

*Health Professions Act*  
**HEALTH PROFESSIONS DESIGNATION AND  
AMALGAMATION REGULATION**

**PROPOSED**

**TO AMEND  
B.C. REG. 270/2008**

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**Definition**

**1** In this regulation, "**Act**" means the *Health Professions Act*.

## Part 1 – Designations

### Designations

- 2 (1) The designations of the following health professions are continued for the purposes of the Act:
- (a) dental hygiene;
  - (b) dental technology;
  - (c) denturism;
  - (d) dietetics;
  - (e) massage therapy;
  - (f) midwifery;
  - (g) naturopathic medicine;
  - (h) nursing;
  - (i) occupational therapy;
  - (j) opticianry;
  - (k) physical therapy;
  - (l) psychology;
  - (m) psychiatric nursing;
  - (n) traditional Chinese medicine and acupuncture.
- (2) The designation of licensed practical nursing is continued, for the purposes of the Act, as practical nursing.
- (3) The following professions are designated for the purposes of the Act:
- (a) audiology, hearing instrument dispensing and speech-language pathology;
  - (b) chiropractic;
  - (c) optometry;
  - (d) the practice of pharmacy;
  - (e) dentistry;
  - (f) medicine;
  - (g) podiatric medicine;
  - (h) clinical perfusion, respiratory therapy, radiation therapy and medical laboratory technology.

[am. B.C. Regs. 412/2008, s. 2; 419/2008, App. s. 4; 420/2008, App. s. 6; 421/2008, App. s. 6; 422/2008, App. s. 6; 423/2008, App. s. 6; 169/2010, s. (c); 132/2017.]

## **Part 2 – Application for Designation**

### **Application fee**

- 3** The application fee to be submitted with an application under section 7 (1) of the Act is \$2 000.

### **Cost of investigation**

- 4** The minister may not charge to a health profession association the first \$7 500 of costs incurred by the minister in the conduct of the investigation of the health profession association's application under section 7 (1) of the Act.

### **Fees and costs prorated**

- 5** If the minister conducts one investigation for the designation of a health profession in respect of more than one application under section 7 (1) of the Act, the fee payable under section 3 and the costs in excess of the amount under section 4 may be prorated by the minister between or among the health profession associations that have applied.

## **Part 3 – Public Interest Criteria**

### **Criteria for designation of health professions**

- 6** (1) For the purposes of section 10 (1) of the Act, the minister must consider the extent to which the practice of a health profession may involve a risk of physical, mental or emotional harm to the health, safety or well-being of the public, having regard to the following:
  - (a) the services performed by practitioners of the health profession;

- (b) the technology, including instruments and materials, used by practitioners of the health profession;
  - (c) the invasiveness of the procedure or mode of treatment used by practitioners of the health profession;
  - (d) the degree to which the health profession is practised
    - (i) under the supervision of another person who is qualified to practise as a member of a different health profession, or
    - (ii) in a currently regulated environment.
- (2) The minister may also consider the following criteria:
- (a) the extent to which the health profession has demonstrated that there is a public interest in ensuring the availability of regulated services provided by the health profession;
  - (b) the extent to which the services of the health profession provide a recognized and demonstrated benefit to the health, safety or well-being of the public;
  - (c) the extent to which there exists a body of knowledge that forms the basis of the standards of practice of the health profession;
  - (d) whether practitioners of the health profession are awarded a certificate or degree from a recognized post-secondary educational institution;
  - (e) whether it is important that continuing competence of a practitioner of the health profession be monitored;
  - (f) the extent to which there exists within the health profession recognized leadership which has expressed a commitment to regulating the profession in the public interest;
  - (g) the likelihood that a college established under the Act would be capable of carrying out the duties imposed by the Act, having regard to factors that may affect the viable operation of the college;
  - (h) whether designation of the health profession is likely to limit availability of services contrary to the public interest.

## **Part 4 – College Amalgamations**

### **Amalgamation of nursing colleges**

- 7** (1) The following colleges are amalgamated into one college:
- (a) the College of Licensed Practical Nurses of British Columbia;
  - (b) the College of Registered Nurses of British Columbia;
  - (c) the College of Registered Psychiatric Nurses of British Columbia.
- (2) The amalgamation date for the purpose of subsection (1) is September 4, 2018.

[en. B.C. Reg. 69/2018, s. 2.]

### **Amalgamation of colleges of physicians and surgeons and podiatric surgeons**

- 8** (1) The following colleges are amalgamated into one college:
- a) the College of Physicians and Surgeons of British Columbia;
  - b) the College of Podiatric Surgeons of British Columbia.
- (2) The amalgamation date for the purpose of subsection (1) is August 31, 2020.

[Provisions relevant to the enactment of this regulation: *Health Professions Act*, R.S.B.C. 1996, c. 183, s. 12]