



Nova Scotia  
Occupational Therapy  
Regulator

# Newsletter



## New Practice Standards

Effective Dec 3, 2025, NSOTR has released of two new practice standards on **Advertising** and on the **Sale of Appliances and Equipment**. The complete text of both Standards of Practice can be found on our website [HERE](#).

The Board has also approved new practice standards for **Psychotherapy** and has designated psychotherapy as **reserved practice**. "Reserved practice" means an activity, procedure, or service that involves enough risk to clients that the NSOTR Board requires registrants to have additional education, training, or other requirements beyond the entry-to-practice level and approval from NSOTR before they can engage in it.

The **Standards for Psychotherapy** will be published in January. The **Standards** and the reserved practice designation for Psychotherapy will come into effect **no earlier than June 1, 2026**, after an implementation period. Detailed information on these new standards and how to apply for authorization to engage in psychotherapy reserved practice will be shared with registrants in **early January**.

# Winter 2025

DEC 10, 2025

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# New Practice Standards, cont.

The *Practice Standards for Advertising* and the *Practice Standard for the Sale of Appliances and Equipment* do not introduce new rules. Instead, they continue rules that existed in the former *Occupational Therapy Regulations*. The new practice standards explain and clarify these rules and answer frequently asked questions.

NSOTR consulted registrants and our regulatory partners on these new practice standards in Summer and Fall 2025, and we revised the draft standards after considering the feedback we received. Below are some **key points** from these two new standards:

## Practice Standards for Advertising:

Occupational therapists must advertise their services in a manner that is honest, truthful, transparent, and professional.

Under the Standards, occupational therapists

- may not advertise their services using client **testimonials**, including anonymous testimonials.
- may only advertise services within their competence and must accurately represent their education and experience.
- must avoid advertising where there is a real, potential, or perceived **conflict of interest**.

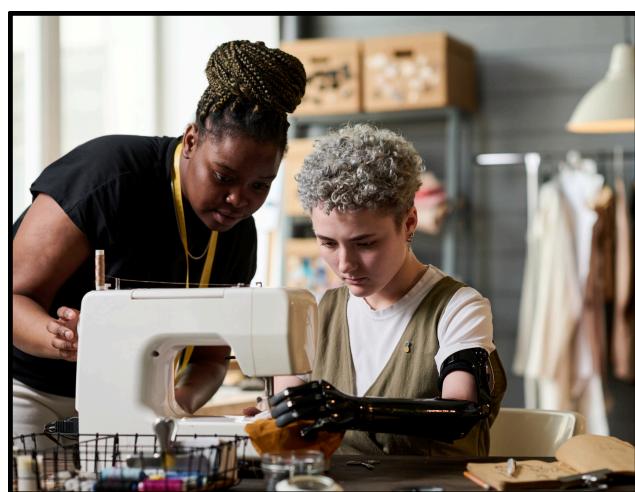
Under the Standards, registrants are only responsible for the advertising that is **in their control**. However, they should communicate the requirements in the Standards to their employer if that employer is using advertising that does not meet the requirements.

## Practice Standard for the Sale of Appliances and Equipment:

This standard sets minimum expectations for the sale of appliances and equipment within an occupational therapy practice.

Occupational therapists

- may not sell any equipment or appliance to a client for profit.
- must not sell equipment or appliances if a conflict of interest exists or may be perceived to exist (for example, if the occupational therapist holds stock in the company that manufactures the equipment they sell to clients).



## Questions:

The Standards include answers to Frequently Asked Questions. If you require further clarification or specific guidance on how the new Standards apply to your practice, please reach out to Rachel Avery, OT. Reg (NS), NSOTR Regulatory Program Coordinator:

- **practice@nsotr.ca**

# Changes to Capacity Assessment Regulations

Following changes to the regulations under the *Personal Directives Act* (PDA) on October 23, 2025, occupational therapists may now be authorized to perform capacity assessments under sections 10, 11, and 13(a) of the PDA to determine if a client is capable of making their personal care decisions.

Previously, occupational therapists were already authorized to conduct capacity assessments under the *Adult Capacity and Decision-Making Act* (ACDMA) if they complete the required training through the Public Trustee's Office.

The following professions may now complete capacity assessments under the PDA as well if they first successfully complete the required training through the Public Trustee's Office:

- registered nurses & nurse practitioners
- social workers
- occupational therapists

In addition, registered psychologists, like physicians, are now automatically authorized to complete capacity assessments.



Capacity assessments under the *PDA* are **for a specific purpose that is different from** that for assessments under the *ACDMA* or *Hospitals Act*.

Under the PDA, health care providers can request a formal capacity assessment when:

- they are unable to determine if the client has capacity to make personal care decisions; or
- there has been a significant change in a client's day-to-day capacity.

