

# **Drugless Practitioners Act**

R.S.O. 1990, CHAPTER D.18

## **Definitions**

### **1. In this Act,**

"Board" means the Board of Regents; ("bureau")

"drugless practitioner" means a person who practises the treatment of any ailment, disease, defect or disability of the human body by manipulation, adjustment, manual or electro-therapy or by any similar method; ("praticien ne prescrivait pas de médicaments")

"regulations" means the regulations made under this Act. ("règlements") R.S.O. 1990, c. D.18, s. 1.

## **Board of Regents**

**2. (1)** The Board of Regents established under *The Drugless Practitioners Act, 1925*, being chapter 49, is continued under the name Board of Regents in English and *bureau des administrateurs* in French, and shall be composed of five persons appointed by the Lieutenant Governor in Council. R.S.O. 1990, c. D.18, s. 2 (1).

## **Term of office**

**(2)** Every member of the Board shall hold office for a period of two years, but any member is eligible for reappointment at the expiration of the term of office. R.S.O. 1990, c. D.18, s. 2 (2).

## **Vacancies**

**(3)** Every vacancy on the Board caused by the death, resignation or incapacity of a member shall be filled by the appointment of a person to hold office for the remainder of the term of such member. R.S.O. 1990, c. D.18, s. 2 (3).

## **Officers**

**(4)** The Lieutenant Governor in Council shall designate from time to time one of the members to be chair, one to be vice-chair and one to be secretary-treasurer of the Board. R.S.O. 1990, c. D.18, s. 2 (4).

## **Boards of directors**

**3. (1)** The Lieutenant Governor in Council may appoint a board of directors for one or more classifications of drugless practitioners to be composed of not fewer than three and not more than five members and to be known in English as the Board of Directors of (*inserting the classification or classifications*) and in French as Conseil d'administration des (*inserting the classification or classifications*). R.S.O. 1990, c. D.18, s. 3 (1).

## **Term of office**

**(2)** The members of a board of directors shall hold office for a period of two years, but any member is eligible for reappointment at the expiration of the term of office. R.S.O. 1990, c. D.18, s. 3 (2).

## **Vacancies**

**(3)** Every vacancy on a board of directors caused by the death, resignation or incapacity of a member shall be filled by the appointment of a person to hold office for the remainder of the term of such member. R.S.O. 1990, c. D.18, s. 3 (3).

## **Officers**

**(4)** The Lieutenant Governor in Council may designate one of the members to be chair, one to be vice-chair and one to be secretary-treasurer of a board of directors. R.S.O. 1990, c. D.18, s. 3 (4).

## **Regulations**

**4.** The Lieutenant Governor in Council may make regulations classifying persons admitted to practise under this Act and for prescribing the systems of treatment that may be followed by drugless practitioners of different classes. R.S.O. 1990, c. D.18, s. 4.

## **Board of Regents replaced**

**5. (1)** When a board of directors has been appointed, the Board of Regents shall cease to act with respect to the classification or classifications of drugless practitioners for which the board of directors is appointed, and the provisions of this Act with respect to the Board of Regents apply with necessary modifications to the board of directors so appointed. R.S.O. 1990, c. D.18, s. 5 (1).

## **Powers of boards of directors**

(2) A board of directors may exercise with respect to the classification or classifications of drugless practitioners for which it is appointed all the powers that the Board of Regents would have, if the board of directors had not been appointed. R.S.O. 1990, c. D.18, s. 5 (2).

## **Regulations**

6. The Board, with the approval of the Lieutenant Governor in Council, may make regulations,

(a) for the examination and admission of drugless practitioners to practise in Ontario and for the registration of persons so admitted and prescribing the fees to be paid on examination and registration;

(b) prescribing the qualifications of persons so to be admitted and the proofs to be furnished as to education, good character and experience;

(c) for maintaining a register of persons admitted to practise and providing for the annual renewal of registration and prescribing the fee therefore;

(d) prescribing the discipline and control of registered drugless practitioners, including the prohibition or control of advertising by or on behalf of such persons;

(e) for classifying persons admitted to practise under this Act and for prescribing the systems of treatment that may be followed by drugless practitioners of different classes;

