

College of Occupational Therapists  
of British Columbia

# Bylaws



College of Occupational Therapists of British Columbia

Bylaws

Approved February 17, 2000 By order in Council (OIC) #204/00

Ammended April 6, 2001 OIC # 453

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# Definitions

1. In these bylaws,

**“Act”** means *the Health Professions Act*,

**“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,

**“advisory statement”** means a statement approved by the board which provides an interpretation of standards or clinical practice statements and is a guideline for registrants

**“agency”** means an organization, company or facility in which occupational therapists provide services to clients, either within the agency's building or at the client's home, workplace or other setting relevant to the services being provided,

**“appointed board member”** means a person appointed to the board under section 17(3)(b) of the *Act*,

**“auxiliary worker”** means an occupational therapy aide, rehabilitation assistant, activity aide, home support worker, volunteer or other support personnel who is not a licensed occupational therapist but who works under the direction of an occupational therapist,

**“BCSOT”** means the British Columbia Society of Occupational Therapists,

**“board”** means the board of the College of Occupational Therapists of British Columbia,

**“board member”** means an appointed board member or an elected board member,

**“CAOT”** means the Canadian Association of Occupational Therapists,

**“chair”** means the chair of the board elected under section 11,

**“client”** means individuals, families and/or groups, agencies or organizations receiving care and/or services from a registered occupational therapist and is synonymous with patient or consumer and means a recipient of occupational therapy services,

**“clinical practice statement”** means a statement which outlines generally acceptable practices which have been approved by the board and are enforceable under section 68(1)(c) of these bylaws,

**“college”** means the College of Occupational Therapists of British Columbia as established by the regulation,

**“competence”** means the ability of the occupational therapist to integrate and apply, in a manner consistent with the standards and scope of practice of the profession, the knowledge, skills, attitudes and judgement required to perform safely,

**“complainant”** means a person who has submitted a complaint pursuant to Part 5 of the bylaws,

“**deliver**”, with reference to a notice or other document, includes mail to or leave with a person, or deposit in a person’s mailbox or receptacle at the person’s residence or place of business,

“**elected board member**” means a member of the board elected under section 17(3)(a) of the *Act*,

“**examination**” means a theoretical examination, given orally or in writing, or by computer, or a practical examination, or any combination of these, and includes a supplemental examination,

“**inspector**” means a person appointed by the inquiry committee to carry out the duties of investigation for the College,

“**marketing activity**” includes:

1. an advertisement
2. any publication or communication in any medium with any client, prospective client 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 a registrant’s services are promoted, and
3. contact with a prospective client initiated by a registrant,

“**personal information**” means “personal information” as defined in Schedule 1 of the *Freedom of Information and Protection of Privacy Act*,

“**public representative**” means a person who is not a registrant or former registrant or who has no close family or business relationship with a registrant or former registrant and includes an appointed board member,

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

“**regulation**” means the Occupational Therapists Regulation made under the *Health Professions Act*, B.C. Reg. 432/98,

“**respondent**” means a registrant named in a citation under section 37 of the *Health Professions Act* named in a notice of permit revocation hearing under Part 5 of these bylaws, who is the subject of an inquiry pursuant to Part 5 of the bylaws,

“**sexual misconduct**” by a registrant includes:

1. sexual intercourse or other forms of physical sexual relations between the registrant and the client,
2. touching, of a sexual nature, of the client by the registrant, or
3. behaviour or remarks of a sexual nature by the registrant towards the client,

“**special resolution**” is a resolution that requires two thirds majority of those present and eligible to vote at a meeting.

“**unprofessional**” means if, in the determination of the board or of the disciplinary committee, the activity is contrary to the best interest of the public or it tends to diminish the profession’s ability to provide service of the highest quality,

“**vice-chair**” means the vice-chair of the board elected under section 11.



# Part 1 Board of the College

## Interim board

1. (1) Notwithstanding section 1, for the purposes of Part 1 of these bylaws,
  - (a) “appointed board member” includes a person appointed under section 17(2)(a) of the *Act*, to represent the public on the first board, and
  - (b) “elected board member” includes a person appointed under section 17(2)(a) of the *Act* to represent the health profession on the first board.
- (2) This section is repealed ninety (90) days following the first election referred to in section 17(2)(a) of the *Act*.

## Board composition

2. The board consists of nine (9) members, including six (6) elected registrants and three (3) persons appointed by the Minister.

## Electoral districts

3. For the purposes of this section the Province of British Columbia is considered one electoral district.

## Eligibility for election

4. Any full registrant is eligible for election to the board if:
  - (1) The registrant has paid all monies due pursuant to the bylaws,
  - (2) The registrant has not been the subject of a finding of professional misconduct, incompetence or incapacity in the two years preceding the date of the election.
  - (3) The registrant’s registration has not been revoked or suspended in the two years preceding the date of the election for any reason other than the non-payment of fees.
  - (4) The registrant’s registration is not subject to a term, condition, or limitation.

## Notice of Election and Nomination procedure

5. (1) At least ninety (90) days prior to the expiration of a term of office of an elected registrant, the registrar must deliver to every registrant in the College at his or her last known address of a pending vacancy and provide written notice of the nomination, voting and election procedures.
- (2) Any full registrant or non-practising registrant, in good standing, may nominate for office a maximum of two (2) full registrants in good standing for each vacant board

position by mailing such nomination to the registrar, together with a letter of consent from the nominee, to be postmarked at least sixty (60) days prior to the expiry of the term of office.

- (3) A nominee must declare in writing that he or she will comply with the provisions of the Act, the regulations and these bylaws and the procedures related to the election and the conduct of the election.
- (4) The registrar must disqualify any nominee whose nomination or election contravenes the Act, the regulations, these bylaws, or whose registration is not in good standing at the date of receipt of the nomination. The registrar will notify the nominee and the board of the reasons for disqualification.

## Election procedure

6. (1) The registrar must prepare and deliver to each registrant an election ballot not less than forty-five (45) days prior to the AGM.
- (2) (a) Each full and non-practising registrant is entitled to one vote for each vacancy on the board  
(b) The registrar must not count a ballot unless it is contained in a sealed envelope on which the registrant's name and signature appears and is received by the registrar at least fourteen (14) days prior to the expiry of the term of office.
- (3) The nominees receiving the most votes on the return of the ballots are elected to the vacant positions on the board.
- (4) In the case of a tie vote, the registrar must select the successful candidate by random draw.
- (5) The registrar must supervise and administer all board elections and may establish procedures for that purpose, which are consistent with these bylaws.
- (6) In the event of any irregularity or dispute with respect to any nomination, ballot or election, the registrar must be the sole arbitrator thereof, and a decision of the registrar is final.
- (7) Where the number of nominees is less than or equal to the number of vacancies on the board, the registrar will declare the nominees to be elected by acclamation.

## Terms of office

7. (1) The term of office for an elected board member is two (2) years.
- (2) An elected board member may serve a maximum of three (3) consecutive terms.
- (3) Notwithstanding section 7(1) and (2), in the year 2000 two (2) full registrants will be elected for a three-year term, three (3) will be elected for a two-year term, and one (1) will be elected for a one-year term.
- (4) In any election year two full registrants, or the additional number required to fill vacancies, will be elected.
- (5) A board member may resign at any time by delivering a notice in writing to the registrar. The resignation is effective upon receipt of the notice by the registrar.

- (6) An elected board member may be removed by a two thirds (2/3) vote of the board or by the registrants at a general meeting if a member is unable to fulfill the duties of the office due to:
  - (a) non-attendance,
  - (b) conflict of interest, or
  - (c) physical or mental incapacity.

## Vacancy

8. Any vacancy of an elected board position may be filled by the board appointing a full registrant in good standing for the remainder of the term for that position by passage of a special resolution of the remaining board members.

## Remuneration of board and committee members

9. Board and committee members may be paid an honorarium of up to \$200 per day for designated activities approved by the board and must be reimbursed by the College for reasonable expenses necessarily incurred in connection with the activities of the board.

## Chair and vice-chair

10. (1) The members of the board must elect a chair and vice-chair for a one-year term by a majority vote.
- (2) The chair is an ex-officio member of all committees and must:
  - (a) preside at all meetings of the College and board,
  - (b) sign all certificates, diplomas and other instruments executed on behalf of the College as required,
  - (c) sign the minutes of each meeting after they are approved by the board,
  - (d) act generally in accordance with the requirements of his or her office for the proper carrying out of the duties of the board, and
  - (e) carry out such other duties as are assigned by the board from time to time.
- (3) The vice-chair will perform the duties of the chair in the absence of the chair.
- (4) In the absence of both the chair and the vice-chair at a board meeting, an Acting chair from the board must be elected by a majority vote of the board members present and voting for the purpose of presiding at the board meeting and carrying out such other duties as are voted upon by the board members.

## Board meetings

11. (1) The board must meet at least four (4) times in each fiscal year and must provide reasonable notice of board meetings to registrants of the College and the public.
- (2) In addition to meetings required by subsection (1), meetings of the board must be called by the registrar at the request of either the chair or any three (3) board members.

