

**Submission by the College of Medical Laboratory Technologists of Ontario
To the Standing Committee on Social Policy**

***Proposed Amendments to Schedule 3 of Bill 283
to
Also Regulate Medical Laboratory Assistants***

SCHEDULE 3

MEDICINE ACT, 1991 and MEDICAL LABORATORY TECHNOLOGY ACT, 1991

1 The *Medicine Act, 1991* is amended by adding the following section: Physician assistants

4.1 (1) There shall be a class of members to be known as physician assistants.

Restriction

(2) Subject to subsection (3), a reference in any other Act or regulation to a physician, a legally qualified medical practitioner, a member of the College or any similar expression does not include a physician assistant unless the other Act or regulation specifically provides that it does.

Exception

(3) Despite subsection (2), a provision of the *Regulated Health Professions Act, 1991*, that applies with respect to a member of the College applies with respect to a physician assistant unless it provides otherwise, except in,

- (a) clause 33 (2) (c) of that Act; and
- (b) paragraph 3 of subsection 33.1 (1) of that Act.

Additional requirements for authorized acts by physician assistants

- (4) A member who is a physician assistant shall not perform an act under the authority of section 4 unless,
- (a) the performance of the act by the member is permitted by the regulations and the member performs the act in accordance with the regulations; or
 - (b) the act is ordered by a person who is a member of the College, other than a physician assistant, and who is authorized to perform the act.

Grounds for misconduct

(5) In addition to the grounds set out in subsection 51 (1) of the Health Professions Procedural Code, a panel of the Discipline Committee shall find that a member has committed an act of professional misconduct if the member contravenes subsection (4).

2 (1) Subsection 9 (1) of the *Medicine Act, 1991* is amended by striking out ““physician” or “surgeon”” and substituting ““physician”, “surgeon” or “physician assistant””.

(2) Subsection 9 (3) of the *Medicine Act, 1991* is amended by striking out “physician or surgeon” and substituting “physician, surgeon or physician assistant”.

3 Section 12 of the *Medicine Act, 1991* is amended by adding the following clause:

- (d) governing the performance of acts by members who are physician assistants.

3.1 Section 1 of the *Medical Laboratory Technology Act, 1991* is amended by repealing the definition of “College” and substituting the following:

“College” means the College of Medical Laboratory Technologists and Medical Laboratory Assistants of Ontario; (“Ordre”)

3.2 Subsection 2 (2) of the *Medical Laboratory Technology Act, 1991* is amended by repealing the definition of “College” and substituting the following:

“College” means the College of Medical Laboratory Technologists and Medical Laboratory Assistants of Ontario; (“Ordre”)

3.3 The *Medical Laboratory Technology Act, 1991* is amended by adding the following section:

Medical laboratory assistants

3.1 (1) There shall be a class of members to be known as medical laboratory assistants.

(2) A reference in any other Act or regulation to a medical laboratory technologist, a laboratory technologist, a member of the College or any similar expression does not include a medical laboratory assistant unless the other Act or regulation specifically provides that it does.

3.4 Section 6 of the *Medical Laboratory Technology Act, 1991* is repealed and the following is substituted for it:

6. (1) The College is continued under the name College of Medical Laboratory Technologists and Medical Laboratory Assistants of Ontario in English and L'Ordre des technologistes de laboratoire médical et des adjoints de laboratoire médical de l'Ontario in French.

(2) A reference in any other Act or regulation to the College of Medical Laboratory Technologists of Ontario shall be deemed to be a reference to the College of Medical Laboratory Technologists and Medical Laboratory Assistants of Ontario.

3.5 (1) Subsection 9 (1) of the *Medical Laboratory Technology Act, 1991* is amended by striking out ““medical laboratory technologist”” and substituting ““medical laboratory technologist”, “medical laboratory assistant” or “medical laboratory technician””.

(2) Subsection 9 (2) of the *Medical Laboratory Technology Act, 1991* is amended by striking out “medical laboratory technologist” and substituting “medical laboratory technologist or medical laboratory assistant”.

Commencement

4 This Schedule comes into force on a day to be named by proclamation of the Lieutenant Governor.