

**BYLAWS OF  
THE COLLEGE OF PODIATRIC SURGEONS OF BRITISH COLUMBIA  
UNDER THE *HEALTH PROFESSIONS ACT*  
Effective February 1, 2011**

*INTERPRETATION*

*Section*

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## Definitions

1 In these bylaws:

“Act” means the *Health Professions Act*;

“appointed board member” means

(a) a person appointed to the board under section 17(3)(b) of the *Act*, or

(b) prior to the first election referred to in section 17(2)(a) of the *Act*, a person appointed under section 17(2)(a) of the *Act* to represent the public on the first board;

“board” means the board for the college;

“board member” means an appointed board member or an elected board member;

“chair” means the chair of the board elected under section 12;

“college” means the College of Podiatric Surgeons of British Columbia;

“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;

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

“elected board member” means

(a) a person elected to the board under section 17(3)(a) of the *Act* or appointed to the board under section 11, or

(b) prior to the first election referred to in section 17(2)(a) of the *Act*, a registrant appointed under section 17(2)(a) of the *Act*;

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

“general supervision” means the supervised person is subject to the review of a registrant;

“in good standing”, in respect of a registrant, means

(a) the registrant’s registration as a member of the college is not suspended under the *Act*, and

(b) no limits or conditions are imposed on the practice of podiatric medicine by the registrant under section 20, 32.2, 32.3, 33, 35, 36, 37.1, 38, 39 or 39.1 of the *Act*;

“personal information” means,

(a) for the purposes of Part 3, “personal information” as defined in Schedule 1 of the *Freedom of Information and Protection of Privacy Act*, and

(b) for the purposes of section 69, means “personal information” as defined in section 1 of the *Personal Information Protection Act*;

“podiatric services” means the services of podiatric medicine that a registrant is authorized under the *Act* to provide;

“public representative” means a person who

(a) is not a registrant or former registrant, and

(b) has no close family or business relationship with a registrant or former registrant,

and includes an appointed board member;

“record” means, for the purposes of Part 3, a “record” as defined in Schedule 1 of the *Freedom of Information and Protection of Privacy Act*;

“Regulation” means the Podiatrists Regulation, B.C. Reg 214/2010;

“respondent” means a registrant named in a citation under section 37 of the *Act* or a health profession corporation named in a notice of permit revocation hearing under section 77;

“special resolution” is a resolution which requires a  $\frac{3}{4}$  vote of those persons present and eligible to vote at a meeting;

“targeted substances” means substances listed under Item 18, Schedule IV, of the *Controlled Drugs and Substances Act* (Canada) and listed under Item 1, Part 1, Schedule 1 of the *Benzodiazepine and Other Targeted Substances Regulations* (Canada);

“vice-chair” means the vice-chair of the board elected under section 12.

## **PART 1 COLLEGE BOARD, COMMITTEES AND PANELS**

### **Composition of the board**

**2** The board consists of at least 4 elected board members and the appointed board members.

### **Voting and non-voting registrants**

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

### **Notice of election**

**4** (1) The registrar must notify every registrant eligible to vote under section 3 of an election under section 17(3)(a) of the *Act* by delivering notice at least 120 days prior to the expiry of the term of office.

(2) The notice must contain information about the nomination procedure and the election procedure.

### **Nomination procedure**

**5** (1) Any registrant eligible to vote under section 3 may nominate for office a maximum of 1 registrant in good standing, who is not the subject of an investigation by the inquiry committee under section 33 of the *Act* or an unresolved citation issued by the registrar under section 37 of the *Act*, for each vacant position, by delivering such nomination and election to the registrar, together with a letter of consent from the person nominated, at least 90 days prior to the expiry of the term of office.

(2) A person nominated under subsection (1) must declare in writing that he or she will observe the provisions of the *Act*, the regulations and these bylaws and the procedures related to the election and the conduct of the election.

### **Election procedure**

**6** (1) The registrar must prepare and deliver an election ballot to each registrant eligible to vote under section 3 not less than 60 days prior to the expiry of the term of office.

- (2) Each registrant eligible to vote under section 3 is entitled to one ballot and may vote in favour of one candidate for each vacant position that is to be elected on such ballot.
- (3) The registrar must not count a ballot unless it is received by the registrar at least 30 days prior to the expiry of the term of office and is contained in an envelope on which the registrant's name and signature appears.
- (4) The person or persons receiving the most votes on the return of the ballots is elected.
- (5) In the case of a tie vote, the registrar must select the successful candidate by random draw.
- (6) The registrar must supervise and administer all board elections and may establish additional election procedures, consistent with these bylaws, for that purpose.
- (7) The registrar may determine any dispute or irregularity with respect to any nomination, ballot or election.
- (8) If the number of persons nominated under section 5 is less than or equal to the number of positions vacant at the close of nominations, the nominees are elected by acclamation.
- (9) The registrar must use Form 1 to certify newly elected members of the board under section 17.1(1) of the *Act*.

#### **Terms of office**

- 7 (1) The term of office for an elected board member expires on the date of the annual general meeting held in the third year following the date of the election of the board member.
- (2) An elected board member may serve a maximum of 3 consecutive terms.
- (3) An elected board member may resign at any time by delivering a notice in writing to the registrar and the resignation is effective upon receipt by the registrar.
- (4) Subsections (1) to (3) do not apply prior to the first election referred to in section 17(2)(a) of the *Act*.

#### **First elections**

- 8 (1) The first election referred to in section 17(2)(a) of the *Act* must be conducted by the registrar not more than 12 months after the date these bylaws come into force.
- (2) Despite section 7, the first term of office of the first elected board members is
  - (a) 1 year for 1 designated position,
  - (b) 2 years for 1 designated position, and
  - (c) 3 years for 2 designated positions.
- (3) When giving notice of the first election in accordance with section 4, the registrar must advise registrants and candidates of the term of office for each position designated in subsection (2).

#### **Removal of elected board member**

- 9 (1) An elected member of the board ceases to hold office if he or she ceases to be a registrant in good standing.
- (2) An elected member of the board may be removed by special resolution of the board, or by special resolution of the registrants at a general meeting in accordance with the provisions of section 33.
- (3) Subsections (1) and (2) do not apply prior to the first election referred to in section 17(2)(a) of the *Act*.

## **Vacancy**

- 10** (1) In the case of any vacancy of an elected board position, the board may by special resolution appoint a registrant eligible under section 3 to fill that elected board member's position for the period of time until the next scheduled board election.
- (2) If the vacancy referred to in subsection (1) occurs less than 120 days before the next scheduled board election, the board may by special resolution appoint a registrant eligible under section 3 fill that elected board member's position for the period of time until the following scheduled board election.
- (3) An election must be held at the next scheduled board election, or the following scheduled board election, if applicable, to fill any vacant position of an elected board member for the remainder of the outgoing elected board member's term.
- (4) Subsections (1) to (3) do not apply prior to the first election referred to in section 17(2)(a) of the *Act*.

## **Chair and vice-chair**

- 11** (1) At the first meeting of the board following an election under section 17(3)(a) of the *Act*, the board members must elect a chair and a vice-chair by a majority vote for a 1 year term.
- (2) Despite subsection (1), the board members must elect a chair and a vice-chair by a majority vote for a term ending at the start of the first meeting of the board following the first election referred to in section 17(2)(a) of the *Act*
- (3) The chair must
- (a) preside at all meetings of the board and all general meetings of the college,
  - (b) sign all certificates, diplomas and other instruments executed on behalf of the college together with such other officers as required by the board,
  - (c) sign the minutes of each meeting after they are approved by the board, and
  - (d) act generally in accordance with the requirements of his or her office for the proper carrying out of the duties of the board.
- (4) The vice-chair must perform the duties of the chair in the absence of the chair.
- (5) In the absence of both the chair and the vice-chair, an acting chair for a board meeting must be elected by a majority vote of the board members present.

## **Board meetings**

- 12** (1) The board must meet at least 4 times in each fiscal year and must provide reasonable notice of board meetings to board members, registrants and the public.
- (2) Meetings of the board must be called by the registrar at the request of either the chair or any 3 board members.
- (3) The registrar must provide the following to members of the public on request:
- (a) the place, day and time of an upcoming board meeting;
  - (b) a copy of the agenda for that meeting;
  - (c) a copy of the minutes of any previous board meeting.
- (4) Subject to subsection (5), meetings of the board must be open to registrants and to the public.
- (5) The board may exclude any person from any part of a meeting if it is satisfied that

- (a) financial or personal or other matters may be disclosed of such a nature that the desirability of avoiding public disclosure of them in the interest of any person affected or in the public interest outweighs the desirability of adhering to the principle that meetings be open to the public,
- (b) a person involved in a criminal proceeding or civil suit or proceeding may be prejudiced,
- (c) personnel matters or property acquisitions will be discussed,
- (d) the contents of examinations will be discussed,
- (e) communications with the Office of the Ombudsman will be discussed, or
- (f) instructions will be given to or opinions received from legal counsel for the college, the board, or committees.

(6) If the board excludes any person from a part of a meeting, it must have its reasons for doing so noted in the minutes of the meeting.

(7) The registrar must ensure that minutes are taken at each meeting and retained on file, and must publish them on the college website.

