

**College of Complementary Health
Professionals of British Columbia**

DRAFT BYLAWS

DRAFT

TABLE OF CONTENTS

1.0 Definitions and Interpretation	7
Definitions	7
Interpretation	13
2.0 College Board	14
Board Composition.....	14
Board Chair and Board Vice Chair Selection and Terms of Office.....	14
Duties of Board Chair and Board Vice Chair	15
Board Member Terms of Office.....	15
Board Meetings: General Requirements.....	16
Board Meetings: Openness and Exclusions	17
Board Meetings: Minutes	18
Board Meetings: Quorum and Decision-Making	18
Board Elections: General	19
Board Elections: Eligibility	20
Board Elections: Nomination Advisory Group.....	22
Board Elections: Composition Matrix and Nominee Evaluation Criteria.....	22
Board Elections: Nominations Process.....	23
Board Elections: Eligibility to Vote	24
Board Elections: Procedure	24
Board Code of Conduct and Board Policies	26
Ceasing to Hold Office: Elected Board Members	26
Board Vacancy: Elected Board Member.....	27
Public Board Member: Recommendation	27
3.0 College Administration	28
Registrar and Chief Executive Officer.....	28
Deputy Registrars	28
Fiscal Year	28
Budget, Reserve Funds and Oversight.....	28
Banking, Borrowing Powers and Investments	29
Legal Counsel	29
Auditor	29
Real Property	30

General Meetings	30
Report to Registrants and Public	31
Remuneration.....	31
Patient Relations Program	31
4.0 Committees & Panels.....	32
Committees	32
Committee Composition.....	33
Committee Appointment and Term.....	34
Committee Member Resignation and Removal	34
Committee Chair and Vice-Chair	35
Committee Panels.....	35
Committee and Panel Meetings: Quorum.....	36
Committee and Panel Meetings: Procedure	37
Committee Powers and Duties: General.....	37
Committee Powers and Duties: Registration Committee.....	38
Committee Powers and Duties: Inquiry Committee	38
Committee Powers and Duties: Discipline Committee	38
Committee Powers and Duties: Quality Assurance Committee.....	38
Committee Powers and Duties: Professional Practice and Standards Advisory Committee	39
Committee Powers and Duties: Finance and Audit Committee.....	39
Committee Powers and Duties: Governance Committee	40
Committee Powers and Duties: Human Resources Committee.....	41
Powers and Duties in Progress on Amalgamation Date.....	41
5.0 College Records	43
Application to Former Colleges' Information and Records	43
Administration of the Freedom of Information and Protection of Privacy Act	43
Access Request Fees	43
Protection of Personal Information.....	43
Additional Information Required on the Register	44
Registrar Authority	44
Access to the Register	45
Retention of Records	45
Disclosure of Registration Status.....	45

Disclosure of Information About Health Profession Corporations	46
Disclosure of Complaints and Investigations	46
Disclosure of Citations	47
Additional Notification Where Section 39.3(1) of the Act Applies	47
Disclosure of Unauthorized Practice.....	48
Disposal of Records Containing Personal Information	48
Disclosure of Aggregate Data	49
6.0 Registration	50
Classes of Registrants	50
Status of Registrant Classes upon Amalgamation	50
Registration Applications	51
Registration Requirements: General.....	51
Registration Requirements by Designated Health Profession.....	51
Publication of Registration Requirements.....	52
Confirmation of Registration	52
Registration Renewal.....	53
Registration Reinstatement.....	53
Professional Liability Insurance	53
Status of Applications Upon Amalgamation.....	54
Examinations and Registration Committee and Registrar Policies in Effect on Amalgamation ...	54
Multi-Jurisdictional Registration	54
7.0 Titles	55
Use of Titles by Designated Health Profession	55
8.0 Certified Practice.....	57
Certified Practice.....	57
Certified Practice Upon Amalgamation.....	57
9.0 Professional Responsibilities	58
Standards of Practice and Standards of Professional Ethics	58
Advertising and Marketing.....	58
Privacy and Record-Keeping	59
Delegation, Supervision and Authorization.....	59
Duty to Respond to College	60
10.0 Quality Assurance.....	61

Quality Assurance in Effect on Amalgamation.....	61
Quality Assurance Requirements for Designated Health Professions	61
11.0 Inspections, Investigations, and Discipline	62
Authority of Registrar	62
Complaints	62
Duty to Cooperate	62
Additional Powers of Investigation	63
Limits on Inspector Observing Registrant	63
Delivery of Registrant's Response to Complainant	63
Extraordinary Action to Protect the Public	64
Consideration of Past Action.....	64
Undertakings and Consents.....	64
Citations	64
Pre-hearing Conference.....	65
Hearings of the Discipline Committee.....	66
Fines.....	67
Costs	67
Action under section 39.1 of the Act	68
Registrant Under Suspension	68
12.0 Health Profession Corporations	70
Authority of Registrar	70
Health Profession Corporation Permit Application.....	70
Health Profession Corporation Permit Fees	70
Eligibility for Health Profession Corporation Permit.....	70
Validity of Permit	71
Insurance Requirement.....	72
Health Profession Corporation Names	72
Designated Registrant.....	72
Renewal of HPC Permit	73
Notification of Changes	73
Disposition of Shares	74
General Obligations of a Health Profession Corporation.....	75
Business Activities by Health Profession Corporations	75

Information to Public	75
Marketing by Health Profession Corporations	75
HPC Permit Revocation Hearings.....	76
Schedule 1: Fees.....	78
Schedule 2: Chiropractic: Registration, Examinations, and Professional Liability Insurance.....	79
Schedule 3: Massage Therapy: Registration, Examinations, and Professional Liability Insurance	95
Schedule 4: Naturopathic Medicine: Registration, Examinations, and Professional Liability Insurance	107
Schedule 5: Traditional Chinese Medicine and Acupuncture: Registration, Examinations, and Professional Liability Insurance	118
Schedule 6: Classes of Registration on Amalgamation	142
Schedule 7: Naturopathic Medicine: Certified Practice	143
Schedule 8: Chiropractic: Professional Responsibilities	144
Schedule 9: Massage Therapy: Professional Responsibilities	151
Schedule 10: Naturopathic Medicine: Professional Responsibilities	164
Schedule 11: Traditional Chinese Medicine and Acupuncture: Professional Responsibilities .	176
Schedule 12: Chiropractic: Quality Assurance.....	196
Schedule 13: Massage Therapy: Quality Assurance.....	198
Schedule 14: Naturopathic Medicine: Quality Assurance	201
Schedule 15: Traditional Chinese Medicine and Acupuncture: Quality Assurance	203
Schedule 16: Tariff of Costs – Investigations	204
Schedule 17: Tariff of Costs – Hearings	206

1.0 Definitions and Interpretation

Definitions

1.1 The following definitions apply in these Bylaws and Schedules, unless otherwise specified:

“Act” means the *Health Professions Act*, RSBC 1996, c. 183;

“Amalgamation Date” means June 28, 2024, as specified in section 12 of the *Health Professions Designation and Amalgamation Regulation*, BC Reg. 270/2008;

“Applicant” means a person making application for registration or reinstatement with the College, but does not include an applicant as defined in Section 50.54 of the Act;

“Board” means the College board under section 17(1) of the Act;

“Board Chair” means the Board Member elected by the Board to serve as Board Chair;

“Board Code of Conduct” means the code of conduct passed by the Board under these Bylaws;

“Board Election” means an election of one or more Registrants to the Board under section 17(3)(a) of the Act;

“Board Meeting” means a business meeting of the Board, but does not include a planning session where no decisions are made;

“Board Member” includes a First Board Member, a Public Board Member, a Registrant Board Member, and an Elected Board Member;

“Board Policy” means a policy approved by the Board by ordinary resolution;

“Board Vice Chair” means a Board Member elected by the Board to serve as Board Vice Chair;

“Chief Executive Officer” or **“CEO”** means the person appointed to such position, which person may also serve as Registrar;

“Citation” means a citation issued by the Registrar under section 37 of the Act;

“College” means the amalgamated college under section 12 of the *Health Professions Designation and Amalgamation Regulation*, BC Reg. 270/2008, named “College of Complementary Health Professionals of British Columbia”;

“College of Chiropractors of British Columbia” or “CCBC” means the Former College established under section 15(1) of the Act for the designated health profession of chiropractic specified in section 2(3)(b) of the *Health Professions Designation and Amalgamation Regulation*;

“College of Massage Therapists of British Columbia” or “CMTBC” means the Former College established under section 15(1) of the Act for the designated health profession of massage therapy specified in section 2(1)(e) of the *Health Professions Designation and Amalgamation Regulation*;

“College of Naturopathic Physicians of British Columbia” or “CNPBC” means the Former College established under section 15(1) of the Act for the designated health profession of naturopathic medicine specified in section 2(1)(g) of the *Health Professions Designation and Amalgamation Regulation*;

“College of Traditional Chinese Medicine Practitioners and Acupuncturists of British Columbia” or “CTCMA” means the Former College established under section 15(1) of the Act for the designated health profession of traditional Chinese medicine and acupuncture specified in section 2(1)(n) of the *Health Professions Designation and Amalgamation Regulation*;

“Committee” means a Committee established under the Act and these Bylaws;

“Committee Member” means any person appointed to a Committee;

“Complaint” includes any of the following:

- (a) a complaint under section 32(1) of the Act;
- (b) an investigation directed by the Inquiry Committee on its own motion under section 33(4) of the Act; and
- (c) a report that has been treated as a complaint under section 32.2(4)(a), 32.3(3)(a), or 32.4(3) of the Act;

“Complainant” means a person who submits a complaint under section 32(1) of the Act in writing to the College about a Registrant;

“Confirmation of Registration” means the record of registration in Bylaw 6.14;

“Current Class of Registration” means a class of registration provided for in Part 6.0 of these Bylaws, and which is comparable to a class of registration that existed within a Former College immediately prior to the Amalgamation Date (defined below as a “Former Class of Registration”) as set out in Schedule 6;

“Designated Health Profession” means, unless the context otherwise requires, one of the following professions designated under section 12(1) of the Act:

- (a) Chiropractic;
- (b) Massage Therapy;
- (c) Naturopathic Medicine; and
- (d) Traditional Chinese Medicine and Acupuncture;

“Designated Registrant” means a Registrant designated in accordance with Bylaw 12.13;

“Discipline Committee” means the Committee established in Bylaw 4.1;

“Elected Board Member” means a Registrant elected to the Board under these Bylaws;

“Election Trigger Date” means

- (a) the date upon which the terms of office of those Registrant Board Members appointed as First Board Members expires; or
- (b) the date upon which terms of office of any Elected Board Members expire;

“Examination” means a theoretical, knowledge-based, or practical profession-specific examination or assessment for the purposes of assessing an Applicant’s or Registrant’s qualifications for registration, renewal, or reinstatement, and includes a combination of examinations or assessments;

“Fee” or **“Fees”** means and includes any fees, special fees, fines, debts, or levies owed to the College;

“Finance and Audit Committee” means the Committee established in Bylaw 4.1;

“First Board Member” means an individual appointed to the Board effective as of the Amalgamation Date as either a Public Board Member or Registrant Board Member;

“Former Class of Registration” means a class of registration that existed within a Former College immediately prior to the Amalgamation Date, and is comparable to the class of registration provided for in Part 6.0 of these Bylaws (defined above as a “Current Class of Registration”) as set out in Schedule 6;

“Former College” means any of the colleges that regulated a Designated Health Profession now regulated by the College prior to the Amalgamation Date;

“Former Registrant” includes an individual deemed to be a former Registrant of the College under section 25.07(1) of the Act;

“General Meeting” means a meeting open to Registrants and the public as set out in Bylaw 3.21;

“Good Standing” means the state of registration of any Registrant in which all of the following conditions apply:

- (a) the Registrant is not suspended under the Act;
- (b) there are no limits or conditions on the Registrant’s practice of a Designated Health Profession under section 20(2.1) or (3), 32.2, 32.3, 33, 35,36, 37.1, 38, 39 or 39.1 of the Act; and
- (c) the Registrant is not in default of payment of any Fee;

“Governance Committee” means the Committee established in Bylaw 4.1;

“Health Profession Corporation” or **“HPC”** means a corporation to which a permit has been issued under section 43 of the Act;

“Holding Company” means a corporation described in section 43(1)(c)(ii) or 43(1)(d)(i)(B) of the Act;

“HPC Eligible Designated Health Profession” means the Designated Health Professions of:

- (a) Chiropractic;
- (b) Massage Therapy; and
- (c) Naturopathic Medicine;

“HPC Eligible Registrant” means a Registrant who is registered in an HPC Eligible Designated Health Profession;

“HPC Permit” means a permit that authorizes a corporation to operate as a Health Profession Corporation;

“HPC Permit Revocation Hearing” means a hearing under section 44 of the Act;

“Human Resources Committee” means the Committee established in Bylaw 4.1;

“Inquiry Committee” means the Committee established in Bylaw 4.1;

“Inspector” means a person appointed as such under section 27 of the Act, and includes the Registrar;

“Minister” has the same meaning as in section 1 of the Act;

“Multi-Jurisdictional Registrant” means an individual registered in a Multi-Jurisdictional Registration class;

“Multi-Jurisdictional Registration” means registration by an individual in a registration class established in these Bylaws for the purpose of facilitating professional labour mobility in Canada;

“Nomination Advisory Group” means the group established under Bylaw 2.58;

“Panel” means a panel of a Committee established under these Bylaws;

“Personal Information” means:

- (a) in the public sector, “personal information” as defined in schedule 1 of the *Freedom of Information and Protection of Privacy Act*, RSBC 1996, c. 165; and
- (b) in the private sector, “personal information” as defined in section 1 of the *Personal Information Protection Act*, SBC 2003, c. 63;

“Professional Association” means:

- (a) a health profession association as defined in section 1 of the Act; or
- (b) an organization whose members include Registrants or persons regulated in another jurisdiction for the practice of a Designated Health Profession and whose purposes, objects, or operations include the promotion of interest of its members; and includes a national or international association or federation or association of professional associations;

“Professional Practice and Standards Advisory Committee” means the Committee established in Bylaw 4.1;

“Public Board Member” means an individual appointed to the Board who is not a Registrant and includes First Board Members who are not Registrants;

“Public Committee Member” means an individual appointed to serve on a Committee and who:

- (a) is not a Registrant or Former Registrant of the College;
- (b) has not at any time been a Registrant of a Former College; and

(c) is not a Public Board Member;

“Publish” and **“Publication”** means the posting of the most recent version of a document, notice, or other information specified in these Bylaws on the College website, and may include any additional distribution of such material to Registrants and the public as the Registrar sees fit;

“Quality Assurance Committee” means the Committee established in Bylaw 4.1;

“Quality Assurance Examination” means an examination referred to in section 26.1(3)(b) of the Act;

“Quality Assurance Program” means the program established under Part 10 of these Bylaws;

“Register” means the register maintained by the Registrar under section 21(2) of the Act;

“Registrant” means:

- (a) an individual granted registration with the College in accordance with the Act and these Bylaws;
- (b) when used in Schedules 2-17, unless otherwise specified, a Registrant in the Designated Health Profession that is the subject of such schedule; and
- (c) includes a Former Registrant where applicable in Part 11 [*Inspections, Investigations, and Discipline*], in accordance with section 26 of the Act;

“Registrant Board Member” means a Registrant appointed as a First Board Member or to replace such member;

“Registrar” means the individual appointed as Registrar under section 21(1) of the Act;

“Registration Committee” means the Committee established in Bylaw 4.1, and includes, for the purposes of Part 6.0 of these Bylaws, the Registrar pursuant to section 20(6)(b) of the Act;

“Respondent” means a Registrant who has been named in a Citation;

“Special Resolution” means a resolution requiring a two thirds vote of those persons present and eligible to vote on the resolution;

“Standards of Practice” means any or all of the standards, limits or conditions for the practice of a Designated Health Profession by Registrants, established by Bylaw in accordance with section 19(1)(k) of the Act, or by other means in accordance with section 19(1.1) of the Act;

“Standards of Professional Ethics” means any or all of the standards of professional ethics for Registrants of a Designated Health Profession, established in accordance with section 19(1)(l) of the Act, or by other means in accordance with section 19 (1.1) of the Act.

Interpretation

- 1.2 All headings, subheadings, and references in italicized text in square brackets are for convenience and do not constitute part of these Bylaws.

DRAFT

2.0 College Board

Board Composition

- 2.1 On and from the Amalgamation Date until the Board composition may change by law or as allowed under these Bylaws, the Board consists of the First Board Members.
- 2.2 The Board consists of no fewer than nine and no more than 12 individuals comprised of:
- (a) up to six Public Board Members; and
 - (b) up to six Board Members consisting of Registrant Board Members and/or Elected Board Members.
- 2.3 A maximum of two Board Members who are Registrants in any single Designated Health Profession are permitted on the Board at any one time.

Board Chair and Board Vice Chair Selection and Terms of Office

- 2.4 The Board must elect a Board Chair from among its members by a majority vote:
- (a) at the first Board Meeting after appointment of the First Board Members, unless the Minister has already appointed a Board Chair;
 - (b) as soon as practicable after any of the cessation of office events in Bylaw 2.14; and
 - (c) in any other case, at the conclusion of the Board Chair's term set out in Bylaw 2.8.
- 2.5 The Board must elect a Board Vice Chair from among its members by a majority vote:
- (a) at the first Board Meeting after appointment of the First Board Members, unless the Minister has already appointed a Board Vice Chair;
 - (b) as soon as practicable after any of the cessation of office events in Bylaw 2.14; and
 - (c) in any other case, at the conclusion of the Board Vice Chair's term set out in Bylaw 2.8.
- 2.6 If the Board Chair elected or appointed is a Registrant Board Member or Elected Board Member, the Board Vice Chair must be a Public Board Member.
- 2.7 If the Board Chair elected or appointed is a Public Board Member, the Board Vice Chair must be a Registrant Board Member or an Elected Board Member.
- 2.8 The Board Chair and Board Vice Chair terms of office are a maximum two years, renewable as long as the individual remains a Board Member.

2.9 A Board Member replacing an existing Board Chair or Board Vice Chair prior to expiry of a term of office completes the term of office of the person replaced.

Duties of Board Chair and Board Vice Chair

2.10 The Board Chair must:

- (a) preside as chair of all Board and General Meetings of the College;
- (b) perform other duties as required to properly carry out the duties of the Board, including any requirements for the position established by the Board; and
- (c) maintain minutes of any portions of Board Meetings where the Registrar has been excluded pursuant to Bylaw 2.33.

2.11 In the event the Board Chair is absent from a Board or General Meeting or is unable or unwilling to act, the Board Vice Chair must carry out the duties of the Board Chair as set out in Bylaw 2.10.

2.12 In the event both the Board Chair and Board Vice Chair are absent or unable or unwilling to act at a Board Meeting or General Meeting, the Board must elect by majority vote a Board Member as acting chair for the purposes of the meeting, who must carry out the duties set out in Bylaw 2.10.

2.13 The Board may impose limits and conditions on the acting chair as it considers appropriate.

2.14 The Board Chair or Board Vice Chair ceases to hold office upon:

- (a) ceasing to hold office as a Board Member;
- (b) delivering written notice of resignation from office of Board Chair or Board Vice Chair to the Registrar;
- (c) election of a new Board Chair or Board Vice Chair under these Bylaws; or
- (d) removal from the office of Board Chair or Board Vice Chair by Special Resolution of Board Members attending a duly convened meeting.

Board Member Terms of Office

2.15 The terms of office for First Board Members commence on the Amalgamation Date.

2.16 Unless the terms of appointment provide otherwise, and subject to earlier removal from office by the Minister, the terms of office for First Board Members cease:

- (a) after two years, for two Public Board Members so designated by the Minister;

- (b) after three years, for two Public Board Members and three Registrant Board Members so designated by the Minister; and
- (c) after four years, for two Public Board Members and three Registrant Board Members so designated by the Minister.

2.17 The term of office for an Elected Board Member commences on the date of their election and ceases after three years.

2.18 A Registrant who has held office as an Elected Board Member for a consecutive period of six years or more is ineligible to be elected to the Board until at least three years have elapsed since the end of the Registrant's most recent term of office on the Board.

Board Meetings: General Requirements

2.19 The Board must meet at least four times during a College fiscal year.

2.20 A Board Meeting must be called by the Registrar:

- (a) upon receipt of written request of the Board Chair; or
- (b) upon receipt of a written request from a majority of Board Members.

2.21 A request to meet under Bylaw 2.20(b) must set out the matter(s) for discussion or decision, which information must be provided in the notice of Board Meeting.

2.22 Notice of Board Meetings, and any cancellations of Board Meetings, must be provided by the Registrar to:

- (a) all Board Members by providing written notice within a reasonable period of time to the email address for delivery provided by the Board Member for such purpose; and
- (b) to Registrants and the public by Publishing a notice on the College website.

2.23 The notice period of meetings for Board Members, Registrants, and the public in Bylaw 2.22 may be different.

2.24 Notice to Registrants and the public of a Board Meeting is not required if the meeting is called on an urgent basis.

2.25 The Registrar must Publish confirmation and a summary description of any Board Meeting for which prior notice was not given under Bylaw 2.24 within a reasonable period of time after such meeting.

- 2.26 The failure to deliver notice of a Board Meeting under Bylaw 2.22, or the non-receipt of such notice by any person, does not invalidate Board Meeting proceedings.
- 2.27 Board Meetings may be held in person, by telephone, by videoconference, or in a hybrid manner.
- 2.28 The Board may establish or adopt procedures, policies, guidelines, or rules, consistent with these Bylaws, for regulating the conduct of Board Meetings.
- 2.29 The Registrar must Publish any procedures, policies, guidelines, or rules adopted by the Board under Bylaw 2.28.
- 2.30 The Board may meet in planning sessions that are not open to the public or Registrants for the purpose of planning, education, or other reasons not requiring Board decisions.

Board Meetings: Openness and Exclusions

- 2.31 Subject to Bylaw 2.32, Board Meetings must be open to Registrants and the public.
- 2.32 The Board may exclude any person who is not a Board Member from any part of a Board Meeting where one or more of the following items will be discussed:
- (a) personnel matters;
 - (b) instructions to, or opinions received from legal counsel or any other matter subject to solicitor-client privilege, or information or discussion concerning a contemplated or ongoing legal proceeding;
 - (c) property acquisitions or dispositions;
 - (d) communication with the Office of the Ombudsperson;
 - (e) information concerning:
 - (i) the contents of an Examination;
 - (ii) the scoring or results of an Examination; or
 - (iii) any information related to an Examination that would constitute an unreasonable invasion of an individual's personal privacy;
 - (f) information concerning:
 - (i) consideration of whether an academic or technical program will be recognized by the College;
 - (ii) an application for an individual for registration, reinstatement, renewal, or certification;

- (iii) any matter under Part 3 of the Act; or
 - (iv) a criminal, civil, or administrative proceeding the disclosure of which in (i)-(vi) above would be an unreasonable invasion of the individual's personal privacy;
 - (g) financial, personal, or other matters of such nature that the interest of any affected person or the public interest in avoiding disclosure outweighs the public interest in open Board Meetings;
 - (h) information that the College or another public body would be required or authorized to refuse to disclose to an applicant making a request for records under Part 2 of the *Freedom of Information and Protection of Privacy Act*;
 - (i) the Board's self-assessment of its performance; and
 - (j) an internal Board conflict resolution process.
- 2.33 Despite Bylaw 2.32, the Board may not exclude the Registrar, or a person designated by the Registrar to attend on their behalf, from any part of a Board Meeting except to the extent that such meeting concerns:
- (a) a discussion of the Registrar's performance or employment contract;
 - (b) the Board's self-assessment of its performance; or
 - (c) an internal Board conflict resolution process.

Board Meetings: Minutes

- 2.34 The Registrar must ensure that minutes are taken at each Board Meeting and retained.
- 2.35 Board Meeting minutes must include a notation that includes the Bylaw authority for the exclusion whenever any person or class of persons is excluded from a Board Meeting.
- 2.36 The Registrar must Publish Board Meeting minutes on the College website within a reasonable period after such minutes are approved, subject to:
- (a) non-substantive editing of the Published version of the minutes for clarity and accuracy; and
 - (b) removing information in relation to any item in Bylaw 2.32, provided that the Bylaw authority for removing such item is noted in the Published version of the minutes.

Board Meetings: Quorum and Decision-Making

- 2.37 Quorum at any Board Meeting consists of
- (a) a majority of Board Members, including:

- (i) no fewer than two Public Board Members; and
- (ii) no fewer than two Board Members who are Registrant Board Members or Elected Board Members.

2.38 Board resolutions are made by majority vote unless otherwise provided in these Bylaws.

2.39 Board resolutions are deemed to take immediate effect unless otherwise specified in the resolution.

2.40 The Board may pass a resolution in writing, including by email or otherwise, with the same binding effect as if such vote occurred at a Board Meeting.

2.41 Board resolutions in writing must be passed by unanimous vote, except that failure by any Board Member to respond to a resolution in writing vote within the time period set by the Board Chair in the notice is considered a vote in favour of the resolution.

2.42 All Board resolutions in writing and the outcome of the decision must be included with the minutes of the first Board meeting after such resolution, subject to Bylaw 2.32.

Board Elections: General

2.43 Unless these Bylaws are amended or superseded by other legislation, an election for Elected Board Member positions must occur at least 30 days prior to an Election Trigger Date, on a date set by the Board.

2.44 The Board must select the election date at least 180 days prior to an Election Trigger Date.

2.45 The Registrar must deliver a notice of election to all Registrants eligible to vote under these Bylaws at least 30 days prior to an election date.

2.46 The election notice must include:

- (a) information about the nomination and election procedures;
- (b) information about candidates including without limitation:
 - (i) term lengths; and
 - (ii) registration class;
- (c) indication whether a candidate has been endorsed by the Nomination Advisory Group;
- (d) information regarding desired competencies for Elected Board Members; and
- (e) any other information pertaining to the candidates and election the Registrar deems appropriate.

- 2.47 Any failure to deliver a notice of election to, or the non-receipt of a notice of election by any person entitled to such notice does not invalidate the election, proceeding, or results.
- 2.48 Except as otherwise provided in these Bylaws, the Registrar administers elections and the nominations procedure.

Board Elections: Eligibility

- 2.49 Only individuals in the following Registrant classes are eligible for Board election:
- (a) Chiropractic: Full;
 - (b) Massage Therapy: Practising;
 - (c) Naturopathic Medicine: Full; and
 - (d) Traditional Chinese Medicine and Acupuncture: Full.
- 2.50 A Registrant is ineligible for Board election if, on the date that nomination forms must be received under Bylaw 2.63, the Registrant:
- (a) is not in Good Standing;
 - (b) is the subject of an ongoing investigation by the Inquiry Committee under section 33 of the Act;
 - (c) is a Respondent in relation to an unresolved Citation;
 - (d) directly or indirectly owns a legal or beneficial interest in any voting shares of a Health Profession Corporation named in an unresolved notice of HPC Permit Revocation Hearing;
 - (e) is the subject of an unresolved hearing in British Columbia or another jurisdiction that could result in the individual's entitlement to practise a profession being cancelled, revoked, or suspended, other than for non-payment of fees;
 - (f) is an undischarged bankrupt; or
 - (g) is the subject of a current order or finding by a court in Canada or another jurisdiction to be incapable of managing the person's own affairs.
- 2.51 A Registrant is ineligible for Board election if, at any time within the three-year period preceding the date nomination forms must be received under Bylaw 2.63, the individual:
- (a) is or was a director, officer, or employee of a Professional Association; or
 - (b) is or was a director, officer, or employee of a corporation or other entity that provides professional liability coverage to any Designated Health Profession or a corresponding health profession in another province or territory of Canada or a foreign jurisdiction.

- 2.52 A Registrant is ineligible for Board election if, at any time within the three-year period preceding the date nominations forms must be received under Bylaw 2.63, the individual:
- (a) was the subject of a consent order under section 37.1 or determination under section 39(1) of the Act by the Discipline Committee of any college under the Act;
 - (b) was the subject of an order under section 35 or 38(8) of the Act;
 - (c) was the subject of a finding by a body in another province or territory of Canada or foreign jurisdiction equivalent to the Discipline Committee that the Registrant committed an act that in the opinion of the Registrar would likely constitute unprofessional conduct under the Act; or
 - (d) has been suspended or removed from office as:
 - (i) an elected board member or equivalent of another college under the Act;
 - (ii) a director or similar governance position of any body in BC, Canada or a foreign jurisdiction that regulates a profession; or
 - (iii) as a director or similar governance position of any other public body in British Columbia, Canada, or a foreign jurisdiction.

2.53 A Registrant is ineligible for Board election if, at any time:

- (a) the individual's entitlement to practise a profession:
 - (i) has been cancelled, revoked, or suspended in British Columbia, another Canadian province or territory or foreign jurisdiction for any reason other than non-payment of fees;
 - (ii) has been voluntarily relinquished in British Columbia, another Canadian province or territory or foreign jurisdiction, with the effect of preventing the commencement or completion of an investigation, review, hearing, or other proceeding that could have resulted in the Registrant's entitlement to practise the profession in BC or that other province or foreign jurisdiction being cancelled, revoked, or suspended for any reason other than non-payment of fees; or
- (b) the individual has been convicted of an offence in British Columbia, another Canadian province or territory or foreign jurisdiction and the Registrar is satisfied that the nature of the offence including the circumstances in which it was committed give rise to reasonable concerns about the Registrant's competence or fitness to serve as a Board Member such that disqualification is justified.

2.54 A Registrant not eligible for Board election under Bylaws 2.50-2.53 may, prior to the close of nominations under Bylaw 2.63, deliver to the Registrar a written request for eligibility in the form determined by the Registrar.

2.55 The Registrar must consult with the Nomination Advisory Group and the Registrar must determine whether the individual making an eligibility request will be permitted to run for election, having regard for:

- (a) the person's ability to discharge the duty of a Board Member;
- (b) the integrity of the Board; and
- (c) the public interest.

2.56 After making a decision under Bylaw 2.55 the Registrar must notify the individual who made the eligibility request and the Nomination Advisory Group of the decision in writing.

Board Elections: Nomination Advisory Group

2.57 The Board must establish a Nomination Advisory Group at least 180 days prior to the end of a Registrant Board Member's term.

2.58 The Nomination Advisory Group is comprised of:

- (a) two public members selected by the Board who must not be Board Members;
- (b) two Registrants selected by the Board:
 - (i) who must declare in writing that they will not be nominees for the election; and
 - (ii) who must be Registrants of different Designated Health Professions; and
- (c) the Registrar, as a non-voting participant.

2.59 At least 180 days prior to an Election Trigger Date, the Board must establish and Publish selection criteria for Nomination Advisory Group members other than the Registrar.

2.60 The Board must consider the selection criteria established under Bylaw 2.59 when selecting members for the Nomination Advisory Group.

Board Elections: Composition Matrix and Nominee Evaluation Criteria

2.61 At least 180 days prior to an Election Trigger Date, the Board must establish and Publish:

- (a) a Board composition matrix that incorporates:
 - (i) principles of geographic, professional, and demographic diversity; and
 - (ii) Indigenous perspectives; and
- (b) Board nominee evaluation criteria that include:

- (i) merit principles, including the skills and experience determined to best meet College Board needs; and
- (ii) integrity principles, including having regard to information relating to the nominee's competency and professional conduct.

Board Elections: Nominations Process

- 2.62 At least 150 days prior to an Election Trigger Date, the Registrar must Publish a notice seeking nominations for the Board election, which notice must include at least:
- (a) nomination procedures including a nomination form; and
 - (b) information about the nomination review process, including the nominee evaluation criteria to be used by the Nomination Advisory Group.
- 2.63 The Registrar must ensure the close of nominations occurs at least 120 days prior to an Election Trigger Date.
- 2.64 The Registrar must:
- (a) review all nomination forms submitted for compliance and eligibility in accordance with the requirements provided in the notice and these Bylaws;
 - (b) reject any forms that are not compliant or ineligible and advise the submitter; and
 - (c) deliver all completed accepted nomination forms to the Nomination Advisory Group in a timely manner.
- 2.65 The Registrar's decision to reject a nomination is final and not subject to review.
- 2.66 If the number of valid nominations is fewer than or matches the number of vacant Board positions, having regard for the maximum Designated Health Profession limits in Bylaw 2.3, the Registrar must declare such nominees as elected by acclamation.
- 2.67 Unless the election occurs by acclamation, the Nomination Advisory Group must:
- (a) review all nomination forms it receives against the approved nominee evaluation criteria;
 - (b) conduct any further inquiries it deems appropriate, including without limitation seeking information from College staff and conducting interviews with nominees; and
 - (c) make a determination whether to endorse a nominee for Board election based on the nominee evaluation criteria.
- 2.68 The decision whether to endorse a nominee for Board election must be made by Registrant and public members of the Nomination Advisory Group.

- 2.69 Within 14 days of receipt of nomination forms from the Registrar, the Nominations Advisory Group must:
- (a) complete the nomination review process in Bylaw 2.67; and
 - (b) provide a report to the Registrar:
 - (i) summarizing the nominee review process; and
 - (ii) indicating for each nominee whether the Nominations Advisory Group endorses their candidacy for the Board.
- 2.70 The report provided by the Nomination Advisory Group in Bylaw 2.69 is confidential to the Registrar.
- 2.71 A Registrant who is otherwise eligible for the Board election under Bylaws 2.49-2.56 is eligible for Board election whether endorsed by the Nomination Advisory Group or not.

Board Elections: Eligibility to Vote

- 2.72 Registrants in the following classes who are in Good Standing as of the date a voting list is prepared under Bylaw 2.75 are eligible to vote in a Board Election:
- (a) Chiropractic: Full;
 - (b) Massage Therapy: Practising;
 - (c) Naturopathic Medicine: Full;
 - (d) Naturopathic Medicine: Non-Practising; and
 - (e) Traditional Chinese Medicine and Acupuncture: Full.

Board Elections: Procedure

- 2.73 Board Elections must be held electronically by way of an electronic voting platform selected by the Registrar.
- 2.74 The Registrar must:
- (a) take reasonable steps to ensure the voting platform used in a Board election includes industry-standard confidentiality and data-management conditions to protect voter identity and voting data provided by the College for election purposes; and
 - (b) take reasonable steps to ensure that internal election processes maintain the confidentiality and privacy of voting data, including confidentiality and anonymity of voting choices.

- 2.75 The Registrar must create a list of Registrants eligible to vote at least 14 business days prior to the date the notice of election is delivered.
- 2.76 Unless acclamation for all Board Member positions to be filled has occurred under Bylaw 2.66, the Registrar must, at least 30 days prior to the election date, prepare and deliver to all Registrants eligible to vote in a Board election and who are on the list prepared in Bylaw 2.75 a ballot in electronic format listing all eligible candidates.
- 2.77 The ballot and voting process must account for the maximum Board participation from each Designated Health Profession established in these Bylaws, such that if more candidates from a Designated Health Profession are on the ballot for an open Board position than are allowed under these Bylaws, the voter may only vote for one candidate from that Designated Health Profession.
- 2.78 The Registrar may deliver the election ballot incorporated with or at the same time as the notice of election under Bylaw 2.45.
- 2.79 Each Registrant eligible to vote may vote in favour of one candidate for each Board Member position to be filled in an election, without restriction as to Designated Health Profession of the voter or candidate.
- 2.80 Subject to the restrictions on maximum number of Board members from each Designated Health Profession established in these Bylaws, the candidate who receives the most votes for an Elected Board Member position to be filled in an election is elected to that position.
- 2.81 In the event of a tie vote for a Board position, the Registrar must select the successful candidate by random draw.
- 2.82 If election procedures are interrupted, including delivery of notice of election or ballot, receipt of nominations, or voting period disruption, the Registrar may extend any deadline specified in these Bylaws to accommodate the interruption.
- 2.83 The Registrar must:
- (a) determine any dispute or irregularity with respect to any nomination, ballot, or election;
 - (b) receive and review the election results and communicate the final results to the Board, Registrants, and public in a timely manner; and
 - (c) certify newly-elected Elected Board Members under section 17.1(1) of the Act.

Board Code of Conduct and Board Policies

2.84 The Board must establish and Publish a Board Code of Conduct which must include, without limitation:

- (a) duties and responsibilities of Board Members;
- (b) ethical requirements for Board Members; and
- (c) conflict of interest guidelines.

2.85 The Board may establish Board Policy in relation to its policy governance role.

Ceasing to Hold Office: Elected Board Members

2.86 An Elected Board Member ceases to hold office as a Board Member if the individual at any time during their term:

- (a) ceases to be a Registrant in the registration class corresponding to the Board position to which there were elected;
- (b) meets any of the disqualification criteria in Bylaws 2.50, 2.51, 2.52, or 2.53 except Bylaw 2.50(b);
- (c) is deceased;
- (d) is removed from office under section 17.11(5) of the Act or under Bylaw 2.87; or
- (e) resigns in accordance with these bylaws.

2.87 In addition to the Board's power under section 17.11(5) of the Act, if the Board is satisfied that an Elected Board Member has contravened the Board Code of Conduct, the Board by Special Resolution may do one or more of the following:

- (a) remove the Elected Board Member from one or more Board Meetings;
- (b) censure the Elected Board Member;
- (c) suspend the Elected Board Member from Board duties for a specific period of time; and
- (d) remove the Elected Board Member from office.

2.88 Prior to considering whether to take any decision under Bylaw 2.87, the Board must provide reasonable notice to the Elected Board Member in question and an opportunity to be heard in person or in writing.

Board Vacancy: Elected Board Member

- 2.89 If no one is nominated to fill a vacant Board Member position in a Board election, or if an Elected Board Member ceases to hold office for any reason, the Board may, by Special Resolution, appoint a Registrant who is eligible for that position to fill the vacancy until the end of the term of office of the vacancy.
- 2.90 Subject to section 17.11(1) to (4) of the Act, a Registrant appointed under Bylaw 2.89 assumes the vacant Board position and holds office as an Elected Board Member.

Public Board Member: Recommendation

- 2.91 The Board may, by Special Resolution, recommend to the Minister that a Public Board Member or a Registrant Board Member be removed from office before the expiry of their term of office if the Board is satisfied the Board Member in question has contravened a term of the Board Code of Conduct or the Oath of Office required under section 17.11(1) of the Act.
- 2.92 Prior to meeting to decide whether to recommend removal under Bylaw 2.91, the Board must provide reasonable notice to the individual and an opportunity to be heard in person or in writing.
- 2.93 If a removal recommendation vote passes under Bylaw 2.91:
- (a) the Registrar must notify the Minister in writing of the recommendation within seven days of the decision; and
 - (b) unless removed by the Minister, the individual in question continues to serve as a Board Member without limitation on their duties, power, and obligations under the Act and these Bylaws.

3.0 College Administration

Registrar and Chief Executive Officer

- 3.1 The Registrar:
- (a) has the powers and duties assigned to the position in the Act and these Bylaws;
 - (b) is the Chief Executive Officer of the College; and
 - (c) is responsible for the College's operational and administrative affairs.
- 3.2 The Registrar may designate any College employee or agent to exercise any power or duty of the Registrar as assigned by the Registrar.
- 3.3 An individual designated by the Registrar in Bylaw 3.2 has the same authority as the Registrar when acting on behalf of the Registrar.
- 3.4 The Registrar is authorized to:
- (a) establish forms for the purposes of these Bylaws; and
 - (b) require the use of such forms by Registrants,
- and such forms are considered to be a Bylaw under sections 19(2.1) and 19(2.2) of the Act.

Deputy Registrars

- 3.5 A Deputy Registrar appointed by the Board under section 21(1) of the Act is authorized to perform all duties of the Registrar:
- (a) subject to any direction or limits or conditions from the Registrar; and
 - (b) without limitation, if the Registrar is unable to act or provide direction for any reason.

