

MUTUAL RECOGNITION AGREEMENT
Agreement on the Mobility of Massage Therapists
between British Columbia, Newfoundland and Labrador and Ontario

This Agreement is between:

THE COLLEGE OF MASSAGE THERAPISTS OF BRITISH COLUMBIA

and

THE NEWFOUNDLAND AND LABRADOR MASSAGE THERAPISTS' BOARD

and

THE COLLEGE OF MASSAGE THERAPISTS OF ONTARIO

Definitions

- “Agreement” means this Agreement;
- “AIT” means the Agreement on Internal Trade, an agreement amongst the federal, provincial and territorial governments of Canada for the purposes of facilitating the mobility of goods, services and professionals between the provinces and territories of Canada;
- “CMTBC” means the College of Massage Therapists of British Columbia, a regulatory body established under the *Health Professions Act*, R.S.B.C. 1996 c. 183, responsible for the regulation of massage therapy in the province of British Columbia, with an office at #103-1089 W. Broadway, Vancouver, British Columbia, Canada V6H 1E5;
- “NLMTB” means the Newfoundland and Labrador Massage Therapists’ Board, a regulatory body established under the Act Respecting the Practice of Massage Therapy, responsible for the regulation of massage therapy in the province of Newfoundland and Labrador, with an address at P.O. Box 60502, Rawlins Cross, St. John’s NL A1C 6N2
- “CMTO” means the College of Massage Therapists of Ontario, a regulatory body established under the *Massage Therapy Act, 1991*, S.O. 1991, c 27, responsible for the regulation of massage therapy in the province of Ontario, with an office at #810-1867 Yonge Street, Toronto, Ontario, Canada M4S 1Y5;
- “College/Board” means either CMTBC, NLMTB, or CMTO;
- “Effective Date” means the Effective Date of this Agreement, as prescribed in section 27;
- “Jurisdiction” means either the Province of British Columbia, Province of Newfoundland and Labrador or the Province of Ontario;
- “local jurisprudence” means the legislation, policies and procedures that apply to the practice of massage therapy in a Jurisdiction, including the governing statute, College /Board rules or bylaws, codes of ethics and practice standards;
- “MRA” means a mutual recognition agreement established to recognize the qualifications of workers from other Jurisdictions in a manner set forth in Chapter 7 of the AIT.

Preamble

- A. Article 708 of the AIT requires governments and Colleges /Boards to mutually recognize the qualifications of workers from other jurisdictions in a manner set forth in Chapter 7 of the AIT (“Labour Mobility”) and enter into a MRA in order to comply with that chapter of the AIT;
- B. The purpose of this Agreement is to establish the conditions under which a massage therapist who is registered in one Jurisdiction will have his/her qualifications recognized in the other Jurisdiction;

- C. It is in the interest of the memberships of the Colleges/Board and members of the public to enable properly qualified massage therapists to have access to employment opportunities in that profession in the Jurisdictions covered by this Agreement;
- D. It is the statutory duty of the Colleges/Board to ensure protection of the public by establishing, maintaining and upholding entry levels of competence in the practice of massage therapy within their Jurisdiction;
- E. There are different paths to achieve the entry level competence for the practice of massage therapy and the Colleges/Board acknowledge their obligations to set standards responsibly and in good faith to ensure that the public is protected;
- F. The Colleges/Board have undertaken a comparison of their entry-level competencies and have identified many areas of commonality, but some differences that are significant, thus requiring this Agreement.

THEREFORE, THE CMTBC, THE NLMTB AND THE CMTO AGREE TO THE FOLLOWING TERMS AND CONDITIONS:

Registration requirements and examination processes acknowledged

1) The Colleges/Board

- a) recognize and acknowledge each other's registration requirements and examination processes, and
- b) agree that this Agreement does not modify the authority of each College /Board to set standards and requirements for entry into the profession of massage therapy in its Jurisdiction.

General requirements

2) The Colleges/Board recognize that, in order to be registered in a Jurisdiction, an applicant may be required to:

- a) establish and confirm identify for entry onto the register;
- b) pay the applicable fees;
- c) be in good standing in the Jurisdiction in which the applicant is currently registered;
- d) demonstrate that the applicant meets any language and citizenship requirements in place in a Jurisdiction to which the applicant is applying for registration.

Competency-based registration requirement

3) In compliance with Article 707 of the AIT, each College/Board will ensure that any measure it adopts or maintains relating to registration of massage therapists from the other Jurisdictions

- a) is competency-based and readily accessible or published, and
- b) does not result in unnecessary delay or impose inequitable, burdensome fees, except for cost differentials.

Individual assessments of applicants

4) The CMTBC will approach the evaluation of an applicant from Newfoundland and Labrador and Ontario in terms of the significant differences based on an individual assessment of that applicant.