All occupational therapists should be aware of who is authorized to complete capacity assessments in their practice setting, and any applicable legislation and employer policies.

## How to become authorized to provide capacity assessments:

Occupational Therapists can become designated assessors after completing a **capacity assessment course** through the Nova Scotia Public Trustee.

Please contact the Public Trustee's Office to enquire about capacity assessment training.

**Website:** <https://novascotia.ca/just/pto/>  
**Tel:** (902) 424-7760  
**Fax:** (902) 424-0616  
**Email:** [publictrustee@novascotia.ca](mailto:publictrustee@novascotia.ca)

# Committee Recruitment

NSOTR invites registrants to apply to serve on a committee of the Regulator.

## Why apply to serve on a committee?

Committees play an essential role in the regulation of occupational therapy. Serving on a committee of the Regulator is a valuable way to contribute to the development of the profession and the protection of the public. The time commitment varies depending on the committee and the matters that committee is considering. Committee members receive an honorarium and reimbursement for approved expenses related to their service.

## What committees are available?

A list of NSOTR's standing and statutory committees, and a description of the role of each, can be found [on our website](#).

Committees are organized by area. Committees in the same area may share members. The four areas are:

- Registration and Licensing
- Professional Conduct
- Continuing Competence
- Professional Practice

## How to Apply:

The Committee Application Form and application instructions will be e-mailed to all registrants who indicated interest in serving on a committee on their online NSOTR profile.

If you are interested in applying, but did not receive an e-mail from us, or if you have questions about what is involved in committee service, please contact Josef Méthot at [registration@nsotr.ca](mailto:registration@nsotr.ca).

The deadline for committee applications is **January 16, 2025**.

## How are committees appointed?

The NSOTR Appointments Committee reviews applications from all registrants who express interest in serving on a committee of the Regulator. The application form helps the committee understand the skills, knowledge, and perspectives a candidate offers. The committee will make recommendations to the Board on committee appointments based on their review of these applications.

## Payroll Deduction

Employees of Nova Scotia Health and IWK who would like to register to pay their annual licensing fees for **2027/2028** via payroll deduction must register with their employer:

- **IWK:** e-mail [payroll@iwk.nshealth.ca](mailto:payroll@iwk.nshealth.ca) by March 6
- **NSH:** e-mail [Krista.Brien@nshealth.ca](mailto:Krista.Brien@nshealth.ca) by March 20

**Reminder:** payroll deductions pay for renewal in the **following year**. If you are not already signed up for payroll deductions, you will need to pay your **2026/2027** renewal fees in April-May 2026 yourself.

NSOTR encourages all employees who are eligible to register for payroll deduction to do so. If you previously registered for payroll deduction, you do not need to register again.

# Bylaw Changes

The NSOTR Board has approved changes to the *Bylaws*. Thank you to all registrants who provided feedback on the draft Bylaws during our consultation period from Sep 15-Oct 16.

## Summary of Key Changes:

- **Definitions Section:** Expanded to include new terminology and clarify existing definitions.
- **Initial Board and Subsequent Boards:** Clarified the composition, appointment process, and term expirations for both
  - the *Initial Board* (the Board that existed on April 1, 2025) and
  - *Subsequent Boards* (all other Boards that come after the initial Board).
- **Appointment and Vacancy Procedures:** Enhanced procedures for appointing Board members and officers and filling vacancies, including the role of the Appointments Committee and the process for competency-based selection.
- **Term Limits:** Added term limits for registrant and public representative Board members, specifying maximum consecutive terms and mandatory waiting periods before reappointment. This remains consistent with past practice.
- **Committees:** Clarified the structure and terms for the Appointments Committee.
- **Fines and Penalties:** Updated language regarding fines, to remain consistent with the current Registration and Licensing Policies.

# Board Appointments

The Appointments Committee has completed the Board appointments process for the first “subsequent Board” following the migration under the RHPA on April 1, 2025.

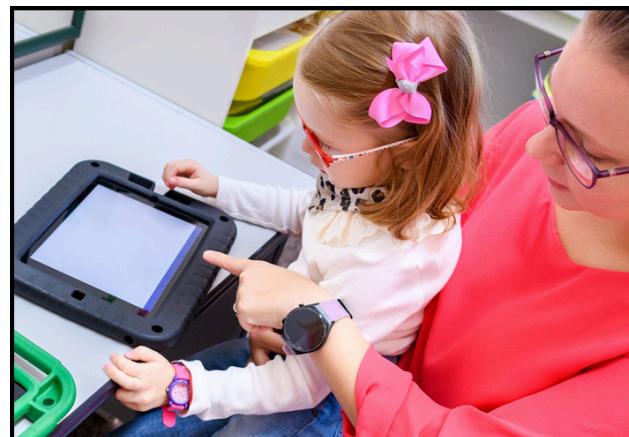
Three current registrant Board members were re-appointed from the Initial Board to the Subsequent Board following a competency-based selection process by the Committee.

