

(no amdt)

ALBERTA REGULATION 123/2002

Health Professions Act

**HEARING AID PRACTITIONERS
PROFESSION REGULATION**

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Definitions **1** In this Regulation,

(a) “College” means College of Hearing Aid Practitioners of Alberta;

(b) “Complaints Director” means the complaints director of the College;

(c) “Council” means the council of the College;

(d) “Registrar” means the registrar of the College;

(e) “Registration Committee” means the registration committee of the College.

Registers

Register categories **2** The regulated members register established by the Council under section 33(1)(a) of the Act has the following categories:

(a) general register;

(b) temporary register;

(c) student intern register.

Registration

General register **3(1)** An applicant for registration as a regulated member on the general register must have obtained a diploma from a hearing aid practitioners education program of at least 2 years’ duration that is approved by the Council and have successfully passed a competency examination and a certification examination approved by the Council.

(2) An applicant for registration under subsection (1) must have completed the education program described in that section within 3 years prior to the date that the Registrar receives a complete application or the applicant must

(a) have provided hearing aid professional services for at least 1500 hours in the 3 years immediately preceding the application, or

(b) have successfully completed a refresher education program approved by the Council within 3 years of the date the complete application is received by the Registrar.

Student intern register **4(1)** An applicant for registration as a regulated member on the student intern register must be enrolled as a student in a hearing aid practitioners education program of at least 2 years’ duration that is

approved by the Council and have passed a competency examination approved by the Council.

(2) A regulated member on the student intern register must complete the education program within 4 years from the date of registration in the education program.

(3) On completion of the requirements described in subsection (1), a regulated member on the student intern register may be registered on the temporary register.

(4) The registration of a regulated member who does not meet the requirements of subsection (2) expires 4 years after the date of registration in the education program described in subsection (1).

(5) A regulated member registered on the student intern register

(a) may practice only under the supervision of a regulated member on the general register who is available for consultation regarding patient care, and

(b) must document all services provided to a patient and submit the documentation to the supervisor referred to in clause (a) for review.

Temporary
register

(5)(1) An applicant who has fulfilled the registration requirements of section 3 except for completion of the certification examination approved by the Council or who has successfully completed the educational program described in section 4 may be registered on the temporary register.

(2) A regulated member on the temporary register must successfully pass a certification examination approved by the Council within 2 years of the date the regulated member is registered on the temporary register.

(3) If a regulated member on the temporary register successfully completes a certification examination approved by the Council, the Registrar must remove the regulated member's name from the temporary register and enter it on the general register of regulated members.

(4) The registration of a regulated member on the temporary register who does not meet the requirements of subsection (2) expires 2 years after the date the regulated member is registered on the temporary register.

(5) A person whose registration on the temporary register is due to expire may apply to the Registration Committee to extend the registration as a regulated member on the temporary register for up to one year.

(6) A person whose registration expires is not eligible to re-apply for registration as a regulated member on the temporary register.

(7) A person who is registered on the temporary register may practice only under the supervision of a regulated member on the general register who is available for consultation regarding patient care.

(8) A regulated member who provides supervision under subsection (7) must, each month, review the patient care records respecting the services provided in the previous month by the person registered on the temporary register.

Equivalent
jurisdiction

6 An applicant for registration as a regulated member who is currently registered in good standing in another jurisdiction recognized by the Council as having qualifications substantially equivalent to the registration requirements set out in section 3, 4 or 5 may be registered in the appropriate register.

Alternative
qualifications

7 An applicant who does not meet the requirements of section 3, 4, 5 or 6 but whose qualifications have been determined by the Registration Committee to be substantially equivalent to the competency requirements of section 3, 4 or 5 may be registered on the appropriate register.

Additional
registration
requirements

8(1) In addition to the other registration requirements in this Regulation, an applicant for registration as a regulated member must provide evidence of having the type and amount of liability insurance specified by the Council.

(2) All applicants for registration as regulated members must provide evidence of having good character and reputation by submitting any of the following on the request of the Registrar:

(a) written references from colleagues and, where applicable, from another jurisdiction in which the applicant is currently registered;

(b) a statement by the applicant as to whether the applicant is currently undergoing an unprofessional conduct process or has previously been disciplined by another regulatory body responsible for the regulation of hearing aid practitioners or of another profession;

(c) a statement as to whether the applicant has ever been convicted of a criminal offence;

(d) any other evidence as requested.

Restricted Activities

Permitted
restricted
activities

9(1) The restricted activities that a regulated member on the general register may perform for the purposes of fitting hearing aids and cerumen management are

(a) to insert or remove instruments, devices, fingers or hands beyond the cartilaginous portion of the ear canal, and

(b) to insert into the ear canal

(i) under pressure air, liquid or gas;

(ii) a substance that subsequently solidifies.

(2) Despite subsection (1), a regulated member may not perform the restricted activities referred to in subsection (1) in conjunction with providing cerumen management services unless the regulated member is authorized by the Registrar or Registration Committee to provide cerumen management.

(3) An authorization under subsection (2) may only be granted in accordance with the criteria governing cerumen management approved by the Council.

