



College of Speech and
Hearing Health Professionals
of British Columbia

BYLAWS

Includes amendments up to and including June 29, 2020

DEFINITIONS AND INTERPRETATIONS

Definitions

1. In these bylaws:

“**Act**” means the *Health Professions Act*;

“**appointed board member**” means a person appointed to the board under section 17(3)(b) of the Act;

“**board**” means the board of the college;

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

“**client**” means a person who receives a service provided by a registrant, and includes, if the context so requires, the parent or legal guardian of a child client, or the personal guardian or legal representative of an adult client;

“**clinical decision support tool**” means information created or approved by the quality assurance and professional practice committee that supports clinical decision making, and includes professional guidelines, clinical practice guidelines, clinical procedures and protocols;

“**college**” means the College of Speech and Hearing Health Professionals of British Columbia;

“**communication health assistant**” means a non-registrant employed by a registrant or a registrant’s employer to support the registrant’s practice of a profession;

“**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, or delivery by email or similar electronic means to a person’s email account;

“**elected board member**” means a registrant elected to the board under section 17(3)(a) of the Act or appointed to the board under section 10;

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

“**FIPPA**” means the *Freedom of Information and Protection of Privacy Act*

“**general meeting**” means a general meeting of registrants convened under section 37;

“**in good standing**” means

(a) in respect of a registrant,

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

(ii) no limits or conditions are imposed on the practice of the registrant under section 20, 32.2, 32.3, 33, 35, 36, 37.1, 38, 39 or 39.1 of the Act, and

(b) in respect of a member of a regulatory body that governs one or more of the professions in another jurisdiction,

(i) the member has met the continuing competency requirements or quality assurance requirements of that regulatory body,

(ii) the member has paid the applicable membership fees of that regulatory body,

(iii) the member is not the subject of an active complaint investigation or an active citation or disciplinary proceeding initiated by that regulatory body, and

(iv) the member does not have any sanctions or restrictions placed on his practice.

“**PIPA**” means the *Personal Information Protection Act*

“**profession**” means one of hearing instrument dispensing, speech-language pathology or audiology;

“**professional association**” means a health profession association as defined in section 1 of the Act or similar organization, that

(a) is composed of members who are registrants or persons registered or licensed in another jurisdiction for the practice of audiology, hearing instrument dispensing, or speech-language pathology, and

(b) has as one of its purposes the promotion of the interests of its members;

“**professional misconduct of a sexual nature**” means

(a) sexual intercourse or other forms of physical sexual relations between the registrant and the client,
(b) touching, of a sexual nature, of the client by the registrant, or
(c) behaviour or remarks of a sexual nature by the registrant towards the client;
but does not include touching, behaviour and remarks by the registrant towards the client that are of a clinical nature appropriate to the service being provided.

“**public body**” means a “public body” as defined in Schedule 1 of FIPPA;

“**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;

“**quality assurance program**” means the program administered by the quality assurance and professional practice committee under section 26.1 of the Act;

“**Regulation**” means the Speech and Hearing Health Professionals Regulation, B.C. Reg. 413/2008;

“**respondent**” means a registrant named in a citation under section 37 of the Act;

“**special resolution**” means a resolution that requires a 75 percent majority vote of those persons present and eligible to vote at a meeting;

“**supervision**” means a situation in which a person’s practice is overseen by a qualified registrant;

“**trade union**” means a local, provincial or national organization or association of employees that

- (a) has as one of its purposes the regulation of relations between those employees and their employers through collective bargaining, and
- (b) includes among those employees, registrants employed in their professional capacity as audiologists, hearing instrument practitioners or speech-language pathologists.

Interpretations

1.1. Where a section in these bylaws refers to supervision, the scope, nature or form of that supervision is to be applied in accordance with the policy, standard or guideline approved by the board which describes the applicable scope, nature or form of that supervision.

DIVISION A – GOVERNANCE AND ADMINISTRATION

Part 1 – College Board

Composition of the board

2(1) The board consists of 8 elected board members and the appointed board members.

(2) Of the 8 elected board members

(a) 2 must be registrants in the profession of hearing instrument dispensing,

(b) 2 must be registrants in the profession of audiology, and

(c) 4 must be registrants in the profession of speech-language pathology.

Voting and non-voting registrants

2.1. In an election under section 17(3)(a) of the Act,

(a) only full registrants and retired registrants are eligible to be elected, and

(b) only full registrants, non-practising registrants and retired registrants are eligible to vote.

Notice of election

3(1) The registrar must deliver notice of an election under section 17(3)(a) of the Act to every registrant eligible to vote under section 2.1(b) 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.

(3) The accidental omission to deliver notice under subsection (1) to, or the non-receipt of such a notice by, a registrant entitled to receive that notice does not invalidate the election, any proceedings in relation to the election, or the results of the election.

Nomination procedure

4(1) Subject to subsections (2) to (6), a registrant eligible to vote under section 2.1(b) may nominate up to 2 registrants who, under sections 2(2) and 2.1(a), are eligible to be elected to a board member position up for election.

(2) A full registrant in the profession of hearing instrument dispensing must not be nominated for election to one of the elected board member positions for the profession of hearing instrument dispensing under section 2(2)(a) if he or she is also a full registrant in one or both of the following:

- (a) the profession of audiology;
- (b) the profession of speech-language pathology.

(3) A full registrant in both the profession of audiology and the profession of speech-language pathology may

- (a) subject to paragraphs (b) and (c), be nominated for election to either an elected board member position for the profession of audiology under section 2(2)(b) or an elected board member position for the profession of speech-language pathology under section 2(2)(c),
- (b) only be nominated for election to an elected board member position for the profession of audiology if he or she declares in writing that he or she practices the profession of audiology as much as or more than the profession of speech-language pathology, and
- (c) only be nominated for election to an elected board member position for the profession of speech-language pathology if he or she declares in writing that he or she practices the profession of speech-language pathology as much as or more than the profession of audiology.

(4) A nomination under subsection (1) must

- (a) be delivered to the registrar

- (i) at least 90 days prior to the expiry of the term of office for the board member position or positions up for election, and
 - (ii) in a form approved by the registrar, and
 - (b) include a signed statement from the nominated registrant
 - (i) consenting to the nomination,
 - (ii) declaring that he or she will observe the provisions of the Act, the regulations and these bylaws, the procedures related to the election, and the conduct of the election, and
 - (iii) where applicable, declaring that his or her practice complies with either the requirement under subsection (3)(b) or the requirement under subsection (3)(c).
- (5) Subject to subsections (2) and (3), a registrant may only be nominated under subsection (1) if the registrant
- (a) is in good standing,
 - (b) is not
 - (i) the subject of an investigation under section 33 of the Act, or
 - (ii) named in an unresolved citation issued by the registrar under section 37 of the Act,
 - (c) has paid all fees, fines, levies or debts due and owing to the college, and
 - (d) subject to subsection (6), is not a director or officer of a professional association or a trade union.
- (6) A registrant who meets the qualifications set out in subsection (5)(a) to (c) but holds one of the positions identified in subsection (5)(d) may be nominated under subsection (1) if, at the time his or her nomination is delivered under subsection (4), the registrant provides the registrar with a written agreement to resign that position on being elected as a board member.

Election procedure

5(1) Not less than 60 days prior to the expiry of the term of office for the board member position or positions up for election, the registrar must prepare an election ballot and deliver to each registrant eligible to vote under section 2.1(b)

- (a) a copy of the ballot, and

- (b) instructions for completing the ballot and submitting it to the registrar.
- (2) A registrant eligible to vote under section 2.1(b) is entitled to one ballot and may vote in favour of one candidate for each board member position to be elected regardless of the profession in which the registrant is registered.
- (3) The registrar must not count a ballot unless it is
- (a) completed and submitted in accordance with the instructions delivered by the registrar under subsection (1)(b), and
 - (b) received by the registrar at least 30 days prior to the expiry of the term of office for the board member position or positions up for election.
- (4) The candidate or candidates 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 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) Where, at the close of nominations, the number of registrants from a profession nominated under section 4 is less than or equal to the number of board member positions for the profession that are up for election, the nominated registrants are deemed to be 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

- 6(1) The term of office for an elected board member is 3 years.
- (2) An elected board member may serve a maximum of 3 consecutive terms.

Assuming or leaving office

7(1) A successful candidate assumes his or her position on the board once that member has presented a completed oath of office or certificate to the registrar under section 17.11(3) of the Act.

(2) An elected board member may resign at any time by delivering a notice in writing to the registrar and the resignation is effective when received by the registrar.

Removal of elected board member

8(1) An elected board member ceases to hold if he or she

- (a) ceases to be a full registrant or a retired registrant in good standing,
- (b) submits a written resignation to the chair of the board or the registrar,
- (c) becomes an employee of the college,
- (d) is removed by resolution under section 17.11(5) of the Act,
- (e) is absent from 3 or more consecutive board meetings for a reason that the board does not find acceptable, or
- (f) is elected or appointed to, or becomes employed in, a position described in section 4(3)(e).

(2) Before the board acts under section 17.11(5) of the Act, a notice of the resolution for removal must be provided to every member of the board then in office, accompanied by a brief statement of the reason or reasons for the proposed removal.

(3) An elected member of the board who is the subject of a proposed resolution for removal under section 17.11(5) of the Act must be given an opportunity to be heard before the resolution is put to a vote.

Deemed removal of elected board member: Disciplinary proceeding

9(1) If an elected member of the board

- (a) has had his or her membership as a registrant cancelled under section 39(2)(e) of the Act, or
- (b) agrees to a cancellation of his or her membership in a consent agreement reached under section 36(1) of the Act,

that elected member ceases to hold office.

(2) If an elected member of the board

(a) has had his or her membership as a registrant suspended under sections 35(1)(b) or 39(2)(c) of the Act, or

(b) agrees to a suspension of his or her membership in a consent agreement reached under section 36(1) of the Act,

that elected member ceases to hold office during the period of suspension.

Vacancy

10(1) Where there is a vacancy of an elected board member position, the board may, by special resolution, appoint to the position a registrant who is eligible to be nominated for the position under section 4.

(2) A registrant appointed to fill a vacancy under subsection (1) serves the remainder of the term of the board member whose departure from the board created the vacancy.

Remuneration of board members

11(1) A board member is entitled to be

(a) paid an honorarium or a per diem, or both, and

(b) reimbursed by the college for reasonable expenses necessarily incurred in connection with the business of the college,

in the amounts and on such terms and conditions as the board may set out in policies and procedures.

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

Board chair and vice-chair

12(1) Each year, the board members must elect from among their number a chair and a vice-chair by majority vote

(a) at the first meeting of the board following an election under section 17(2) of the Act, or

(b) in a year where there is no election under section 17(2) of the Act, at the first meeting that is at least eleven months after the date of the election of the chair and the vice-chair in the year before.

- (2) The term of office for the chair and the vice-chair begins at the time they are elected under subsection (1) and ends in the next year at the start of the board meeting described in subsection (1)(a) or (b).
- (3) While a board member remains on the board, there is no limit on the number of terms that he or she may serve as the chair or the vice-chair of the board, either in succession or in total.
- (4) The chair of the board must
- (a) preside at all meetings of the board and general meetings of the college,
 - (b) sign all instruments executed on behalf of the college as required,
 - (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.
- (5) In the absence of the chair of the board, the vice-chair of the board must perform the duties of the chair.
- (6) If both the chair and the vice-chair of the board are absent from a board meeting, the board members present must elect one of their number by majority vote to be the acting chair for that meeting.

Board meetings

- 13(1) The board must meet at least 4 times in each fiscal year and must provide reasonable notice of board meetings to registrants and the public.
- (2) The registrar must call a meeting of the board at the request of either the chair of the board or any 3 board members.
- (3) Posting notice of a board meeting on the college website is deemed to meet the requirement for notice to registrants and the public under subsection (1).
- (4) The registrar must provide the following to registrants and members of the public on request:
- (a) details of the time and place of a board meeting,
 - (b) a copy of the agenda for that meeting, and
 - (c) a copy of the minutes of any previous meeting.