- (3) The meetings of the board are open to registrants and the public. The registrar must provide on request to registrants or members of the public:
  - (a) details of the time and place of a board meeting,
  - (b) a copy of the agenda, and
  - (c) a copy of the minutes of the preceding meeting.
- (4) Notwithstanding subsection (3), the board may exclude any person from any part of a meeting if it is satisfied that:
  - (a) the desirability of avoiding public disclosure outweighs the desirability of adhering to the principle that meetings be open to the public,
  - (b) regulatory, financial, personnel or other matters may be disclosed which are of a confidential or sensitive nature,
  - (c) a person involved in a criminal proceeding or civil suit or proceeding or disciplinary proceeding may be prejudiced by the meeting being open to the public,
  - (d) property acquisitions will be discussed,
  - (e) instructions will be given to or opinions received from legal counsel or the Office of the Ombudsman, or
  - (f) the attendance of a person is disruptive.
- (5) If the board excludes any person from a part of a meeting, its reasons for doing so must be noted in the minutes of the meeting.
- (6) A majority of the board constitutes a quorum. If a quorum is not present after the expiration of thirty (30) minutes from the time fixed for the commencement of the meeting, the chair may adjourn the meeting and fix a time and place for a rescheduled meeting.
- (7) No resolution before a meeting need be seconded and the chair may move or propose resolutions.
- (8) The board may conduct meetings by mail, electronic means, facsimile, telephone or video conference or regular meeting.
- (9) Voting at meetings of the board shall be verbal or by a show of hands except where a secret ballot is requested by a majority of the board.
- (10) The chair is entitled to a vote on resolutions before the board.
- (11) Where there is a tie vote on a resolution the resolution is defeated.
- (12) Except as otherwise provided in the *Act*, the regulations, or these bylaws, the most recent edition of *Perry's Rules of Order* governs procedures at meetings of the board.

## Extraordinary board meetings

12. (1) A written resolution approved and signed by all board members is valid and binding and of the same effect as if such resolution had been duly passed at a meeting of the board.

- (2) Notwithstanding section 12(1), the registrar or the chair may call a meeting of the board without providing notice to the registrants where deemed necessary by the chair to address an issue of urgency.

## Committees

13. (1) Pursuant to section 19(1)(t) of the Act, the following committees are established:
  - (a) registration committee,
  - (b) inquiry committee,
  - (c) discipline committee,
  - (d) quality assurance committee, and
  - (e) client relations committee.
- (2) A committee may exercise any power, duty, or function assigned to it by a resolution of the board.
- (3) The committee membership shall be approved by the board.
- (4) Subject to the length of term of board members appointed pursuant to Section 17(3)(b) of the Act, members of the inquiry, discipline or quality assurance committee:
  - (a) may serve a term of not more than five (5) years,
  - (b) are eligible for re-appointment for a maximum of three (3) terms,
  - (c) may be removed by a majority vote of the board for any of the reasons set out in section 7(7)(a) through (c).
- (5) Subject to the length of term of board members appointed pursuant to Section 17(3)(b) of the Act, members of all other committees:
  - (a) may serve a term of not more than two (2) years,
  - (b) are eligible for re-appointment for a maximum of three (3) terms,
  - (c) may be removed by a majority vote of the board for any of the reasons set out in section 7(7)(a) through (c).
- (6) The board must appoint a committee chair and a committee vice-chair from the members of the committee.
- (7) A majority of committee members constitute a quorum.
- (8) Meetings of committees may be open to registrants and to the public at the discretion of the committees.
- (9) Notwithstanding subsection 9, the committee may exclude any person from any meeting, or part of a meeting, for any of the reasons set out in section 11(4)(a) through (f).
- (10) Except where inconsistent with the Act or bylaws, *Perry's Rules of Order* govern committee meetings.
- (11) Committees may conduct meetings by mail, electronic means, facsimile, telephone or video conference or regular meeting.

(12) Each committee must annually submit a report of its activities to the board.

(13) The registrar is an ex-officio member of each committee.

## Committee panels

14. (1) A committee may, from time to time, establish sub-committees or panels of the committee, and the chair of the committee must appoint the chair of the panel or sub-committee.
- (2) The discipline committee, the inquiry committee, the registration committee, and the client relations committee may meet in panels of three (3) persons which must include at least one (1) board member.
- (3) All members of a panel are required for a quorum.
- (4) A panel of a committee referred to in subsection (1) and (2) may exercise any power, duty or function assigned to it by the committee. .

## Registration committee

15. (1) The registration committee consists of at least five (5) persons appointed by the board, including one (1) appointed board member, one elected board member and three (3) full registrants.
- (2) The registration committee is responsible for carrying out the duties prescribed to it under section 20 of the *Act*, regulations and bylaws.

## Inquiry committee

16. The inquiry committee consists of at least five (5) persons appointed by the board, including one (1) appointed board member, one (1) elected board member and three (3) full registrants.

## Discipline committee

17. (1) The discipline committee consists of at least five (5) persons appointed by the board, including at least one appointed board member , or public representative, one elected board member and at least three (3) full registrants.
- (2) The discipline committee is responsible for carrying out the duties prescribed to it under sections 37 to 40 of the *Act*, regulations and these bylaws.
- (3) No person may sit on the discipline committee while a member of the inquiry committee.
- (4) No member of the discipline committee may participate in the hearing of a matter in which he or she was involved as a member of the inquiry committee.
- (5) Notice of disciplinary hearings must be available to the public, and all decisions resulting from these hearings must be made public.

- (6) The discipline committee may exclude any person from any hearing, or part of a hearing, if satisfied that:
  - (a) the impact of the disclosure of a complaint or witness's name and identity could result in harm, either psychological or physical, to the complainant or the witness, or
  - (b) for any of the reasons set out in subsections 11(4)(a) and (b).

## Quality assurance committee

18. (1) The quality assurance committee consists of at least five (5) persons appointed by the board, including one (1) board member appointed by the Minister, (1) one elected board member and three (3) full registrants.
- (2) The quality assurance committee is responsible for making recommendations to the board with respect to:
  - (a) continuing competency requirements,
  - (b) re-entry to the profession,
  - (c) standards of practice,
  - (d) professional ethics and
  - (e) clinical practice guidelines.
- (3) The board must approve all recommendations of the quality assurance committee with respect to recommendations made under section (2)(a) to (e) prior to them coming into effect
- (4) The Standards committee:
  - (a) is a sub-committee of the quality assurance committee and reports to the quality assurance committee,
  - (b) consists of at least five (5) full registrants,
  - (c) is responsible to the quality assurance committee for the development of standards of practice, clinical practice guidelines, and advisory statements,
  - (d) must circulate draft standards, clinical guidelines, and advisory statements to the board for approval prior to circulation of such drafts to the membership for discussion.
- (4) The Continuing Competence Committee:
  - (a) is a sub-committee of the quality assurance committee and reports to the quality assurance committee,
  - (b) consists of at least five (5) full registrants.
  - (c) is responsible for reporting to the quality assurance committee and the board recommendations for establishing and monitoring adherence to standards for continuing competence for registrants.

## Client relations committee

19. (1) The client relations committee consists of at least five (5) persons appointed by the board, including one board member appointed by the Minister, one elected board member and three (3) full registrants.
- (2) The client relations committee makes recommendations to the board regarding client relations programs, including measures for addressing professional misconduct of a sexual nature.
- (3) The measures for preventing or dealing with professional misconduct of a sexual nature must include:
  - (a) educational requirements for registrants,
  - (b) guidelines for the conduct of registrants with their clients, and
  - (c) the provision of information to the public regarding both the responsibilities of registrants and the College's complaint and disciplinary process.
- (4) "Professional misconduct of a sexual nature" does not include touching, behaviour and remarks by the registrant towards the client that are of a clinical nature appropriate to the service being provided.
- (5) For the purposes of this section, "professional misconduct of a sexual nature" means:
  - (a) sexual intercourse or other forms of physical sexual relations between the registrant and the client,
  - (b) touching, of a sexual nature, of the client by the registrant, or
  - (c) behaviour or remarks of a sexual nature by the registrant towards the client.



# Part 2 College Administration

## Seal

20. (1) The board must approve a common seal for the College.
- (2) The seal of the College must be affixed to certificates of registration and such other documents as the board may direct by resolution, under the hands of such persons as the board may designate.

## Registrar

21. (1) In addition to the registrar's duties under the *Health Professions Act* the registrar shall:
  - (a) be responsible for the funds of the College and make deposits in a chartered bank or other similar financial institution designated by the board,
  - (b) at each meeting of the board submit a report of all revenues and expenditures since the last meeting, unless otherwise directed by the board,
  - (c) submit a report to the annual meeting of the College,
  - (d) ensure that minutes are taken at each meeting and retained on file,
  - (e) submit a financial statement to the auditor as soon as possible after the end of each fiscal year,
  - (f) keep the records and seal of the College and perform such other duties required by the Act and the bylaws and such other duties as required by the board.
- (2) When the annual financial statement for the College has been certified by the auditor in writing, the registrar must mail a copy thereof to each registrant not later than one hundred twenty (120) days following the end of the fiscal year.
- (3) The registrar is an ex-officio member of every committee of the board.
- (4) In the event of the office of the registrar being vacant, the board shall make a temporary appointment until a successor is appointed by the board.

## Deputy registrar

22. (1) The board may appoint a person to act as deputy registrar.
- (2) The deputy registrar shall:
  - (a) be directly responsible to the registrar,
  - (b) perform the duties of the registrar in his or her absence or inability to act,
  - (c) perform any duties assigned by the registrar,

- (d) have the same authority as the registrar under these bylaws where the deputy registrar is performing the duties of the registrar.

## Fiscal year

- 23. The fiscal year of the College commences on July 1 and ends on June 30 of the following year.

