

PROVINCE OF BRITISH COLUMBIA

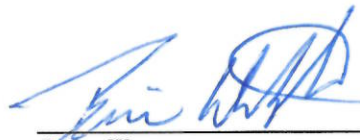
Ministerial Order No. M 222

ORDER OF THE MINISTER OF HEALTH

Health Professions Act

I, Brian Westgate, as delegate of the Minister of Health, order that the amendments to the bylaws of the College of Chiropractors of British Columbia, as set out in the schedule to the attached resolution of the board of the College dated March 11, 2016, come into force on July 29, 2016.

June 13, 2016
Date



Brian Westgate
Director, Regulatory Initiatives
Ministry of Health

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section:- *Health Professions Act*, R.S.B.C. 1996, c. 183, s. 19 (3.2) (b)
Other (specify):- *Ministry of Health Act*, R.S.B.C. 1996, c. 301, s. 4 (2)

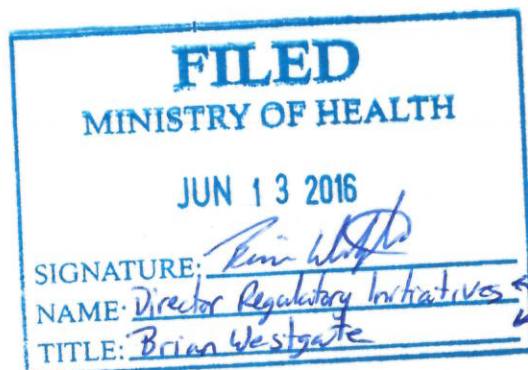
RESOLUTION OF THE BOARD OF THE COLLEGE OF CHIROPRACTORS OF
BRITISH COLUMBIA MADE THE 11th DAY OF MARCH 2016 AT RICHMOND,
BRITISH COLUMBIA

RESOLVED THAT, in accordance with the authority established in sections 19(1) and 49 of the *Health Professions Act* (the "HPA"), and subject to filing with the Minister of Health (the "Minister") as required by section 19(3) of the *HPA*, and notice as required by section 19(6.2) of the *HPA*, the board amend the bylaws of the College of Chiropractors of British Columbia as set out in the attached Schedule.

CERTIFIED A TRUE COPY:



Michelle Da Roza
Registrar, College of Chiropractors of BC



SCHEDULE

The bylaws of the College of Chiropractors of British Columbia made under the authority of the *Health Professions Act* are amended as follows:

1. Section 4 is repealed and replaced by the following:

Voting and non-voting registrants

4. Only full registrants are eligible to vote, and to be elected, in an election under section 17(3)(a) of the *Act*.

2. Section 8 is repealed and replaced by the following:

Terms of office

8. (1) The term of office for an elected board member expires on the date of the annual general meeting held in the third year following the date of the election of the board member.
- (2) Despite subsection (1), before the registrar delivers notice of a board election under section 5, the board may by special resolution designate that the term for a vacant or impending vacant elected board member position ends on the date of the annual general meeting in the second year following the date of the election of the board member.
- (3) An elected board member may serve a maximum of 3 consecutive terms.
- (4) An elected board member may resign at any time by delivering a notice in writing to the registrar and the resignation is effective upon receipt by the registrar.

3. Section 43 is repealed and replaced by the following:

Classes of registrants

43. The following classes of registrants are established:

- (a) full registrants;
- (b) student registrants;
- (c) non-practising registrants;
- (d) temporary registrants.

4. Section 44(1)(e) is repealed and replaced by the following:

- (e) receipt by the registrar of
 - (i) a signed application for full registration in Form 2,
 - (ii) the application fee specified in Schedule "C",
 - (iii) 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,
 - (iv) the fee for the jurisprudence examination,
 - (v) any other fee, fine, levy or debt owed to the college,
 - (vi) an authorization for a criminal record check in the form required by the *Criminal Records Review Act*,
 - (vii) a certified passport size photograph of the applicant taken within one year prior to the date of application,
 - (viii) evidence satisfactory to the registration committee of the applicant's Canadian citizenship or his or her right to work in Canada,
 - (ix) proof of professional liability protection or insurance coverage as required under section 84,
 - (x) proof of first aid certification as required under s. 57(2),
 - (xi) in the case of an applicant who is practising or has practised chiropractic or another health profession in another jurisdiction, an authorization for a criminal record check in that jurisdiction, and
 - (xii) 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.