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

(6) Despite subsections (1) and (2), the chair of the board may call a meeting of the board without providing notice to registrants and to the public if necessary to conduct urgent business.

(7) Subject to subsection (8), meetings of the board must be open to registrants and the public.

(8) The board may exclude any person from any part of a board meeting if it is satisfied that one or more of the following matters may be discussed:

(a) financial, personal or other matters of such a nature that the interest of any person affected or the public interest in avoiding public disclosure of those matters

outweighs the public interest in board meetings being open to the public;

(b) information concerning an application by any individual for registration under section 20 of the Act, the disclosure of which would be an unreasonable invasion of the applicant's personal privacy;

(c) information concerning a complaint against, or an investigation of, any individual under Part 3 of the Act, the disclosure of which would be an unreasonable invasion of the individual's personal privacy;

(d) information the disclosure of which may prejudice the interests of any person involved in

(i) a proceeding under the Act, including a disciplinary proceeding under Part 3 of the Act or a review under Part 4.2 of the Act, or

(ii) any other criminal, civil or administrative proceeding;

(e) personnel matters;

(f) property acquisitions or disposals;

(g) the contents of examinations;

(h) communications with the Office of the Ombudsperson;

(i) instructions given to or opinions received from legal counsel under section 58, or any other matter that is subject to solicitor-client privilege;

(j) information that the college would be required or authorized to refuse to disclose to an applicant making a request for records under Part 2 of FIPPA;

(k) information that the college is otherwise required by law to keep confidential.

(9) If the board excludes any person from all or a part of a board meeting, its reasons for doing so must be noted in the minutes of the meeting.

(10) The registrar must ensure that minutes are taken at each board meeting, retained on file and, subject to subsection (11), posted on the college website.

(11) Before posting board meeting minutes on the college website, the registrar may edit the minutes to remove information about any matter referred to in subsection (8), provided the reasons for removing that information are noted in the edited minutes.

(12) If some or all of the board members are unable to meet in person, the board may meet and conduct business using videoconference, teleconference and internet conference connections, using any other electronic means or using any combination of these.

(13) 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.

Repealed

14. [Repealed 2017-05-13.]

Repealed

15. [Repealed 2017-05-13.]

Voting

16(1) A majority of the board constitutes a quorum.

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

(3) In case of an equality of votes, the chair of a board meeting 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.

(4) Voting by proxy is not permitted at a board meeting.

Resolution in writing

17(1) Where it is not possible for the board to meet to discuss an urgent issue that requires a prompt decision, the board may vote on resolution by email or any other form of written communication, and if approved in writing by a majority of the board members voting, the resolution is valid and binding and of the same force and effect as if it had been duly passed at a meeting of the board.

(2) A record of a resolution conducted under subsection (1) must be included in the minutes of the next meeting of the board.

Spokespersons

18. Only the chair of the board or other persons authorized by the chair may speak on behalf of the college concerning board decisions or policies.

Repealed

19. [Repealed 2019-XX-XX.]

Registrar

20(1) In addition to the duties and powers of the registrar under the Act, the registrar is authorized under section 19(2.1) of the Act to

- (a) establish, by bylaw, the forms, certificates or similar documents specified in these bylaws, and
- (b) require the use of such documents by applicants for registration or registrants.

(2) Despite section 29(7), the registrar is an *ex officio* (non-voting) member of every committee.

Part 2 – Committees

Registration committee

21(1) The registration committee is established consisting of at least 5 persons appointed by the board, and must include

- (a) at least one registrant from each profession, and

(b) at least 2 public representatives.

(2) The number of public representatives on the registration committee must constitute at least one-third of the total number of persons on the committee.

(3) In addition to the duties and powers of the registration committee under Parts 2 and 3 of the Act, the committee is responsible for the duties and powers granted to the committee under Division B of these bylaws.

Examination Advisory Committee

21.1(1) The examination advisory committee is established consisting of at least 3 registrants appointed by the board and must include at least one registrant from each profession.

(2) The examination advisory committee is responsible for:

(a) developing, under the direction of the registration committee, the content of the examinations required by these bylaws that are administered by the college;

(b) assessing and making recommendations to the registration committee on the examination requirements to become a full registrant.

Inquiry committee

22(1) The inquiry committee is established consisting of at least 5 persons appointed by the board, and must include

(a) at least one registrant from each profession, and

(b) at least 2 public representatives.

(2) The number of public representatives on the inquiry committee must constitute at least one-third of the total number of persons on the committee.

(3) In addition to the duties and powers of the inquiry committee under sections 33 to 37.1 of the Act, the committee is responsible for the duties and powers granted to the committee under Part 14 of these bylaws.

Discipline committee

23(1) The discipline committee is established consisting of at least 5 persons appointed by the board, and must include

- (a) at least 1 registrant from each profession, and
- (b) at least 2 public representatives.

(2) The number of public representatives on the discipline committee or a panel of the committee must constitute at least one-third of the total number of persons on the committee or panel.

(3) In addition to the duties and powers of the discipline committee under sections 38 and 39 of the Act, the committee is responsible for the duties and powers granted to the committee under Part 15 of these bylaws.

Quality assurance and professional practice committee

24(1) The quality assurance and professional practice committee is established consisting of at least 5 persons appointed by the board, and must include

- (a) at least one registrant from each profession, and
- (b) at least 2 public representatives.

(2) The number of public representatives on the quality assurance and professional practice committee must constitute at least one-third of the total number of persons on the committee.

(3) In addition to the duties and powers of the quality assurance and professional practice committee under sections 26.1 and 26.2 of the Act, the committee is responsible for the following:

- (a) preparing for approval by the board standards of practice and clinical decision support tools to enhance the quality of practice and to reduce incompetent, impaired or unethical practice among registrants, including standards of practice for registrants who are granted a certified practice certificate under Part 10;
- (b) reviewing existing standards of practice and clinical decision support tools, including standards of practice for registrants who are granted a certified practice certificate under Part 10, and recommending to the board changes to those standards and support tools;
- (c) preparing for approval by the board requirements for certified practice certificates under Part 10;

- (d) establishing and maintaining a quality assurance program to promote high standards of practice among registrants;
- (e) assessing the professional performance of registrants;
- (f) approving continuing competency courses or programs required in these bylaws.

Certified practice advisory committee

25(1) A certified practice advisory committee is established consisting of the following persons appointed by the board:

- (a) at least 6 registrants with equal representation from each profession;
- (b) at least one physician confirmed by the College of Physicians and Surgeons of British Columbia as suitable for membership on the committee.

(2) Notwithstanding section 29(4), the certified practice advisory committee must report to the quality assurance and professional practice committee and do so in a form and at a time as directed by the quality assurance and professional practice committee.

(3) In addition to any tasks or projects the quality assurance and professional practice committee may direct the certified practice advisory committee to undertake, the certified practice advisory committee is responsible for:

- (a) developing for consideration by the quality assurance and professional practice committee the standards of practice for registrants who are granted a certified practice certificate under Part 10;
- (b) monitoring the application of the standards of practice approved by the board for registrants who are granted a certified practice certificate under Part 10 and recommending to the quality assurance and professional practice committee revisions to those standards;
- (c) developing for consideration by the quality assurance and professional practice committee the requirements for certified practice certificates under Part 10;
- (d) monitoring the application of the requirements approved by the board for certified practice certificates under Part 10 and recommending to the quality assurance and professional practice committee revisions to those requirements;

- (e) assisting the registration committee with the review and evaluation of applications for certified practice certificates and renewal of certified practice certificates.

Repealed

26. [Repealed 2019-XX-XX.]

Finance and audit committee

27(1) The finance and audit committee is established consisting of at least 3 persons appointed by the board, one of which must be a board member.

(2) The finance and audit committee 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 accountant immediately after the close of each fiscal year;
- (b) advising the board on the needs of the college in regard to financial administration, and the financial implications of board decisions;
- (c) advising the board on the application of legislative, regulatory and other financial requirements to the college;
- (d) developing, establishing and administering, for the approval of the board, financial policies, systems and procedures essential to the financial administration of the college;
- (e) overseeing the organization, staffing and training of financial staff of the college.

Communication health assistant advisory committee

28(1) The communication health assistant advisory committee is established consisting of at least 6 registrants and communication health assistants appointed by the board, which must include

- (a) at least one registrant from each profession, and
- (b) at least one communication health assistant from each profession.

(2) Despite section 29(4), the communication health assistant advisory committee must report to the quality assurance and professional practice committee and do so in a form and at a time as directed by the quality assurance and professional practice committee.

(3) The communication health assistant advisory committee is responsible for:

- (a) developing and recommending to the quality assurance and professional practice committee
 - (i) standards of practice and clinical decision support tools applicable to delegating aspects of practice to communication health assistants and supervising those assistants, and
 - (ii) information and resources for registrants regarding their use of communication health assistants;
- (b) undertaking such other tasks or projects as may be assigned by the quality assurance and professional practice committee or the board.

Governance advisory committee

28.1 (1) The governance advisory committee is established consisting of at least 5 persons appointed by the board, and must include

- (a) at least one registrant from each profession, and
- (b) at least 2 public representatives.

(2) At least 1/3 of the governance advisory committee must be public representatives.

(3) The governance advisory committee is responsible for:

- (a) identifying the competencies needed in candidates for a board election and, in collaboration with the registrar, ensure information about those needed competencies is disseminated to registrants prior to the board election;

- (b) identifying and recruiting registrants who have the competencies identified under paragraph (a) and who are eligible to be nominated for vacant and pending vacant board member positions;
- (c) identifying and recruiting persons whom the board may appoint to a committee;
- (d) advising the board and developing policies for approval by the board on
 - (i) the appointment of committee chairs,
 - (ii) orientation, education and mentoring for the board chair and vice-chair, board members, committee chairs and committee members,
 - (iii) performance reviews and evaluations for the board chair and vice-chair, board members, committee chairs and committee members,
 - (iv) performance reviews and evaluations for the registrar, and
 - (v) registrar succession planning;
- (e) developing for approval by the board a competency framework and tools for the evaluation of the board chair and vice-chair, board members, committee chairs, committee members and the registrar.

Committees

- 29(1) The board may set the term of a person appointed to a committee and may reappoint such a person.
- (2) The board may remove a committee member by a majority vote.
- (3) The board must designate the chair of a committee from among the members of the committee.
- (4) The chair of a committee must report to the board and do so in a form and at a time as directed by the board.
- (5) A committee must submit an annual report of its activities of the past year to the board and do so in a form and at a time as directed by the board.
- (6) In carrying out its responsibilities, a committee may consult, as it considers necessary or appropriate, with registrants or other individuals who have expertise relevant to a matter considered by the committee.

(7) A person must not simultaneously be a member of more than one of the inquiry committee, the discipline committee, and the quality assurance and professional practice committee.

Meetings of a committee

30(1) A majority of a committee constitutes a quorum.

(2) The absence of a public representative at a meeting of a committee does not invalidate an act or decision of that committee performed or made during that meeting.

(3) Sections 11, 13(6) and (7), 15, 16 and 17 apply to a committee as if it were the board.

(4) If the chair of a committee is absent from a committee meeting, the committee members present must elect one of their number by majority vote to be the acting chair for that meeting.

Part 3 – Panels

Definitions

31. In this Part,

“**profession-specific panel**” means a panel that is composed of a majority of registrants of one profession;

“**standing panel**” means a panel that will meet on an on-going basis.

Committee panels

32(1) The board or a committee may meet in panels or establish panels.

(2) A panel established under subsection (1) may be a profession-specific panel, a standing panel or both.

Composition of panels

33(1) A panel must be composed of at least 3 persons.

(2) If a panel is to exercise a statutory authority, the number of public representatives on the panel must constitute at least one-third of the total number of persons on the panel.

