1980

c 430 Radiological Technicians Act

Ontario
CHAPTER 430
Radiological Technicians Act

1. In this Act,

(a) "Board" means the board appointed under this Act;

(b) "Canadian Society" means the Canadian Society of Radiological Technicians;

c) "Ontario Society" means the Ontario Society of Radiological Technicians;

(d) "radiological technician" means a person who practises the technical aspects of the medical use of ionizing radiation, including Roentgen or X-rays, radium, radioactive isotopes and particles for diagnosis or treatment;

e) "radiologist" means a legally qualified medical practitioner who holds a specialist certification in diagnostic or therapeutic radiology from the Royal College of Physicians and Surgeons of Canada;

(f) "registered" means registered under this Act, and "registration" has a corresponding meaning;

(g) "registrar" means the registrar appointed by the Board;

(h) "regulations" means the regulations made under this Act. R.S.O. 1970, c. 399, s. 1.

2.—(1) The Board of Radiological Technicians is continued and shall consist of seven members appointed by the Lieutenant Governor in Council, comprising,

(a) four radiological technicians recommended by the Board of Directors of the Ontario Society;

(b) two radiologists recommended by the Section of Radiology of the Ontario Medical Association; and
(c) one person, recommended by the board of directors of the Ontario Medical Association from the secretariat of the Ontario Medical Association, who is not a radiologist.

(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 his term of office.

(3) Every vacancy on the Board caused by the death, resignation or incapacity of a member may be filled by the Lieutenant Governor in Council by the appointment of a person to hold office for the remainder of the term of such member.

(4) The Board shall elect one member of the Board to be the chairman, one to be the vice-chairman and one to be the secretary-treasurer of the Board. R.S.O. 1970, c. 399, s. 2.

3.—(1) The Board is a corporation.

(2) The Board shall administer and enforce this Act and the regulations.

(3) No action shall be brought against the Board or any member of it for anything done under this Act or the regulations. R.S.O. 1970, c. 399, s. 3.

4. The Board may pass by-laws providing for,

(a) the calling and conduct of its meetings and proceedings;

(b) the remuneration and expenses of persons employed by the Board while engaged upon the business of the Board;

(c) the appointment and remuneration of a registrar, teachers, examiners, inspectors and such other persons as the Board may employ, and prescribing the duties of such persons;

(d) banking and finance and the management of its property;

(e) entering into an agreement or agreements with any university, school or college for such instruction, direction and lectures as may be necessary for the purposes of this Act; and
(f) all other matters reasonably necessary for carrying out the provisions of this Act. R.S.O. 1970, c. 399, s. 4.

5.—(1) The Board shall register any radiological technician who, on the 1st day of August, 1964,

(a) is an active or associate member of the Ontario Society; or

(b) has met the training and examination standards prescribed jointly by the Canadian Society and the Canadian Association of Radiologists, and is practising as a radiological technician in Ontario, and applies to the Board to be registered before the 1st day of August, 1965; or

(c) has been practising in Ontario as a radiological technician for a period of five years under the supervision of a legally qualified medical practitioner and passes the examinations of the Board, and complies with the regulations.

(2) The registrar shall register any person who, (a) has completed the course of training prescribed by the regulations;

(b) has passed the examinations of the Board; and

(c) has paid the prescribed fees. R.S.O. 1970, c. 399, s. 5.

6.—(1) The registrar shall keep a register of all registered radiological technicians showing their places of business or employment from time to time.

(2) If an application for registration is refused by the registrar or an entry is made in the register in error or by reason of misrepresentation, the Board may direct that the necessary entry, erasure or amendment be made in the register, and the registrar shall make such entry, erasure or amendment. R.S.O. 1970, c. 399, s. 6.

7. The registrar shall issue a certificate of registration in respect of each registration, which shall be renewed annually at such times and upon such conditions and the payment of such fee as the regulations prescribe. R.S.O. 1970, c. 399, s. 7.
8. No person shall use the title "Registered Radiological Technician" or the abbreviation "R.R.T." unless he is registered. R.S.O. 1970, c. 399, s. 8.