Fiscal Year

- 3.6 The College's first fiscal year runs from the Amalgamation Date to March 31, 2025.
- 3.7 Thereafter, the fiscal year of the College begins April 1 of each calendar year and ends on March 31 of the following year.

Budget, Reserve Funds and Oversight

- 3.8 The Board must, in each fiscal year:
- (a) approve an operating budget and a capital budget for the College for the fiscal year; and

- (b) set any limits or conditions deemed appropriate on the Registrar's authority to make College financial commitments during the fiscal year.
- 3.9 The Board must establish contingency reserve funds and limits and conditions for disbursements from such funds.
- 3.10 The Board must review financial statements or reports from the Finance and Audit Committee in relation to College finances on a quarterly basis.

Banking, Borrowing Powers and Investments

- 3.11 The Board may:
- (a) establish College accounts with a chartered bank, trust company, or credit union as it deems appropriate; and
 - (b) authorize the Registrar to establish such accounts.
- 3.12 The Board may raise funds, borrow, or guarantee or secure payments on behalf of the College in any manner determined by the Board, in order to carry out College purposes.
- 3.13 The Board may:
- (a) invest College funds in accordance with any Board policies on investment, which must be consistent with sections 15.1 and 15.2 of the *Trustee Act*, RSBC 1996 c. 464; and
 - (b) authorize the Registrar to invest College funds in accordance with this Bylaw.

Legal Counsel

- 3.14 The Registrar may retain legal counsel to assist the Board, the Registrar, a Committee, or Panel on any College matter.
- 3.15 The Board may, by Special Resolution, retain legal counsel to assist the Board on any College matter.

Auditor

- 3.16 The Board must appoint a chartered professional accountant to be the auditor for the College.
- 3.17 The Registrar must:
- (a) deliver the College's financial statements to the auditor within 60 days of the end of each fiscal year; and
 - (b) instruct the auditor to conduct an annual audit of the College's finances.

- 3.18 A copy of the auditor's signed report must be included in the College's annual report under section 18(2) of the Act.
- 3.19 The Board may remove an auditor before expiration of any term of appointment but in such case must, as soon as reasonably possible:
- (a) appoint another auditor for the remainder of the predecessor's appointment, or some other period; and
 - (b) provide written notice to the predecessor auditor of the removal.

Real Property

- 3.20 The Board may only sell, dispose of, mortgage, charge, or encumber any interest the College holds in real property by Special Resolution.

General Meetings

- 3.21 The Board may call a General Meeting of the College to be held:
- (a) in person in British Columbia;
 - (b) by electronic means; or
 - (c) by combination of in person and electronic means,
- and must set a date and time for any meeting called.
- 3.22 If the Board calls a General Meeting, the Registrar must:
- (a) deliver notice of the meeting to every Registrant at least 30 days before the meeting; and
 - (b) provide 30 days' notice of the meeting to the public on the College website.
- 3.23 The notice of meeting required in Bylaw 3.22 must include:
- (a) date and time of the meeting;
 - (b) location of any in-person meeting; and
 - (c) description of the general nature of the business to be conducted at the meeting.
- 3.24 Any failure to deliver notice of a General Meeting to, or the non-receipt of such notice by, a person entitled to receive notice does not invalidate proceedings at the meeting.
- 3.25 Any General Meeting must include reasonable opportunity for Registrants and the public to ask questions about, and provide feedback on, issues relevant to the duties and objects of the College under section 16 of the Act.

3.26 The Board may establish procedural rules or guidelines in relation to General Meetings.

Report to Registrants and Public

3.27 Starting in 2025, the Board must Publish the annual report to the Minister respecting the College required under section 18(2) of the Act by July 31 of each year.

Remuneration

3.28 The Board may establish policies for Board and Committee Members in relation to:

- (a) remuneration; and
- (b) expense reimbursement.

Patient Relations Program

3.29 The Board must oversee development and administration of the College's patient relations program.

3.30 All patient relations standards, policies or criteria of, respectively,

- (a) the CCBC for the Designated Health Profession of Chiropractic,
- (b) the CMTBC for the Designated Health Profession of Massage Therapy,
- (c) the CNPBC for the Designated Health Profession of Naturopathic Medicine; and
- (d) the CTCMA for the Designated Health Professions of Traditional Chinese Medicine and Acupuncture,

that were in effect immediately before the Amalgamation Date:

- i. remain in effect for that Designated Health Profession on and after the Amalgamation Date, unless and until they are amended or repealed, or others are established in their place; and
- ii. for greater certainty, are deemed to have been established by the Board as patient relations standards, policies or criteria of the College.

4.0 Committees & Panels

Committees

- 4.1 The following Committees are established:
- (a) Registration Committee;
 - (b) Inquiry Committee;
 - (c) Discipline Committee;
 - (d) Quality Assurance Committee;
 - (e) Professional Practice and Standards Advisory Committee;
 - (f) Finance and Audit Committee;
 - (g) Governance Committee; and
 - (h) Human Resources Committee.
- 4.2 The Board must establish and Publish terms of reference for each Committee in Bylaw 4.1 consistent with the Act and these Bylaws.
- 4.3 The Board may establish task forces, advisory groups or working groups, or similar entities that are not Committees as the Board considers appropriate.
- 4.4 The Board must establish terms of reference for any entity established under Bylaw 4.3, which must include:
- (a) a term of no more than one year unless extended by the Board; and
 - (b) any requirements related to:
 - (i) composition including without limitation those related to any Registrant and non-registrant appointments;
 - (ii) chair and vice chair requirements;
 - (iii) any minimum and maximum size;
 - (iv) term lengths for members and for chair and vice chair offices;
 - (v) quorum and meeting requirements;
 - (vi) resignation and removal provisions; and
 - (vii) duties, powers, and limits on exercise of powers.

Committee Composition

- 4.5 Each of the following Committees consists of at least 11 members:
- (a) Registration Committee;
 - (b) Inquiry Committee;
 - (c) Discipline Committee;
 - (d) Quality Assurance Committee; and
 - (e) Professional Practice and Standards Advisory Committee.
- 4.6 Each Committee in Bylaw 4.5 must include:
- (a) at least two Registrants from each of the Designated Health Professions in the College; and
 - (b) at least three Public Committee Members.
- 4.7 Registrants in the following classes who are in Good Standing are eligible to be appointed to a Committee:
- (a) Chiropractic: Full;
 - (b) Chiropractic: Non-Practising;
 - (c) Massage Therapy: Practising;
 - (d) Naturopathic Medicine: Full; and
 - (e) Traditional Chinese Medicine and Acupuncture: Full.
- 4.8 Board Members are not eligible for appointment to any Committee in Bylaw 4.5 while sitting on the Board.
- 4.9 Each of the following Committees consists of at least three and no more than five members:
- (a) Finance and Audit Committee;
 - (b) Governance Committee; and
 - (c) Human Resources Committee.
- 4.10 Each Committee in Bylaw 4.9 must include:
- (a) at least one Public Board Member; and
 - (b) at least one Registrant Board Member or Elected Board Member, and may include Registrants and Public Committee Members.

4.11 The Finance and Audit Committee must include at least one member with a Chartered Professional Accounting (CPA) designation.

Committee Appointment and Term

4.12 Subject to Bylaw 4.13, all Committee Members must be appointed by the Board.

4.13 The Registrar is a member of the Professional Practice and Standards Advisory Committee whose membership is not subject to a term limit.

4.14 The Board must establish a Committee composition matrix to assist in assessing the needs of Committees leading to appointments.

4.15 Unless otherwise specified by the Board, the term of office for all Committee Members is three years.

4.16 Committee Members are eligible for reappointment to Committees to a maximum of six consecutive years.

4.17 For each Committee, a person who completes six consecutive years of service as a Committee Member is ineligible for reappointment to the same Committee until three years have elapsed since the end of service.

4.18 Service on any committee of a Former College does not count towards the limit established in Bylaw 4.16.

4.19 Subject to Bylaw 4.20, a person may be appointed to more than one Committee concurrently if otherwise eligible for such appointment.

4.20 A person may not be a member of the Discipline Committee and the Inquiry Committee.

Committee Member Resignation and Removal

4.21 A person who:

- (a) resigns from office as a Committee Member under Bylaw 4.22; or
- (b) is removed from office as a Committee Member under Bylaw 4.24,

is ineligible for reappointment to the same Committee until three years have elapsed from the date of resignation or removal.

4.22 A person may resign from office as a Committee Member at any time before the expiry of their term of office by delivering written notice to the Registrar.

- 4.23 A notice of resignation under Bylaw 4.22 is effective:
- (a) on the date specified in the notice, unless withdrawn in writing by the person before such date; or
 - (b) upon receipt by the Registrar if no effective resignation date is indicated.
- 4.24 The Board may by Special Resolution:
- (a) remove a person from the office of chair or vice chair on a Committee or chair of a Panel;
 - (b) remove any Committee Member or Panel member from office; and
 - (c) appoint a replacement for any person removed under this Bylaw.

Committee Chair and Vice-Chair

- 4.25 Subject to Bylaw 4.26, the Board must designate a chair and at least one vice-chair for each Committee from among Committee Members.
- 4.26 The Registrar must designate a chair, which may be the Registrar, and at least one vice-chair for the Professional Practice and Professional Standards Advisory Committee.
- 4.27 For each Committee, the chair must:
- (a) preside at all meetings of the Committee; and
 - (b) act in accordance with the requirements and duties of the office of chair of the Committee in support of the proper exercise and performance of the Committee's powers and duties.
- 4.28 If a Committee chair is absent or unable to act, a vice-chair of the Committee may exercise the powers and must perform the duties of the office of the chair.
- 4.29 Except for the chair and vice-chair(s) of the Professional Practice and Standards Committee appointed under Bylaw 4.26, the term of office for all chairs and vice chairs is one year, renewable by the Board.

Committee Panels

- 4.30 The following Committees may meet in Panels, subject to specific requirements in these Bylaws:
- (a) Registration Committee;
 - (b) Inquiry Committee;

- (c) Discipline Committee;
 - (d) Quality Assurance Committee; and
 - (e) Professional Practice and Standards Advisory Committee.
- 4.31 To establish a Panel of a Committee, the chair of the Committee must:
- (a) appoint Committee Members to the Panel; and
 - (b) from the Committee Members appointed to the Panel, name a chair of the Panel.
- 4.32 All Panels must be comprised of at least three Committee Members and include at least one Public Committee Member.
- 4.33 All Panels of the Registration Committee, Inquiry Committee, Quality Assurance Committee or Discipline Committee must, if an issue, decision, or exercise of power or duty of the Committee relates to a particular Registrant, include at least one Committee Member who is a Registrant from the same Designated Health Profession of the Registrant to whom the matter relates.
- 4.34 All Panels of the Registration Committee, Quality Assurance Committee or Professional Practice and Standards Advisory Committee must, if in the Committee chair's opinion a matter requires profession-specific expertise, include at least one Registrant from the Designated Health Profession(s) connected with or affected by the matter at issue.

Committee and Panel Meetings: Quorum

- 4.35 A majority of Committee Members constitutes quorum for meetings of the following Committees, as long as at least one-third of the members in attendance are Public Committee Members:
- (a) Registration Committee;
 - (b) Inquiry Committee; and
 - (c) Discipline Committee.
- 4.36 A majority of Committee Members constitutes quorum for meetings of the following Committees, as long as at least one member in attendance is a Public Committee Member:
- (a) Quality Assurance Committee; and
 - (b) Professional Practice and Standards Advisory Committee.
- 4.37 A majority of Committee Members constitutes quorum for meetings of the following Committees, as long as at least one member in attendance is a Public Board Member:

- (a) Finance and Audit Committee;
- (b) Governance Committee; and
- (c) Human Resources Committee.

4.38 A quorum for a meeting of any Panel consists of:

- (a) all Panel members if the Panel has three members; and
- (b) three-quarters of Panel members if the Panel has four members or more, including at least one Public Committee Member.

Committee and Panel Meetings: Procedure

4.39 Committee and Panel decisions are made by majority vote.

4.40 A Committee or Panel may make a decision by email:

- (a) in the case of a Committee, by majority vote if quorum requirements are met; and
- (b) in the case of a Panel, by unanimous vote.

4.41 Each member of a Committee or Panel has one vote.

4.42 Committee and Panel meetings may be held in person, by telephone, by videoconference or in a hybrid manner.

4.43 Subject to section 38(3) of the Act, and subject to the authority of a Committee or Panel to invite any person to attend all or part of a meeting, all meetings of Committees and Panels are closed to Registrants and the public.

4.44 The chair of a Committee or Panel must ensure that minutes are taken at each meeting of the Committee or Panel and retained on file.

4.45 The Board may establish or adopt procedures, policies, guidelines, or rules, consistent with the Act and Bylaws, to govern the activities of and procedures to be followed by Committees.

Committee Powers and Duties: General

4.46 A Panel may exercise any power and perform any duty of the Committee under the Act and Bylaws, subject to any procedures, policies, guidelines, or rules established by the Board.

4.47 In addition to the powers and duties set out in the Act and Bylaws, the Board may assign additional duties to Committees and Panels and require scheduled reporting to the Board from time to time on any matter.

4.48 Committees, task forces, advisory groups, working groups, or similar entities established by the Board under Bylaws 4.1 and 4.3 have the duties and powers established by the Board in their terms of reference.

Committee Powers and Duties: Registration Committee

4.49 In addition to the duties and powers of the Registration Committee set out in the Act and Part 6 [*Registration*] of these Bylaws, the Registration Committee must:

- (a) approve any Examinations required under section 20(4.3)(b) of the Act or Part 6 of these Bylaws; and
- (b) review, assess, and make any recommendations to the Board it deems necessary in relation to requirements for registration and certification under these Bylaws; and
- (c) at least every two years, review and assess the Committee's terms of reference and make any recommendations to the Board deemed appropriate.

Committee Powers and Duties: Inquiry Committee

4.50 In addition to the duties and powers of the Inquiry Committee set out in the Act and Part 11 [*Inspections, Investigations, and Discipline*] of these Bylaws, the Inquiry Committee must at least every two years, review and assess the Committee's terms of reference and make any recommendations to the Board deemed appropriate.

Committee Powers and Duties: Discipline Committee

4.51 In addition to the duties and powers of the Discipline Committee set out in the Act and Part 11 [*Inspections, Investigations, and Discipline*] and Part 12 [*Health Profession Corporations*] of these Bylaws, the Discipline Committee must at least every two years, review and assess the Committee's terms of reference and make any recommendations to the Board deemed appropriate.

Committee Powers and Duties: Quality Assurance Committee

4.52 In addition to the duties and powers of the Quality Assurance Committee under Part 3 of the Act, the Committee is responsible for:

- (a) overseeing the establishment, administration and maintenance of the Quality Assurance Program described in Part 10 [*Quality Assurance*] of these Bylaws; and
- (b) at least every two years, reviewing and assessing the Committee's terms of reference and making any recommendations to the Board deemed appropriate.

Committee Powers and Duties: Professional Practice and Standards Advisory Committee

4.53 The Professional Practice and Standards Advisory Committee:

- (a) must advise the Registrar or the Board, upon request, in relation to:
 - (i) the development, review, and recommendation of standards, limits, and conditions for the practice of a Designated Health Profession, including without limitation standards, limits, and conditions regarding any service or restricted activity identified by regulation;
 - (ii) the development or modification of Standards of Practice, Standards of Professional Ethics, and practice guidance for any Registrant classes; and
 - (iii) the development or modification of standards of practice or ethics in relation to Indigenous reconciliation and Indigenous patient care; and
- (b) must, at least every two years, review and assess the Committee's terms of reference and make any recommendations to the Board deemed appropriate.

Committee Powers and Duties: Finance and Audit Committee

4.54 The Finance and Audit Committee must:

- (a) advise the Board in relation to:
 - (i) the needs of the College in regard to financial administration and the financial implications of Board decisions;
 - (ii) enabling the availability of sufficient resources to promote anti-racism and to support eradicating Indigenous-specific racism in the health care system, and to integrate cultural safety and humility into the College's practices, through financial policies and budgetary matters;
 - (iii) financial and audit risk management issues;
 - (iv) the application of legislative, regulatory and other College financial requirements; and
 - (v) financial and budgetary policies;
- (b) ensure the College has an adequate risk management framework;
- (c) support the Registrar in relation to the development and review of operational and capital budgets;
- (d) make budget and capital expenditure recommendations to the Board;
- (e) make recommendations to the Board in relation to annual Fees for Registrants and Fees generally;

- (f) oversee and report to the Board in relation to College investments;
- (g) recommend Board Policies essential to the College's financial administration;
- (h) review and report to the Board on any financial or audit matter referred to it by the Board;
- (i) serve as a Board resource on matters pertaining to College financial administration, financial risk management and audit; and
- (j) at least every two years, review and assess the Committee's terms of reference and make any recommendations to the Board deemed appropriate.

Committee Powers and Duties: Governance Committee

4.55 The Governance Committee must:

- (a) Review and recommend competencies that are necessary or desirable for persons to be:
 - (i) elected to the Board or to Board Chair or Board Vice Chair positions; or
 - (ii) appointed to Committees, working groups, task forces and related entities and as chair or vice chair of such entities;
- (b) identify any Board composition or competency gaps and make recommendations to the Board, Nomination Advisory Group and Registrar in relation to any nomination for Board election, including communications seeking nominees;
- (c) review and make recommendations to ensure the College's governance framework and practices advance anti-racism, support the eradication of Indigenous-specific racism in the healthcare system, and integrate cultural safety and humility into the College's practices;
- (d) oversee and report to the Board on Board, Board Member, Committee, and Committee Member evaluations;
- (e) oversee and make Board recommendations in relation to Committee appointments;
- (f) oversee and report to the Board in relation to Board Member orientation and education;
- (g) review and provide Board recommendations in relation to any Board Policy and governance documentation not referred by the Board to another Committee;
- (h) advise the Board in relation to governance issues including governance risk management issues; and
- (i) at least every two years, review and assess the Committee's terms of reference and make any recommendations to the Board deemed appropriate.

Committee Powers and Duties: Human Resources Committee

4.56 The Human Resources Committee must:

- (a) oversee and report to the Board in relation to:
 - (i) Registrar and CEO performance reviews;
 - (ii) Registrar and CEO compensation reviews;
 - (iii) emergency and long-term Registrar and CEO succession planning; and
 - (iv) the overall compensation framework and philosophy of the College;
- (b) make recommendations to the Board in relation to strategic human relations policies and human relations risk management;
- (c) advise the Board in relation to alignment of College human resource policies and practices with regard to:
 - (i) diversity, equity, and inclusion principles; and
 - (ii) advancing anti-racism, and supporting the eradication of Indigenous-specific racism in the healthcare system, and integrating cultural safety and humility into the College's practices; and
- (d) at least every two years, review and assess the Committee's terms of reference and make any recommendations to the Board deemed appropriate.

Powers and Duties in Progress on Amalgamation Date

4.57 For Bylaws 4.58 – 4.59, “Committees” and “Officer” have the same meanings as in Part 2.01 in the Act.

4.58 For the purposes of section 25.06(4) of the Act, the following Committees and Officers are authorized to continue to exercise powers and perform duties that they began to exercise or perform, but did not complete, prior to the Amalgamation Date:

- (a) the registration committees for:
 - (i) College of Chiropractors of British Columbia;
 - (ii) College of Massage Therapists of British Columbia;
 - (iii) College of Naturopathic Physicians of British Columbia; and
 - (iv) College of Traditional Chinese Medicine Practitioners and Acupuncturists of British Columbia;
- (b) the inquiry committees for:

- (i) College of Chiropractors of British Columbia;
 - (ii) College of Massage Therapists of British Columbia;
 - (iii) College of Naturopathic Physicians of British Columbia; and
 - (iv) College of Traditional Chinese Medicine Practitioners and Acupuncturists of British Columbia;
- (c) the quality assurance committees for:
- (i) College of Chiropractors of British Columbia;
 - (ii) College of Massage Therapists of British Columbia;
 - (iii) College of Naturopathic Physicians of British Columbia; and
 - (iv) College of Traditional Chinese Medicine Practitioners and Acupuncturists of British Columbia;
- (d) an inspector appointed under section 27 of the Act for:
- (i) College of Chiropractors of British Columbia;
 - (ii) College of Massage Therapists of British Columbia;
 - (iii) College of Naturopathic Physicians of British Columbia; and
 - (iv) College of Traditional Chinese Medicine Practitioners and Acupuncturists of British Columbia; and
- (e) an assessor appointed under section 26.1 of the Act for:
- (i) College of Chiropractors of British Columbia;
 - (ii) College of Massage Therapists of British Columbia;
 - (iii) College of Naturopathic Physicians of British Columbia; and
 - (iv) College of Traditional Chinese Medicine Practitioners and Acupuncturists of British Columbia.

4.59 The exercise of a power or performance of a duty by a Committee or Officer under Bylaw 4.58 is subject to any limits or conditions imposed or directions given by the Committee or a Panel of that Committee by the applicable Former College for the purpose of facilitating completion of the exercise of the power or performance of the duty.

5.0 College Records

Application to Former Colleges' Information and Records

- 5.1 For greater certainty, this Part applies to information obtained and records generated by any of the Former Colleges prior to the Amalgamation Date and which have passed to the College as part of the amalgamation.

Administration of the Freedom of Information and Protection of Privacy Act

- 5.2 The Registrar is the “head” of the College for the purposes of the *Freedom of Information and Protection of Privacy Act*, RSBC 1996, c. 165.
- 5.3 The Registrar may authorize a Deputy Registrar or any other person to exercise any power or perform any duty of the “head” under the *Freedom of Information and Protection of Privacy Act*.
- 5.4 The Registrar must report annually to the Board regarding the steps the College has taken to fulfil its duties under the *Freedom of Information and Protection of Privacy Act*.

Access Request Fees

- 5.5 Subject to section 75 of the *Freedom of Information and Protection of Privacy Act*, the Registrar may require a person who requests access to a College record pursuant to the *Freedom of Information and Protection of Privacy Act* to pay the applicable fees set out in the “Schedule of Maximum Fees” established in the *Freedom of Information and Protection of Privacy Regulation*, B.C. Reg. 155/2012.

Protection of Personal Information

- 5.6 The Registrar must take reasonable measures to ensure that the collection, use, and disclosure of Personal Information by the College complies with the Act, these Bylaws, and the *Freedom of Information and Protection of Privacy Act*.
- 5.7 Before sending Personal Information to any person or service provider for processing, storage or destruction, the Registrar must take reasonable measures to confirm that the person or service provider will maintain the confidentiality of that Personal Information.

Additional Information Required on the Register

- 5.8 For every Former Registrant, the following information must be entered and maintained in the Register for the purpose of section 21(2)(f) of the Act:
- (a) a statement that the person is or is not authorized to practise the Designated Health Profession(s) corresponding to their most recent registration;
 - (b) the date on which the person was first granted registration, including, as applicable, the date of first registration in a Former College;
 - (c) a notation of any certified practice designation granted or cancelled under Part 6 of these Bylaws, or the equivalent provisions of the bylaws of a Former College, and the periods for which it is or was valid;
 - (d) a notation of any unresolved Citation under section 37 of the Act that names the person as a Respondent; and
 - (e) a notation of any review or appeal underway under section 20(4.1), 33(3), 35(5) or 40 of the Act respecting the person, until the final disposition of the review or appeal.
- 5.9 For every Registrant, the following information must be entered and maintained in the Register for the purpose of section 21(2)(f) of the Act:
- (a) all of the information set out in Bylaw 5.8;
 - (b) if the person's business address and business telephone number are that of an employer(s) of the person, the name of the employer(s);
 - (c) a notation of the name of any Health Profession Corporation in which the Registrant is a Designated Registrant, Director, Officer, or Shareholder; and
 - (d) any limit or condition on, or suspension of, the Registrant's practice of a Designated Health Profession, including any limit, condition, or suspension arising as a result of a voluntary undertaking.

Registrar Authority

- 5.10 The Registrar is authorized to act for the purposes of section 22(3) of the Act.
- 5.11 In accordance with section 22(2) of the Act, the Registrar may refuse to grant a person access to a Registrant's business address contained in the Register if the business address is the Registrant's primary residence.

Access to the Register

5.12 The Registrar may make some or all of the information contained in the Register available on the College website.

Retention of Records

5.13 The Registrar must ensure that College records are retained in accordance with any relevant Board Policy.

Disclosure of Registration Status

5.14 If the College receives an inquiry about the registration status of a person, the Registrar:

- (a) must disclose whether the person is a Registrant or a Former Registrant, including a Former Registrant of a Former College;
- (b) must disclose the details of any action taken against the person which attracted public notification under section 39.3 of the Act;
- (c) may disclose:
 - (i) if the person is or was entitled to practice the practice the Designated Health Profession of Chiropractic, whether the person has ever given an undertaking or consented to a reprimand under section 36 of the Act with respect to the Designated Health Profession of Chiropractic and the details of that undertaking or reprimand; and
 - (ii) if the person is or was entitled to practice the Designated Health Professions of Traditional Chinese Medicine and Acupuncture or Naturopathic Medicine, whether the person has ever signed a consent order under section 36 of the Act with respect to the applicable Designated Health Profession, and if so, the details of the consent order if it pertains to a change in the person's registration status or a restriction on practice;
- (d) may disclose any other information respecting the person that is set out in the Register as of the date the inquiry is made, unless access to that information is refused under section 22(2) of the Act; and
- (e) must not release information which might reasonably enable a person to identify:
 - (i) a Complainant, patient or client; or
 - (ii) another person, other than the Registrant or Former Registrant, affected by the matter, except with the consent of the Complainant, patient, client or other person.

Disclosure of Information About Health Profession Corporations

- 5.15 If the College receives an inquiry about a Health Profession Corporation, the Registrar may disclose:
- (a) the legal name of the Health Profession Corporation;
 - (b) the names of all shareholders, including any Holding Companies;
 - (c) the names of all directors; and
 - (d) the name and contact information of the Designated Registrant.

Disclosure of Complaints and Investigations

- 5.16 Bylaws 5.17 and 5.18 apply to information and records that form part of the assessment or investigation of:
- (a) a complaint under section 32 of the Act;
 - (b) a report under section 32.2 to 32.4 of the Act; or
 - (c) a matter under section 33(2) or 33(4) of the Act.
- 5.17 The Registrar may do any of the following in respect of information or a record to which this Bylaw applies:
- (a) disclose the information or record to any person or body or the public, with the consent of the Registrant or Former Registrant who is the subject of the complaint, report or matter;
 - (b) disclose the information or record to:
 - (i) another college under the Act; or
 - (ii) any other entity, in British Columbia, another province or a foreign jurisdiction, that regulates a health profession;
 - (c) if the complaint, report or matter has become known to the public, disclose to any person or the public:
 - (i) the existence of the assessment or investigation;
 - (ii) a general description of the nature of the complaint, report or matter;
 - (iii) the status of the complaint, report or matter, including, if it is closed, the general basis on which it was closed; and
 - (iv) any additional information necessary to correct material inaccuracies in information that has become known to the public; and

- (d) if a Registrant has given to the Registrar or the Inquiry Committee an undertaking by which the Registrant agrees to a limit or condition on, or a suspension of, the Registrant's practice of a Designated Health Profession during an assessment or investigation or pending a hearing of the Discipline Committee, disclose to any person or the public the fact that the undertaking has been given and its effect on the Registrant's practice.

5.18 If the Inquiry Committee reasonably believes that information or a record to which might be evidence of an offence under the laws of any jurisdiction, the Inquiry Committee may direct the Registrar to disclose the information or record to an appropriate law enforcement agency.

Disclosure of Citations

5.19 Once a Citation has been delivered to the Respondent in accordance with section 37(2) of the Act, the Registrar may disclose the Citation to the public and its status including without limitation whether it has been cancelled or dismissed.

5.20 At least 14 days before the date set for the hearing of a Citation, the Registrar must Publish the Citation accompanied by a notice to the public including:

- (a) the date the Citation was issued;
- (b) the name of the Respondent;
- (c) a basic description of the nature of the matter which is to be the subject of the hearing;
- (d) the date, time and place of the hearing; and
- (e) how a member of the public may attend the hearing, unless an order has been made under section 38(3) of the Act.

5.21 In acting under Bylaws 5.19 and 5.20, the Registrar must not disclose the names or personal health information of Complainants, clients, patients, witnesses, or their families, or information which might otherwise enable the identity of such persons to be established, except with the consent of the person affected.

Additional Notification Where Section 39.3(1) of the Act Applies

5.22 In addition to any notification required under section 39.3 of the Act, the Registrar may notify:

- (a) any entity in any other jurisdiction that regulates the Designated Health Profession of a Registrant or a Health Profession Corporation respecting which the action was taken;
- (b) any other entity, in British Columbia, or any other jurisdiction, that regulates a health profession; or
- (c) any other person who the Registrar reasonably believes may have an interest in the matter.

5.23 Notification provided under Bylaw 5.22:

- (a) must include all information included in the public notification made under section 39.3 of the Act; and
- (b) unless otherwise directed by the Inquiry Committee or the Discipline Committee, may include information that is not otherwise releasable to the public under these Bylaws or that has been withheld from the public notification under section 39.3(3) or 39.3(4) of the Act.

Disclosure of Unauthorized Practice

5.24 The Registrar may Publish or otherwise disclose information related to the unauthorized practice of a Designated Health Profession in British Columbia contrary to section 13 of the Act where:

- (a) the Registrar reasonably believes that unauthorized practice is ongoing and may present a risk to the public;
- (b) a person has signed an undertaking or other document committing not to engage in unauthorized practice; or
- (c) a court order has been issued with respect to the matter.

5.25 The Registrar may Publish or otherwise disclose information related to the unauthorized use of a reserved title in British Columbia contrary to section 12.1 of the Act where:

- (a) the Registrar reasonably believes that unauthorized use of a reserved title is ongoing and may lead to public confusion;
- (b) a person has signed an undertaking or other document committing not to engage in the unauthorized use of a reserved title; or
- (c) a court order has been issued with respect to the matter.

Disposal of Records Containing Personal Information

5.26 The Registrar must take reasonable steps to ensure that a College record containing Personal Information is disposed of only by:

- (a) effectively destroying a physical record by utilizing a shredder or complete burning;
- (b) erasing information recorded or stored by any electronic method in a manner that reasonably prevents the information from being reconstructed;
- (c) transferring the record to the person to whom the information pertains; or
- (d) transferring the record to the Registrant who compiled the information.

Disclosure of Aggregate Data

- 5.27 The College may compile and disclose to the Ministry of Health, Registrants, other interested stakeholders, or the public aggregate information from the College's records if the Registrar considers that such compilation, usage, or disclosure would advance the College's duties and objects under section 16 of the Act.
- 5.28 Aggregate information disclosed under Bylaw 5.27 must not include personally identifiable information concerning any individual Registrant or other identifiable individual.

DRAFT

6.0 Registration

Classes of Registrants

- 6.1 The following classes of Registrants are established for the Designated Health Profession of Chiropractic:
- (a) Chiropractic: Full;
 - (b) Chiropractic: Student;
 - (c) Chiropractic: Non-Practising; and
 - (d) Chiropractic: Temporary.
- 6.2 The following classes of Registrants are established for the Designated Health Profession of Massage Therapy:
- (a) Massage Therapy: Practising; and
 - (b) Massage Therapy: Non-Practising.
- 6.3 The following classes of Registrants are established for the Designated Health Profession of Naturopathic Medicine:
- (a) Naturopathic Medicine: Full;
 - (b) Naturopathic Medicine: Temporary;
 - (c) Naturopathic Medicine: Student; and
 - (d) Naturopathic Medicine: Non-Practising.
- 6.4 The following classes of Registrants are established for the Designated Health Profession of Traditional Chinese Medicine and Acupuncture:
- (a) Traditional Chinese Medicine and Acupuncture: Full;
 - (b) Traditional Chinese Medicine and Acupuncture: Limited;
 - (c) Traditional Chinese Medicine and Acupuncture: Temporary;
 - (d) Traditional Chinese Medicine and Acupuncture: Student; and
 - (e) Traditional Chinese Medicine and Acupuncture: Non-Practising.

Status of Registrant Classes upon Amalgamation

- 6.5 For the purposes of sections 25.07(1)(a) and 25.07(3)(a) of the Act, a person who, as of the Amalgamation Date, was a registrant of a Former College in a Former Class of Registration is

deemed on the Amalgamation Date to be a Registrant of the College in the applicable Current Class of Registration set out in Schedule 6.

Registration Applications

- 6.6 Every Applicant must:
- (a) deliver an application to the Registrar in the form and manner specified by the Registrar for the Registrant class in which the person is seeking registration; and
 - (b) make payment of the Fee required as set out in Schedule 1, including any Fees for Examinations.

Registration Requirements: General

- 6.7 For the purposes of these Bylaws and Section 20(2) of the Act:
- (a) the conditions and requirements for registration, renewal, reinstatement, Examinations, and professional liability insurance for all Designated Health Professions are prescribed in Schedules 2 through 5; and
 - (b) every Registrant or Applicant must satisfy all applicable requirements as set out in the Schedule applying to the Designated Health Profession for such class.

Registration Requirements by Designated Health Profession

Chiropractic

- 6.8 The conditions and requirements for registration for all classes in the Designated Health Profession of Chiropractic are prescribed in Schedule 2.

Massage Therapy

- 6.9 The conditions and requirements for registration for all classes in the Designated Health Profession of Massage Therapy are prescribed in Schedule 3.

Naturopathic Medicine

- 6.10 The conditions and requirements for registration for all classes in the Designated Health Profession of Naturopathic Medicine are prescribed in Schedule 4.

Traditional Chinese Medicine and Acupuncture

- 6.11 The conditions and requirements for registration for all classes in the Designated Health Profession of Traditional Chinese Medicine and Acupuncture are prescribed in Schedule 5.

- 6.12 Unless otherwise addressed in these Bylaws, all matters related to Examinations are prescribed:
- (a) in Schedule 2, for the Designated Health Profession of Chiropractic;
 - (b) in Schedule 3, for the Designated Health Profession of Massage Therapy;
 - (c) in Schedule 4, for the Designated Health Profession of Naturopathic Medicine; and
 - (d) in Schedule 5, for the Designated Health Profession of Traditional Chinese Medicine and Acupuncture.

Publication of Registration Requirements

- 6.13 The Registrar must maintain and Publish information for each Registrant class setting out:
- (a) the forms and information required under these Bylaws to be completed or included with a registration, renewal, or reinstatement application;
 - (b) the Fees for application, Examination, registration, renewal, or reinstatement payable under these Bylaws; and
 - (c) the manner of delivery of applications to the Registrar for registration, renewal, or reinstatement as required in Bylaw 6.6.

Confirmation of Registration

- 6.14 Subject to Bylaw 6.17, the Registrar must enable Registrants to obtain a Confirmation of Registration.
- 6.15 For the purposes of confirming registration status to third parties, including any requirements related to such status in these Bylaws, Registrants may obtain and use their Confirmation of Registration.
- 6.16 A Confirmation of Registration must specify:
- (a) the class in which the Registrant has been granted registration;
 - (b) the expiration date of registration; and
 - (c) any limits and conditions that:
 - (i) apply to Registrants of that class in the practice of their Designated Health Profession; or
 - (ii) were imposed on the Registrant's practice under section 20(2.1) or (3) of the Act.

- 6.17 For all purposes related to Confirmation of Registration requirements in these Bylaws, the Registrar may deem:
- (a) any certificate of registration or similar record issued by a Former College; or
 - (b) any other record produced by the College to confirm a Registrant's registration status, as equivalent to a Confirmation of Registration for that Registrant.
- 6.18 Any requirements related to the display, posting, or return to the College of a Confirmation of Registration or equivalent record as described in Bylaw 6.17 for any class of Registrants are prescribed in Schedules 8 - 11.

Registration Renewal

- 6.19 The conditions and requirements for renewal of registration for any class of Registrants for any Designated Health Profession are prescribed:
- (a) in Schedule 2, for the Designated Health Profession of Chiropractic;
 - (b) in Schedule 3, for the Designated Health Profession of Massage Therapy;
 - (c) in Schedule 4, for the Designated Health Profession of Naturopathic Medicine; and
 - (d) in Schedule 5, for the Designated Health Profession of Traditional Chinese Medicine and Acupuncture.

Registration Reinstatement

- 6.20 The conditions and requirements for reinstatement of registration for any class of Registrants for any Designated Health Profession are prescribed:
- (a) in Schedule 2, for the Designated Health Profession of Chiropractic;
 - (b) in Schedule 3, for the Designated Health Profession of Massage Therapy;
 - (c) in Schedule 4, for the Designated Health Profession of Naturopathic Medicine; and
 - (d) in Schedule 5, for the Designated Health Profession of Traditional Chinese Medicine and Acupuncture.

Professional Liability Insurance

- 6.21 All matters relating to professional liability insurance requirements, including without limitation obtaining, maintaining, and providing proof of coverage, for any class of Registrants for any Designated Health Profession are prescribed:
- (a) in Schedule 2, for the Designated Health Profession of Chiropractic;

- (b) in Schedule 3, for the Designated Health Profession of Massage Therapy;
- (c) in Schedule 4, for the Designated Health Profession of Naturopathic Medicine; and
- (d) in Schedule 5, for the Designated Health Profession of Traditional Chinese Medicine and Acupuncture.

Status of Applications Upon Amalgamation

6.22 For the purposes of sections 25.07(2) and 25.07(3)(b) of the Act, a person who, before the Amalgamation Date, applied for registration with a Former College in a Former Class of Registration but whose application, as of the Amalgamation Date, had not been granted or refused is deemed to have applied to the College for registration in the applicable Current Class of Registration set out in Schedule 6.

Examinations and Registration Committee and Registrar Policies in Effect on Amalgamation

- 6.23 All examinations, policies, and criteria related to registration of registrants established by a registration committee, board, or registrar for each of the Former Colleges that were in effect immediately before the Amalgamation Date:
- (a) remain in effect for the Designated Health Profession(s) regulated by each of the Former Colleges on and after the Amalgamation Date, unless and until amended or repealed, or others established in their place including through these Bylaws; and
 - (b) for greater certainty, are deemed to have been validly established by the Board, Registration Committee, or Registrar of the College, as the case may be.

Multi-Jurisdictional Registration

- 6.24 The Board may enter into agreements with health profession regulators in other Canadian jurisdictions, consistent with applicable law and these Bylaws, to facilitate Multi-Jurisdictional Registration for any Designated Health Profession.
- 6.25 The College may establish, by Bylaw, Registrant classes to enable Multi-Jurisdictional Registration in any Designated Health Profession.
- 6.26 Consistent with the requirements of the Act, Bylaws established in relation to Multi-Jurisdictional classes may differ as between other classes within a Designated Health Profession and as between Designated Health Professions.

7.0 Titles

Use of Titles by Designated Health Profession

Chiropractic

- 7.1 Registrants in the Designated Health Profession of Chiropractic may use the title or titles corresponding to their Registrant class below:
- (a) Chiropractic: Full Registrants may use “chiropractor” and “doctor” alone or in conjunction with the terms “regulated”, “registered”, “licensed” and “certified”, or an abbreviation of one of those terms;
 - (b) Chiropractic: Student may use “chiropractor” and “doctor”, alone or in conjunction with the terms “regulated”, “registered”, “licensed”, and “certified, or an abbreviation of one of those terms, but only in conjunction with the term “student”;
 - (c) Chiropractic: Non-Practising may use the titles “chiropractor” and “doctor” as well as the terms “regulated”, “registered”, “licensed” and “certified”, or an abbreviation of one of those terms, but only in conjunction with the term “non-practising”; and
 - (d) Chiropractic: Temporary may use “chiropractor” and “doctor” alone or in conjunction with the terms “regulated”, “registered”, “licensed” and “certified”, or an abbreviation of one of those terms.