- (3) If a panel is to consider an issue that requires the expertise of a registrant from one of the professions, the panel must be a profession-specific panel.
- (4) The board or committee establishing a panel must
 - (a) appoint the members of a panel in accordance with subsections (2) and (3), and
 - (b) subject to section 34(5), appoint the chair of the panel.
- (5) The board or a committee may establish a roster of registrants and public representatives to sit on panels that may be established under this Part.

Activated panels

- 34(1) This section applies only to the board, the registration committee, the inquiry committee, the discipline committee and the quality assurance and professional practice committee.
- (2) If the board or a committee
 - (a) is to consider an issue or make a decision that
 - (i) is to be addressed or made by the board or a committee in the course of exercising or performing a statutory power or duty, and
 - (ii) requires the expertise of a registrant from one of the professions, but
 - (b) the members cannot agree to establish a profession-specific panel for that purpose or assign the issue to a profession-specific standing panel,a member of the board or committee from the profession in question may activate the creation of a profession-specific panel or refer the matter to a profession-specific standing panel of a committee.
 - (3) To activate a panel under subsection (2), the member must advise the chair of the board or committee in writing that that member is creating the profession-specific panel under this section.
 - (4) The board or committee cannot veto or over-ride a member's decision to activate a panel once the panel has been activated under subsection (2).
 - (5) The member who has activated the creation of a panel or the referral under subsection (2) may chair the activated panel.

Authority of a panel

35(1) A panel of the board or a committee established under this Part may exercise any power, duty, or function of the board or that committee required under the Act or these bylaws, and may do so on behalf of and in the name of the board or committee, and without the need for final approval by the board or committee.

(2) A panel that has made a decision on behalf of and in the name of the board or committee must promptly report that decision to the board or committee, and do so in a form and at a time as may be directed by the board or committee.

(3) A panel activated under section 34 ceases to exist after that panel has made its final report to the board or committee in accordance with subsection (2).

Meetings of a panel

36(1) A majority of the members of a panel constitute a quorum.

(2) The absence of a public representative or an appointed board member at a meeting of a panel does not invalidate an act or decision of that panel performed or made during that meeting.

(3) Sections 11, 13(6) and (7), 15, 16 and 17 apply to a panel as if it were the board.

Part 4 – General Meetings of Registrants

General meetings

37(1) A general meeting must be

- (a) held in British Columbia at a time and place determined by the board,
- (b) open to the public.

(2) 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 presented at an annual general meeting:

- (a) financial statements;
- (b) the report of the board;
- (c) the report of the registrar; and
- (d) the report of the accountant, if any.

(4) Every general meeting, other than an annual general meeting, is an extraordinary general meeting.

(5) The board

- (a) may convene an extraordinary general meeting by resolution of the board, and
- (b) must convene an extraordinary general meeting within 60 days after receipt by the registrar of a request for such a meeting signed by at least 10 percent of
 - (i) the registrants from a profession who are eligible to vote, or
 - (ii) registrants who are eligible to vote.

Notice of general meetings

38(1) Subject to section 40(5), the registrar must provide notice of a general meeting to every registrant and the public 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 matters to be considered at the meeting;
- (c) any resolutions proposed by the board; and
- (d) any resolutions proposed by registrants under section 39 and delivered to the registrar before the notice is provided.

(3) The registrar may satisfy the requirement to provide notice under subsection (1) and section 40(5) by posting on the college website notice that complies with subsection (2).

(4) The accidental omission to provide notice of a general meeting to, or the non-receipt of such notice by, a person entitled to receive it does not invalidate proceedings at that meeting.

Resolutions proposed by registrants

39(1) At least 30 days prior to the date of a general meeting, any 20 registrants who are eligible to vote at the meeting may deliver to the registrar a written request to introduce a resolution at the meeting.

(2) If a resolution received in compliance with subsection (1) has not been included in the notice for a general meeting under section 38(2)(d), the registrar must post a copy of the resolution on the college website at least 14 days prior to the date of the meeting.

(3) A registrant who is eligible to vote at a general meeting may propose a resolution from the floor of the meeting, and any such resolution will be noted by the chair of the meeting and placed at the end of the agenda to be debated if time permits.

(4) All resolutions at a general meeting are for the consideration of the board and are not binding on the board.

Proceedings at general meetings

40(1) Subject to subsection (6), a quorum for a general meeting is 10 registrants who are eligible to vote at the meeting.

(2) If there ceases to be a quorum present during a general meeting, the business then in progress must be suspended, and while a quorum is not present, no further business may be conducted, other than the adjournment or termination of the meeting.

(3) An annual general meeting or an extraordinary general meeting convened by resolution of the board under section 37(5)(a) must be adjourned to a date within 45 days, at a time and place to be determined by the board, if a quorum is not present within 30 minutes from

(a) the time appointed for the start of the meeting, or

(b) any time during the meeting when there ceases to be a quorum present.

(4) An extraordinary general meeting convened further to a request under section 37(5)(b) must be adjourned and cancelled and no further action may be taken in respect of the request to convene the meeting if a quorum is not present within 30 minutes from

(a) the time appointed for the start of the meeting, or

(b) any time during the meeting when there ceases to be a quorum present.

(5) When a general meeting is adjourned under subsection (3) or by motion, notice of the rescheduled meeting in accordance with section 38(2) must be provided to every registrant and the public at least 15 days prior to the date of the rescheduled meeting.

(6) The registrants who attend a general meeting reconvened following an adjournment under subsection (3) and who are eligible to vote at the meeting will be deemed to be a quorum for the meeting.

(7) No business may be transacted at a general meeting that is reconvened following an adjournment other than the business left unfinished when the meeting was adjourned.

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

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

(10) Except as these bylaws otherwise provide, the most recent edition of *Robert's Rules of Order* governs the procedures at a general meeting.

Voting

41(1) A registrant eligible to vote at a general meeting who is present at a general meeting is entitled to one vote, and the chair of the meeting, if the chair is a registrant eligible to vote at a general meeting, is entitled to one vote.

(2) Voting at a general meeting may be conducted

(a) by a show of hands, or

(b) by secret ballot, if

(i) the chair of the meeting determines that the subject matter of the vote warrants, or

(ii) the registrants eligible to vote at the meeting vote in favour of this option.

(3) In case of an equality of votes, the chair of a general meeting does not have a casting or second vote in addition to the vote to which he or she may be entitled under subsection (1), and the proposed resolution does not pass.

Notice to public representatives

42. Every notice provided to registrants under section 38(1) and 40(5) must also be provided to the public representatives.

Part 5 – College Records

Definitions

43. In this Part,

“**personal information**” means “personal information” as defined in Schedule 1 of FIPPA;

“**record**” means a “record” as defined in Schedule 1 of FIPPA.

Body responsible for administering FIPPA

44(1) The registrar is the "head" of the college for the purposes of FIPPA.

(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 FIPPA.

(3) The board is responsible for ensuring that the registrar fulfils the duties of the head, as set out under FIPPA.

(4) The registrar must report annually to the board regarding the steps the registrar has taken to fulfil the head’s duties as set out under FIPPA.

Fees for information requests

45. Subject to section 75 of FIPPA, an applicant who requests access to a college record under section 5 of FIPPA must pay the fees, as set out in Schedule 1 of the *Freedom of Information and Protection of Privacy Regulation*, for services required to comply with the information request.

Protection of personal information

46(1) The board must take all reasonable measures to ensure that the collection, use, and disclosure of personal information occurs in accordance with FIPPA.

(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 that includes an undertaking by the person or organization that confidentiality will be maintained.

Disclosure of annual report

47. The college must

- (a) make its annual report available electronically on the college website without charge,
- (b) notify every registrant that the annual report is available, and
- (c) provide a hard copy of the annual report to any person on request upon payment of the applicable fee specified in Schedule 1.

Disclosure of registration status

48(1) Where the board or the registrar receives an inquiry about the registration status of a person, the registrar must disclose, in addition to the matters required by section 22 of the Act,

- (a) whether under section 39 of the Act, the discipline committee has ever made an order relating to the person and the details of that order;
- (b) whether under section 37.1 of the Act, the inquiry committee has ever made an order relating to the person and the details of that order; and
- (c) whether under section 36 of the Act the person has ever given an undertaking or consented to a reprimand or any other action and the details of that undertaking, reprimand or other action.

(2) Except with the consent of the person affected, the registrar must not release the names of complainants, clients, or their families, or information that might otherwise enable a person inquiring about the status of a registrant to establish the identity of complainants, clients or their families.

Manner of disposal of college records containing personal information

49. 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 6 – College Administration

Seal

50(1) The board must approve a seal for the college.

(2) Before the college seal is used on a document, the board must approve the use of the seal and designate the persons to use it.

(3) The seal of the college must appear on

- (a) certificates of registration;
- (b) certified practice certificates; and
- (c) such other documents as the board may direct by resolution.

Deputy registrar

51. 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 for any reason to act, the deputy registrar is authorized to perform all duties and exercise all powers of the registrar.

Fiscal year

52. The fiscal year of the college commences on April 1 and ends on March 31 of the following year.

Banking

53. 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.

Payments and commitments

54(1) The registrar may approve payments and commitments for the purchase of goods and services up to \$10,000.

(2) The board or a board member designated by the board must approve payments and commitments for the purchase of goods and services in the amount of \$10,000 or more.

(3) The board must not purchase real property without a special resolution approved by the registrants of the college at a general meeting.

Borrowing powers

55. The board may raise money or guarantee or secure the payment of money in the name of the college, in any manner determined by the board, in order to carry out the purposes of the college.

Investments

56. The board may invest funds of the college in any investments authorized under sections 15.1 and 15.2 of the *Trustee Act* in the name of the college and may change those investments.

Accountant

57(1) The board may appoint a chartered accountant or a certified general accountant to prepare information about the financial systems and records of the college.

(2) The registrar must submit the financial statement to the accountant within 60 days of the end of the fiscal year.

(3) The registrar must include an overview of the College's finances in the annual report, with a notice that a copy of the accountant's full financial report is available on request.

Legal counsel

58. 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 carrying out any power or duty under the Act, the regulations or these bylaws.

Insurance

59. The board may cause the college to maintain insurance in such amounts and on such terms and conditions as the board may determine from time to time, including:

- (a) general or third-party liability insurance;
- (b) directors and officers insurance;

- (c) fidelity insurance or bonding in respect of its officers and employees.

DIVISION B – REGISTRATION AND CERTIFICATION

Part 7 – Registration (All Professions)

Classes of registrants

60. The following classes of registrants are established for each of the 3 professions:

- (a) full registrants;
- (b) conditional registrants;
- (c) non-practising registrants;
- (d) retired registrants;
- (e) temporary registrants;
- (f) temporary (teaching) registrants.

Transition

61(1) In this section, “effective date” means the date this section comes into force.

(2) A registrant who held active registration in a profession at midnight on the day before the effective date is a full registrant in the same profession as of the effective date.

(3) A registrant who held conditional active registration in a profession at midnight on the day before the effective date is a conditional registrant in the same profession as of the effective date.

(4) A registrant who held inactive registration in a profession at midnight on the day before the effective date is a non-practising registrant as of the effective date

Payment of registration and other fees

62(1) Where these bylaws require that an applicant for registration or a registrant must pay a fee,

- (a) the applicant or registrant must pay that fee to the college
 - (i) in the full amount specified in Schedule A, and
 - (ii) by the date specified, and

(b) if payment of the fee is made in the form of a cheque or money order, the cheque or money order must be made payable to “College of Speech and Hearing Health Professionals of BC”.

(2) The board may approve the use of other methods of payment to ensure the full and prompt payment of fees, including payment by credit card and payment by advanced instalments.

(3) Despite subsection (1), upon receipt of a written request from an applicant for registration or a registrant, the board may waive payment of all or part of a fee required by these bylaws, if the applicant or registrant demonstrates to the satisfaction of the board that he or she is unable to pay that fee for reasons of undue hardship.

