

Health Professions Act

**TRADITIONAL CHINESE MEDICINE
PRACTITIONERS AND ACUPUNCTURISTS
REGULATION**

PROPOSED

**TO REPLACE
B.C. REG. 290/2008**

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Definitions

- 1 In this regulation:

"Act" means the *Health Professions Act*;

"active serious medical condition" means a disease, disorder or dysfunction which has disabling or life-threatening effects and which will not improve without immediate or surgical intervention;

"acupuncture" means the service of stimulating specific sites on the skin, mucous membranes or subcutaneous tissues by means of needles, laser acupuncture, magnetic therapy, acupressure, thermal stimulation or suctioning an act of stimulation, by means of needles, of specific sites on the skin, mucous membranes or subcutaneous tissues of the human body to promote, maintain, restore or improve health, to prevent a disorder, imbalance or disease or to alleviate pain and includes

(a) the administration of manual, mechanical, thermal and electrical stimulation of acupuncture needles;

(b) the use of laser acupuncture, magnetic therapy or acupressure, and

(c)–moxibustion (Jiu) and suction cup (Ba Guan);

"acupuncturist" means a registrant authorized under the bylaws to practise acupuncture;

"dentist" means a person authorized under the Dentists Act to practise dentistry;

"doctor of traditional Chinese medicine" means a traditional Chinese medicine practitioner who is authorized under the bylaws to use the title "doctor of traditional Chinese medicine";

"herbalist" means a registrant authorized under the bylaws to prescribe, compound or dispense Chinese herbal formulae (Zhong Yao Chu Fang) and Chinese food cure recipes (Shi Liao);

"naturopath" means a person authorized under the Act to practise naturopathic medicine;

"prescribe" means to give directions, either orally or in writing, for the preparation and administration of a traditional Chinese medicine remedy to be used in the treatment of a disorder or an imbalance;

"registrant" means a registrant who is authorized under the bylaws to practise traditional Chinese medicine;

"traditional Chinese medicine" means the health profession in which a person provides the service of traditional Chinese medicine therapy

(a) by means, in accordance with traditional Chinese medicine theories and principles, of one or more of the following:

- (i) acupuncture;
- (ii) traditional Chinese herbs and formulae and food cure recipes;
- (iii) manipulative therapy;
- (iv) Chinese energy regulation therapy, Chinese shadow boxing and other types of energetic exercise therapies, and

(b) for the purpose of promoting, maintaining, restoring and improving health.

promotion, maintenance and restoration of health and prevention of a disorder, imbalance or disease based on traditional Chinese medicine theory by utilization of the primary therapies of

(c)–Chinese acupuncture (Zhen), moxibustion (Jiu) and suction cup (Ba Guan);

(d)–Chinese manipulative therapy (Tui Na);

(e)–Chinese energy control therapy (Qi Gong);

~~(f)—Chinese rehabilitation exercises such as Chinese shadow boxing (Tai Ji Quan), and~~

~~(g) prescribing, compounding or dispensing Chinese herbal formulae (Zhong Yao Chu Fang) and Chinese food cure recipes (Shi Liao);~~

~~"traditional Chinese medicine practitioner" means a registrant authorized under the bylaws to practise traditional Chinese medicine.~~

College name

2 The name "College of Traditional Chinese Medicine Practitioners and Acupuncturists of British Columbia" is the name of the college established under section 15 (1) of the Act for traditional Chinese medicine and acupuncture.

Reserved titles

3 (1) The following titles are reserved for exclusive use by registrants:

- (a) acupuncturist;
- (b) doctor;
- (c) doctor of traditional Chinese medicine;
- (d) traditional Chinese medicine herbalist;
- (e) traditional Chinese medicine practitioner.

~~The title "acupuncturist" is reserved for exclusive use by acupuncturists.~~

~~(2) The title "traditional Chinese medicine practitioner" is reserved for exclusive use by traditional Chinese medicine practitioners.~~

~~(3) The title "traditional Chinese medicine herbalist" is reserved for exclusive use by herbalists.~~

~~(4) The titles "doctor of traditional Chinese medicine" and "doctor" are reserved for exclusive use by doctors of traditional Chinese medicine.~~

(5) This section does not prevent a person from using

- (a) the title "doctor" in a manner authorized by another enactment that regulates a health profession, or
- (b) an academic or educational designation that the person is entitled to use.

Scope of practice

4 A registrant may practice traditional Chinese medicine. ~~(1) An acupuncturist may practise acupuncture, including~~

- ~~(a) the use of traditional Chinese medicine diagnostic techniques, and~~
- ~~(b) the recommendation of dietary guidelines or therapeutic exercise.~~

~~(2) A traditional Chinese medicine practitioner may practise traditional Chinese medicine.~~

Restricted activities

5 A registrant in the course of practicing traditional Chinese medicine may do any of the following:

- (a) use the techniques of traditional Chinese medicine to make a diagnosis identifying, as the cause of signs or symptoms of an individual, a disease, disorder or condition;
- (b) in performing acupuncture, perform a procedure on tissue below the dermis or the mucous membrane.

No person other than a

- ~~(c) traditional Chinese medicine practitioner, acupuncturist or herbalist may make a traditional Chinese medicine diagnosis identifying a disease, disorder or condition as the cause of signs or symptoms,~~
- ~~(d) traditional Chinese medicine practitioner or a herbalist may prescribe those Chinese herbal formulae listed in a schedule to the bylaws of the College, and~~
- ~~(e) traditional Chinese medicine practitioner or an acupuncturist may insert acupuncture needles under the skin for the purposes of practising acupuncture.~~

5.1 Only a registrant may provide a service that includes the performance of an activity set out in section 5.

Limits or conditions on services

~~6-(1) No acupuncturist or herbalist may treat an active serious medical condition unless the client has consulted with a medical practitioner, naturopath, dentist or doctor of traditional Chinese medicine, as appropriate.~~

~~(2) A traditional Chinese medicine practitioner or an acupuncturist may administer acupuncture as a surgical anaesthetic only if a medical practitioner or a dentist is physically present and observing the procedure.~~

~~(3) An acupuncturist or herbalist must advise the client to consult a medical practitioner, naturopath, dentist or doctor of traditional Chinese medicine if there is no improvement in the condition for which the client is being treated within 2 months of receiving treatment.~~

- ~~(4) In the event a client does not consult with a medical practitioner, naturopath, dentist or doctor of traditional Chinese medicine, an acupuncturist or herbalist must discontinue treatment if~~
- ~~(a) there is no improvement in the condition for which the client is being treated after 4 months from the date treatment commenced;~~
 - ~~(b) the condition for which the client is being treated worsens, or~~
 - ~~(c) new symptoms develop.~~
- ~~(5) An acupuncturist or herbalist must not use traditional Chinese medicine diagnostic techniques except as authorized in the bylaws.~~

Patient relations program

- 7 The college is designated for the purposes of section 16 (2) (f) of the Act.