Past competency assessments recognized

5) The Colleges /Board agree that:

- a) Colleges/Board will not examine registrants for entry-level competencies that have already been assessed by the other College/Board;
- b) an applicant who is registered in one Jurisdiction will not be required to undergo additional training or examination as a condition of registration in the other Jurisdictions, except in accordance with sections 6 to 14 of this Agreement.

Assessment of unique, not previously assessed competencies

6) A College/Board may examine a registrant from the other Jurisdictions on those subjects that are unique to that Jurisdiction and not subject to a competencies comparison, and where significant differences in competencies have been identified.

Local jurisprudence

7) Each College/Board may require an applicant from the other Jurisdictions to demonstrate knowledge of the local jurisprudence as a condition for registration, and may require completion of an educational module on this subject.

CMTBC's accommodation mechanism

8) The CMTBC will employ a time-limited, conditional registration accommodation mechanism (as described further in Appendix "A") for each applicant registered in good standing with the NLMTB or CMTO that includes, where applicable,

- a) a prior-learning assessment, and
- b) an examination process specific to the identified difference between the CMTBC's the NLMTB's or the CMTO's entry-level requirements.

9) The subjects the CMTBC will address in its accommodation mechanism are:

- a) visceral and cranial techniques
- b) sensory stimulus-response techniques
- c) actinotherapy, for a Newfoundland and Labrador therapist originally registered in Ontario from 1994 onwards or an Ontario therapist who was registered from 1994 onward;
- d) expanded regional orthopedic assessment and spinal orthopedics;
- e) research methods and statistics.

10) The CMTBC will evaluate the clinical competencies of a NLMTB or CMTO registrant to ascertain if they are substantially equivalent to the competencies that BC expects graduates from its accredited educational programs will have obtained from the 550-hour practicum requirement.

11) In relation to a NLMTB or CMTO registrant, the CMTBC will accept documentation of clinical hours from the registrant's undergraduate training program on an hour-to-hour equivalency in a form acceptable to the CMTBC.

12) In relation to a recent NLMTB or CMTO registrant with post-registration clinical experience, the CMTBC will assess the applicant's appropriately documented supervised undergraduate experience, post-registration clinical experience, and post-graduate education.

13) Where the CMTBC identifies a substantial difference in an applicant's clinical experience and that of the experience required of a graduate from BC accredited training programs, it will establish a remediation process and may require the applicant to complete the process.

CMTO's accommodation mechanism

14) The CMTO will register members of CMTBC or NLMTB who hold a current, active certificate of registration on confirmation of completion of the educational module on Ontario jurisprudence available through the College's web site. BC members who have not had training in breast massage will not provide this treatment modality to the public until they have completed appropriate training through an approved professional development course.

NLMTB's accommodation mechanism

15) The NLMTB will register members of CMTBC or CMTO who hold a current, active certificate of registration on confirmation of completion of the educational module on Newfoundland and Labrador jurisprudence. BC members who have not had training in breast massage will not provide this treatment modality to the public until they have completed appropriate training through an approved professional development course.

Residency requirement not allowed

16) In compliance with Article 707 of the AIT, no College or Board will maintain or adopt any requirement for residency in its Jurisdiction as part of its registration requirements.

Continuing education requirements

17) The Colleges/Board agree that:

- a) each College/Board may maintain differing continuing education requirements of practitioners in their Jurisdictions;

- b) applicants for registration will be required to demonstrate compliance with continuing education requirements in the host Jurisdiction once they are registered there.

Current, active registrants recognized

18) The Colleges/Board agree that a Past Registrant in good standing of one Jurisdiction is a qualified practitioner and is eligible for membership in the other Jurisdiction provided that registrant meets the criteria described in this Agreement, where for the purposes of this section:

- a) "Past Registrant" means a member of a College/Board who
 - i) qualified for registration under a different regulatory regime instituted prior to the Effective Date of this Agreement, but
 - ii) may not meet the current occupational standards and requirements for entry to practice of that College/Board.

On-going review

19) The Colleges/Board will continue to review and evaluate their respective entry requirements and advise the other of changes to those requirements which impact on the accommodations described in this Agreement.

Changes to standards

20) All Colleges/Board agree;

- a) to give advance notice to the other College/Board when proposing modification or adoption of new occupational standards or occupational requirements that might impact on the inter-provincial mobility of massage therapists;
- b) to afford the other College/Board an opportunity to participate in the modification or development of the standard or requirement, in the manner specified in Annex 708, Part II of the AIT.

National accreditation of massage therapy educational programs

21) All Colleges/Board will consider the possibility of working toward supporting the establishment of a national program to accredit massage therapy educational programs across Canada. The Colleges/Board will also consider the possibility of the establishment of a set of national certification standards for registration of massage therapists.

