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College of Physicians and Surgeons Registration Regulations made under Section 6 of the *Medical Act*

S.N.S. 1995-96, c. 10

O.I.C. 96-638 (August 28, 1996), N.S. Reg. 141/96

as amended by O.I.C. 1998-389 (August 5, 1998), N.S. Reg. 54/98

Amended by Order in Council effective August 26, 2005.

Part I - Introduction

1 These regulations may be cited as the College of Physicians and Surgeons Registration Regulations.

2 In these regulations

(a) "Act" means the Medical Act;

Clause 2(b) repealed: O.I.C. 1998-389, N.S. Reg. 54/98.

(c) "College" means the College of Physicians and Surgeons of Nova Scotia;

(d) "Council" means the Council of the College of Physicians and Surgeons of Nova Scotia;

(e) "Registrar" means the Registrar of the Council of the College of Physicians and Surgeons of Nova Scotia;

(f) "scope of practice" means the medical specialty in which the member is registered in the Medical Specialists Register, the discipline of family medicine or any other non-clinical medical practice.

Section 3 repealed: O.I.C. 97-657, N.S. Reg. 146/97.

4 Applications for registration shall be made in the form prescribed from time to time by Council and provided to applicants by the Registrar upon request. Applicants for registration shall also be provided with a copy of the Medical Act and these regulations.

Part II - General

Applications

5 With the exception of clinical undergraduate students listed in the Medical Education Register pursuant to Section 27 of the Act, applicants for registration shall satisfy the Registrar as to their good character and good professional conduct in such a manner as the Registrar requires and shall comply with the following conditions:

(a) applicants must be Canadian citizens or satisfy the Registrar that they are legally entitled to live and work in Canada;

(b) applicants must be able to communicate in English to the satisfaction of the Registrar;

(c) applicants must make formal application and submit the following:

(i) a notarized, unmounted photograph of passport size,

(ii) a birth certificate or other document satisfactory to the Registrar,

(iii) original copies of medical diplomas and certificates of licentiate of the Medical Council of Canada (LMCC),

(iv) a curriculum vitae comprised of a chronological listing of professional appointments,

(v) the names and addresses of 3 physicians as referees, preferably ones practising in Canada, who are familiar with their professional skills and character, one of whom, for applicants just completing postgraduate training, must be their program director,

(vi) if they have previously practised outside the Province, a Certificate of Standing or Certificate of Professional Conduct from the licensing body(s) in whose jurisdiction they hold/held a full or education licence;

(d) if the applicants have not held a licence previously, a Certificate of Good Conduct and Professional Competence may be required from the last hospital in which they held/hold an appointment;

(e) applicants may be required to have a personal interview with the Registrar, Credentials Committee, or Council;

(f) applicants must pay the appropriate documentation, registration and annual fee, and any other fees relative to their application; and

(g) applicants must comply with any other conditions which the Council may from time to time prescribe, pursuant to clause 29(d) of the Act.

Scope of Practice

6 It is a term, condition and limitation of registration that the member practise only within the scope of practice in which he/she is educated and experienced.

7 When considering the scope of practice in which the member is educated and experienced, the Council may take into account their

(a) graduate education in family medicine;

(b) graduate education in those medical specialties in which the Royal College of Physicians and Surgeons of Canada grants certificates;

(c) qualifying examinations in family medicine, and medical and surgical specialties;

(d) non-clinical medical practice, where registration is a requirement of employment;

(e) graduate education in, and appropriate evaluation of, medical or surgical disciplines not included in (a) or (b) above, but considered appropriate by the Council; and

(f) scope of practice in which they were engaged in the 3 years prior to initial registration or annual renewal of licence.

8 Should a member wish to change the scope of practice from the one that he/she has practised for the previous 3 years, or wish to re-enter clinical practice after a 3 year absence, the Council may request that the member provide the Council with evidence that he/she is competent to engage in that scope of practice.

9 All requests from members to change their scope of practice shall be handled on an individual basis.

Part III - Categories of Registration

Full Registration

10 Applicants for registration in the Medical Register pursuant to Section 19 of the Act (full registration) shall

(a) be graduates in medicine from a university or school of medicine approved by Council;

(b) be licentiates of the Medical Council of Canada;

(c) provide notarized copies of certification of the College of Family Physicians of Canada or certification of the Royal College of Physicians and Surgeons of Canada, or any other postgraduate diploma held; and

(d) meet the requirements of one of the following categories regarding postgraduate training:

(i) medical degree, LMCC and Royal College of Physicians and Surgeons of Canada certification,

(ii) medical degree, LMCC and College of Family Physicians of Canada certification,

(iii) medical degree, LMCC and one year approved rotating internship in Canada if prior to 1993, or

(iv) medical degree, LMCC, satisfactory assessment by the College of Physicians and Surgeons of Nova Scotia and satisfactory completion of 2 years of accredited and approved postgraduate training consisting of the following components:

(A) basic component: 12 weeks of Family Medicine or Emergency Medicine, and at least 8 weeks of General Surgery, Internal Medicine, Paediatrics, Psychiatry and Obstetrics and Gynaecology,

(B) elective component: minimum of 8 weeks in any one discipline and a maximum of 24 weeks in any discipline other than Family Medicine, Internal Medicine, Paediatrics, or Emergency Medicine, the maximum for which is 52 weeks, and

if the applicant is not a Canadian graduate, one of the 2 years of postgraduate training must be done in Canada.

