

Answers to Frequently Asked Questions About: *Practice Across Jurisdictions*

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Background

This Frequently Asked Questions (FAQ) document features answers to questions fielded from occupational therapists in Alberta and internationally regarding registration requirements when providing virtual and in-person services within and beyond the Alberta border. It has been prepared to supplement ACOT's **Considerations for Virtual Practice** guidelines. This practice guideline features answers to questions in response to the **Memorandum of Understanding (MOU) on Cross-Jurisdiction Remote Practice** which was led by the Association of Canadian Occupational Therapy Regulatory Organizations (ACOTRO). The MOU will be signed and adopted by Canadian occupational therapy regulators whose legislation permits them to do so. ACOT adopted the MOU in principle, effective October 1, 2021.

The list of questions in this Practice FAQs is not exhaustive and will be updated as unique questions are asked. If you have any concerns or questions about the content of the answers, please contact ACOT info@acot.ca.

- A. [Practice Within Canada](#) (Alberta occupational therapists practicing in other provinces/territories; occupational therapists from other provinces/territories practicing in Alberta)
- B. [Practice Outside of Canada](#) (Alberta occupational therapists practicing in other states/countries; occupational therapists from other states/countries practicing in Alberta)
- C. [Registration Requirement Tables](#) (Use these tables to help you determine if/where registration is required depending on where you and/or your client are physically situated at the time of service delivery)

Questions and Answers

A. Practice Within Canada

1. What is the intent of the Virtual Practice Memorandum of Understanding (MOU)?

The Virtual Practice MOU was developed partly in response to the increase in cross-provincial practice throughout the COVID-19 pandemic. It is an agreement amongst some (not all) of the Canadian occupational therapist regulators to support continuity

of care when occupational therapy services are provided across provincial borders. The signatories of the MOU agree to remove the requirement that occupational therapists be registered in both the province where they are providing services from, and the province where their client is located, when providing virtual services.

The Virtual Practice MOU enables occupational therapists to deliver occupational therapy services virtually to clients located in another province based on the occupational therapist's current province of registration - **with the following exceptions:**

- Not all provinces have signed and implemented the MOU. As such, you are advised to check and confirm with the regulatory bodies of the provinces that the occupational therapy services will be supplied from and occur in prior to proceeding. Links to the websites of each of the Canadian occupational therapist regulators can be accessed from the [ACOTRO website](#).
- Registration in Alberta is required to provide restricted activities to clients located in Alberta (such as psychosocial interventions/ psychotherapy), whether the services are delivered virtually or in person.
 - Refer to Sections 38 and 39 of the [Health Professions Restricted Activity Regulation](#) for the list of restricted activities occupational therapists registered in Alberta can perform if competent to do so. See the [Psychosocial Interventions: An Interpretive Guide to the Restricted Activity](#) for a description of which psychosocial interventions are considered restricted and thus require registration in Alberta.

NOTE: The Virtual Practice MOU does not extend to occupational therapy regulators outside of the Canadian border. See the [Registration Requirement Tables](#) on pages 5 & 6 for more information about registration requirements for practice within and outside of Canada.

2. My client has moved to (or is on vacation in) one of the northern territories, do I have to be registered there?

The three territories do not have occupational therapy regulatory bodies so your registration with ACOT will suffice. Be sure to notify your client that you are registered to practice in Alberta and familiarize yourself with the emergency/community support services in the area in case of an adverse reaction or unexpected event.

3. I am an occupational therapist registered in Alberta and my employer/contracting agency wants me to expand my client base across the country – what does the new Virtual Practice MOU mean for me?

That depends on where you are expanding your services to and what type of

services you are providing.

- One of the northern territories - ACOT registration suffices
 - Ontario - ACOT registration suffices whether you are providing an activity that is controlled or not (in Ontario, controlled acts are similar to restricted activities in Alberta). [Click here](#) for COTO's direction for out-of-province occupational therapists who are wanting to practice virtually with clients physically situated in Ontario. Note that Ontario has specific supervision requirements for OTs who perform psychotherapy. [Click here](#) for COTO's standard for OTs who practice psychotherapy.
 - **Make sure to tell your Ontario clients that you are registered in Alberta and to [contact ACOT](#) with any concerns they may have about your practice – do this before initiating services.** You will also want to ensure you have an emergency plan in place for adverse or unexpected events including awareness of local emergency and/or community resources in the province where the client is located.
 - MB, NS, NB, NL, PEI – ACOT registration may suffice. Contact the occupational therapy regulator for each province; Some provinces may require registration if you are providing a restricted activity or reserved/controlled act.
 - BC, SK, QC – these provinces are not current signatories to the MOU. Each one has different legislation and timelines and the ability to implement the MOU. Courtesy or temporary registration will be required to work with clients in these provinces in person or virtually. Your best bet is to check the registration requirements for each province you will be providing virtual services from and into before proceeding. Links to the websites of each of the Canadian occupational therapy regulators can be found here: <https://www.acotro-core.org/links>.
4. My client has moved to (or is on vacation in) another province, do I have to be registered in that province?