## Financial authority

- 24. The board:
  - (1) may enter into agreements on behalf of registrants and, subject to the bylaws, registrants are bound by such an agreement,
  - (2) may raise or secure the payment or repayment of money on behalf of and in the name of the College, in the manner it decides, in order to carry out the purposes of the College,
  - (3) may invest funds of the College in lawful securities for the establishment of trust funds or for any investments authorized under section 15 of the *Trustee Act* in the name of the College and may change those investments.

## Borrowing powers

- 25. The registrants may, by special resolution at an annual or extraordinary general meeting, restrict the borrowing powers of the board, but a restriction imposed expires at the next annual general meeting.

## Investment income

- 26. All income derived from invested funds must be added to and become part of the ordinary income of the College.

## Auditor

- 27. (1) The board shall annually appoint a chartered accountant or a certified general accountant to be the auditor.
  - (2) The auditor shall audit the financial statement submitted to him or her by the board.
  - (3) The audited financial statements must be included in the Annual Report of the College.

## Legal counsel

- 28. The board or, with the approval of the board, a committee or panel, may retain legal counsel for the purpose of assisting the board, committee or panel in carrying out any power or duty under the *Act*, the regulations or these bylaws.

## General meetings

- 29. (1) A general meeting of the registrants must be held in British Columbia at a time and place determined by the board.

- (2) The first annual general meeting of the registrants must be held no later than November 30, 2001 and thereafter an annual general meeting must be held at least once in every calendar year and not more than fifteen (15) months after the holding of the preceding annual general meeting.
- (3) The following matters must be considered at an annual general meeting:
  - (a) financial statements,
  - (b) the report of the board, and
  - (c) the report of the auditor.
- (4) Every general meeting, other than an annual general meeting, is an extraordinary general meeting.
- (5) The board:
  - (a) may convene an extraordinary general meeting of the registrants by resolution of the board, and
  - (b) must convene an extraordinary general meeting within sixty (60) days after receipt by the registrar of a request for such a meeting signed by at least ten percent (10%) of all registrants.

## Notice of general meetings

30. (1) The board must prepare and mail notice of an annual or extraordinary general meeting to every registrant at least sixty (60) days prior to the meeting.
- (2) Notice of a general meeting must include:
  - (a) the place, day and time of the meeting,
  - (b) the proposed agenda,
  - (c) any resolutions proposed by the board.
  - (d) any resolutions proposed by the registrants under section 34 and delivered to the registrar prior to the mailing of the notice,
  - (e) the proxy notice,
  - (f) nominations, if any,
  - (g) the previous year's AGM minutes in the case of an AGM,
  - (h) the audited financial statements in the case of an AGM, and
  - (i) the board and committee reports in the case of an AGM.
- (3) The accidental omission to deliver notice of a meeting to, or the non-receipt of a notice by, any registrant or board member entitled to receive notice of a general meeting, does not invalidate proceedings at that meeting.

## Resolutions proposed by registrants

31. (1) Any ten (10) full registrants in good standing may deliver written notice to the registrar, at least forty five (45) days prior to the date of an annual or extraordinary general meeting, requesting that a resolution be placed on the agenda for the general meeting.
- (2) On receipt of a notice specified in subsection (1), the registrar will send to all registrants, at least thirty (30) days prior to the date of that meeting, notice of the resolution and a copy of it.
- (3) If a resolution is passed by a majority of the full registrants present and voting at the general meeting, and if the total number of full registrants present and voting on the resolution represents at least twenty percent (20%) of all full registrants who are then in good standing, then that resolution will bind the future actions of the board to the extent that it does not conflict with the *Act*, the regulations, or these bylaws.

## Proceedings at general meetings

32. (1) In the absence of both the chair and the vice-chair of the board at a general meeting, an acting chair for the meeting must be elected by a majority vote of the full registrants present.
- (2) A quorum is (45) forty-five full registrants present at a general meeting.
- (3) No business, other than the adjournment or termination of the meeting, may be conducted at a general meeting at a time when a quorum is not present.
- (4) Except as these bylaws otherwise provide, the most recent edition of *Perry's Rules of Order* governs the procedures at a general meeting.
- (5) A general meeting may be adjourned from time to time and from place to place, but no business may be transacted at an adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.
- (6) When a meeting is adjourned, notice of the rescheduled meeting must be delivered as in the case of the original meeting.
- (7) A full registrant present at a meeting is entitled to one vote and the chair of the meeting, where the chair is a full registrant, is entitled to one vote.
- (8) All voting shall be carried out by ballot.
- (9) In the event of a tie vote, the resolution is not passed.

## Voting by proxy

33. (1) A full registrant entitled to vote at a general meeting may, by proxy in a form approved by the board, appoint in writing another full registrant as his or her proxy holder to attend and act at the general meeting in the manner, to the extent, and with the power conferred by the proxy.
- (2) A proxy holder has the same rights as the registrant who appointed him or her to speak at the meeting.
- (3) A proxy ceases to be valid following the general meeting specified in the proxy.

- (4) A proxy must contain:
  - (a) the date it is executed,
  - (b) the name of the proxy holder, and
  - (c) the signature of the registrant assigning the vote.
- (5) A proxy may be revoked by the registrant in writing.

### **Notice to public representatives**

- 34. Every notice or mailing provided to the general membership of the College must also be provided to each public representative serving on the board or committee.

# Part 3 College Records

## Body responsible for administering the Freedom of Information and Protection of Privacy Act

35. (1) The registrar is the “head” of the College for the purposes of the *Freedom of Information and Protection of Privacy Act*.
- (2) The registrar may authorize a deputy registrar, a person employed by the College or a person who has contracted to perform services for the College, to perform any duty or exercise any function of the registrar that arises under the *Freedom of Information and Protection of Privacy Act*.
- (3) The board is responsible for ensuring that the registrar fulfills his or her duties under the *Freedom of Information and Protection of Privacy Act*.
- (4) The registrar must report quarterly to the board regarding the steps he or she has taken to fulfill the duties of the College under the *Freedom of Information and Protection of Privacy Act*.

## Fees for information requests

36. Subject to section 75 of the *Freedom of Information and Protection of Privacy Act*, an applicant who requests access to a College record under section 5 of the *Freedom of Information and Protection of Privacy Act* must pay the fees set out in Schedule C for services required to comply with the information request.

## Protection of personal information

37. (1) The board must take all reasonable measures to ensure that the collection, use, and disclosure of personal information occurs in accordance with the *Freedom of Information and Protection of Privacy Act*.
- (2) The board must take reasonable measures to ensure that, where personal information is sent to any person, service or organization for processing, storage or destruction, a contract is made with that person or organization which includes an undertaking by the person or organization that confidentiality will be maintained.

## Disclosure of annual report

38. The College must deliver a copy of the annual report to every registrant, and to any other person on request.

## Disclosure of registration

39. (1) Where an inquiry about the registration status of a person is received by the board or the registrar, the registrar must disclose:
- (a) whether the person is a registrant or a former registrant,
  - (b) whether the discipline committee has ever issued an order relating to the person under Section 39 of the *Act* and the details of the order,
  - (c) whether or not the person has ever signed a consent order under section 36 of the *Act*, and
  - (d) subject to section 59(2)(f) the details of any consent order pertaining to a change in the person's registration status or a restriction on the practice of the profession of the registrant.
- (2) The registrar must not release to persons making inquiries about registrants, names or information which might enable a person to establish the identity of complainants, clients or their families, without the consent of the person or persons affected.

## Manner of disposal of College records containing personal information

40. The board must ensure that a College record containing personal information is disposed of only by:
- (a) effectively destroying a physical record by utilizing a shredder, or by complete burning,
  - (b) erasing information recorded or stored by electronic methods on tapes, disks, or cassettes in a manner that ensures that the information cannot be reconstructed,
  - (c) returning the record to the person the information pertains to, or
  - (d) returning the record to the registrant who compiled the information.

# Part 4 Registration

## Classes of registrants

41. (1) A registrant must be registered in one of the following classes:
- (a) Full registration
  - (b) Provisional registration
  - (c) Limited registration
  - (d) Temporary registration
  - (e) Non-practising registration

## Full registration

42. (1) Pursuant to section 20(2) of the *Act*, the registration committee must grant full registration to an applicant who has:
- (a) graduated with a baccalaureate degree in occupational therapy obtained in British Columbia or obtained an academic qualification from a program or institution outside British Columbia considered equivalent by the College board,
  - (b) completed a minimum of 1000 hours fieldwork or clinical practicum approved by the College board,
  - (c) successfully completed an examination approved by the College board that assesses entry level competence or graduated prior to December 31, 1985 from a Canadian occupational therapy program accredited by the Canadian Association of Occupational Therapists,
  - (d) satisfied the registration committee of his or her good character consistent with the responsibilities of a registrant and the standards of practice and conduct expected of a registrant,
  - (e) demonstrated proficiency in the english language to the satisfaction of the registration committee,
  - (f) satisfied the registration committee that the registrant's ability to practice occupational therapy is not impaired by a physical or mental impairment or addiction to any substance which could reasonably be expected to cause risk of harm to the public , and
  - (g) delivered to the registrar:
    - i. a signed application for registration, together with the application fee as set forth in Schedule A,