Fee adjustments

63(1) In any one year, a registrant who is registered in 2 or more professions need only pay the registration fee or the renewal fee for one profession.

(2) If a registrant to whom subsection (1) applies is a full registrant or a conditional registrant in at least one profession, he or she must pay the registration fee or renewal fee for full registration or conditional registration.

(3) Subject to subsection (4), when, after the end of the first quarter in a fiscal year, the registration committee grants registration to an applicant for registration, the committee must pro-rate the applicable registration fee on a quarterly basis, based on the time remaining in the year.

(4) Subsection (3) does not apply if it would result in an applicant for registration who is already a registrant in another profession paying a fee that is less than the fee he or she would otherwise have to pay under subsections (1) and (2).

Non-practising registration

64(1) For the purposes of section 20(2) of the Act, the conditions and requirements for registration as a non-practising registrant in a profession are

- (a) the applicant is a full registrant in the profession, and
- (b) the applicant delivers to the registrar
 - (i) a completed application for non-practising registration,

- (ii) a declaration in a form acceptable to the registration committee that, while registered under this section, the registrant will not provide the services of the profession in which he or she is applying to become a non-practising registrant, and
 - (iii) the registration fee specified in Schedule A.
- (2) A non-practising registrant must not provide, delegate or supervise the services of a profession in which he or she is registered as a non-practising registrant.
- (3) A non-practising registrant may remain on the non-practising register for a maximum of 3 consecutive years provided the registrant renews his or her registration each year under section 78.
- (4) A non-practising registrant may
 - (a) vote in an election for members of the board under section 5, and
 - (b) vote at a general meeting under section 41.
- (5) A non-practising registrant must not be
 - (a) nominated under section 4, or
 - (b) appointed as a member of the board under section 10.
- (6) For the purposes of section 20(2) of the *Act*, the conditions and requirements for a non-practising registrant to return to full registration in a profession are, despite sections 82 and 85,
 - (a) the non-practising registrant is not in contravention of the *Act*, regulations or these bylaws,
 - (b) the non-practising registrant delivers to the registrar
 - (i) a completed application for full registration,
 - (ii) the registration fee specified in Schedule A,
 - (iii) proof in a form acceptable to the registration committee of the applicant's entitlement to work in Canada,
 - (iv) 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 body responsible for the regulation of a health profession in a jurisdiction where the non-practising registrant is, or has been, authorized to practise that health profession, specifying particulars of any cancellation, suspension, limitation or conditions on the non-

practising registrant's entitlement to practise, or any investigation, review or proceeding which could lead to cancellation, suspension, limitation or conditions on the non-practising registrant's entitlement to practise,

(v) an authorization for a criminal record check in the form required by the *Criminal Records Review Act* together with the applicable fee for obtaining a criminal record check,

(vi) proof of completion of the requirements under sections 159, 160, 161 and 162 as though the non-practising registrant had been a full registrant in the profession during the period of time since he or she became a non-practising registrant under subsection (1),

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

(viii) proof of professional liability protection or insurance coverage in the form and amount required under section 151 and effective on or before the date of registration, and

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

Retired registration

65(1) For the purposes of section 20(2) of the Act, the conditions and requirements for registration as a retired registrant are

(a) the applicant is a full registrant, and

(b) the applicant delivers to the registrar

(i) a completed application for retired registration,

(ii) a declaration in a form acceptable to the registration committee that, while registered under this section, the registrant will not provide the services of a hearing instrument practitioner, speech-language pathologist or audiologist, and

(iii) the registration fee specified in Schedule A.

(2) A retired registrant must not provide the services of a hearing instrument practitioner, speech-language pathologist or audiologist.

(3) A retired registrant may

- (a) subject to subsection (4), be nominated under section 4,
- (b) be appointed as a member of the board under section 10,
- (c) vote in an election for members of the board under section 5, and
- (d) vote at a general meeting under section 41.

(4) A retired registrant who was registered as a full registrant in more than one profession must, for the purposes of participating in elections under section 17(3)(a) of the Act, declare the profession in which he or she will be a retired registrant.

Temporary registration

66(1) For the purposes of section 20(2) of the Act, the conditions and requirements for registration as a temporary registrant are

- (a) the applicant is
 - (i) a member in good standing of a body responsible for the regulation of the applicant's profession in a Canadian jurisdiction or a foreign jurisdiction recognized by the board for the purposes of this section, and
 - (ii) authorized to practice that profession in that jurisdiction as the equivalent of a full registrant,
- (b) evidence satisfactory to the registration committee of the applicant's English language proficiency,
- (c) evidence satisfactory to the registration committee that the applicant is of good character and fit to engage in the practice of the profession consistent with the responsibilities of a registrant and the standards expected of a registrant, and
- (d) the applicant delivers to the registrar
 - (i) a completed application for temporary registration,
 - (ii) an authorization for a criminal record check in the form required by the *Criminal Records Review Act* together with the applicable fee for obtaining a criminal record check,
 - (iii) in the case of an applicant who is currently practicing his or her profession in a jurisdiction outside Canada, a criminal record check from that jurisdiction in a form satisfactory to the registration committee obtained no more than 60 days prior to the date of application,

- (iv) the registration fee specified in Schedule A,
 - (v) evidence satisfactory to the registration committee of the applicant's membership status in the regulatory body described in paragraph (a)(i),
 - (vi) proof in a form acceptable to the registration committee of the applicant's entitlement to work in Canada, and
 - (vii) proof of professional liability insurance or coverage in the form and amount required by section 151 and effective on or before the date of registration.
- (2) Temporary registration under subsection (1) may be granted for a period of up to 90 days.
- (3) A temporary registrant may renew his or her registration once, prior to its expiry, for an additional period of up to 90 days by delivering to the registrar
- (a) a completed application for renewal, and
 - (b) the renewal fee specified in Schedule A.
- (4) Subject to such limits or conditions as the registration committee may impose, a temporary registrant may provide, delegate and supervise the services of the profession in which he or she is registered as though he or she is a full registrant of that profession.
- (5) A temporary registrant must not
- (a) be nominated under section 4,
 - (b) be appointed as a member of the board under section 10,
 - (c) vote in an election for members of the board under section 5, or
 - (d) vote at a general meeting under section 41.

Temporary (teaching) registration

67(1) For the purposes of section 20(2) of the Act, the conditions and requirements for registration as a temporary (teaching) registrant are

- (a) the applicant either
 - (i) is
 - (A) a member in good standing of a body in another jurisdiction responsible for regulation of the applicant's profession, and
 - (B) authorized to practice that profession in that jurisdiction as the equivalent of a full registrant, or

- (ii) possesses academic qualifications acceptable to the committee in relation to a restricted activity to be demonstrated under subsection 3(b),
- (b) evidence satisfactory to the registration committee of the applicant's English language proficiency,
- (c) evidence satisfactory to the registration committee that the applicant is of good character and fit to engage in the practice of the profession consistent with the responsibilities of a registrant and the standards expected of a registrant, and
- (d) the applicant delivers to the registrar
 - (i) a completed application for temporary (teaching) registration,
 - (ii) evidence satisfactory to the registration committee of the applicant's
 - (A) membership status in the regulatory body described in paragraph (a)(i), or
 - (B) academic qualifications as described in paragraph (a)(ii),
 - (iii) the registration fee specified in Schedule A,
 - (iv) an authorization for a criminal record check in the form required by the *Criminal Records Review Act* together with the applicable fee for obtaining a criminal record check,
 - (v) in the case of an applicant who is currently practicing his or her profession in a jurisdiction outside Canada, a criminal record check from that jurisdiction in a form satisfactory to the registration committee obtained no more than 60 days prior to the date of application, and
 - (vi) proof of professional liability insurance or coverage in the form and amount required by section 151 and effective on or before the date of registration.
- (2) Temporary (teaching) registration may be granted under subsection (1) for a period of up to 90 days.
- (3) A temporary (teaching) registrant may renew his or her registration once, prior to its expiry, for an additional period of up to 90 days, by delivering to the registrar
 - (a) a completed application for renewal, and
 - (b) the renewal fee specified in Schedule A.
- (4) A temporary (teaching) registrant may

- (a) subject to such limits and conditions as the registration committee may impose, provide, delegate and supervise only those services of the profession in which he or she is registered that are specified by the registration committee, and
 - (b) subject to paragraph (a), demonstrate for an education or training purpose the performance of a restricted activity permitted to that profession under section 5 of the Regulation.
- (5) A temporary (teaching) registrant must not
- (a) be nominated under section 4,
 - (b) be appointed as a member of the board under section 10,
 - (c) vote in an election for members of the board under section 5, or
 - (d) vote at a general meeting under section 41.

Examinations

- 68(1) All examinations required to be taken under these bylaws must be approved by the registration committee.
- (2) All examinations required to be taken under these bylaws that are administered by the college must be prepared by or under the direction of the registration committee.
- (3) For an examination required to be taken under these bylaws that is administered by the college, the registration committee may
- (a) determine the time and place for the holding of the examination, designate examiners or invigilators and determine the procedures for the conduct of the examination,
 - (b) review the results of the examination or re-examination for each applicant for registration and make a determination as to that applicant's qualification for registration, and
 - (c) notify the applicant of the results of the examination or re-examination as soon as is practicable.
- (4) An applicant for registration who is required under these bylaws to take an examination administered by the college must
- (a) pay the examination fee specified in Schedule A at least 2 weeks prior to the date of the examination, and

(b) attend the examination at a date, time and place as set by the registration committee.

Examination failures

69(1) An applicant for registration who fails an initial examination is entitled to 2 further opportunities to repeat the examination and must complete all attempts within 2 years from the date of the applicant's initial application.

(2) An applicant for registration who fails an examination a third time may apply for registration again, but only after the passage of 2 years.

Improper conduct during an examination

70(1) Where an examiner or invigilator for an examination administered by the college has reason to believe that a registrant or an applicant for registration has engaged in improper conduct during the course of the examination, the examiner or invigilator

(a) must make a report to the applicable committee, and

(b) may recommend in that report that the committee take one or more of the following courses of action

(i) fail the registrant or applicant for registration,

(ii) pass the registrant or applicant for registration,

(iii) require the registrant or applicant for registration to rewrite the examination,

or

(iv) disqualify the registrant or applicant for registration from participating in any examination for a defined period of time.

(2) After considering a report made under subsection (1)(a), the committee that received the report may take one or more of the courses of action specified in subsection (1)(b).

(3) When, under subsection (2), a committee takes one or more of the courses of action specified in subsection (1)(b)(i), (iii) and (iv), it must notify the registrant or applicant for registration in writing, providing reasons for the action taken.

Transferring registrant (labour mobility within Canada)

71(1) Despite sections 82(1) and 85(1) an applicant who is authorized to practise a profession in another Canadian jurisdiction may be granted registration as a full registrant in the profession, provided the applicant

- (a) satisfies the registration committee that he or she is currently authorized to practise the profession in that other jurisdiction as the equivalent of a full registrant under these bylaws, and
- (b) meets either,
 - (i) the conditions and requirements established in section 82(1)(d), (e) and (f)(i), (ii), (iii), (vi), (vii), (viii), (ix) and (x), if he or she is applying to register as a hearing instrument practitioner, or
 - (ii) the conditions and requirements established in 85(1)(c), (d) and (e)(i), (ii), (iii), (v), (vi), (vii), (viii) and (ix), if he or she is applying to register as an audiologist or a speech-language pathologist.

Appearing before the committee

72. The registration committee may require an applicant for registration to appear before the committee, either in person or by electronic means, in order to determine if that applicant has satisfied the requirements of this Part and Parts 8 and 9.

Registration applications

73 (1) For the purpose of section 20(2)(a) of the Act, every person seeking registration, including reinstatement or renewal of registration, must deliver to the registrar a registration application including any information or items required under these bylaws to be included in or with the application, in the manner specified by the registrar for the class in which the person is seeking registration.