(8) A majority of the board constitutes a quorum.

(9) No resolution proposed at a meeting need be seconded and the chair of a meeting may move or propose a resolution.

(10) In the case of an equality of votes the chair does not have a casting or second vote in addition to the vote to which he or she is entitled as a board member and the proposed resolution does not pass.

(11) The board may meet and conduct business using video-conference or teleconference connections when some or all board members are unable to meet in person.

(12) Except as otherwise provided in the *Act*, the regulations, or these bylaws, the most recent edition of Robert's Rules of Order governs the procedures at meetings of the board.

(13) The accidental omission to deliver notice of a meeting to, or the non-receipt of a notice by, any person entitled to receive notice under subsection (1) does not invalidate proceedings at that meeting.

### **Extraordinary board meetings**

**13** (1) A written resolution 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) Despite section 12(1), the registrar or the chair may call a meeting of the board without providing notice to the registrants or the public if necessary to conduct urgent business.

### **Registration committee**

**14** (1) The registration committee is established consisting of 3 persons appointed by the board.

(2) The registration committee must include at least 1 appointed board member.

### **Inquiry committee**

**15** (1) The inquiry committee is established consisting of 3 persons appointed by the board.

(2) The inquiry committee must include at least 1 appointed board member.

### **Discipline committee**

**16** (1) The discipline committee is established consisting of 3 persons appointed by the board.

(2) The discipline committee must include at least 1 appointed board member.

### **Quality assurance committee**

**17** (1) The quality assurance committee is established consisting of at least 3 persons, at least 1/3 of whom must be public representatives, appointed by the board, .

(2) The quality assurance committee is responsible for

(a) recommending to the board standards of practice to enhance the quality of practice and to reduce incompetent, impaired or unethical practice among registrants, and reviewing those standards periodically,

(b) administering a quality assurance program to promote high standards of practice among registrants,

(c) assessing the clinical ability of registrants,

(d) recommending courses to the board for approval under section 53,

(e) collecting information from registrants in furtherance of the objects of this Section,

(f) establishing remedial procedures to assist registrants in identifying and correcting deficiencies in their clinical abilities or places of practice, and

(g) reviewing all aspects of the management and conduct of health profession corporations to ensure their compliance, and the compliance of their registrant shareholders, with the *Act*, the regulations, these bylaws and the policies of the college.

### **Surgical practice standards committee**

**18** (1) The surgical practice standards committee is established consisting of 3 persons appointed by the board.

(2) The surgical practice standards committee must include one medical practitioner confirmed by the College of Physicians and Surgeons of British Columbia as suitable for membership in the committee

(3) The surgical practice standards committee must develop, review and recommend to the quality assurance committee standards, limits and conditions for surgical practice in the course of providing podiatric services.

### **Patient relations committee**

**19** (1) The patient relations committee is established consisting of 3 persons appointed by the board.

(2) The patient relations committee must include at least 1 appointed board member.

(3) The patient relations committee must

(a) establish and maintain procedures by which the college deals with complaints of professional misconduct of a sexual nature,

(b) monitor and periodically evaluate the operation of procedures established under paragraph (a),

(c) develop and coordinate, for the college, educational programs on professional misconduct of a sexual nature for members and the public as required,

(d) establish a patient relations program to prevent professional misconduct, including professional misconduct of a sexual nature,

(e) develop guidelines for the conduct of registrants with their patients, and

(f) provide information to the public regarding the college's complaint and disciplinary process.



(4) 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 patient,
- (b) touching, of a sexual nature, of the patient by the registrant, or
- (c) behaviour or remarks of a sexual nature by the registrant towards the patient;

but does not include touching, behaviour and remarks by the registrant towards the patient that are of a clinical nature appropriate to the service being provided.

### **Committees**

**20** (1) A person appointed to a committee established under these bylaws

- (a) serves a term determined by the board not exceeding 3 years, and
- (b) is eligible for reappointment but may not serve more than 3 consecutive terms.

(2) A person cannot be appointed to the inquiry committee and the discipline committee at the same time.

(3) A committee member, other than an *ex officio* member, may be removed by a majority vote of the board.

(4) The board must designate a committee chair and a committee vice-chair from among the members of the committee appointed under subsection (1).

(5) Each committee must submit a quarterly report of its activities to the board.

(6) The chair of the board and the registrar are *ex officio* non-voting members of every committee.

### **Remuneration of board and committee members**

**21** (1) A board member or committee member is entitled to be paid an honorarium in accordance with the policy established by the board.

(2) A board member or committee member is entitled to be reimbursed by the college for reasonable expenses necessarily incurred in connection with the activities of the board or committee, in accordance with the policy established by the board.

(3) Appointed board members and elected board members must be remunerated equally under the policies referred to in this section.

(4) All members of a committee must be remunerated equally under the policies referred to in this Section.

(5) Despite subsection (4), the amount of an honorarium referred to in subsection (1) may be different for each committee.

## **PART 2 COLLEGE ADMINISTRATION**

### **Seal**

**22** (1) A seal for the college must be approved by the board.

(2) The seal of the college must be affixed, by those persons designated by the board, to certificates of registration and such other documents as the board may direct by resolution.

### **Deputy registrar**

**23** (1) If a deputy registrar is appointed by the board,

(a) the deputy registrar is authorized to perform all duties and exercise all powers of the registrar, subject to the direction of the registrar, and

(b) if the registrar is absent or unable to act for any reason, the deputy registrar is authorized to perform all duties and exercise all powers of the registrar.

### **Fiscal year**

**24** The fiscal year of the college commences on January 1 and ends on December 31 of that year.

### **Banking and financial administration**

**25** (1) The board must establish and maintain such accounts with a chartered bank, trust company or credit union as the board determines necessary from time to time and must deposit into the accounts all money received for and on account of the college.

(2) The board is responsible for

(a) managing the college's system of financial administration, including

(i) accounting practices and systems, including classification of accounts, internal control and auditing systems.

(ii) financial planning,

(iii) budgetary control,

(iv) ensuring the safekeeping of college assets, including assets held in trust,

(v) managing college revenues, including receipt, recording and control of funds and deposit to accounts maintained by the board, and

(vi) producing financial reports for the use of the board, and submitting a financial statement to the auditor immediately after the close of each fiscal year,

(b) determining the needs of the college in regard to financial administration, and the financial implications of board decisions,

(c) developing, establishing and administering financial policies, systems and procedures essential to the financial administration of the college, and

(d) overseeing the organization, staffing and training of administrative staff of the college.

### **Payments and commitments**

**26** (1) The registrar may approve payments and commitments for the purchase of goods and services up to \$5,000.

(2) All payments and commitments by the college in excess of \$5,000 must be approved by the registrar and 1 board member designated by the board.

### **Borrowing powers**

**27** (1) The board must not enter into any security obligation in excess of \$250,000 without a special resolution approved by the registrants of the college at a general meeting.

(2) The registrants may, by special resolution at a general meeting, restrict the borrowing powers of the board.

### **Investments**

**28** Subject to sections 15.1 and 15.2 of the *Trustee Act*, the board may, in the name of the college,

- (a) invest funds of the college in any investments, and
- (b) change those investments.

#### **Auditor**

- 29** (1) The board must appoint a chartered accountant or a certified general accountant to be the auditor.
- (2) The registrar must submit the financial statement to the auditor within 45 days of the end of the fiscal year.
- (3) A copy of the auditor's report must be included in the annual report.

#### **Legal counsel**

- 30** 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 performing any duty or exercising any power under the *Act*, the regulations or these bylaws.

#### **General meetings**

- 31** (1) General meetings of the college must be held in British Columbia at a time and place determined by the board.
- (2) The first annual general meeting must be held not more than 12 months after the date these bylaws come into force, and after that an annual general meeting must be held at least once in every calendar year and not more than 15 months after the holding of the last 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;
  - (c) the report of the auditor.
- (4) Every general meeting, other than an annual general meeting, is an extraordinary general meeting.
- (5) The board may convene an extraordinary general meeting by resolution.

#### **Notice of general meetings**

- 32** (1) The board must deliver notice of an annual or extraordinary general meeting to all board members and registrants at least 45 days prior to the meeting.
- (2) Notice of a general meeting must include
- (a) the place, day and time of the meeting,
  - (b) the general nature of the business to be considered at the meeting, and
  - (c) any resolutions proposed by the board.
- (3) The accidental omission to deliver notice of a meeting to, or the non-receipt of a notice by, any person entitled to receive notice under subsection (1) does not invalidate proceedings at that meeting.
- (4) General meetings must be open to the public.
- (5) The registrar must
- (a) provide reasonable notice of each general meeting to the public, and

(b) provide to members of the public on request a copy of the notice given under subsection (1) in respect of a general meeting.

### **Proceedings at general meetings**

**33** (1) A quorum for a general meeting is at least 15% of registrants who are eligible to vote at a general meeting.

(2) 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.

(3) If at any time during a general meeting there ceases to be a quorum present, business then in progress must be suspended until there is a quorum present.

(4) In the case of an annual general meeting under section 31(2),

(a) if there is no quorum present within 30 minutes from the time appointed for the start of the meeting, or

(b) if there is no quorum present within 30 minutes from any time during the meeting when there ceases to be a quorum present,

the meeting must be adjourned to a date within 45 days, at a time and place to be determined by the board, and those registrants who attend that later meeting will be deemed to be a quorum for that meeting.

