

## Requirements and Conditions for a Defined Licence

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| <b>Section:</b>  | Registration  |                                      |                                   |
| <b>Applicable Legislation:</b>                                     | Sections 5, 39 – 45 of the Medical Practitioner Regulations     |                                      |                                   |
| <b>Approved by:</b><br>Registration Policy<br>Committee<br>Council | <b>Approval Date:</b><br>February 4, 2021<br><br>March 26, 2021 | <b>Reviewer:</b><br>Deputy Registrar | <b>Review Date:</b><br>April 2022 |

### Preamble

A Defined licence is a time-limited conditional licence enabling physicians to practise medicine while pursuing the necessary qualifications for Full<sup>1</sup> or Restricted<sup>2</sup> licensure; or to enter a College-approved Clinical Fellowship Program.

A Full<sup>1</sup> licence may be granted to physicians holding:

1. a Medical Degree from a school listed in the World Directory of Medical Schools<sup>3</sup>;
2. the Licentiate of the Medical Council of Canada (LMCC)<sup>4</sup> or an acceptable alternative to the LMCC<sup>5</sup>; and
3. certification by the Royal College of Physicians and Surgeons of Canada (RCPS(C))<sup>6</sup> or the College of Family Physicians of Canada (CFPC)<sup>7</sup> or the Collège des médecins du Québec (CMQ)<sup>8</sup>. Eligibility for certification is granted at the discretion of the respective certifying colleges including by way of a practice ready assessment. Refer to the RCSPC, CFPC or the CMQ for guidance on certification eligibility. The College cannot waive any criteria mandated by the respective certifying colleges.

A Restricted<sup>2</sup> licence may be issued to a physician holding a Defined licence if they have:

1. a Medical Degree from a school listed in the World Directory of Medical Schools<sup>3</sup>;
2. the LMCC<sup>4</sup> or an acceptable alternative to the LMCC<sup>5</sup>; and
3. a satisfactory Comprehensive Clinical Assessment of Practice (CCAP)<sup>9</sup>.

For a Clinical Fellowship to be approved by the College, it must:

1. be based in an Academic Department that is affiliated with the Dalhousie University Faculty of Medicine;
2. have a designated physician Fellowship Director;
3. have one or more clinical faculty, including the Fellowship Director, who are jointly responsible for the instruction and supervision of the Fellow according to the Fellow's needs and demonstrated competence.

## Purpose

This policy describes the minimum requirements to obtain a Defined licence, together with the conditions that may be imposed on Defined licensees in Nova Scotia.

## Scope

This policy applies to candidates applying for licensure in Nova Scotia who do not have the necessary qualifications for a Full<sup>1</sup> licence.

## Policy

### Requirements for a Defined Licence

A physician applying for a Defined licence must meet the criteria as set out in Sections 39-45 of the Medical Practitioners Regulations<sup>10</sup> and have the current capacity, competence and character to safely and ethically practise medicine. Further, the Registrar may grant a Defined licence to a physician who does not currently hold both Canadian certification and the LMCC (or an acceptable alternative) and is eligible for or has obtained Canadian certification and the LMCC<sup>4</sup> or acceptable alternative to the LMCC<sup>5</sup>.

Pursuant to this policy, physicians with the following qualifications will be eligible for a Defined Licence:

1. a physician who has obtained certification from either the RCPSC<sup>6</sup> or the CFPC<sup>7</sup> or the CMQ<sup>8</sup>, and:
  - has not yet obtained the LMCC<sup>4</sup> (or an acceptable alternative<sup>5</sup>); and
  - has the Medical Council of Canada Evaluating Examination (MCCEE) or the Medical Council of Canada Qualifying Examination (MCCQE) Part I.
2. a physician who has obtained the LMCC<sup>4</sup> or an acceptable alternative<sup>5</sup>; and does not yet hold certification from either the RCPSC<sup>6</sup> or the CFPC<sup>7</sup> or the CMQ<sup>8</sup>; and
  - is currently eligible to obtain certification or challenge the certification examinations.
3. a physician who has not yet obtained the LMCC<sup>4</sup> or an acceptable alternative<sup>5</sup> and does not yet hold certification from either the RCPSC<sup>6</sup> or the CFPC<sup>7</sup> or the CMQ<sup>8</sup>, and:
  - is currently eligible to obtain certification or challenge the licensing and certification examinations; and
  - has the MCCEE or the MCCQE Part I;
4. a physician who has not obtained certification or eligibility for challenging the certification examination from either the RCPSC<sup>6</sup> or the CFPC<sup>7</sup> or the CMQ<sup>8</sup> and has not yet obtained the LMCC<sup>4</sup> or an acceptable alternative<sup>5</sup>, and:
  - has obtained certification as a specialist from their home jurisdiction and has written confirmation of acceptance into an approved Clinical Fellowship Program; and

- The criteria for Medical Council of Canada licensing examinations (MCEEE, MCCQE Part I and MCCQE Part II) are waived if the applicant is enrolled in a College-approved Clinical Fellowship Program. This waiver provision is in effect only for the duration of the Fellowship and permits the licence holder to practice only within the confines of the Fellowship.

### **Pathway from Defined licence to a Full or Restricted licence**

Because the Defined licence is a time-limited, exceptional licence, the physician must work toward a Full<sup>1</sup> or Restricted<sup>2</sup> licence. If all other licensing requirements are met, once the physician holding a Defined licence has obtained the LMCC<sup>4</sup> or an acceptable alternative<sup>5</sup> and Canadian certification, they are then eligible for a Full<sup>1</sup> licence.

In some cases, a physician on a Defined licence may request a referral to the Registration Committee for consideration of a CCAP<sup>9</sup>. Upon successful completion of a CCAP<sup>9</sup> and having met all other licensing requirements, the physician on a Defined licence would then be eligible for a Restricted<sup>2</sup> licence which is an ongoing, annually renewable licence.

### **Conditions of a Defined licence on a Pathway to a Full or Restricted licence**

#### **1. Duration**

By force of legislation, a Defined licence must be a time-limited licence. The duration will be determined by the Registrar at the time of issuance and outlined in the physician's Licensing Agreement.

In most cases, a physician is permitted to hold a Defined licence for a maximum of sixty (60) months from the date of initial issuance.

Expiration of the Defined licence occurs on December 31st of the final year established under the Licensing Agreement. *For example: a physician granted a Defined licence effective July 1, 2021, would have to meet the requirements for a Full or Restricted licence by December 31, 2025 so long as they maintain eligibility for the respective certifying examination(s).*

Physicians who fail to adhere to their Licensing Agreement or are nearing the end of their Defined licensing term, may be referred to the Registration Committee. The Registration Committee will determine whether the physician:

- a) may be considered for a CCAP<sup>9</sup> in order to obtain a Restricted<sup>2</sup> licence; or
- b) under exceptional circumstances, is eligible for an extension to their licensing term with or without additional conditions and/or restrictions.

#### **2. Leave of Absence**

Extensions of up to one year to the initial licensure term may be considered at the discretion of the Registrar for those physicians who take a maternity/paternity/parental leave, medical leave, educational leave of absence, or other exceptional circumstance. Longer extensions must be referred to the Registration Committee for consideration.

In addition to other criteria outlined in Section 39-45 of the Medical Practitioners Regulations<sup>10</sup>, the Registrar or Registration Committee may impose the following conditions:

### **3. Scope of Practice**

The Registrar may place restrictions on a physician's practice location and scope of practice following review of their training, practice experience, assessment reports and/or certifications. A physician must not change their scope of practice<sup>11</sup> without prior approval of the College.

### **4. Sponsorship**

At all times, a Defined licensee must have a Sponsor who is approved by the College. A Sponsor must hold a Full<sup>1</sup> licence and unless otherwise approved by the Registrar, hold a senior position in the health authority in which the supervised licensee will be practising.

Withdrawal of Sponsorship or lack of supervision will result in immediate loss of licensure.