- ii. an official transcript which specifies the degree earned or other notarized evidence satisfactory to the registration committee,
  - iii. proof of successful completion of the required examination,
  - iv. a completed Authorization for Release of Information form, to be sent to the regulatory board in any jurisdiction in which the applicant has worked, for confirmation of the registration status of the applicant,
  - v. such other information as in the opinion of the registration committee is required to make a determination regarding the eligibility for registration of the applicant,
  - vi. proof that he or she meets such continuing competency requirements as may be imposed under section 56 of the by-laws,
  - vii. the fee for registration as set forth in Schedule A,
  - viii. a signed criminal record check authorization form, and as a result of receipt of those materials, the registration committee is satisfied the applicant is qualified to be registered.
- (2) Where the applicant has completed the requirements in section (1) (a) and (b) more than eighteen months before the date the application for full registration is made, the applicant shall provide, in addition to the requirements in subsection (1) (c) to (g) evidence of one of the following:
- (a) completion of at least six hundred (600) hours of service within the scope of practice of the profession in the three years immediately preceding the date of the application for registration, or
  - (b) completion of at least one thousand (1,000) hours of service within the scope of practice of the profession in the five (5) years immediately preceding the date of the application for registration, or
  - (c) completion of a refresher or upgrading program approved by the College board within the eighteen months immediately preceding the date of the application for registration.
- (3) For the purpose of section (1) (a) an academic qualification will be considered equivalent by the College board if the curriculum includes courses within the basic sciences, the behavioural sciences, the clinical sciences, the managerial sciences and occupational therapy theory, practice and fieldwork, provided the nature, extent and scope of these courses are substantially similar in credit value or hours of study equivalent to a baccalaureate degree in occupational therapy obtained in Canada.
- (4) The condition set out in section (2) does not apply to applicants who apply for registration within the first eighteen (18) months after their graduation.
- (5) Notwithstanding subsection (1) where, after giving the applicant an opportunity to be heard, the registration committee determines that:
- (a) the applicant's entitlement to practise occupational therapy has been cancelled or suspended or limited in this or any other jurisdiction at any time,

- (b) at the time of the application an investigation, review or proceeding is taking place in this or any other jurisdiction which could result in the suspension, cancellation or limitation of the applicant's authorization to practice,
- (c) the applicant has contravened the *Act*, the regulations or these bylaws, or
- (d) the applicant has been convicted in Canada or elsewhere of any offence which would be an act of professional misconduct, the registration committee may grant registration subject to certain terms or conditions or refuse to grant registration.

## Grandparented Full Registration

43. (1) Notwithstanding section 42(1), the registration committee must grant full registration to an applicant who applies for full registration no later than December 31, 2001 and who:

- (a) holds a degree or diploma in occupational therapy or rehabilitation medicine prior to December 31, 1985 from a school approved by the College board,
- (b) meets one of the following requirements:
  - i. is practising as an occupational therapist in British Columbia on the date of application for registration, or
  - ii. has practised as an occupational therapist in British Columbia, and completed at least six hundred (600) hours of service within the scope of practice of the profession in the three years immediately preceding the date of application for registration or has at least one thousand (1,000) hours of service within the scope of practice of the profession in the five (5) years immediately preceding the date of application for registration,
- (c) meets the requirements set out in section 42(1)(d), (e) and (f), and
- (d) delivers to the registrar:
  - i. a signed application for registration, together with the application fee as set forth in Schedule A,
  - ii. an official transcript which specifies the degree earned or other notarized evidence satisfactory to the registration committee,
  - iii. a completed application Authorization for Release of Information form, to be sent to the regulatory board in any jurisdiction in which the applicant has worked, for confirmation of the registration status of the applicant,
  - iv. such other information as in the opinion of the registration committee is required to make a determination regarding the eligibility for registration of the applicant,
  - v. proof that he or she meets such continuing competency requirements as may be imposed under section 56 of the by-laws,
  - vi. the fee for registration as set forth in Schedule A,
  - vii. a signed criminal record check authorization form, and

as a result of receipt of those materials, the registration committee is satisfied the applicant is qualified to be registered.

- (2) An applicant granted registration under subsection (1) (b)(i) has two (2) years from the date of registration to satisfy the conditions of full registration section 42(2)(a) or (b).
- (3) No application for registration pursuant to subsection (1) shall be accepted by the College board after December 31, 2001.
- (4) An applicant who, at the time of application for full registration under sections 42 or 43 is registered with the BCSOT pursuant to the bylaws of BCSOT in the provisional category, shall complete any re-entry and/or examination requirements prior to becoming eligible to apply for registration under section 42 but shall be eligible to apply under section 44 for provisional registration.

## Provisional registration

44. (1) Pursuant to of section 20(2) of the Act the registration committee may grant provisional registration to an applicant who has:
- (a) graduated with a baccalaureate degree in occupational therapy in British Columbia or obtained an academic qualification from a program or institution outside British Columbia considered equivalent by the College or been found by the registration committee to require minimal educational upgrading to achieve an equivalent status,
  - (b) completed either a minimum of one thousand (1,000) hours of fieldwork or a clinical practicum approved by the College,
  - (c) not met the requirements established in section 42(1)(c) or 42(2) but has:
    - i. satisfied the registration committee that he or she is eligible to complete the examination pursuant to section 42(1)(c) and provides evidence that he/she is registered for the next available examination,
    - ii. been found by the registration committee to require minimal educational upgrading to achieve an equivalent educational status established in section 43(a) and is enrolled in a program to complete the educational requirements specified by the registration committee,
    - iii. signed an undertaking with the College to complete a refresher or re-entry program approved by the board and any additional requirements that may be imposed by the registration committee, and
  - (d) satisfied the registration committee of his or her good character consistent with the responsibilities of a registrant and the standards of practice and conduct expected of a registrant
  - (e) satisfied the registration committee that his or her practice as a provisional registrant is without any significant risk to the public health and safety,
  - (f) demonstrated proficiency in the english language to the satisfaction of the registration committee,
  - (g) satisfied the registration committee that the registrant's ability to practise occupational therapy is not impaired by a physical or mental impairment or addiction to any substance which could reasonably be expected to cause risk of harm to the public,

- (h) delivers to the registrar:
  - i. a signed application for registration, together with the application fee as set forth in Schedule A,
  - ii. an official transcript which specifies the degree earned or other notarized evidence satisfactory to the registration committee,
  - iii. a completed Authorization for Release of Information form, to be sent to the regulatory board in any jurisdiction in which the applicant has worked, for confirmation of the registration status of the applicant,
  - iv. such other information as in the opinion of the registration committee is required to make a determination regarding the eligibility for registration of the applicant,
  - v. the fee for registration as set forth in Schedule A,
  - vi. a signed criminal record check authorization form, andas a result of receipt of those materials, the registration committee is satisfied the applicant is qualified to be registered.

(2) For the purpose of subsection (1)(a) an academic qualification will be considered equivalent by the College board if the curriculum includes courses within the basic sciences, the behavioural sciences, the clinical sciences, the managerial sciences and occupational therapy theory, practice and fieldwork, provided the nature, extent and scope of these courses are substantially similar in credit value or hours of study equivalent to a baccalaureate degree in occupational therapy obtained in Canada.

(3) A provisional registrant:

- (a) shall only perform the services of an occupational therapist if the services are performed under the general supervision of a full registered occupational therapist and upon such terms and conditions as are set by the registration committee, and
- (b) shall not supervise other registrants of the College.

(4) An applicant may be granted provisional registration under subsection (1) for one (1) year and the provisional registration may be renewed once by the registration committee for a period up to one (1) year. Any provisional registrant failing to complete the conditions for full registration within two years shall cease to be registered.

(5) Full registration must be granted by the registration committee to an applicant who has been granted provisional registration under subsection (1), has applied for full registration, and has

- (a) successfully completed the required examination approved by the College, and
- (b) successfully completed any other requirements of the registration committee.

## Limited registration

45. (1) A registrant may have his or her registration limited by the registration committee if the registrant is registered pursuant to section 42 and a limitation has been imposed on the registrant's practice as a result of a decision of the inquiry committee or an order of the discipline committee,
- (2) A limited registrant may only perform the services of an occupational therapist upon such terms and conditions as specified by the inquiry of discipline committee.

## Temporary registration

46. (1) An applicant may be granted temporary registration by the registration committee for a period of not longer than one hundred twenty (120) consecutive days where the person is a registrant in good standing of a regulatory body governing the practice of occupational therapy in another jurisdiction approved by the College board, and the registration committee may, depending on the proposed occupational therapy to be practised by the applicant, require the applicant:
  - (a) undertake to practise occupational therapy in British Columbia only during a specified time which may include participating in or conducting a clinical course of study, participating in an exchange program or accepting a temporary appointment sponsored by an agency approved by the registration committee,
  - (b) be under the general supervision of a full registered occupational therapist who has agreed to supervise the applicant and to be responsible for ensuring the appropriate provision of care for clients attended by the applicant in British Columbia,
  - (c) provide proof of liability insurance coverage in the Province of BC for the period of the proposed temporary registration,
  - (d) deliver to the registrar:
    - i. proof of membership in good standing in the jurisdiction in which he or she has last worked or, in the case of a new graduate, proof of eligibility for registration as an occupational therapist in the jurisdiction in which the applicant was trained,
    - ii. a signed application for registration, together with the application fee as set forth in Schedule A,
    - iii. a notarized copy, or other evidence satisfactory to the registration committee of his or her experience and education and evidence satisfactory to the registration committee that he or she is the person named therein,
    - iv. such other information as in the opinion of the committee is required to make a determination regarding the candidate's eligibility for membership,
    - v. the fee for registration as set forth in Schedule A,
    - vi. a signed criminal record check authorization form, andas a result of receipt of those materials, the registration committee is satisfied the applicant is qualified to be registered.