5) In the case of an extraordinary general meeting under section 31(5),

(a) if there is no quorum present within 30 minutes from the time appointed for the start of the meeting, or

(b) if there is no quorum present within 30 minutes from any time during the meeting when there ceases to be a quorum present,

the meeting must be adjourned.

(6) In the absence of both the chair and the vice-chair of the board, an acting chair for a meeting must be elected by a majority vote of the registrants entitled to vote at a general meeting and who are present at such meeting.

(7) A general meeting may be adjourned from time to time and from place to place by a duly passed motion at such meeting, 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.

(8) When a meeting is adjourned in accordance with subsection (4) or (5) or by motion under subsection (7), notice of the rescheduled meeting must be delivered as in the case of the original meeting.

(9) No motion proposed at a meeting need be seconded and the chair of a meeting may propose a motion.

(10) Every registrant entitled to vote at a general meeting who is present at a meeting is entitled to one vote and the chair of the meeting, if the chair is a registrant who is entitled to vote at a general meeting, is entitled to one vote.

(11) Voting may be conducted by ballot or by hand count.

(12) In the case of an equality of votes the chair does not have a casting or second vote in addition to the vote to which he or she is entitled under subsection (10), if any, and the proposed resolution does not pass.

(13) Except as these bylaws otherwise provide, the most recent edition of Robert's Rules of Order governs the procedures at an annual or extraordinary general meeting.

### **Notice to public representatives**

- 34 Every notice or mailing provided to the general membership of the college must also be provided to a public representative serving on the board or a 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 fulfils the college’s duties under the *Freedom of Information and Protection of Privacy Act*.
- (4) The registrar must report annually to the board regarding the steps the college has taken to fulfil its duties under the *Freedom of Information and Protection of Privacy Act*.

#### **Protection of personal information**

- 36 (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, if personal information is sent to any person or service 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**

- 37 The registrar must make each annual report under section 18(2) of the *Act* available electronically and free-of-charge on the college website, must notify registrants that the report is available, and must provide a paper copy of the report to any person on request upon payment of the fee set out in Schedule “B”.

#### **Disclosure of registration status**

- 38 (1) If an inquiry about the registration status of a person is received by the board or the registrar, the registrar must disclose, in addition to the matters required by section 22 of the *Act*,
- (a) whether the discipline committee has ever made an order relating to the person under section 39 of the *Act* and the details of that order,
  - (b) whether the person has ever consented to an order under section 37.1 of the *Act* and the details of that order, and
  - (c) whether the person has ever given an undertaking or consented to a reprimand under section 36 of the *Act* and the details of that undertaking or reprimand.
- (2) When acting under subsection (1), the registrar must not release information which might enable a person to identify
- (a) a complainant or patient, or
  - (b) another person, other than the registrant, affected by the matter,
- except with the consent of the complainant, patient or other person.

#### **Manner of disposal of college records containing personal information**

- 39 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**

**40**        The following classes of registrants are established:

- (a) full registration;
- (b) educational registration;
- (c) non-practising registration;
- (d) temporary registration.

### **Full registration**

**41**        (1) For the purposes of section 20(2) of the *Act*, the requirements for full registration are, subject to sections 48 to 51,

- (a) graduation with a Doctor of Podiatric Medicine degree from one of the recognized podiatric medical education programs specified in Schedule “A”,
- (b) successful completion of the examinations conducted by the National Board of Podiatric Medical Examiners, Parts I, II and III,
- (c) successful completion of the jurisprudence examination required by the registration committee,
- (d) evidence satisfactory to the registration committee of the good character of the person consistent with the responsibilities of a registrant and the standards expected of a registrant, and
- (e) receipt by the registrar of
  - (i) a signed application for full registration in Form 2,
  - (ii) the application fee specified in Schedule “B”,
  - (iii) a notarized copy, or other evidence satisfactory to the registration committee, of the person’s degree or other academic or technical credentials and evidence satisfactory to the registration committee that he or she is the person named therein,
  - (iv) a statutory declaration in Form 3,
  - (v) the jurisprudence examination fee specified in Schedule “B”,
  - (vi) a letter or certificate, in a form satisfactory to the registration committee and dated within 60 days prior to the date of application, from each regulatory or licensing authority responsible for the regulation of podiatric medicine or another health profession in a jurisdiction where the person is, or has been, authorized to practice podiatric medicine or another health profession, specifying particulars of any cancellation, suspension, limitation or conditions on the person’s entitlement to practice, or any investigation, review or

proceeding which could lead to cancellation, suspension, limitation or conditions on the person's entitlement to practice,

(vii) a signed criminal record check authorization in the form required by the *Criminal Records Review Act*,

(viii) in the case of a person who has practiced podiatric medicine or another health profession in another jurisdiction, an authorization for a criminal record check in that jurisdiction,

(ix) a certified passport size photograph of the person, taken within 1 year prior to the date of application,

(x) a notarized copy, or other evidence satisfactory to the registration committee, of the person's Canadian citizenship or authorization to work in Canada, and

(xi) proof of professional liability insurance as required under section 81, and

(f) at least one of the following:

(i) registration in the active membership class of the former British Columbia Association of Podiatrists continued under the *Podiatrists Act* or the equivalent thereof, and practice of podiatric medicine as described in the Regulation or the equivalent thereof, in British Columbia or another jurisdiction recognized by the board for the purposes of this section, since July 1, 2002;

(ii) registration in the active membership class of the former British Columbia Association of Podiatrists continued under the *Podiatrists Act* or the equivalent thereof, and practice of podiatric medicine as described in the Regulation or the equivalent thereof, in British Columbia or another jurisdiction recognized by the board for the purposes of this section, since July 1, 2005, and successful completion of at least one year of accredited postgraduate training satisfactory to the registration committee;

(iii) successful completion of at least two years of accredited postgraduate training satisfactory to the registration committee

(2) Despite subsection (1)(a), (b), (e)(iii) and (f), the person may be granted registration under this section if he or she

(a) is registered in good standing with a governing body, in another Canadian jurisdiction recognized by the board for the purposes of this subsection, that regulates podiatric medicine as described in the Regulation or the equivalent thereof,

(b) has full unrestricted authorization, in that other jurisdiction, to practice podiatric medicine as described in the Regulation or the equivalent thereof,

(c) provides a notarized copy, or other evidence satisfactory to the registration committee, of the person's registration status with a governing body as described in paragraphs (a) and (b), and evidence satisfactory to the registration committee that he or she is the person named therein, and

(d) meets the requirements established in subsection (1)(c) to (e)(i), (ii) and (iv) to (xi).

(3) For greater certainty, subsection (2) does not apply in respect of persons registered with a governing body in Saskatchewan, Manitoba or New Brunswick.

(4) Despite subsection (1)(a) and (f), the registration committee has discretion, in satisfying itself under section 20 of the *Act* that the person meets the conditions or requirements for registration as a member of the college under this section, to consider whether the person's knowledge, skills and abilities are substantially equivalent to the standard of academic or technical achievement and the competencies or other qualifications established in subsection (1) (a) and (f), and to grant registration under this section on that basis, if the applicant also meets the requirements established in subsection (1)(b) to (e).

(5) For the purposes of section 20(2) of the *Act*, and despite subsections (1) and (4), the requirements for full registration in the case of a non-practising registrant who was formerly a full registrant are

(a) receipt by the registrar of

(i) a signed application for full registration in Form 2,

(ii) the application fee specified in Schedule “B”,

(iii) any other fee, fine, levy or debt owed to the college under the *Act* or the former British Columbia Association of Podiatrists continued under the *Podiatrists Act*,

(iv) evidence satisfactory to the registration committee of having completed all applicable requirements under Part 5.

(v) evidence satisfactory to the registration committee that the non-practising registrant is a person of good character suitable for registration as a member of the college.

(vi) a statutory declaration in Form 3,

(vii) an attestation that the non-practising registrant is in compliance with the *Act*, the regulations, and these bylaws, and is in compliance with any limits or conditions imposed under section 20, 32.2, 32.3, 33, 35, 36, 37.1, 38, 39 or 39.1 of the *Act*,

(viii) a letter or certificate, in a form satisfactory to the registration committee and dated within 60 days prior to the date of application, from each regulatory or licensing authority responsible for the regulation of podiatric medicine or another health profession in a jurisdiction where the non-practising registrant is, or has been, authorized to practice podiatric medicine or another health profession, specifying particulars of any cancellation, suspension, limitation or conditions on the non-practising registrant’s entitlement to practice, or any investigation, review or proceeding which could lead to cancellation, suspension, limitation or conditions on the non-practising registrant’s entitlement to practice,

(ix) a signed criminal record check authorization in the form required by the *Criminal Records Review Act*,

(x) in the case of a non-practising registrant who has practiced podiatric medicine or another health profession in another jurisdiction, an authorization for a criminal record check in that jurisdiction,

(xi) a certified passport size photograph of the non-practising registrant, taken within 1 year prior to the date of application,

(xii) a notarized copy, or other evidence satisfactory to the registration committee, of the non-practising registrant’s Canadian citizenship or authorization to work in Canada, and

(xiii) proof of professional liability insurance as required under section 81, and

(b) in the case of a non-practising registrant whose full registration has been expired for three years or more, he or she has

(i) successfully completed a clinical skills examination conducted by the quality assurance committee, and

(ii) provided evidence satisfactory to the registration committee that his or her registration under this section will not pose an undue risk to public health or safety.