Temporary Registration

11 Applicants for registration in the Temporary Medical Register pursuant to Section 23 of the Act, for the purpose of the practice of medicine, must

(a) be graduates in medicine from a university or school of medicine approved by Council;

(b) have postgraduate training appropriate for the practice and approved by Council; and

(c) pass examinations acceptable to Council.

12 Registration in the Temporary Medical Register may be granted to

(a) applicants employed in the public service of Nova Scotia on a full-time basis, on the request of the Minister of Health; and

(b) applicants employed on a full-time basis in clinical, teaching or research duties at Dalhousie University, on the request of the Dean of Medicine at Dalhousie University.

13 Registrants in the Temporary Medical Register are not permitted to engage in the independent practice of medicine.

Defined Registration

14 An applicant for registration in the Defined Register under Section 25 of the Act who is not eligible for full registration, registration in the Temporary Register or registration in the Medical Education Register must

- (a) be a graduate in medicine from a university or school of medicine approved by the Council;
- (b) have post graduate training appropriate for the practice and approved by the Council;
- (c) have a sponsor who is approved in writing by the Council;
- (d) for the initial year as a registrant on the Defined Register, have a mentor who is approved in writing by the Council
- (e) pass examinations acceptable to the Council;
- (f) have appropriate malpractice insurance or membership in a protective association and provide proof of this as required by the Registrar; and
- (g) comply with any requirements considered necessary by Council.

14A Following the initial year as a registrant on the Defined Register, the Council may require the registrant to have a mentor approved in writing by the Council for a further period of time as determined by the Registrar.

15 A sponsor of a registrant in the Defined Register must

- (a) have full registration with the College;
- (b) reside in the Province;
- (c) be nominated by the district health authority in which the registrant will be practising and approved by the Council;

- (d) arrange for and approve in writing the registrant's mentor required by clause 14(d) and, if applicable, by Section 14A;
- (e) report in writing on a yearly basis, or as considered necessary by the Council, on the performance of the registrant;
- (f) notify the College promptly if they have concerns about the practice of the registrant; and
- (g) comply with any other requirements considered necessary by the Council.

15A A mentor of a registrant in the Defined Register must

- (a) have full registration with the College;
- (b) reside in the Province;
- (c) be engaged in a scope of practice comparable to the registrant;
- (d) practice medicine in the same district health authority as the registrant's sponsor and the registrant;
- (e) be approved in writing as a mentor by the registrant's sponsor and the Council;
- (f) report regularly to the registrant's sponsor on the performance of the registrant and report to the Council as required by the Council on the performance of the registrant;
- (g) notify the Council promptly if they are concerned about the practice of the registrant; and
- (h) comply with any requirements considered necessary by the Council.

16 Registration in the Defined Register may be extended on a yearly basis for applicants eligible to take the certification examination of the College of Family Physicians of Canada or the Royal College of Physicians and Surgeons of Canada as long as they remain so eligible without the requirement of further training.

17 Every licence issued pursuant to subsection 25(5) of the Act is subject to any conditions or limitations attached to the registration under subsection 15(3) of the previous Act.

Medical Education Registration

Medical Student Registration

18 No person shall take up undergraduate medical education in the Province unless registered in the Medical Education Register pursuant to Section 27 of the Act.

Section 18 amended: O.I.C. 1998-389, N.S. Reg. 54/98.

19 On request from the Registrar, the Associate Dean, Undergraduate Medical Education at Dalhousie University shall provide the Registrar with the following

information for each student registered in undergraduate medical education at Dalhousie University:

- (a) full name;
- (b) mailing address;
- (c) anticipated year of receiving the MD degree from Dalhousie University; and
- (d) any other information prescribed by Council.

Section 19 amended: O.I.C. 1998-389, N.S. Reg. 54/98.

Postgraduate Registration

20 No person may take up residency training or fellowship training in a postgraduate training program in the Province unless fully registered or registered in the Medical Education Register.

21 Applicants for registration in the Medical Education Register as postgraduate trainees must

- (a) be graduates in medicine from a university or school of medicine in Canada approved by the Committee on Accreditation of Canadian Medical Schools; or
- (b) be graduates in medicine from a university or school of medicine in the United States approved by the Liaison Committee on Medical Education; or
- (c) be graduates in medicine from a university or school of medicine approved by Council and hold at least one of the following qualifications:
 - (i) Medical Council of Canada Evaluating Examination,
 - (ii) Medical Council of Canada Qualifying Examination (Part I and Part II),
 - (iii) licentiate of the Medical Council of Canada,

(iv) Certificate of Specialization or Fellowship of the Royal College of Physicians and Surgeons of Canada, or

(v) Certificate of the Federation of Licensing Authorities of the Federation of State Medical Boards of the United States.