- (2) No person shall be granted temporary registration under subsection (1) for more than four (4) months in any twelve (12) month period.
- (3) A temporary registrant has no standing to:
  - (a) serve on the board or on any of its committees,
  - (b) vote in an election of board members, or
  - (c) vote at a general meeting of registrants.

## Non-practising registration

47. (1) A registrant may be granted non-practising registration by the registration committee where the person:
  - (a) applies to the registrar and pays the application and registration fees as set forth in Schedule A , and
  - (b) has been a full registrant pursuant to section 42 or section 43 or meets the requirements for full registration under section 42 or section 43 at the time his or her application for non-practising registration is before the registration committee.
- (2) A non-practising registrant must not practice occupational therapy.
- (3) A non-practising registrant shall not serve on the board or vote at the Annual General Meeting.

## Transfer to full registration status

48. (1) The following registrants may apply to the registration committee for full registration:
  - (a) a provisional registrant who submits proof of completion of the required examination,
  - (b) a provisional registrant who submits proof of completion of the required educational program,
  - (c) a provisional registrant who submits proof of completion of additional requirements as required by the registration committee,
  - (d) a limited registrant who submits proof acceptable to the registration committee that he or she has fulfilled all the terms and conditions imposed by the inquiry or discipline committee.
  - (e) a non-practising registrant who satisfies the requirements of section 53(2) (a) or (b).

## Use of title

49. (1) Registrants shall advise clients of any limitation on their practice.
- (2) A registrant may be registered on a register of specialists and be entitled to use the title "specialist" if that registrant meets the criteria established by the board for speciality designation from time to time.

## Liability insurance

50. (1) All registrants and each of their employees must be insured at all times against liability for negligence in an amount of not less than one million dollars (\$1,000,000) per occurrence at all times.
- (2) This requirement for liability insurance shall not apply to registrants on the non-practising register.

## Certificate of registration

51. (1) Upon acceptance of an application for registration, the registrar shall issue a certificate of registration which may contain limitations or conditions permitted by the Act, the regulations or these bylaws.
- (2) A certificate of registration, or any renewal of a certificate of registration, is valid until June 30 of the following year, unless registration has been suspended or cancelled.
- (3) A certificate for limited or temporary registration is valid until the date shown on the certificate, unless registration has been suspended or cancelled.

## Examinations

52. (1) The registration committee must approve all matters relating to examinations required pursuant to these bylaws, including:
  - (a) the form and content of the examination,
  - (b) the scheduling of examinations,
  - (c) the frequency with which, and the number of times, an applicant may take the examination,
  - (d) fees for examinations, and
  - (e) who administers the examination.

## Registration renewal

53. (1) The registrar must renew a registration if a registrant:
  - (a) applies to the registrar and pays the fee for renewal of registration within thirty (30) days of the date the assessed registration fees are due,
  - (b) pays any other outstanding fee, debt or levy owed to the College,
  - (c) declares that the registrant is in compliance with the Act, the regulations and these bylaws, and is in compliance with any limits or conditions imposed under section 39(1)(c) of the Act,
  - (d) meets the continuing competency requirements as imposed under section 56 of the by-laws and
  - (e) addresses such other matters as the College board may direct from time to time.
- (2) The following are conditions for annual renewal of full registration:

- (a) completion of at least six hundred (600) hours of service within the scope of practice of the profession in the three (3) years immediately preceding the date of the application for renewal, or
- (b) completion of at least one thousand (1,000) hours of service within the scope of practice of the profession in the five (5) years immediately preceding the date of the application for renewal.

## Fees

54. (1) The application fee, annual registration fees are set forth in Schedule A.
- (2) On or before May 30 each year, the registrar must notify registrants by regular mail at their last known address of the amount of the annual registration fee and the day on which the fee is due.
  - (3) On payment of the registration fee, and any arrears, the registrar must issue to the registrant, a receipt bearing the seal of the College and stating that the registrant is, subject to his or her compliance with the *Act*, the regulations and the bylaws, entitled to practice as a registrant the profession of occupational therapy in the Province of British Columbia as a registrant of the College.
  - (4) Where a registrant fails to pay the annual registration fee on or before July 31, he or she ceases to be registered but is subject to having his or her registration reinstated pursuant to subsection (6).
  - (5) A registrant seeking to renew registration between August 1 and August 31 in any year shall be required to pay a late fee penalty in an amount equal to twenty percent (20%) of that registrant's annual registration renewal fee plus the annual registration renewal fee for that year.
  - (6) A registrant who ceased to be registered under section 54 (4) by reason only of a failure to renew his or her registration is eligible for reinstatement by the board under section 21 (4) of the *Act* where the former registrant:
    - (a) applies for renewal of registration in the form required by the board and not later than six months following the expiration of his or her registration,
    - (b) is not in contravention of the *Act*, the regulations, or these bylaws, and
    - (c) pays the annual registration fee and an additional reinstatement fee in an amount equal to thirty-five percent (35%) of the annual registration fee.
  - (7) Subject to section 75 of the *Freedom of Information and Protection of Privacy* (FOIPOP) *Act*, an applicant who requests access to a college record under section 5 of the *FOIPOP Act* must pay the fees set out in Schedule C for the services required to comply with the information request.

## Reinstatement

55. (1) A former registrant whose registration is not suspended or cancelled under section 39 of the *Act* and who has been out of practice for more than six (6) months but less than five (5) years may be restored to full registration by the registration committee where the registrant:



- (a) satisfies the requirements of section 42 (2),
  - (b) provides proof the requirements of competency as required under section 56 have been met,
  - (c) has delivered to the registrar all documents required by the college and pays the required fees as set forth in Schedule A, and
  - (d) provides evidence satisfactory to the registration committee of his or her good character consistent with the responsibilities of a registrant and the standards expected of a registrant.
- (2) A former registrant or a non-practising registrant whose registration is not suspended or cancelled under section 39 of the *Act* and who has been out of practice for more than five (5) years may be restored to full registration by the registration committee where the registrant:
- (a) has applied for and obtained provisional practice registration,
  - (b) completes, prior to reinstatement, the refresher or upgrading program established by the quality assurance committee and approved by the board,
  - (c) has delivered to the registrar all documents required by the College and pays all required fees as set forth in Schedule A, and
  - (d) provides evidence satisfactory to the registration committee of his or her good character consistent with the responsibilities of a registrant and the standards expected of a registrant.

## Continuing competency

56. Notwithstanding compliance with these bylaws, registrants are not entitled to renew their registration unless they have filed with their application, proof of having met the continuing competency requirements established by the quality assurance committee and approved by the board.

# Part 5 Inspections, Inquiries and Discipline

## Inspectors

57. While acting in the performance of their duties, inspectors must:

- (1) perform such duties as may be assigned to them by the inquiry committee or the board, and
- (2) not observe the practice of the profession by or under the supervision of the registrant without the consent of the client being treated.

## Inquiry

58. (1) The inquiry committee must notify a registrant who is the subject of an investigation and any complainant of the disposition of the investigation and any action taken under section 33(6) of the *Act* as soon as practicable.
- (2) On its own initiative the inquiry committee may, as appropriate in the circumstance, join one or more complaints or other matters, which are to be the subject of an inquiry, into one investigation.
- (3) A registrant who is the subject of an investigation by the inquiry committee must provide the inquiry committee with all information that has been requested that is relevant to the matter being investigated.
- (4) Before agreeing to accept an undertaking or consent under section 36 of the *Act*, the inquiry committee may review all previous complaints and disciplinary matters involving the registrant to be satisfied that the proposed undertaking or consent is appropriate in the circumstances.
- (5) The report of the inquiry committee to the board regarding its findings in an investigation must be recorded in the minutes of the meeting in which it is presented.

## Consent orders

59. (1) In this section, “consent order” means the record of an undertaking or consent given under section 36 of the *Act* for the purposes of resolving a complaint or dealing with a registrant’s conduct without a formal inquiry.
- (2) A consent order must include the following terms:
  - (a) an admission by the registrant with respect to the conduct,
  - (b) a determination of the remedial action and the reasons on which those remedies are based,

- (c) the undertakings of the registrant with respect to the proposed remedial action,
  - (d) the length of time that an undertaking specified in paragraph (c) is binding on the registrant,
  - (e) the procedure that the registrant may follow to be released from an undertaking specified in paragraph (c),
  - (f) specify which terms of the consent order may be disclosed to the public, and
- (3) Where the registrant has agreed to and signed a consent order, the consent order shall be recorded in the registrant's file.

## Mediation

60. (1) The inquiry committee may recommend under section 33(6)b of the *Act* that a complaint be mediated where:
- (a) the inquiry committee determines that mediation may be appropriate, and
  - (b) the complainant and the registrant agree to mediation.
- (2) Following a recommendation under subsection (1), the inquiry committee must appoint a mediator who is acceptable to the inquiry committee and the parties.
- (3) The mediator must conduct the mediation process in accordance with the terms of a written mediation agreement established by the inquiry committee, approved by the board, and executed by the complainant and the registrant. The mediation must be confidential.
- (4) Where an agreement between the complainant and the registrant is reached through mediation, the terms of the agreement must be approved by the inquiry committee, at which time the complaint is deemed to have been resolved.
- (5) Where an agreement is approved by the inquiry committee under subsection (4), the inquiry committee must:
- (a) report the resolution of the matter to the board,
  - (b) retain a copy of the agreement on file, and
  - (c) where the registrant has consented to a restriction or limitation of practice, the name of the registrant and the nature of the restriction must be published in such publication as the board may decide.
- (6) Where an agreement is not reached through mediation, the mediator must refer the matter back to the inquiry committee.
- (7) If a registrant contravenes an agreement reached pursuant to mediation, the registrar must refer the matter back to the inquiry committee for further action under section 33(6) of the *Act*.