9.—(1) Any person not registered,

(a) who assumes or uses the title "Registered Radiological Technician" or the abbreviation "R.R.T.", or any other words or letters to indicate that he is a registered radiological technician; or

(b) who directly or indirectly by advertisement, sign or statement of any kind advertises, alleges or claims by any means whatsoever that he is entitled to assume or use the title "Registered Radiological Technician" or the abbreviation "R.R.T.",

is guilty of an offence and is liable on conviction, for a first offence, to a fine of not less than $100 and not more than $200 and, for any subsequent offence, to a fine of not less than $200 and not more than $500 or to imprisonment for a term of not more than three months, or to both.

(2) All fines recovered for offences against this section shall be paid to the registrar for the use of the Board. R.S.O. 1970, c. 399, s. 9.

10.—(1) The Board may by order suspend or revoke the registration of any registered radiological technician who it finds has been guilty of unprofessional conduct as defined by the regulations, or of incompetence, fraud or misrepresentation in connection with his practice.

(2) Before suspending or revoking the registration of a registered radiological technician under subsection (1), the Board shall, by notice in writing, inform him of the complaint or charge that has been made against him and shall provide him with an opportunity of appearing in person or by counsel before the Board at a public hearing and of presenting such evidence and making such representations as he desires. R.S.O. 1970, c. 399, s. 10 (1, 2).

(3) The chairman or vice-chairman of the Board in conducting a public hearing under this section has the powers of a commission under Part II of the Public Inquiries Act, which Part applies to the hearing as if it were an inquiry under that Act. R.S.O. 1970, c. 399, s. 10 (3); 1971, c. 49, s. 18.

(4) The Board may review at any time any order made under this section and may make such further order as it considers proper.
(5) A copy of any order made under this section shall be served on the person affected. R.S.O. 1970, c. 399, s. 10 (4, 5).

11.—(1) Any person affected by an order made under section 10 may appeal therefrom to a judge of the county or district in which he practises.

(2) Notice of appeal shall be given in writing within two weeks after service of the copy of the order of the Board on the person affected by filing a copy of the notice of appeal with the clerk of the court and serving a copy thereof on the registrar.

(3) The appellant shall apply to the judge to fix a date for the hearing of the appeal, and shall forthwith serve on the registrar notice of the date so fixed.

(4) The appellant may appear on the appeal in person or by counsel, and the Board may appear by any member thereof or by counsel.

(5) The hearing of the appeal shall be a trial and the judge may hear all such evidence as he considers to be relevant and may affirm the order of the Board, or amend it and affirm it as amended, or set it aside. R.S.O. 1970, c. 399, s. 11.

12. The register, or a copy thereof certified by the registrar, is admissible in any proceedings as evidence of registration or lack thereof. R.S.O. 1970, c. 399, s. 12.

13. No registered radiological technician is liable in any civil action for negligence or malpractice by reason of professional services requested or rendered unless such action is commenced within twelve months from the date when, in the matter complained of, such professional services terminated. R.S.O. 1970, c. 399, s. 13.

14.—(1) The Board, subject to the approval of the Lieutenant Governor in Council, may make regulations,

(a) prescribing the requirements for admission to courses of training for radiological technicians and the content of such courses;

(b) providing for the holding of examinations for candidates for registration who are in attendance at or graduates of courses for radiological technicians and for persons referred to in clause 5 (1) (c),
(c) governing registration and the suspension and cancellation of registration and the issue and renewal of certificates of registration;

(d) defining unprofessional conduct for the purposes of this Act;

(e) prescribing fees for the examination of candidates for registration, and for registration and for the renewal of registration;

(f) prescribing the fees and expenses payable to members of the Board while carrying on their duties under this Act;

(g) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act.

(2) Every regulation made by the Board shall be submitted in writing to the Council of the College of Physicians and Surgeons of Ontario at least thirty days before being submitted to the Lieutenant Governor in Council for approval, and any submissions of the Council of the College of Physicians and Surgeons of Ontario shall be submitted to the Lieutenant Governor in Council with the application for approval of the regulations. R.S.O. 1970, c. 399, s. 14.