### **Educational registration**

**42** (1) For the purposes of section 20(2) of the *Act*, the requirements for educational registration are:



- (a) graduation with a Doctor of Podiatric Medicine degree from one of the recognized podiatric medical education programs listed specified in Schedule “A”,
- (b) successful completion of the examinations conducted by the National Board of Podiatric Medical Examiners, Parts I and II,
- (c) enrolment in an accredited postgraduate training program satisfactory to the registration committee,
- (d) successful completion of the jurisprudence examination required by the registration committee,
- (e) evidence satisfactory to the registration committee of the good character of the person consistent with the responsibilities of a registrant and the standards expected of a registrant, and
- (f) receipt by the registrar of
  - (i) a signed application for educational registration in Form 2,
  - (ii) the application fee specified in Schedule “B”,
  - (iii) a notarized copy, or other evidence satisfactory to the registration committee, of the person’s degree or other academic or technical credentials and evidence satisfactory to the registration committee that he or she is the person named therein,
  - (iv) a notarized statement, or other evidence satisfactory to the registration committee, from a full registrant in good standing who agrees to supervise and be responsible for all clinical contact the applicant may have with patients, of the person’s enrolment in a postgraduate training program satisfactory to the registration committee, including the duration, parameters and extent of intended supervision of the applicant,
  - (v) a statutory declaration in Form 3,
  - (vi) the jurisprudence examination fee specified in Schedule “B”,
  - (vii) a letter or certificate, in a form satisfactory to the registration committee and dated within 60 prior to the date of application, from each regulatory or licensing authority responsible for the regulation of podiatric medicine or another health profession in a jurisdiction where the person is, or has been, authorized to practice podiatric medicine or another health profession, specifying particulars of any cancellation, suspension, limitation or conditions on the person’s entitlement to practice, or any investigation, review or proceeding which could lead to cancellation, suspension, limitation or conditions on the person’s entitlement to practice,
  - (viii) a signed criminal record check authorization in the form required by the *Criminal Records Review Act*,
  - (ix) in the case of a person who has practiced podiatric medicine or another health profession in another jurisdiction, an authorization for a criminal record check in that jurisdiction,
  - (x) a certified passport size photograph of the person taken within 1 year prior to the date of application,
  - (xi) a notarized copy, or other evidence satisfactory to the registration committee, of the person’s Canadian citizenship or authorization to work in Canada, and
  - (xii) proof of professional liability insurance as required under section 81.

(2) Despite subsection (1)(a), the registration committee has discretion, in satisfying itself under section 20 of the *Act* that the person meets the conditions or requirements for registration as a member of the college under

this section, to consider whether the person's knowledge, skills and abilities are substantially equivalent to the standard of academic or technical achievement established in subsection (1) (a), and to grant registration under this section on that basis, if the applicant also meets the requirements established in subsection (1)(b) to (f).

(3) An educational registrant must not delegate any aspect of practice involving patient assessment or treatment.

(4) Subject to subsection (3) and (1)(f)(iv) a person who is granted educational registration under subsection (1) may provide podiatric services as though he or she is a full registrant.

(5) An educational registrant must not

(a) be appointed to, or serve on, any committee established under these bylaws, or

(b) vote at a general meeting of the college.

### **Non-practising registration**

**43** (1) For the purposes of section 20(2) of the *Act*, the requirements for non-practising registration are, subject to sections 48 to 51,

(a) graduation with a Doctor of Podiatric Medicine degree from one of the recognized podiatric medical education programs specified in Schedule "A",

(b) successful completion of the examinations conducted by the National Board of Podiatric Medical Examiners, Parts I, II and III,

(c) successful completion of the jurisprudence examination required by the registration committee,

(d) evidence satisfactory to the registration committee of the good character of the person consistent with the responsibilities of a registrant and the standards expected of a registrant, and

(e) receipt by the registrar of

(i) a signed application for non-practicing registration in Form 2,

(ii) the application fee specified in Schedule "B",

(iii) a notarized copy, or other evidence satisfactory to the registration committee, of the person's degree or other academic or technical credentials and evidence satisfactory to the registration committee that he or she is the person named therein,

(iv) a statutory declaration in Form 3,

(v) the jurisprudence examination fee specified in Schedule "B",

(vi) a signed criminal record check authorization in the form required by the *Criminal Records Review Act*,

(vii) in the case of a person who has practiced podiatric medicine or another health profession in another jurisdiction, an authorization for a criminal record check in that jurisdiction,

(viii) a certified passport size photograph of the person taken within 1 year prior to the date of application,

(ix) a notarized copy, or other evidence satisfactory to the registration committee, of the person's Canadian citizenship or authorization to reside in Canada, and

(x) proof of professional liability insurance as required under section 81, and

(f) at least one of the following:

(i) registration in the inactive membership class of the former British Columbia Association of Podiatrists continued under the *Podiatrists Act* or the equivalent thereof, or

(ii) ) successful completion of at least two years of accredited postgraduate training satisfactory to the registration committee

(2) Despite subsection (1)(a), the registration committee has discretion, in satisfying itself under section 20 of the *Act* that the person meets the conditions or requirements for registration as a member of the college under this section, to consider whether the person's knowledge, skills and abilities are substantially equivalent to the standard of academic or technical achievement established in subsection (1) (a), and to grant registration under this section on that basis, if the applicant also meets the requirements established in subsection (1)(b) to (e).

(3) A non-practising registrant must not

(a) provide podiatric services in British Columbia, or

(b) vote at a general meeting of the college.

(4) A non-practising registrant may be appointed to, and serve on, any committee established under these bylaws.

### **Temporary registration**

**44** (1) For the purposes of section 20(2) of the *Act*, the requirements for temporary registration are

(a) registration in good standing with a governing body, in another Canadian or foreign jurisdiction recognized by the board for the purposes of this section, that regulates podiatric medicine as described in the Regulation or the equivalent thereof,

(b) full unrestricted authorization, in that other jurisdiction, to practise podiatric medicine as described in the Regulation or the equivalent thereof,

(c) successful completion of the jurisprudence examination required by the registration committee,

(d) evidence satisfactory to the registration committee of the good character of the person consistent with the responsibilities of a registrant and the standards expected of a registrant, and

(e) receipt by the registrar of

(i) a signed application for temporary registration in Form 2,

(ii) the application fee specified in Schedule "B",

(iii) a notarized copy, or other evidence satisfactory to the registration committee, of the person's registration status with a governing body as described in paragraphs (a) and (b), and evidence satisfactory to the registration committee that he or she is the person named therein,

(iv) a statutory declaration in Form 3,

(v) a signed criminal record check authorization in the form required by the *Criminal Records Review Act*,

(vi) an authorization for a criminal record check in the other jurisdiction,

(viii) a certified passport size photograph of the person taken within 1 year prior to the date of application,

(ix) a notarized copy, or other evidence satisfactory to the registration committee, of the person's Canadian citizenship or authorization to work in Canada, and

(x) proof of professional liability insurance as required under section 81.

(2) For greater certainty, subsection (1) does not apply in respect of persons registered with a governing body in Saskatchewan, Manitoba or New Brunswick.

(3) A person may be granted temporary registration under subsection (1) for a period of up to 90 days.

(4) The registration of a person who has been granted temporary registration under subsection (1) may be renewed once for an additional period of up to 90 days if

(a) the registration renewal fee specified in Schedule "B" is paid,

(b) a signed application for registration renewal in Form 4 is delivered to the registrar prior to the expiration of the temporary registration granted to the registrant under subsection (1), and

(c) if applicable, his or her authorization to work in Canada has been extended for the additional period.

(5) A person who is granted temporary registration under subsection (1), or whose temporary registration is renewed under subsection (3), may provide podiatric services as though he or she is a full registrant.

(6) A temporary registrant must not

(a) be appointed to, or serve on, any committee established under these bylaws, or

(b) vote at a general meeting of the college.

### **Certificate of registration**

**45** (1) The registrar must issue a certificate in Form 5 to any person who is granted full, educational, non-practising or temporary registration and the certificate must specify the limits or conditions that apply to that class of registrants.

(2) A certificate of full or non-practising registration or any renewal of such certificate is valid until not later than the following January 1.

(3) A certificate of educational or temporary registration is valid until the date shown on the certificate.

### **Use of terms**

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

(2) A person who is granted non-practising registration may use the titles reserved for exclusive use by registrants under the Regulation, as well as the terms "regulated", "registered", "licensed" and "certified", or an abbreviation of one of those terms, but only in association with the term "non-practising".

### **Examinations**

**47** (1) Except for examinations conducted by the National Board of Podiatric Medical Examiners, any examination required to be taken must be prepared by or under the direction of the registration committee and approved by the board.