## Disciplinary hearing citation

61. (1) At the request of the inquiry committee or on its own initiative the discipline committee may join one or more complaints or other matters which are to be the subject of a discipline hearing in one citation as appropriate in the circumstances.
- (2) At the request of the inquiry committee or on its own initiative the discipline committee may sever one or more complaints or other matters which are to be the subject of a discipline hearing as appropriate in the circumstances.
- (3) At the request of the inquiry committee, the discipline committee may amend a citation issued under section 37 of the *Act*.

## Disciplinary hearings

62. (1) No member of the discipline committee may sit on the panel hearing a matter in which he or she:
  - (a) was involved as a member of the inquiry committee, or
  - (b) has had any prior involvement in the matter under review.
- (2) Information about the date, time and subject matter of the hearing must be provided to any person on request unless otherwise directed by the discipline committee.
- (3) The discipline committee must provide notice by registered mail or by personal service to a registrant or other person who is required to attend a hearing under section 38(6) of the *Act*.
- (4) The chair of the discipline committee may cause a subpoena in the form of Schedule D to be served upon a witness to a discipline hearing. For the purpose of this bylaw, "chair" includes the chair of the panel.
- (5) All discipline hearings shall be recorded and transcribed and any person may obtain, at his or her expense, a transcript of any part of the hearing which he or she was entitled to attend.
- (6) The discipline committee may hold a hearing in relation to a citation containing one or more charges directed against one or more registrants at the same time.
- (7) The discipline committee or the chair of the discipline committee may adjourn a discipline committee hearing from time to time.
- (8) The discipline committee may, at any stage of the hearing at the request of the inquiry committee or the registrar, direct that a charge be amended on such terms as it deems just.
- (9) Once a decision has been reached by the discipline committee, the committee may consider previous decisions of the discipline committee against the respondent and hear evidence or arguments by the respondent and the college in respect to penalty.

## Notice of disciplinary decision

63. (1) Where disciplinary proceedings result in the limitation or suspension of a registrant's practice, the board must within a reasonable time, publish for the information of registrants, containing:

- (a) the name of the registrant charged
  - (b) the facts of the case,
  - (c) the disposition of the case, including the nature of any suspension, cancellation, restriction or limitations of practice, and the date or period such disposition is in effect, and
  - (d) the reasons for the decision.
- (2) Where disciplinary proceedings result in the limitation, suspension, or termination of a registrant's practice, the registrar must notify:
- (a) the college or associations responsible for the regulation of the profession of occupational therapy in every other Canadian jurisdiction,
  - (b) the registrant's employer,
  - (c) on request, any college or association in any other jurisdiction, and
  - (d) any other individual/organization as directed by board policy.

## Retention of disciplinary committee and inquiry committee records

64. (1) Records of the inquiry committee and the disciplinary committee must be retained for a period in accordance with the College record retention policies and the *Freedom of Information and Protection of Privacy Act* following the conclusion of an investigation.
- (2) Decisions and Reasons of the discipline and inquiry committees must be kept on permanent record at the College.

## Registrant under suspension

65. (1) A registrant while under suspension must not practice the profession of occupational therapy, represent himself or herself as a registrant or display a certificate of registration or offer to perform occupational therapy as defined in the regulations, during that time.
- (2) A registrant while under suspension must not supervise another registrant.

## Fines

66. The maximum amount of a fine that may be ordered by the discipline committee under section 39 of the *Act* is thirty-five thousand dollars (\$35,000).

## Reinstatement

67. (1) When considering an application for reinstatement the registration committee must consider whether:
- (a) the applicant poses a risk to clients or the public, and
  - (b) the goals of deterrence and rehabilitation have been met.

- (2) Evidence of rehabilitation is not required where the registration committee decides, on other grounds, not to reinstate an applicant.

## Professional misconduct

68. (1) Professional misconduct for the purposes of section 33(4)c of the *Act* includes, but is not limited to:
- (a) contravening the *Health Professions Act*, the regulations, or any of these bylaws,
  - (b) contravening a term, condition, or limitation imposed on the registrant's certificate of registration,
  - (c) contravening a standard of practice, clinical practice statement of the profession, or the Code of Ethics,
  - (d) being found guilty by any other regulatory body to have committed an act that would, in the opinion of the Disciplinary committee, be an act of professional misconduct as defined in subsections (e) through (n),
  - (e) being found guilty of an offence that is relevant to the member's suitability to practice,
  - (f) committing an act of sexual misconduct,
  - (g) committing an act of negligence,
  - (h) practising the profession while the registrant's ability to do so is impaired by a physical or mental impairment or addiction to any substance,
  - (i) discontinuing professional services that are needed unless:
    - i. the client requests the discontinuation,
    - ii. alternative services are arranged where possible,
    - iii. the client is given a reasonable opportunity to arrange alternative services,
    - iv. there has been a failure to establish a therapeutic relationship,
    - v. the client has been given a reasonable opportunity to achieve set client goals,
    - vi. the client can no longer meet agreed upon terms of payment , and all reasonable attempts on the part of the registrant to facilitate such payment have been unsuccessful, or
    - vii. the agency providing services has exhausted the resources allocated to those services.
  - (j) giving information about a client to a person other than the client or his or her representative except with the consent of the client or his or her representative or as required by law,
  - (k) falsifying a record relating to the registrant's practice,
  - (l) signing or issuing in the registrant's professional capacity, a document that the registrant knows contains a false or misleading statement,

- (m) submitting an account or charge for services that the registrant knows is false or misleading,
  - (n) failure to supervise an assistant or support personnel appropriately or in accordance with professional guidelines.
- (2) If the disciplinary committee finds that a registrant has committed an act of professional misconduct, it may make an order under section 39 of the *Act*.

## Professional Competence

69. For the purposes of section 33(4)(d) of the *Act*, a lack of competence shall be defined as a lack of knowledge, skill, or judgement, or disregard for the welfare of a client or the public of such nature or extent as to demonstrate that the registrant is unfit to carry out one or more of the responsibilities of a registrant.

# Part 6 Registrant Management of Client Records

## Definitions

70. For the purpose of these bylaws, “client representative” means:

- (a) a “committee of the patient” under the *Patient’s Property Act*,
- (b) the parent or guardian of a client who is under 19 years of age,
- (c) after the *Representation Agreement Act* 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 client,
- (d) after the *Representation Agreement Act* comes into force, a monitor names in a representation agreement registered under the *Representation Agreement Act* to ensure that the representative fulfils the duties described in section 16 of that *Act*,
- (e) after the *Adult Guardianship Act* 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* comes into force, a temporary substitute decision maker chosen under section 16 of the *Health Care (Consent) and Care Facility (Admission) Act*.

## Purpose for which personal information may be collected

71. No registrant may collect personal information regarding a client unless:

- (a) the information relates directly to and is necessary for providing health care services to the client or for related administrative purposes, or
- (b) the collection of that information is expressly authorized by or under an enactment.

## Source of personal information

72. (1) A registrant must collect personal information about a client directly from the client.

(2) Notwithstanding subsection (1), a registrant may collect personal information from another person if the registrant has reasonable grounds to believe:

- (a) that the client has been made aware of the matters set out in section 84(1) and has authorized collection of the personal information from another person,



- (b) that the client is unable to give his or her authority and the registrant, having made the client's representative aware of the matters set out in section 84(1), collects the information from the representative or the representative collects it from another person,
- (c) that compliance with subsection (1) would:
  - i. prejudice the best interests of the client,
  - ii. defeat the purpose or prejudice the use for which the information is collected, or
  - iii. prejudice the safety of any person.
- (d) that compliance with subsection (1) is not reasonably practicable in the circumstances of the particular case,
- (e) that the collection is for the purpose of assembling a family or genetic history of a person and is collected directly from that person,
- (f) that the information is publicly available information,
- (g) that the information:
  - i. will not be used in a form in which the client concerned is identified, or
  - ii. will be used for statistical or research purposes and will not be published in a form that could reasonably be expected to identify the client, or
- (h) that non-compliance with subsection (1) 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

73. (1) Where a registrant collects personal information directly from the client, or from the client's representative, the registrant must take such steps as are, in the circumstances, reasonable to ensure that the client or client's representative is aware of:
- (a) the fact that the personal information is being collected,
  - (b) the purpose for which the personal information is being collected,
  - (c) the intended recipients of the personal information,
  - (d) whether or not the supply of the personal information is voluntary or mandatory and, if mandatory, the legal authority for collecting the personal information,
  - (e) the consequences, if any, for that client if all or any part of the requested personal information is not provided,
  - (g) the rights of access to personal information provided in section 89.
- (2) The steps referred to in subsection (1) 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.

- (3) A registrant is not required to take the steps referred to in subsection (1) in relation to the collection of personal information from a client, or the client's representative, if the registrant has taken those steps in relation to the collection, from the client or client'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) Despite subsection (1), a registrant is not required to comply with subsection (1) if the registrant believes on reasonable grounds:
  - (a) that non-compliance is authorized by the client concerned,
  - (b) that compliance would:
    - i. prejudice the interests of the client concerned, or
    - ii. defeat the purpose or prejudice the use for which the information is collected.
  - (c) that compliance is not reasonably practicable in the circumstances of the particular case, or
  - (d) 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**

74. Personal information must not be collected by a registrant:

- (a) by unlawful means, or
- (b) by means that, in the circumstances of the case:
  - i. are unfair, or
  - ii. intrude to an unreasonable extent upon the personal affairs of the client concerned.