(f) for designating the manner in which a person registered under this Act may describe his or her qualification or occupation and prohibiting the use of a title, affix or prefix that in the opinion of the Board is calculated to mislead the public as to the qualification of any such person and for allowing the use of any affix or prefix not forbidden by Part III of the *Health Disciplines Act* that in the opinion of the Board will correctly describe the qualification or occupation of such person;

(g) for the investigation of any complaint that a registered drugless practitioner has been guilty of misconduct or displayed such ignorance or incompetence as to render it desirable in the public interest that his or her registration should be cancelled or suspended;

(h) for the cancellation or suspension of the registration of any person found by the Board to be guilty of misconduct or to have been ignorant or incompetent;

(i) providing for the employment by the Board of such persons and services as may be required and for the payment of such persons and for such services;

(j) providing for the payment of a daily allowance and an allowance for traveling and living expenses to members of the Board while engaged on business of the Board;

(k) providing for the investment of the surplus revenue of the Board;

(l) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act. R.S.O. 1990, c. D.18, s. 6.

### **Act does not authorize practice of medicine**

7. Nothing in this Act or the regulations authorizes a person, not being so expressly authorized under a general or special Act of the Legislature, to prescribe or administer drugs for use internally or externally or to use or direct or prescribe the use of anaesthetics for any purpose whatsoever or to practise surgery or midwifery. R.S.O. 1990, c. D.18, s. 7.

### **Penalty for unauthorized practice**

8. Every person who is not registered as a drugless practitioner under this Act or whose registration has been cancelled or is under suspension, who practises or holds himself, herself or itself out as practising as a drugless practitioner within the meaning of this Act, or advertises or uses or affixes any prefix to his, her or its name signifying that he, she or it is qualified to practise as a drugless practitioner within the meaning of this Act is guilty of an offence and on conviction is liable to a fine of not more than \$25,000 and on conviction for a subsequent offence within a period of two years after the first conviction shall be imprisoned for a term of not more than three months. R.S.O. 1990, c. D.18, s. 8.

### **Proof of registration**

9. (1) In all cases where proof of registration under this Act is required, the production of a printed or other copy of the register, certified under the hand of the secretary-treasurer of the Board, is sufficient evidence of all persons who are registered practitioners in lieu of the production of the original register, and any

certificate upon such printed or other copy of the register purporting to be signed by a person in the capacity of secretary-treasurer of the Board under this Act is proof, in the absence of evidence to the contrary, that such person is the secretary-treasurer without any proof of his or her signature or of his or her being in fact the secretary-treasurer. R.S.O. 1990, c. D.18, s. 9 (1).

### **Evidence of non-registration**

(2) The absence of the name of a person from such copy is proof, in the absence of evidence to the contrary, that such person is not registered under this Act. R.S.O. 1990, c. D.18, s. 9 (2).

### **Omission of name from copy**

(3) In the case of a person whose name does not appear in such copy, a certified copy under the hand of the secretary-treasurer of the entry of the name of such person on the register is evidence that such person is registered under this Act. R.S.O. 1990, c. D.18, s. 9 (3).

### **Saving**

**10.** Nothing in this Act applies to or affects,

(a) the practice of any profession or calling by any person practising it under any general or special Act of the Legislature;

(b) any nurse acting in the absence of, or under the prescription or direction of, a legally qualified medical practitioner;

(c) the furnishing of first aid or temporary assistance in cases of emergency;

(d) persons treating human ailments by prayer or spiritual means as an enjoyment or exercise of religious freedom. R.S.O. 1990, c. D.18, s. 10.

### **Compliance with other statutes not affected**

**11.** Nothing in this Act or the regulations shall be taken or deemed to relieve any person from complying with the *Health Protection and Promotion Act* or the *Vital Statistics Act* or from any legal duty to provide for the treatment of any person by a legally qualified medical practitioner. R.S.O. 1990, c. D.18, s. 11.

**Drugless Practitioners Act**  
**Loi sur les praticiens ne prescrivant pas de médicaments**

**R.R.O. 1990, REGULATION 278**

**GENERAL**

**Consolidation Period:** From November 5, 2007 to the [e-Laws currency date](#).

**Note:** This Regulation is revoked on the day subsection 14 (2) of the *Naturopathy Act, 2007* is proclaimed in force. See: S.O., 2007, c. 10, Sched. P, ss. 14 (2), 21 (2).

