign their membership by giving written notice to that effect to the Registrar in a form acceptable to the Registrar.</p>	<p>N/A</p>	<ul style="list-style-type: none"> <li>• While there are references to resignation in the current regulation, there is no clear section pertaining to it</li> <li>• This new section will provide a clear process to be followed for registrants who wish to resign from the College</li> </ul>	<p><b>Midwives &amp; Applicants</b></p> <ul style="list-style-type: none"> <li>• Promotes a clear understanding of how to resign from the College</li> </ul>

The following statement may be used as a prompt for your feedback. Do you agree or disagree? Why or why not?

- The resignation process is sufficiently clear for midwives.



Proposed Regulation	Current Registration Regulation	Rationale	Impact
<p><b>Failure to provide information</b>  <b>22.</b>(1) If a member fails to provide the College with information about the member as required under the by-laws and within the time period set by the College,</p> <p>(b) the Registrar may give the member notice of intention to suspend the member’s certificate of registration; and</p> <p>(b) the Registrar may suspend the member’s certificate of registration if the member fails to provide the information within 30 days after the notice is given.</p> <p>(2) If the Registrar suspends a member’s certificate of registration under subsection (1), the Registrar shall lift the suspension upon being satisfied that the former member,</p> <p>(a) has given the required information to the College;</p> <p>(b) has paid any fees required under the by-laws for lifting the suspension;</p>	<p>N/A</p>	<ul style="list-style-type: none"> <li>• There isn’t a provision in the current regulation that addresses this yet ability to obtain information from midwives as required under the by-laws and within a stated time period is important to serve the public interest</li> <li>• This section enables the Registrar to act on failures to provide information while maintaining due process</li> <li>• This provision is consistent with s. 24 of the Health Professions Procedural Code, under the <i>Regulated Health Professions Act, S.O. 1991, c. 18</i></li> <li>• Additional details pertaining to lifting a suspension for failure to provide information is included to clearly set out the process for midwives</li> </ul>	<p><b>Clients &amp; the Public</b></p> <ul style="list-style-type: none"> <li>• Midwives who do not provide required information to the College will be held accountable through a notice of intention to suspend and/or suspension</li> </ul> <p><b>Midwives &amp; Applicants</b></p> <ul style="list-style-type: none"> <li>• Will have to be aware of the consequences of failing to provide information as required by the by-laws</li> <li>• Have a clearer understanding regarding the process for lifting a suspension in relation to a failure to provide required information to the College</li> </ul>

<p>(c) has paid any fee, penalty or other amount owed to the College;</p> <p>(d) has professional liability insurance coverage in the amount and in the form as required under the by-laws; and</p> <p>(e) will be in compliance as of the anticipated date of the lifting of the suspension with any outstanding requirements of the College's Quality Assurance Committee and Inquiries, Complaints and Reports Committee or any outstanding orders of the Council, Executive Committee, Discipline Committee and Fitness to Practise Committee.</p>			
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The following statements may be used as prompts for your feedback. Do you agree or disagree? Why or why not?

- The consequences for failing to provide information as required under the by-laws are sufficiently clear.
- Notice of an intention to suspend or suspension adequately reflects the level of risk involved to clients and the public when midwives do not provide required information.
- The process for a suspension being lifted in relation to failing to provide required information is sufficiently clear.

Proposed Regulation	Current Registration Regulation	Rationale	Impact
<p><b>Suspension, lack of insurance</b>  <b>23.</b> (1) If the Registrar becomes aware that a member no longer maintains professional liability insurance in the amount and in the form as required under the by-laws, the Registrar may immediately suspend the member's certificate of registration.</p> <p>(2) If the Registrar suspends a member's certificate of registration under subsection (1), the Registrar shall lift the suspension upon being satisfied that the former member,</p> <ul style="list-style-type: none"> <li>(a) has professional liability insurance coverage in the amount and in the form as required under the by-laws;</li> <li>(b) has provided any information requested by the College;</li> <li>(c) has paid any fees required under the by-laws for lifting the suspension;</li> <li>(d) has paid any fee, penalty or other amount owed to the College; and</li> </ul>	<p><b>Revocation, reinstatement, etc.,</b>  <b>19</b> (2) The Registrar shall revoke the certificate of registration,</p> <ul style="list-style-type: none"> <li>(b) of a member holding a certificate in the general, supervised practice or transitional class who fails to comply with the condition set out in section 11</li> </ul> <p>(4) A former member who held a certificate of registration in the general or supervised practice classes and whose certificate of registration was revoked under clause 2 (a) or (b) may be reinstated within one year of the revocation if the former member,</p> <ul style="list-style-type: none"> <li>(a) meets all of the requirements for a general certificate of registration except for those in paragraphs 1 and 3 of subsection 8(1);</li> <li>(b) provides evidence satisfactory to the Registration Committee that the former member will, immediately upon reinstatement, be in compliance with the condition or conditions he or she had previously not been in compliance with, resulting in the revocation; and</li> </ul>	<ul style="list-style-type: none"> <li>• Under the current regulation, a registrant can be immediately revoked for failing to maintain professional liability insurance. To enable protection of the public and due process for the registrant a suspension is a more appropriate course of action for something that can be rectified easily.</li> <li>• Suspension as a penalty is more consistent with the practice of other Colleges.</li> </ul>	<p><b>Clients &amp; the Public</b></p> <ul style="list-style-type: none"> <li>• The requirement to maintain professional liability insurance protects clients as it can provide compensation for clients who have experienced harm as a result of malpractice or negligence by a midwife. Suspension until a midwife obtains this continues to protect the client's interests in this regard</li> </ul> <p><b>Midwives &amp; Applicants</b></p> <ul style="list-style-type: none"> <li>• Must be aware of the conditions associated with their certificate of registration, including maintaining professional liability insurance if practising and failure to meet this condition can result in suspension</li> <li>• The requirements for lifting that suspension are clearly outlined in the regulation</li> </ul>

