College of Physiotherapists of Manitoba

Registration Misconduct Levy: Guide and Process

If a registrant has received notification that they have been assessed for a Registration Misconduct Levy, they will need to follow the steps below.

Applicants Who Have Practiced Without Registration

If an applicant has received notifications that they have practiced without registration, they are required to pay the associated fee as outlined in Registration and Licensing Direction *Registration Misconduct Levy* and the communication received.

As outlined in the Misconduct Levy letter received, an applicant can:

- Pay the levy: This fee will appear as an invoice in their profile on the registrant database which can be accessed through the portal.
- Request a review of their file by following the steps below.

If the letter indicates that the applicant's file is being forwarded as a complaint, the management of an investigation and further evidence gathering will occur through that process. The Conduct Coordinator will reach out to the applicant with the next steps.

Members Who Have Practiced with Incorrect or Incomplete Registration

If a member has received a letter indicating that they practiced with incomplete or incorrect registration, the letter will outline the specific infraction as well as the misconduct levy fee associated. Once the member pays the applicable fee, this infraction will be deemed resolved.

As outlined in the Misconduct Levy letter received, a member can:

- Pay the levy: This fee will appear as an invoice in the member's profile on the registrant database which can be accessed through the portal.
- Request a review of their file by following the steps below.

Members Who Have Failed to Comply with the Obligations of Registration

If a member has received an email indicating that they have failed to comply with the obligations of registration, the letter will outline the specific infraction as well as the misconduct levy fee associated. Once the member pays the applicable fee and has addressed the initial infraction in

writing to the Board of Assessors, this infraction will be deemed resolved.

As outlined in the Misconduct Levy letter received, the member can:

- Pay the levy: This fee will appear as an invoice in the member's profile on the registrant database which can be accessed through the portal.
- Request a review of their file by following the steps below.

Information Required for Review:

STEP 1: Submission of a formal letter via email outlining the rationale for the levy being applied unfairly.

For practicing without registration: The letter must explain the circumstances under which the applicant practiced during a period when they were not registered with the College, including the dates involved, the applicant's understanding of their registration status at the time, and why the applicant believed they were permitted to practice during that period. It should also explain how and why the applicant continued to provide professional services before their registration was confirmed or reinstated.

For incomplete or incorrect registration: This letter should include references to any documentation submitted, including, but not limited to, proof of personal professional liability insurance, as well as a clear and concise explanation, including dates where appropriate. The explanation must specifically identify and explain why the information held by the College at the time of registration or renewal was incorrect, including what information was missing or inaccurate and why the College did not have the correct information.

For insurance lapses: Where applicable, the member must explain why the insurance lapse or other change in coverage was not accurately reflected in the College's records and why the levy was not applied correctly in accordance with the Registration and Licensing Direction Registration Misconduct Levy. The explanation should clearly set out the circumstances that resulted in the incorrect information, the dates on which the relevant information or documentation was provided or should have been provided, why the levy was not applied as required, and why the member continued to practice during the period in question.

For not meeting the obligations of membership: Where applicable, the member must explain why the change in the required information listed in Bylaw 3.3 (c) was not accurately updated in the College's records in the timeline specified **OR** why communication from the College was not answered in the timeline specified as per Bylaw 3.3 (d) **AND** why the levy was not applied correctly in accordance with the Registration and Licensing Direction Registration Misconduct Levy. The explanation should clearly set out the circumstances that resulted in the infraction, the dates on which the relevant information or communication was provided or should have been provided, why the levy was not applied as required, and how the obligations of membership were met.

This information will be reviewed by College staff.

STEP 2: Review of Documentation Received
If the review request is missing required documents, the applicant/member will be emailed within 5 business days to provide additional information.

If the college needs more time for further investigation, the applicant/member will be notified within 5 business days with an updated review timeline.

If the documentation is complete, the applicant/member will receive the outcome of the review within 10 business days.

STEP 3: Resolution

If the clarification and documentation provided is found to support that the applicant/member did not practice without registration with the college, have incomplete or incorrect registration, or fail to meet the obligations of membership, the levy will be removed, and the matter will be considered closed.

If the initial findings are confirmed through the review process, the applicant/member will have 30 days to pay the outstanding levy.