### **5. Supervision**

A Defined licensee must have a Supervisor who is approved by the College. The Supervisor must hold a Full<sup>1</sup> licence, Academic<sup>12</sup> licence or Defined licence on Sponsor-only Oversight<sup>13</sup>. The Supervisor must be engaged in a scope of practice similar to the supervised licensee. The initial level of supervision is determined at the time of initial licensure.

Lack of a Supervisor will result in loss of licensure.

### **6. Certification**

Defined licensees who are not within a Fellowship Program must maintain their eligibility to challenge the certification examination with the RCPSC<sup>6</sup> or the CFPC<sup>7</sup> for the duration of their term. Provisional exam eligibility will not satisfy the Registrar.

### **7. Licentiate of the Medical Council of Canada (LMCC)**

Defined licensees who are not within a Fellowship program must become a Licentiate of the Medical Council of Canada (LMCC)<sup>4</sup> or satisfy the College's policy on Acceptable Alternatives to the LMCC<sup>5</sup> within the duration outlined at initial licensure.

### **8. Additional Conditions or Requirements**

Defined licensees must adhere to any additional conditions or restrictions imposed by the Registrar. The following are examples of conditions and restrictions that may appear in a physician's Licensing Agreement:

- I must practice in a practice context with access to experienced physicians, either onsite or virtually; and
- I must work under a remuneration model, care model and practice size that supports time to study for certification examinations.

### **Conditions of a Defined licence with No Pathway to a Full or Restricted licence**

Those physicians holding a Defined licence Fellowship are exempted from a pathway to Full<sup>1</sup> or Restricted<sup>2</sup> licensure and therefore are not required to obtain the LMCC<sup>4</sup>, an acceptable alternative<sup>5</sup> or Canadian certification.

### **Conditions of a Defined licence enrolled in a Fellowship Program with no Pathway to a Full or Restricted licence**

#### **1. Duration**

The duration will not extend beyond 24 months unless otherwise approved by the Registrar. Because physicians on a Defined licence enrolled in a Fellowship Program are not on a pathway, they are usually not eligible for licensure beyond their Fellowship.

#### **2. Scope of Practice**

All medical practise must fall within the Fellowship program.

#### **3. Sponsorship**

Withdrawal of Sponsorship or lack of supervision will result in the immediate loss of licensure.

A physician on a Defined licence with Fellowship must have a Fellowship Director and is exempted from College-directed supervision. Such physicians must be based in an Academic Department affiliated with the Faculty of Medicine at Dalhousie University. There must be one or more clinical faculty, including the Fellowship Director, who are jointly responsible for the instruction and supervision of the Fellow according to the Fellow's needs and demonstrated competencies.

#### **4. Supervision**

A physician on a Defined licence with Fellowship must be supervised within a Fellowship Program and are exempted from College-directed supervision.

#### **5. Certification**

Defined licensees who are within a Fellowship Program do not require eligibility for Canadian certification nor must they obtain Canadian Certification.

#### **6. Licentiate of the Medical Council of Canada (LMCC)**

Defined licensees who are within a Fellowship program are not required to become a Licentiate of the Medical Council of Canada (LMCC)<sup>4</sup> or satisfy the College's policy on Acceptable Alternatives to the LMCC<sup>5</sup>.

**Resources:**

1. [Full Licence – College of Physicians and Surgeons of Nova Scotia](#)
2. [Restricted Licence – College of Physicians and Surgeons of Nova Scotia](#)
3. [World Directory of Medical Schools](#)
4. [Licentiate of the Medical Council of Canada](#)
5. [Acceptable Alternatives to the LMCC](#)
6. [Royal College of Physicians and Surgeons of Canada](#)
7. [College of Family Physicians of Canada](#)
8. [Collège des médecins du Québec](#)
9. [Comprehensive Clinical Assessment of Practice](#)
10. [Medical Practitioners Regulations](#)
11. [Guidance to Physicians Contemplating a Change in Clinical Scope of Practice](#)
12. [Academic Licence – College of Physicians and Surgeons of Nova Scotia](#)
13. [Sponsor-Only Oversight of a Defined Licence Physician](#)