

Registration Professional Incorporation



COLLEGE OF NURSES
OF ONTARIO
ORDRE DES INFIRMIÈRES
ET INFIRMIERS DE L'ONTARIO

THE STANDARD OF CARE.

Introduction

Nurses and other regulated health professionals may incorporate their practice. This fact sheet provides answers to commonly asked questions related to professional incorporation.

Should I set up my practice as a health professional corporation?

When deciding whether to establish a health professional corporation, there are a number of factors to consider such as the nature of your business and your personal financial circumstance. The College of Nurses of Ontario (CNO) recommends that you discuss your situation with an accountant or lawyer before deciding to incorporate.

What steps should I take to set up and register a professional corporation?

The College recommends you confirm the name of your corporation with CNO to ensure it meets the naming requirements (on the reverse, please see *Are there Restrictions on Health Professional Corporations for naming requirements*). You will need to apply for and obtain Incorporation with the Ministry of Consumer & Business Services (MCBS) before filing for a Certificate of Authorization (COA) with CNO. To incorporate, file your articles of incorporation (e.g., number of shareholders) with the MCBS, pay the fee as set by MCBS and submit other documents as required. For more information about incorporating, contact the MCBS or visit their Web site at www.cbc.gov.on.ca.

How do I get an application form?

You can obtain the COA application package from the CNO Web site at www.cno.org or by calling the College at 416 928-0900, toll-free in Ontario at 1 800 387-5526.

Is there a fee for registering my health professional corporation?

Yes. CNO charges an initial COA fee of \$525 (includes GST).

How is the COA maintained?

You must renew your COA each year plus pay an annual renewal fee of \$262.50 (includes GST). Directors and shareholders must inform CNO of a change in status within 10 days of the change.

Who is permitted to be a shareholder of a professional corporation?

All shareholders must be members of CNO. What is the role of the College in Incorporation? The College's role in professional corporations is primarily administrative.

The College:

- collects and stores shareholder information;
- creates and maintains a public register of registered members; and
- establishes and maintains an administrative process including fees and filings related to issuing, renewing, suspending or revoking a COA.

CNO's mission is to protect the public's right to quality nursing services by providing leadership to the nursing profession in self-regulation. It is the practice of members, not professional corporations, that is of importance to the College.

Are there restrictions on health professional corporations?

Provincial legislation imposes a number of restrictions, including the following:

- only members of the profession can be shareholders;
- the officers and directors must be shareholders;
- the name of the corporation is limited to and

must include:

- the surname of one or more shareholder(s) as set out in the College register along with given names or initials, if desired (e.g., Jones, Smith and Partners),
 - the name of the health profession practised by the shareholder (e.g., Sullivan Nursing),
 - and the words “Professional Corporation” or “Societe professionnelle,” and
 - the final name should appear as follows:
Jones, Smith & Partners Nursing Professional Corporation;
- the name of the professional corporation cannot be a numbered company (e.g., 1234567 Ontario Inc.);
 - the corporation can only practise the profession or ancillary services (i.e., nursing care, health care, foot care); and
 - the corporation is subject to College investigative and regulatory powers.

What is my professional responsibility and accountability for inappropriate activities of the professional corporation?

The corporation's shareholders are responsible for upholding the professional standards. Directors and officers remain accountable for practising nursing in accordance with CNO's *Independent Nursing Practice*, especially in relation to business advertising. They also remain accountable to CNO for their professional conduct.

Is information about my corporation made public?

Yes. The College's Public Register will provide the public with the name and address of the corporation, the names of all shareholders and any revocations of the corporation's COA.

Can someone issue a complaint against a corporation or an individual within the corporation?

Yes. Anyone can make a complaint against a nurse or corporation. *The Regulated Health Professions Act* allows the College to investigate concerns about nursing practice. Consumers can also contact the MCBS for concerns about a corporation's business practices (i.e., fraud).

For More Information

To learn more, contact the College of Nurses of Ontario at:

Web site: www.cno.org

E-mail: cno@cnomail.org

Fax: 416 928-6507

FastFax: 416 963-7502

Fastfax toll-free in Ontario: 1 877 963-7502

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