

Jurisprudence Self Study Module

The purpose of this self study module is to ensure that members of the College read and understand the laws which govern the practice of massage therapy in our province. Complete and return a copy to the registrar of the CMTNL within three months of becoming registered. The College address is:

P.O. Box 23204, Churchill Square RPO
St. John's, NL
A1B 4J9

Keep a copy for yourself in your professional portfolio. Refer to your copy of the Act, the Regulations and the Standards of Practice to answer the questions. These documents can also be accessed on the College website www.cmtnl.ca

Name: _____

Registration NL #: _____ Date Completed: _____

Part One: Massage Therapy Act, 2005

<p>General</p>	<p>1. State the title of the Act which governs the practice of massage therapy in Newfoundland and Labrador.</p> <p>_____</p> <p>2. In what year was legislation to regulate massage therapy in Newfoundland and Labrador first enacted? _____</p> <p>3. In what year was the original Act repealed and replaced by a revised Act?</p> <p>_____</p> <p>4. Are massage therapists in Newfoundland and Labrador governed by either of the following acts:</p> <p>a) Regulated Health Professions Act Yes No</p> <p>b) Informed Consent Act Yes No</p> <p>Why or why not?</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>5. State in your own words the purpose and importance of the regulation of massage therapy.</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>
<p>Section 3</p>	<p>1. Members of the college shall be massage therapists who are _____ and who hold a _____.</p> <p>2. The CMTNL is established as a college with a governing _____ of _____.</p> <p>3. Members of the college shall _____ from among themselves, (#) _____ massage therapists to serve as directors of the board of the college.</p>

	<p>4. Members of the board of directors of the association shall be eligible / ineligible to be elected to the board of directors of the college. Why are 3. and 4. important provisions?</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>5. Directors of the board of the college may be re-elected but may only serve how many consecutive years? _____</p>
Section 4	<p>1. The minister shall _____ (#) _____ persons to the board of the college who shall _____.</p> <p>2. Directors may be re-appointed, or re-elected, but only for a certain number of consecutive terms. Why are these important provisions?</p> <p>_____</p> <p>_____</p> <p>_____</p>
Section 5	<p>1. The board of directors shall hold at least (#) _____ meeting annually.</p> <p>2. A quorum shall consist of (#) _____ members of the board of whom at least one shall be a member who is _____</p> <p>3. A decision of the board is made by a _____ of the directors present at a meeting. In the event of a tie, the chairperson shall have a _____ deciding vote.</p> <p>4. The college shall hold at least (#) _____ annual general meeting where the members shall elect _____ to the board, and shall _____ an auditor.</p> <p>5. Directors of the board of the college shall serve _____ but may be paid travelling and other expenses.</p>
Section 6	<p>List three main functions of the college:</p> <p>_____</p> <p>_____</p> <p>_____</p>

Section 7	In order to carry out its duties, the college must ensure that it _____ _____
Section 8	Each year the college must submit an _____ to the _____.
Section 9	Only a person _____ as a massage therapist, and issued a _____ under this act, may use the title _____.
Section 10	1. In order to be registered with the college and issued a license, a person must a) _____ b) _____ c) _____ 2. Within 30 days of being issued a license, a person shall become _____
Section 11	List three of the duties of the registrar: _____ _____ _____
Section 13	1. Define allegation, complainant and respondent _____ _____ _____ _____ 2. List four reasons for conduct deserving of sanction _____ _____ _____ _____
Section 14	1. The complaints authorization committee shall consist of (#) _____ directors of the board, at least (#) _____ of whom shall be a public member. 2. The chair and vice chair of the complaints authorization committee shall be _____ by the board.

	<p>3. State the composition of the disciplinary panel and how members are selected:</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>4. Name the act conferring powers, privileges and immunities to the complaints authorization committee, the adjudication tribunal, and a person appointed by the committee</p> <p>_____</p>
Section 15	<p>1. An allegation of complaint shall be _____ and _____ by a complainant and filed with the _____.</p> <p>2. State two circumstances under which the registrar shall make an allegation:</p> <p>_____</p> <p>_____</p> <p>_____</p>
Section 16	<p>1. With the consent of the _____ and the _____ the registrar may attempt to _____ an allegation.</p> <p>2. When an allegation is not satisfactorily resolved by the registrar, the allegation shall be referred to _____</p>
Section 17	<p>1. State the powers of the complaints authorization committee:</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>2. When the complaints authorization committee believes there are reasonable grounds a respondent engaged in conduct deserving of sanction, an allegation constitutes a complaint and the committee may</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>3. Under an investigation, a massage therapist may be required to:</p> <p>a) _____</p> <p>b) _____</p>