## **Confidentiality of personal information**

75. A registrant must at all times protect and maintain the confidentiality of personal information collected under this Part.

## **Accuracy of personal information**

76. The registrant must make every reasonable effort to ensure that the information recorded is current, legible, accurate and complete.

## **Right to request correction of personal information**

- 77. (1) A person who believes there is an error or omission in a record containing his or her personal information may request that the registrant with the record in his or her custody or control, correct the information.
- (2) If after receiving a request for correction under subsection (1), 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

78. A registrant may use personal information only:

- (a) for the purpose of providing health care services to the client or for a related administrative purpose,
- (b) for a purpose or disclosure consistent with a purpose specified in paragraph (a),
- (c) if the client has consented to the use, or
- (d) for a purpose for which that information may be disclosed by the registrant under section 82.

## Disclosure of personal information by a registrant

79. (1) A registrant must maintain confidentiality of personal information and may disclose relevant personal information only:

- (a) if the client concerned has consented to the disclosure,
- (b) for the purpose of providing health care services to the client or for a related administrative purpose or for disclosure consistent with either purpose,
- (c) for the purpose of complying with an enactment of or an arrangement or agreement made pursuant to an enactment of British Columbia or Canada,
- (d) for the purpose of complying with a subpoena, warrant or order pronounced by a person or body with jurisdiction to compel the production of information,
- (e) 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,
- (f) to a lawyer acting for the registrant, for use in civil or criminal proceedings involving the registrant,
- (g) where necessary to comply with the *Coroners Act*,
- (h) where necessary to comply with the *Ombudsman Act*,
- (i) for the purposes of:
  - i. collecting a debt or fine owing by a client to the registrant, or
  - ii. making a payment owing by the client to a registrant,
- (j) to an auditor, the College or any other person or body authorized by law, for audit purposes,
- (k) 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,
- (l) so that the next of kin or a friend of an injured, ill or deceased individual may be contacted,
- (m) in accordance with sections 81 or 88, or

- (n) as otherwise required by law.
- (2) Disclosure of personal information pursuant to subsection (1) shall be only to the extent reasonably required in the circumstances.

## Definition of consistent purpose

80. A use or disclosure of personal information is consistent with the purposes of providing health care services to a client or related administrative purposes under sections 81 and 82 if the use or disclosure has a reasonable and direct connection to either purpose.

## Disclosure for research and statistical purposes

81. A registrant may disclose personal information for a research purpose, including statistical research, only if:

- (a) the research purpose cannot reasonably be accomplished unless that information is provided in individually identifiable form or the research purpose has been approved by the relevant agency ethics review process,
- (b) 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,
- (c) the head of the public body concerned has approved conditions relating to the following:
  - i. security and confidentiality,
  - ii. the removal or destruction of individual identifiers at the earliest reasonable time, and
  - iii. the prohibition of any subsequent use or disclosure of that information in individually identifiable form without the express authorization of the recognized ethics committee approved by the board, and
- (d) the person to whom that information is disclosed has signed an agreement to comply with the approved conditions, these bylaws and any of the policies and procedures of the (recognized ethics committee approved by the board) relating to the confidentiality of personal information.

## Storage and retention of personal information

82. (1) A registrant must ensure that all records pertaining to his or her practice, and containing personal information are safely and securely stored.

- (a) Personal information must be retained for a period of ten (10) years.
- (b) Personal information collected for research must be disposed when and in accordance with the plan approved by the registrant's relevant agency ethics review process.

## Manner of disposal of records

83. A registrant must ensure that records are disposed of only by:
- (a) transferring the record to another registrant or with the consent of the client, to another health care agency or health care practitioner,
  - (b) effectively destroying a physical record by utilizing a shredder or by complete burning,
  - (c) 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
  - (d) transferring the record to the client.

## Registrant ceasing to practice

84. (1) A registrant who ceases to practice for any reason must dispose of personal information in accordance with this part, notify the College, and provide the College with a written summary of the steps he or she has taken to dispose of the personal information.
- (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 dispose of the personal information, the personal information will be safely and securely transferred to another registrant.
- (3) A registrant who receives personal information transferred in accordance with subsection (2) or section 86(a) must notify the client concerned of the transfer.

## Protection of personal information

85. (1) A registrant must protect personal information by making reasonable security arrangements against such risks as unauthorized access, collection, use, disclosure or disposal.
- (2) 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 Part.

## Contracts for handling personal information

86. 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 which includes an undertaking by the recipient that confidentiality and physical security will be maintained.

## Remedying a breach of security

87. A registrant must take appropriate measures to remedy any unauthorized access, use, disclosure or disposal of personal information under this part as soon as possible after the breach is discovered, including:

- (a) taking steps to recover the personal information or to ensure its disposal if it cannot be recovered,
- (b) taking steps to ensure that any remaining personal information is secured,
- (c) notifying:
  - i. anyone affected by the unauthorized access including clients and other health care providers,
  - ii. the College, and
  - iii. law enforcement officials, where criminal action may have contributed to the unauthorized action, and
- (d) modifying existing security arrangements to prevent a re-occurrence of the unauthorized access.

## Client access to personal information

88. (1) For the purposes of this section, “access to” means the opportunity to examine or make copies of the original record.
- (2) If a client or a client representative makes a request for access to personal information about the client, the registrant must comply as soon as practicable but not more than thirty (30) days following the request by:
- (a) providing access to the client or client’s representative,
  - (b) providing access to the remainder of the personal information where that information excepted from disclosure under subsection (3) can reasonably be severed, or
  - (c) providing written reasons for the refusal of access to the personal information or to any portion of the health records.
- (3) The registrant may refuse to disclose personal information to a client or client representative:
- (a) where there is a significant likelihood of a substantial adverse effect on the physical, mental or emotional health of the client,
  - (b) where there is a significant likelihood of harm to a third party, or
  - (c) if the disclosure could reasonably be expected to disclose personal information regarding another individual, which cannot reasonably be deleted from the information to be disclosed.
- (4) Where a registrant provides access and the client or client representative requests a copy of the personal information, a copy must be provided if it can reasonably be reproduced.
- (5) A registrant may charge a reasonable fee to cover costs for photocopying and, where appropriate, staff time in retrieving and reproducing the document as set forth in Schedule C

- (6) Subject to subsection (3), a client under 19 years of age may have access to a record where, in the opinion of the registrant, the client is capable of understanding the subject matter of the record.
- (7) Except where authorized by the client, a registrant must not provide access to the records of a client who is under 19 years of age to the guardian or parent of the client 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 requirements of section 17 of the *Infants Act*.

# Part 7 General

## Code of Ethics

89. The College adopts the code of ethics of the CAOT as set out in Schedule B of these by-laws..

## Duty to Report

90. (1) A registrant must file a report to the registrar if the registrant has reasonable grounds to believe that another registrant of the College:

- (a) has abused a client (sexually, physically, verbally, psychologically, financially, or otherwise),
- (b) is practising in an unsafe or incompetent manner in a way that constitutes a danger to the public,
- (c) is exhibiting conduct that suggests a physical or mental ailment, emotional disturbance or impairment due to substance abuse that may affect his or her ability to practice and may constitute a danger to the public,
- (d) directs, authorizes, or delegates components of care to a person who is not a member of the College, without due concern regarding the competence of that individual, or
- (e) contravenes the Standards of Practice or Code of Ethics for Occupational Therapists in BC.

(2) A registrant has a duty to report to the registrar of another health profession when the registrant has reasonable grounds to believe that a registrant of a different professional body:

- (a) has abused a client (sexually, physically, verbally, psychologically, financially, or otherwise),
- (b) is practising in an unsafe or incompetent manner in a way that constitutes a danger to the public, or
- (c) is exhibiting conduct that suggests a physical or mental ailment, emotional disturbance or impairment due to substance abuse that may affect his or her ability to practice and may constitute a danger to the public.

(3) If a registrant is required to file a report because of reasonable grounds obtained from one of the registrant's clients, the registrant must use his or her best efforts to encourage the client to report the matter before doing so.

(4) A report required under subsection (1) and (2) must be filed forthwith in writing with the registrar and, if the person is a registrant in another college, with the registrar of the college that has authorized the person to practise a health profession.



- (5) The report must contain:
  - (a) the name of the registrant filing the report,
  - (b) the name of the registrant who is the subject of the report,
  - (c) an explanation of the alleged sexual abuse, incompetence, incapacity or misconduct and an explanation of the grounds the registrant filing the report, and
  - (d) if the grounds of the report are related to a particular client of the registrant who is the subject of the report, the name of that client, subject to subsection (4).
- (6) The name of a client who may have been sexually abused must not be included in a report unless the client or, if the client is incapable, the client's representative consents in writing to the inclusion of the client's name.
- (7) No action or other proceeding may be instituted against a registrant for filing a report in good faith under this section.

