

Guideline: Common Regulatory Terms

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Introduction

The purpose of this guideline is to outline a common list of regulatory terms for use by the CMRC and its members. Use of these definitions is not obligatory and provincial/territorial preferences may take precedence. The list of terms below may be expanded and updated over time.

Guideline

Regulatory Term	Definition
Accreditation	A formal process by which an authorized body assesses and recognizes an organization, a program, a group, or an individual as complying with requirements, such as standards or criteria. For example, CAMEd Accreditation Council for MEPs.
Candidate or applicant	Someone seeking licensure, certification or registration, or a person taking an exam.
Code of conduct	A set of behaviours that set out the rules for ethical and legal duties and obligations for all members of a specified group.
Code of ethics	Ethical principles that govern decisions and behaviour and practice.
Competence	Demonstrated ability to apply knowledge, skills or judgment (or a combination of all three).
Complaint	The assertion, claim or declaration that an act, event or result has or has not occurred. A statement that something is wrong or not satisfactory.
Compliance	The state of conforming to the guidelines on which a license, registration or condition was based.
Conditional registration/ probation/ restriction	An order that allows an individual to begin or continue to practice subject to certain conditions or stipulations.
Conflict of interest	A situation in which someone in a position of trust has competing professional or personal interests. A real conflict of interest involves a direct conflict. A perceived conflict of interest occurs when it could reasonably be perceived, or give the appearance, that a competing interest could compromise the individual's objectivity in relation to the matter being considered.
Consent order/ Undertaking	A formal agreement between parties, made under the sanction of a court or regulatory body, that some action will be taken to resolve a complaint.

Public member	A member of the public on a regulatory body who represents the interests of those who are actual or possible recipients of services.
Continuing competence	A periodic demonstration using portfolios, exams, products or other measures that help to determine if a registrant has remained competent.
Continuing education/ Continuing professional development	Educational and other learning opportunities beyond the formal education required for continued or renewal of registration, to assist practitioners to maintain or increase competence, to become aware of new developments, and to provide responsible, quality services.
Credentialing	The process of assessing and validating the qualifications of a practitioner to provide services.
Disciplinary proceeding	The legal process through which the regulatory body and the respondent present evidence and legal arguments to a panel of adjudicators so that the panel can issue a ruling or judgment with respect to the issues submitted before it.
Disclosure/discovery	The disclosure of information obtained in an investigation to assist the defense's preparation for a contested case.
Fitness to practice proceedings	Proceedings to determine if a member/registrant is incapacitated, i.e. suffering from a physical or mental condition such that the member is unfit to continue to carry out their professional responsibilities.
Hearing	A legal proceeding in which the parties to a dispute present evidence and make legal submissions to the adjudicator(s) so that they can make findings of fact and issue a judgment with respect to the issues submitted for determination.
Incompetence	A lack of knowledge, skill or judgement or disregard for the welfare of clients or other individuals of a nature or extent that demonstrates that the member/registrant is unfit to carry out their professional responsibility without corrective action.
Inquiry/investigation	A thorough and systematic examination of a matter or issue in order to determine what occurred.
Interim/temporary certificate/license	License for an initial period of time pending completion of an additional requirement.
Register	An official list of members/registrants maintained by the regulatory body. Registers contain specific categories of information about members/registrants.
Renewal	Requirement for periodic contact between registrants and the regulatory body to maintain registration or license, as directed by the Act of their jurisdiction. Usually requires updating contact information and payment of a fee and may include demonstration of competence.

Regulation/rule/bylaws	A statement that defines how a law will be implemented; it has the force of law. It is written by an administrative agency and adapted in accordance with the prescribed process.
Registrant/member	A person or entity that has been placed on a register and is accountable for meeting registration standards.
Registration	The recognition of competence to practice a given profession conveyed to an individual by a regulatory body. The individual must complete various requirements prior to registration and becoming eligible to receive a license and is held accountable for practising in accordance with established standards of safety and effectiveness.
Reprimand	To remove severely or to censure formally.
Sanction	A penalty imposed in a disciplinary process.
Scope of practice	The range of responsibilities and accountabilities that define a profession's practice. It is generally limited by education and training received and the competencies that the members of the profession are able to demonstrate. Typically, scopes of practice are set out in legislation.
Standard of practice	The rules, requirements, responsibilities and conditions that describe the minimal level of expected performance of a profession in the provision of safe, high quality services and against which actual performance can be compared.
Summary action	A sanction taken by a jurisdiction based on the outcome of another jurisdiction's disciplinary proceedings.
Suspension	A temporary stop or delay, an interruption or cessation of an individual's ability to practice that is imposed by the regulator.

References:

Council on Licensure, Enforcement & Regulation. 2014. Glossary of General Terminology Used in Professional and Occupational Regulation. Accessed July 23, 2020 at:

https://www.clearhq.org/resources/Glossary_Combined.pdf

Canadian midwifery regulatory authorities. 2020. Feedback on draft.