Massage Therapy

- 7.2 Profession of Massage Therapy may use the title or titles corresponding to their Registrant class below:
- (a) Massage Therapy: Practising Registrants may use “massage therapist” and “massage practitioner” alone or in conjunction with the term “registered”; and
 - (b) Massage Therapy: Non-Practising Registrants may use “massage therapist” and “massage practitioner” alone or in conjunction with the term “registered”, but only if a title used is immediately followed by “non-practising”.

Naturopathic Medicine

- 7.3 Registrants in the Designated Health Profession of Naturopathic Medicine may use the title or titles corresponding to their Registrant class below:
- (a) Naturopathic Medicine: Full Registrants may use “naturopath”, “naturopathic physician”, “naturopathic doctor”, or the abbreviation ND alone or in conjunction with the terms “registered” or “licensed”;

- (b) Naturopathic Medicine: Temporary Registrants may use “naturopath”, “naturopathic physician”, and “naturopathic doctor”, or the abbreviation ND, alone or in conjunction with the terms “registered” or “licensed”, but only in conjunction with the term “temporary”;
- (c) Naturopathic Medicine: Student Registrants may use “naturopathic medical student”; and
- (d) Naturopathic Medicine: Non-Practising Registrants may use “naturopath”, “naturopathic physician”, and “naturopathic doctor”, or the abbreviation ND, alone or in conjunction with the term “registered” or “licensed” but only in conjunction with the term “non-practising”.

Traditional Chinese Medicine and Acupuncture

- 7.4 Registrants in the Designated Health Profession of Traditional Chinese Medicine and Acupuncture may use the title or titles corresponding to their Registrant class below:
- (a) Traditional Chinese Medicine and Acupuncture: Full Registrants may use “doctor”, “doctor of traditional Chinese medicine”, “traditional Chinese medicine herbalist”, “traditional Chinese medicine practitioner” and “acupuncturist”, alone or in conjunction with the term “registered”, and the abbreviations "R.Ac.", "R.TCM.H.", “R.TCM.P.”, and “Dr. TCM”; and
 - (b) Traditional Chinese Medicine and Acupuncture: Limited Registrants may use “doctor”, “doctor of traditional Chinese medicine”, “traditional Chinese medicine herbalist”, “traditional Chinese medicine practitioner” and “acupuncturist”, alone or in conjunction with the term “registered” and the abbreviations "R.Ac.", "R.TCM.H.", “R.TCM.P.”, and “Dr. TCM.”, but only if a use of title is followed by the term "Limited”.
- 7.5 Unless expressly authorized in these Bylaws, or by Regulation, Registrants are not permitted to:
- (a) use a title referenced in this Part;
 - (b) use a similar title, abbreviation, or derivative of a title referenced in this Part; or
 - (c) use any other titles, abbreviations or derivatives.
- 7.6 A Registrant entitled to use an academic or educational designation that is identical or similar to any title in these Bylaws may do so if such use conforms with any standards, limits or conditions applicable to the person’s Registrant class.
- 7.7 Registrants must not use the term “specialist” or any similar designation, reference, or abbreviation that suggests specialized status, accreditation, or practice.

8.0 Certified Practice

Certified Practice

- 8.1 All matters related to the certified practice of the Designated Health Profession of Naturopathic Medicine are prescribed in Schedule 7.
- 8.2 Registrants who are not authorized to practise in a certified practice must not perform the activities specified as part of a certified practice or hold themselves out as being authorized to do so, including use of the term “certified” or similar designation, reference or abbreviation.

Certified Practice Upon Amalgamation

- 8.3 A Registrant who held a certification in specified aspects of practice issued by the College of Naturopathic Physicians of British Columbia as of the Amalgamation Date is deemed to continue to hold that certification on the Amalgamation Date as it had been issued by the Registrar in accordance with Schedule 7.

9.0 Professional Responsibilities

Standards of Practice and Standards of Professional Ethics

- 9.1 All Standards of Practice and all Standards of Professional Ethics of, respectively,
- (a) the CCBC for the Designated Health Profession of Chiropractic;
 - (b) the CMTBC for the Designated Health Profession of Massage Therapy;
 - (c) the CNPBC for the Designated Health Profession of Naturopathic Medicine; and
 - (d) the CTCMA for the Designated Health Professions of Traditional Chinese Medicine and Acupuncture,
- that were in effect immediately before the Amalgamation Date:
- (i) remain in effect for that Designated Health Profession on and after the Amalgamation Date, unless and until they are amended or repealed, or others are established in their place; and
 - (ii) for greater certainty, are deemed to have been established by the Board as Standards of Practice or Standards of Professional Ethics of the College.
- 9.2 Registrants must conduct themselves in accordance with all Standards of Practice and all Standards of Professional Ethics established for their Registrant class, including but not limited to those prescribed in:
- (a) Schedule 8 for all classes of Registrants in the Designated Health Profession of Chiropractic;
 - (b) Schedule 9 for all classes of Registrants in the Designated Health Profession of Massage Therapy;
 - (c) Schedule 10 for all classes of Registrants in the Designated Health Profession of Naturopathic Medicine; and
 - (d) Schedule 11 for all classes of Registrants in the Designated Health Professions of Traditional Chinese Medicine and Acupuncture.

Advertising and Marketing

- 9.3 Registrants must comply with the restrictions and requirements for advertising and marketing prescribed in:
- (a) Schedule 8 for all classes of Registrants in the Designated Health Profession of Chiropractic;

- (b) Schedule 9 for all classes of Registrants in the Designated Health Profession of Massage Therapy;
- (c) Schedule 10 for all classes of Registrants in the Designated Health Profession of Naturopathic Medicine; and
- (d) Schedule 11 for all classes of Registrants in the Designated Health Professions of Traditional Chinese Medicine and Acupuncture.

Privacy and Record-Keeping

- 9.4 Registrants must ensure that their collection, protection, use, disclosure, and disposal of Personal Information meets the requirements of all privacy statutes applicable to the practice of their Designated Health Profession including, without limitation,
- (a) the *Personal Information Protection Act*; and
 - (b) the *Freedom of Information and Protection of Privacy Act*.
- 9.5 Registrants must comply with the restrictions and requirements for record-keeping prescribed in:
- (a) Schedule 8 for all classes of Registrants in the Designated Health Profession of Chiropractic;
 - (b) Schedule 9 for all classes of Registrants in the Designated Health Profession of Massage Therapy;
 - (c) Schedule 10 for all classes of Registrants in the Designated Health Profession of Naturopathic Medicine; and
 - (d) Schedule 11 for all classes of Registrants in the Designated Health Professions of Traditional Chinese Medicine and Acupuncture.

Delegation, Supervision and Authorization

- 9.6 Registrants must comply with any restrictions and requirements for delegation, supervision and authorization, including any requirements prescribed in:
- (a) Schedule 8 for all classes of Registrants in the Designated Health Profession of Chiropractic;
 - (b) Schedule 9 for all classes of Registrants in the Designated Health Profession of Massage Therapy;
 - (c) Schedule 10 for all classes of Registrants in the Designated Health Profession of Naturopathic Medicine; and

- (d) Schedule 11 for all classes of Registrants in the Designated Health Professions of Traditional Chinese Medicine and Acupuncture.

Duty to Respond to College

- 9.7 In addition to the duty to cooperate in Bylaws 11.6 and 11.7, Registrants must respond promptly to any College communication requiring a response.

DRAFT

10.0 Quality Assurance

Quality Assurance in Effect on Amalgamation

10.1 All continuing competence, continuing education, and Quality Assurance Program standards, policies or criteria of, respectively,

- (a) the CCBC for the Designated Health Profession of Chiropractic;
- (b) the CMTBC for the Designated Health Profession of Massage Therapy;
- (c) the CNPBC for the Designated Health Profession of Naturopathic Medicine; and
- (d) the CTCMA for the Designated Health Professions of Traditional Chinese Medicine and Acupuncture,

that were in effect immediately before the Amalgamation Date:

- (i) remain in effect for that Designated Health Profession on and after the Amalgamation Date, unless and until they are amended or repealed, or others are established in their place; and
- (ii) for greater certainty, are deemed to have been established by the Board as Quality Assurance Program standards, policies or criteria of the College.

Quality Assurance Requirements for Designated Health Professions

10.2 Except as otherwise specified in these Bylaws, all requirements in relation to continuing competence, continuing education, and Quality Assurance Programs are prescribed:

- (a) for the Designated Health Profession of Chiropractic, in Schedule 12;
- (b) for the Designated Health Profession of Massage Therapy, in Schedule 13;
- (c) for the Designated Health Profession of Naturopathic Medicine, in Schedule 14; and
- (d) for the Designated Health Profession of Traditional Chinese Medicine and Acupuncture, in Schedule 15.

11.0 Inspections, Investigations, and Discipline

Authority of Registrar

11.1 The Registrar is authorized to act under section 32(3) of the Act.

Complaints

11.2 The Registrar must offer all reasonable assistance to a person who wishes to make a Complaint about a Registrant in writing but is not readily able to do so.

11.3 Where there is more than one Complaint which concerns the same Registrant, the Registrar or the Inquiry Committee, as applicable, may consider them together for any purpose under the Act.

11.4 Where a single Complaint concerns more than one Registrant, the Registrar or the Inquiry Committee, as applicable, may consider it as more than one separate Complaint each relating to a different Registrant.

11.5 Where a single Complaint concerns a Registrant with respect to more than one Designated Health Profession, the Registrar or the Inquiry Committee, as applicable, may consider it as more than one separate Complaint each relating to the practice of one Designated Health Profession.

Duty to Cooperate

11.6 A Registrant must cooperate fully in the investigation or assessment of a Complaint by all available means, including, without limitation, responding fully and substantively, in the form specified by an Inspector, the Registrar or the Inquiry Committee:

- (a) to the Complaint; and
- (b) to all requests made during the course of an assessment or investigation.

11.7 A Registrant who is requested or required to do anything under Bylaw 11.8 or Bylaw 11.9 must comply:

- (a) in the case of information or a record, even if the information or record is confidential; and
- (b) as soon as practicable and, in any event, by the date and time set by the Registrar, an Inspector or the Inquiry Committee.

Additional Powers of Investigation

11.8 The Registrar, an Inspector, or the Inquiry Committee may do any of the following in assessing or investigating a Complaint:

- (a) require a Registrant to produce, for inspection, Examination or copying:
 - (i) any equipment or materials used by the Registrant in connection with the practice of a Designated Health Profession; and/or
 - (ii) any records within the Registrant's possession or control that relate to the Registrant's practice of a Designated Health Profession or any other matter being investigated, including, without limitation, financial and communication records;
- (b) require a Registrant to:
 - (i) attend for an interview by the Registrar, an Inspector, or the Inquiry Committee at a time and place set by the Registrar, Inspector, or the Inquiry Committee; and
 - (ii) answer questions in writing or otherwise provide information relating to any matter being assessed or investigated;
- (c) require a Registrant to provide the identity and contact information of the Registrant's employees, employers, contractors, or supervisors, if any.

11.9 The powers under Bylaw 11.8 may be exercised with respect to any Registrant who may have information that is relevant to the matters being assessed or investigated.

Limits on Inspector Observing Registrant

11.10 An Inspector must not observe a Registrant while the Registrant is providing a service to a patient or client unless:

- (a) the consent of the patient or client being treated has been obtained in advance; or
- (b) the service is being provided in a setting that is not private.

Delivery of Registrant's Response to Complainant

11.11 The Registrar may deliver to the Complainant, if any, a copy or summary of any response received from the Registrant, subject to any direction from the Inquiry Committee.

11.12 Before acting under Bylaw 11.11, the Registrar may request that the Complainant provide an undertaking satisfactory to the Registrar that the Complainant will preserve confidentiality with respect to all information or records disclosed under Bylaw 11.11 and will use such information only for the purpose of the process under the Act.

Extraordinary Action to Protect the Public

11.13 The Inquiry Committee may determine the process and procedure for considering whether to take action under section 35 of the Act, including:

- (a) whether a proceeding should be conducted in writing, in person, by electronic means, or some combination of those methods;
- (b) the timing for the proceeding, including, if applicable, the notice to the Registrant and the time available to the Registrant to respond; and
- (c) the information the Inquiry Committee will receive and consider.

Consideration of Past Action

11.14 For the purposes of section 39.2 of the Act, the Registrar, Inquiry Committee, and Discipline Committee may consider any action previously taken under Part 3 of the Act respecting a Registrant by the Registrar, Inquiry Committee, or Discipline Committee of a Former College prior to the Amalgamation Date.

Undertakings and Consents

11.15 The record of an undertaking or consent given under section 36 of the Act, a consent order under section 37.1 of the Act, or an agreement under section 32.2(4)(b) or 32.3(3)(b) of the Act must as applicable:

- (a) include any consent to a reprimand or any other action made by the Registrant under section 32.2(4)(b), 32.3(3)(b), 36, or 37.1 of the Act;
- (b) include any undertaking made by the Registrant under section 36 of the Act; and
- (c) specify the period of time, whether fixed or indeterminate, that any action, limit or condition, or undertaking or consent is binding on the Registrant.

Citations

11.16 Before the issuance of a Citation in respect of a Complaint or other matter, the Inquiry Committee may direct the Registrar to join one or more Complaints or other matters which are to be the subject of a hearing in one Citation.

11.17 After the issuance of a Citation or Citations, the Discipline Committee may direct the Registrar to:

- (a) join one or more Complaints or other matters which are to be the subject of a hearing; or
- (b) sever one or more Complaints or other matters which are to be the subject of a hearing.

11.18 A Citation may be amended:

- (a) by the Registrar prior to the commencement of a hearing; and
- (b) by the Discipline Committee on application by a party after the commencement of a hearing.

11.19 If a Citation is amended under Bylaw 11.18(a), the amended Citation must be delivered to the Respondent by personal service or sent by registered mail to the Respondent at the last address recorded in the Register as required under section 21(2) of the Act at least 30 days before the date of the hearing, unless otherwise agreed to by the Respondent.

11.20 If a Citation is amended under Bylaw 11.18(a), and the amended Citation changes the date, time or place of the hearing, the Registrar must notify any Complainant of the amendment at least 14 days before the date of the hearing.

Pre-hearing Conference

11.21 At any time before the commencement of a hearing in respect of a Citation, on its own motion or on the request of the Respondent or the Registrar, the Discipline Committee may direct the parties to attend a pre-hearing conference.

11.22 A pre-hearing conference must be presided over by a Panel of the Discipline Committee, which Panel may, but need not, include some or all of the members of a Panel that may preside over the hearing.

11.23 No member of a Panel is seized of a matter only because they presided over a pre-hearing conference.

11.24 A pre-hearing conference under this heading must be held in private unless the Panel directs otherwise.

11.25 A Panel may make procedural orders with respect to the conduct of a pre-hearing conference as it determines appropriate, including:

- (a) after consultation with the parties, setting the time and place for a pre-hearing conference;
- (b) directing that a pre-hearing conference be conducted in-person, by telephone, or by electronic means; and
- (c) requiring the parties to provide the Panel, and the other party, with advance notice of any items they intend to raise at the pre-hearing conference.

- 11.26 A pre-hearing conference may proceed in the absence of the Respondent if the Panel is satisfied that reasonable notice of the pre-hearing conference was delivered to the Respondent.
- 11.27 At a pre-hearing conference, a Panel may make an order:
- (a) fixing or changing the date, time and place for the hearing;
 - (b) directing that some or part of the hearing should be in private under section 38(3) of the Act;
 - (c) making a direction under section 38(4.2)(c) of the Act;
 - (d) for attendance and/or production under section 38(6) of the Act;
 - (e) for the discovery and production of information or records relevant to the Citation;
 - (f) respecting applications for joinder or severance of one or more matters which are to be the subject of a hearing; and
 - (g) respecting any other matters that may aid in the disposition of the Citation or in promoting an orderly hearing.
- 11.28 If any orders are made at a pre-hearing conference where the Respondent was not in attendance, the Registrar must promptly send written notice of all such orders by registered mail to the Respondent's last address recorded in the Register.
- 11.29 If the Discipline Committee issues an order under section 38(6) of the Act at any time before a hearing, the party who sought the order must promptly deliver it to any person affected by it by personal service or registered mail.

Hearings of the Discipline Committee

- 11.30 A hearing must be presided over by a Panel of the Discipline Committee.
- 11.31 Subject to Bylaw 11.22, no member of the Discipline Committee may preside over the hearing of a matter in which that member has had any prior involvement.
- 11.32 All hearings must be recorded and any person may obtain, at their expense, a transcript of any part of the hearing which they were entitled to attend.
- 11.33 If a person seeks a transcript with respect to a part of a hearing they were entitled to attend but that was not open to the public, the Registrar may require the person to provide the Registrar with an undertaking to preserve confidentiality of the transcript relating to all portions of the hearing that were not open to the public.

11.34 If, by a mechanical or human failure or other accident, the transcript or audio record of a hearing is destroyed, interrupted or incomplete, the validity of the hearing is not affected.

11.35 If, after a hearing has commenced but before the Discipline Committee has rendered its decision under section 39(1) or 39(2) of the Act, a member of a Panel that was hearing the matter resigns from the Discipline Committee or is otherwise unable to continue:

- (a) the loss of that Panel member does not halt the proceedings and the remaining Panel members may proceed as if the Panel had remained intact and constituted in accordance with these Bylaws; and
- (b) the Chair of the Discipline Committee may appoint a replacement Panel member if the Respondent agrees to the appointment.

Fines

11.36 The maximum amount of a fine that may be ordered by the Discipline Committee under section 39 of the Act is \$100,000.

Costs

11.37 The tariff of costs set out in Schedule 16 to partially indemnify the College for investigations under section 33 of the Act is established pursuant to section 19(1)(v.1) of the Act.

11.38 The tariff of costs set out in Schedule 17 to partially indemnify parties for their expenses incurred in the preparation for and conduct of hearings under section 38 of the Act is established pursuant to section 19(1)(v.1) of the Act.

11.39 Any costs awarded by the Inquiry Committee under section 33(7) of the Act or in accordance with a proposal under section 37.1 of the Act, or by the Discipline Committee under section 39(4) or (5) of the Act, must be assessed by the applicable Committee with reference to Schedules 16 and 17 and the applicable tariff of costs set out therein.

11.40 For the purposes of these Bylaws, each of the following is deemed to be a debt that a Registrant owes to the College:

- (a) costs awarded against the Registrant by the Inquiry Committee under section 33(7) of the Act;
- (b) costs ordered against the Registrant by the Inquiry Committee under section 37.1 of the Act;
- (c) costs awarded against the Registrant by the Discipline Committee under section 39(5) of the Act;

- (d) a fine consented to by the Registrant in a resolution under section 36 or 37.1 of the Act; and
- (e) a fine ordered against the Registrant under section 39(2)(f) of the Act.

Action under section 39.1 of the Act

11.41 The Registrar may refer a matter to the Discipline Committee for consideration under section 39.1 of the Act.

11.42 The Discipline Committee must notify a Registrant by registered mail or personal service at least 14 days prior to making an order under section 39.1 of the Act.

11.43 In providing a Registrant an opportunity to be heard under section 39.1(3) of the Act, the Discipline Committee may determine its own procedures, including, without limitation:

- (a) the means by which the Registrant will be given an opportunity to be heard; and
- (b) whether to seek any additional information or responsive submissions from the Registrar.

Registrant Under Suspension

11.44 A Registrant whose registration is suspended must, for the duration of the suspension:

- (a) not provide the services of any Designated Health Profession regulated by the College;
- (b) not use any titles that are associated with a Designated Health Profession regulated by the College under these Bylaws, the Act, or the applicable regulations, or hold themselves out as a person entitled to practise a Designated Health Profession;
- (c) not hold office as a Board Member;
- (d) not act as a member of a Committee established in these Bylaws, an Inspector, or an examiner;
- (e) not make appointments for patients, clients or prospective patients or clients;
- (f) not contact or communicate with patients, clients or prospective patients or clients either directly or indirectly (including through a publication or communication on a website), except for the following purposes:
 - (i) to advise patients, clients or prospective patients or clients of the fact and duration of the suspension; or
 - (ii) to advise a patient, client or prospective patient or client that another Registrant will continue to operate in the suspended Registrant's place, or to refer the patient or client to another Registrant in Good Standing;

- (g) remove from the Registrant's premises and the building in which the premises are located, the Registrant's name and any sign relating to the Registrant's practice over which the Registrant has control;
- (h) prominently display, in any place over which the Registrant has control, a notice of suspension in a form and in an area approved by the Registrar, which states the duration and reasons for the suspension;
- (i) pay any Fee required by the College when due in order to remain a Registrant; and
- (j) not be given a refund of the annual fee for the portion of the suspension or of any special assessment that the Registrant has paid.

11.45 A suspended Registrant may, during the period of suspension, allow another Registrant to use their premises, provided that:

- (a) the suspended Registrant receives no income or other financial benefit from the arrangement unless:
 - (i) from rental of the premises if owned by the suspended Registrant; and
 - (ii) the Registrar approves of the specific arrangement;
- (b) evidence of the suspended Registrant's authorization to practise the applicable Designated Health Profession is removed from the premises; and
- (c) a notice of suspension, in a form approved by the Registrar, is prominently displayed in the reception area of the premises.

12.0 Health Profession Corporations

Authority of Registrar

12.1 The Registrar is authorized to act for the Board under section 43 of the Act.

Health Profession Corporation Permit Application

12.2 A corporation seeking an HPC Permit under this Part, including a Health Profession Corporation seeking renewal of an HPC Permit, must deliver an application to the Registrar in the form and manner specified by the Registrar.

Health Profession Corporation Permit Fees

12.3 A corporation seeking an HPC Permit under this Part, including a Health Profession Corporation seeking renewal of an HPC Permit, must deliver to the Registrar the full amount of all applicable application and permit Fees specified in Schedule 1.

Eligibility for Health Profession Corporation Permit

12.4 An HPC Permit may only be issued to a corporation eligible to engage in the practice of an HPC Eligible Designated Health Profession in accordance with Part 4 of the Act and these Bylaws.

12.5 A corporation may be issued an HPC Permit if, in addition to satisfying all other requirements under Part 4 of the Act:

- (a) all of the Registrants who, under section 43(1)(c)(i) of the Act, own voting shares of the corporation or who, under section 43(1)(c)(ii) of the Act, own voting shares of a Holding Company that owns voting shares of the corporation, are HPC Eligible Registrants in the same HPC Eligible Designated Health Profession;
- (b) the name of the corporation has been approved by the Registrar in accordance with Bylaw 12.11; and
- (c) the corporation delivers to the Registrar:
 - (i) any outstanding Fee owed to the College by the corporation or any Registrant who is a shareholder of the corporation;
 - (ii) a certificate of solicitor in a form approved by the Registrar;

- (iii) an acknowledgement in a form approved by the Registrar, executed by each Registrant who is a legal or beneficial voting shareholder of the corporation or of a Holding Company;
- (iv) a copy of the certificate of incorporation, filed transition application, certificate of amalgamation, or certificate of continuation, as the case may be, any certificate of name change, and any certificate of restoration issued to or filed by the corporation under the *Business Corporation Act*, SBC 2002, c. 57;
- (v) a copy of the notice of articles issued to the corporation under the *Business Corporations Act*, SBC 2002, c. 57;
- (vi) if applicable, evidence of professional liability insurance in compliance with Bylaw 12.8;
- (vii) the application form required by Bylaw 12.2;
- (viii) the applicable Fees required by Bylaw 12.3; and
- (ix) any other documents or materials required by the Registrar to establish that the corporation is eligible for an HPC Permit under Part 4 of the Act and these Bylaws.

Validity of Permit

12.6 Subject to Bylaw 12.7, an HPC Permit issued under this Part is valid until the earliest of:

- (a) the following [annual renewal date];
- (b) the Health Profession Corporation delivers a written request to the Registrar for cancellation of the HPC Permit;
- (c) the HPC Permit is revoked under section 44 of the Act; or
- (d) the Health Profession Corporation is dissolved or otherwise ceases to be a company in good standing under the Business Corporations Act.

12.7 Bylaw 12.6 applies as of the Amalgamation Date to a valid HPC Permit issued by the College of Chiropractors of British Columbia, the College of Massage Therapists of British Columbia, or the College of Naturopathic Physicians of British Columbia, that, on amalgamation, is deemed under section 25.08(1)(a) of the Act to be an HPC Permit issued by the College, even if the permit issued by the applicable Former College was issued with a different expiry date or without an expiry date.

Insurance Requirement

12.8 A Health Profession Corporation providing services in the Designated Health Profession of Naturopathic Medicine must obtain and at all times maintain insurance with a limit of no less than \$3,000,000 per occurrence against liability from error, omission, or negligent act of an employee in connection with the practice of the Naturopathic Medicine in a form satisfactory to the Registrar.

Health Profession Corporation Names

12.9 The name of a Health Profession Corporation must:

- (a) contain one of the words or abbreviations “Corporation”, “Corp.”, “Incorporated”, or “Inc.”; and
- (b) be approved by the Registrar.

12.10 The name of a Health Profession Corporation must not:

- (a) be identical to the name of another Health Profession Corporation;
- (b) resemble the name of another Health Profession Corporation to an extent that, in the opinion of the Registrar, is likely to confuse or mislead the public; or
- (c) contravene the restrictions on advertising that apply to the applicable HPC Eligible Designated Health Profession.

12.11 The Registrar may approve a name that complies with Bylaws 12.9 and 12.10 on receipt of:

- (a) a completed application form for name approval in a form designated by the Registrar; and
- (b) the applicable application Fee specified in Schedule 1.

12.12 The name of a corporation holding a valid HPC Permit issued by the College of Chiropractors of British Columbia, the College of Massage Therapists of British Columbia, or the College of Naturopathic Physicians of British Columbia as of the Amalgamation Date is deemed to comply with the requirements of Bylaws 12.9-12.10, and the name may be used until:

- (a) the Health Profession Corporation’s name is changed; or
- (b) the Health Profession Corporation’s HPC Permit is revoked or not renewed.

Designated Registrant

12.13 A Health Profession Corporation must designate a person as the Health Profession Corporation’s Designated Registrant, who is primarily responsible for the Health Profession

Corporation's communications with the College and compliance with the administrative requirements applicable to a Health Profession Corporation.

12.14 A Health Profession Corporation's Designated Registrant must be:

- (a) an HPC Eligible Registrant in Good Standing; and
- (b) a voting shareholder of the Health Profession Corporation.

Renewal of HPC Permit

12.15 A Health Profession Corporation that seeks the renewal of its HPC Permit must do all of the following at least 14 days before its HPC Permit expires:

- (a) deliver to the Registrar the application form required by Bylaw 12.2;
- (b) deliver to the Registrar proof of insurance if required by Bylaw 12.8; and
- (c) pay all applicable Fees required by Bylaw 12.3.

12.16 The Registrar may refuse to renew an HPC Permit if the Registrar is not satisfied that the Health Profession Corporation complies with all of the requirements set out in these Bylaws and in Part 4 of the Act.

12.17 A renewed HPC Permit is valid until the following [renewal date: TBD].

12.18 A Health Profession Corporation that delivers the items required under Bylaw 12.15 less than 14 days before its HPC Permit expires must pay a late Fee as set out in Schedule 1.

12.19 A Health Profession Corporation that fails to deliver the items required under Bylaw 12.15 before its HPC Permit expires but does so within 30 days, must, in addition to delivering those items:

- (a) include an attestation in a form approved by the Registrar that it has not provided the services of an HPC Eligible Designated Health Profession to the public following the expiration of its HPC Permit; and
- (b) pay a late Fee as set out in Schedule 1.

12.20 A Health Profession Corporation that fails to deliver the items required under Bylaw 12.15 before its HPC Permit expires and does not do so within 30 days must re-apply for an HPC Permit as if it were a new applicant.

Notification of Changes

12.21 A Health Profession Corporation must:

- (a) immediately notify the Registrar in writing if there is a change to any of the following information contained in the application most recently delivered to the Registrar:
 - (i) the registered address or contact information;
 - (ii) the identity of the Designated Registrant;
 - (iii) the shareholders, in addition to the requirements of Bylaw 12.23;
 - (iv) the directors; and
 - (v) the officers;
- (b) obtain approval from the Registrar under Bylaw 12.11 before changing the name of the Health Profession Corporation;
- (c) deliver to the Registrar a true copy of any certificate of change of name issued to the Health Profession Corporation under the Business Corporations Act; and
- (d) deliver to the Registrar a new certificate of solicitor if required by the Registrar.

Disposition of Shares

12.22 The articles of a Health Profession Corporation must provide for the disposition, in accordance with section 43 of the Act and these Bylaws, of the shares of a shareholder who dies or ceases to be an eligible shareholder.

12.23 The legal or beneficial interest in any share of a Health Profession Corporation or a Holding Company must not be transferred, pledged, or assigned to any person who is not entitled to own that legal or beneficial interest in compliance with the requirements of section 43 of the Act and Bylaw 12.5(a).

12.24 If the legal or beneficial interest in any voting share of a Health Profession Corporation or a Holding Company is transferred or issued to a Registrant or a Holding Company that was not previously a voting shareholder of the Health Profession Corporation, the Health Profession Corporation must:

- (a) notify the Registrar of the transfer or issuance;
- (b) deliver to the Registrar an acknowledgement in compliance with Bylaw 12.5(c)(iii) executed by each of the following Registrants (as applicable), unless such acknowledgement executed by the Registrant has already been delivered to the Registrar:
 - (i) a Registrant to whom the shares are to be transferred or issued; or
 - (ii) a Registrant who is a voting shareholder of:
 - (A) the Holding Company to which the shares are to be transferred or issued; or

- (B) a company that directly or indirectly owns a legal or beneficial interest in any voting share of the Holding Company to which the shares are to be transferred or issued.
- (c) if, following a transfer of shares, the name of a Health Profession Corporation includes the name of a Registrant who is no longer a voting shareholder of the Health Profession Corporation or a company that legally and beneficially owns the voting shares of the Health Profession Corporation, the Health Profession Corporation must:
 - (i) apply to the Registrar under Bylaw 12.11 for approval of a new name; and
 - (ii) after the Registrar approves a new name, change its name in accordance with the Business Corporations Act to the approved name.

General Obligations of a Health Profession Corporation

12.25 All of the professional obligations of a Registrant, to the extent that they may be applicable to a corporation, apply to a Health Profession Corporation, including, without limitation, the duty to respond to the College set out in Bylaw 9.7.

Business Activities by Health Profession Corporations

12.26 In addition to section 45 of the Act, a Health Profession Corporation must not engage or invest in any business that is incompatible with the proper and ethical practice of the HPC Eligible Designated Health Profession or which creates a conflict of interest for the Health Profession Corporation or any of its directors, officers, employees, or contractors.

Information to Public

- 12.27 A Health Profession Corporation must provide the following information to any member of the public upon request:
- (a) the legal name of the Health Profession Corporation;
 - (b) the names of all shareholders, including any Holding Companies;
 - (c) the names of all directors; and
 - (d) the name and contact information of the Designated Registrant.

Marketing by Health Profession Corporations

12.28 A Health Profession Corporation that carries on the business of providing services to the public referred to in section 42(1) of the Act must:

- (a) disclose on all letterhead and business cards, and in all marketing or advertisements, that those services are being provided by a Health Profession Corporation; and
- (b) comply with all advertising and marketing standards set out in these Bylaws that apply to Registrants of the applicable HPC Eligible Designated Health Profession, to the extent those standards may be applicable to a corporation.

HPC Permit Revocation Hearings

- 12.29 The powers and duties of the Board under section 44 of the Act are delegated to the Discipline Committee.
- 12.30 The Discipline Committee may conduct an HPC Permit Revocation Hearing on receipt of a written complaint, including, without limitation, a referral from the Inquiry Committee or the Registrar.
- 12.31 An HPC Permit Revocation Hearing may be consolidated with a hearing conducted under section 38 of the Act if there are common matters in issue, and the Discipline Committee considers consolidation to be appropriate in the circumstances.
- 12.32 The Discipline Committee may direct that an HPC Permit Revocation Hearing be conducted by an oral hearing (including an oral hearing by electronic means), by written submissions, or by any combination of these means.
- 12.33 The Registrar must provide notice of an HPC Permit Revocation Hearing by registered mail to the registered office of the Health Profession Corporation at least 30 days before the date of the HPC Permit Revocation Hearing.
- 12.34 Prior to or during an HPC Permit Revocation Hearing, the Discipline Committee may make an order under section 47 of the Act.
- 12.35 The Discipline Committee may determine its own procedures for conducting an HPC Permit Revocation Hearing, including adopting any of the provisions of section 38 of the Act or Part 11 of these Bylaws to the extent that they may be applicable to a corporation.
- 12.36 Unless otherwise directed by the Discipline Committee, any portion of an HPC Permit Revocation Hearing that is an oral hearing must be in public.
- 12.37 The Discipline Committee may order the College or the respondent Health Profession Corporation to pay the costs of an HPC Permit Revocation Hearing based on the tariff of costs at Schedule 17.

12.38 The outcome and reasons of an HPC Permit Revocation Hearing must be Published, subject to the Discipline Committee's discretion to direct the Registrar to withhold from publication information described in section 39.3(3)-(4) of the Act.

DRAFT

Schedule 1: Fees

All pre-amalgamation Fees from the Former Colleges will be ported to a combined fee schedule for the new College.

DRAFT

Schedule 2: Chiropractic: Registration, Examinations, and Professional Liability Insurance

1.0 Chiropractic: Full – Conditions and Requirements for Registration [previously Bylaw 44]

- 1.1 Graduation from one of the recognized chiropractic education programs listed in Table 1 to this Schedule;
- 1.2 Successful completion of the Examinations specified by the Registration Committee less than three (3) years prior to the date of the application for registration in the Registrant class of Chiropractic: Full submitted under subparagraph 1.5.1;
- 1.3 Successful completion of the jurisprudence Examination required by the Registration Committee;
- 1.4 Evidence satisfactory to the Registration Committee of the good character of the Applicant consistent with the responsibilities of a Registrant and the standards expected of a Registrant;
- 1.5 Receipt by the Registrar of:
 - 1.5.1 a signed application for registration in the Registrant class of Chiropractic: Full in the required form;
 - 1.5.2 the application Fee specified in Schedule 1;
 - 1.5.3 an original transcript, or other evidence satisfactory to the Registration Committee, of the Applicant's degree or diploma and evidence satisfactory to the Registration Committee that the Applicant is the person named therein;
 - 1.5.4 the Fee for the jurisprudence Examination;
 - 1.5.5 any other Fee owed to the College;
 - 1.5.6 an authorization for a criminal record check in the form required by the *Criminal Records Review Act*, RSBC 1996, c. 86;
 - 1.5.7 a certified passport-size photograph of the Applicant taken within one year prior to the date of application;
 - 1.5.8 evidence satisfactory to the Registration Committee of the Applicant's Canadian citizenship or right to work in Canada;
 - 1.5.9 proof of professional liability protection or insurance coverage as required under heading 10.0;

- 1.5.10 proof of first aid certification as required under paragraph 1.2 of Schedule 12 [*Quality Assurance*];
- 1.5.11 in the case of an Applicant who is practising or has practised chiropractic or another health profession in a jurisdiction outside Canada, a criminal record check from that jurisdiction in a form satisfactory to the Registration Committee obtained no more than 60 days prior to the date of application; and
- 1.5.12 a letter or certificate, in a form satisfactory to the Registration Committee and dated within 60 days prior to the date of application, from each body responsible for the regulation of chiropractic or another health profession in a jurisdiction where the Applicant is, or has been, authorized to practise chiropractic or another health profession, specifying particulars of any cancellation, suspension, limitation or conditions on the Applicant's entitlement to practise, or any investigation, review or proceeding which could lead to cancellation, suspension, limitation or conditions on the Applicant's entitlement to practise.
- 1.6 Despite paragraphs 1.1 through 1.5 of this Schedule, an Applicant who is authorized to practise chiropractic in another Canadian jurisdiction may be granted registration under Registrant class of Chiropractic: Full if the Applicant:
- 1.6.1 satisfies the Registration Committee that the Applicant is currently authorized to practise chiropractic in that other jurisdiction as the equivalent of a Registrant in Registrant class of Chiropractic: Full under this Schedule; and
- 1.6.2 meets the conditions and requirements established in paragraphs 1.3, 1.4, and subparagraphs 1.5.1, 1.5.2 and 1.5.4 through 1.5.12.
- 1.7 Despite paragraphs 1.1 through 1.5 of this Schedule, the Registration Committee has discretion, in satisfying itself under section 20 of the Act that the Applicant meets the conditions or requirements for registration under this heading, to consider whether the Applicant's knowledge, skills and abilities are substantially equivalent to the standards of academic or technical achievement established in paragraph 1.1, and to grant registration under this heading on that basis, if the Applicant also meets the conditions and requirements established in paragraphs 1.2 through 1.4, subparagraphs 1.5.1, 1.5.2, and 1.5.4 through 1.5.12.
- 1.8 Despite paragraphs 1.1 through 1.5 of this Schedule, an Applicant who successfully completed the Examinations specified by the Registration Committee under paragraph 1.2, three (3) years or more prior to the date of the application for registration in Registrant class of Chiropractic: Full submitted under paragraph 1.5, may be granted registration under this heading if, in addition to meeting the conditions and requirements established in paragraph 1.1 and 1.3 through 1.5, the Applicant:

- 1.8.1 successfully completes the clinical skills Examinations specified by the Registration Committee; or
- 1.8.2 satisfies the Registration Committee that:
 - 1.8.2.1 during each of the three (3) years immediately preceding the application for registration in the Registrant class of Chiropractic: Full under paragraph 1.5, the Applicant:
 - 1.8.2.1.1 engaged in the practice of chiropractic in another regulated jurisdiction for a minimum of 300 hours in accordance with criteria established by the Quality Assurance Committee; and
 - 1.8.2.1.2 completed a minimum of 20 hours of continuing education that meet the criteria and guidelines established by the Quality Assurance Committee under heading 2.0 of Schedule 12 [*Quality Assurance*], or
 - 1.8.2.2 the Applicant's knowledge, skills and abilities are substantially equivalent to the competencies or other qualifications established in subparagraph 1.8.2.1.

2.0 Chiropractic: Student – Conditions and Requirements for Registration [*previously Bylaw 46*]

- 2.1 The Applicant is enrolled, or was enrolled during the six (6) months previous to the date of application under this heading, as a student in one of the recognized chiropractic education programs listed in Table 1 to this Schedule;
- 2.2 Successful completion of the jurisprudence Examination required by the Registration Committee;
- 2.3 Evidence satisfactory to the Registration Committee of the good character of the Applicant consistent with the responsibilities of a Registrant and the standards expected of a Registrant;
- 2.4 Receipt by the Registrar of:
 - 2.4.1 a signed application in the required form for registration in the Registrant class of Chiropractic: Student;
 - 2.4.2 the application Fee specified in Schedule 1;
 - 2.4.3 an original transcript, or other evidence satisfactory to the Registration Committee, of the Applicant's educational standing;
 - 2.4.4 an authorization for a criminal record check in the form required by the *Criminal Records Review Act*;

- 2.4.5 a certified passport size photograph of the Applicant taken within one year prior to the date of application;
 - 2.4.6 evidence satisfactory to the Registration Committee, of the Applicant's Canadian citizenship or right to work in Canada;
 - 2.4.7 proof of professional liability protection or insurance coverage as required under heading 10.0;
 - 2.4.8 in the case of an Applicant who is practising or has practised chiropractic or another health profession in a jurisdiction outside Canada, a criminal record check from that jurisdiction in a form satisfactory to the Registration Committee obtained no more than 60 days prior to the date of application; and
 - 2.4.9 a letter or certificate, in a form satisfactory to the Registration Committee and dated within 60 days prior to the date of application, from each body responsible for the regulation of chiropractic or another health profession in a jurisdiction where the Applicant is, or has been, authorized to practise chiropractic or another health profession, specifying particulars of any cancellation, suspension, limitation or conditions on the Applicant's entitlement to practise, or any investigation, review or proceeding which could lead to cancellation, suspension, limitation or conditions on the Applicant's entitlement to practise.
- 2.5 Registration in the Registrant class of Chiropractic: Student may be granted under paragraphs 2.1 through 2.4 for a period that does not exceed 12 months.

