



THE COLLEGE OF PHYSICIANS AND SURGEONS OF ONTARIO

## **FEEES AND REMUNERATION BY-LAW**

January 1, 2019

## **By-Law No. 2**

### **FEES AND REMUNERATION BY-LAW**

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## By-Law No. 2

### FEES AND REMUNERATION BY-LAW

#### APPLICATION FEES

1. A person who submits an application for a certificate of registration or authorization shall pay an application fee. The application fees are as follows:

- (a) For a certificate of registration authorizing postgraduate education, 25% of the annual fee specified in section 4(a);
- (b) For a certificate of registration authorizing supervised practice of a short duration, 20% of the annual fee specified in Section 4(a);
- (c) For an application for reinstatement of a certificate of registration, 60% of the annual fee specified in s. 4(a);
- (d) For any other certificate of registration, 60% of the annual fee specified in Section 4(a);
- (e) An additional fee of:
  - (i) \$5 to offset costs of audits, reports and reviews of registration practices required by provincial legislation will be applied to every application for a certificate of registration; and
  - (ii) \$15 to offset the cost of a criminal record check will be applied to every application for a certificate of registration that is not accompanied by the results of a criminal record check from an acceptable source.
- (f) For a certificate of authorization, \$400.00;
- (g) For an application to the Registration Committee for an order directing the Registrar to modify or remove terms, conditions or limitations imposed on the member's certificate of registration by the Registration Committee, 25% of the annual fee specified in section 4(a);
- (h) If the person:
  - (i) meets the registration requirements applicable to the class of certificate of registration applied for, as prescribed in the Registration Regulation, Ontario Regulation 865/93 under the *Medicine Act, 1991*; and
  - (ii) requests the College to conduct the initial assessment of the application within three weeks after receipt by the College of the application,  
an additional fee equal to 50% of the application fee applicable to such person under subsection 1(a), (b) or (d).

2. Application fees are due at the time the application is submitted. Application fees are not refundable, either in whole or in part.

## **ANNUAL FEES**

3. Every holder of a certificate of registration or authorization, other than a holder of a certificate of registration authorizing supervised practice of a short duration or authorizing postgraduate education for an elective appointment, shall pay an annual fee.

4. Annual fees for the year beginning June 1, 2018, are as follows:

- (a) \$1725 for holders of a certificate of registration other than a certificate of registration authorizing postgraduate education and other than a certificate of registration authorizing supervised practice of a short duration; and
- (b) For a holder of a certificate of registration authorizing postgraduate education applying to renew his/her certificate of registration, 20% of the annual fee set out in s.4(a).

4.1 Annual fees for a holder of a certificate of authorization, for the year beginning January 1, 2017, are \$175 each year.

5. In addition to the amounts set out in s. 4, any outstanding balance owing to the College in respect of any decision made by a committee, and any fees payable under this by-law will be added to and included in the annual fees.

6. The due dates for the payment of annual fees are as follows:

- (a) Where the College is issuing a certificate of registration or authorization, before the College issues the certificate;
- (b) Where the College is renewing a certificate of registration, other than a certificate of registration authorizing postgraduate education, on June 1 of each year;
- (c) Where the College is renewing a certificate of registration authorizing postgraduate education on an application for renewal, before the expiry of the previous certificate; and
- (d) Where the College is renewing a certificate of authorization, on the anniversary of the certificate's date of issue.

## **COMMITTEE AND PROGRAM FEES**

7. The College may charge a member, a health profession corporation or other person a fee in connection with decisions or activities that the College or a College committee are required or authorized to make or do with respect to a member, health profession corporation or other person. Such fees may include an administrative component relating to the decision or activity.

8. Committee and program fees include, but are not limited to, the following:

- (a) Costs of the hearing or other items ordered by the Discipline Committee;
- (b) For the College's quality assurance program, the costs to the College of completing an

assessment and re-assessment authorized by Regulation 114/94, including but not limited to costs relating to assessors, the review of assessment reports, preparation of written reports, monitoring compliance with conditions, and any administration fee charged by the College.

- (c) For physician education and remediation programs:
  - (i) For individual education or remediation programs, the fee charged by the supervisor, monitor, preceptor or trainer, in addition to any administration fee charged by the College;
  - (ii) For programs given by a university or other education institution, the fee charged by the institution;
- (d) For monitoring, supervision, or assessment pursuant to a decision of the Registration Committee, the fee charged by the monitor, supervisor or assessor in addition to any administration fee charged by the College;
- (e) For the College's premises inspection program, the costs to the College of completing an inspection as authorized by Regulation 114/94, including but not limited to costs relating to inspectors, the review of premises inspection reports, preparation of written reports, monitoring compliance with conditions, and any administration fee charged by the College;
- (f) Fees relating to activities, including but not limited to programs and assessments, referred to in undertakings entered into by a member with the College;
- (g) Fees relating to orders and directions of College Committees; and
- (h) Costs to the College of completing an inspection or assessment as authorized by the *Independent Health Facilities Act*, including but not limited to costs relating to inspectors and assessors, Facility Review Panels, preparation of assessments and written reports, monitoring compliance with conditions, and any administration fee charged by the College.