5. Section 45 is repealed.

6. Section 46(1)(d) is repealed and replaced by the following:

- (d) receipt by the registrar of
 - (i) a signed application for student registration in Form 3a,
 - (ii) the application fee specified in Schedule "C",
 - (iii) an original transcript or other evidence satisfactory to the registration committee of the applicant's educational standing,
 - (iv) an authorization for a criminal record check in the form required by the *Criminal Records Review Act*,
 - (v) a certified passport size photograph of the applicant taken within one year prior to the date of application,
 - (vi) evidence satisfactory to the registration committee of the applicant's Canadian citizenship or his or her right to work in Canada,
 - (vii) proof of professional liability protection or insurance coverage as required under section 84,
 - (viii) in the case of an applicant who is practising or has practised chiropractic or another health profession in another jurisdiction, an authorization for a criminal record check in that jurisdiction, and
 - (ix) 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.

7. Section 47(1)(b) is repealed and replaced by the following:

- (b) receipt by the registrar of

- (i) a signed application for non-practising registration in Form 11,
- (ii) the fee specified in Schedule "C" for change in registration status from full registrant to non-practising registrant,
- (iii) any other fee, fine, levy or debt owed to the college,
- (iv) proof of professional liability protection or insurance coverage as required under section 84, and
- (v) a declaration in Form 12.

8. Section 47(4)(b) is repealed and replaced by the following:

- (b) receipt by the registrar of
 - (i) a return to full registration application in Form 10,
 - (ii) 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 non-practising registrant is, or has been, authorized to practise chiropractic or another health profession, specifying particulars of any cancellation, suspension, limitation or conditions on the non-practising registrant's entitlement to practise, or any investigation, review or proceeding which could lead to cancellation, suspension, limitation or conditions on the non-practising registrant's entitlement to practise,
 - (iii) an authorization for a criminal record check in the form required by the *Criminal Records Review Act*,
 - (iv) in the case of a non-practising registrant who is practising or has practised chiropractic or another health profession in another jurisdiction, an authorization for a criminal record check in that jurisdiction,
 - (v) proof of completion of the requirements under section 57(1) as though the non-practising registrant had been a full registrant for the period since he or she ceased to be a full registrant,
 - (vi) proof of first aid certification as required under s. 57(2),
 - (vii) the fee specified in Schedule "C" for change in registration status from non-practising registrant to full registrant,

- (viii) any other fee, fine, levy or debt owed to the college,
- (ix) proof of professional liability protection or insurance coverage as required under section 84, and
- (x) evidence satisfactory to the registration committee that the non-practising registrant remains a person of good character suitable for registration as a member of the college, and

9. Section 48(1)(d) is repealed and replaced by the following:

- (d) receipt by the registrar of
 - (i) a signed application for temporary registration in Form 3b,
 - (ii) the application fee specified in Schedule "C",
 - (iii) any other fee, fine, levy or debt owed to the college,
 - (iv) a letter from a body described in paragraph (a) 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,
 - (v) 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,
 - (vi) a certified passport size photograph of the applicant taken within one year prior to the date of application,
 - (vii) evidence satisfactory to the registration committee of the applicant's Canadian citizenship or his or her right to work in Canada,
 - (viii) proof of professional liability protection or insurance coverage as required under section 84, and
 - (x) an authorization for a criminal record check in the jurisdiction where the applicant is currently practising chiropractic, together with the applicable fee for obtaining a criminal record check in that jurisdiction.

10. Section 49(1) is repealed and replaced by the following:

- (1) The registrar must issue a certificate in Form 5 to
 - (a) any person who
 - (i) is granted full, student, non-practising or temporary registration under section 44, 46, 47 or 48, or is reinstated to full or non-practising registration under sections 54 or 55, and
 - (ii) pays the applicable registration fee specified in Schedule “C”,
 - (b) a temporary registrant whose registration is renewed under section 48(3), and
 - (c) a full registrant or a non-practising registrant whose registration is reinstated under sections 53.

11. Section 49(4) is repealed and replaced by the following:

- (4) A certificate of student or temporary registration is valid until the date shown on the certificate.

12. Section 50(1) is repealed and replaced by the following:

- (4) A person who is granted full or temporary registration may use the titles reserved for exclusive use by registrants under the *Regulation*, as well as the terms “regulated”, “registered”, “licensed” and “certified”, or an abbreviation of one of those terms.