3.0 Chiropractic: Non-Practising – Conditions and Requirements for Registration *[previously Bylaw 47]*

- 3.1 The Applicant is currently a Registrant in Registrant class of Chiropractic: Full;
- 3.2 Receipt by the Registrar of:
 - 3.2.1 a signed application for registration in Registrant class of Chiropractic: Non-Practising in the required form;
 - 3.2.2 the Fee specified in Schedule 1 for change in registration status from the Registrant class of Chiropractic: Full to the Registrant class of Chiropractic: Non-Practising;
 - 3.2.3 any other Fee owed to the College;
 - 3.2.4 proof of professional liability protection or insurance coverage as required under heading 10.0; and
 - 3.2.5 a declaration in the required form.

- 3.3 The conditions and requirements for a Registrant in the Registrant class of Chiropractic: Non-Practising to return to the Registrant class of Chiropractic: Full are, despite paragraphs 1.1 through 1.5, 1.7, or 1.8:
- 3.3.1 the Registrant is not in contravention of the Act, Regulations or the Bylaws;
 - 3.3.2 receipt by the Registrar of:
 - 3.3.2.1 a return to Registrant class of Chiropractic: Full registration application in the required form;
 - 3.3.2.2 a letter or certificate, in a form satisfactory to the Registration Committee and dated within 60 days prior to the date of application, from each body responsible for the regulation of chiropractic or another health profession in a jurisdiction where the Registrant in the Registrant class of Chiropractic: Non-Practising is, or has been, authorized to practise chiropractic or another health profession, specifying particulars of any cancellation, suspension, limitation or conditions on the Registrant's entitlement to practise, or any investigation, review or proceeding which could lead to cancellation, suspension, limitation or conditions on the Registrant's entitlement to practise;
 - 3.3.2.3 an authorization for a criminal record check in the form required by the *Criminal Records Review Act*;
 - 3.3.2.4 in the case of a Registrant in the Registrant class of Chiropractic: Non-Practising who is practising or has practised chiropractic or another health profession in a jurisdiction outside Canada, a criminal record check from that jurisdiction in a form satisfactory to the Registration Committee obtained no more than 60 days prior to the date of application;
 - 3.3.2.5 proof of completion of the requirements under paragraph 1.1 of Schedule 12 [*Quality Assurance*] as though the Registrant in the Registrant class of Chiropractic: Non-Practising had been in the Registrant class of Chiropractic: Full for the period of time since ceasing to be in the Registrant class of Chiropractic: Full;
 - 3.3.2.6 proof of first aid certification as required under paragraph 1.2 of Schedule 12 [*Quality Assurance*];
 - 3.3.2.7 the Fee specified in Schedule 1 for change in registration status from Registrant class of Chiropractic: Non-Practising to the Registrant class of Chiropractic: Full;
 - 3.3.2.8 any other Fee owed to the College;

- 3.3.2.9 proof of professional liability protection or insurance coverage as required under heading 10.0; and
- 3.3.2.10 evidence satisfactory to the Registration Committee that the Registrant in the Registrant class of Chiropractic: Non-Practising remains a person of good character suitable for registration; and
- 3.3.3 if the Registrant in the Registrant class of Chiropractic: Non-Practising's registration in the Registrant class of Chiropractic: Full has been cancelled for three (3) consecutive years or more prior to the date of application under this heading, the Registrant in the Registrant class of Chiropractic: Non-Practising either successfully completes the clinical skills Examinations specified by the Registration Committee, or satisfies the Registration Committee that:
 - 3.3.3.1 during each of the three (3) years immediately preceding the date of application under paragraph 3.3, the Registrant:
 - 3.3.3.1.1 engaged in the practice of chiropractic in another regulated jurisdiction for a minimum of 300 hours in accordance with criteria established by the Quality Assurance Committee; and
 - 3.3.3.1.2 completed a minimum of 20 hours of continuing education that meet the criteria and guidelines established by the Quality Assurance Committee under heading 2.0 of Schedule 12 [*Quality Assurance*]; or
 - 3.3.3.2 the Registrant in the Registrant class of Chiropractic: Non-Practising's knowledge, skills and abilities are substantially equivalent to the competencies or other qualifications established in subparagraph 3.3.3.1.

4.0 Chiropractic: Temporary – Conditions and Requirements for Registration [*previously Bylaw 48*]

- 4.1 The Applicant is a member in good standing of a body responsible for the regulation of chiropractic, and is authorized to practise chiropractic, in a Canadian or foreign jurisdiction recognized by the Board for the purposes of this section;
- 4.2 Successful completion of the jurisprudence Examination required by the Registration Committee;
- 4.3 Evidence satisfactory to the Registration Committee of the good character of the Applicant consistent with the responsibilities of a Registrant and the standards expected of a Registrant; and

- 4.4 Receipt by the Registrar of:
- 4.4.1 a signed application for Registrant in the Registrant class of Chiropractic: Temporary in the required form;
 - 4.4.2 the application Fee specified in Schedule 1;
 - 4.4.3 any other Fee owed to the College;
 - 4.4.4 a letter from a body described in paragraph 4.1, or other evidence satisfactory to the Registration Committee, of the Applicant's membership status in that body and evidence satisfactory to the Registration Committee that the Applicant is the person named therein;
 - 4.4.5 an authorization for a criminal record check in the form required by the *Criminal Records Review Act*, together with the applicable Fee for obtaining a criminal record check;
 - 4.4.6 a certified passport size photograph of the Applicant taken within one year prior to the date of application;
 - 4.4.7 evidence satisfactory to the Registration Committee, of the Applicant's Canadian citizenship or right to work in Canada;
 - 4.4.8 proof of professional liability protection or insurance coverage as required under heading 10.0; and
 - 4.4.9 in the case of an Applicant who is currently practicing chiropractic in a jurisdiction outside Canada, a criminal record check from that jurisdiction in a form satisfactory to the Registration Committee obtained no more than 60 days prior to the date of application.
- 4.5 Registration in the Registrant class of Chiropractic: Temporary under paragraphs 4.1 through 4.4 may be granted for a period of up to 90 days.
- 4.6 The registration of a person who has been granted registration in the Registrant class of Chiropractic: Temporary under paragraphs 4.1 through 4.4 may be renewed once for an additional period of up to 90 days if:
- 4.6.1 the registration renewal Fee specified in Schedule 1 is paid;
 - 4.6.2 a signed application for registration renewal in the required form is delivered to the Registrar prior to the cancellation of registration in this class granted to the Registrant under paragraphs 4.1 through 4.4; and
 - 4.6.3 if applicable, the Applicant's right to work in Canada has been extended for the additional period.

5.0 Examinations *[previously Bylaw 51]*

- 5.1 Except for Examinations conducted by the Canadian Chiropractic Examining Board, any Examination required to be taken must be approved by the Registration Committee.
- 5.2 Except for Examinations conducted by the Canadian Chiropractic Examining Board, the Registration Committee must:
- 5.2.1 determine the time, place and procedure for conducting an Examination;
 - 5.2.2 review the results of the Examination or re-Examination for each Applicant; and
 - 5.2.3 notify the Applicant of the results of the Examination or re-Examination as soon as is practicable.
- 5.3 An Applicant who fails an initial Examination conducted by the Registration Committee is entitled to two (2) opportunities to repeat the Examination.
- 5.4 If the Registration Committee has reason to believe that an Applicant has engaged in improper conduct during the course of an Examination, the Registration Committee may take one or more of the following courses of action:
- 5.4.1 fail the Applicant;
 - 5.4.2 pass the Applicant;
 - 5.4.3 require the Applicant to rewrite the Examination; or
 - 5.4.4 disqualify the Applicant from participating in any Examination for a period of time.
- 5.5 An Applicant disqualified under subparagraph 5.4.4 must be provided with written reasons for the disqualification.

6.0 Registration Renewal *[previously Bylaw 52]*

- 6.1 The conditions and requirements for renewal of the registration of a Registrant in the Registrant classes of Chiropractic: Full or Chiropractic: Non-Practising are, despite the requirements under headings 1.0 or 3.0, receipt by the Registrar of the following on or before July 31:
- 6.1.1 a signed application for renewal of registration in the required form;
 - 6.1.2 the registration renewal Fee specified in Schedule 1;
 - 6.1.3 any other Fee owed to the College;
 - 6.1.4 proof of professional liability protection or insurance coverage as required under heading 10.0; and

- 6.1.5 in the case of a Registrant in the Registrant class of Chiropractic: Full proof of having completed any applicable requirements of the Quality Assurance Program under Schedule 12.
- 6.2 Notice of the registration renewal Fees must be delivered to each Registrant in the Registrant classes of Chiropractic: Full and Chiropractic: Non-Practising no later than June 1 and must describe the consequences of late payment and non-payment of Fees.
- 6.3 If a Registrant in the Registrant class of Chiropractic: Full or Chiropractic: Non-Practising meets the conditions and requirements established in paragraph 6.1, the Registrar must issue to the Registrant a receipt stating that the Registrant's registration has been renewed.
- 6.4 If a Registrant in the Registrant class of Chiropractic: Full or Chiropractic: Non-Practising fails to meet, on or before July 31, the conditions and requirements established in paragraph 6.1, the registration of that Registrant is cancelled.
- 6.5 Despite paragraphs 6.1 and 6.4 the Registration Committee may, for reasons of undue hardship or other special circumstances, reduce or waive a registration renewal Fee that would otherwise be payable by a Registrant in the Registrant classes of Chiropractic: Full.

7.0 Reinstatement Within 2 Months of Failure to Renew Registration *[previously Bylaw 53]*

- 7.1 The conditions and requirements for reinstatement of the registration of a former Registrant whose previous registration was cancelled under paragraph 6.5 are, despite paragraphs 1.1, 1.7, or 1.8 or paragraphs 3.1 to 3.3:
- 7.1.1 when the previous registration of the former Registrant was cancelled, the former Registrant was a Registrant in the Registrant class of Chiropractic: Full or a Chiropractic: Non-Practising and in Good Standing;
- 7.1.2 the former Registrant is not in contravention of the Act, the Regulations, or the Bylaws; and
- 7.1.3 receipt by the Registrar of:
- 7.1.3.1 a reinstatement application in the required form not later than September 30 in the year of the cancellation under paragraph 6.4;
- 7.1.3.2 in the case of a former Registrant in the Registrant class of Chiropractic: Full, proof of completion of all applicable requirements of the Quality Assurance Program under Schedule 12, as though the former Registrant's previous registration had not been cancelled under paragraph 6.4;
- 7.1.3.3 the registration reinstatement Fee specified in Schedule 1;

- 7.1.3.4 any other Fee owed to the College; and
- 7.1.3.5 proof of professional liability protection or insurance coverage as required under heading 10.0.

8.0 Reinstatement Where Headings 7.0 and 9.0 Do Not Apply [previously Bylaw 54]

- 8.1 The conditions and requirements for reinstatement of the registration of a former Registrant are, despite paragraphs 1.1, 1.7, or 1.8, or requirements under headings 3.0 or 7.0:
 - 8.1.1 when the previous registration of the former Registrant was cancelled, the former Registrant was a Registrant in the Registrant classes of Chiropractic: Full or Chiropractic: Non-Practising;
 - 8.1.2 the former Registrant is not in contravention of the Act, the regulations or the Bylaws;
 - 8.1.3 evidence satisfactory to the Registration Committee of the good character of the Applicant consistent with the responsibilities of a Registrant and the standards expected of a Registrant;
 - 8.1.4 receipt by the Registrar of:
 - 8.1.4.1 a reinstatement application in the required form;
 - 8.1.4.2 a letter or certificate, in a form satisfactory to the Registration Committee and dated within 60 days prior to the date of application, from each body responsible for the regulation of chiropractic or another health profession in a jurisdiction where the former Registrant is, or has been, authorized to practise chiropractic or another health profession, specifying particulars of any cancellation, suspension, limitation or conditions on the former Registrant's entitlement to practise, or any investigation, review or proceeding which could lead to cancellation, suspension, limitation or conditions on the former Registrant's entitlement to practise;
 - 8.1.4.3 an authorization for a criminal record check in the form required by the *Criminal Records Review Act*;
 - 8.1.4.4 in the case of a former Registrant who is practising or has practised chiropractic or another health profession in a jurisdiction outside Canada, a criminal record check from that jurisdiction in a form satisfactory to the Registration Committee obtained no more than 60 days prior to the date of application;
 - 8.1.4.5 in the case of a former Registrant in the Registrant class of Chiropractic: Full, proof of completion of all applicable requirements of the Quality Assurance

Program under Schedule 12 as though the former Registrant had been a full Registrant for the period of time since ceasing to be a full Registrant;

8.1.4.6 the registration reinstatement Fee specified in Schedule 1;

8.1.4.7 any other Fees owed to the College; and

8.1.4.8 proof of professional liability protection or insurance coverage as required under heading 10.0; and

8.1.5 in the case of a former Registrant in the Registrant class of Chiropractic: Full whose previous registration has been cancelled for three (3) consecutive years or more prior to the date of application under this section, the former Registrant either successfully completes the clinical skills Examinations specified by the Registration Committee, or satisfies the Registration Committee that:

8.1.5.1 during each of the three (3) years immediately preceding the date of application under this section, the former Registrant

8.1.5.1.1 engaged in the practice of chiropractic in another regulated jurisdiction for a minimum of 300 hours in accordance with criteria established by the Quality Assurance Committee; and

8.1.5.1.2 completed a minimum of 20 hours of continuing education that meet the criteria and guidelines established by the Quality Assurance Committee under heading 2.0 of Schedule 12 [*Quality Assurance*]; or

8.1.5.2 the former Registrant's knowledge, skills and abilities are substantially equivalent to the competencies or other qualifications established in subparagraph 8.1.5.1.

9.0 Reinstatement Following Disciplinary Action [*previously Bylaw 55*]

9.1 Under this heading, "Disciplined Person" means:

9.1.1 a former Registrant in the Registrant class of Chiropractic: Full or former Registrant in the Registrant class of Chiropractic: Non-Practising whose previous registration was cancelled:

9.1.1.1 under section 32.2, 32.3, 33, 35, 36, 37.1, 38, 39 or 39.1 of the Act; or

9.1.1.2 under paragraph 6.4 or on the agreement or request of the former Registrant at a time when it was suspended under section 32.2, 32.3, 33, 35, 36, 37.1, 38, 39 or 39.1 of the Act; or

- 9.1.2 a person whose certificate of registration was suspended or cancelled under the *Chiropractors Act*, RSBC 1979, c.50, and who is eligible to apply for reinstatement of registration.
- 9.2 The conditions and requirements for reinstatement of the registration of a Disciplined Person are, despite the requirements under headings 1.0, 3.0, 8.0 or 9.0 and subject to any applicable order or agreement under the Act or the *Chiropractors Act*, RSBC 1979, c.50;
- 9.2.1 the Disciplined Person is not in contravention of the Act, the regulations or the Bylaws;
- 9.2.2 evidence satisfactory to the Registration Committee:
- 9.2.2.1 of the good character of the Disciplined Person consistent with the responsibilities of a Registrant and the standards expected of a Registrant; and
- 9.2.2.2 that the Disciplined Person's registration will not:
- 9.2.2.2.1 pose an undue risk to public health or safety; or
- 9.2.2.2.2 otherwise be contrary to the public interest;
- 9.2.2.3 receipt by the Registrar of:
- 9.2.2.3.1 a reinstatement application in the required form;
- 9.2.2.3.2 a letter or certificate, in a form satisfactory to the Registration Committee and dated within 60 days prior to the date of application, from each body responsible for the regulation of chiropractic or another health profession in a jurisdiction where the Disciplined Person is, or has been, authorized to practise chiropractic or another health profession, specifying particulars of any cancellation, suspension, limitation or conditions on the Disciplined Person's entitlement to practise, or any investigation, review or proceeding which could lead to cancellation, suspension, limitation or conditions on the Disciplined Person's entitlement to practise;
- 9.2.2.3.3 an authorization for a criminal record check in the form required by the *Criminal Records Review Act*;
- 9.2.2.3.4 in the case of a Disciplined Person who is practising or has practised chiropractic or another health profession in a jurisdiction outside Canada, a criminal record check from that jurisdiction in a form satisfactory to the Registration Committee obtained no more than 60 days prior to the date of application;

- 9.2.2.3.5 in the case of a Disciplined Person who is a former full Registrant, proof of completion of all applicable requirements of the Quality Assurance Program under Schedule 12 as though the Disciplined Person had been a full Registrant for the period of time since ceasing to be a full Registrant;
 - 9.2.2.3.6 the registration reinstatement Fee specified in Schedule 1;
 - 9.2.2.3.7 any other Fee owed to the College; and
 - 9.2.2.3.8 proof of professional liability protection or insurance coverage as required under heading 10.0, and
- 9.2.2.4 in the case of a Disciplined Person who is a former full Registrant whose previous registration has been cancelled for three (3) consecutive years or more prior to the date of application under this section, the Disciplined Person either successfully completes the clinical skills Examinations specified by the Registration Committee, or satisfies the Registration Committee that:
- 9.2.2.4.1 during each of the three (3) years immediately preceding the date of application under this section, the Disciplined Person:
 - 9.2.2.4.1.1. engaged in the practice of chiropractic in another regulated jurisdiction for a minimum of 300 hours in accordance with criteria established by the Quality Assurance Committee, and
 - 9.2.2.4.1.2. completed a minimum of 20 hours of continuing education that meet the criteria and guidelines established by the Quality Assurance Committee under heading 2.0 of Schedule 12 *[Quality Assurance]*; or
 - 9.2.2.4.2 the Disciplined Person's knowledge, skills and abilities are substantially equivalent to the competencies or other qualifications established in subparagraph 9.2.2.4.1.

10.0 Professional Liability Protection or Insurance *[previously Bylaw 84]*

- 10.1 All Registrants in the Registrant classes of Chiropractic: Full, Chiropractic: Student, and Chiropractic: Temporary, and all employees of Registrants or health profession corporations to whom aspects of practice involving patient assessment or treatment are delegated under Schedule 8 must obtain and at all times maintain professional liability protection or insurance coverage in an amount of at least \$2,000,000 per claim in a form that is satisfactory to the Registrar.

- 10.2 For a period of 5 years following the grant of registration in the Registrant class of Chiropractic: Non-Practising under paragraphs 3.1 and 3.2, a Registrant in this class must maintain professional liability protection or insurance coverage in the amount and form specified in paragraph 10.1 against liability arising from the practice of chiropractic while the Registrant was a registered in the Registrant classes of Chiropractic: Full or Chiropractic: Temporary or a member of the College under the *Chiropractors Act*, RSBC 1979, c. 50.

DRAFT

Table 1: Recognized Chiropractic Education Program

I. CANADA

Canadian Memorial Chiropractic College

University of Quebec at Trois Rivieres

II. UNITED STATES

Cleveland Chiropractic College (Kansas City)

D'Youville University

Keiser University

Life University

Life Chiropractic College West

Logan University

Southern California University of Health Sciences

National University of Health Sciences

New York Chiropractic College

Northeast College of Health Sciences

Northwestern Health Sciences University

Palmer College of Chiropractic

Parker University

Sherman College of Chiropractic

Texas Chiropractic College

University of Bridgeport

Universidad Central Del Caribe

University of Western States

III. AUSTRALASIA

Macquarie University (Sydney, New South Wales)

Murdoch University (Perth, Western Australia)

The Royal Melbourne Institute of Technology University (Melbourne, Victoria)

Central Queensland University (Mackay/Brisbane, Queensland)

New Zealand College of Chiropractic

Australian Chiropractic College (Adelaide, South Australia)

IV. EUROPE

Anglo-European College of Chiropractic

Barcelona College of Chiropractic

Durban University of Technology (South Africa)

Institut Franco-Européen de Chiropraxie – Campus Paris and Toulouse McTimoney College of Chiropractic

RCU Escorial Maria-Cristina (Madrid College of Chiropractic)

Syddansk Universitet Odense

University of Johannesburg – Faculty of Health Sciences – Dept. of Chiropractic University of South Wales, Welsh Institute of Chiropractic

University of Zurich

University of Surrey

Schedule 3: Massage Therapy: Registration, Examinations, and Professional Liability Insurance

1.0 Definitions

1.1 In this Schedule:

“Examiner” means a Registrant or other person designated by the Registration Committee to conduct or oversee a Registration Examination;

“Prior Learning Assessment” means a process of credential assessment and written and practical Examinations that is conducted by or on behalf of the College to assess and evaluate whether a person’s knowledge, skills and abilities are substantially equivalent to those obtained through graduation from a Recognized Education Program;

“Recognized Canadian Jurisdiction” means:

- (a) New Brunswick;
- (b) Newfoundland and Labrador;
- (c) Ontario; or
- (d) Prince Edward Island;

“Recognized Education Program” means a massage therapy education program that:

- (a) has been recognized by the Registration Committee as meeting the College’s entry-to-practice requirements and is listed in Table 1 to this Schedule; or
- (b) if located outside British Columbia, is accredited at the three or five-year level by the Canadian Massage Therapy Council for Accreditation and has been recognized by the Registration Committee as meeting the College’s entry-to-practice requirements.

2.0 Eligibility to take Examination *[previously Bylaw 47]*

2.1 The conditions and requirements for eligibility to take all portions of the Examination required by the Registration Committee are:

2.1.1 one of the following:

- 2.1.1.1 graduation from a Recognized Education Program that, at the time the Applicant graduated, was recognized by the College as a Recognized Education Program;

- 2.1.1.2 registration for the practice of massage therapy as the equivalent of a Registrant in the Registrant class of Massage Therapy: Practising by a governing body that regulates the practice of massage therapy in a Recognized Canadian Jurisdiction; or
- 2.1.1.3 successful completion of a Prior Learning Assessment including, if necessary, any additional study, training or clinical experience, which satisfies the Registration Committee that the Applicant's knowledge, skills and abilities are substantially equivalent to those obtained through graduation from a Recognized Education Program; and
- 2.1.2 receipt by the Registrar of:
 - 2.1.2.1 the following information and/or records, in a format approved by the Registrar:
 - 2.1.2.1.1 the Applicant's personal contact information;
 - 2.1.2.1.2 name of the Applicant's educational institution(s) attended, degree or diploma earned, and year of graduation; and
 - 2.1.2.1.3 passport-quality photograph; and
 - 2.1.2.2 all applicable Registration Examination Fees specified in Schedule 1.

3.0 Massage Therapy: Practising – Conditions and Requirements for Registration *[previously Bylaw 47.1]*

- 3.1 Successful completion of all portions of the Registration Examination required by the Registration Committee;
- 3.2 If required by the Registration Committee, evidence satisfactory to the Registration Committee that the Applicant is a person of good character and otherwise fit to practice massage therapy;
- 3.3 Canadian citizenship or permanent residency in Canada or other authorization to work in Canada in a health care profession;
- 3.4 Unless the Applicant is registered for the practice of massage therapy in a Recognized Canadian Jurisdiction in accordance with subparagraph 2.1.1.2, successful completion of an English-language proficiency examination acceptable to the Registration Committee if the Applicant did not complete their massage therapy education in English;
- 3.5 Professional liability insurance as required under heading 13.0;

- 3.6 Current certification in Standard First Aid/CPR-C from the Canadian Red Cross, Canadian Ski Patrol, Heart and Stroke Foundation, Lifesaving Society or St. John Ambulance, and
- 3.7 Receipt by the Registrar of:
- 3.7.1 the Applicant's personal contact information;
 - 3.7.2 the application Fee and registration Fee specified in Schedule 1;
 - 3.7.3 solemn declarations as to whether the Applicant:
 - 3.7.3.1 has been charged with or convicted of a criminal offence;
 - 3.7.3.2 has been expelled from or otherwise forced to quit a massage therapy educational program;
 - 3.7.3.3 has had their entitlement to practice massage therapy or another health profession limited, restricted, suspended or cancelled in BC or another jurisdiction;
 - 3.7.3.4 has been refused registration or licensure by a regulatory body;
 - 3.7.3.5 is currently the subject of a proceeding for professional misconduct, incompetence or incapacity in relation to massage therapy or any other profession in any jurisdiction; and
 - 3.7.3.6 has truthfully, accurately and completely disclosed all events, conditions or circumstances material to the application;
 - 3.7.4 a signed criminal record check authorization under the *Criminal Records Review Act*, RSBC 1966, c. 86; and
 - 3.7.5 if the Applicant is authorized or has been authorized to practice massage therapy in another jurisdiction, or is authorized or has been authorized to practice another health profession in British Columbia or another jurisdiction, a signed consent form authorizing the governing body administering the Applicant's current or former authorization to practice massage therapy or another health profession to disclose to the Registration Committee:
 - 3.7.5.1 any current or previous restrictions, terms or limitations on the Applicant's authorization to practice massage therapy or another health profession;
 - 3.7.5.2 any unresolved complaints respecting the Applicant; and
 - 3.7.5.3 the disciplinary history of the Applicant.

4.0 Massage Therapy: Non-Practising – Conditions and Requirements for Registration
[previously Bylaw 48]

- 4.1 Current registration in the Registrant class of Massage Therapy: Practising;
- 4.2 Professional liability insurance as required under heading 14.0; and
- 4.3 Receipt by the Registrar of:
 - 4.3.1 the application Fee and applicable registration Fee specified in Schedule 1;
 - 4.3.2 any other Fee owed to the College under the Act, the Bylaws or this Schedule; and
 - 4.3.3 a solemn declaration that the Registrant will not provide massage therapy services in British Columbia while registered in the Registrant class of Massage Therapy: Non-Practising.

5.0 Registration Renewal [previously Bylaw 50]

- 5.1 The conditions and requirements for renewal of registration are, despite the requirements under headings 3.0 or 4.0:
 - 5.1.1 receipt by the Registrar of:
 - 5.1.1.1 the following information, in a format approved by the Registrar: the Registrant's personal contact information, the Registrant's place(s) of practice, and contact information for the Registrant's place(s) of practice;
 - 5.1.1.2 the applicable registration renewal Fee specified in Schedule 1;
 - 5.1.1.3 any other Fee owed to the College under the Act, the Bylaws or this Schedule; and
 - 5.1.1.4 a solemn declaration that the Registrant is not in contravention of the Act, the *Massage Therapists Regulation*, BC Reg. 280/2008, or the Bylaws, or any limits or conditions imposed under section 20, 32.2, 32.3, 33, 35, 36, 37.1, 38, or 39 of the Act.
 - 5.1.2 compliance with any requirements respecting quality assurance that are established in Schedule 13, the Bylaws or by the Quality Assurance Committee; and
 - 5.1.3 professional liability insurance as required in under heading 14.0.
- 5.2 On or before December 15 in each year, each Registrant applying for renewal must meet the conditions and requirements established in paragraph 5.1.

6.0 Late Renewal and Failure to Renew [previously Bylaw 51]

- 6.1 If a Registrant fails to meet, on or before December 15, the conditions and requirements established in paragraphs 5.1, the Registrant must pay the late renewal Fee specified in Schedule 1; and
- 6.2 If a Registrant described in paragraph 6.1 fails to do both of the following on or before December 31, the Registrant's registration is cancelled:
 - 6.2.1 meet the conditions and requirements established in paragraph 5.1; and
 - 6.2.2 pay the late renewal Fee required under paragraph 6.1.

7.0 Reinstatement of Registration Within 3 Months After Failure to Renew [previously Bylaw 52]

- 7.1 The conditions and requirements for reinstatement of the registration of a former Registrant whose previous registration was cancelled under paragraph 6.2 are, despite the requirements under headings 3.0, 4.0 or 10.0:
 - 7.1.1 the former Registrant was in Good Standing on cancellation of the previous registration;
 - 7.1.2 the former Registrant is not in contravention of the Act, the *Massage Therapists Regulation*, the Bylaws or this Schedule;
 - 7.1.3 compliance with any requirements respecting quality assurance that are established in Schedule 13, the Bylaws or by the Quality Assurance Committee, as though the former Registrant were applying under heading 4.0 for renewal of the previous registration;
 - 7.1.4 professional liability insurance as required under heading 14.0;
 - 7.1.5 current certification in Standard First Aid/CPR-C from the Canadian Red Cross, Canadian Ski Patrol, Heart and Stroke Foundation, Lifesaving Society or St. John Ambulance; and
 - 7.1.6 receipt by the Registrar, on or before March 31 in the year of cancellation under paragraph 6.2, of:
 - 7.1.6.1 the following information, in a format approved by the Registrar: the former Registrant's personal contact information, the former Registrant's anticipated place(s) of practice, and contact information for the Registrant's anticipated place(s) of practice;
 - 7.1.6.2 the application Fee and applicable registration reinstatement Fee specified in Schedule 1;

- 7.1.6.3 any other Fee owed to the College under the Act, the Bylaws or this Schedule; and
- 7.1.6.4 a solemn declaration as to whether the Applicant has been charged with or convicted of a criminal offence.

8.0 Waiver of Late Renewal or Reinstatement Fees *[previously Bylaw 53]*

8.1 Despite the requirements under headings 6.0 and 7.0, the Registrar may waive, reduce or reimburse any Fee that is paid or would otherwise be payable under one or more of those headings if, in the opinion of the Registrar, undue hardship or other special circumstances exist in relation to the Registrant or former Registrant that warrant waiver, reduction or reimbursement.

9.0 Refund of Registration or Renewal of Fees *[previously Bylaw 53.1]*

- 9.1 A Registrant who has paid the registration or renewal Fee for a year but who satisfies the Registrar that the Registrant has totally abstained from practice as a registered massage therapist in British Columbia during that year through disability, other than a suspension, is entitled to a refund of the difference between the registration or renewal Fee for a Registrant in the Registrant class of Massage Therapy: Practising and the registration or renewal Fee for a Registrant in the Registrant class of Massage Therapy: Non-Practising.
- 9.2 A Registrant is not entitled to a refund of all or any portion of the registration or renewal Fee for a year except in the circumstances set out in paragraph 9.1.
- 9.3 Despite paragraph 9.2, the Registrar may waive or refund all or any portion of the registration or renewal Fee for a year if, in the opinion of the Registrar, undue hardship or other special circumstances exist in relation to the Registrant or former Registrant that warrant a refund.

10.0 Reinstatement as a Practising Registrant if Failure to Renew Exceeds 3 Months *[previously Bylaw 54]*

10.1 In this heading,

10.1.1 “Applicant” means:

- 10.1.1.1 a former Registrant in the Registrant class of Massage Therapy: Practising who is no longer registered with the College and whose practising registration was not suspended or cancelled due to the College’s inquiry or discipline process; or
- 10.1.1.2 a Registrant in the Registrant class of Massage Therapy: Non-Practising;

- 10.1.2 “Disciplined Person” means a former Registrant whose registration was cancelled:
- 10.1.2.1 under section 32.2, 32.3, 33, 36, 37.1, 38, 39, or 39.1 of the Act; or
 - 10.1.2.2 under paragraph 5.2, or on the agreement or request of the former Registrant, at a time when their registration was suspended under section 32.2, 32.3, 33, 35, 36, 37.1, 38, 39 or 39.1 of the Act.
- 10.2 An Applicant whose registration in the Registrant class of Massage Therapy: Practising has been cancelled for two (2) consecutive years or less may be restored to registration in this class by the Registration Committee if the Applicant:
- 10.2.1 is not in contravention of the Act, its regulations or the Bylaws;
 - 10.2.2 if required by the Registration Committee, provides evidence satisfactory to the Registration Committee that they are a person of good character and otherwise fit to practice massage therapy;
 - 10.2.3 is in compliance with any requirements respecting quality assurance that are established in Schedule 13, the Bylaws or by the Quality Assurance Committee as though an application were being made under heading 5.0 for renewal of the former registration in Registrant class of Massage Therapy: Practising;
 - 10.2.4 has current certification in Standard First Aid/CPR-C from the Canadian Red Cross, Canadian Ski Patrol, Heart and Stroke Foundation, Lifesaving Society or St. John Ambulance;
 - 10.2.5 has obtained professional liability insurance as required under heading 14.0; and
 - 10.2.6 provides to the Registrar:
 - 10.2.6.1 the following information, in a format approved by the Registrar: the former Registrant’s personal contact information, the former Registrant’s anticipated place(s) of practice, and contact information for the Registrant’s anticipated place(s) of practice;
 - 10.2.6.2 the application Fee and applicable registration Fee specified in Schedule 1;
 - 10.2.6.3 any other Fee owed to the College under the Act, the Bylaws or this Schedule; and
 - 10.2.6.4 solemn declarations as to whether the former Registrant:
 - 10.2.6.4.1 has been charged with or convicted of a criminal offence;
 - 10.2.6.4.2 has been the subject of an adverse finding by the regulatory authority for a health profession;
 - 10.2.6.4.3 has entered into an agreement with a health profession regulatory authority;

- 10.2.6.4.4 has been refused registration or licensure by a health profession regulatory authority;
 - 10.2.6.4.5 has had their entitlement to practice a health profession limited, restricted, suspended or cancelled;
 - 10.2.6.4.6 is currently the subject of a proceeding for professional misconduct, incompetence or incapacity in relation to massage therapy or any other profession in any jurisdiction;
 - 10.2.6.4.7 has voluntarily relinquished the entitlement to practice a health profession in any jurisdiction, with the effect of preventing the commencement or completion of an investigation that could have resulted in suspension or cancellation of registration or licensure in that jurisdiction;
 - 10.2.6.4.8 has truthfully, accurately and completely disclosed all events, conditions or circumstances material to the application; and
- 10.2.7 unless the Applicant is currently registered in the Registrant class of Massage Therapy: Non-Practising, provides to the Registrar:
- 10.2.7.1 a signed criminal record check authorization under the *Criminal Records Review Act*;
 - 10.2.7.2 the full name and contact information of three personal references who can attest to the Applicant's good character and fitness to practice massage therapy; and
 - 10.2.7.3 if the Applicant is authorized or has been authorized to practice massage therapy in another jurisdiction, or is authorized or has been authorized to practice another health profession in British Columbia or another jurisdiction, a signed consent form authorizing the governing body administering the Applicant's current or former authorization to practice massage therapy or another health profession to disclose to the Registration Committee:
 - 10.2.7.3.1 any current or previous restrictions, terms or limitations on the Applicant's authorization to practice massage therapy or another health profession;
 - 10.2.7.3.2 any unresolved complaints respecting the Applicant; and
 - 10.2.7.3.3 the disciplinary history of the Applicant.
- 10.3 An Applicant whose registration in the Registrant class of Massage Therapy: Practising has been cancelled for more than two (2) consecutive years but less than five (5) consecutive years

may be restored to the Registrant class of Massage Therapy: Practising by the Registration Committee if the Applicant:

10.3.1 satisfies the requirements for reinstatement set out in paragraph 10.2; and

10.3.2 successfully completes any additional requirements the Registration Committee deems necessary to ensure the Applicant's competency to practice massage therapy, which may include one or more of the following:

10.3.2.1 a clinical skills refresher course satisfactory to the Registration Committee;

10.3.2.2 the Law, Ethics and Professionalism component of the Examination;

10.3.2.3 the Performance-Based Assessment component of the Examination; and

10.3.2.4 the Clinical Knowledge and Theory component of the Examination.

10.4 An Applicant whose registration in the Registrant class of Massage Therapy: Practising has been cancelled for five (5) consecutive years or more may be restored to the Registrant class of Massage Therapy: Practising by the Registration Committee if the Applicant:

10.4.1 satisfies the requirements for reinstatement set out in paragraphs 10.2; and

10.4.2 successfully completes any additional requirements the Registration Committee deems necessary to ensure the Applicant's competency to practice massage therapy, which may include one or more of the following:

10.4.2.1 a clinical skills refresher course satisfactory to the Registration Committee;

10.4.2.2 the Law, Ethics and Professionalism component of the Examination;

10.4.2.3 the Performance-Based Assessment component of the Examination;

10.4.2.4 the Clinical Knowledge and Theory component of the Examination;

10.4.2.5 any other steps satisfactory to the Registration Committee.

10.5 A Disciplined Person may be restored to the Registrant class of Massage Therapy: Practising by the Registration Committee if the Disciplined Person:

10.5.1 satisfies the requirements for reinstatement of an Applicant set out in paragraphs 10.2 through 10.4; and

10.5.2 satisfies the Registration Committee that reinstatement will not:

10.5.2.1 pose an undue risk to public health or safety; or

10.5.2.2 otherwise be contrary to the public interest.

11.0 Examination *[previously Bylaw 56]*

- 11.1 Each person who attempts an Examination or a portion thereof must be notified of the results of the attempt as soon as is practicable.
- 11.2 A person who fails an initial attempt at an Examination or a portion thereof is entitled to one further attempt at the Examination or portion thereof.
- 11.3 If a person fails a second attempt at an Examination or portion thereof, the Registration Committee may grant the person a third attempt at an Examination or a portion thereof if the person demonstrates to the Registration Committee that they have completed one or more courses or programs of study on the subjects addressed in those portions of the Examination that the person failed.
- 11.4 If a person fails a third attempt at an Examination or portion thereof, the Registration Committee may grant the person a fourth attempt only in accordance with criteria set by the Registration Committee for that purpose.
- 11.5 A person who fails a fourth attempt at an Examination or portion thereof is not entitled to any further attempts at the Examination or portion thereof unless the person:
- 11.5.1 completes, or repeats completion of, a Recognized Education Program or completes other further education or training acceptable to the Registration Committee; and
 - 11.5.2 re-applies under heading 2.0 for eligibility to take the Examination.
- 11.6 A person must complete all Examination attempts within three (3) years from the date of the person's application under heading 2.0 for eligibility to take an Examination or portion thereof.
- 11.7 Paragraphs 11.5 and 11.6 do not apply to a person applying for eligibility to take an Examination under paragraph 2.1.1.2.
- 11.8 A person is only eligible to apply for registration under heading 3.0 within one (1) year of successful completion of all required components of the Examination.

12.0 Disqualifications *[previously Bylaw 57]*

- 12.1 If an Applicant, in the opinion of an Examiner, engages in improper conduct during the course of an Examination:
- 12.1.1 the Examiner may disqualify the Applicant from further participation in the Examination; and

- 12.1.2 the Applicant must not attempt or attend any other Examination, except with the prior written approval of the Registration Committee.
- 12.2 If an Applicant is disqualified under paragraph 12.1, the College must, no later than 30 days after the Examination, give the Applicant written reasons for the disqualification.

13.0 Registration Examination Fees *[previously Bylaw 58]*

- 13.1 The Fees in respect of the Examination are as specified in Schedule 1;
- 13.2 Despite paragraph 13.1, if a person cannot attend an Examination or portion thereof on the scheduled date, the Registrar may refund all or any portion of the Examination fee, less any administrative Fee specified in Schedule 1, if:
- 13.2.1 the Registrar receives, no later than 15 days prior to the scheduled date, written notice confirming the Applicant cannot attend; and
- 13.2.2 in the opinion of the Registrar, undue hardship or other special circumstances exist in relation to the Applicant that warrant full or partial reimbursement.

14.0 Professional Liability Insurance *[previously Bylaw 61]*

- 14.1 Each Registrant in the Registrant class of Massage Therapy: Practising must obtain and at all times maintain professional liability insurance coverage in an amount of at least \$2,000,000 per claim or per occurrence, in a form that is satisfactory to the College.
- 14.2 For a period of at least five (5) years after the grant of registration in the Registrant class of Massage Therapy: Non-Practising under heading 4.0, a Registrant in this class who did not have occurrence-based coverage immediately prior to the time at which registration in the Registrant class of Massage Therapy: Non-Practising was granted must maintain professional liability insurance coverage in the amount per claim and form specified in paragraph 14.1 against liability arising from the practice of massage therapy while the Registrant in the Registrant class of Massage Therapy: Non-Practising was registered in the Registrant class of Massage Therapy: Practising.