Last amendment: O. Reg. 551/07.

*This Regulation is made in English only.*

DEFINITIONS

1. In this Regulation,

“Board” means The Board of Directors of Drugless Therapy;

“drugless therapist” means any person who practises or advertises or holds themselves out in any way as practising the treatment by diagnosis, including all diagnostic methods, direction, advice, written or otherwise, of any ailment, disease, defect or disability of the human body by methods taught in colleges of drugless therapy or naturopathy and approved by the Board;

“registration year” means the 12-month period that begins on March 1 of each year or, in the case of a leap year, on February 29 and ends on the following February 28. R.R.O. 1990, Reg. 278, s. 1; O. Reg. 549/99, s. 1.

REGISTRATION

2. Any person being eighteen years of age may apply to the Board for registration as a drugless therapist. R.R.O. 1990, Reg. 278, s. 2.

CLASSIFICATIONS

3. Drugless therapist is a classification. R.R.O. 1990, Reg. 278, s. 3.

SCHOOLS AND COLLEGES

4. No school or college teaching drugless therapy shall be approved by the Board, unless its course of instruction is at least four years of nine months in each year and it teaches a minimum course of at least 4,200 fifty-minute hours or its equivalent in the subjects of,

Anatomy (including all branches, gross Anatomy, Dissection, etc.)

Physiology

Chemistry

Medical Jurisprudence

Pathology

Psychology

Eye, Ear, Nose and Throat

Histology

Dietetics

Diagnosis

First Aid and Minor Surgery

Psychiatry

Gynecology

Bacteriology  
Hygiene and Sanitation  
Symptomatology  
Obstetrics  
Principles of Practice, Technique and Treatment.

R.R.O. 1990, Reg. 278, s. 4.

#### FEES

5. (1) Each person who applies for registration as a drugless therapist shall pay, with his or her application for registration, a registration fee of,

- (a) in the case of an applicant who applies for registration as an inactive drugless therapist, \$250; and
- (b) in the case of an applicant other than the applicant referred to in clause (a), \$900. O. Reg. 549/99, s. 2; O. Reg. 551/07, s. 1 (1, 2).

(2) If a person applies for registration after the beginning of the registration year, the person shall pay a prorated portion of the fee required under subsection (1) that is based on the proportion that the number of remaining months in the registration year is to the total number of months in the registration year. O. Reg. 549/99, s. 2.

(3) For the purposes of subsection (2), if a person applies for registration after the first day of a month, the month in which the person applied shall be counted as a full month when determining the number of months remaining in the registration year. O. Reg. 549/99, s. 2.

(4) Every registrant shall pay a fee for the annual renewal of his or her registration on or before February 28. O. Reg. 549/99, s. 2.

(5) Subject to subsection (6), the fee for the annual renewal of registration as a drugless therapist is,

- (a) if the fee is paid on or before February 28 of the previous registration year, \$900; or
- (b) if the fee is paid after February 28 of the previous registration year, \$1350. O. Reg. 549/99, s. 2; O. Reg. 551/07, s. 1 (3, 4).

(6) The fee for the annual renewal of registration as an inactive drugless therapist is,

- (a) \$250, if the fee is paid on or before February 28 of the previous registration year; or
- (b) \$350, if the fee is paid after February 28 of the previous registration year. O. Reg. 549/99, s. 2; O. Reg. 551/07, s. 1 (5, 6).

#### TRAINERS

6. This Regulation does not apply to or affect trainers for athletic or sporting clubs or associations so long as they confine their services to members of such clubs or associations during their training or playing season. R.R.O. 1990, Reg. 278, s. 6.

#### REGISTRATION

7. (1) Every drugless practitioner shall register with the Board. R.R.O. 1990, Reg. 278, s. 7 (1).

(2) Applications for registration shall be in writing on a form approved by the Board, verified by affidavit and accompanied by the prescribed fee and shall set forth,

- (a) classification under which registration is desired;
- (b) preliminary education of the applicant prior to admission to college of graduation;
- (c) name and post office address of the college of graduation;
- (d) actual time of attendance at lectures in the college of graduation, subjects taught and the number of lecture hours devoted to each subject;
- (e) references to character, professional status and efficiency in practice; and
- (f) any other information required by the Board. R.R.O. 1990, Reg. 278, s. 7 (2); O. Reg. 549/99, s. 3 (1).