(2) The registrar must specify the manner of delivery for the purpose of subsection (1) and may modify the manner of delivery from time to time as the registrar considers necessary or advisable.

(3) The registrar must maintain and publish on the college website a notice setting out

- (a) the manner of delivery for a registration application specified by the registrar under subsection (2),
- (b) the information or items required under these bylaws to be included in or with an application for registration, and
- (c) the fees payable under these bylaws in conjunction with a registration application.

Issuing a certificate of registration

74(1) The registrar must, on the instruction of the registration committee, issue a certificate of registration to a person who, in the committee's determination, meets the requirements for registration.

(2) A certificate of registration issued under subsection (1) must state

- (a) the class of registration as listed in section 61,
- (b) the name of the certificate holder,
- (c) the date the certificate was issued,
- (d) the expiry date, and
- (e) the limits or conditions that may apply to that registrant or class of registrant, if any.

(3) A certificate of registration for full registration, conditional registration, non-practising registration or retired registration is valid until no later than the March 31 immediately following the date the certificate was issued.

Proof of registration

75(1) A full registrant, conditional registrant, temporary registrant or temporary (teaching) registrant must be able to provide proof that he or she is a registrant of the college and registered in the applicable class of registration, by one or more of the following:

- (a) displaying in a prominent location at the registrant's place of business to which the general public has access
 - (i) a certificate of registration issued under section 74, and
 - (ii) when applicable, the written confirmation of renewal most recently provided by the registrar under section 78(4);

- (b) referring the public to the register posted on the college website;
- (c) allowing a member of the public to inspect the wallet identification card issued by the college.

(2) In relation to subsection (1)(a), if a registrant has more than one place of business, the registrant must display

- (a) the certificate of registration and, when applicable, the most recent confirmation of renewal in the registrant's main place of business, and
- (b) a copy of that certificate of registration and confirmation of renewal in every place of business other than the main place of business.

Return of a certificate of registration

76. A registrant must immediately return to the registrar a certificate of registration or any photocopies of it, and any other proof of registration or renewal of registration issued by the registrar if the registrant has been served notice that his or her certificate of registration has been suspended or cancelled under Part 3 of the Act.

Electronic delivery of application information

77. If authorized by the registrar, a requirement under this Part for a person to deliver information or records to the registrar may be satisfied by the person

- (a) delivering the information electronically or completing a corresponding electronic form on the website, or
- (b) making other suitable arrangements for the delivery of the information or records to the registrar.

Conditions and requirements for renewal (full, conditional, non-practising and retired)

78(1) To be eligible for renewal of registration, a full registrant, conditional registrant, non-practising registrant or retired registrant must meet the following conditions and requirements on or before March 31:

- (a) deliver to the registrar a completed application for renewal;
- (b) pay the renewal fee applicable to his or her class of registration specified in Schedule A;

- (c) pay any other outstanding fee, debt or levy owed to the college;
 - (d) as applicable to his or her class of registration, deliver to the registrar proof of
 - (i) completion of the requirements of the quality assurance program under sections 159, 160, 161 and 162, and
 - (ii) professional liability insurance coverage in the form and amount required under section 151.
- (2) Notice of the renewal fee to be paid under subsection (1)(b) must
- (a) no later than January 31, be delivered to each full registrant, non-practising registrant and retired registrant, and each conditional registrant who is eligible for renewal of his or her registration under section 87.1(4) and (5), and
 - (b) describe the consequences of late payment or non-payment of the renewal fee.
- (3) Despite subsection (1), to be eligible for renewal of registration, a new full registrant or conditional registrant also must, on or before the March 31 immediately after he or she is first granted registration as either a full registrant or conditional registrant, successfully complete the jurisprudence course and the client consent course specified by the registration committee.
- (4) The registrar must provide a full registrant, non-practising registrant, retired registrant or, subject to section 87.1(4) and (5), conditional registrant with written confirmation of renewal of registration if the registrant has
- (a) met all the conditions and requirements established in subsection (1), and
 - (b) if applicable,
 - (i) paid the renewal late fee in accordance with subsection (5) or (6), and
 - (ii) successfully completed the jurisprudence course and the client consent course under subsection (3).
- (5) In addition to the renewal fee under subsection (1)(b), a full registrant, conditional registrant, non-practising registrant or retired registrant must pay the renewal late fee specified in Schedule A if the registrant does not, on or before March 31,
- (a) meet all the conditions and requirements established in subsection (1), and
 - (b) if applicable, successfully complete the jurisprudence course and the client consent course under subsection (3).

(6) The registration of a full registrant, conditional registrant, non-practising registrant or retired registrant described in subsection (2) is cancelled if the registrant fails to do all of the following on or before April 30:

- (a) meet all the conditions and requirements established in subsection (1);
- (b) if applicable, successfully complete the jurisprudence course and the client consent course under subsection (3);
- (c) pay the renewal late fee specified in Schedule A.

Repealed

79. [Repealed 2019-XX-XX.]

Reinstatement following failure to renew

80. For the purposes of section 20(2) of the Act, where the previous registration of a former full registrant, non-practising registrant or retired registrant was cancelled under section 78(6), the conditions and requirements for reinstatement of registration are, despite sections 64, 65, 82 or 85,

- (a) the former registrant was in good standing upon the cancellation of his or her previous registration,
- (b) the former registrant is not in contravention of the Act, the Regulation or these bylaws, and
- (c) the former registrant delivers the following to the registrar not later than June 30 in the year of the cancellation under s. 78(6):
 - (i) a completed application for reinstatement;
 - (ii) the reinstatement fee specified in Schedule A;
 - (iii) any other fee, levy or debt owed to the college, including, without limitation, any fee still owing under section 78; and
 - (iv) as applicable to the former registrant's class of registration, proof of
 - (A) completion of the requirements of the quality assurance program under sections 159, 160 and 161, and
 - (B) professional liability insurance coverage in the form and amount required under section 151.

Notification of change of registration information

81. A registrant must immediately notify the registrar of any change of name, address, phone number, email address, or any other registration information previously provided to the registrar.

Part 8 – Registration of Hearing Instrument Practitioners

Full registration (hearing instrument practitioner)

82(1) For the purposes of section 20(2) of the Act, the conditions and requirements for registration as a full registrant in the profession of hearing instrument dispensing are

- (a) less than 3 years prior to the date of the application for registration submitted under paragraph (f)(i), successful completion of at least a diploma course in hearing instrument dispensing from one of the academic programs specified in Schedule C,
- (b) successful completion of the examinations specified by the registration committee,
- (c) completion of 660 hours of supervised practice training
 - (i) in a form approved by the registration committee,
 - (ii) within the number of consecutive months specified by the registration committee, and
 - (iii) under the supervision of a person approved by the registration committee,
- (d) evidence satisfactory to the registration committee of the applicant's English language proficiency,
- (e) evidence satisfactory to the registration committee that the applicant is of good character and fit to engage in the practice of the profession consistent with the responsibilities of a registrant and the standards expected of a registrant,
- (f) delivery to the registrar of
 - (i) a completed application for full registration,
 - (ii) the application fee, examination fee and registration fee specified in Schedule A,

- (iii) a copy of the applicant's post-secondary transcript sent directly to the registrar from the post-secondary institution or a copy of the applicant's original diploma or other evidence satisfactory to the registration committee that the applicant successfully completed the academic requirement specified in paragraph (a),
 - (iv) proof in a form acceptable to the registration committee that the applicant completed the supervised practice training specified in paragraph (c),
 - (v) proof in a form acceptable to the registration committee of the applicant's entitlement to work in Canada,
 - (vi) letters of recommendation, attesting to the good character of the applicant, sent directly to the registrar from 2 persons who
 - (A) are not related to the applicant,
 - (B) have known the applicant for more than 2 years, and
 - (C) will not benefit if the applicant is granted full registration as a hearing instrument practitioner,
 - (vii) 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 body responsible for the regulation of a health profession in a jurisdiction where the applicant is, or has been, authorized to practise that health profession, specifying particulars of any cancellation, suspension, limitation or conditions on the applicant's entitlement to practise, or any investigation, review or proceeding which could lead to cancellation, suspension, limitation or conditions on the applicant's entitlement to practise,
 - (viii) an authorization for a criminal record check in the form required by the *Criminal Records Review Act* together with the applicable fee for obtaining a criminal record check, and
 - (ix) proof of professional liability insurance coverage in the form and amount required under section 151 and effective on or before the date of registration.
- (2) Despite subsection (1), if an applicant successfully completed the academic requirement specified in subsection (1)(a) 3 years or more prior to submitting his or her

application for registration under subsection (1)(f)(i), the applicant may be granted registration under this section provided he or she

(a) meets the conditions and requirements established in subsection (1)(b), subsections (1)(c) or (3), and subsections (1)(d) to (f), and

(b) satisfies the registration committee that

(i) during the 3 years immediately preceding the submission of his or her application for registration under subsection (1)(f)(i), he or she has engaged in the practice of hearing instrument dispensing

(A) for a minimum of 750 hours,

(B) in one regulated jurisdiction or more, and

(C) in accordance with criteria established by the board, or

(ii) his or her knowledge, skills and abilities are substantially equivalent to the competencies or other qualifications established in subparagraph (i).

(3) Despite subsection (1), if an applicant has not completed the supervised practice training required under subsection (1)(c), the registration committee has the discretion, in satisfying itself under section 20 of the Act that the applicant meets the conditions or requirements for registration under this section, to consider whether the applicant's knowledge, skills and abilities are substantially equivalent to the standards of academic or technical achievement established in subsection (1)(c), and to grant registration under this section on that basis, if the applicant also meets the conditions and requirements established in subsections (1)(a) or (2), and subsections (1)(b), (d), (e), (f)(i) to (iii) and (v) to (ix).

(4) Where an applicant fails to meet the conditions or requirements for registration under this section within 2 years of submitting his or her application for registration under subsection (1)(f)(i), the application expires, and if the applicant still wishes to be registered, he or she must submit a new application.

Participation and voting rights

83. A full registrant in the profession of hearing instrument dispensing may

(a) be nominated under section 4,

(b) be appointed as a member of the board under section 10,

- (c) vote in an election for members of the board under section 5, and
- (d) vote at a general meeting under section 41.

Part 9 – Registration of Speech-Language Pathologists and Audiologists

Repealed

84. [Repealed 2016-05-08.]

Sub-Part 9.1 – Standard Applications

Full registration (audiologist or speech-language pathologist)

85(1) For the purposes of section 20(2) of the Act, the conditions and requirements for registration as a full registrant in the profession of audiology or the profession of speech-language pathology are

- (a) less than 3 years prior to the date of the application for registration submitted under paragraph (e)(i), successful completion of
 - (i) at least a master's degree in speech-language pathology or audiology, or both, from one of the recognized academic programs listed in Schedule C, or
 - (ii) a post-secondary degree in speech language pathology or audiology, or both, from an academic program that meets or exceeds the requirements set out in Schedule D,
- (b) successful completion of the examination approved by the registration committee,
- (c) evidence satisfactory to the registration committee of the applicant's English language proficiency,
- (d) evidence satisfactory to the registration committee that the applicant is of good character and fit to engage in the practice of the profession consistent with the responsibilities of a registrant and the standards expected of a registrant, and
- (e) delivery to the registrar of
 - (i) a completed application for full registration,
 - (ii) the application fee and registration fee specified in Schedule A,

- (iii) a copy of the applicant's post-secondary transcript sent directly to the registrar from the post-secondary institution or a copy of the applicant's original transcript, certificate, diploma or degree, or other evidence satisfactory to the registration committee, that the applicant successfully completed the academic requirement specified in subsection (1)(a),
 - (iv) proof in a form acceptable to the registration committee of the applicant's entitlement to work in Canada;
 - (v) letters of recommendation, attesting to the good character of the applicant, sent directly to the registrar from 2 persons who
 - (A) are not related to the applicant,
 - (B) have known the applicant for more than 2 years, and
 - (C) will not benefit if the applicant is granted full registration as an audiologist or a speech-language pathologist,
 - (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 body responsible for the regulation of a health profession in a jurisdiction where the applicant is, or has been, authorized to practise that health profession, specifying particulars of any cancellation, suspension, limitation or conditions on the applicant's entitlement to practise, or any investigation, review or proceeding which could lead to cancellation, suspension, limitation or conditions on the applicant's entitlement to practise,
 - (vii) an authorization for a criminal record check in the form required by the *Criminal Records Review Act* together with the applicable fee for obtaining a criminal record check, and
 - (vii) proof of professional liability insurance coverage in the form and amount required by section 151 and effective on or before the date of registration.
- (2) Despite subsection (1), if an applicant successfully completed the academic requirement specified in subsection (1)(a) 3 years or more prior to submitting his or her application for registration under subsection (1)(e)(i), the applicant may be granted registration under this section provided he or she
- (a) meets the conditions and requirements established in subsection (1)(b) to (e) and

- (b) satisfies the registration committee that
 - (i) during the 3 years immediately preceding the submission of his or her application for registration under subsection (1)(e)(i), he or she has engaged in the practice of his or her profession
 - (A) for a minimum of 750 hours,
 - (B) in one regulated jurisdiction or more, and
 - (C) in accordance with criteria established by the board, or
 - (ii) his or her knowledge, skills and abilities are substantially equivalent to the competencies or other qualifications established in subparagraph (i).