Table 1: Recognized Education Programs

Educational Institution	Program	Campus
Camosun College	Registered Massage Therapy Program	Victoria
CDI College	Registered Massage Therapy Program	South Surrey
First College	Registered Massage Therapy Program	Kelowna
Kootenay Columbia College of Integrative Health Sciences	Registered Massage Therapy Program	Nelson
Langara College	Registered Massage Therapy Program	Vancouver
Okanagan Valley College of Massage Therapy	Registered Massage Therapy Program	Vernon
Vancouver Career College	Registered Massage Therapy Program	Burnaby, Kelowna
Vancouver College of Massage Therapy	Registered Massage Therapy Program	Vancouver
West Coast College of Massage Therapy	Registered Massage Therapy Program	New Westminister, Victoria

Schedule 4: Naturopathic Medicine: Registration, Examinations, and Professional Liability Insurance

1.0 Naturopathic Medicine: Full – Conditions and Requirements for Registration

[previously Bylaw 46]

- 1.1 Graduation from a naturopathic medicine education program recognized by the Board for the purpose of registration and specified in Table 1 to this Schedule;
- 1.2 Successful completion of the Examination(s) required by the Registration Committee within the three-year period immediately prior to the date of application for registration;
- 1.3 Evidence satisfactory to the Registration Committee of the good character of the person consistent with the responsibilities of a Registrant and the standards expected of a Registrant, including those in the Code of Ethics; and
- 1.4 Receipt by the Registrar of:
 - 1.4.1 a signed application for full registration in the required form;
 - 1.4.2 the applicable application, Examination or registration Fee(s) specified in Schedule 1;
 - 1.4.3 any other outstanding Fee owed to the College;
 - 1.4.4 an original certificate, notarized copy, or other evidence satisfactory to the Registration Committee of graduation from a program referred to in paragraph 1.1, and evidence satisfactory to the Registration Committee that they are the person named therein;
 - 1.4.5 a statutory declaration in the required form;
 - 1.4.6 a signed criminal record check authorization in the required form;
 - 1.4.7 evidence verifying the Applicant's identity;
 - 1.4.8 evidence satisfactory to the Registration Committee of the Applicant's English language proficiency;
 - 1.4.9 evidence satisfactory to the Registration Committee that the Applicant is fit to engage in the practice of naturopathic medicine; and
 - 1.4.10 evidence dated not more than 60 days before the date of application from each applicable regulatory or licensing authority in every jurisdiction where the Applicant is or was, at any time, entitled to practice a profession indicating that:
 - 1.4.10.1 the Applicant's entitlement to practice in the profession has not been cancelled, suspended, limited, restricted or made subject to conditions in the applicable jurisdiction at any time; and

1.4.10.2 there is no investigation, review or other proceeding underway in the applicable jurisdiction that could result in the Applicant's entitlement to practice being cancelled, suspended, limited, restricted, or made subject to conditions; or, if there is, specifying particulars of any such investigation, review, or other proceeding.

1.5 Despite paragraphs 1.1 and 1.2, an Applicant may be granted registration in the Registrant class of Naturopathic Medicine: Full by the Registration Committee if the Applicant:

1.5.1 is registered in good standing with a regulatory body in another Canadian jurisdiction as, in the opinion of the Registration Committee, the equivalent of this class of Registrant, and has provided notarized evidence, or other evidence satisfactory to the Registration Committee, of such registration, and evidence satisfactory to the Registration Committee that the Applicant is the person named therein;

1.5.2 has successfully completed any Examination(s) and any upgrading program(s) required by the Registration Committee; and

1.5.3 meets the requirements established in paragraph 1.3 and subparagraphs 1.4.1 to 1.4.3 and 1.4.5 to 1.4.10.

1.6 Despite paragraph 1.1, an Applicant may be granted registration in the Registrant class of Naturopathic Medicine: Full by the Registration Committee if the Applicant:

1.6.1 has a combination of knowledge, skills and abilities which are, in the opinion of the Registration Committee, substantially equivalent to the requirement established in paragraph 1.1, and has provided notarized evidence, or other evidence satisfactory to the Registration Committee, of such knowledge, skills and abilities, and evidence satisfactory to the Registration Committee that the Applicant is the person named therein;

1.6.2 has successfully completed the Examination(s) and any upgrading program(s) required by the Registration Committee; and

1.6.3 meets the requirements established in paragraph 1.3 and subparagraphs 1.4.1 to 1.4.3, and 1.4.5 to 1.4.10.

2.0 Naturopathic Medicine: Non-Practising – Conditions and Requirements for Registration *[previously Bylaw 48]*

2.1 A Registrant in the Registrant class of Naturopathic Medicine: Full or a former Registrant in that class may be granted registration in the Registrant class of Naturopathic Medicine: Non-Practising by the Registration Committee if the person has delivered to the Registrar:

2.1.1 a signed application for non-practising registration in the required form;

- 2.1.2 the applicable application or registration Fee(s) specified in Schedule 1;
 - 2.1.3 any other outstanding Fee owed to the College; and
 - 2.1.4 a statutory declaration in the required form that they will not practise naturopathic medicine while registered under this section.
- 2.2 In paragraph 2.1, “former registrant” includes a non-Registrant who is a former member of the Association of Naturopathic Physicians of British Columbia who was licensed to practise naturopathic medicine.

3.0 Naturopathic Medicine: Temporary – Conditions and Requirements for Registration *[previously Bylaw 50]*

- 3.1 Despite subparagraph 1.5.2, an Applicant under paragraph 1.5 may be granted registration in the Registrant class of Naturopathic Medicine: Temporary by the Registration Committee for a period of up to nine (9) months if the Applicant:
- 3.1.1 meets the requirements established in subparagraph 1.5.1;
 - 3.1.2 has successfully completed any local knowledge or jurisprudence Examination(s) required by the Registration Committee;
 - 3.1.3 has provided evidence satisfactory to the Registration Committee of the good character of the person consistent with the responsibilities of a Registrant and the standards expected of a Registrant, including those in the Code of Ethics; and
 - 3.1.4 has delivered to the Registrar:
 - 3.1.4.1 a signed application for temporary registration in the required form;
 - 3.1.4.2 the applicable application, Examination or registration Fee(s) specified in Schedule 1;
 - 3.1.4.3 any other outstanding Fee owed to the College;
 - 3.1.4.4 a statutory declaration in the required form; and
 - 3.1.4.5 a signed criminal record check authorization in the required form.
- 3.2 The Registration Committee may renew the registration of a Registrant in the Registrant class of Naturopathic Medicine: Temporary for periods of up to three (3) months, provided the total period of the registration does not exceed twelve (12) months.
- 3.3 Registration in the Registrant class of Naturopathic Medicine: Full may be granted by the Registration Committee to a Registrant in the Registrant class of Naturopathic Medicine: Temporary who meets the requirements established in paragraph 1.5.

4.0 Naturopathic Medicine: Student – Conditions and Requirements for Registration

[previously Bylaw 50.1]

4.1 An Applicant may be granted registration in the Registrant class of Naturopathic Medicine: Student by the Registration Committee where the Applicant:

4.1.1 is enrolled as a student in a naturopathic medicine education program recognized by the Registration Committee for the purpose of registration and specified in Table 1 to this Schedule;

4.1.2 satisfies the Registration Committee of the good character of the person consistent with the responsibilities of a Registrant and the standards expected of a Registrant, including those in the Code of Ethics;

4.1.3 has delivered to the Registrar:

4.1.3.1 a signed application for registration in the required form;

4.1.3.2 the applicable Fee(s) specified in Schedule 1;

4.1.3.3 a notarized statement of the Applicant's name, date of birth and educational standing;

4.1.3.4 a statutory declaration in the required form;

4.1.3.5 a letter, in a form satisfactory to the Registration Committee, dated within sixty (60) days from the date of the application, from the competent regulatory or licensing authority in each other jurisdiction where the Applicant is or was, at any time, registered or licensed for the practice of naturopathic medicine or another health profession:

4.1.3.5.1 certifying that the Applicant's entitlement to practice naturopathic medicine or another health profession has not been cancelled, suspended, limited, restricted, or subject to conditions in that jurisdiction at any time, or, if it has, specifying the particulars of any such cancellation, suspension, limitation, restriction, or conditions; and

4.1.3.5.2 certifying that there is no investigation, review, or other proceeding underway in that jurisdiction which could result in the Applicant's entitlement to practise naturopathic medicine or another health profession being cancelled, suspended, limited, restricted, or subjected to conditions, or, if there is, specifying particulars of any such investigation, review, or other proceeding; and

- 4.1.3.6 a criminal record report in a form satisfactory to the Registration Committee for any other jurisdiction in which the Applicant has practiced naturopathic medicine or another health profession; and
- 4.1.4 has complied with all the requirements of the *Criminal Records Review Act*, RSBC 1996, c. 86.
- 4.2 Registration in the Registrant class of Naturopathic Medicine: Student is valid so long as the student Registrant is enrolled as a student in a naturopathic medicine education program specified in Table 1 to this Schedule.
- 4.3 The Registrar may require evidence of continued or current enrollment in a recognized education program from any Naturopathic Medicine: Student Registrants
- 5.0 Examinations** [previously Bylaw 55]
- 5.1 All Examinations required to be taken under this Schedule must be prepared by or under the direction of, or recommended by, the Registration Committee.
- 5.2 The Registrar must:
 - 5.2.1 determine the time and place for the holding of an Examination, designate invigilators and determine the procedures for the conduct of the Examination;
 - 5.2.2 review the results of the Examination or re-Examination for each Applicant and make a determination as to whether or not that Applicant has successfully completed the Examination or re-Examination; and
 - 5.2.3 notify the Applicant of the results of the Examination or re-Examination as soon as is practicable.
- 5.3 If the invigilator has reason to believe that an Applicant has engaged in improper conduct during the course of an Examination, the invigilator must make a report to the Registrar and may recommend that the Registration Committee take one or more of the following courses of action:
 - 5.3.1 fail the Applicant;
 - 5.3.2 pass the Applicant;
 - 5.3.3 require the Applicant to rewrite the Examination;
 - 5.3.4 disqualify the Applicant from participating in any Examination for a period of time.
- 5.4 After considering a report made under paragraph 5.3, the Registration Committee must take one or more of the courses of action specified in paragraph 5.3.

- 5.5 An Applicant disqualified under subparagraph 5.3.4 and paragraph 5.4 must be provided with written reasons for the disqualification.
- 5.6 An Applicant who, on their first attempt under this Schedule, fails an Examination required to be taken under this Schedule is entitled to reattempt the Examination under this Schedule on a maximum of two (2) further occasions.
- 5.7 Despite paragraph 5.6, an Applicant is not entitled to attempt or reattempt an Examination under this Schedule if the Applicant has previously failed the Examination on a total of three (3) or more occasions, whether or not those failed attempts occurred under this Schedule or in a jurisdiction or jurisdictions other than British Columbia.
- 5.8 Despite paragraphs 5.6 and 5.7, an Applicant who is not entitled to attempt or reattempt an Examination under this Schedule because of paragraphs 5.6 and 5.7 may, with the prior written approval of the Registration Committee, attempt or reattempt the Examination on one or more further occasions as, in the opinion of the Registration Committee, is appropriate in the circumstances.

6.0 Registration Renewal *[previously Bylaw 56]*

- 6.1 Subject to the requirements under heading 3.0, to be eligible for a renewal of registration, a Registrant must:
- 6.1.1 apply to the Registrar in the required form;
 - 6.1.2 pay the applicable registration renewal Fee specified in Schedule 1;
 - 6.1.3 pay any other outstanding Fee owed to the College;
 - 6.1.4 attest that they are in compliance with the Act, the regulations and the Bylaws, and is in compliance with any terms, limits or conditions imposed under section 20 (2.1) of the Act, or required by any consent or undertaking given under section 36 of the Act, order under section 35 or 39 of the Act, or deemed order under section 37.1 of the Act;
 - 6.1.5 provide evidence satisfactory to the Registration Committee of having completed any applicable requirements in Schedule 14 *[Quality Assurance]*; and
 - 6.1.6 provide a written statement confirming that they are in compliance with all applicable standards of practice regarding emergency equipment and training.
- 6.2 If a Registrant wishes to maintain a notation of certification in the Register in relation to the Registrant's name, the Registrant must pay the applicable certification renewal Fee specified in Schedule 1.

- 6.3 Notice of annual registration and certification renewal Fee(s) must be delivered to each Registrant no later than November 15th of each calendar year and must describe the consequences of late payment and non-payment of Fees.
- 6.4 Each Registrant in the Registrant classes of Naturopathic Medicine: Full or Naturopathic Medicine: Non-Practising who apply to have their registration renewed must pay to the College the applicable registration and certification renewal Fee(s) on or before December 31, at 4:30 p.m. pacific standard time of each calendar year.
- 6.5 Each Registrant in the Registrant class of Naturopathic Medicine: Temporary who applies to have their registration renewed must pay to the College the applicable registration renewal Fee on or before the expiry date of their current registration.
- 6.6 If a Registrant in the Registrant classes of Naturopathic Medicine: Full or Naturopathic Medicine: Non-Practising fails to pay the applicable registration renewal Fee and any other outstanding Fee-owed to the College on or before December 31 at 4:30 p.m. pacific standard time of each calendar year, their registration is cancelled.
- 6.7 If a Registrant in the Registrant class of Naturopathic Medicine: Temporary fails to pay the applicable registration renewal Fee and any other outstanding Fee owed to the College on or before the expiry date of their current registration, their registration is cancelled.
- 6.8 If a Registrant fails to pay the applicable certification renewal Fee(s) on or before December 31 at 4:30 p.m. pacific standard time of each calendar year, any notation of certification entered into the Register in relation to the Registrant's name is removed from the Register.

7.0 Reinstatement [previously Bylaw 58]

7.1 In this heading, "Former Registrant" means:

7.1.1 a person who was a Registrant in the Registrant classes of Naturopathic Medicine: Full or Naturopathic Medicine: Non-Practising whose registration was not cancelled by an order under section 39 of the Act or a deemed order under section 37.1 of the Act; or

7.1.2 a Registrant in the Registrant class of Naturopathic Medicine: Non-Practising in Good Standing whose registration in the Registrant class of Naturopathic Medicine: Full was not cancelled by an order under section 39 of the Act or a deemed order under section 37.1 of the Act, or whose registration with the Association of Naturopathic Physicians of British Columbia was not cancelled under the *Naturopaths Act*, RSBC 1996, c. 332,

and, in paragraph 7.3, includes a non-Registrant who is a former member of the Association of Naturopathic Physicians of British Columbia and whose registration with that Association was not cancelled under the *Naturopaths Act*.

- 7.2 A Former Registrant whose registration in the Registrant class of Naturopathic Medicine: Full or equivalent has been cancelled, as of the date of application under this heading, for a period of less than three (3) years may be reinstated in this class by the Registration Committee if they:
- 7.2.1 have provided evidence satisfactory to the Registration Committee of having successfully completed at least 40 hours of continuing education in the two (2) year period immediately prior to the date of application under this subsection;
 - 7.2.2 has provided evidence satisfactory to the Registration Committee of the good character of the Former Registrant consistent with the responsibilities of a Registrant and the standards expected of a Registrant, including those in the Code of Ethics; and
 - 7.2.3 has delivered to the Registrar:
 - 7.2.3.1 a signed application for reinstatement in the required form;
 - 7.2.3.2 the applicable registration reinstatement Fee specified in Schedule 1; and
 - 7.2.3.3 any other outstanding Fee owed to the College.
- 7.3 A Former Registrant whose registration in the Registrant class of Naturopathic Medicine: Full or equivalent has been cancelled, as of the date of application under this heading, for a period of three (3) years or more may be reinstated in this class by the Registration Committee if they:
- 7.3.1 meet the requirements established in paragraph 7.2; and
 - 7.3.2 have successfully completed any Examination(s), upgrading program(s) or period(s) of supervised practise required by the Registration Committee.

8.0 Reinstatement Following Disciplinary Action *[previously Bylaw 59]*

- 8.1 In this heading, “Former Registrant” means:
- 8.1.1 a person who was a Registrant in the Registrant classes of Naturopathic Medicine: Full or Naturopathic Medicine: Non-Practising whose registration was cancelled by an order under section 39 of the Act or a deemed order under section 37.1 of the Act;
 - 8.1.2 a Registrant in the Registrant class of Naturopathic Medicine: Non-Practising in Good Standing whose full registration was cancelled by an order under section 39 of the Act or a deemed order under section 37.1 of the Act, or whose registration with the Association of Naturopathic Physicians of British Columbia was cancelled under the *Naturopaths Act*; or

- 8.1.3 a non-Registrant who is a former member of the Association of Naturopathic Physicians of British Columbia and whose registration with that Association was cancelled under the *Naturopaths Act*.
- 8.2 A Former Registrant whose registration in the Registrant class of Naturopathic Medicine: Full or equivalent has been cancelled, as of the date of application under this heading, for a period of three (3) years or more may be reinstated in this class by the Registration Committee if:
 - 8.2.1 the person meets all the requirements established in paragraph 7.3; and
 - 8.2.2 the Registration Committee is satisfied that reinstatement of their registration will not:
 - 8.2.2.1 pose an undue risk to public health or safety; or
 - 8.2.2.2 otherwise be against the public interest for any reason.

9.0 Reinstatement Following Non-payment of Fees [previously Bylaw 60]

- 9.1 A former Registrant in the Registrant classes of Naturopathic Medicine: Full or Naturopathic Medicine: Non-Practising whose registration was cancelled by reason only of a failure to renew their registration in accordance with the requirements under heading 6.0 may be reinstated as a Registrant in the Registrant classes of Naturopathic Medicine: Full or Naturopathic Medicine: Non-Practising, as applicable, by the Registration Committee if, not later than three (3) months following the cancellation of their registration, the person:
 - 9.1.1 has provided, if they are a former Registrant in the Registrant class of Naturopathic Medicine: Full, evidence satisfactory to the Registration Committee of having completed any applicable requirements in Schedule 14 [*Quality Assurance*] as if they were still a Registrant in this class; and
 - 9.1.2 has delivered to the Registrar:
 - 9.1.2.1 a signed application for reinstatement in the required form;
 - 9.1.2.2 the applicable registration renewal Fee specified in Schedule 1;
 - 9.1.2.3 any other outstanding Fee owed to the College;
 - 9.1.2.4 an attestation that they are in compliance with the Act, the regulations and the Bylaws, and is in compliance with any terms, limits or conditions imposed under section 20 (2.1) of the Act, or required by any consent or undertaking given under section 36 of the Act, order under section 35 or 39 of the Act, or deemed order under section 37.1 of the Act;
 - 9.1.2.5 a written statement confirming that the person is in compliance with all applicable standards of practice regarding emergency equipment and training; and

9.1.2.6 the applicable reinstatement Fee specified in Schedule 1.

9.2 Any notation of certification in relation to the name of a successful Applicant under paragraph 9.1 that was removed from the Register under paragraph 6.8 may be restored by the Registration Committee if the Applicant pays any applicable restoration Fee(s) specified in Schedule 1.

10.0 Professional Liability Insurance *[previously Bylaw 99]*

10.1 Each Registrant in the Registrant classes of Naturopathic Medicine: Full or Naturopathic Medicine: Temporary must obtain and at all times maintain professional liability insurance with a limit of liability not less than \$3,000,000 per occurrence insuring against liability arising from an error, omission or negligent act of the Registrant.

10.2 Each Registrant in the Registrant classes of Naturopathic Medicine: Full or Naturopathic Medicine: Temporary must obtain and at all times maintain professional liability insurance with a limit of liability not less than \$3,000,000 per occurrence insuring against liability arising from an error, omission or negligent act of any employees, agents, students or volunteers who assist the Registrant in the delivery of naturopathic medicine services.

Table 1: Recognized Education Programs

1.0 Canadian College of Naturopathic Medicine - Toronto

1255 Sheppard Avenue East
North York, ON, M2K 1E2

2.0 National University of Naturopathic Medicine

49 Porter Street
Portland, OR 97213, USA

3.0 National University of Health Sciences

200 E Roosevelt Road
Lombard, Illinois 60148

4.0 Bastyr University

14500 Juanita Drive NE
Bothell, WA 98011, USA

5.0 Bastyr University (California Campus)

4106 Sorrento Valley Boulevard
San Diego, California 92121

6.0 Sonoran University of Health Sciences

2140 East Broadway Road
Tempe, AZ 85282, USA

7.0 Canadian College of Naturopathic Medicine – Boucher

330 – 435 Columbia Street
New Westminster, BC, V3L 5N8

8.0 Universidad Ana G. Mendez

PO Box 3030
Guarabo, Puerto Rico 00778

Schedule 5: Traditional Chinese Medicine and Acupuncture: Registration, Examinations, and Professional Liability Insurance

1.0 Traditional Chinese Medicine and Acupuncture: Full *[previously Bylaw 48]*

- 1.1 Subject to paragraph 1.6, an Applicant may be granted registration in the Registrant class of Traditional Chinese Medicine and Acupuncture: Full by the Registration Committee where the Applicant:
- 1.1.1 has graduated from a traditional Chinese medicine education program recognized by the Registration Committee for the purpose of registration and specified in Table 1 to this Schedule;
 - 1.1.2 has successfully completed not less than two (2) years of liberal arts or sciences study (comprised of at least 60 credits) in an accredited college or chartered/approved university acceptable to the Registration Committee;
 - 1.1.3 has successfully completed the Examinations and courses set out in Table 2 to this Schedule, in the last three (3) years;
 - 1.1.4 holds current certification in standard first aid and Level C cardiopulmonary resuscitation or equivalent certification satisfactory to the Registration Committee;
 - 1.1.5 provides evidence satisfactory to the Registration Committee that the Applicant is a person of good character consistent with the responsibilities and standards expected of a Registrant; and
 - 1.1.6 is a Canadian citizen, a permanent resident of Canada, or is otherwise authorized to work in Canada.
- 1.2 An Applicant for registration under this heading must deliver to the Registrar:
- 1.2.1 a completed application form for registration in the Registrant classes of Traditional Chinese Medicine and Acupuncture: Full to provide:
 - 1.2.1.1 evidence satisfactory to the Registration Committee that the Applicant meets the requirements for registration set out in subparagraphs 1.1.1 to 1.1.6;
 - 1.2.1.2 personal information required for verifying identity and for maintenance of the Register;
 - 1.2.1.3 information regarding any criminal conviction or offence committed, past conduct involving the Applicant's incompetence or untrustworthiness, previous limits, restrictions, or conditions on the Applicant's practice that

- relate to the Applicant's competence or fitness to practise in a regulated profession that the Applicant was or is registered in;
- 1.2.1.4 evidence satisfactory to the Registration Committee to support the information provided in the declaration under subparagraph 1.2.1.3;
 - 1.2.1.5 evidence that the Applicant meets or will meet if the registration applied for is granted, the applicable requirements under heading 9.0; and
 - 1.2.1.6 a declaration that all information and statements submitted by the Applicant are true, complete, and correct;
- 1.2.2 the Fees specified in Schedule 1;
 - 1.2.3 payment of any outstanding Fee owed to the College;
 - 1.2.4 evidence of compliance with the requirements of the *Criminal Records Review Act*, RSBC 1996, c. 86
 - 1.2.5 all other relevant information or records about the Applicant that relates to the Applicant's competence, fitness to practice or good character; and
 - 1.2.6 any other information or records that the Registration Committee or Registrar requires the Applicant to submit in support of their application for registration.
- 1.3 Despite paragraph 1.1, an Applicant may be granted registration in the Registrant class of Traditional Chinese Medicine and Acupuncture: Full by the Registration Committee if the Applicant:
- 1.3.1 provides evidence satisfactory to the Registration Committee that the Applicant holds registration or licensure in good standing in another Canadian jurisdiction which is equivalent to registration in the Registrant classes of Traditional Chinese Medicine and Acupuncture: Full; and
 - 1.3.2 delivers to the Registrar all information specified in paragraph 1.2 required to provide evidence meeting the requirements established in subparagraphs 1.1.4 to 1.1.6.
- 1.4 Despite subparagraphs 1.1.1 and 1.1.2, the Registration Committee may, consider whether the Applicant's knowledge, skills, and abilities are substantially equivalent to the standards of academic or technical achievement and the competencies or other qualifications established in subparagraphs 1.1.1 and 1.1.2, and grant registration on that basis provided the Applicant:
- 1.4.1 provides evidence satisfactory to the Registration Committee of such knowledge, skills and abilities; and
 - 1.4.2 delivers to the Register all information specified in paragraph 1.2 required to provide evidence meeting the requirements established in subparagraphs 1.1.3 to 1.1.6.

- 1.5 After considering an application for registration under this heading, the Registration Committee may grant registration in the Registrant class of Traditional Chinese Medicine and Acupuncture: Limited to an Applicant and impose such limits or conditions on an Applicant's registration which, in its opinion, are necessary to protect the public.
- 1.6 A former Registrant or a Registrant in the Registrant class of Traditional Chinese Medicine and Acupuncture: Non-Practising seeking reinstatement in the Registrant classes of Traditional Chinese Medicine and Acupuncture: Full must apply for reinstatement under heading 7.0.
- 1.7 Registration in the Registrant class of Traditional Chinese Medicine and Acupuncture: Full is valid until March 31 of the year following the year the registration is granted by the Registration Committee.

2.0 Traditional Chinese Medicine and Acupuncture: Limited *[previously Bylaw 50]*

- 2.1 Subject to the requirements of paragraph 7.3, registration in the Registrant class of Traditional Chinese Medicine and Acupuncture: Limited may be granted to a former Registrant from the Registrant classes of Traditional Chinese Medicine and Acupuncture: Full, or Traditional Chinese Medicine and Acupuncture: Non-Practising, who has been out of practice for three (3) years or more with any limits or conditions the Registration Committee considers necessary for the protection of public safety.
- 2.2 Registration in the Registrant class of Traditional Chinese Medicine and Acupuncture: Limited may be granted by the Registration Committee subject to paragraph 1.5.
- 2.3 Registration in the Registrant class of Traditional Chinese Medicine and Acupuncture: Limited is valid until March 31 of the year following the year the registration is granted or a date otherwise specified by the Registration Committee that must not exceed one (1) year from the date the registration is granted.
- 2.4 Registration in the Registrant class of Traditional Chinese Medicine and Acupuncture: Limited can be renewed according to the requirements under heading 6.0.
- 2.5 If the Registration Committee is satisfied that the limits or conditions placed upon a Registrant in the Registrant class of Traditional Chinese Medicine and Acupuncture: Limited under this heading are no longer necessary in the public interest and the Registrant pays the Fees specified in Schedule 1, the Registration Committee may reinstate the Registrant to registration in the Registrant class of Traditional Chinese Medicine and Acupuncture: Full for a period not longer than one (1) year from the last date that registration in the Registrant class of Traditional Chinese Medicine and Acupuncture: Limited was granted or renewed.

3.0 Traditional Chinese Medicine and Acupuncture: Student [previously Bylaw 51]

- 3.1 An Applicant may be granted registration in the Registrant class of Traditional Chinese Medicine and Acupuncture: Student by the Registration Committee where the Applicant:
 - 3.1.1 is currently enrolled as a student in a traditional Chinese medicine education program specified in Table 1 to this Schedule or is otherwise enrolled in a traditional Chinese medicine education program that is acceptable to the Registration Committee;
 - 3.1.2 provides evidence satisfactory to the Registration Committee that they are a person of good character consistent with the responsibilities of a Registrant and the standards expected of a Registrant; and
 - 3.1.3 is a Canadian citizen or permanent resident of Canada or is otherwise authorized to study in Canada.

- 3.2 An Applicant for registration in the Registrant class of Traditional Chinese Medicine and Acupuncture: Student must deliver to the Registrar:
 - 3.2.1 a completed application form to provide:
 - 3.2.1.1 evidence satisfactory to the Registration Committee that the Applicant meets the requirements set out in subparagraphs 3.1.1 to 3.1.3;
 - 3.2.1.2 personal information required for verifying identity and for maintenance of the Register;
 - 3.2.1.3 information regarding any criminal conviction or offence committed, past conduct involving the Applicant's incompetence or untrustworthiness, previous limits, restrictions, or conditions on the Applicant's practice that relate to the Applicant's competence or fitness to practise in a regulated profession that the Applicant was or is registered in;
 - 3.2.1.4 evidence satisfactory to the Registration Committee to support the information provided in the declaration under subparagraph 3.2.1.3;
 - 3.2.1.5 evidence of compliance with the requirements of the *Criminal Records Review Act*; and
 - 3.2.1.6 a declaration that all information and statements by the Applicant submitted are true, complete, and correct;
 - 3.2.2 the Fees specified in Schedule 1;
 - 3.2.3 payment of any outstanding Fee owed to the College;
 - 3.2.4 all other relevant information or records about the Applicant that relates to the Applicant's competence, fitness to practice or good character; and

3.2.5 any other information or records that the Registration Committee or Registrar requires the Applicant to submit in support of their application for registration.

3.3 Registration in the Registrant class of Traditional Chinese Medicine and Acupuncture: Student is valid until the earlier of March 31 of the year following the year the registration is granted or a date otherwise specified by the Registration Committee that must not exceed 1 year from the date the registration is granted.

4.0 Traditional Chinese Medicine and Acupuncture: Non-Practising *[previously Bylaw 52]*

4.1 A Registrant in the Registrant class of Traditional Chinese Medicine and Acupuncture: Full may be granted registration in the Registrant classes of Traditional Chinese Medicine and Acupuncture: Non-Practising by the Registration Committee where the Registrant delivers to the Registrar:

4.1.1 a completed application form to provide:

4.1.1.1 personal information required for verifying identity and for maintenance of the Register;

4.1.1.2 confirmation that the Registrant will not practise traditional Chinese medicine or acupuncture or provide professional service while being registered in the Registrant class of Traditional Chinese Medicine and Acupuncture: Non-Practising;

4.1.1.3 evidence that the Applicant meets or will meet if the registration applied for is granted, the applicable requirements under heading 9.0; and

4.1.1.4 a declaration that all information and statements submitted by the Applicant are true, complete, and correct;

4.1.2 the Fees specified in Schedule 1;

4.1.3 payment of any outstanding Fee owed to the College;

4.1.4 all other relevant information or records about the Applicant that relates to the Applicant's competence, fitness to practice or good character; and

4.1.5 any other information or records that the Registration Committee or Registrar requires the Applicant to submit in support of their application for registration.

4.2 Registration in the Registrant class of Traditional Chinese Medicine and Acupuncture: Non-Practising is valid until March 31 of the year following the year the registration is granted by the Registration Committee.

- 4.3 A Registrant in the Registrant class of Traditional Chinese Medicine and Acupuncture: Non-Practising may be reinstated to Registration in the Registrant class of Traditional Chinese Medicine and Acupuncture: Full in accordance with the requirements under heading 7.0.

5.0 Traditional Chinese Medicine and Acupuncture: Temporary *[previously Bylaw 53]*

- 5.1 An Applicant may be granted registration in the Registrant class of Traditional Chinese Medicine and Acupuncture: Temporary by the Registration Committee for a period not to exceed three (3) months where the Applicant:

- 5.1.1 is seeking to perform, provide or demonstrate traditional Chinese medicine services in a clinical education course or educational function which is acceptable to the Registration Committee;
- 5.1.2 is either a Registrant in the Registrant class of Traditional Chinese Medicine and Acupuncture: Full in good standing of a regulatory body in Canada that regulates traditional Chinese medicine or is a full registrant in good standing of a regulatory body outside Canada that regulates traditional Chinese medicine who has completed an education program acceptable to the Registration Committee that meets the requirements established in Table 4 to this Schedule or an education program outlined in Table 1 to this Schedule;
- 5.1.3 has not applied for registration or been granted registration under headings 1.0 to 4.0 within the preceding three (3) years;
- 5.1.4 has not applied to write the registration Examinations specified in Table 2 to this Schedule the preceding three (3) years;
- 5.1.5 holds current certification in standard first aid and Level C cardiopulmonary resuscitation or equivalent certification satisfactory to the Registration Committee;
- 5.1.6 provides evidence satisfactory to the Registration Committee that the Applicant is a person of good character consistent with the responsibilities and standards expected of a Registrant; and
- 5.1.7 is a Canadian citizen, a permanent resident of Canada, or is otherwise authorized to work in Canada.

- 5.2 An Applicant for registration in the Registrant class of Traditional Chinese Medicine and Acupuncture: Temporary must deliver to the Registrar:

- 5.2.1 a completed application form for registration to provide:
 - 5.2.1.1 evidence satisfactory to the Registration Committee that the Applicant meets the requirements for registration set out in subparagraphs 5.1.1 to 5.1.7;

- 5.2.1.2 personal information required for verifying identity and for maintenance of the Register;
 - 5.2.1.3 information regarding any criminal conviction or offence committed, past conduct involving the Applicant's incompetence or untrustworthiness, previous limits, restrictions, or conditions on the Applicant's practice that relate to the Applicant's competence or fitness to practise in a regulated profession that the Applicant was or is registered in;
 - 5.2.1.4 evidence satisfactory to the Registration Committee to support the information provided in the declaration under subparagraph 5.2.1.3;
 - 5.2.1.5 evidence of compliance with the requirements of the *Criminal Records Review Act*;
 - 5.2.1.6 evidence that the Applicant meets or will meet if the registration applied for is granted, the applicable requirements under heading 9.0; and
 - 5.2.1.7 a declaration that all information and statements submitted by the Applicant are true, complete, and correct;
- 5.2.2 the Fees specified in Schedule 1;
 - 5.2.3 payment of any outstanding Fee owed to the College;
 - 5.2.4 all other relevant information or records about the Applicant that relates to the Applicant's competence, fitness to practice or good character; and
 - 5.2.5 any other information or records that the Registration Committee or Registrar requires the Applicant to submit in support of their application for registration.
- 5.3 The Registration Committee may renew a Registrant's registration in the Registrant class of Traditional Chinese Medicine and Acupuncture: Temporary once for a period not to exceed three (3) months provided that a request for renewal is submitted to the Registrar prior to the expiration of registration in this class.

6.0 Registration Renewal [previously Bylaw 56]

- 6.1 The College must deliver to each Registrant, no later than February 15 of each year, notice of the registration renewal Fees for that year and information about the consequences of late payment or non-payment of registration renewal Fees.
- 6.2 A Registrant in the Registrant classes of Traditional Chinese Medicine and Acupuncture: Full or Traditional Chinese Medicine and Acupuncture: Limited, seeking renewal of registration must deliver to the Registrar on or before March 31 of the year in which renewal is sought, or the date otherwise specified by the Registration Committee for limited registration:

- 6.2.1 a completed application form for registration renewal to provide:
 - 6.2.1.1 personal information required for verifying identity and for maintenance of the Register;
 - 6.2.1.2 information regarding any criminal conviction or offence committed, past conduct involving the Registrant's incompetence or untrustworthiness, previous limits, restrictions, or conditions on the Registrant's practice that relate to the Registrant's competence or fitness to practise in a regulated profession that the Registrant was or is registered in;
 - 6.2.1.3 evidence satisfactory to the Registration Committee to support the information provided in the declaration under subparagraph 6.2.1.2;
 - 6.2.1.4 a declaration of compliance with the continuing education requirements as set out in Schedule 15 [*Quality Assurance*];
 - 6.2.1.5 a declaration of compliance with the currency of practice requirements as set out in Schedule 15 [*Quality Assurance*];
 - 6.2.1.6 evidence that the Registrant meets and will meet the applicable requirements under heading 9.0;
 - 6.2.1.7 proof of current certification in standard first aid and Level C cardiopulmonary resuscitation or equivalent certification satisfactory to the Registration Committee;
 - 6.2.1.8 proof that the Registrant is a Canadian citizen, a permanent resident of Canada, or is otherwise authorized to work in Canada;
 - 6.2.1.9 evidence of compliance with the requirements of the *Criminal Records Review Act*; and
 - 6.2.1.10 a declaration that all information and statements submitted by the Applicant are true, complete, and correct;
- 6.2.2 the Fees specified in Schedule 1;
- 6.2.3 payment of any other outstanding Fee owed to the College;
- 6.2.4 all other relevant information or records about the Registrant that relates to the Registrant's competence, fitness to practice or good character; and
- 6.2.5 any other information or records that the Registration Committee or Registrar requires the Registrant to submit in support of their application for registration.

6.3 The Registration Committee may renew the registration of a person who has been granted registration in the Registrant class of Traditional Chinese Medicine and Acupuncture: Limited for a period not to exceed 1 year if the requirements in paragraph 6.2 are met.

6.4 A Registrant in the Registrant class of Traditional Chinese Medicine and Acupuncture: Student seeking renewal of registration must deliver to the Registrar on or before March 31 of the year in which renewal is sought or the date otherwise specified by the Registration Committee:

6.4.1 a completed application form for registration renewal to provide:

6.4.1.1 personal information update required for verifying identity and for maintenance of the Register;

6.4.1.2 information regarding any criminal conviction or offence committed, past conduct involving the Registrant's incompetence or untrustworthiness, previous limits, restrictions, or conditions on the Registrant's practice that relate to the Registrant's competence or fitness to practise in a regulated profession that the Registrant was or is registered in;

6.4.1.3 evidence satisfactory to the Registration Committee to support the information provided in the declaration under subparagraph 6.4.1.2;

6.4.1.4 evidence of current enrolment as a student in an educational program specified in Table 1 to this Schedule or an educational program otherwise approved by the Registration Committee;

6.4.1.5 proof that the Registrant is a Canadian citizen, a permanent resident of Canada, or is otherwise authorized to study in Canada;

6.4.1.6 evidence of compliance with the requirements of the *Criminal Records Review Act*; and

6.4.1.7 a declaration that all information and statements submitted by the Registrant are true, complete, and correct;

6.4.2 the Fees specified in Schedule 1;

6.4.3 payment of any other outstanding Fee owed to the College;

6.4.4 all other relevant information or records about the Registrant that relates to the Registrant's competence, fitness to practice or good character; and

6.4.5 any other information or records that the Registration Committee or Registrar requires the Registrant to submit in support of their application for registration.

6.5 A Registrant in the Registrant class of Traditional Chinese Medicine and Acupuncture: Non-Practising seeking renewal of registration must deliver to the Registrar on or before March 31 of the year in which renewal is sought or the date otherwise specified by the Registration Committee:

6.5.1 a completed application form for registration renewal to provide:

- 6.5.1.1 personal information update required for verifying identity and for maintenance of the Register;
 - 6.5.1.2 information regarding any criminal conviction or offence committed, past conduct involving the Registrant's incompetence or untrustworthiness, previous limits, restrictions, or conditions on the Registrant's practice that relate to the Registrant's competence or fitness to practise in a regulated profession that the Registrant was or is registered in;
 - 6.5.1.3 evidence satisfactory to the Registration Committee to support the information provided in the declaration under subparagraph 6.5.1.2;
 - 6.5.1.4 a declaration by the Registrant confirming that the Registrant has not and will not practise traditional Chinese medicine or acupuncture or provide professional service while holding registration in the Registrant class of Traditional Chinese Medicine and Acupuncture: Non-Practising since the last declaration;
 - 6.5.1.5 a declaration of compliance with the continuing education requirements as set out in Schedule 15 [*Quality Assurance*];
 - 6.5.1.6 evidence that the Registrant meets and will meet the applicable requirements under heading 9.0;
 - 6.5.1.7 proof that the Registrant is a Canadian citizen, a permanent resident of Canada, or is otherwise authorized to work in Canada;
 - 6.5.1.8 evidence of compliance with the requirements of the *Criminal Records Review Act*; and
 - 6.5.1.9 a declaration that all information and statements submitted are true, complete, and correct;
 - 6.5.2 the Fees specified in Schedule 1;
 - 6.5.3 payment of any other outstanding Fee owed to the College.
 - 6.5.4 all other relevant information or records about the Registrant that relates to the Registrant's competence, fitness to practice or good character; and
 - 6.5.5 any other information or records that the Registration Committee or Registrar requires the Registrant to submit in support of their application for registration.
- 6.6 If a Registrant fails to renew their registration on or before March 31 or before the expiry date of registration as specified by the Registration Committee, the Registrant ceases to be registered.