Contact persons

22) The Colleges/Board agree that the Registrars appointed under the governing legislation shall be the contact persons for the purposes of communicating between the Colleges in relation to the implementation of this agreement.

Amendments

23) All Colleges/Board agree that this Agreement is a dynamic and evolving instrument that may be amended with the consent of the signatories.

Review of Agreement

24) The Colleges/Board agree:

- a) to initiate periodic reviews of this Agreement every five years after July 1, 2001;
- b) to review the operation of the Agreement when such a request is made by one of the Colleges/Board;
- c) to review and revise this Agreement to include a new College/Board that has the statutory mandate to regulate massage therapy in that other Jurisdiction, in the public interest.

New regulatory bodies may accede

25) Any regulatory body that has the statutory mandate to regulate massage therapy in that Jurisdiction in the public interest after the effective date of this Agreement may accede to this Agreement on such terms as are agreed to by the Colleges/Board and that new regulatory body.

Withdrawal from Agreement

26) The Colleges/Board agree that:

- a) a College/Board may give written notice to its government and to the other College/Board of its intent to withdraw from this Agreement at least 12 months before the College/Board withdraws or at the earliest possible opportunity;
- b) the withdrawal will take effect 12 months after the notification;

- c) the notice period is waived where the withdrawal is not within the College/Board's control;
- d) the government of a Jurisdiction may require prior consultation or prior approval before the withdrawal is effective.

Changes to Legislation

27) Each College/Board agrees:

- a) to seek the necessary legislative change from their respective government if, in order to implement this Agreement, there is a need for such changes;
- b) to make the necessary changes to its by-laws, policies or procedures in order to implement this Agreement.

Effective date

28) Notwithstanding the date this Agreement is signed, the Colleges/Board agree that the Effective Date of this Agreement is July 1, 2001.

Approval of Agreement

29) Each College/Board agrees that, by having its representative sign this Agreement, the signature is evidence that the board of the College/Board has approved and agrees to be bound by the terms of this Agreement, and has authorized the representative to sign this Agreement on behalf of the College/Board.

Appendix A

CMTBC's Time-limited Conditional Registration

In accordance with section 8 of this Agreement, the CMTBC will employ a time-limited conditional registration process. This accommodation mechanism will have the following features:

Condition 1) Application

Time-limited conditional registration will apply only to a massage therapist who:

- a) is registered with the NLMTB or CMTO and holds a valid and subsisting General Certificate to practice in Newfoundland and Labrador or Ontario and applies to be registered in BC in accordance with the AIT (a "conditional registrant"), and
- b) at the time of application, meets the requirements of sections 10 to 13 of this Agreement

Condition 2) Time-limit

A conditional registrant will have a maximum of 18 months from initial registration with the CMTBC to:

- a) obtain the necessary competencies or demonstrate that the competencies were obtained after being registered in Newfoundland and Labrador or Ontario, and
- b) pass a regularly scheduled examination on those competencies.

Failure to meet this term would result in the automatic suspension of registration, unless the conditional registrant is granted an extension by the Registration Committee.

The conditional registrant will be required to submit a plan to the Registration Committee explaining how the registrant will attain any outstanding training required. The Registration Committee will advise the conditional registrant to ensure that the plan is complete and achievable.

The examination for the specific competencies will be scheduled at the same time as the comprehensive registration examinations that are currently scheduled for February and September of each year. The 18 months timeframe allows a minimum of one year for a conditional registrant to attain any outstanding training before writing the competency-specific registration examination.

Condition 3) Scope

The requirement of conditions 2 (a) and (b) apply to:

- a) visceral and cranial techniques;
- b) sensory stimulus-response techniques;
- c) actinotherapy, for a Newfoundland and Labrador therapist originally registered in Ontario from 1994 onwards or an Ontario therapist who was registered from 1994 onward;
- d) expanded regional orthopedic assessment and spinal orthopedics;
- e) research methods and statistics. However, if a conditional registrant can provide the CMTBC with proof that the registrant has passed a post-secondary course in research methods and statistics that is acceptable to the College, the registrant will not be required to pass an examination on that competency.

Condition 4) Practice limits

Until such time as a conditional registrant passes the required competency-specific examinations as specified in condition 3, that registrant must not perform any service, technique, procedure, etc., that relates to the identified competency. A limitation on practice is “attached” to the conditional registrant’s licence, and is subject to the CMTBC’s bylaws.

A limitation on practice applies to:

- visceral and cranial techniques
- sensory stimulus-response technique
- actinotherapy, for a Newfoundland and Labrador therapist originally registered in Ontario from 1994 onwards or an Ontario therapist who was registered from 1994 onward;
- expanded regional orthopedic assessment and spinal orthopedics.

There will be no limitation on practice in relation to research methods and statistics.