(2) Except for examinations conducted by the National Board of Podiatric Medical Examiners, the registration committee must

- (a) determine the time, place and procedure for conducting an examination,
  - (b) review the results of the examination or re-examination for each applicant, and
  - (c) notify the applicant of the results of the examination or re-examination as soon as is reasonably practicable.
- (3) An applicant who fails an initial examination conducted by the registration committee is entitled to 2 opportunities to repeat the examination.
- (4) If the registration committee has reason to believe that an applicant has engaged in improper conduct during the course of an examination, the registration committee may take one or more of the following courses of action:
- (a) fail the applicant;
  - (b) pass the applicant;
  - (c) require the applicant to rewrite the examination;
  - (d) disqualify the applicant from participating in any examination for a period of time.
- (5) An applicant disqualified under subsection (4)(d) must be provided with written reasons for the disqualification.

#### **Registration renewal**

- 48** (1) For the purposes of section 20(2) of the Act, the requirements for renewal of the registration of a full or non-practising registrant are
- (a) application to the registrar in Form 4,
  - (b) payment of the registration renewal fee specified in Schedule “B”,
  - (c) payment of any other fee, fine, levy or debt owed to the college under the *Act* or the former British Columbia Association of Podiatrists continued under the *Podiatrists Act*,
  - (d) proof of professional liability insurance as required under section 81,
  - (e) attestation 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 20, 32.2, 32.3, 33, 35, 36, 37.1, 38, 39 or 39.1 of the *Act*, and
  - (f) in the case of full registrants, evidence satisfactory to the registration committee of having completed all applicable requirements under Part 5.
- (2) Notice of the fees must be delivered to each registrant no later than November 1 and must describe the consequences of late payment and non-payment of fees.
- (3) Each full or non-practising registrant must pay to the college the registration renewal fee on or before January 1.
- (4) The annual registration renewal fee may be paid in advance instalments if approved by the board.
- (5) On payment of the registration renewal fee, and any monies payable as required under subsection (1) (c), the registrar must issue to the registrant making payment a receipt bearing the seal of the college and stating, except in the case of non-practising registrants, that the registrant is, subject to his or her compliance with the *Act*, the regulations, and the bylaws, entitled to practise the profession of podiatric medicine in the Province of British Columbia as a registrant of the college.
- (6) If a full or non-practising registrant fails to pay a registration renewal fee on or before March 1, he or

she ceases to be registered.

(7) Despite subsection (1), the board may waive or reduce the payment of the renewal fee for a full registrant for reasons of undue hardship or other special circumstances.

#### **Reinstatement within two months of failure to pay fees**

**49** (1) For the purposes of section 20(2) of the *Act*, the requirements for reinstatement of the registration of a former full or non-practising registrant who ceased to be registered under section 48(6) are, subject to section 51,

- (a) the former registrant was in good standing upon the expiry of his or her previous registration,
- (b) the former registrant is not in contravention of the *Act*, the regulations or these bylaws, and
- (c) receipt by the registrar of
  - (i) a reinstatement application in Form 6 not later than two months after the expiry of the former registrant's previous registration,
  - (ii) evidence satisfactory to the registration committee of completion of all applicable requirements under Part 5 as though the former registrant had not ceased to be registered under section 48(6),
  - (iii) the registration renewal fee specified in Schedule "B",
  - (iv) the registration reinstatement fee specified in Schedule "B",
  - (v) any other fee, fine, levy or debt owed to the college under the *Act* or to the former British Columbia Association of Podiatrists continued under the *Podiatrists Act*, and
  - (vi) proof of professional liability insurance as required under section 81.

#### **Reinstatement after two months**

**50** (1) For the purposes of section 20(2) of the *Act*, the requirements for reinstatement of the registration of a former full or non-practising registrant whose registration has been expired for less than three years are, subject to section 51,

- (a) the former registrant was in good standing upon the expiry of his or her previous registration,
- (b) the former registrant is not in contravention of the *Act*, the regulations or these bylaws, and
- (c) receipt by the registrar of
  - (i) a reinstatement application in Form 6 not later than three years after the expiry of the former registrant's previous registration,
  - (ii) a letter or certificate, in a form satisfactory to the registration committee and dated within 60 prior to the date of application, from each regulatory or licensing authority responsible for the regulation of podiatric medicine or another health profession in a jurisdiction where the former registrant is, or has been, authorized to practice podiatric medicine or another health profession, specifying particulars of any cancellation, suspension, limitation or conditions on the former registrant's entitlement to practice, or any investigation, review or proceeding which could lead to cancellation, suspension, limitation or conditions on the former registrant's entitlement to practice,
  - (iii) an authorization for a criminal record check in the form required by the *Criminal Records Review Act*,

- (iv) in the case of a former registrant who has practiced podiatric medicine or another health profession in another jurisdiction, an authorization for a criminal record check in that jurisdiction,
- (v) evidence satisfactory to the registration committee of completion of all applicable requirements under Part 5 as though the former registrant had been a full or non-practising registrant for the period since the expiry of his or her previous registration,
- (vi) the registration reinstatement fee specified in Schedule "B",
- (vii) any other fee, fine, levy or debt owed to the college under the *Act* or to the former British Columbia Association of Podiatrists continued under the *Podiatrists Act*,
- (viii) proof of professional liability insurance as required under section 81, and
- (ix) evidence satisfactory to the registration committee that the former registrant is a person of good character suitable for registration as a member of the college.

(2) For the purposes of section 20(2) of the *Act*, the requirements for reinstatement of the registration of a former full or non-practising registrant whose registration has been expired for three or more years are, subject to section 51,

- (a) the former registrant was in good standing upon the expiry of his or her previous registration,
- (b) the former registrant is not in contravention of the *Act*, the regulations or these bylaws,
- (c) receipt by the registrar of
  - (i) a reinstatement application in Form 6,
  - (ii) a letter or certificate, in a form satisfactory to the registration committee and dated within 60 days prior to the date of application, from each regulatory or licensing authority responsible for the regulation of podiatric medicine or another health profession in a jurisdiction where the former registrant is, or has been, authorized to practice podiatric medicine or another health profession, specifying particulars of any cancellation, suspension, limitation or conditions on the former registrant's entitlement to practice, or any investigation, review or proceeding which could lead to cancellation, suspension, limitation or conditions on the former registrant's entitlement to practice,
  - (iii) an authorization for a criminal record check in the form required by the *Criminal Records Review Act*,
  - (iv) in the case of a former registrant who has practised podiatric medicine or another health profession in another jurisdiction, an authorization for a criminal record check in that jurisdiction,
  - (v) evidence satisfactory to the registration committee of completion of all applicable requirements under Part 5 as though the former registrant had been a full or non-practising registrant for the period since the expiry of his or her previous registration,
  - (vi) the registration reinstatement fee specified in Schedule "B",
  - (vii) any other fee, fine, levy or debt owed to the college under the *Act* or to the former British Columbia Association of Podiatrists continued under the *Podiatrists Act*,
  - (viii) proof of professional liability insurance as required under section 81, and
  - (ix) evidence satisfactory to the registration committee that the former registrant is a person of good character suitable for registration as a member of the college,
- (d) in the case of a former full registrant, he or she has successfully completed a clinical skills examination conducted by the quality assurance committee, and

(e) the former registrant has provided evidence satisfactory to the registration committee that the former registrant's reinstatement will not pose an undue risk to public health or safety.

### **Reinstatement following disciplinary action**

**51** (1) In this section, "disciplined person" means

(a) a former full or non-practising registrant whose registration was suspended or cancelled under section 32.2, 32.3, 33, 35, 36, 37.1, 38, 39 or 39.1 of the *Act*, or

(b) a person whose certificate of registration was suspended or cancelled under the *Podiatrists Act*, and who is eligible to apply for reinstatement of registration.

(2) For the purposes of section 20(2) of the *Act*, the requirements for reinstatement of the registration of a disciplined person are, subject to any applicable order or agreement under the *Act* or the *Podiatrists Act*,

(a) the disciplined person is not in contravention of the *Act*, the regulations or these bylaws,

(b) receipt by the registrar of

(i) a reinstatement application in Form 6,

(ii) a letter or certificate, in a form satisfactory to the registration committee and dated within 60 prior to the date of application, from each regulatory or licensing authority responsible for the regulation of podiatric medicine or another health profession in a jurisdiction where the disciplined person is, or has been, authorized to practice podiatric medicine or another health profession, specifying particulars of any cancellation, suspension, limitation or conditions on the disciplined person's entitlement to practice, or any investigation, review or proceeding which could lead to cancellation, suspension, limitation or conditions on the disciplined person's entitlement to practice,

(iii) an authorization for a criminal record check in the form required by the *Criminal Records Review Act*,

(iv) in the case of a disciplined person who has practiced podiatric medicine or another health profession in another jurisdiction, an authorization for a criminal record check in that jurisdiction,

(v) evidence satisfactory to the registration committee of completion of all requirements under Part 5 as though the disciplined person had been a full or non-practising registrant for the period since the expiry or cancellation of his or her previous registration,

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

(vii) any other fee, fine, levy or debt owed to the college under the *Act* or to the former British Columbia Association of Podiatrists continued under the *Podiatrists Act*,

(viii) proof of professional liability insurance as required under section 81,

(ix) evidence satisfactory to the registration committee that the disciplined person is a person of good character suitable for registration as a member of the college,

(c) in the case of a disciplined person who was a full registrant, or who was registered in the active membership class of the former British Columbia Association of Podiatrists continued under the *Podiatrists Act*, he or she has successfully completed a clinical skills examination conducted by the quality assurance committee, and

(d) the disciplined person has provided evidence satisfactory to the registration committee that his or her reinstatement will not

(i) pose an undue risk to public health or safety, or



(ii) otherwise be contrary to the public interest.