That depends on which province your client is in and what services are being provided – refer to the answer provided above.

5. What if I am an occupational therapist registered in another Canadian province – do I also need to be registered in Alberta if my client is an Albertan or in Alberta at the time of service delivery?
- If you are providing non-restricted activities - You are permitted to practice virtually in Alberta based on your registration in a province which has signed the MOU (all provinces except BC, SK and QC). If allowed, make sure your client knows which province you are providing services from and the name of your regulatory body, so they know where to bring a complaint if there are concerns about your practice. Note, you are required to comply with applicable regulatory

and professional legislation for the province you are registered in, but you should also be aware of relevant Alberta legislation, regulations, standards of practice, and code of ethics.

- If you are providing a **restricted activity** - **Registration in Alberta is required.** Refer to the answer provided in Question 1 for information on restricted activities.
 - Non-Alberta occupational therapists who are providing restricted activities to Albertans are required to apply for registration on ACOT's Courtesy (temporary) Register if they are providing services on a short-term basis (\$40 for ≤30 days up to a maximum of three 30-day registrations). If services will be provided >3 sets of 30 days, registration on the General Register is required (or the Provisional Register if you have not yet written the national exam). Please allow up to ten business days for processing of Courtesy, General, or Provisional Register applications.
- 6. My clients are located in Alberta, and I am registered to practice in Alberta, but I am currently in another province/territory temporarily (e.g., on vacation, caring for a family member) – do I need to be registered in the province/territory I am providing service from?

The new Virtual Practice MOU permits an occupational therapist registered in one province to provide occupational therapy services virtually to clients physically situated in the province of registration, from another province without being registered in the other province. However, because not every province is able to sign or immediately implement the MOU, you are advised to check with both the regulatory body of the province you are from and the regulatory body of the province you plan to vacation in beforehand.

- 7. My client did not tell me that they were out of Alberta until after our therapy session started – what should I do?
 - If you are providing a non-restricted activity as part of your occupational therapy service, registration in the province your client is physically situated may not be required – it will depend on whether the province you are situated in and the province the client is situated in has implemented the MOU. However, remind the client to inform you when they intend to leave the province so that you can update your emergency plan for adverse or unexpected events including alternate emergency contact, awareness of local emergency and/or community resources in the jurisdiction the client is located.
 - If you are providing a restricted activity – such as a psychosocial intervention (see the link above) without appropriate registration in the jurisdiction, this could be considered “practicing without a license.” If this is the case, reach out to the regulatory body where the client was physically located at the time of service delivery to inform them of the situation.

To avoid this, it is important to:

- a. Make sure your client knows to inform you of any plans to travel (permanently or temporarily) outside of Alberta.
 - b. Reach out to the regulatory/licensing body of the province you are in to confirm your ability to practice virtually and the province your client is in as soon possible to allow time for processing your application to the temporary (courtesy) or permanent (general) register and avoid delays in service delivery.
 - c. Confirm where your client is physically located prior to any service delivery and prior to each session.
 - d. Update your client's emergency contact information for the new location and familiarize yourself with the emergency/community support services in case of an adverse or unexpected event.
 - e. Ensure you practice within the limits of your registration and competencies.
 - f. Ensure your liability insurance provides coverage for virtual activities.
8. My client has moved permanently to another province and has found another occupational therapist to continue on with the psychotherapeutic interventions we had been using – do I have to be registered in the province my former client is in before I call the new occupational therapist for a handover conversation? (my client is aware and has consented to me calling the new occupational therapist)

In Canada occupational therapy service encompasses screening, assessment, reassessment, treatment/intervention, discharge planning, and post-discharge follow-up with a client. Post-discharge follow-up with a therapist in another province for the purposes of handover (i.e., 1-2 phone calls) does not require registration, as this is permitted through a different MOU for all provinces.

