***1 The Health Professions General Regulation, B.C. Reg. 275/2008, is amended by adding the following sections:***

**Restricted activities - general**

**9** (1) In this section:

**"compound"** means

(a) in respect of a drug, to mix with one or more other ingredients, and

(b) in respect of a therapeutic diet, to mix two or more ingredients;

**"dental appliance"** means an appliance or a device designed or offered for a dental condition or other condition of the orofacial complex, excluding a ready-to-use or self-adapted mouthguard designed or offered for temporary protection against injury during sporting activities;

**"dispense"**

(a) in respect of a drug, has the same meaning as in the *Pharmacy Operations and Drug Scheduling Act*;

(b) in respect of a dental appliance, means to fabricate or alter, and

(c) in respect of a wearable hearing instrument, means to select, prepare, alter, sell or offer to sell;

**"drug"** means a drug specified in Schedule I, IA, II or IV of the Drug Schedules Regulation, B.C. Reg. 9/98;

**"enteral instillation"** means instillation directly into the gastrointestinal tract;

**"fit"** means

(a) in respect of a dental appliance, to perform any intra-oral procedure related to dispensing, including the making of impressions, and

(b) in respect of a wearable hearing instrument, to adapt or verify, using sound field testing, real ear measurements or other methods;

**"parenteral instillation"** means instillation directly into the blood stream;

**"prescribe"** means

(a) in respect of a drug, to issue a "prescription" as defined in the *Pharmacy Operations and Drug Scheduling Act*, and

(b) in respect of a dental appliance or wearable hearing instrument, to issue an authorization to dispense for use by a named individual;

**"sell"** means, in respect of a wearable hearing instrument, to enter into a transfer of title, conditional sale contract, lease, hire purchase or any other contract where a person disposes of, and any other person acquires, the wearable hearing instrument, excluding a wholesale transaction;

**"substance"** includes air and water, but excludes a drug;

**"wearable hearing instrument"** means an appliance or a device wearable on the head or body and designed or offered for a hearing condition,

(a) including any ear molds, boots or other acoustic couplers and any parts or accessories for the appliance or device intended to affect the sound pressure level at the eardrum, but

(b) excluding direct audio input accessories, batteries and any accessories that are attachable to the appliance or device by the wearer and not intended to affect the sound pressure level at the eardrum.

(2) The following activities are prescribed for the purposes of the definition of "restricted activity" in section 1 of the Act:

(a) to make a diagnosis identifying, as the cause of signs or symptoms of an individual, a disease, disorder or condition;

(b) to perform a procedure on tissue

(i) below the dermis,

(ii) below the surface of a mucous membrane,

(iii) in or below the surface of the cornea, or

(iv) in or below the surfaces of the teeth, including the scaling of teeth;

(c) to set or cast a fracture of a bone;

(d) to reduce a dislocation of a joint;

(e) to move a joint of the spine beyond the limits the body can voluntarily achieve but within the anatomical range of motion using a high velocity, low amplitude thrust;

(f) to administer a substance

(i) by injection,

(ii) by inhalation,

(iii) by mechanical ventilation,

(iv) by irrigation,

(v) by enteral instillation or parenteral instillation, or

(vi) using a hyperbaric chamber;

(g) to put an instrument or a device, hand or finger

(i) into the external ear canal,

(ii) beyond the point in the nasal passages where they normally narrow,

(iii) beyond the pharynx,

(iv) beyond the opening of the urethra,

(v) beyond the labia majora,

(vi) beyond the anal verge, or

(vii) into an artificial opening into the body;

(h) to put into the external ear canal, up to the eardrum, a substance that

(i) is under pressure, or

(ii) subsequently solidifies;

(i) to manage labour or delivery of a baby;

(j) to apply

(i) ultrasound for

(A) diagnostic or imaging purposes, including any application of ultrasound to a fetus, or

(B) the purpose of lithotripsy,

(ii) electricity for the purposes of destroying tissue or affecting activity of the heart or nervous system,

(iii) electromagnetism for the purpose of magnetic resonance imaging,

(iv) laser for the purpose of cutting or destroying tissue, or

(v) X-rays for diagnostic or imaging purposes, including X-rays for the purpose of computerized axial tomography;

(k) to issue an instruction or authorization for another person to apply, to a named individual,

(i) ultrasound for

(A) diagnostic or imaging purposes, including any application of ultrasound to a fetus, or

(B) the purpose of lithotripsy,

(ii) electricity for the purposes of destroying tissue or affecting activity of the heart or nervous system,

(iii) electromagnetism for the purpose of magnetic resonance imaging,

(iv) laser for the purpose of cutting or destroying tissue, or

(v) X-rays for diagnostic or imaging purposes, including X-rays for the purpose of computerized axial tomography;

(l) to prescribe a drug;

(m) to compound a drug;

(n) to dispense a drug;

(o) to administer a drug by any method;

(p) if nutrition is administered by enteral instillation or parenteral instillation,

(i) to select ingredients for a therapeutic diet,

(ii) to compound a therapeutic diet, or

(iii) to dispense a therapeutic diet;

(q) to prescribe a dental appliance;

(r) to dispense or fit a dental appliance;

(s) to prescribe a wearable hearing instrument;

(t) to dispense or fit a wearable hearing instrument;

(u) to conduct challenge testing for allergies

(i) that involves injection, scratch tests or inhalation, if the individual being tested has not had a previous anaphylactic reaction, or

(ii) by any method, if the individual being tested has had a previous anaphylactic reaction;

(v) to conduct desensitizing treatment for allergies,

(i) that involves injection, scratch tests or inhalation, if the individual being tested has not had a previous anaphylactic reaction, or

(ii) by any method, if the individual being tested has had a previous anaphylactic reaction.

