

Physiotherapy Act, 1991

S.O. 1991, CHAPTER 37

Consolidation Period: From September 1, 2011 to the [e-Laws currency date](#).

Last amendment: 2009, c. 26, s. 22.

Definitions

1. In this Act,

“College” means the College of Physiotherapists of Ontario; (“Ordre”)

“Health Professions Procedural Code” means the Health Professions Procedural Code set out in Schedule 2 to the *Regulated Health Professions Act, 1991*; (“Code des professions de la santé”)

“member” means a member of the College; (“membre”)

“profession” means the profession of physiotherapy; (“profession”)

“this Act” includes the Health Professions Procedural Code. (“la présente loi”) 1991, c. 37, s. 1.

Health Professions Procedural Code

2. (1) The Health Professions Procedural Code shall be deemed to be part of this Act.

Terms in Code

(2) In the Health Professions Procedural Code as it applies in respect of this Act,

“College” means the College of Physiotherapists of Ontario; (“ordre”)

“health profession Act” means this Act; (“loi sur une profession de la santé”)

“profession” means the profession of physiotherapy; (“profession”)

“regulations” means the regulations under this Act. (“règlements”)

Definitions in Code

(3) Definitions in the Health Professions Procedural Code apply with necessary modifications to terms in this Act. 1991, c. 37, s. 2.

Scope of practice

3. The practice of physiotherapy is the assessment of neuromuscular, musculoskeletal and cardio respiratory systems, the diagnosis of diseases or disorders associated with physical dysfunction, injury or pain and the treatment, rehabilitation and prevention or relief of physical dysfunction, injury or pain to develop, maintain, rehabilitate or augment function and promote mobility. 2009, c. 26, s. 22 (1).

Authorized acts

4. (1) In the course of engaging in the practice of physiotherapy, a member is authorized, subject to the terms, conditions and limitations imposed on his or her certificate of registration, to perform the following:

1. Communicating a diagnosis identifying a disease, a physical disorder or dysfunction as the cause of a person’s symptoms.

2. Moving the joints of the spine beyond a person's usual physiological range of motion using a fast, low amplitude thrust.
3. Tracheal suctioning.
4. Treating a wound below the dermis using any of the following procedures:
 - i. cleansing,
 - ii. soaking,
 - iii. irrigating,
 - iv. probing,
 - v. debriding,
 - vi. packing,
 - vii. dressing.
5. For the purpose of assessing or rehabilitating pelvic musculature relating to incontinence or pain disorders, putting an instrument, hand or finger,
 - i. beyond the labia majora, or
 - ii. beyond the anal verge.
6. Ordering the application of a prescribed form of energy.
7. Administering a substance by inhalation. 2009, c. 26, s. 22 (2).

Certain procedures subject to regulations

(2) A member is not authorized to perform a procedure set out in paragraph 1, 2, 3, 4, 5 or 6 of subsection (1) unless the member complies with any applicable regulations respecting those paragraphs. 2009, c. 26, s. 22 (2).

Additional requirement for certain procedures

(3) A member shall not perform a procedure under paragraph 7 of subsection (1) unless the procedure has been ordered by a member of the College of Physicians and Surgeons of Ontario, or a member of any other College who is authorized to perform the procedure. 2009, c. 26, s. 22 (2).

Professional misconduct

(4) In addition to the grounds set out in subsection 51 (1) of the Health Professions Procedural Code, a panel of the Discipline Committee shall find that a member has committed an act of professional misconduct if the member contravenes subsection (2) or (3). 2009, c. 26, s. 22 (2).

Board continued as College

5. The Board of Directors of Physiotherapy is continued under the name College of Physiotherapists of Ontario in English and Ordre des physiothérapeutes de l'Ontario in French. 1991, c. 37, s. 5.

Council

6. (1) The Council shall be composed of,
- (a) at least seven and no more than eight persons who are members elected in accordance with the by-laws;
 - (b) at least five and no more than seven persons appointed by the Lieutenant Governor in Council who are not,

- (i) members,
 - (ii) members of a College as defined in the *Regulated Health Professions Act, 1991*, or
 - (iii) members of a Council as defined in the *Regulated Health Professions Act, 1991*; and
- (c) one or two persons selected, in accordance with a by-law made under section 11, from among members who are members of a faculty of physiotherapy or physical therapy of a university in Ontario. 1991, c. 37, s. 6 (1); 1998, c. 18, Sched. G, s. 42 (1, 2).

Who can vote in elections

2. Subject to the by-laws, every member who practises or resides in Ontario and who is not in default of payment of the annual membership fee is entitled to vote in an election of members of the Council. 1991, c. 37, s. 6 (2); 1998, c. 18, Sched. G, s. 42 (3).

President and Vice-President

7. The Council shall have a President and Vice-President who shall be elected annually by the Council from among the Council's members. 1991, c. 37, s. 7.

Restricted titles

8. (1) No person other than a member shall use the title "physiotherapist" or "physical therapist", a variation or abbreviation or an equivalent in another language.

Representations of qualification, etc.

2. No person other than a member shall hold himself or herself out as a person who is qualified to practise in Ontario as a physiotherapist or in a specialty of physiotherapy.

Definition

3. In this section,

"abbreviation" includes an abbreviation of a variation. 1991, c. 37, s. 8.

Notice if suggestions referred to Advisory Council

9. (1) The Registrar shall give a notice to each member if the Minister refers to the Advisory Council, as defined in the *Regulated Health Professions Act, 1991*, a suggested,

- (a) amendment to this Act;
- (b) amendment to a regulation made by the Council; or
- (c) regulation to be made by the Council.

Requirements re notice

2. A notice mentioned in subsection (1) shall set out the suggestion referred to the Advisory Council and the notice shall be given within thirty days after the Council of the College receives the Minister's notice of the suggestion. 1991, c. 37, s. 9.

Offence

10. Every person who contravenes subsection 8 (1) or (2) is guilty of an offence and on conviction is liable to a fine of not more than \$25,000 for a first offence and not more than \$50,000 for a second or subsequent offence. 2007, c. 10, Sched. B, s. 19 (1).

By-laws

11. The Council may make by-laws respecting the qualifications, number, selection and terms of office of Council members who are selected. 1998, c. 18, Sched. G, s. 42 (4).

Regulations

11.1 Subject to the approval of the Lieutenant Governor in Council and with prior review by the Minister, the Council may make regulations regulating and governing the performance of any act set out in paragraph 1, 2, 3, 4, 5 or 6 of subsection 4 (1) and ancillary matters, including, without limiting the generality of the foregoing,

- (a) establishing requirements for the performance of the act;
- (b) governing the purposes for which, and the circumstances under which, the act must be performed;
- (c) setting prohibitions. 2009, c. 26, s. 22 (3).

Transitional

12. A person who, on the day this Act comes into force, was registered as a physiotherapist under the *Drugless Practitioners Act* shall be deemed to be the holder of a certificate of registration issued under this Act subject to any term, condition or limitation to which the registration was subject. 1991, c. 37, s. 12.

13., 14. Repealed: 2007, c. 10, Sched. B, s. 19 (2).

15. Omitted (provides for coming into force of provisions of this Act). 1991, c. 37, s. 15.

16. Omitted (enacts short title of this Act). 1991, c. 37, s. 16.