B. Practice Outside of Canada

9. My client is moving to (or is on vacation in) another state/country? Can I still provide services virtually?

As soon as your client informs you of their plan, check to see if registration in the state/country where the client is physically situated (temporarily or permanently) is required.

Not all countries have regulatory legislation or regulatory bodies/organizations – it is up to you to confirm whether registration is required or not (see the [WFOT International Practice Guide](#)). If registration is required, do so prior to providing services. If registration is not required, document appropriately in the client file and

ensure your client is aware you are providing services from Alberta, Canada and to contact ACOT if they wish to bring forward a complaint.

10. My client did not tell me that they had moved out of country until after our therapy session started – what should I do?

Stop the therapy session and advise the client that you will need to investigate to ensure that you are able to continue to provide services given the change in location. Depending on the state/country your client is in, this could be considered “practicing without a license.” Reach out to the regulatory body where the client was physically situated at the time of service delivery to inform them of the situation. If you are required to be registered and registration is not possible (i.e., the United States require passing of their national exam as part of their registration process even if services are provided virtually), ask the regulator for assistance in identifying an occupational therapist registered in that jurisdiction who can provide the client with services so you can adhere to ACOT Standard of Practice 2.3 – recommend appropriate resources or other service providers when the service request cannot be met within the parameters of the individual’s practice.

Similar to the answer provided in Question 7, it is important to let your clients know to inform you of their plans to move/travel so that you can arrange for registration (if required) and update your emergency response plan including familiarizing yourself with the emergency/ community support services in case of an adverse or unexpected event.

11. My clients are situated in Alberta, and I am registered to practice in Alberta, but I am currently in another state/country temporarily (e.g., on vacation, caring for a family member) – do I need to be registered in the state/country I am providing service from?

The Virtual Practice MOU is only valid within Canada. ACOT cannot speak to the registration requirements outside of Canada. You are advised to check to see if registration in the state/country where you are physically located (temporarily or permanently) is required prior to the delivery of any occupational therapy service.

12. Are there any plans for Canadian occupational therapy regulators to enter an international Virtual Practice MOU?

No, not at this time.

C. Registration Requirement Tables

TIP: For Alberta occupational therapists providing services virtually to clients located out of province, present your title as follows: **Registered Occupational Therapist (AB) or Reg. OT (AB)**. Expand the “AB” to “Alberta, Canada” if providing virtual services outside of Canada and registration in the country your client resides is not required. See the **Practice FAQs: Representing Title and Credentials**, accessed from the [Practice Resources](#) page for more details.

Occupational Therapist Location	Client location (temporary or permanent)	Mode of Service Delivery ¹	Registration required in:	Comply with ² applicable legislation, regulations, standards and code of ethics in:	Amount/type of liability insurance ³ coverage required as per:	
PRACTICE WITHIN CANADA	Alberta	Alberta	In-person or Virtual	Alberta	Alberta	Alberta
	Alberta	Other territory ⁴	In-person or Virtual	Alberta	Alberta	Alberta
	Alberta	MB, ON, NS, PEI, NB, NL	Virtual	Alberta ⁵	Alberta and other province	Alberta and other province
	Reg. OT (AB) in other province – temporary	Alberta	Virtual	Alberta	Alberta	Alberta
	Alberta - temporary	Alberta	In-person	Other province <u>and</u> Alberta ⁶	Other province and Alberta	Other province and Alberta
	Alberta	MB, ON, NS, PEI, NB, NL ⁷	Virtual	Alberta ⁵	Alberta and other province	Alberta and other province
	Alberta	BC, SK, QC	Virtual	Alberta and other province	Alberta and other province ²	Alberta and other province
	BC, SK, QC	Alberta	Virtual	Alberta and other province	Alberta and other province ²	Alberta and other province
	MB, ON, NS, PEI, NB, NL	Alberta - receiving non-restricted activity	Virtual	Other province	Alberta and other province ²	Alberta and other province
	MB, ON, NS, PEI, NB, NL	Alberta – receiving a restricted activity ⁷	Virtual	Other province <u>and</u> Alberta ^{6&8}	Other province <u>and</u> Alberta	Other province and Alberta