(3) Where an applicant fails to meet the conditions or requirements for registration under this section within 2 years of submitting his or her application for registration under subsection (1)(e)(i), the application expires, and if the applicant still wishes to be registered, he or she must submit a new application.

Participation and voting rights

86. A full registrant in the profession of audiology or the profession of speech-language pathology may

- (a) be nominated under section 4,
- (b) be appointed as a member of the board under section 10,
- (c) vote in an election for members of the board under section 5,
- (d) vote at a general meeting under section 41.

Sub-Part 9.2 – Conditional Registration

Conditional registration

87(1) Subject to subsections (3) and (6), if an applicant for registration as a full registrant under section 82 has not successfully completed the examinations required under section 82(1)(b), the registration committee may grant the applicant conditional registration provided the applicant otherwise meets the conditions and requirements of section 82.

(2) Subject to subsections (3) and (6), if an applicant for registration as a full registrant under section 85 has not successfully completed the examination required under section 85(1)(b), the registration committee may grant the applicant conditional registration provided the applicant otherwise meets the conditions and requirements of section 85.

(3) An applicant who wants the registration committee to consider him or her for conditional registration must

(a) indicate that in the application the applicant delivers to the registrar under section 82(1)(f)(i) or 85(1)(e)(i), and

(b) if the applicant is applying under section 82, deliver to the registrar a declaration in a form acceptable to the registration committee that he or she will write the examinations required under section 82(1)(b) on the next scheduled examination date, or

(c) if the applicant is applying under section 85, deliver to the registrar a declaration in a form acceptable to the registration committee that he or she will write the examinations required under section 85(1)(b) on the next scheduled examination date.

(4) A conditional registrant must be registered as a full registrant in the applicable profession if,

(a) within 2 years of being granted registration under subsection (1), he or she successfully completes the examinations required under section 82(1)(b) and provides evidence satisfactory to the registration committee of that successful completion, or

(b) within 2 years of being granted registration under subsection (2), he or she successfully completes the examination required under section 85(1)(b) and provides evidence satisfactory to the registration committee of that successful completion.

(5) The registrar must cancel a conditional registrant's registration, if

(a) within 2 years of being granted conditional registration,

(i) a registrant granted registration under subsection (1) fails the examinations required under section 82(1)(b) 3 times, or

(ii) a registrant granted registration under subsection (2) fails the examination required under section 85(1)(b) 3 times, or

(b) 2 years after being granted conditional registration,

- (i) a registrant granted registration under subsection (1) has not successfully completed the examinations required under section 82(1)(b) and provided evidence satisfactory to the registration committee of that successful completion,
 - or
 - (ii) a registrant granted registration under subsection (2) has not successfully completed the examination required under section 85(1)(b) and provided evidence satisfactory to the registration committee of that successful completion.
- (6) The registration committee cannot
 - (a) grant registration under subsection (1) to a person who was previously registered under subsection (1), or
 - (b) grant registration under subsection (2) to a person who was previously registered under subsection (2).
- (7) A conditional registrant may
 - (a) vote in an election for members of the board under section 5, and
 - (b) vote at a general meeting under section 41.
- (8) A conditional registrant must not
 - (a) practise as a sole practitioner,
 - (b) supervise or delegate any aspect of practice,
 - (c) supervise individuals who are fulfilling the conditions or requirements for registration under these bylaws,
 - (d) be nominated under section 4, or
 - (e) be appointed as a member of the board under section 10.

Part 10 – Certified Practice

Certified practice – the regulation

- 88(1) A full registrant who is an audiologist may apply for
- (a) a certified practice certificate authorizing him or her, under section 6(1) of the Regulation, to provide cerumen management that includes the performance of a restricted activity set out in section 5(1)(b) to (d) of the Regulation, or

(b) a certified practice certificate authorizing him or her, under section 6(2) of the Regulation, to provide assessment and management of vestibular system dysfunction that includes the performance of the restricted activity set out in section 5(1)(d).

(2) A full registrant who is a hearing instrument practitioner may apply for

(a) a certified practice certificate authorizing him or her, under section 6(1) of the Regulation, to provide cerumen management that includes the performance of a restricted activity set out in section 5(2)(a) to (c) of the Regulation, or

(b) a certified practice certificate authorizing him or her, under section 6(3) of the Regulation, to provide to a client under 16 years of age hearing instrument services that include the performance of a restricted activity set out in section 5(2)(e) or (f) of the Regulation.

(3) A certified practice certificate under subsection (2)(b) must not authorize a full registrant who is not an audiologist to provide hearing instrument services that include the performance of a restricted activity set out in section 5(2)(e) or (f) of the Regulation to a client

(a) who is under 12 years of age, or

(b) whom a qualified professional has assessed as having a developmental age of less than 12 years in relation to the cognitive and motor skills needed

(i) for testing prior to providing hearing instrument services that include the performance of a restricted activity set out in section 5(2)(e) or (f) of the Regulation, or

(ii) to use a hearing instrument independently.

(4) A full registrant who is a speech-language pathologist may apply for a certified practice certificate authorizing him or her, under section 6(4) of the Regulation, to provide a service that involves the performance of a restricted activity set out in section 5(3)(c) to (e) or (g) of the Regulation, including:

(a) a certificate authorizing the registrant to perform fiberoptic endoscopy;

(b) a certificate authorizing the registrant to perform voice restoration;

(c) a certificate authorizing the registrant to perform tracheostomy management on a client who is 12 years of age or older;

- (d) a certificate authorizing the registrant to perform tracheostomy management on a client who is younger than 12 years of age;
- (e) a certificate authorizing the registrant to perform airway secretion management.

Certified practice – the bylaws

89(1) A full registrant who is an audiologist may apply for a certified practice certificate authorizing the registrant to perform cochlear implant management.

(2) A full registrant who is a speech language pathologist may apply for one or both of the following:

- (a) a certified practice certificate authorizing the registrant to perform videofluoroscopic management on clients who are 16 years of age or older;
- (b) a certified practice certificate authorizing him or her to perform videofluoroscopic management on clients who are younger than 16 years of age.

Certification Programs

90(1) For each certified practice certificate established under sections 88 and 89, the board must approve a certification program, including:

- (a) the academic prerequisites a full registrant must hold before commencing the education and training requirements approved by the board under paragraph (c);
- (b) the period of clinical practice a full registrant must complete in his or her profession before applying for the certificate;
- (c) the education and training requirements a full registrant must complete before applying for the certificate;
- (d) the health professionals who are qualified to supervise a full registrant in completing the education and training requirements approved by the board under paragraph (c); and
- (e) what supervision is necessary for a full registrant who is completing the education and training requirements approved by the board under paragraph (c).

(2) The education and training requirements approved by the Board under subsection (1)(c) must include education and training on infection control and emergency safety procedures applicable to the services authorized by the certified practice certificate.

Applications for certified practice certificates

91(1) To apply for one of the certified practice certificates established under sections 88 and 89, a full registrant must

- (a) deliver to the registrar
 - (i) a completed application for a certified practice certificate,
 - (ii) evidence satisfactory to the registration committee that, subject to subsections (3) to (6), he or she has successfully completed the certification program approved by the board for that certificate under section 90(1), and
- (b) subject to subsection (2), pay the certified practice certificate application fee specified in Schedule A.

(2) The certified practice certificate application fee is not payable under subsection (1)(b), if the full registrant already has been issued 2 or more certified practice certificates under section 92, and at least 2 of those issued certified practice certificates have not been cancelled and are not suspended.

(3) For academic prerequisites required under section 90(1)(a) to be considered by the registration committee under subsection (1)(a)(ii), the full registrant must have completed those prerequisites less than 7 years before delivering the application under subsection (1)(a)(i).

(4) Despite subsection (3), if the full registrant completed academic prerequisites required under section 90(1)(a) at least 7 years before delivering the application under subsection 1(a)(i), the full registrant may still be granted the certified practice certificate provided he or she

- (a) otherwise meets the conditions and requirements established in subsection (1), and
- (b) successfully completes such additional education and training as the registration committee requires.

(5) For education and training requirements under section 90(1)(c) to be considered by the registration committee under subsection (1)(a)(ii), the full registrant complete all those requirements

- (a) within a period of 3 years, and

(b) with the supervision required under section 90(1)(d) and (e).

(6) Despite subsection (5)(a), the registration committee has the discretion to allow a full registrant additional time for the completion of education and training requirements.

Issuing of certified practice certificates

92(1) On the direction of the registration committee, the registrar must issue a certified practice certificate to a full registrant who, in the committee's determination, meets the conditions and requirements for that certificate under section 91.

(2) A certified practice certificate issued under subsection (1) must

(a) be in a form approved by the board, and

(b) state

(i) the specific certificate issued,

(ii) the name of the full registrant to whom the certificate has been issued,

(iii) the date the certificate was issued, and

(iv) subject to subsection (5), the expiry date for the certificate.

(3) A full registrant may perform a service authorized by a certified practice certificate established under section 88 or 89 only if the registrar has issued that certificate to the registrant under subsection (1) and the certificate has not been suspended or cancelled.

(4) Despite subsection (3), if, under section 89(2)(a) and subsection (1), a full registrant has been issued a certified practice certificate authorizing him or her to perform videofluoroscopic management on clients who are 16 years of age or older, the registrant may perform videofluoroscopic management on a client who is under 16 years of age, provided

(a) the client is 11 years of age or older;

(b) the client requires videofluoroscopic management in a tertiary and predominately adult hospital or health care facility; and

(c) the registrant's certified practice certificate is not suspended or cancelled.

(5) A certified practice certificate issued by the registrar under subsection (1) expires on the date specified by the registration committee, which cannot be later than March 31 in the third year following the year the certificate was issued.

Board review of a determination not to grant a certified practice certificate

93(1) Within 30 days of determining that a full registrant does not meet the conditions and requirements for a certified practice certificate under section 91, the registration committee must deliver notice to the registrant in writing, providing reasons for its determination and advising the registrant of his or her right to apply for a review under subsection (2).

(2) A full registrant who has received notice under subsection (1) may request a review by the board under Part 11.

Certified practice certificates – renewal

94(1) To renew a certified practice certificate, a full registrant must, before the expiry date for that certificate,

(a) deliver to the registrar

(i) a completed application for renewal of a certified practice certificate, including a declaration that the registrant continues to provide the services authorized by the certificate, and

(ii) evidence satisfactory to the registration committee that he or she has completed the certified practice certificate continuing competency requirements specified under section 96, and

(b) subject to subsection (2), pay the certified practice certificate renewal fee specified in Schedule A

(2) A full registrant who has been issued 3 or more certified practice certificates under section 92(1) only needs to pay the certified practice certificate renewal fee for each renewal of 2 of those certificates.