### **Notification of change of registration information**

**52** A registrant must immediately notify the registrar of any change of address, name or any other registration information previously provided to the registrar.

## **PART 5 QUALITY ASSURANCE**

### **Continuing education**

**53** Every 2 years of either full or non-practicing registration, or any combination of both, a registrant must complete 60 hours of continuing education, in courses approved by the Board.

### **Criteria and guidelines**

**54** The quality assurance committee must establish criteria and guidelines for achieving the continuing education hours required under section 53.

### **Proof of compliance**

**55** Each registrant must prove compliance with section 53 by submitting to the quality assurance committee prior to the end of each 2 year period such proof of compliance as the quality assurance committee may establish.

### **Assessment of professional performance**

**56** (1) The quality assurance committee or an assessor appointed by the committee may

- (a) assess the clinical ability of a registrant,
- (b) collect information from registrants for the purposes of this Part,
- (c) establish remedial procedures to assist registrants in identifying and correcting deficiencies in their clinical abilities or places of practice, and
- (d) review all aspects of the management and conduct of podiatric corporations to ensure their compliance, and the compliance of their registrant shareholders, with the *Act*, the regulations, these bylaws and the policies of the college.

(2) The quality assurance committee or an assessor must not observe a registrant while the registrant is providing a service to a patient except if

- (a) the consent of the patient being treated has been obtained in advance, or
- (b) the service is being provided in a public setting.

(3) If the quality assurance committee is required to notify the inquiry committee of a matter in accordance with subsection 26.2(3) of the *Act*, it must deliver notice in writing to the registrar.

## **PART 6 INSPECTIONS, INQUIRIES AND DISCIPLINE**

### **Inspections**

**57** An inspector must not observe a registrant while the registrant is providing a service to a patient except if

- (a) the consent of the patient being treated has been obtained in advance, or
- (b) the service is being provided in a public setting.

## **Registrar authority**

**58** The registrar is authorized to act under section 32(3) of the *Act*.

## **Mediation**

- 59** (1) If the complainant and the registrant agree, the inquiry committee may recommend under section 33(6)(b) of the *Act* that a complaint be mediated.
- (2) Following a recommendation under subsection (1), the inquiry committee must appoint a mediator who is acceptable to the complainant and the registrant.
- (3) If an agreement between the complainant and the registrant is reached through mediation, the terms of the agreement must be approved by the inquiry committee before becoming effective.
- (4) If an agreement is approved by the inquiry committee under subsection (3), the inquiry committee must report the resolution of the matter to the board and must retain a copy of the agreement on file.
- (5) If an agreement is not reached through mediation, or if the terms of an agreement are not approved by the inquiry committee, the mediator must refer the matter back to the inquiry committee and may recommend that the inquiry committee take one or more actions under section 36 of the *Act*.

## **Citation for disciplinary hearing**

- 60** (1) On the direction of a panel of the discipline committee, the registrar 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) On the direction of a panel of the discipline committee, the registrar 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) On the direction of a panel of the discipline committee, the registrar may amend a citation issued under section 37 of the *Act*.
- (4) If a citation is amended under subsection (3) prior to a discipline hearing, the amended citation must be delivered to the respondent by personal service or sent by registered mail to the respondent at the last known address for the person recorded as required under section 21(2) of the *Act* not fewer than 14 days before the date of the hearing.
- (5) If a citation is amended under subsection (3) prior to a discipline hearing, and the amended citation changes the date, time or place of the hearing, the registrar must notify any complainant of the amendment not fewer than 14 days before the date of the hearing.

## **Notice of disciplinary committee action under Section 39.1 of Act**

**61** The discipline committee must notify a registrant not fewer than 14 days before making an order under section 39.1 of the *Act*.

## **Hearings of discipline committee**

- 62** (1) No member of the discipline committee may hear a matter under section 38 of the *Act* in which he or she
- (a) was involved as a member of the inquiry committee, or
  - (b) has otherwise had any prior involvement.
- (2) Information about the date, time and subject matter of the hearing must be provided to any person on request.
- (3) The discipline committee must provide notice by registered mail or by personal service to a person who is required to attend a hearing under section 38(6) or 47 of the *Act* in Form 7.

(4) All discipline hearings must be recorded 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.

### **Retention of discipline committee and inquiry committee records**

- 63** (1) Records of the inquiry committee must be retained for not less than 10 years following the conclusion of an investigation and records of the discipline committee must be retained for not less than 10 years following the date a decision is rendered.
- (2) Despite subsection (1), documents setting out decisions and reasons of the inquiry and discipline committees relating to actions taken under sections 32, 32.2, 32.3, 33(6)(c) or (d), 35, 36, 37.1, 38, 39, 39.1 or 44 of the *Act* must be kept on permanent record at the office of the college.

### **Notice to regulatory bodies**

- 64** If any disciplinary action is taken against a registrant under Part 3 of the *Act* which
- (a) imposes limits or conditions on the practice of podiatric medicine by the registrant, or
  - (b) suspends or cancels the registration of the registrant,
- the registrar must notify
- (c) the body responsible for the regulation of podiatric medicine or podiatry in every other Canadian jurisdiction, and
  - (d) on request, any body responsible for the regulation of podiatric medicine or podiatry outside Canada.

### **Registrant under suspension**

- 65** (1) A registrant whose registration is suspended must, for the duration of the suspension,
- (a) not provide podiatric services in British Columbia or hold himself or herself out as being a registrant,
  - (b) not hold office in the college,
  - (c) not make appointments for patients or prospective patients,
  - (d) not contact or communicate with patients or prospective patients, except for the following purposes:
    - (i) to advise patients or prospective patients of the fact and duration of the suspension;
    - (ii) to advise a patient or prospective patient that another registrant will continue to operate in the suspended registrant's place, or to refer the patient to another registrant in good standing,
  - (e) remove from his or her premises and the building in which the premises are located, his or her name and any sign relating to his or her practice,
  - (f) prominently display, a notice of suspension in a form and in an area approved by the registrar, which states the duration and reasons for the suspension,
  - (g) immediately surrender to the registrar his or her practice certificate,
  - (h) pay any fee or special assessment required by the college when due in order to remain a member, and
  - (i) not be given a refund of the annual fee for the portion of the suspension or of any special assessment that the member has paid.

(2) During the period of suspension, a suspended registrant may permit another registrant in good standing to practice within the suspended member's office, provided that the suspended member complies with subsection (1).

(3) Any communication under subsection (1)(d) must be made in writing in a form approved in advance by the registrar, or by employing office staff, an answering service or other telephonic device specifically for this purpose.

#### **Fines**

**66** The maximum amount of a fine that may be ordered by the discipline committee under section 39(2)(f) of the *Act* is \$50,000

#### **Costs**

**67** The tariff of costs applicable to sections 33(7), 37.1(1) and (5), and 39(4) and (5) of the *Act* is set out in Schedule "C".

## **PART 7        REGISTRANT RECORDS**

### **Record-keeping**

**68** (1) A registrant must keep

(a) clinical records for each patient showing the patient's name and address, the dates seen, an adequate history and all particulars of physical examinations, radiographic examinations, investigations ordered and the results of same, as well as, descriptions of all diagnoses made and treatment provided by the registrant,

(b) an account card or ledger page or section with respect to each patient or, if appropriate, the Patient's representative showing the date of services rendered, nature of those services, charges and payments made, and balance outstanding, and

(c) a day book, daily diary, appointment sheets or similar documentation showing for each day the names of patients to whom professional services were rendered.

(2) All records referred to in subsection (1) must be typed or written legibly in ink and kept in suitable systematic permanent forms such as books, binders, files, cards or folders for a period of not less than 10 years from the date on the last entry recorded, provided that a computerized, mechanical or electronic recordkeeping or accounting system must be deemed sufficient if the information kept on such system can be reproduced promptly in written form when required, and if the material so reproduced, either by itself or in conjunction with other records, constitutes orderly and legible permanent records that would provide, without delay, the information required to be kept under subsection (1).

### **Privacy requirements**

**69** A registrant must take all reasonable measures to ensure that the collection, use, disclosure and disposal of patient personal information occurs in accordance with the *Personal Information Protection Act*, and all other relevant legal requirements, and, without limitation, a registrant must

(a) ensure that patient personal information collected under section 68 is current, legible, accurate and completely recorded,

(b) at all times protect and maintain the confidentiality of patient personal information collected under section 68,

(c) upon request, provide patients, or the legal representatives of patients, with access to their patient personal information in accordance with the *Personal Information Protection Act*, and all other relevant legal requirements, and

(d) ensure that all records from his or her practice containing patient personal information are safely and securely stored, or disposed of, by making reasonable security arrangements against such risks as unauthorized access, collection, use, disclosure or disposal.

### **Production of registrant records to the college**

**70** A registrant must make records kept under section 68 and any written or electronically, computerized representatives of the college, including the registrar, members of the inquiry committee, the discipline committee and the quality assurance committee, and assessors and inspectors appointed under any provision of these bylaws or the *Act*.