Occupational Therapist (OT) Location	Client location (temporary or permanent)	Mode of Service Delivery ¹	Registration required in:	Comply with ² applicable legislation, regulations, standards and code of ethics in:	Amount/type of liability insurance ³ coverage required as per:	
PRACTICE OUTSIDE OF CANADA	Alberta	Other state/country	Virtual	Alberta and check with regulatory body of the state/country your client is in ⁹	Alberta <u>and</u> other state/country	Alberta <u>and</u> other state/country ³
	Outside of Canada - temporary	Alberta	Virtual	Alberta, and check with regulatory body of the state/country you are providing services from ⁹	Alberta <u>and</u> other state/country	Alberta <u>and</u> other state/country ³
	Outside of Canada – permanent ¹⁰	Alberta	Virtual	Alberta <u>and</u> other state/country ⁹	Alberta <u>and</u> other state/country	Alberta <u>and</u> other state/country ³

Reference Key for Registration Requirement Tables:

1. **Service delivery** encompasses screening, assessment, reassessment, treatment/intervention, discharge planning, post-discharge follow-up with a client. Post-discharge follow-up with a therapist in another province for the purposes of handover does not require registration in Alberta. Service delivery can be either in-person or virtual. **Virtual practice** refers to the use of information and communication technologies (ICT) for the purpose of delivering occupational therapy services when the client and the occupational therapist are in different locations.
2. If a complaint about your practice is filed, an investigation will be conducted based on the legislation, regulations, standards and code of ethics you are required to comply with. You are also expected to be aware of the applicable legislation, regulations, standards and code of ethics in the jurisdiction where your client is located (either temporarily or permanently) and where you are temporarily providing services from.
3. You are also advised to confirm with your insurance provider that your coverage extends beyond your jurisdiction of registration.
4. The three territories do not have regulatory bodies and are not part of the Virtual Practice MOU; registration in the occupational therapist's primary jurisdiction

suffices. Remember to notify the client which province you are registered/licensed to practice.

5. As each province will have differing ability/timelines for implementation of the MOU, you are advised to contact the regulatory body of the province yourself to confirm if registration is required or not in your particular situation. Links to the websites of each of the Canadian occupational therapy regulators can be found [here](#).
 - Note, the [College of Occupational Therapists of Ontario, \(COTO\)](#) no longer requires registration in Ontario for virtual practice if an occupational therapist is registered to practice in many but not all provinces in Canada.
6. Non-Alberta occupational therapists are required to register on ACOT's Courtesy (temporary) Register if they are providing occupational therapy services in-person in Alberta or a restricted activity virtually to an Albertan on a short-term basis (≤30 days).
7. Some provinces (including Alberta) have stipulations in their legislation which require registration in the province where a client is physically situated at the time of receiving a restricted activity or reserved/controlled act (whether the act is being provided in-person or virtually). In Alberta, this stipulation is found in the *Health Professions Restricted Activity Regulation* which states:

2(1) For the purposes of Part 0.1 and section 134(1)(f.1) of the Act, regulated members of each health profession may perform the restricted activities within the practice of the respective profession as set out in this Regulation.

Refer to sections 38, 39 of the [Health Professions Restricted Activity Regulation](#) for the list of restricted activities occupational therapists registered in Alberta can perform if competent to do so. See the [Psychosocial Interventions: An Interpretive Guide to the Restricted Activity](#) for a description of which psychosocial interventions are considered restricted and thus require registration in Alberta.

8. If the restricted activity is expected to be provided virtually beyond 90 days, registration on General Register is required (or the Provisional Register if you have not yet taken the national exam). See the [Registration page](#) on the ACOT website for information on how to apply for the General, Provisional, or Courtesy Register.
9. Regulatory legislation of occupational therapists varies from state to state and country to country, when providing virtual services outside of Canada you are advised to contact the regulatory body of the state/country you/your client is physically situated. Also, as not all countries have regulatory legislation or regulatory bodies, it is up to each occupational therapist to confirm whether registration is required or not in the jurisdiction their client is located in (see the [WFOT International Practice Guide](#)). If registration is required, do so prior to providing services. If registration is not required, document this appropriately in the

client file and ensure your client is aware you are providing services from Alberta, Canada.

10. **IMPORTANT:** For occupational therapists registered outside of Canada wishing to provide occupational therapy services virtually to Albertans – registration with ACOT is required and application paperwork must be received and approved (including completion of the [ACOTRO SEAS process](#)) prior to delivering services.

NOTE: Make sure to familiarize yourself with emergency/community support services for the jurisdiction in which your client is located in the case of an adverse reaction or unexpected event. See the **Considerations for Virtual Practice** guideline, accessed from the [Practice Resources](#) page of the ACOT website, for additional guidance and considerations to keep in mind/address when delivering occupational therapy services remotely/virtually.