

Draft Bylaws Overview

Public Protection

Under the HPOA:

- New statutory* roles are required:
 - Capacity Officer: someone retained or employed by the College to exercise the power and duties of the Act.
 - Director of Discipline: person appointed by the Minister of Health to manage the discipline tribunal.
- There is new terminology being used:
 - Registrant becomes Licensee.
 - The Inquiry Committee becomes the Investigation Committee.
 - Summary protection order is a decision to impose or vary limits or conditions on a licensee's practice or suspend their practice.
 - Competence assessment means an assessment of a respondent's** competence and clinical practice conducted as part of an investigation.
 - Capacity evaluation means an evaluation of a respondent's capacity as part of an investigation or part of an order made by the investigation committee. A person has capacity to practise the designated health profession when not unduly impaired by a health condition.
 - Continuing practice order is a decision by the capacity officer to require education, training, clinical treatments, further assessments or other limits and conditions.
 - Revocation order is a decision by the capacity officer to revoke the licence of a respondent if they lack capacity, if a continuing practice order is not sufficiently addressing the risk of harm to the public, or if there are reasonable grounds to think the respondent is not complying with the order.

Under the new bylaws related to public protection:

- The College no longer handles disciplinary functions; the Director of Discipline does.
- The Registrar is responsible for enforcing disciplinary orders made by the Director of Discipline.
- The Registrar, in consultation with the Investigation Committee, may recommend content for a citation to the Director of Discipline.
- Licensees can request a review and reconsideration of specific decisions:
 - Disciplinary order for administrative matter
 - Revocation order
 - Continuing practice order
 - Summary protection order



- Summary protection orders can be made when the Investigation Committee has reasonable grounds to believe that there is a significant risk of harm to the ongoing practice of the designated health professional.
- Investigators may order competence assessments.
- The Registrar can act as the capacity officer if they meet the criteria in the Act and the Investigation Committee can direct a capacity evaluation.
- The Investigation Committee can make dispositions (a final decision on a case) with or without consent in specific circumstances.
- The Registrar is authorized to establish a proactive program on unauthorized practice to monitor and continue receiving reports relating to titles, aspects of or restricted activities of the designated health professions regulated by the College.
- The College through the Registrar establishes a monitoring program to ensure regulatory compliance. The program can include various requirements such as self-assessment, questions and interviews. At this time, the College has not developed the program and will communicate further about this in the future.

The new bylaws also include requirements and rules that are already existing in the College's current bylaws:

- A complaint must be made in writing and must include specific information. Assistance can be provided to a person who is unable to complete their complaint in writing.
- Following the conclusion of the investigation of a complaint, the final report must be provided to the respondent before the Investigation Committee makes a determination on the matter.
- Investigation expenses can be charged back to the respondent in accordance with the College Schedule. The existing Schedule and will be reviewed and adapted as needed. It will be available for consultation at a later time.
- A licensee whose license is suspended must comply with specific duties.

* "statutory" means required in the legislation

** "respondent" is the licensee that must answer to a complaint filed against them

The full part of the draft bylaws is available here: <https://chcpbc.org/wp-content/uploads/2025/05/2025-05-08-draft-bylaws-part-11-consultation.pdf>