

Policy Category:	Policy Title:	Policy #:
Inquiry & Discipline	Wellness Program	POL-INQ-03
Regulation   Bylaw Reference:		HPA Reference:
Section 22, 166 ~ 175		Section 32.2, 32.3
Authorization:	Date Approved:	Last Revised:
CSHBC Board	February 24, 2017	June 29, 2020

## DEFINITIONS

**“Self-reporting”** means a registrant who consents to an agreement between the Inquiry Committee and a registrant for limits or conditions, or to a suspension of registration.

## PURPOSE

This policy recognizes that recovery pathways exist for both addiction and mental health issues, and that a Wellness Program may be established and administered to work with registrants seeking treatment.

The purpose of this policy is to pre-define the terms of any agreement that the Inquiry Committee and a registrant may enter under sections 32.2(4)(b) or 32.3(3)(b) of the *Health Professions Act* (the “Act”), which state that a registrant “must” agree to:

- a suspension (i.e., in the form of voluntarily withdrawing from practice, and transferring to the inactive register);
- a condition of practice being an Independent Medical Examination (IME) by a physician acceptable to the College;
- an undertaking to (a) fulfil any treatment conditions prescribed or recommended by a physician acceptable to the College, and (b) undergo any treatment or measures prescribed or recommended by a physician acceptable to the College;
- costs of independent assessment and treatment will be borne by the registrant; and
- an undertaking to cease practice if the “physician of record” determines non-compliance, or if a “relapse” occurs, and in the event of a relapse, to undergo a re-evaluation and be subject to additional treatment conditions and an updated agreement.

This policy is non-binding, and relates to agreement terms, under sections 32.3 or 32.3 of the Act, that will generally serve the public interest, subject to the overriding discretion of the Inquiry Committee. Where a limit, condition, or suspension of registration is warranted, anonymity in the mandatory public notice concerning any agreement depends on the registrant admitting a condition under section 33(4)(e) of the Act.

## SCOPE

All registrants of the College of Speech and Hearing Health Professionals of British Columbia (the “College”).

## TRIGGERING EVENT

Under both sections 32.2(4)(b) and 32.3(3)(b) of the Act, the Inquiry Committee may enter into an “agreement” with a registrant to either impose limits or conditions, or to suspend registration.

Section 32.2 of the Act refers to the duty of any other registrant of any college reporting a registrant of the College whose continued practice may constitute a danger to the public. Section 32.3 of the Act refers to the duty of a chief administrator of a hospital, and a treating physician, to report, inter alia, a registrant of the College who is unable to practice due to being hospitalized for psychiatric care or treatment, or treatment to alcohol or drugs. Both section 32.2(4)(b) and 32.3(3)(b) of the Act contemplate an agreement between the Inquiry Committee and a registrant for limits or conditions, or to a suspension of registration.

## PUBLIC NOTIFICATION

If a registrant is reported under section 32.2 or section 32.3 of the Act, then section 39.3 of the Act (“public notification”) requires a public notice with respect to “(a) an action taken under section 32.2(4)(b), 32.3(3)(b), 33(2) or 35(1) ...”.

Under section 39.3(4) of the Act, the Inquiry Committee may, however, direct the withholding of some information (e.g., the registrant’s identity) where a registrant admits s/he suffers from a condition described in section 33(4)(e). The definition of “self-report” does not, however, require that a registrant admit any particular condition.

This means some registrants who “self-report” must be identified, i.e., those who do not admit to “a physical or mental ailment, an emotional disturbance or an addiction to alcohol or drugs that impairs his or her ability to practice the designated health profession”.

Further, a report under section 32.2 of the Act is not limited to registrants who suffer from an impairment. It may cover a registrant who is incompetent and who is, on that basis, a danger to the public. This means that if a registrant agrees to a suspension, but is incompetent, then public notice must include the registrant’s name.

## CSHBC & OTHER RELATED DOCUMENTS

College of Speech and Hearing Health Professionals of British Columbia [Bylaws](#).

Government of British Columbia, [Health Professions Act](#), R.S.B.C. 1996, c.183, Victoria, BC: Queens Printer.

*Duty to Report* (SOP-PROF-04).