College of Physiotherapists of Manitoba

REGISTRATION AND LICENSING DIRECTION

Current and updated as of: October 14, 2026

Registration Misconduct Levy

Purpose:
To guide the Registrar and Board of Assessors in dealing with College of Physiotherapists of Manitoba (CPM) applicants or members who have practised physiotherapy in Manitoba without registration or with incomplete or incorrect registration or who are not meeting the obligations of registration with the College.

Requirements:
The Physiotherapist Act Part 1 (1) states*:*
"physiotherapist" means a person who is registered as a physiotherapist under this Act;

The Physiotherapist Act Part 2 (3)(1) states:
Representation as a physiotherapist
3(1) No person except a physiotherapist shall
(a) represent or hold out, expressly or by implication, that he or she is a physiotherapist or is entitled to engage in the practice of physiotherapy as a physiotherapist; or
(b) use any sign, display, title or advertisement implying that he or she is a physiotherapist.

The Physiotherapist Act Part 2 (3)(2) states:
Use of titles
3(2) No person except a physiotherapist shall use the title "physiotherapist" or "physical therapist", a variation or abbreviation of that title, or an equivalent in another language.

In addition, there are references regarding these offences in *The Physiotherapists Act*[1,2].

The Bylaws provide references that outline the obligations of membership with the College as well as Council's ability to establish fees, costs and levies including the Misconduct Levy.

1 *The Physiotherapist Act* Part 7 Offences (58)(1) states:
"A person who contravenes a provision of this Act or the regulations, other than section 62 of this Act, is guilty of an offence and is liable on summary conviction to a fine of not more than $10,000."
2 *The Physiotherapist Act* Part 7 Offences (59) states:
"In any prosecution under this Act it is sufficient to prove that the accused has done or committed a single act of unauthorized practice or has committed on one occasion any of the acts prohibited by this Act."

Policy:
Each application for registration, renewal of registration, or conversion of registration by an applicant who has been practising physiotherapy without registration, with incorrect or incomplete registration or who has failed to comply with registration requirements and obligations established under the Bylaws shall be reviewed on an individual basis.

A. APPLICANTS WHO HAVE PRACTISED WITHOUT REGISTRATION:

Applicants who have practised without registration include those who have:

(a) engaged in the practice of physiotherapy without registering with CPM.
(b) engaged in the practice of physiotherapy after being removed from the register.
(c) been involved in circumstances that would constitute misrepresentation.

After the misconduct has been identified, the applicant will be referred to the Complaints Committee as required.

Registration may occur where the applicant:

(a) applies for registration in the form required by the Council
(b) meets all the requirements for registration at the time of application
(c) is not in contravention of *The Physiotherapists Act*, with the exception of practicing without registration
(d) is not the subject of any reviews, investigations, disciplinary hearings or proceedings in any other jurisdiction
(e) pays all applicable fees.

The fees for registration shall include:

(a) initial **application fee**
(b) full or pro-rated **registration fee** for each membership year or portion thereof during which the applicant practised without registration as well as the **registration fee** for the current registration year (or portion thereof).
(c) The **misconduct levy**, the penalty for practising without registration, is an amount as specified in the CPM Fee Schedule. In cases where the member has practised without registration for an extended period of time, an additional monthly amount will be levied for each 30-day period subsequent to the first 30 days.

The above set of fees will not include the renewal **late fee** despite the fact that the individual would have participated in the renewal if they had been properly registered during that renewal period.

Upon payment of all applicable fees, the applicant may use the hours of practice accumulated during the period of the offence toward the currency requirement for the current application and/or for the currency requirement of renewal in the future.

B. INCORRECT OR INCOMPLETE REGISTRATION:

Members who practise with incomplete or incorrect registration include those who:

(a) engage in the practice of physiotherapy while on the non-practising register (Inactive)

(b) begin practice on the Active register or Examination Candidate register before the registration process is complete (before all requirements for registration have been met)
(c) fail to comply with the requirements of registration such as practising without adequate and continuous professional liability coverage.

Conversion of registration, or renewal of registration, may occur where the applicant:
(a) applies for conversion or renewal in the form required by the council
(b) meets all the requirements for conversion or renewal at the time of application
(c) is not in contravention of *The Physiotherapists Act*, regulation or by-laws with the exception of practising without correct registration
(d) is not the subject of any reviews, investigations, disciplinary hearings or proceedings in any other jurisdiction
(e) pays all applicable unpaid fees and penalties

The fees for conversion or renewal of registration shall include:
(a) full or pro-rated **registration fee** for each membership year or portion thereof during which the applicant practised with incorrect or incomplete registration as well as the **registration fee** for the upcoming registration year.
(c) The **misconduct levy**, the penalty for practising with incomplete or incorrect registration, is an amount as specified in the CPM Fee Schedule. In cases where the member has practised without registration for an extended period of time, an additional monthly amount will be levied for each 30-day period subsequent to the first 30 days.
(d) pays a **late fee** which is applicable when the applicant is not able to fulfill all the requirements for renewal by January 31st.

Upon payment of the applicable fees, the member may use the hours of practice accumulated during the period of the offence toward the currency requirement for the current application and/or for the currency requirement of renewal in the future.

Where it becomes known that a member has practised physiotherapy with incorrect or incomplete registration, the member will be notified, by email, of the offence, penalty and consequences, and outstanding fees owing. This offence may result in a complaint being filed against the registrant.

A failure to pay the fees set out in Bylaws and outlined in this this policy within 30 days of first notice will result in a cancellation of the member's registration for non-payment of fees as outlined in Regulation16(1). CPM will send notification of the cancellation as required by Regulation 16(2), by registered mail, to the member at the last recorded home address and by email to the member's employer. The letter will outline the steps that need to be taken to apply for reinstatement.

Upon payment of all outstanding fees and penalties, the cancelled member may apply for reinstatement of registration by writing to the Board of Assessors of CPM requesting reinstatement.

C. FAILURE TO COMPLY WITH THE OBLIGATIONS OF REGISTRATION:

Members, including all registered practicing Active registrants and Examination Candidate, who do not comply with the obligations of membership/ registration include those who:
(a) do not notify the College of change impacting their registration as outlined in Bylaw 3.3 (c)
(b) do not communicate with the College in a timely manner as outlined in Bylaw 3.3 (d)

The fees for failure to comply with the obligations of registration include the misconduct levy which shall be assessed in accordance with the amount specified in the CPM Fee Schedule.

Where it is determined that a member has failed to comply with the requirements of registration/membership, the member will be notified, by email, of the offence and any outstanding fees owing. And this offence may result in a complaint being filed against the registrant where deemed appropriate.

Upon payment of the applicable fees, and the registrant addressing the initial infraction in writing to the BOA, the matter will be deemed closed.

A failure to pay the fees outlined in this this policy within 30 days of first notice will result in a cancellation of the member's registration for non-payment of fees as outlined in Regulation16(1). CPM will send notification of the cancellation as required by Regulation 16(2), by registered mail, to the member at the last recorded home address and by email to the member's employer. The letter will outline the steps that need to be taken to apply for reinstatement.