	<p>4. Where the complaints authorization committee recommends that a respondent's practice be _____, or _____, or _____, the Board may or _____ act on the recommendation</p> <p>5. A complainant whose allegation is dismissed may appeal to _____ within 30 days of receiving notice.</p>
Section 18	<p>For the purpose of dealing with a complaint, the chair of the disciplinary panel shall _____ from the panel, an adjudication tribunal consisting of (#) _____ people, (#) _____ of whom must be massage therapists and one of these massage therapists shall be _____ chair of the adjudication tribunal.</p>
Section 19	<p>A hearing shall be conducted _____ except where the adjudication tribunal wishes to _____ a complainant.</p>
Section 20 & 21	<p>State three of the actions a tribunal may take when a respondent pleads guilty or the tribunal finds him/her guilty:</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>Can a respondent be ordered to pay the costs of the college? _____</p> <p>If the tribunal decides the respondent is not guilty, and believes that the submission of the complaint to a hearing was unreasonable, the tribunal may order that _____ costs be paid by _____ to the respondent.</p>
Section 22	<p>1. The registrar shall keep disciplinary decisions on file for _____ years. Can anyone ask to view the decision? _____</p> <p>2. A copy of the decision is provided to three individuals:</p> <p>_____</p> <p>_____</p> <p>3. State three circumstances requiring the registrar to publish a summary of a decision in a community newspaper where the respondent practices:</p> <p>_____</p> <p>_____</p> <p>_____</p>

Section 23	<p>Under what two circumstances do a massage therapist's rights and privileges cease?</p> <p>1. _____ _____</p> <p>2. _____ _____</p>
Section 24	<p>If a respondent fails to comply with a decision of the adjudication tribunal, the _____ may apply to the adjudication tribunal to _____ the person until the conditions imposed are fulfilled.</p>
Section 25	<p>Based on what two conditions may a respondent apply for a supplementary hearing:</p> <p>_____</p> <p>_____</p>
Section 26	<p>State the two actions the college may take when a person fails to pay costs to the college as ordered within the specified time:</p> <p>_____</p> <p>_____</p>
Section 27	<p>1. If a respondent does not pay an imposed fine on time, the college may file a certificate with two different bodies. Name them:</p> <p>_____</p> <p>_____</p> <p>2. Is there any right of appeal after a judge of the trial division makes a decision regarding a person named in a filed certificate? _____</p>
Section 28	<p>Do both the college and the respondent have the right to appeal a decision by an adjudication tribunal decision by filing with the registrar of the Supreme Court? _____</p>
Section 30 & 31	<p>State the general purpose of regulations and bylaws and the difference between them.</p> <p>_____</p> <p>_____</p> <p>_____</p>
Section 33	<p>Does this section apply to members of the college or to members of the public who hold themselves out to be massage therapists? What authority does this give the college?</p> <p>_____</p> <p>_____</p> <p>_____</p>

Part Two Regulations

“Please note that the Regulations passed in September 2005 do not reflect the change in title from Newfoundland and Labrador Massage Therapists’ Board (NLMTB) to College of Massage Therapists of Newfoundland and Labrador (CMTNL) which occurred with the passing of the revised Massage Therapy Act December 2005. The specifics of the Regulations continue to apply to the renamed College of Massage Therapists of Newfoundland and Labrador (CMTNL).

Section 3	Application for registration shall be in the form set by the _____
Section 4	<p>Registration and a license to practice shall be granted to a person who has fulfilled several important conditions. List four:</p> <p>a) _____</p> <p>b) _____</p> <p>c) _____</p> <p>d) _____</p>
Section 5	A massage therapist may be required to allow the professional liability insurer to provide _____ of _____
Section 7	<p>List the three conditions for granting an inactive license:</p> <p>a) _____</p> <p>b) _____</p> <p>c) _____</p>
Section 8	<p>1. List four of the several conditions for granting renewal of a licence to practice:</p> <p>a) _____</p> <p>b) _____</p> <p>c) _____</p> <p>d) _____</p> <p>2. What requirements must a person holding an inactive license fulfill when applying for a license to practice:</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>3. What is required after a person allows his/her license to lapse in order to be regain registration with the college?</p> <p>_____</p> <p>_____</p>
Section 9	<p>1. How often is the college required to offer competency examinations?</p> <p>_____</p>