13. Section 52 is repealed and replaced by the following:

Registration renewal

- 52. (1) For the purposes of section 20(2) of the *Act*, the conditions and requirements for renewal of the registration of a full registrant or non-practising registrant are, despite section 44 or 47, receipt by the registrar of the following on or before July 31:
 - (a) a signed application for renewal of registration in Form 4;
 - (b) the registration renewal fee specified in Schedule “C”;
 - (c) any other fee, fine, levy or debt owed to the college;

- (d) proof of professional liability protection or insurance coverage as required under section 84;
 - (e) in the case of full registrants, proof of having completed any applicable requirements of the quality assurance program under Part 5.
- (2) Notice of the registration renewal fees must be delivered to each full registrant and non-practising registrant no later than June 1 and must describe the consequences of late payment and non-payment of fees.
 - (3) The annual registration renewal fee may be paid in advance instalments if approved by the board.
 - (4) If a full registrant or non-practising registrant meets the conditions and requirements established in subsection (1), the registrar must issue to the registrant a receipt bearing the seal of the college and stating that the registrant's registration has been renewed.
 - (5) If a full registrant or non-practising registrant fails to meet, on or before July 31 in a year, the conditions and requirements established in subsection (1), his or her registration is cancelled.
 - (6) Despite subsections (1) and (5), 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 full registrant.

14. Section 53 is repealed and replaced by the following:

Reinstatement within 2 months of failure to renew registration

53. For the purposes of section 20(2) of the *Act*, the conditions and requirements for reinstatement of the registration of a former registrant whose previous registration was cancelled under section 52(5) are, despite section 44(1), (3) or (4) or 47,
- (a) the former registrant was a full registrant or a non-practising registrant and in good standing upon the cancellation of his or her previous registration,
 - (b) the former registrant is not in contravention of the *Act*, the regulations or these bylaws, and
 - (c) receipt by the registrar of

- (i) a reinstatement application in Form 6a not later than September 30 in the year of the cancellation under section 52(5),
- (ii) in the case of a former full registrant, proof of completion of all applicable requirements of the quality assurance program under Part 5, as though the former registrant's previous registration had not been cancelled under section 52(5),
- (iii) the registration reinstatement fee specified in Schedule "C",
- (iv) any other fee, fine, levy or debt owed to the college, and
- (v) proof of professional liability protection or insurance coverage as required under section 84.

15. The title of section 54 is repealed and replaced by the following:

Reinstatement where sections 53 and 55 do not apply

16. Section 54(d)(i) is repealed and replaced by the following:

- (i) a reinstatement application in Form 6,

17. Section 54(d)(vi) is repealed and replaced by the following:

- (vi) the registration reinstatement fee specified in Schedule "C",

18. Section 54(d)(vii) is repealed and replaced by the following:

- (vii) any other fee, fine, levy or debt owed to the college, and

19. Section 55(1)(a)(ii) is repealed and replaced by the following:

- (ii) under section 52(5), 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

20. Section 55(2)(c)(i) is repealed and replaced by the following:

- (i) a reinstatement application in Form 6b,

21. Section 55(2)(c)(vi) is repealed and replaced by the following:

- (vi) the registration reinstatement fee specified in Schedule "C",

22. Section 55(2)(c)(vii) is repealed and replaced by the following:

(vii) any other fee, fine, levy or debt owed to the college, and

23. Section 57 is repealed and replaced by the following:

Continuing education

57. (1) Every 2 years of registration, a full registrant must complete 40 hours of continuing education including any mandatory courses required by the board.
- (2) Commencing April 30, 2017, a full registrant must hold current first aid certification as specified by the quality assurance committee.

24. Section 58 is repealed and replaced by the following:

Criteria and guidelines

58. The quality assurance committee must establish criteria and guidelines for achieving the continuing education hours required under section 57(1).

25. Section 59 is repealed and replaced by the following:

Proof of compliance

59. Each registrant must prove compliance with the requirements of section 57 by submitting to the quality assurance committee such proof of compliance as the quality assurance committee may establish.

26. Section 81(1) is repealed and replaced by the following:

Delegation and supervision

81. (1) Subject to section 46, 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
- (a) any aspect of practice involving patient assessment or treatment is performed under the direct supervision of the registrant,
- (b) any other aspect of practice is performed under the general supervision of the registrant,

- (c) 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
- (d) the registrant is satisfied that the person to whom the aspect of practice is delegated is competent to perform the aspect of practice safely.

27. Section 84 is repealed and replaced by the following:

Liability protection or insurance coverage

84. (1) All full, student and temporary registrants, and all employees of registrants or health profession corporations to whom aspects of practice involving patient assessment or treatment are delegated under Part 9, 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 college.
- (2) For a period of 5 years following the grant of non-practising registration under section 47(1), a non-practising registrant must maintain professional liability protection or insurance coverage in the amount and form specified in subsection (1) against liability arising from the practice of chiropractic while he or she was a full or temporary registrant or a member of the college under the *Chiropractors Act*.

28. Section 86 is repealed and replaced by the following:

Clinic names

86. (1) A registrant may use only one name per clinic location at any one time.
- (2) A registrant cannot use a name for a clinic that contravenes section 85.
- (3) A registrant cannot use a clinic name if another registrant can demonstrate to the satisfaction of the registrar that he or she is and has been using,
- (a) an identical name, or
 - (b) 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.