- 6.7 Despite subparagraphs 6.2.2, 6.4.2, and 6.5.2, the Registration Committee may allow a person to renew their registration if the person demonstrates that they are unable to pay the required Fees due to financial hardship.
- 6.8 If the Registration Committee renews registration under paragraph 6.7, the Registration Committee may require the Registrant to pay the Fees owing by installments during the registration period.

7.0 Reinstatement *[previously Bylaw 58]*

7.1 A former Registrant in the Registrant classes of Traditional Chinese Medicine and Acupuncture: Full or Traditional Chinese Medicine and Acupuncture: Non-Practising, whose registration is not suspended or cancelled under Part 3 of the Act and who has been out of practice for less than three (3) years may be reinstated to the Registrant class of Traditional Chinese Medicine and Acupuncture: Full by the Registration Committee where the Applicant delivers to the Registrar:

- 7.1.1 a completed application form for reinstatement to provide:
- 7.1.1.1 personal information required for verifying identity and for maintenance of the Register;
 - 7.1.1.2 evidence satisfactory to the Registration Committee of successful completion of the requirements set out in Table 3 to this Schedule in the last three (3) years if application for reinstatement is not received within three (3) months from expiry date of the Applicant's last full registration;
 - 7.1.1.3 information regarding any criminal conviction or offence committed, past conduct involving the Applicant's incompetence or untrustworthiness, previous limits, restrictions, or conditions on the Applicant's practice that relate to the Applicant's competence or fitness to practise in a regulated profession that the Applicant was or is registered in;
 - 7.1.1.4 evidence satisfactory to the Registration Committee to support the information provided in the declaration under subparagraph 7.1.1.3;
 - 7.1.1.5 proof of current certification in standard first aid and Level C cardiopulmonary resuscitation or equivalent certification satisfactory to the Registration Committee;
 - 7.1.1.6 evidence satisfactory to the Registration Committee that the Applicant is a person of good character consistent with the responsibilities and standards expected of a Registrant;

- 7.1.1.7 evidence of compliance with the requirements of the *Criminal Records Review Act*;
 - 7.1.1.8 evidence that the Applicant will meet the applicable requirements under heading 9.0;
 - 7.1.1.9 proof that the Applicant is a Canadian citizen, a permanent resident of Canada, or is otherwise authorized to work in Canada; and
 - 7.1.1.10 a declaration that all information and statements submitted by the Applicant are true, complete, and correct;
 - 7.1.2 the Fees set out in Schedule 1;
 - 7.1.3 payment of any outstanding Fee owed to the College;
 - 7.1.4 all other relevant information or records about the Applicant that relates to the Applicant's competence, fitness to practice or good character; and
 - 7.1.5 any other information or records that the Registration Committee or Registrar requires the Applicant to submit in support of their application for registration.
- 7.2 The Registration Committee may, in its discretion, waive the requirement for successful completion of the requirements under subparagraph 7.1.1.2 where it is satisfied that the Applicant's practice knowledge and clinical practice skills are satisfactory and reinstatement would not pose a risk to public health or safety.
- 7.3 A former Registrant in the Registrant classes of Traditional Chinese Medicine and Acupuncture: Full or Traditional Chinese Medicine and Acupuncture: Non-Practising, whose registration is not suspended or cancelled under Part 3 of the Act and who has been out of practice for three (3) years or more may be granted registration in the Registrant class of Traditional Chinese Medicine and Acupuncture: Limited by the Registration Committee where the Applicant delivers to the Registrar:
- 7.3.1 a completed application form for reinstatement to provide:
 - 7.3.1.1 personal information required for verifying identity and for maintenance of the Register;
 - 7.3.1.2 evidence satisfactory to the Registration Committee of successful completion of the requirements set out in Table 3 to this Schedule in the last three (3) years;
 - 7.3.1.3 evidence satisfactory to the Registration Committee of successful completion of an assessment of the Applicant's clinical skills;
 - 7.3.1.4 information regarding any criminal conviction or offence committed, past conduct involving the Applicant's incompetence or untrustworthiness,

- previous limits, restrictions, or conditions on the Applicant's practice that relate to the Applicant's competence or fitness to practise in a regulated profession that the Applicant was or is registered in;
- 7.3.1.5 evidence satisfactory to the Registration Committee to support the information provided in the declaration under subparagraph 7.3.1.4;
 - 7.3.1.6 proof of current certification in standard first aid and Level C cardiopulmonary resuscitation or equivalent certification satisfactory to the Registration Committee;
 - 7.3.1.7 evidence satisfactory to the Registration Committee that the Applicant is a person of good character consistent with the responsibilities and standards expected of a Registrant;
 - 7.3.1.8 evidence of compliance with the requirements of the *Criminal Records Review Act*;
 - 7.3.1.9 evidence that the Applicant will meet the applicable requirements under heading 9.0;
 - 7.3.1.10 proof that the Applicant is a Canadian citizen, a permanent resident of Canada, or is otherwise authorized to work in Canada; and
 - 7.3.1.11 a declaration that all information and statements submitted by the Applicants are true, complete, and correct;
- 7.3.2 the Fees set out in Schedule 1;
 - 7.3.3 payment of any outstanding Fee owed to the College;
 - 7.3.4 all other relevant information or records about the Applicant that relates to the Applicant's competence, fitness to practice or good character; and
 - 7.3.5 any other information or records that the Registration Committee or Registrar requires the Applicant to submit in support of their application for registration.
- 7.4 The Registration Committee may, in its discretion, waive the requirement for successful completion of the Examinations or assessment of clinical skills under subparagraphs 7.3.1.2 or 7.3.1.3 where it is satisfied that the Applicant's practice knowledge and clinical practice skills are satisfactory and reinstatement will not pose a risk to public health or safety.
- 7.5 The Registration Committee may reinstate a Registrant in the Registrant class of Traditional Chinese Medicine and Acupuncture: Limited to the Registrant class of Traditional Chinese Medicine and Acupuncture: Full after the Applicant successfully completes the requirements set by the Registration Committee including the successful completion of any conditions on that practice and delivers to the Registrar the Fees set out in Schedule 1.

8.0 Reinstatement for a Former Registrant Who was a Disciplined Person *[previously Bylaw 58.1]*

- 8.1 In this section, “Disciplined Person” means a former Registrant whose registration was cancelled under Part 3 of the Act.
- 8.2 Subject to sections 20 and 39 of the Act, a Disciplined Person may be reinstated by the Registration Committee if the person:
- 8.2.1 is not in contravention of an order under sections 36, 37.1, 39 or 39.1 of the Act; and
 - 8.2.2 meets the requirements set out under heading 7.0.
- 8.3 A Disciplined Person whose previous registration has been cancelled or suspended for three (3) or more years must also meet the requirements set out in paragraph 7.3.

9.0 Professional Liability Insurance *[previously Bylaw 60.2]*

- 9.1 Each Registrant in the Registrant classes of Traditional Chinese Medicine and Acupuncture: Full, Traditional Chinese Medicine and Acupuncture: Limited, and Traditional Chinese Medicine and Acupuncture: Temporary must obtain and at all times maintain professional liability insurance coverage of at least \$1,000,000 per claim or per occurrence in a form satisfactory to the Registration Committee.
- 9.2 For a period of at least five (5) years after the grant of registration under the Registrant class of Traditional Chinese Medicine and Acupuncture: Non-Practising each Registrant who did not have occurrence-based professional liability insurance coverage immediately prior to the time at which registration in the non-practising Registration class was granted must maintain professional liability insurance coverage in the amount per claim and in the form specified in paragraph 9.1 against liability arising from their practice while the Registrant in the non-practising Registration class was a practising Registrant.
- 9.3 Each Registrant, except for those in the Registrant class of Traditional Chinese Medicine and Acupuncture: Student, must provide written proof of professional liability insurance to the Registrar on request.

10.0 Examinations *[previously Bylaw 60.3]*

- 10.1 An applicant for an Examination specified in Table 2 to this Schedule must deliver to the Registrar:
- 10.1.1 a completed application form to provide:

- 10.1.1.1 personal information required for verifying identity and for maintenance of the Register;
 - 10.1.1.2 proof of graduation from a traditional Chinese medicine education program recognized by the Registration Committee for the purposes of registration and specified in Table 1 to this Schedule;
 - 10.1.1.3 evidence satisfactory to the Registration Committee of successful completion of not less than two (2) years of liberal arts or sciences study (comprised of at least 60 credits) in an accredited college or chartered/approved university acceptable to the Registration Committee;
 - 10.1.1.4 a declaration that all information and statements submitted by the applicant are true, complete, and correct; and
- 10.1.2 accompanied by the Fees set out in Schedule 1 or set out by the organization administrating the Examination.
- 10.2 If an applicant graduated from a traditional Chinese medicine education program in subparagraph 10.1.1.2 for more than three (3) but fewer than five (5) years prior to the date of the application, the applicant must first successfully complete a 50-hour refresher course or program of study in traditional Chinese medicine approved in advance by the Registration Committee to take the Examination.
- 10.3 If an applicant graduated from a traditional Chinese medicine education program in subparagraph 10.1.1.2 more than five (5) years prior to the date of application, the applicant must first successfully complete a 100-hour refresher course or program of study in traditional Chinese medicine approved in advance by the Registration Committee to take the Examination.
- 10.4 Despite subparagraphs 10.1.1.2 and 10.1.1.3, and paragraphs 10.2 and 10.3, the Registration Committee may consider whether the applicant's knowledge, skills, and abilities are substantially equivalent to the standards of academic or technical achievement and the competencies or other qualifications set out in subparagraphs 10.1.1.2 and 10.1.1.3, and are current, and may permit the applicant to undertake the requested Examination by meeting the requirement in subparagraph 10.1.2.

11.0 Examinations under Tables 2 and 3 [previously Bylaw 60.4]

- 11.1 An applicant must pass each component of a registration Examination and hold valid Examination result before attempting the next component of that registration Examination according to the registration Examination policy set by the organization administrating the Examination.

- 11.2 An applicant for the Doctor of Traditional Chinese Medicine (Dr. TCM) registration Examination must hold registration as a Registered Traditional Chinese Medicine Practitioner (R.TCM.P) with the College to take the Examination.
- 11.3 An applicant is considered to have passed a registration Examination when the score meets or exceeds the passing level set by the organization administering the Examination.
- 11.4 An applicant who fails a component of a registration Examination once is not eligible to retake that component or that Examination for the 2nd attempt until the applicant first completes a 50-hour refresher course or program of study in traditional Chinese medicine approved in advance by the Registration Committee.
- 11.5 An applicant who fails a component of a registration Examination twice is not eligible to retake that component or that Examination for the 3rd attempt until the Applicant first completes further education and training directed by the Registration Committee.
- 11.6 An applicant who fails a component of a registration Examination three (3) times is not eligible to attempt the same registration Examination again.
- 11.7 An applicant must complete the subsequent attempt(s) of a registration Examination within:
- 11.7.1 one (1) year of completing the refresher course or program of study in traditional Chinese medicine directed by the Registration Committee specified under paragraphs 11.4 and 11.5 for the Acupuncture, Herbology, or TCM Practitioner registration Examination; or
- 11.7.2 two (2) years of completing the refresher course or program of study in traditional Chinese medicine directed by the Registration Committee specified under paragraphs 11.4 and 11.5 for the Dr. TCM registration Examination.
- 11.8 A valid Examination result for a component of an Examination which has independent or separate score, or for an Examination which has one single composite score, expire after three (3) years. An Examination under Table 2 or 3 to this Schedule with an expired result does not meet the requirements set in the Bylaws.

**Table 1: Recognized Traditional Chinese Medicine (TCM)
Education/Training Programs**

1. PCU College of Holistic Medicine
220 - 5021 Kingsway
Burnaby, B.C.
 - Registered Acupuncturist
 - Registered Traditional Chinese Medicine Herbalist
 - Registered Traditional Chinese Medicine Practitioner
 - Doctor of Traditional Chinese Medicine

2. Tzu Chi International College of Traditional Chinese Medicine (TCICTCM)
#200 - 1215 West Broadway
Vancouver, B.C.
 - Registered Acupuncturist
 - Registered Traditional Chinese Medicine Herbalist
 - Registered Traditional Chinese Medicine Practitioner
 - Doctor of Traditional Chinese Medicine

3. Vancouver Beijing College of Chinese Medicine
3135 - 8888 Odlin Crescent
Richmond, B.C.
 - Registered Acupuncturist
 - Registered Traditional Chinese Medicine Herbalist
 - Registered Traditional Chinese Medicine Practitioner
 - Doctor of Traditional Chinese Medicine

4. Pacific Rim College
229 - 560 Johnson Street
Victoria, B.C.
 - Registered Acupuncturist
 - Registered Traditional Chinese Medicine Herbalist
 - Registered Traditional Chinese Medicine Practitioner
 - Doctor of Traditional Chinese Medicine

5. Kootenay Columbia College of Integrative Health Sciences
Suite 2 - 560 Baker Street
Nelson, B.C.
 - Registered Acupuncturist
 - Registered Traditional Chinese Medicine Herbalist
 - Registered Traditional Chinese Medicine Practitioner

- Doctor of Traditional Chinese Medicine
6. Oshio College of Acupuncture and Herbology
100 - 3491 Saanich Road
Victoria, B.C.
 - Registered Acupuncturist
 - Registered Traditional Chinese Medicine Herbalist
 - Registered Traditional Chinese Medicine Practitioner
 - Doctor of Traditional Chinese Medicine
 7. Central College
200 - 60 8th Street
New Westminster, B.C.
 - Registered Acupuncturist
 - Registered Traditional Chinese Medicine Herbalist
 - Registered Traditional Chinese Medicine Practitioner
 8. Kwantlen Polytechnic University
8771 Lansdowne Road
Richmond, B.C.
 - Registered Acupuncturist
 9. Vancouver Career College
220 - 5021 Kingsway
Burnaby, B.C.
 - Registered Acupuncturist
 - Registered Traditional Chinese Medicine Herbalist
 - Registered Traditional Chinese Medicine Practitioner
 - Doctor of Traditional Chinese Medicine

Table 2: Examinations and Courses Required for Registration in the Registrant class of Traditional Chinese Medicine and Acupuncture: Full

Examination and Course Requirements for Registration under paragraph 1.1.3 of this Schedule

Acupuncturist (R.Ac.)

- Acupuncture Registration Examination: Pan-Canadian Acupuncturists Examination
- CTCMA Acupuncture Safety Examination or CTCMA Interactive Safety Course
- CTCMA Jurisprudence Examination

Traditional Chinese Medicine Herbalist (R.TCM.H.)

- Herbology Registration Examination: Pan-Canadian TCM Herbalists Examination
- CTCMA Herbology Safety Examination or CTCMA Interactive Safety Course
- CTCMA Jurisprudence Examination

Traditional Chinese Medicine Practitioner (R.TCM.P.)

- TCM Practitioner Registration Examination: Pan-Canadian TCM Practitioners Examination*
- CTCMA Acupuncture Safety Examination and CTCMA Herbology Safety Examination, or CTCMA Interactive Safety Course
- CTCMA Jurisprudence Examination

Doctor of Traditional Chinese Medicine (Dr. TCM.)

- Dr. TCM Registration Examination: CTCMA Doctor of TCM Examination
- Current full registration as R.TCM.P. in BC

Course Requirement for Registration under paragraph 1.3 of this Schedule

- CTCMA Jurisprudence Examination

** The Pan-Canadian Acupuncturists Examination and the Pan-Canadian TCM Herbalists Examination together are equivalent to the Pan-Canadian TCM Practitioners Examination*

Table 3: Examination Requirements for Reinstatement

Subparagraph 7.1.2 of this Schedule

- Acupuncturist (R.Ac.):
 - CTCMA Acupuncture Safety Examination or CTCMA Interactive Safety Course
 - CTCMA Jurisprudence Examination
 - Refresher courses as determined by Registration Committee
- Traditional Chinese Medicine Herbalist (R.TCM.H.):
 - CTCMA Herbology Safety Examination or CTCMA Interactive Safety Course
 - CTCMA Jurisprudence Examination
 - Refresher courses as determined by Registration Committee
- TCM Practitioner (R.TCM.P.):
 - CTCMA Acupuncture Safety Examination and CTCMA Herbology Safety Examination, or CTCMA Interactive Safety Course
 - CTCMA Jurisprudence Examination
 - Refresher courses as determined by Registration Committee
- Doctor of TCM (Dr. TCM.):
 - CTCMA Acupuncture Safety Examination and CTCMA Herbology Safety Examination or CTCMA Interactive Safety Course
 - CTCMA Jurisprudence Examination
 - Refresher courses as determined by Registration Committee

Subparagraph 7.3.2 and 8.2.2 of this Schedule

- Acupuncturist (R.Ac.):
 - Acupuncture Registration Examination: Pan-Canadian Acupuncturists Examination
 - CTCMA Acupuncture Safety Examination or CTCMA Interactive Safety Course
 - CTCMA Jurisprudence Examination
 - Refresher courses as determined by Registration Committee
- Traditional Chinese Medicine Herbalist (R.TCM.H.):
 - Herbology Registration Examination: Pan-Canadian TCM Herbalists Examination
 - CTCMA Herbology Safety Examination or CTCMA Interactive Safety Course
 - CTCMA Jurisprudence Examination
 - Refresher courses as determined by Registration Committee
- Traditional Chinese Medicine Practitioner (R.TCM.P.):
 - TCM Practitioner Registration Examination: Pan-Canadian TCM Practitioners Examination*

- CTCMA Acupuncture Safety Examination and CTCMA Herbology Safety Examination, or CTCMA Interactive Safety Course
 - CTCMA Jurisprudence Examination
 - Refresher courses as determined by Registration Committee
- Doctor of Traditional Chinese Medicine (Dr. TCM.)
 - Dr. TCM Registration Examination: Doctor of TCM Examination
 - CTCMA Acupuncture Safety Examination and CTCMA Herbology Safety Examination or CTCMA Interactive Safety Course
 - CTCMA Jurisprudence
 - Refresher courses as determined by Registration Committee

** The Pan-Canadian Examination for Acupuncturists and the Pan-Canadian Examination for TCM Herbalists together are equivalent to the Pan-Canadian Examination for TCM Practitioners*

Table 4: Recognition Requirements for Education Programs

Private non-degree-granting institutions in British Columbia must be accredited by the Private Training Institutions Branch (“PTIB”) or have a designation certificate issued under the *Private Training Act*.

Public institutions in British Columbia must have approval or designation to grant credentials under the *University Act* or the *College and Institute Act*. Degree granting education programs must be approved by the provincial government’s Degree Quality Assessment Board (“DQAB”), as meeting the statutory requirements under the *Degree Authorization Act*.

In addition, educational programs in British Columbia and elsewhere in Canada and international education programs must meet the following standards.

“EOCPIA Blueprint” means the Entry-Level Occupational Competencies, Performance Indicators and Assessment Blueprint for the Practice of TCM in Canada when referring to the Acupuncturist Programs, the Traditional Chinese Medicine Herbalist Programs, and the Traditional Chinese Medicine Practitioner Programs. “EOCPIA Blueprint” means the Entry-Level Occupational Competencies, Performance Indicators, and Assessment Blueprint for the Doctor of TCM when referring to the Doctor of Traditional Chinese Medicine Programs. The “EOCPIA Blueprint” is approved by the Board from time to time and published on the College’s website.

Traditional Chinese Medicine (TCM) and Acupuncture education programs are evaluated by the Registration Committee based on program length, structure and learning outcomes, and student clinical activity. The expectations are as follows:

I. Program Length

The length of the program must meet or exceed the minimum requirements set out in this Table.

II. Structure and Learning Outcomes

The program’s curriculum content and structure must be such that student learning outcomes are consistent with the indicators in the EOCPIA Blueprints.

III. Student Clinical Activity

The program’s student clinic and the program’s clinical instruction must meet the requirements established by the College to ensure the safe, effective and ethical treatment of the public. Institutions are required to directly supervise all clinical instruction of the training program, whether such instruction occurs in clinics owned and operated by the institutions themselves or

in independent clinics engaged to provide clinical instruction for the training program. For the initial 200 hours of supervised practice, the supervisor shall be physically present at all times during the diagnosis and treatment of the patient. For the remaining hours, the supervisor may be in close proximity to the location at which the patient is being treated.

Minimum requirements

Definitions

“Academic Year” means 8 months, or 2 semesters, or 3 quarters, or 2 trimesters of study.

“Clinical Instruction” includes:

- Practice observation: supervised observation of clinical practice;
- Diagnosis and evaluation: the application of TCM diagnostic procedures in evaluating patients;
- Supervised practice: the clinical treatment of patients.

A. Acupuncturist Programs

Acupuncturist programs shall consist of a minimum of 1,900 hours of study over 3 Academic Years, including a minimum of 450 hours of Clinical Instruction of which at least 225 hours must be in supervised practice.

Acupuncturist programs shall provide for the learning outcomes identified as “Common” and “Acupuncture” in the EOCPIA Blueprint for TCM Practitioners and Acupuncturists and include a minimum of 450 hours of Clinical Instruction in acupuncture that provides for learning outcomes consistent with the indicators identified as “Clinical” for the Assessment Requirements in Education Program in the EOCPIA Blueprint for TCM Practitioners and Acupuncturists.

B. Traditional Chinese Medicine Herbalist Programs

Traditional Chinese Medicine Herbalist programs shall consist of a minimum of 1,900 hours of study over 3 Academic Years, including a minimum of 450 hours of Clinical Instruction of which at least 225 hours must be in supervised practice.

Traditional Chinese Medicine Herbalist programs shall provide for the learning outcomes identified as “Common” and “Herbology” in the EOCPIA Blueprint for TCM Practitioners and Acupuncturists and include a minimum of 450 hours of Clinical Instruction in herbology that provides for learning outcomes consistent with the indicators identified as “Clinical” for the Assessment Requirements in Education Program in the EOCPIA Blueprint for TCM Practitioners and Acupuncturists.

C. Traditional Chinese Medicine Practitioner Programs

Traditional Chinese Medicine Practitioner programs shall consist of a minimum of 2,600 hours of study over 4 Academic Years, including a minimum of 650 hours of Clinical Instruction of which at least 425 hours must be in supervised practice.

Traditional Chinese Medicine Practitioner programs shall provide for the learning outcomes identified as “Common”, “Acupuncture” and “Herbology” in the EOCPIA Blueprint for TCM Practitioners and Acupuncturists and include a minimum of 650 hours of Clinical Instruction in acupuncture and herbology that provides for learning outcomes consistent with the indicators identified as “Clinical” for the Assessment Requirements in Education Program in the EOCPIA Blueprint for TCM Practitioners and Acupuncturists.

D. Doctor of Traditional Chinese Medicine Programs

Doctor of Traditional Chinese Medicine programs shall consist of a minimum of 3,250 hours of study over 5 Academic Years, including a minimum of 1,050 hours of Clinical Instruction of which at least 825 hours must be in supervised practice.

Doctor of Traditional Chinese Medicine programs shall provide for the learning outcomes listed in the EOCPIA Blueprint for the Doctor of Traditional Chinese Medicine and include a minimum of 1,050 hours of Clinical Instruction that provides for learning outcomes consistent with the indicators identified as “Clinical” for the Assessment Requirements in Education Program in the EOCPIA Blueprint for the Doctor of Traditional Chinese Medicine.

Schedule 6: Classes of Registration on Amalgamation

<u>Designated Health Profession</u>	<u>Former College</u>	<u>Former Class of Registration</u>	<u>Current Class of Registration</u>
Chiropractic	College of Chiropractors of British Columbia	Full Registrant	Chiropractic: Full
		Student Registrant	Chiropractic: Student
		Non-Practising Registrant	Chiropractic: Non-Practising
		Temporary Registrant	Chiropractic: Temporary
Massage Therapy	College of Massage Therapists of British Columbia	Practising Registration	Massage Therapy: Practising
		Non-Practising Registration	Massage Therapy: Non-Practising
Naturopathic Medicine	College of Naturopathic Physicians of British Columbia	Full	Naturopathic Medicine: Full
		Temporary	Naturopathic Medicine: Temporary
		Student	Naturopathic Medicine: Student
		Non-Practising	Naturopathic Medicine: Non-Practising
Traditional Chinese Medicine and Acupuncture	College of Traditional Medicine Practitioners and Acupuncturists of British Columbia	Full	Traditional Chinese Medicine and Acupuncture: Full
		Limited	Traditional Chinese Medicine and Acupuncture: Limited
		Temporary	Traditional Chinese Medicine and Acupuncture: Temporary
		Student	Traditional Chinese Medicine and Acupuncture: Student
		Non-Practising	Traditional Chinese Medicine and Acupuncture: Non-Practising

Schedule 7: Naturopathic Medicine: Certified Practice

1.0 Certification in Specified Aspects of Practice *[previously bylaw 53]*

- 1.1 If the Board has established a standard of practice for a specified aspect of practice, a Registrant in the Registrant class of Naturopathic Medicine: Full may apply to the Registration Committee to have a notation of certification in that aspect of practice entered into the Register in relation to the Registrant's name.
- 1.2 The Registrar must enter into the Register in relation to the Registrant's name a notation of the certification for which the Registrant applies, if:
 - 1.2.1 the Registrant provides evidence, satisfactory to the Registration Committee, that the Registrant meets or exceeds all the practice requirements set out in the applicable standard of practice; and
 - 1.2.2 the Registrant pays the applicable certification Fee specified in Schedule 1.
- 1.3 The Registrar must remove from the Register a Registrant's notation of certification in an aspect of practice if the Registration Committee determines that the Registrant no longer meets or exceeds all the practice requirements set out in the applicable Standard of Practice.

Schedule 8: Chiropractic: Professional Responsibilities

1.0 Definitions

1.1 In this Schedule:

“Advertisement” means the use of space or time in a public medium, or the use of a commercial publication such as a brochure or handbill, to communicate with the general public, or a segment thereof, for the purpose of promoting professional services or enhancing the image of the advertiser;

“Chiropractic Services” means the services described in the definition of “chiropractic” in the *Chiropractors Regulation*, BC Reg. 414/2008;

“Direct Supervision” means the supervised person is subject to the direction and review of a Registrant, who is present at the same location at the time the supervised person performs a clinical aspect of chiropractic practice, but is not necessarily involved in the performance of that clinical aspect of chiropractic practice;

“General Supervision” means the supervised person is acting subject to the review of a Registrant;

“Marketing” includes:

- (a) an Advertisement;
- (b) any publication or communication in any medium with any patient, prospective patient or the public generally in the nature of an Advertisement, promotional activity or material, a listing in a directory, a public appearance or any other means by which professional services are promoted; and
- (c) contact with a prospective patient initiated by or under the discretion of a Registrant;

“Regulation” means the *Chiropractors Regulation*, BC Reg. 414/2008.

2.0 Standard of Practice and Standards of Professional Ethics

Radiation Safety and Procedure [previously Bylaw 83]

2.1 All Registrants who, in connection with their practice of chiropractic, own radiographic equipment or operate radiographic equipment that is not owned by a Registrant must ensure that:

- 2.1.1 the equipment is registered and certified as required by the Board; and

- 2.1.2 proof of compliance with paragraph 2.1.1 is, in the form and manner specified by the Board:
 - 2.1.2.1 delivered to the Registrar; and
 - 2.1.2.2 displayed on or near the equipment.
- 2.2 Registrants may only issue an instruction or authorization under section 4(1)(f) of the Regulation to apply:
 - 2.2.1 electromagnetism for the purpose of magnetic resonance imaging to a magnetic resonance imaging technologist, certified by the Canadian Association of Medical Radiation Technologists, or equivalent organization approved by the Board;
 - 2.2.2 X-rays for diagnostic of imaging purposes, including X-rays for the purpose of computerized axial tomography, to a radiological technologist, certified by the Canadian Association of Medical Radiation Technologists, or equivalent organization approved by the Board; and
 - 2.2.3 X-rays for diagnostic or imaging purposes, excluding X-rays for the purpose of computerized axial tomography, to another Registrant.

Clinic Names [previously Bylaw 86]

- 2.3 A Registrant may use only one name per clinic location at any one time.
- 2.4 A Registrant cannot use a name for a clinic that contravenes heading 3.0.
- 2.5 A Registrant cannot use a clinic name if another Registrant can demonstrate to the satisfaction of the Registrar that the other Registrant is and has been using:
 - 2.5.1 an identical name; or
 - 2.5.2 a name so closely resembling the name which the first Registrant wants or has begun to use that it is likely to confuse or mislead the public.

Practice Limits and Conditions for Chiropractic: Student Registrants [previously Bylaws 46(3) to (5) and (7)]

- 2.6 A Registrant in the Registrant class of Chiropractic: Student may do the following only under the General Supervision of a Registrant in the Registrant class of Chiropractic: Full:
 - 2.6.1 observation of an aspect of chiropractic practice;
 - 2.6.2 monitoring and directing patient rehabilitation or exercise programs; and
 - 2.6.3 office management functions.

- 2.7 A Registrant in the Registrant class of Chiropractic: Student may do the following only under the Direct Supervision of a Registrant in the Registrant class of Chiropractic: Full:
- 2.7.1 examination of patients, history taking, x-ray marking, developing a treatment plan, and delivery of the Registrant in the Registrant class of Chiropractic: Full's report of findings and treatment plan; and
 - 2.7.2 performing a restricted activity specified in section 4 of the Regulation, and application of any other therapeutic modalities or treatments.
- 2.8 Whenever a Registrant in the Registrant class of Chiropractic: Student provides Chiropractic Services under paragraph 2.6 or 2.7, the supervising Registrant in the Registrant class of Chiropractic: Full remains ultimately responsible for the patient's health.
- 2.9 A Registrant in the Registrant class of Chiropractic: Student must not delegate or supervise any aspect of practice involving patient assessment or treatment.

Practice Limits and Conditions for Chiropractic: Non-Practising Registrants [previously Bylaw 47(2)]

- 2.10 A Registrant in the Registrant class of Chiropractic: Non-Practising must not provide, delegate or supervise Chiropractic Services in British Columbia.

Practice Limits and Conditions for Chiropractic: Temporary Registrants [previously Bylaw 48(4)]

- 2.11 A Registrant in the Registrant class of Chiropractic: Temporary may provide Chiropractic Services as if they were a Registrant in the Registrant class of Chiropractic: Full.

3.0 Advertising and Marketing [previously Bylaw 85]

- 3.1 Any Marketing undertaken or authorized by a Registrant in respect of professional services must not be:
- 3.1.1 false;
 - 3.1.2 inaccurate;
 - 3.1.3 unverifiable;
 - 3.1.4 misleading;
 - 3.1.5 misrepresentative of the effectiveness of any technique, procedure, instrument or device;
 - 3.1.6 undignified, offensive or in bad taste; or
 - 3.1.7 contrary to the Standards of Professional Ethics of the profession of chiropractic.

- 3.2 Without limitation, Marketing violates paragraph 3.1 if it:
- 3.2.1 is calculated or likely to take advantage of the weakened state, either physical, mental or emotional, of the recipient or intended recipient;
 - 3.2.2 is likely to create in the mind of the recipient or intended recipient an unjustified expectation about the results which the Registrant can achieve;
 - 3.2.3 implies that the Registrant can obtain results:
 - 3.2.3.1 not achievable by other Registrants;
 - 3.2.3.2 by improperly influencing a public body or official, or any corporation, agency or person having any interest in the welfare of the recipient; or
 - 3.2.3.3 by any other improper means; or
 - 3.2.4 compares the quality of services provided with those provided by another Registrant.
- 3.3 A Registrant must not:
- 3.3.1 state publicly that the Registrant speaks on behalf of the College unless the Registrant has been expressly authorized by the Board to state the official position of the College; or
 - 3.3.2 endorse or lend themselves as a chiropractor to the Advertisement of any property, investment or service for sale to the public unless such property, investment or service relates directly to the profession of chiropractic.
- 3.4 A Registrant who, in any Advertisement, includes a statement of fees for a specific service:
- 3.4.1 must ensure that the statement sufficiently describes the fees and services so as to enable the recipient or intended recipient to understand the nature and extent of the services to be provided and the cost to the patient; and
 - 3.4.2 must not in the Advertisement compare the fees charged by the Registrant with those charged by another Registrant.
- 3.5 Unless otherwise authorized by the Act, the Regulations, the Bylaws, this Schedule, or the Board, a Registrant:
- 3.5.1 must not use the title “specialist” or any similar designation suggesting a recognized special status or accreditation on any letterhead or business card or in any other Marketing; and
 - 3.5.2 must take all reasonable steps to discourage the use, in relation to the Registrant by another person, of the title “specialist” or any similar designation suggesting a recognized special status or accreditation in any Marketing.

- 3.6 A Registrant must retain all Marketing material for one year after the date of publication or broadcast, and must provide to the Registrar, the Inquiry Committee, the Discipline Committee or the Board upon request:
- 3.6.1 a copy of any such publication;
 - 3.6.2 a recording of any such broadcast made by use of any electronic media, including radio, television and microwave transmission; and
 - 3.6.3 a written record of when and where the publication or broadcast was made.
- 3.7 It is the duty of a Registrant to verify the statements made in the Registrant's Marketing when requested to do so by the Registrar, the Inquiry Committee, the Discipline Committee or the Board.
- 3.8 Registrants who limit their practices to certain branches or areas of the profession of chiropractic may state in any Marketing the branch or area to which the practice is restricted.

4.0 Record-Keeping

Record-Keeping [previously Bylaw 72]

- 4.1 A Registrant must keep:
- 4.1.1 clinical records for each patient showing the patient's name and address, the dates seen, an adequate history and all particulars of physical examinations, radiographic examinations, investigations ordered and the results of same, as well as, descriptions of all diagnoses made and treatment provided by the Registrant;
 - 4.1.2 an account card or ledger page or section with respect to each patient or, if appropriate, the patient's representative showing the date of services rendered, nature of those services, charges and payments made, and balance outstanding; and
 - 4.1.3 a day book, daily diary, appointment sheets or similar documentation showing for each day the names of patients to whom professional services were rendered.
- 4.2 All records referred to in paragraph 4.1 must be typed or written legibly in ink and kept in suitable systematic permanent forms such as books, binders, files, cards or folders for a period of not less than 16 years from the date of the last recorded entry or the date the patient reaches the age of majority, whichever is later, provided that a computerized, mechanical or electronic record-keeping or accounting system must be deemed sufficient if the information kept on such system can be reproduced promptly in written form when required, and if the material so reproduced, either by itself or in conjunction with other records, constitutes orderly and legible permanent records that would provide, without delay, the information required to be kept under subparagraphs 4.1.1, 4.1.2, and 4.1.3.

Privacy Requirements [previously Bylaw 73]

4.3 A Registrant must:

- 4.3.1 ensure that patient Personal Information collected under paragraphs 4.1 and 4.2 is current, legible, accurate and completely recorded;
- 4.3.2 at all times protect and maintain the confidentiality of patient Personal Information collected under paragraphs 4.1 and 4.2;
- 4.3.3 upon request, provide patients, or the legal representatives of patients, with access to their patient Personal Information in accordance with relevant legal requirements; and
- 4.3.4 ensure that all records from the Registrant's practice containing patient Personal Information are safely and securely stored, or disposed of, by making reasonable security arrangements against such risks as unauthorized access, collection, use, disclosure or disposal.

Production of Records to the College [previously Bylaw 74]

- 4.4 A Registrant must make records kept under paragraphs 4.1 and 4.2 and any written or electronically, computerized or mechanically-recorded documentation relevant to those records available at reasonable hours for inspection by representatives of the College, including the Registrar, members of the Inquiry Committee, the Discipline Committee and the Quality Assurance Committee, and assessors and inspectors appointed under any provision of the Bylaws or the Act.

Notification of Change of Registration Information [previously Bylaw 56]

- 4.5 A Registrant must immediately notify the Registrar of any change of address, name or any other registration information previously provided to the Registrar.

5.0 Delegation, Supervision and Authorization

Delegation and Supervision [previously Bylaw 81]

- 5.1 Subject to heading 2.0 under Schedule 2 [*Chiropractic: Student Registrants*], a Registrant may delegate any aspect of practice that does not involve the performance of a restricted activity specified in section 4 of the Regulation, if:
- 5.1.1 any aspect of practice involving patient assessment or treatment is performed under the Direct Supervision of the Registrant;
 - 5.1.2 any other aspect of practice is performed under the General Supervision of the Registrant;

- 5.1.3 the person to whom the aspect of practice is delegated is employed by or contracted with the Registrant, or a Registrant or health profession corporation with which the Registrant is associated; and
 - 5.1.4 the Registrant is satisfied that the person to whom the aspect of practice is delegated is competent to perform the aspect of practice safely.
- 5.2 Whenever a Registrant delegates any aspect of practice, the Registrant remains ultimately responsible for the patient's chiropractic health.

DRAFT

Schedule 9: Massage Therapy: Professional Responsibilities

1.0 Definitions

1.1 In this Schedule:

“Advertisement” means the use of space or time in any type of public medium including but not limited to the internet, or the use of a commercial publication such as a brochure or handbill, to communicate with the general public or a segment thereof, for the purpose of promoting professional services or enhancing the image of the advertiser;

“Code of Ethics” means the code of ethics established by the Board for the Designated Health Profession of Massage Therapy under section 19(1)(l) of the Act and Published on the College website;

“Health Care Record” means a record described in paragraph 2(1)(a) of Table “2” of this Schedule;

“Licensed Practitioner” means a health care practitioner who is registered or licensed to practice in British Columbia pursuant to the Act or another health care profession statute, and includes but is not limited to another Massage Therapy Registrant, a medical practitioner, a naturopathic doctor, a chiropractor, a physical therapist or an acupuncturist;

“Marketing Activity” includes:

- (a) an Advertisement;
- (b) any publication or communication in any medium with any patient, prospective patient or the public generally in the nature of an advertisement, promotional activity or material, a listing in a directory, a public appearance or any other means by which professional services are promoted, contact with a prospective patient initiated by a Massage Therapy Registrant; and
- (c) use of the name of a Massage Therapy Registrant’s clinic or business;

“Massage Therapy” has the meaning prescribed under section 1 of the *Massage Therapists Regulation*, BC Reg. 280/2008;

“Regulation” means the *Massage Therapists Regulation*, BC Reg. 280/2008.

2.0 Standards of Practice and Standards of Professional Ethics

Code of Ethics, Standards of Practice and Patient Records [previously Bylaw 75]

- 2.1 Every Registrant must comply with:
 - 2.1.1 the Code of Ethics;
 - 2.1.2 the Standards of Practice set out in Table “1” to this Schedule; and
 - 2.1.3 the requirements for patient records set out in Table “2” to this Schedule.

Registrant Information [previously Bylaw 62]

- 2.2 A Registrant must provide the following information to the Registrar on request:
 - 2.2.1 the Registrant’s physical home address, telephone number and email address; and
 - 2.2.2 the physical address, telephone number, email address and website address of all places at which the Registrant practices Massage Therapy.
- 2.3 A Registrant must notify the Registrar of any change to the following, no later than 14 days after the changes occurs:
 - 2.3.1 any information provided previously under paragraph 2.2; and
 - 2.3.2 the Registrant’s name.

Duty to Report to College [previously Bylaw 77]

- 2.4 This section applies to Registrants and Applicants.
- 2.5 A person is charged with an offence under a federal or provincial statute in British Columbia or in another province, or an equivalent offence in a foreign jurisdiction, must immediately provide to the Registrar a written notice specifying particulars of the charge.
- 2.6 Despite paragraph 2.5, no notification is required under that paragraph if a person is issued or served with a ticket as defined in the *Contraventions Act*, SC 1992, c. 47, or a violation ticket as defined in the *Offence Act*, RSBC 1996, c. 338.
- 2.7 A person who becomes the subject of an investigation, inquiry, review or other proceeding in British Columbia, another province or a foreign jurisdiction that could result in the person’s entitlement to practice a profession being cancelled, suspended, limited, restricted or made subject to limits or conditions, or the person’s membership in a professional association being suspended or cancelled, must immediately on becoming aware of the proceeding provide to the Registrar a written notice specifying particulars of the proceeding.