22 Any postgraduate registration must be requested in the prescribed form by the Dalhousie University Specialty Training Program Director and by the Associate Dean, Postgraduate Medical Education, Dalhousie University.

23 Registrants in the Medical Education Register as postgraduate trainees may not engage in the independent practice of medicine.

Medical Specialists Registration

24 Entry of the registrant's name in the list of specialists in the Medical Specialists Register pursuant to Section 26 of the Act is the sole recognition of specialty status.

25 Applicants for registration in the Medical Specialists Register must

- (a) be registered in the Temporary Register, Defined Register or have full registration;
- (b) reside in the Province;
- (c) possess specialty certification approved by Council; and
- (d) pay the prescribed fee.

College of Family Physicians List

26 The annual list published pursuant to Section 34 of the Act may include a list of certificants of the College of Family Physicians of Canada.

27 An applicant for inclusion in the list of certificants of the College of Family Physicians of Canada must

- (a) be fully registered to practice medicine in Nova Scotia;
- (b) reside in the Province;
- (c) possess a certificate of the College of Family Physicians of Canada; and

(d) pay the prescribed fee.

Part IV - Annual Fees

Change of address

28 For the purposes of this Part and for the Act generally, medical practitioners shall promptly notify the Registrar in writing of a change of address, as correspondence sent to an address in the register constitutes valid notice.

Annual fees and membership dues - members

29 Annual and other fees payable to the College are set out in a fee schedule as prescribed by Council.

30 (1) The annual fees payable by members as prescribed by Council are due and payable on or before January 1st in each year.

(2) At least one month prior to January 1st in each year, the Registrar shall send written notification by ordinary mail respecting payment of the annual fee to each member at the address set forth in the register.

(3) In January of each year, the Registrar shall send a second written notification by registered mail at the address set forth in the register to each member whose annual fees are unpaid, advising that the member will be suspended for non-payment of fees unless the fees are paid in full before January 31st.

(4) An annual fee is not paid within the meaning of this Section until it is received during normal business hours at the office of the Registrar.

(5) The licence of a member who fails to pay the annual fee by February 1st is suspended pursuant to subsection 31(6) of the Act as of February 1st.

(6) Despite anything in this Section, alternative methods for payment of members= annual fees, such as pre-authorization payment plans through banking institutions, may be approved by Council.

31 (1) Upon written notification to the Registrar by the Medical Society that a member has failed to pay the annual membership dues of the Society by the date required by the Society, the Registrar shall send written notification by registered mail to the

member at the address set forth in the register advising that unless written confirmation is received from the Society within two weeks advising that the annual membership dues have been paid, the licence of the member will be suspended without further notice.

(2) If the Registrar does not receive written confirmation from the Society within the two week period specified in subsection (1) advising that the annual membership dues of a member have been paid, the licence of the member shall be suspended.

32 If the licence of a member has been suspended for non-payment of annual fees or membership dues, the Registrar

(a) shall notify the member by registered mail that the member's licence has been suspended;

(b) shall notify such individuals, organizations and other bodies as determined by Council; and

(c) may place a notice of suspension in a newspaper for general circulation in the Province advising that the member has been suspended pursuant to these regulations.

33 (1) Subject to the approval of the Executive Committee, the name of a member who is, on January 31st in any year, in arrears of two consecutive years' annual fees may be removed from the Register.

(2) Subsection 33(1) does not apply to a member while suspended by a disciplinary committee.

Annual fees - associate members

34 (1) The annual fees payable by an associate member as prescribed by Council are due and payable on or before the first day of each academic year for that associate member.

(2) At least three weeks prior to the first day of the academic year, the Registrar shall send written notification by ordinary mail to each associate member at the address set forth in the Register, respecting payment of annual fees and advising that the name of the associate member will be removed from the Medical Education Register unless the fees are paid by the date indicated.

(3) An associate member who fails to pay the annual fee as of the date indicated, shall have his or her name removed from the Medical Education Register as of that date.

(4) The Registrar shall provide written notification by ordinary mail to the Postgraduate Medical Education Office of Dalhousie University of the names of the associate members whose names have been removed from the Medical Education Register.

Part IV added: O.I.C. 97-657, N.S. Reg. 146/97.

College of Physicians and Surgeons Registration Regulations made under Section 6 of the *Medical Act* S.N.S. 1995-96, c. 10 O.I.C. 96-638, N.S. Reg. 141/96 as amended by O.I.C. 1998-389, N.S. Reg. 54/98 August 5, 1998

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