(3) A registration shall expire at the end of every registration year and the Board shall renew the registration on the first day of the following registration year. O. Reg. 549/99, s. 3 (2).

8. (1) An applicant for registration as a drugless therapist who applies in accordance with subsection 7 (2) and who pays the required fee under clause 5 (1) (b) shall be registered as an active registrant. O. Reg. 549/99, s. 4.

(2) An applicant for registration as a drugless therapist who does not engage in the practice of drugless therapy and who applies in accordance with subsection 7 (2) and pays the fee required under clause 5 (1) (a) may, upon request, be registered as an inactive registrant. O. Reg. 549/99, s. 4.

(3) A person who is registered as an inactive registrant shall not engage in the practice of drugless therapy in Ontario. O. Reg. 549/99, s. 4.

**9.** (1) If a registrant fails to pay his or her annual renewal on or before February 28, the Board may suspend his or her registration by giving the registrant at least 60 days written notice of the suspension. O. Reg. 549/99, s. 5.

(2) Where a drugless therapist's registration is suspended under subsection (1) and the therapist applies for registration two years or less after the date of the suspension, the Board shall lift the suspension and register the therapist if he or she pays the annual renewal fee of \$1350 in accordance with clause 5 (5) (b). O. Reg. 549/99, s. 5; O. Reg. 551/07, s. 9 (1).

(3) Where a drugless therapist's registration is suspended under subsection (1) and the therapist applies for registration more than two years after the date of the suspension, the Board shall lift the suspension and register the therapist if he or she,

- (a) submits an application for registration to the Board on a form approved by the Board;
- (b) successfully completes such evaluations as may be set or approved by the Board;
- (c) successfully completes such continuing education courses as may be required by the Board; and
- (d) pays the annual renewal fee of \$1350 in accordance with clause 5 (5) (b). O. Reg. 549/99, s. 5; O. Reg. 551/07, s. 9 (2).

(4) A drugless therapist who has been registered as an inactive registrant for two years or less may resume active practice if he or she applies for and is registered as an active registrant and pays the renewal fee of \$900 under clause 5 (5) (a). O. Reg. 549/99, s. 5; O. Reg. 551/07, s. 9 (3).

(5) A drugless therapist who is registered as an inactive registrant for more than two years may resume active practice if he or she,

- (a) submits an application for renewal of registration as an active registrant to the Board on a form approved by the Board;
- (b) successfully completes such evaluations as may be set or approved by the Board;
- (c) successfully completes such continuing education courses as may be required by the Board; and
- (d) pays the annual renewal fee of \$900 in accordance with clause 5 (5) (a). O. Reg. 549/99, s. 5; O. Reg. 551/07, s. 9 (4).

**10.** REVOKED: O. Reg. 549/99, s. 6.

**11.** Any person who commences a course of instruction for the purpose of qualifying to practise as a drugless practitioner shall, within thirty days from the commencement of such a course, register in the office of the secretary of the Board stating what course he or she is taking but the Board may extend the time for registration. R.R.O. 1990, Reg. 278, s. 11.

**12.** The Board may make reciprocal arrangements with other bodies, councils or boards governing drugless practitioners in jurisdictions outside Ontario, under which the qualifications to practise in such jurisdiction may be recognized as qualifications to practise in Ontario, and qualifications to practise in Ontario may be recognized as qualifications to practise in such jurisdiction. R.R.O. 1990, Reg. 278, s. 12.

**13.** (1) The Board may, in its absolute discretion and in such circumstances and on such conditions as it considers advisable, remit all or part of the registration and renewal fees of any registrant who has lost his or her eyesight. R.R.O. 1990, Reg. 278, s. 13 (1).

(2) The Board may, in its absolute discretion, remit all or part of the renewal fees of any registrant who, by reason of physical disability, illness or absence from Ontario, discontinues practise in Ontario for a period of not less than one year. R.R.O. 1990, Reg. 278, s. 13 (2).

