

## Second Update on Health Profession Regulation Modernization

*An overview of current Ministry of Health initiatives to prepare for implementation of the Health Professions and Occupations Act*

June 17, 2024

The *Health Professions and Occupations Act* (HPOA) received royal assent in the B.C. Legislative Assembly on November 24, 2022. While the legislation has passed, it is not yet in force. It will come into force by regulation of the Lieutenant Governor in Council (LGIC) at a future date. At this time, the *Health Professions Act* (HPA) continues to be the legislation which governs the regulation of health professions.

Future communications will address when the HPOA will come into force. The purpose of this newsletter is to highlight some of the progress made to date.

### **Establishing the new oversight body**

A key part of enacting the HPOA is to establish the Office of the Superintendent of Health Profession and Occupation Oversight (Superintendent's Office), including the appointment of a Superintendent and Director of Discipline.

A Superintendent has been selected. Sherri Young was appointed by Cabinet as the Superintendent on June 7, 2024, and brings significant experience to the role having most recently served as the public service commissioner in the Yukon for the past two years. The BC Government News Release on the announcement can be read [here](#).

Classification for the Director of Discipline position has been updated, and the position was re-posted. The competition remains underway. The role and duties of the position of the Director of Discipline are unchanged. Further updates regarding an appointment will come once the competition has concluded.

## **Special projects team**

Brian Westgate, who has been with the Ministry and the Professional Regulation and Oversight branch for almost 10 years, will take on an Acting Executive Director position in the new Office of the Superintendent of Health Professions and Occupations Oversight. Accompanied by a team, Brian will have a dual mandate in establishing the Superintendent's Office in addition to implementing and enacting the HPOA.

## **Regulatory College implementation of the HPOA**

On May 30, 2023, the society of BC Health Regulators (BCHR) was awarded a \$4.5 million grant from the Ministry of Health to support the regulatory colleges in preparation for implementation of the HPOA. BCHR has hired an executive lead, a project manager and legal counsel to help lead this work.

A key initiative for BCHR is the drafting of new college bylaws to align with requirements under the HPOA. Legal counsel engaged by BCHR is currently in the process of drafting model bylaws, in consultation with working groups that include members from the colleges and Ministry representatives.

The drafting and consultation on the model bylaws include reviewing the colleges' complaint processes, licensing processes and quality assurance programs, and contemplating what changes will need to be made to align with requirements under the HPOA.

Another key component of work within this project involves evaluating the guiding principles of the HPOA (section 14) with respect to how they apply to the regulatory colleges' policies, systems, and programs.

One of the HPOA guiding principles focuses on reconciliation and implementation of anti-racism measures. BCHR has hired specialists in equity, diversity and inclusion as well as reconciliation and Indigenous specific anti-racism to assist in drafting of the model bylaws and policies, and ensure the guiding principles are considered and incorporated.

## **Regulatory college amalgamations**

Reducing the number of regulatory colleges is a Ministry of Health priority. In November 2017, the HPA was amended to allow colleges to amalgamate. Since then, the total number of colleges has been reduced from 22 to 15.

Eleven of the remaining 15 colleges will amalgamate into two colleges on June 28, 2024. Allan Seckel, who was appointed by the Ministry of Health with specific

authorization to make the necessary decisions to lead the amalgamation.

Four colleges, which are the College of Chiropractors of BC, College of Massage Therapists of BC, College of Naturopathic Physicians of BC, and the College of Traditional Chinese Medicine Practitioners and Acupuncturists of BC, will amalgamate into one college known as the College of Complementary Health Professionals of BC.

The other seven regulatory colleges, which are the College of Dietitians of BC, College of Occupational Therapists of BC, College of Opticians of BC, College of Optometrists of BC, College of Physical Therapists of BC, College of Psychologists of BC, and College of Speech and Hearing Health Professionals of BC, will amalgamate into one college known as the College of Health and Care Professionals of BC.

The Ministry of Health has awarded grants of \$4 million and \$1.125 million to support the amalgamation.

### **Update on exemptions for regulator colleges from public sector requirements**

A key change under the HPOA is the transition to a fully appointed board model for regulatory health colleges, which was recommended in Harry Cayton's report ([An Inquiry into the Performance of the College of Dental Surgeons of British Columbia and the Health Professions Act](#)) and in the All-Party Steering Committee's report ([Recommendations to modernize the provincial health profession regulatory framework](#)). Under this model, recommendations for board positions will be made by an independent Superintendent following a transparent, merit-based selection process.

Moving to fully appointed boards means that colleges would be subject to various other Acts that apply to broader public sector organizations. These other Acts could impose various new requirements on the colleges. The Ministry of Health has been working with the relevant ministries to coordinate potential exemptions to these Acts to ensure that colleges continue to be independent in their role of protecting the public from harm and to ensure that they are not subject to any unnecessary requirements.

Exemptions supported:

- The Ministry of Finance supports the Ministry of Health's recommendation that the regulatory colleges be exempted from requirements within the *Public Sector Employers Act* (which will exempt the regulatory colleges from following government's standards around compensation plans, bargaining

mandates, employee termination standards, public reporting requirements) and the *Budget Transparency and Accountability Act* (which will exempt the regulatory colleges from requirements to create publicly available annual service plans and annual service plan reports, as well as certain forecasts and supplementary schedules regarding staff utilization).

- The Ministry of Attorney General supports the Ministry of Health's recommendation that the regulatory colleges be exempted from the definition of "Provincial entity" within the *Lobbyist Transparency Act*, meaning that stakeholders who communicate with the regulatory colleges will not be required to report these communications and register with the Lobbyists Registry.
- The Ministry of Environment and Climate Change Strategy supports the Ministry of Health's recommendation that the regulatory colleges be exempted from the requirements within the *Climate Change and Accountability Act*, which will exempt the regulatory colleges from requirements that they be carbon neutral and to create climate change accountability reports.

Continued work:

- The Ministry of Health continues to work with the Ministry of Finance on ameliorating the impacts of requirements within the *Financial Administration Act*.

### **Questions about the HPOA?**

The Professional Regulation and Oversight webpage on the Ministry of Health website has a Q&A document, which can be viewed by [clicking here](#). We encourage you to review and share the document.