## **PART 8 PODIATRIC CORPORATIONS**

### **Application for podiatric corporation permit**

**71** (1) A corporation is eligible to be issued a permit to operate as a podiatric corporation if, in addition to satisfying the other requirements and conditions under section 43 of the *Act*,

(a) every registrant of the college referred to in section 43(1)(c) and (e) of the *Act* is

(i) a full registrant, or

(ii) with the approval of the registrar, a non-practicing registrant,

(b) the corporation delivers to the registrar

(i) a completed podiatric corporation permit application in Form 8,

(ii) any applicable application and permit fees specified in Schedule “B”,

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

(iv) a certificate of solicitor in form 9 ,

(v) an acknowledgement executed in form 11 by each registrant who is a voting shareholder of the corporation or of a holding company that directly or indirectly owns a legal or beneficial interest in any voting share of the corporation, acknowledging that the registrant has read section 14.1 of the *Act*, and that the registrant understands that

(A) the registrants liability for professional negligence will not be affected by the fact that the registrant practices podiatric medicine through or on behalf of the corporation,

(B) the application of the *Act*, the Regulation, and the bylaws to the registrant will not be affected, modified or diminished as a result of the registrant’s relationship with the corporation, and,

(C) neither the issuance of a podiatric corporation permit by the college nor the registrant’s practicing podiatric medicine through or on behalf of the corporation will in any way relieve or absolve the registrant from observing the standards of professional ethics and standards of practice, and

(vi) a true copy of the certificate of incorporation, filed transition application, certificate of amalgamation, or certificate of continuation as the case may be, any certificate of change of name, and any certificate of restoration, issued to or filed by the corporation under the *Business Corporations Act*, and

(c) the name of the corporation is approved by the registrar under section 72.

(2) The registrar is authorized to act for the board under section 43 of the *Act*.

- (3) A permit issued to a corporation under section 43 of the *Act* is valid until
- (a) the last day of the following February,
  - (b) the corporation delivers to the registrar a written request for cancellation of the permit,
  - (c) the corporation changes its name,
  - (d) the permit is revoked under section 44 of the *Act*, or
  - (e) the corporation is dissolved or otherwise ceases to be a company in good standing under the *Business Corporations Act*.

### **Podiatric corporation names**

**72** (1) The name of a podiatric corporation

(a) must contain

(i) the surname and any combination of the given names or initials of every registrant who is a voting shareholder of the corporation, except a voting shareholder who will not be providing any podiatric services through or on behalf of the corporation, and

(ii) the words “Podiatric Corporation”,

(b) may contain the title “Doctor”, “Dr.”, or “D.P.M.”, and

(c) despite paragraph (a), may be in such other form as the registrar may approve if there is more than one registrant who is a voting shareholder of the corporation providing podiatric services through or on behalf of the corporation.

(2) The registrar may approve the name of a corporation that complies with subsection (1) on receipt of

(a) a completed application for podiatric corporation name approval in form 10

(b) any applicable application fee specified in Schedule “B”

### **Renewal of podiatric corporation permit**

**73** (1) A podiatric corporation which intends to continue to provide podiatric services to the public must, before its permit expires, apply for a renewal of the permit by delivering to the board

(a) a written request for permit renewal, and

(b) the permit renewal fee specified in Schedule “B”.

(2) A renewal permit is valid until the last day of the following February.

(3) The president of the podiatric corporation or his or her designate must promptly advise the board in writing of any change to the information contained in the most recent permit renewal application.

### **Disposition of shares**

**74** (1) The legal or beneficial interest in a voting or non-voting share of a podiatric corporation or holding corporation must not be transferred, pledged, or assigned to any person who is not entitled to hold that legal or beneficial interest in accordance with the requirements of section 43 of the *Act* and section 72(1)(a).

(2) If the legal or beneficial interest in any voting share of a podiatric corporation or holding company that directly or indirectly owns a legal or beneficial interest in any voting share of the corporation is transferred to a registrant or holding company who is entitled to hold that legal or beneficial interest under section 43 of the *Act* and section 73(1)(a), and who is not already a voting shareholder, the podiatric corporation must

- (a) notify the registrar of the transfer,
- (b) deliver to the registrar a completed podiatric corporation permit application in Form 8,
- (c) deliver to the registrar an acknowledgement in form 11, in accordance with section 71(1)(b)(v) executed by
  - (i) the transferee, if the transferee or new shareholder is a registrant, and
  - (ii) each registrant who is a voting shareholder of the transferee or of another holding company that directly or indirectly owns a legal or beneficial interest in any voting share of the transferee, if the transferee is a holding company, unless an acknowledgement executed by the registrant has previously been delivered to the registrar, and
- (d) deliver to the registrar a certificate of solicitor in form 9.

### **Notification of changes**

#### **75** (1) A podiatric corporation must

- (a) not change its name unless the new name has been approved by the registrar under section 72, and
- (b) deliver to the registrar a true copy of any certificate of change of name issued to the podiatric corporation under the *Business Corporations Act*.

#### (2) A podiatric corporation ceasing to comply with section 71(1)(a) and no longer providing podiatric services to the public

- (a) must notify the registrar in writing and surrender its podiatric corporation permit, and
- (b) at the discretion of the registrar, may be required to change its name and deliver to the registrar a true copy of any certificate of change of name issued to the podiatric corporation under the *Business Corporations Act*.

### **Podiatric corporation marketing**

#### **76** A podiatric corporation which carries on the business of providing podiatric services to the public must disclose on all letterhead and business cards, and in all other marketing that podiatric services are being provided by a podiatric corporation.

### **Hearings respecting revocation of permits**

#### **77** (1) The duties and powers of the board set out in section 44 of the *Act* are delegated to the discipline committee.

(2) The discipline committee may conduct a permit revocation hearing on the receipt of a written complaint or on its own motion.

(3) The discipline committee may conduct an oral hearing or a hearing by written submission to determine if a podiatric corporation permit should be revoked.

(4) A permit revocation hearing may be consolidated with a hearing conducted under section 38 of the *Act* if there is a similarity of subject matter between the two hearings.

(5) A consolidated hearing under subsection (4) must be an oral hearing conducted in accordance with section 38 of the *Act*.

(6) The registrar must provide notice of a permit revocation hearing by personal service or by registered mail to the registered office of the podiatric corporation not less than 30 days before the date of the hearing.

- (7) The notice of permit revocation hearing must
- (a) name the podiatric corporation as respondent,
  - (b) describe the matter that is to be the subject of the hearing, including the particulars of any evidence in support of that subject matter,
  - (c) if the hearing is to be an oral hearing,
    - (i) specify the date, time and place of the hearing,
    - (ii) advise the respondent that the discipline committee is entitled to proceed with the hearing in the absence of representatives of the podiatric corporation, and
    - (iii) advise the respondent that the respondent and the college may appear as parties and with counsel at a hearing,
  - d) if the hearing will be conducted by written submission,
    - (i) specify the date of the hearing, and
    - (ii) advise the respondent that the respondent is entitled to submit a written submission no later than 14 days prior to the date of the hearing.
- (8) At an oral permit revocation hearing of the discipline committee,
- (a) the testimony of witnesses must be taken on oath, which may be administered by any member of the discipline committee, and
  - (b) there must be a full right to cross examine witnesses and call evidence in defence and reply.
- (9) If the respondent does not attend, the discipline committee may
- (a) proceed with the hearing in the respondent's absence on proof of receipt of the citation by the respondent, and
  - (b) without further notice to the respondent, take any action that it is authorized to take under the *Act*, the regulations or the bylaws.
- (10) The discipline committee must provide notice by registered mail or by personal service to a person who is required to attend an oral permit revocation hearing under section 47 of the *Act* in Form 7.
- (11) The discipline committee must provide written reasons for its decision.

## **PART 9        DELEGATION AND SUPERVISION**

### **Delegation and supervision**

- 78** (1) Subject to section 42(3), a registrant may delegate any aspect of practice that does not involve the performance of a restricted activity specified in section 6 of the Regulation, if
- (a) any aspect of practice involving patient assessment or treatment is performed under the direct supervision of the registrant,
  - (b) any other aspect of practice is performed under the general supervision of the registrant,
  - (c) the person to whom the aspect of practice is delegated is employed by or contracted with the registrant, or a registrant or health profession corporation with which the registrant is associated, and
  - (d) the registrant is satisfied that the person to whom the aspect of practice is delegated is competent to perform the aspect of practice safely.



(2) Whenever a registrant delegates any aspect of practice, the registrant remains ultimately responsible for the patient's podiatric health.

## **PART 10      GENERAL**

### **Standards of professional ethics and practice**

**79**      (1) The board must publish, on the college website or in another manner accessible to registrants and the public, all standards, limits and conditions established by the board in accordance with the authority set out in section 19 (1)(k), (l) and (z) and (1.1) of the *Act*.

(2) Registrants must at all times conduct their practice in a manner that is in keeping with the standards, limits or conditions published by the board under subsection (1).

### **Radiation safety and procedure**

**80**      (1) All registrants who operate a radiographic installation must obtain and at all times maintain a valid Certificate of Radiation Safety issued by a Radiation Protection Surveyor approved by the Radiation Protection Services of the Environmental Health Division, British Columbia Centre for Disease Control.

