



## REGISTRATION COMMITTEE

### Terms of Reference

#### Purpose:

In keeping with the:

- Province of Manitoba's Regulated Health Professions Act (RHPA), the OOM Council must establish a board of assessors and appoint its members. The OOM Board of Assessors is the Registration Committee,
- Province of Manitoba's Fair Registration Practices in Regulated Professions Act the OOM council must ensure that OOM registration practices are transparent, objective, impartial and fair,
- current OOM by-laws, (**UNDER REVIEW**) the OOM Council must establish an Education Committee. Effective November 2011, in keeping with the revised OOM organizational Structure, the responsibilities of the Education Committee with respect to Primary Education, have been reassigned to the Registration Committee.

#### Mandate:

In accordance with the RPHA, the Registration Committee must:

- consider and decide on applications for registration under section 32 or 33 of the Act, specifically to approve an application for registration as a *regulated member* if the applicant:
  - is a graduate of an education program approved by the council or has met competency requirements approved by the council;
  - has passed any examinations that the council may require;
  - establishes that his/ her name has not been removed as a result of professional misconduct, or any other cause, that is relevant to his/ her suitability to practice Opticianry, from the register of persons authorized to engage in the practice of Opticianry, or any other health profession, in Canada or elsewhere;
  - establishes that he/she has not been suspended as a result of professional misconduct, or any other cause, that is relevant to his/ her suitability to practice the regulated health profession by a regulatory authority governing the practice of the regulated health

profession in which the applicant seeks membership, or any other health profession, in Canada or elsewhere;

- has not been convicted of an offence that is relevant to his/her suitability to practice Opticianry;
- pays the fees provided for in the OOM by-laws;
- meets any other requirements set out in the regulations;
- consider and decide on applications for registration as a *regulated associate member*;

In accordance with Manitoba's Fair Registration Practices in Regulated Professions Act, the Registration Committee must:

- ensure that registration practices provided are transparent, objective, impartial and fair,
- provide the following information, in a clear and understandable form, to individuals applying or intending to apply for registration by the OOM:
  - information about its registration practices and internal review or appeal processes,
  - information about the time that the registration process usually takes,
  - objective requirements for registration by the OOM, including a description of the criteria used to assess whether the requirements have been met, together with a statement of which requirements can be satisfied through alternatives that are acceptable to the OOM,
  - information about any support the OOM provides to applicants during the registration process or other available supports of which the OOM is aware,
  - a fee scale related to registrations.
- make registration decisions within a reasonable time
- Provide written responses to applicants within a reasonable time in respect of all:
  - registration decisions refusing to grant registration,
  - granting registration subject to conditions,
  - internal review or appeal decisions.including where practical, information respecting measures or programs that may be available to assist unsuccessful applicants in obtaining registration at a later date,
- provide an internal review of or appeal from its registration decisions within a reasonable time
- provide applicants for registration with an opportunity to make submissions respecting any internal review or appeal

- inform an applicant of any rights that he/she may have to request a review of or appeal from, the decision, and provide information about the procedures and time frames of a review or appeal,
- make information publicly available as to what documentation of qualifications must accompany an application and what alternatives to the documentation may be acceptable to the regulated profession if an applicant cannot obtain the required documentation for reasons beyond his/her control,
- ensure that individuals assessing qualifications and making registration decisions or internal review or appeal decisions have received training that includes, where appropriate,
- provide training:
  - in how to hold hearings
  - training in any special considerations that may apply in the assessment of applications and the process for applying for these considerations
- provide upon written request of an applicant for registration by the OOM access to any record relating to the application that is in its custody or under its control with the exception of the following circumstances:
  - information in the record is subject to a legal privilege that restricts disclosure,
  - another act or regulation or an order of a court or quasi-judicial tribunal prohibits disclosure of the information in the record in the circumstances,
  - granting access could reasonably be expected to lead to the identification of a person who provided information in the record to the OOM explicitly or implicitly in confidence and the OOM considers it appropriate in the circumstances that the identity of the person be kept confidential,
  - granting the access could reasonably be expected to threaten or harm the mental or physical health or safety of another person,
  - granting the access could negatively affect public safety or could undermine the integrity of the registration process.
- establish a process under which requests for access to records will be considered.

In accordance with current OOM bylaws (under review), the Registration Committee as the body responsible for Primary Education must:

- arrange a yearly examination for applicants for registration
- certify licensed members of the OOM who intend to fit contact lenses.

### **Reporting Relationship:**

The Chair of the Registration Committee reports to the Executive Committee of the OOM Council

## **Membership:**

The Registration Committee is to consist of:

- a member of the OOM who is appointed as chair;
- one or more other members of the OOM or former members of the OOM, one of whom is appointed as vice-chair;
- the Opticians of Manitoba's NACOR representative or alternate;
- one or more public representatives, who must make up at least 1/3 of the committee's membership.

## **Term of Office:**

The term of a Committee member who is elected or appointed must not exceed four years. A person may be a committee member for more than one term but must not be a member for more than 12 consecutive years. A Committee member, despite the forgoing, continues to hold office after his/ her term expires until the member is re-elected or re-appointed or a successor is elected or appointed.

## **Specific Duties of the members:**

Members' duties include:

- assessing qualifications
- making registration decisions
- internal review of or appeal from, Committee decisions

## **Training:**

In keeping with the Acts, all Committee members must have received, where appropriate:

- training in how to hold hearings; and
- training in any special considerations that may apply in the assessment of applications and the process for applying those considerations.

## **Meetings:**

Meetings are held at the call of the chair.

**Quorum:** Quorum consists of 2/3 of the members

## **Review of Terms of Reference:**

These terms of reference will be reviewed on an annual basis by the OOM council. Any proposed revisions must be approved by the OOM Council before being finalized and incorporated.