(3) The registrar must issue to a full registrant who satisfies the conditions and requirements specified in subsection (1) a receipt stating that the registrant's certified practice certificate has been renewed.

(4) The requirements of section 92(2)(b) and (5) apply to a receipt issued by the registrar under subsection (3) or (7) as if the receipt was a certified practice certificate, and the expiry date stated on the receipt under section 92(2)(b)(iv) is the new expiry date of the certified practice certificate for which the receipt was issued.

(5) If a full registrant fails to satisfy the requirements established in subsection (1) on or before the expiry date for his or her certified practice certificate, the certificate is cancelled.

(6) Where a full registrant's certified practice certificate is cancelled under subsection (5), he or she may reinstate the certificate by, within 30 days of the date of the cancellation,

(a) satisfying the requirements established in subsection (1), and

(b) paying the certified practice certificate reinstatement fee specified in Schedule A.

(7) The registrar must issue to a full registrant who satisfies the conditions and requirements specified in subsection (6) a receipt stating that the registrant's certified practice certificate has been reinstated.

Certified practice certificates – applications

95 (1) Every person applying for a certified practice certificate under section 91 or renewal of a certified practice certificate under section 94, must deliver to the registrar an application, including any information or items required under these bylaws to be included in or with the application, in the manner specified by the registrar.

(2) The registrar must specify the manner of delivery for an application under subsection (1) and may modify the manner of delivery from time to time as the registrar considers necessary or advisable.

(3) The registrar must maintain and publish on the college website a notice setting out

(a) the manner of delivery for an application specified by the registrar under subsection (2),

(b) the information or items required under these bylaws to be included in or with an application for a certified practice certificate under section 91 or an application for renewal of a certified practice certificate under section 94, and

(c) the fees payable under these bylaws in conjunction with an application for a certified practice certificate under section 91 or an application for renewal of a certified practice certificate under section 94.

Certified practice certificates – continuing competency credits

96(1) Following the issuing of a certified practice certificate under section 92(1) or a receipt renewing a certified practice certificate under section 94(3), the full registrant who has been issued that certificate or receipt must

- (a) complete at least 4 hours of continuing competency credits approved by the quality assurance and professional practice committee as relevant to the services authorized by the certificate, and
- (b) report the continuing competency credits completed under paragraph (a) to the committee in accordance with the reporting deadline and procedures approved by the committee.

(2) If a full registrant reports continuing competency credits to the quality assurance and professional practice committee to satisfy the requirements of subsection (1) for one certified practice certificate, the full registrant cannot report any of those same credits to the committee to satisfy the requirements of subsection (1) for another certified practice certificate.

(3) A full registrant must retain documents or other information that support his or her completion of continuing competency credits reported to the quality assurance and professional practice committee under subsection (1).

(4) The quality assurance and professional practice committee may, without notice to a registrant, audit the registrant to ensure the accuracy and truthfulness of the continuing competency credits that the registrant has reported under subsection (1).

(5) If the quality assurance and professional practice committee finds a registrant inaccurately or falsely reported continuing competency credits under subsection (1), the committee may do one or both of the following:

- (a) seek to resolve with the registrant a resulting deficiency in credits;
- (b) report that finding to the inquiry committee under section 26.2 of the Act.

Certified practice certificates – standards of practice

97. A full registrant who has been issued a certified practice certificate under section 92(1) or a receipt renewing a certified practice certificate under section 94(3)

must, when providing services authorized by that certificate, comply with the standards of practice approved by the board for the provision of those services.

Proof of certified practice certificates

98. Subject to section 100(1), the registrar must publish on the college website a list of every full registrant who has been issued a certified practice certificate under section 92(1) or a receipt renewing a certified practice certificate under section 94(3).

Use of “certified”

99(1) Subject to subsection (2), a registrant must not use the term “certified” in connection with his or her practice of a profession.

(2) If the registrar has issued a certified practice certificate to a full registrant under section 92(2) and the certificate is not suspended or cancelled, the registrant may hold out him or herself as “certified” to provide the services authorized by the certified practice certificate.

Suspension or cancellation of certified practice certificates

100(1) If a full registrant's certified practice certificate is suspended or cancelled, the registrar must

(a) immediately notify the registrant of the suspension or cancellation of his or her certificate, and

(b) remove the registrant's name from the list published on the college website under section 98.

(2) On receiving notice from the registrar under subsection (1), a full registrant must immediately cease

(a) providing the services authorized by the suspended or cancelled certified practice certificate, and

(b) holding him or herself out as “certified” to provide the services authorized by the suspended or cancelled certificate.

(3) Where a suspension of a full registrant's certified practice certificate is ended or the certificate is reinstated under section 94(6), the registrar must

- (a) advise the registrant that he or she may again
 - (i) provide the services authorized by the certificate, and
 - (ii) hold him or herself out as certified to provide those services, and
- (b) return the registrant's name to the list published on the college website under section 98.

Repealed

101 – 131 [Repealed 2019-XX-XX.]

Part 11 – Review by the board

Definitions

132. For clarity, a reference to “the board” in this Part is a reference to the college board as defined in section 1 of these bylaws, and not the Health Professions Review Board established under Part 4.2 of the Act.

Application

133. This Part applies if a section elsewhere in these bylaws grants to a person the right to request a review by the board of a committee decision.

Board review of a decision

134(1) A person applying for a review under this Part must, within 30 days of the day on which written notice of the committee's decision is sent to that person, deliver to the registrar:

- (a) a copy of all information that person provided to the committee leading up to its decision;
- (b) a copy of the committee's decision;
- (c) the reason(s) why the person believes that the committee's decision is wrong;
- (d) any other information the person believes the board should consider.

(2) Only the person directly affected by the decision and the committee are parties to a review under this Part.

(3) The board may approve policies and procedures not inconsistent with the Act or this Part to administer its reviews.

Conduct of a board review

135(1) On receipt of an application for a review under section 134, the board must conduct a review of the committee's decision in keeping with the sections in this Part and any review policies and procedures approved by the board.

(2) A review under this section is a review on the record.

(3) Despite subsection (2), the board may hear evidence that is not part of the record as reasonably required by the board so as to provide a full and fair disclosure of all matters related to the issue under review.

Result of a board review

136(1) On completing its review under this Part, the board may make an order

- (a) confirming the committee's original decision,
- (b) directing the committee to make the decision that it should have made, or
- (c) sending the matter back to the committee for reconsideration, with or without direction.

(2) The board must, no later than 30 days after making its order under subsection (1), deliver a copy of the order to the parties to the review.

Review regarding certified practice certificate

137(1) If the matter under review is a decision of the registration committee to deny a full registrant a certified practice certificate under section 92, the board may only make an order under section 136(1)(b) directing the registrar to issue a certified practice certificate under section 92 if it is satisfied that the full registrant meets the conditions and requirements for the certificate under section 91.

Part 12– Delegation to non-registrants

Delegation

138 (1) A registrant must not delegate an aspect of practice to a non-registrant except in accordance with this Part and all applicable standards, limits, conditions and clinical decision support tools.

(2) A registrant may delegate to a non-registrant an aspect of practice that does not include the performance of a restricted activity if the registrant is satisfied the non-registrant is competent to provide or perform that aspect of practice safely and in accordance with all applicable standards, limits, conditions and clinical decision support tools.

(3) Subject to subsection (4), (5) or (6), a registrant must not delegate to a non-registrant an aspect of practice that includes the performance of a restricted activity.

(4) An audiologist may delegate to a communication health assistant an aspect of practice that includes:

(a) the performance of the restricted activity described in section 5(1)(c) of the Regulation, provided the performance of that restricted activity is not for the purposes of cerumen management;

(b) the performance of the restricted activity described in 5(1)(e) of the Regulation.

(5) A hearing instrument practitioner may delegate to a communication health assistant an aspect of practice that includes the performance of the restricted activity described in section 5(2)(b) of the Regulation, provided the performance of that restricted activity is not for the purposes of cerumen management.

(6) A speech-language pathologist may delegate to a communication health assistant an aspect of practice that includes the performance of the restricted activity described in section 5(3)(f) of the Regulation.

(7) When delegating an aspect of practice that includes a restricted activity under subsection (4), (5) or (6), a registrant must

(a) be satisfied the communication health assistant is competent to provide or perform the aspect of practice safely and in accordance with all applicable standards, limits, conditions and clinical decision support tools, and

(b) provide the communication health assistant with appropriate instructions specific to providing or performing the aspect of practice on the client.

Ultimate responsibility

139 When a registrant delegates an aspect of practice to a non-registrant, the registrant remains ultimately responsible for the quality of care provided by the non-registrant.

Repealed

140. [Repealed 2019-XX-XX.]

Not in force

141-149 [Not in force.]

DIVISION C – STANDARDS, COMPLAINTS AND DISCIPLINE

Part 13 – Regulating Professional Practice

Standards of ethics and practice

150(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) A registrant must at all times conduct him or herself in a manner that is in keeping with the standards, limits and conditions published by the board under subsection (1).

(3) A registrant must take reasonable steps to ensure that other registrants and non-registrants who work with the registrant in the practice of his or her profession, are aware of and act in accordance with the standards, limits and conditions published by the board under subsection (1), so far as those standards limits and conditions apply to them.

Liability insurance

151. A full registrant, conditional registrant or temporary registrant must either

(a) obtain and at all times maintain insurance that

(i) is in an amount of at least \$2,000,000 per claim and in a form satisfactory to the board, and

- (ii) covers the registrant, and any non-registrant to whom the registrant delegates an aspect of practice, against liability arising from an error, omission or negligent act that occurs in the practice of the registrant's profession, or
- (b) confirm that the registrant's employer has in place insurance as specified in paragraph (a).

Marketing

152(1) In this part,

"**advertisement**" 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,

"**marketing**" includes

- (a) an advertisement,
 - (b) any publication or communication in any medium with any client, prospective client 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, including a business card, newspaper or internet advertising, and
 - (c) contact with a prospective client initiated by or under the direction of a registrant.
- (2) A registrant must not engage in marketing his or her professional services or authorize marketing that
- (a) is false,
 - (b) contains material inaccuracies,
 - (c) is reasonably capable of confusing, deceiving or misleading a member of the public,
 - (d) is likely to create in the mind of the recipient or intended recipient an unjustified expectation about the results that the registrant can achieve,
 - (e) exploits or takes advantage of the public's physical or emotional states, or the public's lack of knowledge of professional subject matters,

- (f) contains claims or assertions that cannot be verified by a member of the public acting as a reasonable consumer of professional services,
- (g) uses comparative statements that include reference to fees, services, products or facilities,
- (h) 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,
 - (iii) by any other improper means, or
- (i) compares the quality of services provided with those provided by
 - (i) another registrant,
 - (ii) a person authorized to provide health care services under another enactment, or
 - (iii) another health profession,
- (j) tends to undermine the professionalism, ethics, integrity or dignity of the profession or otherwise brings the profession into disrepute, or
- (k) is otherwise contrary to the public interest.

(3) A registrant who, in any advertisement, includes a statement of fees for a specific service or product

- (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 or product to be provided and the cost to the client, and
- (b) must not in the advertisement compare the fees or product prices charged by the registrant with those charged by another registrant.

(4) A registrant must retain for one 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.

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

Internet marketing

153. If a registrant uses a website to market his or her services, the home page of the registrant's website must clearly show:

- (a) that the registrant is licensed in British Columbia;
- (b) the physical location of the registrant's office or clinic;
- (c) the registrant's 10-digit office or clinic telephone number;
- (d) the contact information for the college; and
- (e) a notice to clients that unresolved concerns they may have about the registrant's practice may be reported to the college.

Use of titles

154(1) A full registrant may use a title reserved under section 3 of the Regulation for exclusive use by registrants of his or her profession, provided the term "registered" is used before that title.