## Marketing

91. (1) Any marketing undertaken or authorized by a registrant in respect of his or her professional services must not be:
  - (a) false,
  - (b) inaccurate,
  - (c) reasonably expected to mislead the public,
  - (d) unverifiable, or
  - (e) contrary to the public interest in the practice of the profession.
- (2) Marketing violates subsection (1) if it:
  - (a) is calculated or likely to take advantage of the weakened state, either physical, mental or emotional, of the recipient or intended recipient,
  - (b) is likely to create in the mind of the recipient or intended recipient an unjustified expectation about the results which the registrant can achieve,
  - (c) implies that the registrant can obtain results:
    - i. not achievable by other registrants,
    - ii. by improperly influencing a public body or official, or any corporation, agency or person having any interest in the welfare of the recipient,
    - iii. by any other improper means, or
  - (d) compares the quality of services provided with those provided by:
    - i. another registrant,
    - ii. a person authorized to provide health care services under another enactment, or
    - iii. another health profession.

- (3) A registrant must not:
  - (a) state publicly that he or she speaks on behalf of the College unless he or she has been expressly authorized by the board to state the official position of the College, or
  - (b) endorse or lend himself or herself as occupational therapist to the advertisement of any product, investment or service for sale to the public, unless such product, investment or service relates directly to the profession.
- (4) A registrant who, in any advertisement, includes a statement of fees for a specific service:
  - (a) 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 client, and
  - (b) must not in the advertisement compare the fees charged by the registrant with those charged by another registrant.
- (5) Unless otherwise authorized by the *Act*, the regulations, these bylaws, or the board, a registrant:
  - (a) 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
  - (b) 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.
- (6) For one year after the date of publication or broadcast of any advertisement or brochure, a registrant must retain to provide to the board upon request:
  - (a) a copy of any such publication,
  - (b) a recording of any such broadcast made by use of any electronic media, including radio, television and microwave transmission, and
  - (c) a written record of when and where the publication or broadcast was made.
- (7) It is the duty of the registrant, when called upon by the discipline committee, inquiry committee, or the board to do so, to verify the statements made in his or her marketing.
- (8) Registrants who limit their practices to certain branches or areas of the profession may state in any marketing the branch or area to which the practice is restricted.
- (9) The name used by a registrant in an advertisement shall be the same as the name shown in the register.

# Schedule A: Fees

## College of Occupational Therapists of BC

### Application Fees

Applicants for registration must pay to the college an application for registration fee in the following amounts for:

Full Registration	\$225.00
Grandparent Registration	\$225.00
Provisional Registration	\$225.00
Temporary Registration	\$130.00

### Annual Registration Fees

Each registrant must pay to the College an annual registration fee on or before July 1, in the following amounts for:

Full Registration	\$350.00
Grandparent Registration	\$350.00
Provisional Registration	\$350.00
Limited Registration	\$350.00
Non-practising Registration	\$ 75.00
Temporary	\$ no fee

## Schedule B: Code of Ethics<sup>1</sup>

The Code of Ethics is a general guide, intended to provide information to College registrants about the College's expectations of ethical conduct. The Code of Ethics is also an important element of the College's Inquiry and Discipline activities and the Quality Assurance programs.

### Article One

The member shall possess the qualities of integrity, loyalty, reliability and shall maintain a standard of professional competency as required by the profession, and shall at all times demonstrate behaviour which reflects the member's professional interest and attitude.

### Article Two

The welfare of the client shall be the primary concern of the member. Without limiting the generality of the foregoing, in furtherance of this goal the member shall:

- a. provide service at the highest possible level of professional skill;
- b. demonstrate respect for the client and appreciation of the particular need of the client;
- c. respect confidentiality of all client information
- d. report to the appropriate authority any alleged unethical conduct or inappropriate practice of occupational therapy of another member.

### Article Three

A member shall recognize and accept responsibility to the relevant employing agency, to other health care colleagues, and to the community at large, and furthermore thereof shall:

- a. maintain comprehensive, accurate and up-to-date records of professional activities which include the nature, extent, duration and outcome of occupational therapy intervention;
- b. co-operate and maintain appropriate communication with other health care colleagues or services dealing with the client in order that the combined desired results are achieved in the treatment of that client;
- c. be professionally responsible for all treatment and services rendered by the member, or by other personnel including students, who are under the direct supervision of the member;
- d. respect and uphold the dignity of each individual with whom the member is associated within the profession of occupational therapy;
- e. provide no misrepresentation regarding information relating to the practice of the profession of occupational therapy or regarding the provision of occupational therapy services to individual clients;
- f. maintain an appropriate relationship with members of the public in order to facilitate the promotion of the goals and functions of the profession of occupational therapy;
- g. refrain from endorsing any goods or services related to the practice of occupational therapy without having made an objective assessment of those goods and services.

## Article Four

The members shall endeavour to maintain and improve their professional knowledge and skill, and in this regard shall maintain a progressive attitude.

## Article Five

The members shall recognize and accept their responsibilities to the profession and to professional organizations, and shall do everything within their means to provide for the growth and development of occupational therapy.

## Article Six

A member shall be responsible for the prompt identification and proposed resolution of conflicts of interest. If a real or potential conflict of interest arises, the member will take all responsible steps to resolve conflict of interest by informing all parties of the need to resolve the situation in a manner that is consistent with the code of ethics.

A member shall not exploit any relationship established as a therapist to further their own physical, emotional, financial, political, or business interests at the expense of the best interest of clients. This includes, but is not limited to: soliciting clients of the member's employer for private practice; using coercion or taking advantage of trust or dependency to engage in sexual activities or to initiate/continue treatment of a client where it is ineffective, unnecessary or no longer indicated; breaching an agreement with a client or employer regarding the use of resources for provision of services; securing or accepting significant financial or material benefit for activities which are already awarded by salary or other compensation; and, prejudicing others against a colleague for reasons of personal gain.

The Code of Ethics shall be construed as a general guide and not a denial of the existence of other duties equally imperative and other rights not specifically mentioned.

## Schedule C: Fees Related to FOIPOP Requests

### 1. For applicants other than commercial applicants:

- |        |   |   |
|--------|---|---|
| (a)    | for locating and retrieving a record .....                        | \$7.50 per _ hour after the first three hours   |
| (b)    | for producing a record manually .....                             | \$7.50 per _ hour   |
| (c)    | for producing a record from a machine readable record .....       | \$16.50 per minute for use of central mainframe processor and all locally attached devices plus \$7.50 per _ hour for developing a computer program to produce the record |
| (d)    | for preparing a record for disclosure and handling a record ..... | \$7.50 per _ hour   |
| (e)    | for shipping copies .....   | actual costs of shipping, method chosen by applicant  |
| (f)    | for copying records   |   |
| (i)    | photocopies and computer printouts.....                           | \$.25 per page (letter and legal) \$.30 per page (11" x17")   |
| (ii)   | floppy disks .....  | \$10.00 per disk  |
| (iii)  | computer tapes .....  | \$40.00 per tape, up to 2400 feet   |
| (iv)   | microfiche .....  | \$10.00 per fiche   |
| (v)    | 16 mm microfilm duplication.....                                  | \$25.00 per roll  |
| (vi)   | 35 mm microfilm duplication.....                                  | \$40.00 per roll  |
| (vii)  | microfilm to paper duplication .....                              | \$.50 per page  |
| (viii) | photographs .....   | \$5.00 to produce a negative  |
|        |   | \$12.00 for each 16" x20"   |
|        |   | \$9.00 for each 11" x14"  |
|        |   | \$4.00 for each 8" x10"   |
|        |   | \$3.00 for each 5" x7"  |

- (ix) photographic print of textural, graphic or cartographic record (8"x10" black & white) .....\$8.50 each
  - (x) hard copy laser print, B/W, 300 dots/inch .....\$.25 each
  - (xi) hard copy laser print, B/W, 1200 dots/inch .....\$0.40 each
  - (xii) hard copy laser print, color .....\$1.65
  - (xiii) photomechanical reproduction of 105 mm. ....\$3.00 each  
cartographic record or plan
  - (xiv) slide duplication .....\$.95
  - (xv) plans .....\$1.00 per square meter
  - (xvi) audio cassette duplication.....\$10.00 plus \$7.00 per \_  
hour of recording
  - (xvii) video cassette (1/4" or 8mm) duplication .....\$11.00 per 60 min  
cassette plus \$7.00 per \_  
hour of recording; \$20.00  
per 120 minute cassette  
plus \$7.00 per \_ hour of  
recording
  - (xviii) video cassette (1/2") duplication .....\$15.00 per cassette plus  
\$11.00 per \_ hour of recording, and
  - (xix) video cassette (3/4") duplication .....\$40.00 per cassette plus  
\$11.00 per \_ hours of recording
2. For commercial applicants for each service listed in item 1 .....the actual cost of  
providing that service

## Schedule D: Subpoena

IN THE MATTER OF THE COLLEGE OF OCCUPATIONAL THERAPISTS OF BRITISH COLUMBIA

And

IN THE MATTER OF A HEARING PURSUANT TO SECTION 38 OF THE HEALTH PROFESSIONS ACT  
INTO THE CONDUCT OF \_\_\_\_\_

### SUBPOENA

To: \_\_\_\_\_

TAKE NOTICE that you are required to attend to testify as a witness at the time, date and place set out below, pursuant to provisions of s. 38 of the Health Professions Act, S.B.C., c. 183. You are also required to bring with you all documents in your possession or power relating to the matters in question in this proceeding.

Please note the provisions of the Health Professions Act and the bylaws of the College of Occupational Therapists reproduced on the back of this Subpoena.

TIME: \_\_\_\_\_

DATE: \_\_\_\_\_

PLACE: \_\_\_\_\_

Dated: \_\_\_\_\_

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Chair of Discipline Committee