***NOTE: The 'hazardous energy' restricted activities set out in subsection (2) (j) and (k) represent a preliminary list only. The Ministry of Health Services will continue to consider whether additional restricted activities in this area are appropriate.***

**Restricted activities – vision appliances**

**10** (1) In this section:

**"assessment record"** means the record produced by an independent automated refraction conducted by a person who is authorized under the Opticians Regulation to conduct independent automated refractions;

**"authorizing document"** means

(a) a prescription for a corrective eyeglass lens, or

(b) an assessment record;

**"contact lens"** means a lens or mold designed or offered for the purposes of being placed on the surface of the cornea or other anterior surface of an eye to correct the refractive error of, or induce physiological change in, the eye;

**"contact lens record"** means

(a) the record, prepared by a person authorized under the Act to fit a contact lens, of the contact lens specifications derived from fitting a contact lens using information contained in an authorizing document, or

(b) the equivalent of a record described in paragraph (a) of this definition, prepared in another province or a foreign jurisdiction by a person who is the equivalent, in that other province or foreign jurisdiction, of a person authorized under the Act to fit a contact lens;

**"dispense"** means to design, prepare, fit, adjust, verify or supply;

**"electronic"** has the same meaning as in the *Electronic Transactions Act*;

**"fit"** means, in respect of a contact lens,

(a) to select or recommend the design and type required, or

(b) to perform any tests related to assessing physiological safety or suitability;

**"prescribe"** means to issue an authorization to dispense for use by a named individual;

**"prescription for a corrective eyeglass lens"** means

(a) the record, derived from an eye health examination and prepared by a person authorized under the Act to prescribe a corrective eyeglass lens, of an authorization to dispense a corrective eyeglass lens for use by a named individual, or

(b) the equivalent of a record described in paragraph (a) of this definition, prepared in another province or a foreign jurisdiction by a person who is the equivalent, in that other province or foreign jurisdiction, of a person authorized under the Act to prescribe a corrective eyeglass lens,

that sets out

(c) the lens power required to correct the refractive error of an eye, and

(d) reading add, prisms, back vertex distance and contraindications;

**"supply"** does not include a wholesale transaction;

**"verify"** means to inspect and confirm, before supplying to the named individual, that the following specifications are met:

(a) in the case of a corrective eyeglass lens, the specifications set out in

(i) the authorizing document, or

(ii) the information contained in an authorizing document and provided by the individual as described in subsection (3) (a) (ii);

(b) in the case of a contact lens, the specifications set out in

(i) the contact lens record, or

(ii) the information contained in a contact lens record and provided by the individual as described in subsection (3) (b) (ii);

**"vision appliance"** means an appliance or a device designed or offered for a vision condition,

(a) including a corrective eyeglass lens, contact lens or low vision aid, and

(b) excluding complete ready-to-wear eyeglasses not designed or offered for use by a named individual.

(2) The following activities are prescribed for the purposes of the definition of **"restricted activity"** in section 1 of the Act:

(a) to prescribe a vision appliance;

(b) to fit a contact lens;

(c) to supply a corrective eyeglass lens or contact lens.

(3) For the purposes of section 50.2 (1) (d) of the Act, and subject to sections 6 and 7 of the Schedule to the Opticians Regulation, the following activities are exempted from the application of subsection (2) (c):

(a) to dispense a corrective eyeglass lens, if the person who dispenses it has possession of

(i) an electronic or a written copy of an authorizing document in respect of the individual for whose use the corrective eyeglass lens is to be dispensed, or

(ii) information contained in an authorizing document and provided to the person, in written or electronic or written form, by or on behalf of the individual for whose use the corrective eyeglass lens is to be dispensed, accompanied by a statement from that individual certifying the existence and validity of the authorizing document and the accuracy of the information provided,

and if the person dispenses the corrective eyeglass lens in accordance with the authorizing document described in subparagraph (i) or the information described in subparagraph (ii), as applicable;

(b) to dispense a contact lens, if the person who dispenses it has possession of

(i) an electronic or a written copy of a contact lens record in respect of the individual for whose use the contact lens is to be dispensed, or

(ii) information contained in a contact lens record and provided to the person, in written or electronic form, by or on behalf of the individual for whose use the contact lens is to be dispensed, accompanied by a statement from that individual certifying the existence and validity of the contact lens record and the accuracy of the information provided.

and if the person dispenses the contact lens in accordance with the contact lens record described in subparagraph (i) or the information described in subparagraph (ii), as applicable;

(c) to dispense a duplicate of a corrective eyeglass lens, with no change in refractive value, using a lensometer or similar device.