There was one vacancy for a registrant Board member. **Colleen Cann MacKenzie**, OT Reg. (NS) received an initial appointment to the Board. Colleen’s two-year term started on November 18, 2025. Welcome Colleen!

Thank you to all registrants who submitted applications to serve on the NSOTR Board this fall.

Finally, the Board appointed officers for the Subsequent Board:

- **Chair:** Jen Davis, OT
- **Vice-Chair:** Jonathan Belbin, OT
- **Treasurer:** Sarah Teklet, OT
- **Secretary:** Colleen MacKenzie, OT



# Liability Insurance Reminder

We remind all registrants of the new financial penalties for lapses in liability insurance coverage, first approved by the Board effective May 31, 2025. A lapse is a period when a registrant is licensed with NSOTR but is not covered by a liability insurance policy where they are the named insured.

Registrants who fail to maintain continuous and uninterrupted liability insurance coverage while licensed may be fined according to the length of the lapse:

- \$250 for a lapse of one week or less
- \$500 for a lapse of more than one week

**Please note:** you may still be fined even if:

- Your lapse was only for 1-2 days
- You did not practice occupational therapy during your lapse

Other potential consequences include a formal agreement ("undertaking") not to allow a repeat lapse in the future, or, in the case of serious or repeated lapses, professional conduct processes.

Several registrants have been fined for liability insurance lapses since the new financial penalties were introduced.

NSOTR sends reminders to registrants whose insurance is expiring. To avoid missing important messages and reminders, make sure you list a reliable and up-to-date personal e-mail in your NSOTR Portal.

# Refresher: Competence Maintenance Audits

NSOTR recently completed a Competence Maintenance Audit.

In a **Competence Maintenance Audit**, a registrant provides NSOTR with evidence of their learning activities and goals in their Professional Development Plan (PDP). NSOTR will provide feedback and guidance on goal-setting and selecting learning activities.

## Key Points:

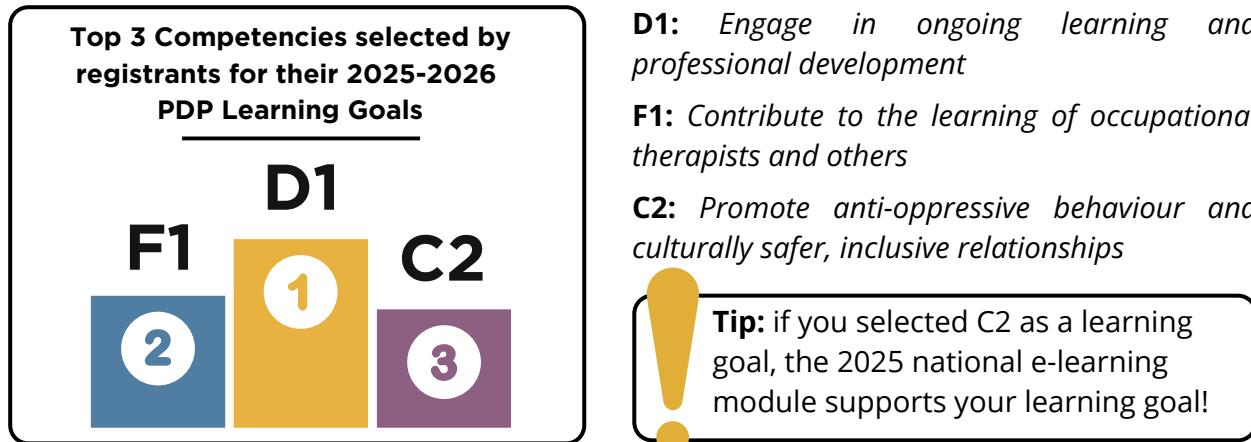
- All registrants are eligible to be selected for a Competence Maintenance Audit
- Participation in the Audit is **mandatory** if you are selected
- Registrants may be asked to provide documentation related to their annual learning plans from the past **five (5)** years.
- Therefore, registrants should:
  - save their documents about their learning activities on a personal account or device to ensure they maintain access to the required files
  - maintain these documents for a minimum of 5 years

## What if I am on leave or unemployed?

- You can still be selected for an Audit if you are on leave from work.
- This is because **registrants who maintain their license when on leave or unemployed are still required to meet all the requirements of their license**, including participating in the Continuing Competence Program and completing learning activities.

# Tips for Improving your Professional Development Plan (PDP)

When setting Learning Goals for the year, registrants are required to link each goal to a specific Competency from the *Competencies for Occupational Therapists in Canada*. This helps registrants engage in reflective practice and consider how their learning activities relate to the core competencies. When reviewing Professional Development Plans, NSOTR staff noticed that registrants did not always choose the most relevant competency for their Goal!