Restricted
activities
while
supervised

10(1) Subject to subsection (4), a regulated member on the temporary register may perform a restricted activity described in section 9 while under the supervision of a regulated member on the general register who is available for consultation.

(2) Subject to subsection (4), a regulated member on the student intern register may perform a restricted activity described in section 9 while under the supervision of a regulated member on the general register(a) who is available for consultation, and

(b) who reviews and approves the documentation created by the student intern on the performance of the restricted activity.

(3) Subject to subsection (4), a student enrolled in a hearing aid practitioner education program approved by the Council may perform a restricted activity described in section 9 under the supervision of a regulated member on the general register who is on site and is available for consultation and for providing assistance while the restricted activity is performed.

(4) A regulated member who provides supervision referred to in this section must be authorized, under section 9, to provide cerumen management services when the regulated member supervises a regulated member or student in the provision of a restricted activity in conjunction with providing cerumen management.

Continuing Competence

Practice

11 A regulated member applying for renewal of a practice permit

permit must

(a) have been granted a diploma described in section 3, and successfully completed the educational program described in section 4 within the 3-year period immediately preceding the application for renewal, or

(b) have practised as a hearing aid practitioner for 1500 working hours in the 3-year period immediately preceding the application for renewal and have completed 10 hours of continuing education courses approved by the Council of which no more than 50% may be courses related to a manufacturer's products.

Alternative Complaint Resolution Process

Process
conductor

12 When a complainant and an investigated person have agreed to enter into an alternative complaint resolution process, the Complaints Director must appoint an individual to conduct the alternative complaint resolution process.

Agreement

13 The person conducting the alternative complaint resolution process must in consultation with the complainant and the investigated person establish the procedures for and objectives of the alternative complaint resolution process, which must be set out in writing and signed by the complainant, the investigated person and the representative of the College.

Confidentiality

14 The complainant and the investigated person must, subject to section 59 of the Act, agree to treat all information shared during the process as confidential.

Leaving the
process

15 The complainant or the investigated person may withdraw from the alternative complaint resolution process at any time.

Reinstatement

Application

16(1) A person whose registration and practice permit have been cancelled under Part 4 of the Act may apply in writing to the Registrar to have the registration and practice permit reinstated.

(2) An application under subsection (1) may not be made earlier than

(a) 5 years after the cancellation, or

(b) one year after an application under clause (a) is refused.

(3) An applicant must include in the application evidence of

(a) actions that the applicant has taken since the cancellation, and

(b) whether the applicant meets the requirements for registration as a regulated member.

Decision

17(1) An application under section 16 must be reviewed by the Registration Committee in accordance with the application for registration process set out in sections 29 and 30 of the Act.

(2) On reviewing an application in accordance with subsection (1), the Registration Committee must consider the record of the hearing that cancelled the applicant's registration and practice permit and evidence submitted of matters referred to in section 16(3).

(3) The Registration Committee, on reviewing an application in accordance with subsection (1) may make one or more of the following orders:

(a) an order refusing the application;

(b) an order directing the Registrar to reinstate the person's registration and practice permit, if the person is eligible for registration as a regulated member in a register referred to in section 2;

(c) an order directing the Registrar to impose specified terms and conditions on the person's practice permit;

(d) an order directing the person making the application to pay any or all of the College's expenses incurred in respect of the application, as calculated in accordance with the bylaws.

(4) Sections 30(3) to (5) and 32 of the Act and a review in accordance with section 31 of the Act apply to an order under subsection (3).

Titles

Use of titles

18 Subject to an order made under Part 4 of the Act, a ratified settlement or an order made under section 17(3)(c), members may use the titles set out in section 2 of Schedule 9 to the Act as follows:

(a) a regulated member on the general register or on the temporary register may use the title hearing aid practitioner;

(b) a regulated member on the general register may use the title registered hearing aid practitioner;

(c) a regulated member on the student intern register may use the title hearing aid student intern.

Information

Requested information

19(1) A regulated member must provide the following information on the initial application for registration, when there are any changes to the information and on request of the Registrar:

(a) the regulated member's place of employment, the employer's address and phone number;

(b) certification examination number and the date the certification examination was held;

(c) registration numbers if registered with any affiliated professional organizations identified by the Council;

(d) the regulated member's date of birth, mailing address and home and work phone numbers.

(2) Subject to section 34(1) of the Act, the College may release the information collected under subsection (1) only

(a) with the consent of the regulated member whose information it is, or

(b) in a summarized or statistical form so that it is not possible to relate the information to any particular identifiable person.

Access to regulated members information

20 The period of time during which the College is required to provide information under section 119(4) of the Act is 5 years.

**Transitional Provisions, Repeals,
and Coming into Force**

Transitional provisions

21 On the coming into force of this Regulation, a registered member described in section 6(1) of Schedule 9 to the Act is deemed to be registered on the regulated members register in the register category that the Registrar considers appropriate.

Repeal

22 The *Hearing Aid Practitioners Regulation* (AR 43/88) is repealed.

Coming into force

23 This Regulation comes into force on the coming into force of Schedule 9 to the *Health Professions Act*.