- 2.8 A Registrant in the Registrant class of Massage Therapy: Non-Practising is not authorized to practice as a Registrant in the Registrant class of Massage Therapy: Practising.

3.0 Advertising and Marketing [previously Part F.1]

General Rule

- 3.1 Any Marketing Activity undertaken or authorized by a Registrant in respect of the Registrant's professional services must not be:
- 3.1.1 false;
 - 3.1.2 inaccurate;
 - 3.1.3 reasonably capable of misleading the recipient or intended recipient; or
 - 3.1.4 unverifiable.
- 3.2 If a Marketing Activity:
- 3.2.1 takes advantage of the weakened state, either physical or emotional, of the recipient or intended recipient, or is calculated or likely to do so;
 - 3.2.2 creates in the mind of the recipient or intended recipient an unjustified expectation about the results which the Registrant can achieve, or is calculated or likely to do so;
 - 3.2.3 implies that the Registrant can obtain results:
 - 3.2.3.1 not achievable by other Registrants;
 - 3.2.3.2 by improperly influencing a public body or official, or any corporation, agency or person having any interest in the welfare of the recipient; or
 - 3.2.3.3 by any other improper means; or
 - 3.2.4 compares the quality of professional services provided with those provided by another Registrant,
- the Discipline Committee may thereby find that Marketing Activity violates paragraph 3.1.

Quality of a Marketing Activity

- 3.3 Any Marketing Activity undertaken or authorized by a Registrant in respect of the Registrant's professional services:
- 3.3.1 must not tarnish the reputation, image or stature of the profession of Massage Therapy; and

3.3.2 must be dignified and in good taste.

3.4 Without limiting paragraph 3.3, a graphic or other image used by a Registrant in the Registrant's Advertisement as a massage therapist should not suggest that some service is being provided other than massage therapy.

Speaking on Behalf of the College

3.5 A Registrant must not state publicly or imply that the Registrant speaks on behalf of the College or Board unless the Registrant has been expressly authorized by the Board to state the official position of the College or Board.

Endorsing a Product or Service

3.6 A Registrant must not endorse or lend themselves as a Registrant to the Advertisement of any property, investment, or service for sale to the public unless such property, investment, or service relates directly to the profession of Massage Therapy.

Statement of Fees

3.7 A Registrant who, in any Advertisement, includes a statement of fees for a specific service must:

3.7.1 ensure that the statement sufficiently describes the fees and professional services so as to enable the recipient or intended recipient to understand the nature and extent of the professional services to be provided and the cost to the patient;

3.7.2 not compare the fees the Registrant charges to those charged by another Registrant;
and

3.7.3 state the period of time that the fee applies.

Use of Titles in Advertising

3.8 In a Marketing Activity or Advertisement to promote a Registrant's Massage Therapy practice, a Registrant may use only those occupational titles that have been reserved to Registrants under the Act or otherwise have been approved by the Board.

3.9 For the purposes of paragraph 3.8, the Board may by resolution:

3.9.1 establish a list of approved occupational titles which Registrants may use in addition to those titles reserved to Registrants under the Act, or

3.9.2 approve such other occupational titles that a Registrant has requested the Board approve.

Restriction on Specialist Titles

- 3.10 Unless otherwise authorized under the Act, a Registrant must:
- 3.10.1 not use the title "specialist" or any similar designation, term or reference that suggests a recognized special status, accreditation or practice on any letterhead or business card or in any other Marketing Activity;
 - 3.10.2 take all reasonable steps to discourage use, in relation to the Registrant by another person, of the title "specialist" or any similar designation suggesting a recognized special status or accreditation in any Marketing Activity; and
 - 3.10.3 in any Advertisement, identify themselves as being responsible for the practice advertised.

Permitted Practice Descriptions

- 3.11 In describing their practice as a massage therapist or as someone permitted to provide Massage Therapy, a Registrant may list:
- 3.11.1 the professional services that the Registrant is trained in and is capable of providing as a Registrant;
 - 3.11.2 the techniques that the Registrant has been trained to provide as a Registrant; or
 - 3.11.3 the typical types of injuries or health problems that the Registrant is trained to assess and treat as a Registrant, providing however that the professional services or techniques or the types of injuries or problems so listed fall within the scope of practice of a massage therapist as prescribed under the Regulation.
- 3.12 In complying with paragraph 3.11, a Registrant may state that the listed service or technique is a "preferred area of practice" but must not otherwise use any other expression that might suggest or denote a specialty.

Advertising of Services that Fall Outside the Scope of Practice

- 3.13 If a Registrant is also trained to provide a service or technique that falls outside the scope of practice of a massage therapist as prescribed by the Regulation:
- 3.13.1 that Registrant may advertise that service or technique so long as:
 - 3.13.1.1 that non-Massage Therapy service is not linked to or associated with the Registrant's status as a Registrant; and
 - 3.13.1.2 there is a clear separation of professional services that fall within and outside the scope of practice of Registrants;

- 3.13.2 that Registrant must use separate letterhead, business cards, statements of account and similar documents for their non-Massage Therapy service; and
- 3.13.3 that Registrant must not bill for Massage Therapy services while using an occupational title of the non-Massage Therapy profession.

Advertising if Dual-Registered

- 3.14 If a Registrant is also a licensed professional in another Designated Health Profession or with another college, that dual-registered Registrant may use the other profession's occupational title in the Registrant's advertising, but in so doing the Registrant must clearly distinguish between the services the Registrant provides as a member of the other Designated Health Profession or college so that the public would not be confused by the dual listing.
- 3.15 A dual-registered Registrant:
 - 3.15.1 must use separate letterhead, business cards, statements of account and similar documents for each Designated Health Profession or college that the Registrant is a member of; and
 - 3.15.2 must not bill for Massage Therapy services while using the occupational title of the other profession.

Advertising with Others

- 3.16 If a Registrant is advertising their services in conjunction with other persons, that Registrant must ensure that there is a clear separation of their respective services so that the public would not be confused about which person provides which service.

Retention of Advertisements

- 3.17 A Registrant must:
 - 3.17.1 retain for one year after the date of publication or broadcast any Advertisement; and
 - 3.17.2 provide to the Board upon request:
 - 3.17.2.1 a copy of any publication;
 - 3.17.2.2 a recording of any broadcast over any electronic media, including radio, television and microwave transmission; and
 - 3.17.2.3 a written record of when and where the publication or broadcast was made.

Duty to Verify

- 3.18 It is the duty of the Registrant to verify the statements made in the Registrant's Marketing Activity when called upon to do so by the Discipline Committee, Inquiry Committee or Board.

DRAFT

Table 1: Standards of Practice

Patient assessment

- 1 A Registrant must:
 - (a) perform a comprehensive assessment based on history, observation, palpation, movement, neurology, referred sensation and special tests as relevant;
 - (b) formulate a treatment plan: and
 - (c) monitor vital signs as relevant (pulse, blood pressure, respiration rate, temperature).

Treatment planning and patient management

- 2 A Registrant must:
 - (a) design and implement a management and treatment plan based on clinical findings; and
 - (b) design and coach a home care program and activities of daily living.

Consultation and referral

- 3 A Registrant must:
 - (a) consult with other Registrants or Licensed Practitioners when this may benefit treatment; and
 - (b) refer the patient to other Registrants or Licensed Practitioners when this may benefit the patient.

Patient education

- 4 A Registrant must:
 - (a) educate the patient on factors influencing health and wellness; and
 - (b) educate the patient in self-care.

Therapist education and training

- 5 A Registrant:
 - (a) may practice only those therapeutic methods which the Registrant has sufficient training to perform safely; and
 - (b) must access peer-reviewed, scientific articles relevant to Massage Therapy practice, and apply as relevant.

Notices

6 A Registrant must:

- (a) visibly display the Registrant's Confirmation of Registration in the Registrant's primary practice location;
- (b) visibly display the Registrant's fee schedule, policies and procedures regarding payment, and fees for missed appointments; and
- (c) provide to the patient on request, a copy of the Code of Ethics, the Standards of Practice and the rules and requirements for Health Care Records.

Safety

7 A Registrant must:

- (a) apply universal hygiene precautions for infection control and public health;
- (b) clean and maintain equipment;
- (c) maintain a comfortable and tidy work environment with appropriate room temperature;
- (d) ensure adequate space for the safe movement and comfort of the patient and the Registrant; and
- (e) ensure unobstructed emergency exits, readily available fire extinguishers, and appropriate training of staff in fire and evacuation procedures.

Professionalism

8 A Registrant must:

- (a) maintain personal hygiene and professional appearance;
- (b) differentiate between personal and professional beliefs and behaviours;
- (c) evaluate strengths and weaknesses as a therapist, and set goals for improvement; and
- (d) maintain awareness of, and practice within, the current scope of practice of Massage Therapy in British Columbia.

Patient privacy

9 A Registrant must:

- (a) recognize and respect differing cultural and personal attitudes toward disrobing;
- (b) inform the patient in advance of disrobing and draping options with respect to assessment and treatment, and establish agreement;

- (c) respect the patient's right to decline the removal of certain or any clothing;
- (d) ensure privacy while the patient disrobes or dresses;
- (e) provide non-transparent draping materials, and arrange draping so that only the part of the patient's body that is being assessed or treated is exposed;
- (f) instruct the patient on how to cover himself or herself at the commencement of treatment;
- (g) discontinue assessment or treatment if, at any time and in any manner, the patient withdraws consent to the agreed draping;
- (h) assist the patient to remove or replace clothing if the patient is unable to do so, provided that the patient has consented to assistance; and
- (i) in any public setting where Massage Therapy is to be provided, respect the patient's need for privacy, as the situation permits

DRAFT

Table 2: Standard For Patient Records

Protection of Personal Information

- 1 A Registrant must protect and maintain the confidentiality of Personal Information, and take all reasonable measures to ensure that the collection, use, access, disclosure, care and disposal of Personal Information occur in accordance with the *Personal Information Protection Act*, and any other legal requirements.

Record Keeping Requirements

- 2 (1) A Registrant must keep:
 - (a) a Health Care Record for each patient containing:
 - i. patient identifying information as provided by the patient, including the patient's full name, gender, and date of birth, the patient's current address and telephone number, as of the date of their last attendance;
 - ii. the name of the Registrant who rendered the treatment to the patient;
 - iii. the name of any referring Registrant or Licensed Practitioner;
 - iv. any medical history provided by the patient, as of the date of their last attendance;
 - v. any reports received from or sent to other Registrants, Licensed Practitioners, and insurance providers with respect to the patient;
 - vi. all dates of attendance together with sufficient information to clearly explain why the patient came to see the Registrant and what the Registrant learned from both the patient's current medical history and the assessment, including, but not limited to:
 - a) information relevant to the patient's condition;
 - b) clinical impressions; and
 - c) clinical findings and periodic reassessment findings;
 - vii. a clear record of the specifics of:
 - a) any treatment plan, including any revisions made thereto;
 - b) treatment provided and the patient's response to such treatment;
 - c) any follow-up plan; and
 - d) any recommendation or instructions for patient self-care related to the patient's condition;

- viii. a record of any changes made to the Health Care Record and the reason for such change; and
 - ix. a key to any shorthand notations used in the Health Care Record;
- (b) a key to any shorthand notations used in the Health Care Records;
 - (c) a record with respect to each patient containing the date of the service rendered, type of service, charge made for the service and record of payment; and
 - (d) for each day, keep a day book, daily diary, appointment sheets or equivalent containing the names of patients seen or treated, or in respect of whom professional services are rendered.
- (2) A Registrant must make every reasonable effort to ensure that the information contained in Health Care Records and other records created under subsections 2 (1) (b) and (c) are current, accurate and complete.
 - (3) All Health Care Records and other records created under subsections 2 (1) (b) and (c) must be:
 - (a) written in an official language of Canada; and
 - (b) in paper form, written legibly in ink or typed; or
 - (c) in electronic form, compliant with the policies and guidelines of the College with respect to the creation, maintenance, security, disposition and recovery of electronic medical records, and filed in suitable systematic permanent form, such as books, binders, cards or folders, or in electronic form.
 - (4) The information contained in the Health Care Records and other Records created under subsections 2 (1) (b) and (c) must be capable of being reproduced promptly in written or printed form.

Retention of Health Care Records and Other Records

- 3 Subject to sections 4 and 6 of this Table, a Registrant must retain all Health Care Records and all other records created under subparagraphs 2 (1) (b) and (c) of this Table in the Registrant's custody and control for a minimum period of sixteen (16) years from either the date of last entry or from the age of majority, whichever is later, except as otherwise required under the *Limitation Act*, SBC 2012, c. 13.

Transfer of Health Care Records

- 4 Upon the request of a patient and with the patient's consent, a Registrant must transfer any original Health Care Records in the Registrant's custody and control to a Registrant in the Registrant class of Massage Therapy: Practising or an active or practicing Licensed Practitioner.

Disposal of Health Care Records and Other Records

- 5 (1) After the retention period in section 3 of this Table has elapsed, a Registrant may dispose of Health Care Records and other records created under subparagraphs 2 (1) (b) and (c) of this Table in the Registrant's custody and control only by:
- (a) effectively destroying a physical Health Care Record or other record by shredding or incinerating it in a controlled environment;
 - (b) erasing information recorded or stored by electronic means in a manner that ensures all traces of the original data are destroyed and that the information cannot be retrieved or reconstructed; or
 - (c) delivering the Health Care Record to the patient to whom the record pertains.

Registrant Ceasing to Practice

- 6 (1) A Registrant who has had their registration cancelled or suspended must dispose of any Health Care Records in their custody and control in accordance with this Table, and provide the College with a written summary that identifies which records were disposed of and how within 14 days of the transfer or disposal.
- (2) A Registrant must make appropriate arrangements to ensure that, in the event that the Registrant dies or becomes unable to practice for any reason and is unable to transfer or dispose of the Health Care Records in her custody or control, the Health Care Records will be safely and securely transferred to another Registrant in the Registrant class of Massage Therapy: Practising.
- (3) Any Registrant who receives Health Care Records in accordance with subsection (2) must notify the College and the patient concerned of the transfer within 14 days of receiving the records.

College Access to Records

- 7 A Registrant must make all Health Care Records created or obtained under this Table and other records created under subsections 2 (1) (b) or (c) of this Table, and any written or electronic information relevant to those records, available at reasonable hours for inspection by the Registrar or a person appointed by the Inquiry Committee as an inspector under section 27 (1) of the Act, and must permit the Registrar or any such person to make practising or remove records temporarily for the purpose of making copies.

Schedule 10: Naturopathic Medicine: Professional Responsibilities

1.0 Definitions

1.1 In this Schedule:

“Advertisement” means the use of space or time in a public medium, or the use of a commercial publication such as a brochure or handbill, to communicate with the general public, or a segment thereof, for the purpose of promoting professional services or enhancing the image of the advertiser;

“Code of Ethics” means the Code of Ethics established for the Designated Profession of Naturopathy;

“Marketing” includes:

- (a) an Advertisement;
- (b) any publication or communication in any medium with any patient, prospective patient or the public generally in the nature of an Advertisement, promotional activity or material, a listing in a directory, a public appearance or any other means by which professional services are promoted; and
- (c) contact with a prospective patient initiated by or under the direction of a Registrant;

“Patient Representative” or “Patient’s Representative” means:

- (a) a “committee of the patient” under the *Patient’s Property Act*, RSBC 1996, c. 349;
- (b) the parent or guardian of a patient who is under 19 years of age;
- (c) a representative authorized by a representation agreement registered under the *Representation Agreement Act*, RSBC 1996], c. 405, to make or help in making decisions on behalf of a patient;
- (d) a decision maker or guardian appointed under section 10 of the *Adult Guardianship Act*, RSBC 1996, c. 6; or
- (e) a temporary substitute decision maker chosen under section 16 of the *Health Care (Consent) and Care Facility (Admission) Act*, RSBC 1996, c. 181;

“Record” means a “record” as defined in Schedule 1 of the *Freedom of Information and Protection of Privacy Act*, RSBC 1996, c. 165;

2.0 Standards of Practice and Standards of Professional Ethics

Confirmation of Registration [previously Bylaw 51(3)]

- 2.1 A Registrant's Confirmation of Registration must be displayed in a conspicuous location at the Registrant's place of practice.

Practice Limits and Conditions for Naturopathic Medicine: Non-Practising Registrants [previously Bylaw 48(2)]

- 2.2 A Registrant in the Registrant class of Naturopathic Medicine: Non-Practising must not practice naturopathic medicine in British Columbia.

Practice Limits and Conditions for Naturopathic Medicine: Temporary Registrants [previously Bylaw 50(3)]

- 2.3 A Registrant in the Registrant class of Naturopathic Medicine: Temporary may practice naturopathic medicine as if they were a Registrant in the Registrant class of Naturopathic Medicine: Full, subject to any terms, limits or conditions imposed by the Registration Committee on the practice of Registrants in the Registrant class of Naturopathic Medicine: Temporary.

Practice Limits and Conditions for Naturopathic Medicine: Student Registrants [previously Bylaw 50.1(3)]

- 2.4 A Registrant in the Registrant class of Naturopathic Medicine: Student may only provide services of naturopathic medicine while under the supervision of a Registrant in the Registrant class of Naturopathic Medicine: Full, and the supervising Registrant must:
- 2.4.1 provide specific and appropriate instructions to the Registrant in the Registrant class of Naturopathic Medicine: Student for the provision of the service;
 - 2.4.2 be satisfied that:
 - 2.4.2.1 the Registrant in the Registrant class of Naturopathic Medicine: Student is competent to provide the service safely; and
 - 2.4.2.2 the service will be provided in accordance with the Standards of Practice; and
 - 2.4.3 be present in the naturopathic office or facility and available at all times while the service is provided by the Registrant in the Registrant class of Naturopathic Medicine: Student.

3.0 Advertising and Marketing [previously Bylaw 100]

- 3.1 Any Marketing undertaken or authorized by a Registrant in respect of their professional services must not be:
- 3.1.1 false;

- 3.1.2 inaccurate;
 - 3.1.3 reasonably capable of misleading the public;
 - 3.1.4 unverifiable; or
 - 3.1.5 contrary to the public interest in the practice of the profession of naturopathic medicine.
- 3.2 Marketing violates paragraph 3.1 if it:
- 3.2.1 is calculated or likely to take advantage of the weakened state, whether physical, mental or emotional, of the recipient or intended recipient;
 - 3.2.2 is likely to create in the mind of the recipient or intended recipient an unjustified expectation about the results which the Naturopathic Registrant can achieve;
 - 3.2.3 implies that the Registrant can obtain results:
 - 3.2.3.1 not achievable by other Registrants;
 - 3.2.3.2 by improperly influencing a public body or official, or any corporation, agency or person having any interest in the welfare of the recipient;
 - 3.2.3.3 by any other improper means; or
 - 3.2.4 compares the quality of services provided with those provided by:
 - 3.2.4.1 another Registrant;
 - 3.2.4.2 a person authorized to provide health care services under another enactment;
or
 - 3.2.4.3 another health profession.
- 3.3 A Registrant must not:
- 3.3.1 state publicly that they speak on behalf of the College unless they have been expressly authorized by the Board to state the official position of the College;
 - 3.3.2 endorse or lend themselves as a naturopathic physician to the Advertisement of any property, product, investment or service for sale to the public, unless such property, product, investment or service relates directly to the profession of naturopathic medicine; or
 - 3.3.3 involve a patient, or solicit a patient to become involved, in selling products or services for the direct or indirect benefit of the Registrant.

- 3.4 A Registrant who, in any Advertisement, includes a statement of fees for a specific service:
- 3.4.1 must ensure that the statement sufficiently describes the fees and services so as to enable the recipient or intended recipient to understand the nature, extent and cost to the patient of the services to be provided; and
 - 3.4.2 must not compare the fees charged by themselves with those charged by another Registrant.
- 3.5 A Registrant who, in an Advertisement, includes a statement that their services are subsidized by the Medical Services Plan of British Columbia or that they are authorized by the Workers Compensation Board of British Columbia to perform or provide services, must clearly state in the Advertisement the cost to the patient of the services to be provided.
- 3.6 A Registrant, unless they have a notation of certification entered into the Register in relation to their name under heading 1.0 of Schedule 7:
- 3.6.1 must not use the term “certified” or any similar designation suggesting a recognized special status or accreditation on any letterhead or business card or in any other Marketing; and
 - 3.6.2 must take all reasonable steps to discourage the use, in relation to the Registrant by another person, of the term “certified” or any similar designation suggesting a recognized special status or accreditation in any Marketing.
- 3.7 A Registrant must retain for one year after the date of publication or broadcast of any Advertisement or brochure, and must provide to the Board upon request:
- 3.7.1 a copy of any such publication; or
 - 3.7.2 a recording of any such broadcast made by use of any electronic media, including radio, television and microwave transmission, email or website; and
 - 3.7.3 a written Record of when and where the publication or broadcast was made.
- 3.8 A Registrant must, when called upon by the Discipline Committee, the Inquiry Committee or the Board to do so, provide evidence satisfactory to the committee or Board verifying the statements made in their Marketing.

4.0 Record-Keeping *[previously Bylaws 72-90]*

Purpose for which Personal Information May be Collected

- 4.1 A Registrant must not collect Personal Information regarding a patient unless:

- 4.1.1 the information relates directly to and is necessary for providing health care services to the patient or for related administrative purposes; or
- 4.1.2 the collection of that information is expressly authorized by or under an enactment.

Source of Personal Information

- 4.2 A Registrant must collect Personal Information about a patient directly from the patient.
- 4.3 Despite paragraph 4.2, a Registrant may collect Personal Information from another person if the Registrant has reasonable grounds to believe:
 - 4.3.1 that the patient has been made aware of the matters set out in paragraph 4.4 and has authorized collection of the Personal Information from another person;
 - 4.3.2 that the patient is unable to give their authority and the Registrant, having made the Patient's Representative aware of the matters set out in subparagraph 4.4, collects the information from the representative or the representative authorizes collection from another person;
 - 4.3.3 that compliance with paragraph 4.2 would:
 - 4.3.3.1 prejudice the best interests of the patient;
 - 4.3.3.2 defeat the purpose or prejudice the use for which the information is collected; or
 - 4.3.3.3 prejudice the safety of any person;
 - 4.3.4 that compliance with paragraph 4.2 is not reasonably practicable in the circumstances of the particular case;
 - 4.3.5 that the collection is for the purpose of assembling a family or genetic history of a person and is collected directly from that person;
 - 4.3.6 that the information is publicly available information;
 - 4.3.7 that the information:
 - 4.3.7.1 will not be used in a form in which the patient concerned is identified; or
 - 4.3.7.2 will be used for statistical or research purposes and will not be published in a form that could reasonably be expected to identify the patient; or
 - 4.3.8 in the public sector, that non-compliance with paragraph 4.2 is necessary if the information is about law enforcement or anything referred to in sections 15 (1) or (2) of the *Freedom of Information and Protection of Privacy Act*.

Collection of Personal Information

- 4.4 If a Registrant collects Personal Information directly from the patient, or from the Patient's Representative, the Registrant must take such steps as are, in the circumstances, reasonable to ensure that the patient or Patient's Representative is aware of:
- 4.4.1 the fact that the Personal Information is being collected;
 - 4.4.2 the purpose for which the Personal Information is being collected;
 - 4.4.3 the intended recipients of the Personal Information;
 - 4.4.4 whether or not the supply of the Personal Information is voluntary or mandatory and, if mandatory, the legal authority for collecting the Personal Information;
 - 4.4.5 the consequences, if any, for that patient if all or any part of the requested Personal Information is not provided; and
 - 4.4.6 the rights of access to Personal Information provided in paragraphs 4.27 to 4.32.
- 4.5 The steps referred to in paragraph 4.4 must be taken before the Personal Information is collected or, if that is not practicable, as soon as practicable after the Personal Information is collected.
- 4.6 A Registrant is not required to take the steps referred to in paragraph 4.4 in relation to the collection of Personal Information from a Patient, or the Patient's Representative, if the Registrant has taken those steps in relation to the collection, from the Patient or Patient's Representative, of the same information or information of the same kind for the same or a related purpose, on a recent previous occasion.
- 4.7 Despite paragraph 4.4, a Registrant is not required to comply with paragraph 4.4 if the Registrant believes on reasonable grounds:
- 4.7.1 that non-compliance is authorized by the patient concerned;
 - 4.7.2 that compliance would:
 - 4.7.2.1 prejudice the interests of the patient concerned; or
 - 4.7.2.2 defeat the purpose or prejudice the use for which the information is collected;
 - 4.7.3 that compliance is not reasonably practicable in the circumstances of the particular case; or
 - 4.7.4 in the public sector, that the information is about law enforcement or anything referred to in sections 15 (1) or (2) of the *Freedom of Information and Protection of Privacy Act*.

Manner of Collection of Personal Information

- 4.8 Personal Information must not be collected by a Registrant:
 - 4.8.1 by unlawful means; or
 - 4.8.2 by means that, in the circumstances of the case;
 - 4.8.2.1 are unfair; or
 - 4.8.2.2 intrude to an unreasonable extent upon the personal affairs of the patient concerned.

Confidentiality of Personal Information

- 4.9 A Registrant must at all times protect and maintain the confidentiality of Personal Information collected under paragraphs 4.2 to 4.8.

Accuracy of Personal Information

- 4.10 A Registrant must make every reasonable effort to ensure that the information collected under paragraphs 4.2 to 4.8 is current and is legibly, accurately, and completely recorded.

Right to request correction of Personal Information

- 4.11 A person who believes there is an error or omission in a Record containing their Personal Information may request that the Registrant having the Record in their custody or control correct the information.
- 4.12 If after receiving a request for correction under paragraph 4.11, the Registrant disagrees that there is an error or omission in the Record, the Registrant must note the request in the Record with particulars of the correction that was sought.

Use of Personal Information by a Registrant

- 4.13 A Registrant may use Personal Information only:
 - 4.13.1 for the purpose of providing health care services to the patient or a related administrative purpose;
 - 4.13.2 for a use or disclosure consistent with a purpose specified in paragraph 4.13.1;
 - 4.13.3 if the patient has consented to the use; or
 - 4.13.4 for a purpose for which that information may be disclosed by the Registrant under paragraphs 4.14 or 4.16.

Disclosure of Personal Information by a Registrant

- 4.14 A Registrant must maintain confidentiality of Personal Information and may disclose relevant Personal Information only:
- 4.14.1 if the patient concerned has consented to the disclosure;
 - 4.14.2 for the purpose of providing health care services to the patient or a related administrative purpose or for a disclosure consistent with either purpose;
 - 4.14.3 for the purpose of complying with an enactment of, or an arrangement or agreement made under an enactment of British Columbia or Canada;
 - 4.14.4 for the purpose of complying with a subpoena, warrant or order issued or made by a court, person or body with jurisdiction to compel the production of information;
 - 4.14.5 to an employee of, or contractor providing services to, the Registrant, if the information is necessary for the performance of the duties of, or for the protection of the health or safety of, the employee or contractor;
 - 4.14.6 to a lawyer acting for the Registrant, for use in civil or criminal proceedings involving the Registrant;
 - 4.14.7 if necessary to comply with the *Coroners Act*, SBC 2007, c. 15;
 - 4.14.8 if necessary to comply with the *Ombudsman Act*, RSBC 1996, c. 340;
 - 4.14.9 for the purposes of:
 - 4.14.9.1 collecting a debt or fine owing by a patient to the Registrant; or
 - 4.14.9.2 making a payment owing by the patient to a Registrant;
 - 4.14.10 to an auditor, the College or any other person or body authorized by law, for audit purposes;
 - 4.14.11 if the Registrant believes on reasonable grounds that there is a risk of significant harm to the health or safety of any person and that the use or disclosure of the information would reduce that risk;
 - 4.14.12 so that the next of kin or a friend of an injured, ill or deceased individual may be contacted;
 - 4.14.13 in accordance with paragraph 4.16 and paragraphs 4.27 to 4.32; or
 - 4.14.14 as otherwise required by law.

Consistent Purpose

- 4.15 A use or disclosure of Personal Information is consistent with the purposes of providing health care services to a patient or related administrative purposes under paragraphs 4.13 and 4.14 if the use or disclosure has a reasonable and direct connection to either purpose.

Disclosure for Research and Statistical Purposes

- 4.16 A Registrant may disclose Personal Information for a research purpose, including statistical.

Storage and Retention of Personal Information

- 4.17 A Registrant must ensure that all Records:
- 4.17.1 pertaining to their practice of naturopathic medicine; and
 - 4.17.2 containing Personal Information;
- are safely and securely stored.
- 4.18 Personal Information must be retained for a period of seven (7) years.

Manner of Disposal of Records

- 4.19 A Registrant must ensure that Records are disposed of only by:
- 4.19.1 transferring the Record to another Registrant or, with the consent of the patient, to another health care agency or health care practitioner;
 - 4.19.2 effectively destroying a physical Record by utilizing a shredder or by complete burning;
 - 4.19.3 erasing information recorded or stored by electronic methods on tapes, disks or cassettes in a manner that ensures that the information cannot be reconstructed; or
 - 4.19.4 transferring the Record to the patient.

Ceasing to Practice

- 4.20 A Registrant who ceases to practice naturopathic medicine for any reason must:
- 4.20.1 dispose of Personal Information in accordance with this heading; and
 - 4.20.2 notify the College and provide the College with a written summary of the steps they have taken to dispose of the Personal Information.
- 4.21 A Registrant must make appropriate arrangements to ensure that, in the event that the Registrant dies, or becomes unable to practice for any reason and is unable to dispose of the

Personal Information, the Personal Information will be safely and securely transferred to another Registrant.

- 4.22 A Registrant who receives Personal Information transferred in accordance with subparagraph 4.19.1 or paragraph 4.21 must notify the patient concerned of the transfer.

Protection of Personal Information

- 4.23 A Registrant must protect Personal Information by making reasonable security arrangements against such risks as unauthorized access, collection, use, disclosure or disposal.
- 4.24 A Registrant must take reasonable measures to ensure that a third party, including a volunteer, employee of or contractor of the Registrant or a health profession corporation or a student practitioner under the supervision of the Registrant, does not access, collect, use, disclose, store or dispose of Personal Information except in accordance with the requirements of this heading.

Contracts for Handling Personal Information

- 4.25 A Registrant must ensure that, if Personal Information is transferred to any person or service organization for processing, storage or disposal, a contract is made with that person which includes an undertaking by the recipient that confidentiality and physical security will be maintained.

Remedying a Breach of Security

- 4.26 A Registrant must take appropriate measures to remedy any unauthorized access, use, disclosure or disposal of Personal Information under this heading as soon as possible after the breach is discovered, including:
- 4.26.1 taking steps to recover the Personal Information or to ensure its disposal if it cannot be recovered;
 - 4.26.2 taking steps to ensure that any remaining Personal Information is secured;
 - 4.26.3 notifying:
 - 4.26.3.1 anyone affected by the unauthorized access including patients and other health care providers;
 - 4.26.3.2 the College; and
 - 4.26.3.3 law enforcement officials, if criminal action may have contributed to the unauthorized action; and

- 4.26.4 modifying existing security arrangements to prevent a re-occurrence of the unauthorized access.

Patient Access to Personal Information

- 4.27 If a patient or a Patient Representative makes a request for access to Personal Information about the patient, the Registrant must comply as soon as practicable but not more than forty-five (45) days following the request by:
 - 4.27.1 providing access to the Personal Information to the patient or Patient Representative;
 - 4.27.2 providing access to the remainder of the Personal Information if that information excepted from disclosure under paragraph 4.28 can reasonably be severed; or
 - 4.27.3 providing written reasons for the refusal of access to the Personal Information or to any portion of the health Records.
- 4.28 The Registrant may refuse to disclose Personal Information to a patient or Patient Representative:
 - 4.28.1 if there is a significant likelihood of a substantial adverse effect on the physical, mental or emotional health of the patient;
 - 4.28.2 if there is a significant likelihood of harm to a third party; or
 - 4.28.3 if the disclosure could reasonably be expected to disclose Personal Information regarding another individual.
- 4.29 If a Registrant authorizes access to Personal Information and the patient or Patient Representative requests a copy of the Personal Information, a copy must be provided if it can reasonably be reproduced.
- 4.30 A Registrant may charge a reasonable fee for the reproduction of Personal Information which does not exceed the Fee specified in Schedule 1.
- 4.31 Subject to paragraph 4.28, a patient under nineteen (19) years of age may have access to a Record if, in the opinion of the Registrant, the patient is capable of understanding the subject matter of the record.
- 4.32 Except if authorized by the patient, a Registrant must not provide access to the Records of a patient who is under nineteen (19) years of age to the guardian or parent of the patient if the subject matter of the Record is health care which was provided without the consent of a parent or guardian in accordance with the requirements of section 17 of the *Infants Act*, RSBC 1996, c. 223.

Notification of Change of Registration Information [previously Bylaw 61]

- 4.33 A Registrant must immediately notify the Registrar of any change of name, address, office or home telephone numbers, email address, web site address, or any other registration information previously provided to the Registrar.

DRAFT

Schedule 11: Traditional Chinese Medicine and Acupuncture: Professional Responsibilities

1.0 Definitions [previously Bylaws s.1]

1.1 In this Schedule:

“Advertisement” means the use of space or time in a public medium, or the use of a commercial publication such as a brochure or handbill, to communicate with the general public, or a segment thereof, for the purpose of promoting Professional Services or enhancing the image of the advertiser;

“Marketing” includes:

- (a) an Advertisement;
- (b) any publication or communication in any medium with any patient, prospective patient or the public generally in the nature of an Advertisement, promotional activity or material, a listing in a directory, a public appearance or any other means by which Professional Services are promoted; and
- (c) contact with a prospective patient initiated by or under the discretion of a Registrant;

“Patient Representative” or “Patient’s Representative” means:

- (a) a “committee of the patient” under the *Patient’s Property Act*, RSBC 1996, c. 349;
- (b) the parent or guardian of a patient who is under 19 years of age;
- (c) after the *Representation Agreement Act*, RSBC 1996, c. 405, comes into force, a representative authorized by a representation agreement registered under the *Representation Agreement Act* to make or help in making decisions on behalf of a patient;
- (d) after the *Representation Agreement Act* comes into force, a monitor named in a representation agreement registered under the *Representation Agreement Act* to ensure that the representative fulfills the duties described in section 16 of that act;
- (e) after the *Adult Guardianship Act*, RSBC 1996, c. 6, comes into force, a decision maker or guardian appointed under section 10 of the *Adult Guardianship Act*; and
- (f) after the *Health Care (Consent) and Care Facility (Admission) Act*, RSBC 1996, c. 181, comes into force, a temporary substitute decision maker chosen under section 16 of the *Health Care (Consent) and Care Facility (Admission) Act*;

“Professional Service” means the provision of professional expertise in traditional Chinese medicine and acupuncture as defined in the Regulation in a health care delivery, education, research, and/or policy and regulation role that requires the knowledge and skills outlined in the Entry-Level Occupational Competency Profiles for TCM Practitioners, Acupuncturists, or Doctors of TCM;

“Record” means a record as defined in Schedule 1 of the *Freedom of Information and Protection of Privacy Act*;

“Regulation” means the *Traditional Chinese Medicine Practitioners and Acupuncturists Regulation*, BC Reg. 290/2008;

“Supervision” means that the supervised person must only practise traditional Chinese medicine or acupuncture under the review of a Registrant in accordance with directions by the College.

2.0 Standards of Practice and Standards of Professional Ethics

Code of ethics and standards of practice

2.1 Registrants must act in accordance with:

2.1.1 the Code of Ethics for Registrants set out in Table “1” to this Schedule; and

2.1.2 the Standards of Practice for Registrants set out in Table “2” to this Schedule.

Practice Limits and Conditions for Traditional Chinese Medicine and Acupuncture: Limited Registrants [previously Bylaw 50(3)]

2.2 A Registrant in the Registrant class of Traditional Chinese Medicine and Acupuncture: Limited may practice traditional Chinese medicine as if they were a Registrant in the Registrant class of Traditional Chinese Medicine and Acupuncture: Full subject to any practice limits or conditions set by the Registration Committee, which may include a requirement for Supervision.

Practice Limits and Conditions for Traditional Chinese Medicine and Acupuncture: Student Registrants [previously Bylaw 51(3) and (4)]

2.3 A person must hold registration in the Registrant class of Traditional Chinese Medicine and Acupuncture: Student prior to undertaking clinical instruction as defined in Table 4 of Schedule 5.

- 2.4 A Registrant in the Registrant class of Traditional Chinese Medicine and Acupuncture: Student may only practice traditional Chinese medicine or acupuncture services during clinical instruction while under the Supervision of a Registrant in the Registrant class of Traditional Chinese Medicine and Acupuncture: Full in Good Standing.

Practice Limits and Conditions for Traditional Chinese Medicine and Acupuncture: Non-Practising Registrants [previously Bylaw 52(2)]

- 2.5 A Registrant in the Registrant class of Traditional Chinese Medicine and Acupuncture: Non-Practising must not provide, delegate, or supervise Professional Services or practice traditional Chinese medicine or acupuncture as specified in the Regulation in the Province of British Columbia, Canada.

Practice Limits and Conditions for Traditional Chinese Medicine and Acupuncture: Temporary Registrants [previously Bylaw 53(4)]

- 2.6 A Registrant in the Registrant class of Traditional Chinese Medicine and Acupuncture: Temporary may provide, perform, and demonstrate traditional Chinese medicine as if they were a Registrant in the Registrant class of Traditional Chinese Medicine and Acupuncture: Full in a clinical education course or educational function, subject to any limits or conditions imposed by the Registration Committee.

3.0 Advertising and Marketing [previously Bylaw 92]

- 3.1 Any Marketing undertaken or authorized by a Registrant in respect of their Professional Services must not be:

- 3.1.1 false;
- 3.1.2 inaccurate;
- 3.1.3 reasonably expected to mislead the public;
- 3.1.4 unverifiable; or
- 3.1.5 contrary to the public interest in the practice of traditional Chinese medicine or acupuncture.

- 3.2 Marketing violates paragraph 3.1 if it:

- 3.2.1 is calculated or likely to take advantage of a weakened state, either physical, mental or emotional, of the recipient or intended recipient;
- 3.2.2 is likely to create in the mind of the recipient or intended recipient an unjustified expectation about the results which the Registrant can achieve;

- 3.2.3 implies that the Registrant can obtain results:
 - 3.2.3.1 not achievable by other Registrant;
 - 3.2.3.2 by improperly influencing a public body or official, or any corporation, agency or person having any interest in the welfare of the recipient; or
 - 3.2.3.3 by any other improper means; or
- 3.2.4 compares the quality of services provided by the Registrant with those provided by:
 - 3.2.4.1 another Registrant;
 - 3.2.4.2 a person authorized to provide healthcare services under another enactment; or
 - 3.2.4.3 another health profession.
- 3.3 A Registrant must not:
 - 3.3.1 state publicly that they speak on behalf of the College unless the Registrant has been expressly authorized by the Board to state the official position of the College; or
 - 3.3.2 endorse or lend themselves as an acupuncturist or traditional Chinese medicine practitioner to the Advertisement of any product or service for sale to the public unless such product or service relates directly to the profession of traditional Chinese medicine and acupuncture.
- 3.4 A Registrant who, in any Advertisement, includes a statement of fees for a specific service:
 - 3.4.1 must ensure that the statement sufficiently describes the fees and services so as to enable the recipient or intended recipient to understand the nature and extent of the services to be provided and the cost to the patient; and
 - 3.4.2 must not in the Advertisement compare the fees charged by the Registrant with those charged by another Registrant.
- 3.5 Unless otherwise authorized by the Act, the Regulations, the Bylaws, this Schedule, or the Board, a Registrant:
 - 3.5.1 must not use the title “specialist” or any similar designation suggesting a recognized special status or accreditation on any letterhead or business card or in any other Marketing; and
 - 3.5.2 must take all reasonable steps to discourage the use, in relation to the Registrant by another person, of the title “specialist” or any similar designation suggesting a recognized special status or accreditation in any Marketing.