**Why is D1 #1?** Registrants often select D1 as their targeted competency because it is easy to make a connection - after all, by creating their PDP, they are doing ongoing learning and professional development!

Instead, registrants should focus on what competency they are improving through their learning activities. For example, consider the following sample strong Learning Goal:

*"As an OT in the community, I often have to refer to other OTs for wheelchair assessments. I would like to improve my ability to meet this need for clients. By the end of the licensing year, I will develop the skills to be able to independently assess and prescribe basic mobility equipment. I will do this by taking a course in wheelchair assessment, meeting with vendors to understand the available options for equipment, and shadowing a colleague on their wheelchair assessments. I will have my colleague review all my assessments prior to submission until I have been deemed independent."*

**Which competency is this Learning Goal?** Instead of D1, this goal would be best linked with a competency in Domain A, such as A4 - *Assess occupational participation* or A6 – *Implement the occupational therapy plan*, since this is what the professional development would improve.

**When is D1 a relevant competency?** D1 can be a relevant if your goal is to improve how you engage in professional development; for example, if you seek support in writing continuing competence learning goals or building a mindset of continuous learning.

# Competence Review Update

NSOTR began assessing registrants through the **Competence Review** process in Spring 2025, with the a first cohort of 20 registrants. We are currently completing the assessment process with the second cohort of another 20 registrants.

So far, the process has been very successful and has also given NSOTR insights into areas where we can best support registrant knowledge and compliance with regulatory standards. We will provide an update with some observations and insights in our next Newsletter, along with guidance to registrants to support their knowledge and competency.

The Competence Review process is intended to assess the ongoing competence of registrants and support them in bridging any learning needs that are identified. The Competence Review is designed as a supportive process to facilitate registrant reflection on practice and improve regulatory compliance.

## Who is selected for Competence Review?

All registrants of NSOTR are eligible to be selected for Competence Review, although those with more risk indicators are more likely to be selected. Participation in Competence Review is mandatory for those selected.

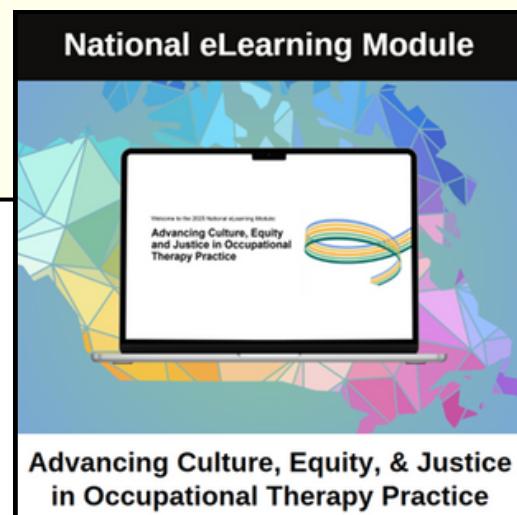
## Reminder: E-Learning Module due Dec. 31

All Nova Scotia occupational therapists are required to complete the 2025 National eLearning Module on *Advancing Culture, Equity and Justice in Occupational Therapy Practice* as part of their 2025-2026 Competence Maintenance activities.

The deadline to complete the eLearning module is **December 31, 2025**.

The module was developed by occupational therapists, for occupational therapists. A diverse group of caregivers and clients that have used occupational therapy services shared their experiences and formed the foundation of the strategies that are presented.

Instructions on how to access the module, as well as frequently asked questions, can be found here: <https://nsotr.ca/2025-national-elearning-module/>



# 2025 Regional Sessions

This fall, NSOTR travelled around the province to meet in-person with registrants and share information on the new *Regulated Health Professions Act*, the Continuing Competence Program, and updates to Practice Standards.

We visited the following locations:

- Cape Breton
- Antigonish
- Kentville
- Yarmouth
- Bridgewater
- Truro
- Halifax
- Dartmouth

We also held two virtual sessions. In total, we met with **330** registrants! We thank all registrants who took the time to attend a regional outreach session and share your questions, concerns, and perspectives.

## Holiday Office Closures



The NSOTR offices will be closed for the holidays beginning on December 24 until January 2. Limited services will be available by phone or e-mail on December 29, 30, and 31 and response times will be slower than normal.

In the event of an urgent regulatory matter, please reach out directly to Kevin Wong, Registrar and Executive Director, at [registrar@nsotr.ca](mailto:registrar@nsotr.ca). Regular services will resume on January 5, 2026.

*warmest wishes for a safe, healthy, and joyous holiday season*

from the Board and Staff of NSOTR

### NSOTR BOARD

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