

## PRACTICING WITHOUT A LICENSE

POLICY NUMBER: CR-11-02

COMMITTEE: Credentials Committee

DATE APPROVED: May 3, 2021

DATE(S) REVIEWED (REVISED):

DATE TO BE REVIEWED: May 3, 2024

ISSUING AUTHORITY: NSCMIRTP Executive Council

DISTRIBUTION: NSCMIRTP Registrants and Employers

APPROVAL: 

### POLICY STATEMENT

As per Section 22(1) of the Medical Imaging and Radiation Therapy Professions Act, no person shall engage in the practice of a discipline unless such person:

- holds a licence endorsing the person as eligible to practise in that discipline;
- is a student in an approved education program in that discipline, and is engaging in learning authorized by that program; or
- is otherwise authorized to engage in the practice of that discipline as set out in the MIRTTP Act or regulations.

### RATIONALE

In accordance with the Medical Imaging and Radiation Therapy Professionals Act S.N.S. 2013, c. 7 to work as an MRT or DMS in the province of Nova Scotia, you are required by law to be registered with the NSCMIRTP in the discipline for which you are working. Those who are practicing without a license are increasing the risk to the public and are in violation of regulatory law and are risking licensing reprimands.

### PROCEDURE

When the Registrar becomes aware of any individual who may be practicing without a license the following process is to be followed:

1. The Registrar will consult the registry and assess the registration history of the individual in question.
2. If the individual is not currently licensed with the NSCMIRTP, the Registrar will contact the individual to determine current employment status and confirm licensing requirement.
  - a. If licensing is not required, the Registrar will document these findings and close the inquiry.
  - b. If licensing is required, the Registrar will investigate context of non-compliance.
    - i. The Registrar can mandate that the individual must pay applicable back-dated licensing fees and pay a maximum fine of \$500.
    - ii. If the Registrar deems non-compliance was a deliberate deception, the individual's file will be referred to Credentials Committee for deliberation.
  - c. The individual will be unable to work until all fees are paid in full and remedial requirements are completed.



3. When contact information for the individual is not available, the Registrar will contact the individual's employer to notify them of the inquiry and request that the individual provides contact information to the Registrar.
4. Should the individual continue to practice without a license, the case will be referred to the Board and initiation of a criminal proceeding against the individual will begin.
5. A finding of practicing without a license is not considered a license sanction.

## REFERENCES

1. Medical Imaging and Radiation Therapy Professionals Regulations made under subsection 11(1) of the Medical Imaging and Radiation Therapy Professionals Act S.N.S. 2013, c. [https://novascotia.ca/just/regulations/regs/MIRTmedimagrad.htm#TOC3\\_9](https://novascotia.ca/just/regulations/regs/MIRTmedimagrad.htm#TOC3_9)
2. Medical Imaging and Radiation Therapy Professionals Act, Bill 70. (2013), point (x) [https://nslegislature.ca/sites/default/files/legc/bills/61st\\_5th/3rd\\_read/b070.htm](https://nslegislature.ca/sites/default/files/legc/bills/61st_5th/3rd_read/b070.htm)