- 3.6 A Registrant must retain for 1 year after the date of publication or broadcast of any Advertisement or brochure, and must provide to the Registrar upon request:
- 3.6.1 a copy of such publication;
 - 3.6.2 a recording of any such broadcast made by use of any electronic media, including radio, television and microwave transmission; and
 - 3.6.3 a written record of when and where the publication or broadcast was made.
- 3.7 It is the duty of the Registrant, when called upon by the Discipline Committee, Inquiry Committee, or the Registrar to do so, to verify the statements made in their Marketing or advertising materials.
- 3.8 Registrants who limit their practices to certain branches or areas of traditional Chinese medicine or acupuncture may state in any Marketing the branch or area to which their practice is restricted.

4.0 Record-Keeping *[previously Bylaws 71-89]*

Purpose for which Personal Information May be Collected

- 4.1 A Registrant must not collect Personal Information regarding a patient unless:
- 4.1.1 the information relates directly to and is necessary for providing health care services to the patient or for related administrative purposes; or
 - 4.1.2 the collection of that information is expressly authorized by or under an enactment.

Source of Personal Information

- 4.2 A Registrant must collect Personal Information about a patient directly from the patient.
- 4.3 Despite paragraph 4.2, a Registrant may collect Personal Information from another person if the Registrant has reasonable grounds to believe:
- 4.3.1 that the patient has been made aware of the matters set out in paragraph 4.4 and has authorized collection of the Personal Information from another person;
 - 4.3.2 that the patient is unable to give their authority and the Registrant, having made the Patient's Representative aware of the matters set out in paragraph 4.4, collects the information from the representative or the representative authorizes collection from another person;
 - 4.3.3 that compliance with paragraph 4.2 would:
 - 4.3.3.1 prejudice the best interests of the patient;

- 4.3.3.2 defeat the purpose or prejudice the use for which the information is collected; or
- 4.3.3.3 prejudice the safety of any person;
- 4.3.4 that compliance with paragraph 4.2 is not reasonably practicable in the circumstances of the particular case;
- 4.3.5 that the collection is for the purpose of assembling a family or genetic history of a person and is collected directly from that person;
- 4.3.6 that the information is publicly available information;
- 4.3.7 that the information:
 - 4.3.7.1 will not be used in a form in which the patient concerned is identified; or
 - 4.3.7.2 will be used for statistical or research purposes and will not be published in a form that could reasonably be expected to identify the patient; or
- 4.3.8 in the public sector, that non-compliance with paragraph 4.2 is necessary where the information is about law enforcement or anything referred to in sections 15(1) or (2) of the *Freedom of Information and Protection of Privacy Act*.

Collection of Personal Information

- 4.4 Where a Registrant collects Personal Information directly from the patient, or from the Patient's Representative, the Registrant must take such steps as are, in the circumstances, reasonable to ensure that the patient or Patient's Representative is aware of:
 - 4.4.1 the fact that the Personal Information is being collected;
 - 4.4.2 the purpose for which the Personal Information is being collected;
 - 4.4.3 the intended recipients of the Personal Information;
 - 4.4.4 whether or not the supply of the Personal Information is voluntary or mandatory and, if mandatory, the legal authority for collecting the Personal Information;
 - 4.4.5 the consequences, if any, for that patient if all or any part of the requested Personal Information is not provided; and
 - 4.4.6 the rights of access to Personal Information provided in paragraphs 4.27 to 4.33.
- 4.5 The steps referred to in paragraph 4.4 must be taken before the Personal Information is collected or, if that is not practicable, as soon as practicable after the Personal Information is collected.
- 4.6 A Registrant is not required to take the steps referred to in paragraph 4.4 in relation to the collection of Personal Information from a patient, or the Patient's Representative, if the

Registrant has taken those steps in relation to the collection, from the patient or Patient's Representative, of the same information or information of the same kind for the same or a related purpose, on a recent previous occasion.

- 4.7 Despite paragraph 4.4, a Registrant is not required to comply with paragraph 4.4 if the Registrant believes on reasonable grounds:
- 4.7.1 that non-compliance is authorized by the patient concerned;
 - 4.7.2 that compliance would:
 - 4.7.2.1 prejudice the interest of the patient concerned; or
 - 4.7.2.2 defeat the purpose or prejudice the use for which the information is collected;
 - 4.7.3 that compliance is not reasonably practicable in the circumstances of the particular case; or
 - 4.7.4 in the public sector, that the information is about law enforcement or anything referred to in sections 15(1) or (2) of the *Freedom of Information and Protection of Privacy Act*.

Manner of Collection of Personal Information

- 4.8 A Registrant must not collect Personal Information:
- 4.8.1 by unlawful means; or
 - 4.8.2 by means that, in the circumstances of the case:
 - 4.8.2.1 are unfair; or
 - 4.8.2.2 intrude to an unreasonable extent upon the personal affairs of the patient concerned.

Confidentiality of Personal Information

- 4.9 A Registrant must at all times protect and maintain the confidentiality of Personal Information collected under paragraphs 4.2 to 4.8.

Accuracy of Personal Information

- 4.10 A Registrant must make every reasonable effort to ensure that the information collected under paragraphs 4.2 to 4.8 is current and is legibly, accurately and completely recorded.

Right to Request Correction of Personal Information

- 4.11 A person who believes there is an error or omission in a Record containing their Personal Information may request that the Registrant who has the Record in their custody or control correct the information.
- 4.12 If after receiving a request for correction under paragraph 4.11, the Registrant disagrees that there is an error or omission in the Record, the Registrant must note the request in the Record with particulars of the correction that was sought.

Use of Personal Information by a Registrant

- 4.13 A Registrant may use Personal Information only:
- 4.13.1 for the purpose of providing health care services to the patient or a related administrative purpose;
 - 4.13.2 for a use or disclosure consistent with a purpose specified in subparagraph 4.13.1;
 - 4.13.3 if the patient has consented to the use; or
 - 4.13.4 for a purpose for which that information may be disclosed by the Registrant under paragraphs 4.14 or 4.16.

Disclosure of Personal Information by a Registrant

- 4.14 A Registrant must maintain confidentiality of Personal Information and may disclose relevant Personal Information only:
- 4.14.1 if the patient concerned has consented to the disclosure;
 - 4.14.2 for the purpose of providing health care services to the patient or a related administrative purpose or for a disclosure consistent with either purpose;
 - 4.14.3 for the purpose of complying with an enactment of, or an arrangement or agreement made under an enactment of British Columbia or Canada;
 - 4.14.4 for the purpose of complying with a subpoena, warrant or order issued or made by a court, person or body with jurisdiction to compel the production of information;
 - 4.14.5 to an employee of, or contractor providing services to, the Registrant, if the information is necessary for the performance of the duties of, or for the protection of the health or safety of, the employee or contractor;
 - 4.14.6 to a lawyer acting for the Registrant, for use in civil or criminal proceedings involving the Registrant;
 - 4.14.7 where necessary to comply with the *Coroners Act*, SBC 2007, c. 15;

- 4.14.8 where necessary to comply with the *Ombudsman Act*, RSBC 1996, c. 340;
- 4.14.9 for the purposes of:
 - 4.14.9.1 collecting a debt or fine owing by a patient to the Registrant; or
 - 4.14.9.2 making a payment owing by the patient to a Registrant;
- 4.14.10 to an auditor, the College or any other person or body authorized by law, for audit purposes;
- 4.14.11 where the Registrant believes on reasonable grounds that there is a risk of significant harm to the health or safety of any person and that the use or disclosure of the information would reduce that risk;
- 4.14.12 so that the next of kin or a friend of an injured, ill or deceased individual may be contacted;
- 4.14.13 in accordance with paragraph 4.16 or paragraphs 4.27 to 4.32; or
- 4.14.14 as otherwise required by law.

Consistent Purpose

- 4.15 A use or disclosure of Personal Information is consistent with the purposes of providing health care services to a patient or related administrative purposes under paragraphs 4.13 and 4.14 if the use or disclosure has a reasonable and direct connection to either purpose.

Disclosure for Research and Statistical Purposes

- 4.16 A Registrant may disclose Personal Information for a research purpose, including statistical research, only if:
 - 4.16.1 the research purpose cannot reasonably be accomplished unless the ~~that~~ information is provided in an individually identifiable form or the research purpose has been approved by the Board;
 - 4.16.2 any Record linkage is not harmful to the individuals concerned and the benefits to be derived from the Record linkage are clearly in the public interest;
 - 4.16.3 the head of the public body concerned has approved conditions relating to the following:
 - 4.16.3.1 security and confidentiality;
 - 4.16.3.2 the removal or destruction of individual identifiers at the earliest reasonable time; and

- 4.16.3.3 the prohibition of any subsequent use or disclosure of that information in an individually identifiable form without the express authorization of the Board relating to the confidentiality of Personal Information; or
- 4.16.4 the person to whom the information is disclosed has signed an agreement to comply with the approved conditions, the Bylaws, this Schedule, and any relevant policies and procedures established by the College relating to the confidentiality of Personal Information.

Storage and Retention of Personal Information

- 4.17 A Registrant must ensure that all Records:
 - 4.17.1 pertaining to their practice of traditional Chinese medicine or acupuncture; and
 - 4.17.2 containing Personal Information are safely and securely stored.
- 4.18 Personal Information must be retained for a period of at least 10 years.

Manner of Disposal of Records

- 4.19 A Registrant must ensure that Records are disposed of only by:
 - 4.19.1 transferring the Record to another Registrant or with the consent of the patient, to another health care agency or health care practitioner;
 - 4.19.2 effectively destroying a physical Record by utilizing a shredder or by complete burning;
 - 4.19.3 erasing information recorded or stored by electronic methods on tapes, disks, or cassettes in a manner that ensures that the information cannot be reconstructed; or
 - 4.19.4 transferring the Record to the patient.

Registrant Ceasing to Practice

- 4.20 A Registrant who ceases to practice for any reason must dispose of Personal Information in accordance with this heading, notify the College, and provide the College with a written summary of the steps they have taken to dispose of the Personal Information.
- 4.21 A Registrant must make appropriate arrangements to ensure that, in the event that the Registrant dies or becomes unable to practice for any reason and is unable to dispose of the Personal Information, the Personal Information will be safely and securely transferred to another Registrant.
- 4.22 A Registrant who receives Personal Information transferred in accordance with paragraph 4.21 or paragraph 4.19.1 must notify the patient concerned of the transfer.

Protection of Personal Information

- 4.23 A Registrant must protect Personal Information by making reasonable security arrangements against such risks as unauthorized access, collection, use, disclosure or disposal.
- 4.24 A Registrant must take reasonable measures to ensure that a third party, including a volunteer, employee of or contractor of the Registrant or a health professions corporation or a student practitioner under the Supervision of the Registrant, does not access, collect, use, disclose, store or dispose of Personal Information except in accordance with the requirements of this heading.

Contracts for handling Personal Information

- 4.25 A Registrant must ensure that, where Personal Information is transferred to any person or service organization for processing, storage or disposal, a contract is made with that person or organization which includes an undertaking by the recipient that confidentiality and physical security will be maintained.

Remedying a Breach of Security

- 4.26 A Registrant must take appropriate measure to remedy any unauthorized access, use, disclosure or disposal of Personal Information under this heading as soon as possible after the breach is discovered, including:
- 4.26.1 taking steps to recover the Personal Information or to ensure its disposal if it cannot be recovered;
 - 4.26.2 taking steps to ensure that any remaining Personal Information is secured;
 - 4.26.3 notifying:
 - 4.26.3.1 anyone affected by the unauthorized access including patients and other health care providers;
 - 4.26.3.2 the College; and
 - 4.26.3.3 law enforcement officials, where criminal action may have contributed to the unauthorized action; and
 - 4.26.4 modifying existing security arrangements to prevent a recurrence of the unauthorized access.

Patient access to Personal Information

- 4.27 If a patient or Patient Representative makes a request for access to Personal Information about the patient, the Registrant must comply as soon as practicable but not more than 45 days following the request by:

- 4.27.1 providing access to the Personal Information to the patient or Patient's Representative;
 - 4.27.2 providing access to the remainder of the Personal Information where that information excepted from disclosure under paragraph 4.28 can reasonably be severed; or
 - 4.27.3 providing written reasons for the refusal of access to the Personal Information or to any portion of the health Records.
- 4.28 The Registrant may refuse to disclose Personal Information to a patient or Patient Representative:
- 4.28.1 where there is significant likelihood of a substantial adverse effect on the physical, mental or emotional health of the patient;
 - 4.28.2 where there is a significant likelihood of harm to a third party; or
 - 4.28.3 if the disclosure could reasonably be expected to disclose Personal Information regarding another individual.
- 4.29 Where the Registrant authorizes access to Personal Information and the patient or Patient Representative requests a copy of the Personal Information, a copy must be provided if it can reasonably be reproduced.
- 4.30 A Registrant may charge a reasonable fee for the reproduction of Personal Information, which does not exceed the fee established in Schedule 1.
- 4.31 Subject to paragraph 4.28, a patient under 19 years of age may have access to a Record where, in the opinion of the Registrant, the patient is capable of understanding the subject matter of the Record.
- 4.32 Except where authorized by the patient, a Registrant must not provide access to the Records of a patient who is under 19 years of age to the guardian or parent of the patient where the subject matter of the Record is health care which was provided without the consent of a parent or guardian in accordance with the applicable provisions of the *Infants Act*, RSBC 1996, c. 223.

Responsibility to Update Information in Register [previously Bylaw 60]

- 4.33 A Registrant must update the information provided to the College, including but not limited to:
- 4.33.1 change of physical home address, telephone number and email address;

- 4.33.2 change of physical address, telephone number, email address and website address of each place at which the Registrant practices traditional Chinese medicine or acupuncture; and
 - 4.33.3 change of any other registration information previously provided to the College.
- 4.34 A Registrant must notify the Registrar of any change to the information provided under paragraph 4.33 not later than 14 calendar days after the change occurred.
- 4.35 A Registrant must notify the College immediately:
- 4.35.1 after a conviction for an indictable offence; or
 - 4.35.2 after changes with their registration with an applicable regulator or licensing authority in another jurisdiction or in another profession resulting in their registration not remaining in good standing.

Table 1: Code of Ethics for Registrants

The Code of Ethics for Registrants sets out guidelines for ethical acupuncture, traditional Chinese medicine herbology and traditional Chinese medicine practice. The Code of Ethics is based on a set of core values, which must uphold in their relationships with their clients, members of their own profession, other health care providers, and the public.

Registrants are professionals who act in a manner that enhances the reputation of, and inspires public confidence in the profession of Traditional Chinese Medicine and Acupuncture. They have a responsibility to follow this Code of Ethics, and to keep informed about the laws and developments in professional standards that affect ethical health care practice.

- 1) Health and well-being
 - a. Responsibility to clients
 - i. Registrants hold the health and well-being of their clients as a primary responsibility.
 - ii. Registrants provide care within their scope of practice to assist their clients to achieve their optimum level of health at all stages in life.
 - iii. Registrants seek additional information or knowledge and refer the client to another health care provider in accordance with the requirements of the Regulation, or when aspects of the care required are beyond their level of competence.
 - b. Responsibility to the public
 - i. Registrants address institutional, social and political factors influencing health and health care in ways that are consistent with their professional role and responsibilities.
 - ii. Registrants provide the best care circumstances permit even when the need arises in an emergency.
 - iii. Registrants participate, to the best of their abilities in research and other activities that contribute to the ongoing development of acupuncture and traditional Chinese medicine knowledge. Registrants participating in research observe College sanctioned guidelines for ethical research.
 - c. Responsibility to other health care providers
 - i. Registrants respect and value the knowledge and skills of other health care providers and cooperate with others so that maximum health benefits to their clients can be realized.
- 2) Choice
 - a. Responsibility to clients

- i. Registrants fully inform their clients about the effects and risks of treatment, and of the scope and limitations they are entitled to practice.
 - ii. Registrants ensure that care is authorized by informed consent and practice within relevant law governing consent and choice.
 - iii. Registrants find out their clients' health needs and values, and help them to obtain appropriate information about their care and the services available to them.
 - iv. Registrants involve clients in health planning and health care decision-making, in order to promote their clients' self determination and ability to act on their own behalf in meeting their health care needs.
 - b. Responsibility to clients of diminished capacity
 - i. Registrants involve clients of diminished competence in decision-making to the extent that those clients are capable.
 - ii. Registrants seek to obtain consent for care from a substitute decision-maker when clients lack the capacity to make decisions about their care, did not make their wishes known prior to becoming incompetent, or for any reason it is unclear what the client would have wanted in a particular circumstance. When prior wishes of an incompetent client are not known or are unclear, care decisions must be in the best interest of the client and based on what the client would want, as far as is known.
- 3) Respect
- a. Responsibility to the client
 - i. Registrants are sensitive to, and respectful of the client's individual needs, values, dignity, and choices.
 - ii. Registrants do not exploit clients' vulnerabilities for their own interests or gain, whether sexual, emotional, social, political, financial, or any other way.
 - iii. Registrants respect the privacy of clients when care is given.
 - iv. Registrants protect the client's confidentiality, and the confidentiality of their health care information.
 - b. Responsibility to the public and members of the profession
 - i. Registrants act in a manner that is respectful of other Registrants as well as the practice of acupuncture and traditional Chinese herbology and traditional Chinese medicine.
- 4) Fairness
- a. Registrants apply and promote principles of equity and fairness to assist clients in receiving unbiased treatment and a share of health services and resources proportionate to their needs.

- 5) Accountability
 - a. Responsibility to the client
 - i. Registrants practice only while their ability to do so is unimpaired.
 - ii. Registrants do not compromise care for reasons of personal or institutional expedience.
 - iii. Registrants strive to ensure that their clients receive and understand complete and accurate information about their treatment.
 - iv. Registrants take preventive as well as corrective action to protect clients from unsafe, incompetent or unethical care.
 - v. Registrants whether they are engaged in clinical, administrative, research, or educational endeavors have professional responsibilities and accountabilities toward safeguarding the quality of care their clients receive.
 - b. Responsibility to the profession
 - i. Registrants acquire new skills and knowledge in their area of practice on a continuing basis, as necessary for the provision of safe, competent and ethical care.
 - c. Responsibility to other health care providers
 - i. Registrants refer only to other health service providers whom they do not suspect of unethical conduct or incompetent or unsafe care.
 - d. Responsibility to the public
 - i. Registrants represent their qualifications honestly, clearly and in a way that is not misleading to the public, other professionals and to their clients.
 - ii. Registrants provide information to the public about acupuncture and traditional Chinese herbology and traditional Chinese medicine that is fair, accurate, and objective.
- 6) Practice environments conducive to safe, competent and ethical care
 - a. Responsibilities to the client and members of the health care team:
 - i. Registrants establish and promote health care environments that are conducive to safe, competent, ethical practice and to the health and well-being of clients and others in the setting.
 - ii. Registrants share their knowledge with any members of a health team with whom they should work, for the benefit of clients.
 - b. Responsibilities to other Registrants;

- i. Registrants provide responsible and respectful mentoring and guidance for the professional development of students of acupuncture and traditional Chinese herbology and traditional Chinese medicine and other Registrants.
 - c. Responsibilities to persons under Supervision;
 - i. Registrants assume full responsibility for all the care they provide or delegate to persons under their Supervision.

DRAFT

Table 2: Standards of Practice for Registrants

1) Specialized body of knowledge

Bases practice on traditional Chinese medicine theory and on content from other related health sciences.

1.2 Knows how and where to find needed information.

1.3 Justifies decisions with reference to knowledge and theory.

1.4 Presents an informed view of acupuncture, traditional Chinese herbology and traditional Chinese medicine to others.

2) Competent application of knowledge

Identifies client's actual or potential diagnoses, differentiates syndromes, plans interventions, performs planned interventions and evaluates client outcomes.

2.1 Uses skills of observation, olfaction, inquiry, palpation and physical assessment to gather information about client status.

2.2 Distinguishes between relevant and irrelevant information when determining client diagnoses and differentiating syndromes, referring to other health care practitioners, or evaluating response to treatment.

2.3 States client diagnoses and potential health problems in practice setting terminology, using verifiable information.

2.4 Plans care based on assessment findings, diagnoses, differentiation of syndromes, cause and extent of disturbance.

2.5 Sets priorities when planning and giving care.

2.6 Performs planned interventions in accordance with the body of traditional Chinese medicine theory, policies, procedures, and these Standards of Practice.

2.7 Evaluates client response to interventions and revises the interventions as necessary.

2.8 Documents timely and accurate reports of relevant observations, including conclusions drawn from them.

2.9 Initiates, maintains and concludes a professional relationship.

2.10 Identifies the difference between therapeutic communication skills and social interaction behaviours and uses each appropriately.

3) Responsibility and Accountability

Complies with all relevant professional standards applicable to the professional behaviour of Registrants.

Maintains standards of acupuncture and traditional Chinese herbology and traditional Chinese medicine practice and professional behaviour determined by the College, Bylaws, the Act, Regulation, and the practice setting.

- 3.1 At all times is accountable and takes responsibility for own actions.
- 3.2 Functions in accordance with relevant legislation and Standards of Practice.
- 3.3 Follows, develops and changes relevant facility, agency or department policies and standards.
- 3.4 Advocates improvements in clinical acupuncture, traditional Chinese herbology and traditional Chinese medicine practice and health care.
- 3.5 Delegates to students or non-registrants only those tasks that are appropriate commensurate with their skills, knowledge and abilities.

4) Provision of Service to the Public

Provides health care services and refers clients to health care professionals in providing acupuncture and traditional Chinese herbology and traditional Chinese medicine services.

- 4.1 Communicates with and refers to other health care professionals about the client's care.
- 4.2 Exercises appropriate judgment in performing treatments.
- 4.3 Directs and/or participates in quality improvement initiatives.
- 4.4 Explains services to clients and others.

5) Code of Ethics

Adheres to the Code of Ethics set out at Table "1" to this Schedule.

- 5.1 Promotes a client's right to autonomy, respect, privacy, confidentiality, dignity and access to information.
- 5.2 Assumes responsibility for ensuring that relationships with clients are therapeutic and professional.
- 5.3 Ensures that practice is congruent with the *Canadian Charter of Rights and Freedoms*, s 7, Part 1 of the *Constitution Act, 1982*, being Schedule B to the *Canada Act 1982 (UK)*, 1982, c 11 a.

- 5.4 Demonstrates honesty, integrity and respect for their clients, members of their own profession, other health care providers, and the public.
- 5.5 Reports unsafe practice or professional misconduct to appropriate authority.

6) Self-Regulation

Assumes primary responsibility for maintaining competence, fitness to practice, and acquiring evidence-based knowledge and skills for professional practice.

- 6.1 Invests time, effort, and other resources in maintaining evidence-based knowledge and skills for practice.
- 6.2 Practices within own level of competence.
- 6.3 Maintains current licensure.
- 6.4 Maintains own physical, mental and emotional well-being.

DRAFT

Schedule 12: Chiropractic: Quality Assurance

1.0 Continuing Education [Bylaws 57-60]

- 1.1 Every two (2) years of registration, a Registrant in the Registrant class of Chiropractic: Full must complete 40 hours of continuing education including any mandatory courses required by the Quality Assurance Committee.
- 1.2 A Registrant in the Registrant class of Chiropractic: Full must hold current first aid certification as specified by the Quality Assurance Committee.

2.0 Criteria and Guidelines [Bylaw 58]

- 2.1 The Quality Assurance Committee must establish criteria and guidelines for achieving the continuing education hours required under paragraph 1.1.

3.0 Proof of Compliance

- 3.1 Each Registrant must prove compliance with the requirements of heading 1.0 of this Schedule by submitting to the Quality Assurance Committee such proof of compliance as the Quality Assurance Committee may establish.

4.0 Assessment of Professional Performance

- 4.1 The Quality Assurance Committee or an assessor appointed by the Committee may:
 - 4.1.1 assess the clinical ability of a Registrant;
 - 4.1.2 collect information from Registrants for the purposes of this Schedule;
 - 4.1.3 establish remedial procedures to assist Registrants in identifying and correcting deficiencies in their clinical abilities or places of practice; and
 - 4.1.4 review all aspects of the management and conduct of Health Profession Corporations to ensure their compliance, and the compliance of their Registrant shareholders, with the Act, the *Chiropractors Regulation*, BC Reg. 414/2008, the Bylaws, this Schedule and the policies of the College.
- 4.2 Upon receiving a practice self-review form or any other request for practice information from the Quality Assurance Committee under subparagraph 4.1.2, a Registrant must send the Committee the completed form or a response to the request within 30 days.

- 4.3 If the Quality Assurance Committee is not satisfied with a response provided by a Registrant in a practice self-review form or in reply to a request for practice information, the Committee may return the practice self-review form to the Registrant or repeat the request for information.
- 4.4 Despite paragraph 4.3, the Quality Assurance Committee, or an assessor on behalf of the Committee, may assess a Registrant's professional practice and inspect the Registrant's records under section 26.1(2) and (3) of the Act, if:
- 4.4.1 the Registrant does not send the Quality Assurance Committee a completed practice self-review form or a response to a request for information under paragraphs 4.2 and 4.3; or
 - 4.4.2 the Committee is not satisfied with a response provided by the Registrant in a practice self-review form or in reply to a request for information under paragraphs 4.2 and 4.3.
- 4.5 If the Quality Assurance Committee or an assessor acts under paragraph 4.4, the Registrant must pay the office assessment Fee specified in Schedule 1.
- 4.6 The Quality Assurance Committee or an assessor must not observe a Registrant while the Registrant is providing a service to a patient except if:
- 4.6.1 the consent of the patient being treated has been obtained in advance; or
 - 4.6.2 the service is being provided in a setting that is not private.
- 4.7 If the Quality Assurance Committee is required to notify the Inquiry Committee of a matter in accordance with subsection 26.2(3) of the Act, it must deliver notice in writing to the Registrar.

Schedule 13: Massage Therapy: Quality Assurance

1.0 Assessment of Professional Performance *[Bylaws 63.1-63.6]*

1.1 Upon receipt of a practice assessment request in a form approved by the Registrar or notice of such form being available on the College website, a Registrant in the Registrant class of Massage Therapy: Practising must complete and return the form to the Quality Assurance Committee no later than 60 days after receipt of the form or notice of the form's availability, as the case may be.

2.0 Practice Development

2.1 The Quality Assurance Committee must establish:

2.1.1 criteria for successful completion of the self-assessment process under subparagraph 2.2.1; and

2.1.2 policies and procedures, consistent with the Bylaws, for:

2.1.2.1 preparation of a statement of learning goals and the remaining components of a learning plan under subparagraph 2.2.2; and

2.1.2.2 the compliance of a Registrant with an individualized learning plan prepared by the Registrant under subparagraphs 2.2.3 and 2.2.4.

2.2 To satisfy the practice development requirement, a Registrant in the Registrant class of Massage Therapy: Practising must:

2.2.1 complete the self-assessment process approved by the Quality Assurance Committee;

2.2.2 prepare an individualized learning plan based on that self-assessment that includes stated learning goals for their Registrant-directed activities;

2.2.3 complete the Registrant-directed activities listed in their individualized learning plan; and

2.2.4 evaluate the impact of their learning plan on their massage therapy practice, as applicable,

for a year by October 31 of that year.

2.3 Paragraph 2.2 does not apply if any of the following conditions are met:

2.3.1 the Registrant has registered on or after January 1 of that year, and has not previously been registered with the College;

- 2.3.2 the Registrant has converted from a Registrant in the Registrant class of Massage Therapy: Non-Practising to a Registrant in the Registrant class of Massage Therapy: Practising on or after January 1 of that year;
 - 2.3.3 the Registrant has reinstated their registration with the College on or after April 1 of that year.
- 2.4 If a Registrant fails to meet the requirements established in paragraph 2.2, the Registrant must pay the non-compliance with quality assurance requirements Fee specified in Schedule 1.

3.0 College-directed Activity

- 3.1 The Quality Assurance Committee must establish, for each calendar year, a College-directed learning activity which every Registrant in the Registrant class of Massage Therapy: Practising must complete.
- 3.2 Every Registrant in the Registrant class of Massage Therapy: Practising must complete the College-directed activity for a year by October 31 of that year.
- 3.3 Paragraph 3.2 does not apply if any of the following conditions are met:
- 3.3.1 the Registrant has registered on or after January 1 of that year, and has not previously been registered with the College;
 - 3.3.2 the Registrant has converted from a Registrant in the Registrant class of Massage Therapy: Non-Practising to a Registrant in the Registrant class of Massage Therapy: Practising on or after January 1 of that year; or
 - 3.3.3 the Registrant has reinstated their registration with the College on or after April 1 of that year.
- 3.4 If a Registrant does not successfully complete the College directed activity on their first attempt, they must pay the Fee specified in Schedule 1 for re-enrolment in the College-directed learning activity for any subsequent attempt.
- 3.5 If a Registrant fails to meet the requirement established in paragraph 3.2, the Registrant must pay the non-compliance with quality assurance requirements Fee specified in Schedule 1.

4.0 Standard First Aid/CPR-C

- 4.1 Effective on and after November 1, 2014, a Registrant in the Registrant class of Massage Therapy: Practising must have and maintain current certification in Standard First Aid/CPR-C from the Canadian Red Cross, Canadian Ski Patrol, Heart and Stroke Foundation, Lifesaving Society or St. John Ambulance.

4.2 If a Registrant fails to meet the requirement established in paragraph 4.1, the Registrant must pay the non-compliance with Standard First Aid/CPR-C requirement Fee specified in Schedule 1.

5.0 Other Quality Assurance Requirements

5.1 A Registrant in the Registrant class of Massage Therapy: Practising must satisfy any other requirements set by the Quality Assurance Committee.

6.0 Duty to Maintain Quality Assurance Activity Records

6.1 Every Registrant must maintain adequate supporting records to document their compliance with applicable quality assurance requirements under this Schedule during each calendar year.

6.2 Every Registrant must maintain adequate supporting records to document the number of hours during which they have engaged in the practice of massage therapy (as determined in accordance with criteria established by the Quality Assurance Committee) during each calendar year.

6.3 Every Registrant must retain the records described in paragraphs 6.1 and 6.2 for not less than 3 years after the end of each calendar year.

7.0 Verification of Quality Assurance Activities

7.1 The Registrar, on behalf of the Quality Assurance Committee, may cause audits to be conducted as the Registrar considers necessary or appropriate to verify their compliance with applicable quality assurance requirements under this Schedule.

7.2 The Quality Assurance Committee may require a Registrant to submit information:

7.2.1 necessary to determine whether the Registrant has met any applicable quality assurance requirements under this Schedule; or

7.2.2 as part of an audit under paragraph 7.1.

Schedule 14: Naturopathic Medicine: Quality Assurance

1.0 Schedule Definitions

1.1 In this Schedule:

“Quality Assurance Assessor” means a person appointed under section 26.1(4) of the Act.

2.0 Quality Assurance Committee

2.1 The Quality Assurance Committee may:

2.1.1 assess the professional performance of a Registrant; and

2.1.2 inspect the records, including the patient records, of the Registrant that are related to professional performance.

2.2 If the Quality Assurance Committee is required to notify the Inquiry Committee pursuant to section 26.2 (3) of the Act, the Quality Assurance Committee chair must deliver the notice in writing to the Inquiry Committee chair, and must deliver a copy of the notice to the Registrar.

2.3 As necessary or appropriate, and subject to section 26.2 of the Act, the Quality Assurance Committee:

2.3.1 may consult with the Professional Practice and Standards Advisory Committee; and

2.3.2 may consult with other Committees, Registrants, or other individuals who have expertise relevant to a particular area of practice or any other matter considered by the Quality Assurance Committee.

3.0 Quality Assurance Assessor Observation

3.1 A Quality Assurance Assessor must not observe a Registrant while the Registrant is providing a service to a patient unless:

3.1.1 the consent of the patient being treated has been obtained in advance; or

3.1.2 the service is being provided in a setting that is not private.

4.0 Continuing Education

4.1 A continuing education period is two (2) years.

- 4.2 A Registrant in the Registrant class of Naturopathic Medicine: Full must successfully complete, within each continuing education period, at least 40 hours of continuing education as prescribed by the Quality Assurance Committee.
- 4.3 If a notation of certification in an aspect of practice has been entered into the Register under heading 1.0 of Schedule 6 for a Registrant, the Registrant must successfully complete, within each continuing education period, at least two (2) hours of continuing education in that aspect of practice.
- 4.4 Continuing education hours in an aspect of practice for which a notation of certification has been entered into the Register under heading 1.0 of Schedule 6 for a Registrant must not make up more than 50% of the hours for which the Registrant receives credit towards the requirement in paragraph 4.2 of this Schedule.
- 4.5 The Quality Assurance Committee must establish criteria and guidelines for completing the continuing education hours required under paragraph 4.2.

Schedule 15: Traditional Chinese Medicine and Acupuncture: Quality Assurance

1.0 Continuing Education *[Bylaws 56.1]*

- 1.1 Registrants in the Registrant classes of Traditional Chinese Medicine and Acupuncture: Full, Limited, and Non-Practising must complete 50 hours of continuing education or the Quality Assurance Program approved by the Quality Assurance Committee in a 24-month period from the beginning of a fiscal year as determined by the Quality Assurance Committee.
- 1.2 Registrants in the Registrant classes of Traditional Chinese Medicine and Acupuncture: Full, Limited, and Non-Practising must provide evidence of compliance with paragraph 1.1 on request.

2.0 Currency of Practice *[Bylaws 56.2]*

- 2.1 A Registrant in the Registrant class of Traditional Chinese Medicine and Acupuncture: Full must complete a cumulative total of 600 hours of professional service and/or practice during the 3 years immediately preceding registration renewal in order to maintain currency of practice.
- 2.2 A Registrant in the Registrant class of Traditional Chinese Medicine and Acupuncture: Full must provide written proof of compliance with paragraph 2.1 on request.

Schedule 16: Tariff of Costs – Investigations

1.0 Components of a Costs Award

- 1.1 The total costs that may be ordered or awarded to the College against a Registrant under section 33(7) or 37.1(c) of the Act consist of:
 - 1.1.1 costs as provided for in the chart at paragraph 3.4;
 - 1.1.2 all reasonable and necessary disbursements at their actual cost; and
 - 1.1.3 any photocopying costs incurred at the rate of \$0.35 per page.

2.0 Timing to Which a Costs Award Applies

- 2.1 The calculation of an award of costs may include all costs set out in paragraph 1.1 incurred from the time the matter is initiated under section 32(1), 32.2, 32.3, 32.4, or 33(4) of the Act until:
 - 2.1.1 if the Inquiry Committee decides to act under section 33(6)(b) of the Act, the time at which the action taken under section 33(6)(b) of the Act is complete;
 - 2.1.2 if the Inquiry Committee decides to act section 36 of the Act, the time at which the request is accepted by the Registrant;
 - 2.1.3 if the Inquiry Committee decides to act under section 33(6)(d) of the Act and there is no resolution under section 37.1 of the Act, the time at which the direction is given under section 33(6)(d) of the Act; or
 - 2.1.4 if the Inquiry Committee decides to act under section 33(6)(d) of the Act and there is a resolution under section 37.1 of the Act, the time at which the successful proposal is submitted to the Inquiry Committee.

3.0 Units Under this Tariff

- 3.1 The value of a unit under this tariff is \$150.
- 3.2 Where this tariff provides for a range of allowable units for an item, the Inquiry Committee may assess any number within that range, and, in deciding on the appropriate number of units to assess:
 - 3.2.1 must take into account the concept that the minimum number of units is meant for matters which are quicker and less complex, and the maximum number of units is meant for matters which are lengthier and more complex; and

3.2.2 may consider any impact that the Registrant’s level of cooperation had on the length and complexity of the investigation.

3.3 Where this tariff provides a number of units per day, but the time spent during a day is three hours or less, only half the number of units per day may be allowed for that day.

3.4 The number of units allowable under this Tariff is set out in the chart below:

<u>Item</u>	<u>Event</u>	<u>Units allowable</u>
1	Investigations, correspondence, conferences, or instructions relating to an investigation for which provision is not made elsewhere in this tariff	1 - 25
2	All processes for obtaining disclosure and inspection of documents for which provision is not made elsewhere in this tariff	1 - 10
3	Instructions to an inspector	1 - 5
4	All processes related to an application under section 29 of the Act	1 - 20
5	All processes related to extraordinary action under section 35 of the Act	1 - 10
6	Preparation for attendance before the Inquiry Committee (per day of attendance)	5
7	Attendance before the Inquiry Committee (per day)	10
8	All processes relating to drafting and finalizing undertakings and consents under section 36 or section 37.1 of the Act	1 - 10
9	All processes relating to drafting and finalizing undertakings and consents under section 37.1 of the Act	1 - 10

Schedule 17: Tariff of Costs – Hearings

1.0 Components of a Costs Award

- 1.1 The total costs that may be ordered or awarded under sections 37.1(d), 37.1(5), 39(4) or 39(5) of the Act consist of:
- 1.1.1 costs as provided for in the chart at paragraph 2.4;
 - 1.1.2 all reasonable and necessary disbursements at their actual cost; and
 - 1.1.3 any photocopying costs incurred at the rate of \$0.35 per page.

2.0 Units under this Tariff

- 2.1 The value of a unit under this tariff is \$150.
- 2.2 Where this tariff provides for a range of allowable units for an item, the Inquiry Committee or Discipline Committee, as applicable, may assess any number within that range, and, in deciding on the appropriate number of units to assess:
- 2.2.1 must take into account the concept that the minimum number of units is meant for matters which are quicker and less complex, and the maximum number of units is meant for matters which are lengthier and more complex; and
 - 2.2.2 may consider any impact that a party's conduct had on lengthening or shortening the proceeding, including the timing and content of any admissions or agreements.
- 2.3 Where this tariff provides a number of units per day, but the time spent during a day is three hours or less, only half the number of units per day may be allowed for that day.
- 2.4 The number of units allowable under this Tariff is set out in the chart below:

<u>Item</u>	<u>Event</u>	<u>Units allowable</u>
1	Investigations, correspondence, conferences, instructions or negotiations relating for which provision is not made elsewhere in this tariff	1 - 25
2	Preparation and delivery of the citation and any amendment to it or any particulars of it	1 - 20
3	All process for providing and obtaining disclosure of records, excluding summaries of witness evidence	1 - 20

4	All process and communication associated with contacting, interviewing and issuing summons to non-expert witness, per witness	1 - 10
5	All process and communication associated with contacting, interviewing and consulting expert witnesses, per witness	1 - 10
6	Providing and obtaining summaries of anticipated evidence, per witness	1
7	Attendance at a pre-hearing conference, including preparation for the conference not otherwise provided for in this tariff	5
8	Attendance at a contested pre-hearing application before the Discipline Committee, including preparation for the application not otherwise provided for in this tariff, per day	10
9	Written submissions for a contested pre-hearing application, where no attendance required	1 - 15
10	Preparation of affidavit, per affidavit	1 - 10
11	All process for making or obtaining admissions	1 - 10
12	Preparation for attendance at a hearing before the Discipline Committee, per day of attendance	5
13	Attendance at a hearing before the Discipline Committee, per day	10
14	Written submissions regarding determinations under section 39(1) of the Act	1 - 20
15	Written submissions regarding appropriate order(s) under section 39(2) of the Act	1 - 20
16	Written submissions regarding the amount of costs, if not by consent	5 - 10