**9.** The College may require a member, applicant, health profession corporation or other person to pay a committee or program fee, including an annual fee, that is not set out in section 8, in which case the College shall provide the member, applicant, health profession corporation or other person with an invoice setting out the fee.

#### **PENALTY FEES AND INTEREST ON UNPAID FEES**

**10.** A member who fails to pay an annual fee on or before the day on which the fee is due, other than a fee for a certificate of registration authorizing postgraduate education or a fee for a certificate of authorization, shall pay the College, in addition to the annual fee, a penalty fee of 25% of the applicable annual fee set out in s. 4.

**10.1** A member, health professional corporation or other person who fails to pay a committee

or program fee on or before the day in which the fee is due shall pay the College, in addition to the applicable committee or program fee, a penalty fee of 25% of the applicable committee or program fee.

**11.** The College may charge interest at a rate of 1.5% per month on any fee, including a penalty fee, that is unpaid as of the applicable due date, and the College shall consider the accrued interest on any unpaid fee as part of the fee itself.

#### **FEES FOR NON-NEGOTIABLE PAYMENT**

**12.** A member shall pay the College a fee of \$50 where a financial institution returns a member's cheque as non-negotiable, or the member's payment by credit card to the College is not accepted by the member's credit card provider.

#### **FAILURE TO PROVIDE INFORMATION**

**13.** The College may charge a member a fee of \$50 for each notice it sends to the member for his or her failure to provide by the due date or, where there is no due date specified, within 30 days of a College written request in a form approved by the Registrar, any information that the College is required or authorized to request and receive from the member.

#### **OTHER FEES AND MISCELLANEOUS PROVISIONS**

**14.** The fee for a wall certificate of a member's certificate of registration is \$75.00.

**15.** There is a \$25 fee for the College to change the member's name on the public register and to issue new registration documents to reflect the name change.

**16.** There is a \$75 fee for the College to issue a certificate of professional conduct for a member.

**17.** A person who requests the Registrar to do anything that the Registrar is required or authorized to do by statute, regulation or by-law shall pay either:

- (a) The prescribed fee, or
- (b) If there is no prescribed fee, the fee set by the Registrar.

**18.** The obligation of a member or professional corporation to pay a fee continues, despite any failure of the College to provide notice of the fee or provide notice of the fee by a certain date, or despite a failure of the member or professional corporation to receive notice of the fee.

**19.** The fees set out in this by-law are exclusive of any applicable taxes.

## COUNCIL AND COMMITTEE REMUNERATION

**20.** (1) In this section, "committee" includes a special committee, task force or other similar body established by the council or the executive committee by resolution.

(2) Nothing in this section applies to a person appointed to the council by the Lieutenant Governor in Council or to an employee of the College.

(3) The amount payable to members of the council and a committee is, subject to subsections (4) and (8),

- (a) for attendance at, and preparation for, meetings to transact College business, \$497 per half day, and
- (b) for transacting College committee business by telephone or electronic means of which minutes are taken, the corresponding hourly rate for one hour and then the corresponding half hour rate for the half hour or major part thereof after the first hour.

(4) The amount payable to members of the council and a committee for travel to or from home, or both, is a maximum of three hours per one way trip at a rate equal to 75% of the hourly rate corresponding to the rate set out in subsection 20(3)(a). No member shall charge the College for the first hour travelled on each portion of the trip.

(5) *[revoked: December 5, 2013]*

(6) The amount payable to members of the council and a committee in reimbursement of expenses incurred in the conduct of the council's or committee's business is,

- (a) for travel by common carrier, the member's actual cost for economy air fare and transportation to and from the airports, stations or other terminals, or
- (b) for travel by VIA 1 if the train fare does not exceed the economy air fare or, if travelling the evening before conducting College business, if the cost of the train fare plus the hotel room does not exceed the economy air fare, or
- (c) for overnight accommodation and related maintenance (including meals) away from home, the actual amount reasonably spent up to such maximum amount set by the College from time to time, for each day away from home for both accommodation and maintenance.

(7) No person shall be paid under this section except in accordance with properly submitted vouchers or receipts.

(8) The amount payable to the president under subsection 20(3)(a) applies to the following College business:

- (a) Council meetings,
- (b) meetings of committees which the president is required to attend,
- (c) policy working groups,

- (d) outreach and other speaking engagements coordinated by the College, but not including stakeholder meetings outside the College and government relations meetings, and
- (e) conference attendance.

For all other College business conducted by the president (including but not limited to, stakeholder meetings outside the College and government relations meetings), the College shall pay the president a stipend at the rate of \$30,000 per year, or if the president is unable or unwilling to serve any part of the term as president, a pro rata amount for the time served.