	<p>2. State three of the conditions a person must fulfill in order to be eligible to take the competency examinations:</p> <p>a) _____</p> <p>b) _____</p> <p>c) _____</p> <p>3. How many times may a candidate retake examinations? _____</p> <p>4. What happens if a candidate fails three examinations?</p> <p>_____</p> <p>_____</p>
Section 10	<p>1. How many continuing education credits must a massage therapist complete in a three year cycle? _____ What is the purpose of this requirement?</p> <p>_____</p> <p>_____</p> <p>2. How should a member of the college keep track of continuing education credits?</p> <p>_____</p> <p>_____</p>
Section 11	<p>State two conditions of license:</p> <p>_____</p> <p>_____</p> <p>_____</p>
Section 12	<p>All client records shall be kept strictly _____ and retained for (#) _____ years.</p>

Part Three Standards of Practice and Code of Ethics

p. 9-11	<p>State what a code of ethics is and its purpose:</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>
	<p>Why is a code of ethics important for massage therapists?</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>

p. 11	State the vision of the college: <hr/> <hr/> <hr/> <hr/>
	State the scope of practice of massage therapy in NL: <hr/> <hr/> <hr/> <hr/>
p. 12	State the four principles underlying the code of ethics: a) _____ b) _____ c) _____ d) _____
p.13-18	In point form, give two examples of each principle: a) _____ <hr/> <hr/> b) _____ <hr/> <hr/> c) _____ <hr/> <hr/> d) _____ <hr/> <hr/>
p.19-23	State what standards of practice are and why they are important for massage therapists: <hr/> <hr/> <hr/> <hr/>
p. 22	What are the limits to confidentiality? <hr/> <hr/>

<p>Standard 10 (Com/PubH) p.35, 36</p>	<p>State what needs to be recorded in a client's treatment plan:</p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
<p>Standard 11 (Com/PubH) p.37,38, 39</p>	<p>State three safety concerns connected with this standard</p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
<p>Standard 12 (Com/PubH) p.40, 41</p>	<p>State four quality/technical subcomponents connected with this standard</p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
<p>Standard 13 (Com/PubH) p.42</p>	<p>State four quality/technical subcomponents connected with this standard</p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
<p>Standard 14 (Com/PubH) p.43, 44</p>	<p>State four important components to be included in a client's health record and when health records should be updated</p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>

<p>Standard 15 (Com/PubH) p.45</p>	<p>State the three conditions when this standard applies:</p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
<p>Standard 16 (Com/PubH) p.46</p>	<p>State two interpersonal and two technical qualities required of this standard:</p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
<p>Technique Standard 1 p.47</p>	<p>State the three general principles regarding interpersonal quality measures that apply to all specific massage therapy techniques:</p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
<p>Technique Standard 2 p. 48</p>	<p>State two technical quality measures connected to this standard:</p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
<p>Technical Standard 3 p. 49</p>	<p>State two safety concerns connected with the standard</p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
<p>Technical Standard 4 p. 50</p>	<p>State the two measures of technical quality regarding this standard:</p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>

<p>Technical Standard 5 p. 51</p>	<p>State the two measures of technical quality regarding this standard:</p> <hr/> <hr/> <hr/>
<p>Technical Standard 6, p.52</p>	<p>State two interpersonal and two technical qualities required of this standard:</p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
<p>Technical Standard 7 p. 53</p>	<p>Give the two technical quality measures required of this standard:</p> <hr/> <hr/> <hr/>
<p>Technical Standard 8 p. 54</p>	<p>Give two of the technical quality measures required of this standard:</p> <hr/> <hr/> <hr/>
<p>Technical Standard 9 p.55</p>	<p>State two safety concerns for this standard:</p> <hr/> <hr/> <hr/>
<p>Technical Standard 10 p. 56, 57</p>	<p>State the role pain plays in the use of this technique:</p> <hr/> <hr/> <hr/> <hr/> <hr/>
<p>Technical Standard 11 p. 58</p>	<p>State three safety concerns in connection with this standard:</p> <hr/> <hr/> <hr/> <hr/> <hr/>

<p>Technical Standard 12 p. 59</p>	<p>State two technical and two safety concerns for this standard:</p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
<p>Technical Standard 13 p. 60</p>	<p>State one important safety concern for this technique</p> <hr/> <hr/>
<p>Technical Standard 14 p. 61</p>	<p>State one interpersonal and two safety issues for this technique:</p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
<p>Technical Standard 15 p. 62</p>	<p>State four indications for performing breast massage:</p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
<p>Technical Standard 16 p.63</p>	<p>State three indications for this standard:</p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
<p>Technical Standard 17</p>	<p>State three safety issues in connection with this standard:</p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>