#### EXAMINATIONS

**14.** (1) Every applicant for registration shall successfully complete the following examinations:

1. Examinations set by the Board in acupuncture, instrumentation, manipulation and jurisprudence.
2. In the case of applicants who have graduated from a school of naturopathy, the Naturopathic Physicians Licensing Examinations administered by the North American Board of Naturopathic Examiners.
3. In the case of applicants who have graduated from a school of drugless therapy, examinations approved by the Board in anatomy, histology, physiology, bacteriology, chemistry, hygiene and sanitation, diagnosis, symptomatology, pathology and other examinations approved by the Board relating to principles of practice, technique and treatment for drugless therapy. O. Reg. 469/00, s. 1.

(2) The Board shall set a time for the writing of examinations referred to in paragraph 1 of subsection (1) at least once a year. O. Reg. 469/00, s. 1.

15. Every applicant for registration shall pay a fee of \$75 to write the examinations referred to in paragraph 1 of subsection 14 (1). O. Reg. 469/00, s. 1.

16. (1) No candidate is eligible to try any examination until his or her candidature has been approved by the Board. R.R.O. 1990, Reg. 278, s. 16 (1).

(2) The approval may be given upon proof of the candidate having taken the proper course at any of the schools or colleges approved by the Board, or upon proof of such other course or courses of instruction, both in professional subjects and in academic or secondary subjects, as in each case is satisfactory to the Board. R.R.O. 1990, Reg. 278, s. 16 (2).

17.-29. REVOKED: O. Reg. 469/00, s. 2.

#### DISCIPLINE

30. (1) The certificate of registration of any drugless practitioner may, after due enquiry by the Board, be either suspended or cancelled for incompetence, misconduct or breach of this Regulation. R.R.O. 1990, Reg. 278, s. 30 (1).

(2) Any drugless practitioner against whom an allegation of misconduct, incompetence, or breach of this Regulation is made, shall be notified by registered mail, addressed to the practitioner at the address under which the practitioner is registered, giving notice to the practitioner of the time and place at which the Board will convene for the purpose of determining whether or not he or she has been guilty of the alleged misconduct, incompetence or breach of this Regulation. R.R.O. 1990, Reg. 278, s. 30 (2).

31. No drugless practitioner registered under the Act shall display any sign, bill, poster or placard holding himself or herself out or advertising as a drugless therapist, unless the certificate of registration issued by the Board specifies that such person is registered as a drugless therapist. R.R.O. 1990, Reg. 278, s. 31.

32. No registrant shall use the words "drugless practitioner" as an occupational designation but may describe himself or herself only in the terms of the classification in which he or she is registered. R.R.O. 1990, Reg. 278, s. 32.

33. No drugless practitioner shall publish or cause to be published in any newspaper, telephone directory, periodical, circular or in any other printed matter, any notice or advertisement containing anything other than his or her name, address, telephone number, office hours, professional titles and type of services rendered, without first submitting the proposed notice or advertisement to the Board, which may grant or refuse permission to publish such notice or advertisement. R.R.O. 1990, Reg. 278, s. 33.

34. A registrant using or causing to be used advertising matter that contains misstatements, falsehoods, misrepresentations, distorted or fabulous statements as to cures by any method of treatment used by the registrant or as to the registrant's training, qualifications or attainments, shall be deemed to be guilty of misconduct within the meaning of this Regulation. R.R.O. 1990, Reg. 278, s. 34.

#### INVESTIGATION OF COMPLAINTS

35. (1) The Board may appoint an inspector for the purpose of investigating complaints registered against registrants under the Act or other persons not so registered. R.R.O. 1990, Reg. 278, s. 35 (1).

(2) All complaints relating to registrants or unregistered persons shall be filed with the secretary-treasurer who shall make such further investigations as he or she deems necessary and report to the Board. R.R.O. 1990, Reg. 278, s. 35 (2).

(3) The inspector shall be remunerated for his or her time and expenses as the Board may determine. R.R.O. 1990, Reg. 278, s. 35 (3).

#### CHEQUES

36. All cheques of the Board shall be signed by the chair or vice-chair and secretary-treasurer. R.R.O. 1990, Reg. 278, s. 36.

#### SALARIES

37. Each member of the Board shall be paid a daily allowance of \$150 together with the member's necessary travelling and living expenses while actually engaged on the business of the Board. R.R.O. 1990, Reg. 278, s. 37.

#### AUDITORS

38. The accounts of the Board shall be audited by a chartered accountant annually. R.R.O. 1990, Reg. 278, s. 38.