

REGISTRATION APPEALS PROCESS



POLICY NUMBER: CR012-01

COMMITTEE: Credential

DATE APPROVED: November 13, 2020

DATE(S) REVIEWED (REVISED):

DATE TO BE REVIEWED: November 13, 2023

ISSUING AUTHORITY: NSCMIRTP Board

DISTRIBUTION: External and Registrants

APPROVAL: *Clayton* *Jennifer*

POLICY


The College aims to be transparent, objective, impartial and procedurally fair with its registration practices. As such, applicants may request a review of their registration decision. This policy outlines the process for the review of a registration decision.

RATIONALE

To be procedurally fair while protecting the public interests, the College follows an established process for review of registration decisions that is consistent with the Medical Radiation Technology Act and the Fair Registration Practices Act. A collaborative registration review may be used according to the Regulated Health Professions Network Act if the College and the applicant both agree to use this process.

PROCEDURE

1. Where the Credentials Committee refuses an application for registration or refuses an application for a licence (other than a temporary licence), the applicant may appeal the decision by forwarding a written request to the Registrar within 30 days of receipt of the decision. The applicant's request must state the reasons for the appeal.
2. Upon receipt of an appeal, the Board shall appoint a Registration Appeal Committee, the membership of which consists of one public representative, one registrant from the same discipline as the appellant and one other registrant. The Board shall appoint one of the registrants of the Registration Appeal Committee as the chair of the Committee. A quorum of the Registration Appeal Committee consists of two persons, at least one of whom must be a registrant from the same discipline as the appellant.
3. The Registration Appeal Committee shall
 - a. set a date for a hearing of the appeal not later than 60 days following receipt of the written notice of appeal;
 - b. serve written notice of the date, time and place for the hearing of the appeal upon the appellant and the Registrar; and
 - c. advise the appellant of the right to
 - i. be represented by legal counsel, a union representative or another representative at the expense of the appellant,
 - ii. disclosure of any information to be provided to the Registration Appeal Committee, and

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- iii. a reasonable opportunity to present a response and make submissions.
 4. The parties to an appeal before the Registration Appeal Committee are the College and the appellant. The College may be represented by legal counsel.
 5. The appellant and the College may submit additional documentation to the Registration Appeal Committee.
 6. The Registration Appeal Committee may proceed by way of a review of the written record, without the necessity of an oral hearing.
 7. The Registration Appeal Committee, in accordance with the evidence it receives when hearing an appeal, may make any determination that, in its opinion, ought to have been made by the Registrar or the Credentials Committee.
 8. The Registration Appeal Committee must waive criteria for registration or licensing if
 - a. the criteria conflict with the requirements of the Canada Free Trade Agreement; or
 - b. it is required by law.
 9. The Registration Appeal Committee may waive criteria for registration or licensing if it considers doing so consistent with the objects and purpose of the College.
 10. The Registration Appeal Committee shall give its decision in writing and send a copy of the written decision to the appellant and the Registrar.
 11. The decision of the Registration Appeal Committee is final.

OUTCOME

The Registration Appeal Committee may make any determination that, in its opinion, ought to have been made by the Registrar or the Credentials Committee.