<p>(e) will be in compliance as of the anticipated date of the lifting of the suspension with any outstanding requirements of the College's Quality Assurance Committee and Inquiries, Complaints and Reports Committee or any outstanding orders of the Council, Executive Committee, Discipline Committee and Fitness to Practise Committee.</p>	<p>(c) pays the reinstatement fee</p>		
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The following statements may be used as prompts for your feedback. Do you agree or disagree? Why or why not?

- The consequences of failing to maintain professional liability insurance are sufficiently clear to midwives.
- The process for a suspension being lifted once professional liability insurance has been obtained is sufficiently clear.
- This section sufficiently protects clients seeking compensation as a result of malpractice or negligence.

Proposed Regulation	Current Registration Regulation	Rationale	Impact
<p><b>Lifting suspension for failure to pay fees, etc.</b>  <b>24.</b> If the Registrar suspends the member’s certificate of registration under section 24 of the Health Professions Procedural Code for failing to pay a fee or penalty, the Registrar shall lift the suspension upon being satisfied that the former member,</p> <ul style="list-style-type: none"> <li>(a) has paid the fee or penalty in question;</li> <li>(b) has provided any information requested by the College;</li> <li>(c) has paid any fees required under the by-laws;</li> <li>(d) will be in compliance as of the anticipated date of the lifting of the suspension with any outstanding requirements of the College’s Quality Assurance Committee and Inquiries, Complaints and Reports Committee or any outstanding orders of the Council, Executive Committee, Discipline Committee and Fitness to Practise Committee; and</li> <li>(e) has professional liability insurance coverage in the amount and in the form as required under the by-laws.</li> </ul>	<p><b>Lifting of suspension</b>  <b>20.</b> (1) If the Registrar suspends a member’s certificate of registration for failure to pay a prescribed fee, the Registrar may, within one year of the dates of the suspension, lift the suspension on payment of,</p> <ul style="list-style-type: none"> <li>(a) the fee the member failed to pay</li> <li>(b) the penalty for late payment of the fee; and</li> <li>(c) the reinstatement fee</li> </ul>	<ul style="list-style-type: none"> <li>• The circumstances under which a suspension for failing to pay a fee can be lifted now also include: <ul style="list-style-type: none"> <li>○ Compliance with any requirements ordered by a College committee</li> <li>○ Obtaining professional liability insurance to ensure a midwife is in good standing and in compliance with registration requirements before continuing to practice</li> </ul> </li> </ul>	<p><b>Clients &amp; the Public</b></p> <ul style="list-style-type: none"> <li>• Will receive care from midwives that meet College requirements and are in good standing</li> </ul> <p><b>Midwives &amp; Applicants</b></p> <ul style="list-style-type: none"> <li>• Will have to be aware of the requirements that must be met for the College to lift a suspension relating to the payment of fees</li> </ul>

The following statement may be used as a prompt for your feedback. Do you agree or disagree? Why or why not?

- The requirements for a suspension being lifted once a fee or penalty has been paid are sufficiently clear.

Proposed Regulation	Current Registration Regulation	Rationale	Impact
<p><b>Automatic Revocation</b>  <b>25.</b> If the Registrar suspends a member’s certificate of registration under section 22 or 23 of this Regulation or under section 24 of the Health Professions Procedural Code and the suspension has not been lifted, the certificate is revoked on the day that is two years after the day it was suspended.</p>	<p>s. 20 (2) If the Registrar does not lift the suspension of a certificate of registration that was suspended for failure to pay a prescribed fee under subsection (1), the certificate is revoked one year after the day of the suspension.</p> <p>(3) A former member whose certificate of registration was revoked under subsection (2) may be reinstated within one year of the revocation if, during that year, the former member successfully completes a requalification program satisfactory to the Registration Committee.</p>	<ul style="list-style-type: none"> <li>• There is a change to the timeframe for an automatic revocation of a suspended certificate of to occur two years after the day a certificate was suspended instead of one year after the day it was suspended to reduce the administrative burden and to align with the two-year clinical currency timeframe used in the other sections of the regulation</li> <li>• This is in the public interest as midwives are not permitted to practise the profession while their certificate of registration is suspended. However, applying the two-year timeframe for reinstatement aligns with the clinical currency requirements outlined in other sections of the regulation</li> </ul>	<p><b>Clients &amp; the Public</b></p> <ul style="list-style-type: none"> <li>• Will receive care from midwives that are not suspended, meet College requirements and are in good standing</li> </ul> <p><b>Midwives &amp; Applicants</b></p> <ul style="list-style-type: none"> <li>• Whose certificate has been suspended have two years to correct the issue to lift the suspension without having to complete a requalification program. Once revoked a former member would need to apply for registration and could not be reinstated through this provision</li> </ul>

The following statements may be used as prompts for your feedback. Do you agree or disagree? Why or why not?

- The requirements for automatic revocation are sufficiently clear.
- The two-year timeframe provides sufficient time to correct the suspension and serves to protect the public.