(2) All registrants who operate a radiographic installation must display the Certificate of Radiation Safety specified in subsection (1) on, or at a location within 3 metres of, their radiographic equipment, and in a manner that is easily visible to patients receiving X-rays.

### **Liability insurance**

**81**      (1) Each full, educational and temporary registrant must obtain and at all times maintain professional liability insurance coverage in an amount of at least \$1,000,000 per occurrence insuring against liability arising from an error, omission or negligent act of the registrant, or an employees of the registrant or podiatric corporation to whom aspects of practice involving patient assessment or treatment are delegated under Part 9,

(2) For a period of 5 years following the granting of non-practising registration under section 43, non-practising registrants must maintain insurance coverage in the amount and form specified in subsection (1) against liability arising from the practice of podiatric medicine while he or she was a full or temporary registrant or a member of the former British Columbia Association of Podiatrists continued under the *Podiatrists Act*.

### **Promotion of podiatric services**

**82**      (1) In this section, "marketing" 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, and includes

(a) an advertisement,

(b) any publication or communication in any medium with any patient, prospective patient or the public generally in the nature of an advertisement, promotional activity or material, a listing in a directory, a public appearance or any other means by which professional services are promoted, and

(c) contact with a prospective patient initiated by or under the direction of a registrant.

(2) Any marketing undertaken or authorized by a registrant or podiatric corporation in respect of professional services must not be

(a) false,

(b) inaccurate,

(c) unverifiable,

- (d) misleading,
- (e) misrepresentative of the effectiveness of any technique, procedure, instrument or device,
- (f) undignified, offensive or in bad taste, or
- (g) contrary to the ethical standards of the profession.

(3) Without limitation, marketing violates subsection (2) 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, or
  - (iii) by any other improper means, or
- (d) compares the quality of services provided with those provided by another registrant.

(4) A registrant or podiatric corporation must not

- (a) state publicly that he, she or it speaks on behalf of the college unless he, she or it has been expressly authorized by the board to state the official position of the college, or
- (b) endorse or lend himself, herself or itself as a registrant or podiatric corporation to the advertisement of any property, investment or service for sale to the public unless such property, investment or service relates directly to the profession of podiatric medicine.

(5) A registrant or podiatric corporation who or that, 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 patient, and
- (b) must not in the advertisement compare the fees charged by the registrant or corporation with those charged by another registrant or corporation.

(6) A registrant must not use the title “specialist” or any similar designation suggesting a recognized special status, accreditation, or certification on any letterhead or business card or in any other marketing, unless

- (a) otherwise authorized by the *Act*, the regulations, these bylaws, or the board, or
- (b) certified by an accrediting body approved by the board.

(7) A registrant or podiatric corporation must retain for 1 year after the date of publication or broadcast of any advertisement or brochure, and must 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.

(8) It is the duty of the registrant or podiatric corporation, when called upon by the discipline committee, inquiry committee, or the board to do so, to verify the statements made in marketing.

(9) Registrants or podiatric corporations who restrict or limit their practices or services to certain aspects of practice may state in any marketing the aspects to which their practice or services is or are restricted or limited.

#### **Clinic names**

**83** (1) A registrant must advise the registrar of any name under which the registrant is operating or intends to operate a podiatric services clinic.

(2) A registrant may use only one name per clinic location at any one time.

(3) A registrant cannot use a name for a clinic that contravenes section 82.

(4) A registrant cannot use a clinic name if another registrant can demonstrate to the satisfaction of the registrar that he or she is and has been using,

a) an identical name, or

b) a name so closely resembling the name which the first registrant wants or has begun to use that it is likely to confuse or mislead the public.

#### **Targeted substances (benzodiazapenes)**

**84** (1) A registrant must not destroy a targeted substance other than a targeted substance that has been lawfully sold or provided to an individual for their own use or for the benefit of another individual under the registrant's care.

(2) A registrant may destroy a targeted substance if

(a) the registrant records, before the destruction, information with respect to the destruction, including the name, strength per unit and quantity of the targeted substance to be destroyed,

(b) the targeted substance is destroyed using a method of destruction that conforms with all applicable federal, provincial and municipal requirements,

(c) the registrant records the date of destruction,

(d) the destruction is witnessed by a registrant or a pharmacist, and

(e) immediately following the destruction, the person who destroyed the targeted substance and the witness referred to in paragraph (d) sign and print their names on a joint statement, indicating that they witnessed the destruction and that the targeted substance destroyed has been altered or denatured to such an extent that its consumption has been rendered impossible or improbable.

(3) A registrant licensed or otherwise authorized under the *Controlled Drugs and Substances Act* (Canada) to deal in a targeted substance must store the targeted substance in the place used for the purpose of conducting their business or professional practice and in the area in that place where only authorized persons have access, except where the targeted substance is for the registrant's own use or for the benefit of persons under the registrant's care.

(4) A registrant must take any steps that are necessary to ensure the security of a targeted substance in his or her possession and any licence or permit in their possession with respect to a targeted substance and must, not later than 10 days after discovery, report to the Federal Minister of Health any loss or theft of a targeted substance or of a licence or permit.

(5) The information or records required under this section must be kept for a period of at least 2 years after

- (a) in the case of information, the day that the information was obtained, and
- (b) in the case of a record, the day that the last transaction was recorded on the record.

**SCHEDULE "A" Recognized podiatric medical education programs**  
*(Sections 41, 42, 43)*

The following programs are recognized podiatric medical education programs for the purposes of Part 4:

- Arizona Podiatric Medicine Program at Midwestern University
- Barry University School of Podiatric Medicine
- California School of Podiatric Medicine at Samuel Merritt University
- Des Moines University College of Podiatric Medicine and Surgery
- New York College of Podiatric Medicine
- Ohio College of Podiatric Medicine
- Dr. William M. Scholl College of Podiatric Medicine at Rosalind Franklin University
- Temple University School of Podiatric Medicine

## **SCHEDULE "B" Fees**

**(Part 4, Section(s) 40-52 and Part 8, Section(s) 71 &73 )**

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### **1. Application fees:**

- (a) full registration \$ 520
- (b) non-practising registration \$ 520
- (c) temporary registration \$ 25
- (d) student registration \$ 25

### **2. Jurisprudence examination fee:**

- (a) first examination \$ 150
- (b) re-examinations (up to 2) \$ 75

### **3. Disclosure of Annual Report:**

- (a) Printed copy \$ 50

### **4. Initial registration fees:**

- (a) full registration: \$1550
- (b) non-practising registration \$ 100
- (c) temporary registration \$ 100
- (d) educational registration \$ 100
- (e) additional copy of certificate of registration \$ 75

### **5. Registration renewal fees:**

- (a) full registration: \$1550
- (b) non-practising registration \$ 100
- (c) temporary registration \$ 100
- (d) educational registration \$ 100

### **6. Reinstatement:**

- (a) for reinstatement under section 48: \$ 200
- (b) for reinstatement under sections 49 and 50: \$ 400

### **7. Podiatry Corporations**

- (a) permit application fee \$ 400
- (b) permit renewal fee \$ 100

### **8. Prorating of fees:**

Fees listed in Sections 3(a) and 4 (a) of this Schedule will be prorated on a quarterly basis for a registrant who practises less than a full year, including a registrant who discontinues practice for reasons of a maternity or paternity leave.

**SCHEDULE "C" Costs**  
**(Section 67)**

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**COLLEGE OF PODIATRIC SURGEONS OF BRITISH COLUMBIA**

**INVESTIGATIONS TARIFF**

For the purposes of calculating costs under this tariff, an investigation is deemed to run from the time the registrar receives a complaint in writing under sub-Section 32(1) of the *Act* until the inquiry committee takes action under sub-Section 33(6) of the *Act*

<i>Expense</i>	<i>Rate of indemnity</i>
Legal representation for the Purposes of the investigation	up to 50% of actual legal fees
Other reasonable and necessary professional Services contracted for the purposes of the Investigation	100% of actual fees
Other reasonable and necessary disbursements Incurred for the purposes of the investigation (including disbursements incurred by Legal Counsel)	100% of actual disbursements

**COLLEGE OF PODIATRIC SURGEONS OF BRITISH COLUMBIA**

**DISCIPLINARY HEARING TARIFF**

For the purposes of calculating costs under this tariff, qualifying expenses incurred from the time that the inquiry committee directs the registrar to issue a citation under subSection 33(6)(d) of the *Act* until

- (a) the inquiry committee accepts a written proposal for consent under subSections 37.1(2) or (5),
- (b) the discipline committee dismisses the matter under subSection 39(1) or
- (c) the discipline committee issues an order under s. 39(2)

are deemed to be expenses for the purposes of preparing for and conducting the hearing.

<i>Expense</i>	<i>Rate of indemnity</i>
Legal representation for the purposes of preparing for and conducting the hearing	up to 50% of actual legal fees
Reasonable and necessary expert witness fees for the purposes of preparing for and conducting the hearing	100% of actual fees
Other reasonable and necessary disbursements incurred for the purposes of preparing for and conducting the hearing (including disbursements incurred by legal counsel)	100% of actual disbursements