(2) A non-practising registrant may use a title reserved under section 3 of the Regulation for exclusive use by registrants of his or her profession, provided the title is followed by the term "non-practising" in brackets.

(3) A retired registrant may use a title reserved under section 3 of the Regulation for exclusive use by registrants of his or her profession, provided the title is followed by the term "retired" in brackets.

(4) A temporary registrant may use a title reserved under section 3 of the Regulation for exclusive use by registrants of his or her profession, provided the title is followed by the term "temporary" in brackets.

(5) A temporary (teaching) registrant must not use a title reserved under section 3 of the Regulation for exclusive use by registrants of his or her profession.

(6) A conditional registrant may use a title reserved under section 3 of the Regulation for exclusive use by registrants of his or her profession, provided the title is followed by the term "conditional" in brackets.

Permitted practice descriptions / Preferred areas of practice

155(1) In describing his or her practice as a registrant or as someone permitted to provide the services of a registrant, a registrant may list

- (a) the services that he or she is trained in and is capable of providing as a registrant,
- (b) the techniques that he or she has been trained to provide as a registrant, or
- (c) the typical types of communication and related disorders that he or she is trained to diagnose, assess, treat or prescribe as a registrant.

(2) In complying with subsection (1), a registrant

- (a) may not list a service, technique or problem that falls outside the scope of practice of a registrant, as required under the Regulation or as may otherwise be directed by the board,
- (b) may state that the listed service, technique or problem is a "preferred area of practice" using that or similar phrasing, and
- (c) may not misrepresent any clinical expertise that he or she holds or has obtained.

Declaring a specialty

156(1) Despite sections 154 and 155, a registrant may

- (a) declare or inform the public that the registrant specializes in the performance of a specific technique or the provision of a particular service, or
- (b) refer to a certificate or diploma the registrant has obtained in relation to a technique or service, so long as, while doing so, the registrant
- (c) describes accurately the precise nature of the technique or service, or
- (d) identifies the educational program or agency that granted the certificate or diploma to the registrant in relation to that technique or service, but
- (e) does not use the term "specialist" or otherwise suggest the registrant is a specialist in that technique or service.

(2) To ensure compliance with this section, the registration committee may require a registrant provide the committee with proof in support of any declaration or reference made under subsections (1)(a) or (b).

(3) In complying with subsection (1)(b), a registrant may use an abbreviated version of a recognized national or international clinical certification credential in the form approved

by the national or international organization that provided the registrant with that credential.

Ability of registrants to accept delegations or act under supervision

157. A registrant is entitled to undertake a restricted activity outside of the scope of practice of that registrant's profession if such activity is authorized by and undertaken in accordance with the bylaws of another college established under the Act that has authority to regulate the activity in question.

Speaking on behalf of the college/ Professional endorsements

158. A registrant must not

- (a) state publicly that he or she speaks on behalf of the college, unless he or she has been expressly authorized by the board to state the official position of the college, and
- (b) endorse or lend himself or herself as a professional 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.

Continuing competency credits

159(1) Subject to subsection (2), a full registrant, conditional registrant or non-practising registrant must

- (a) complete within a 3-year cycle not less than 45 continuing competency credits approved by the quality assurance and professional practice committee, and
- (b) report to the committee the completion of the continuing competency credits required under paragraph (a)
 - (i) by December 31 in the last year of the 3-year cycle, and
 - (ii) in accordance with the reporting procedures approved by the committee.

(2) When a registrant is registered in more than one profession as a full registrant, conditional registrant or non-practising registrant, in addition to completing and reporting for one profession the continuing competency credits as required under subsection (1), the registrant must also, for each other profession in which he or she is registered,

- (a) complete within the same 3-year cycle not less than 15 continuing competency credits approved by the quality assurance and professional practice committee, and
- (b) in accordance with subsection (1)(b), report to the committee the completion of the continuing competency credits required under paragraph (a).

(3) If a registrant fails to complete and report the required continuing competency credits required under subsections (1) and (2) by the deadline specified in subsection (1)(b)(i), the registrant must submit a deficiency plan under section 162.

(4) A registrant must retain documents or other information that supports the continuing competency credits reported under subsection (1) or (2) or further to a deficiency plan.

(5) The quality assurance and professional practice committee may, without notice to a registrant, audit the registrant to ensure the accuracy and truthfulness of the continuing competency credits reported under subsection (1) or (2) or further to a deficiency plan.

(6) If the quality assurance and professional practice committee finds a registrant inaccurately or falsely reported continuing competency credits under subsection (1) or (2) or further to a deficiency plan, the committee may do one or both of the following:

- (a) seek to resolve with the registrant a resulting deficiency in credits;
- (b) report that finding to the inquiry committee under section 26.2 of the Act.

Assessment of professional performance

160(1) The quality assurance and professional practice committee or an assessor appointed by the committee under section 26.1(4) of the Act may assess the professional performance of registrants, including the provision of services authorized by a certified practice certificate, and for that purpose may

- (a) assess the clinical ability of a registrant,
- (b) either individually or as part of an audit of a group of registrants, collect information from a registrant about the practice of his or her profession, and
- (c) establish remedial procedures to assist a registrant in identifying and correcting deficiencies in his or her clinical abilities or place of practice.

(2) Upon receiving a request for practice information under subsection (1), a registrant must respond to the quality assurance and professional practice committee within 30 days in the manner and with the information requested.

(3) The quality assurance and professional practice committee or an assessor appointed by the committee under section 26.1(4) of the Act must not observe a registrant while the registrant is providing a service to a client except if

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

(4) Where the quality assurance and professional practice committee is required to notify the inquiry committee of a matter under section 26.2(3) of the Act, it must deliver notice in writing to the registrar.

Practice Hours Requirement

161(1) A full registrant must

- (a) within a 3-year cycle, practice a minimum of 750 hours in a profession in which he or she is registered, either in British Columbia or in another regulated jurisdiction, and
 - (b) by December 31 in the last year of a 3-year cycle, report the practice of the required hours to the quality assurance and professional practice committee in accordance with the reporting procedures approved by the committee.
- (2) If a registrant fails to practice and report the required hours by the deadline specified in subsection (1), the registrant must submit a deficiency plan under section 162.
- (3) A registrant must retain documents or other information that supports the practice hours reported under subsection (1) or further to a deficiency plan.
- (4) The quality assurance and professional practice committee may, without notice to a registrant, audit the registrant to ensure the accuracy and truthfulness of the practice hours reported under subsection (1) or further to a deficiency plan.
- (5) If the quality assurance and professional practice committee finds a registrant inaccuracy or falsely reported practice hours under subsection (1) or further to a deficiency plan, the committee may do one or both of the following:
- (a) seek to resolve a resulting deficiency in credits by negotiation with the registrant;
 - (b) report that finding to the inquiry committee under section 26.2 of the Act.

Deficiency Plans

162. (1) If a registrant is required to submit a deficiency plan under section 159(2) or 161(2), the registrant must, on or before the March 31 immediately following the deadline specified in sections 159(1)(b) and 161(1)(b),

- (a) submit the plan in the form and manner specified by the quality assurance and professional practice committee,
- (b) pay the deficiency plan fee specified in Schedule A, and
- (c) obtain approval of the plan from the quality assurance and professional practice committee.

(2) Despite subsection (1)(b), a registrant who is required to submit a deficiency plan under section 159(2) or 161(2), does not have to pay the deficiency plan fee if he or she submits the plan on or before the February 15 immediately following the deadline specified in sections 159(1)(b) and 161(1)(b).

Documentation and record management

163(1) A registrant must take all reasonable measures to ensure that his or her collection, protection, use, disclosure and disposal of client personal information meets the requirements of

- (a) FIPPA if the registrant practices as an employee of a public body, or
- (b) PIPA if the registrant is in private practice or does not otherwise practice as an employee of a public body.

(2) Without limitation, under subsection (1), a registrant must

- (a) ensure that personal information collected from clients is current, legible, accurate and completely recorded,
- (b) at all times protect and maintain the confidentiality of personal information collected from clients,
- (c) upon request, provide clients, or the legal representatives of clients, with access to their personal information in accordance with, as applicable, PIPA or FIPPA, and all other relevant legal requirements, and
- (d) ensure that all records from his or her practice containing client personal information are safely and securely stored, or disposed of, through the use of

reasonable security arrangements against such risks as unauthorized access, collection, use, disclosure or disposal.

(3) A registrant must ensure that orderly and legible permanent client records are kept for a period of not less than 16 years from the date of the last recorded entry or the date the client reaches the age of majority, whichever is later, either in a systematic paper-based form, such as books, binders, file cards or folders, or using an electronic record-keeping system, provided the information stored on such a system can be reproduced promptly in printed form when required.

(4) In accordance with such requirements as the board may establish, a registrant in private practice must

(a) prepare a plan for the disposition of any client records that may remain in the registrant's possession at the time he or she ceases to practice, and

(b) upon request, produce a copy of the plan to the quality assurance and professional practice committee or the registrar.

Client relations program

164(1) The board must establish a patient relations program to seek to prevent professional misconduct of a sexual nature, to be known as the client relations program.

(2) For the purpose of the client relations program referred to in subsection (1), the board must

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

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

(c) develop guidelines for the conduct of registrants with their clients.

(3) The registrar must provide information to the public regarding the college's complaint, investigation and discipline processes.

Part 14 – Complaint Investigation and Resolution

Inspections

165. If an inspector intends to observe a registrant provide a service to a client, the inspector must obtain the consent of the client being treated, unless that service is being provided in a public setting.

Investigations by inquiry committee

166(1) The inquiry committee must notify a registrant who is the subject of an investigation and any complainant of the disposition of the investigation and any action taken under section 33(4) of the Act.

(2) Before agreeing to accept an undertaking or consent under section 36 of the Act, the inquiry committee may review all previous complaints and disciplinary matters involving the registrant to be satisfied that the proposed undertaking or consent is appropriate in the circumstances.

(3) The inquiry committee may order that the identity of a complainant not be disclosed to the respondent or any other party if the committee is of the view that such disclosure may place the complainant at undue risk of harm.

Registrar authority

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

Consent orders

168(1) In this section, "consent order" means an agreement under sections 32.2(4)(b) or 32.3(3)(b) of the Act, the record of an undertaking or a consent given under section 36 of the Act, or a consent order under section 37.1 of the Act.

(2) A consent order must

(a) include any consent to a reprimand or to any other action made by the registrant under section 32.2(4)(b), 32.3(3)(b), 36 or 37.1 of the Act,

(b) include any undertaking made by the registrant under section 36 or 37.1 of the Act,

(c) specify the length of time that an undertaking specified in paragraph (b) is binding on the registrant,

(d) specify the procedure that the registrant may follow to be released from an undertaking specified in paragraph (b), and

(e) subject to sections 22 and 39.3 of the Act and these bylaws, specify which terms or conditions of the consent order may be disclosed to others, including the public.

(3) If an undertaking or consent given under section 36 of the Act, a consent order under section 37.1 of the Act, or an agreement under section 32.2(4)(b) or 32.3(3)(b) of the Act requires the respondent to take any corrective or remedial action, the inquiry committee may direct the registrar

(a) to monitor the respondent's compliance with that requirement, and

(b) to report periodically to the chair of the inquiry committee regarding the respondent's compliance with that requirement.

Mediation between complainant and registrant

169. The inquiry committee may recommend under section 33(6)(b) of the Act that a complaint be mediated between the complainant and the registrant if

(a) the committee believes it is in the public interest to mediate the complaint, and

(b) the complainant and the registrant agree to mediation.

Mediation between committee and registrant

170. The inquiry committee may recommend under section 33(6)(b) of the Act that a complaint be mediated between the committee and the registrant if

(a) the committee believes it is in the public interest to mediate the complaint without the complainant, and

(b) the committee and the registrant agree to mediation in the absence of the complainant.

Appointment and payment of mediator

171. If the parties agree to mediation under either section 169 or 170, the inquiry committee must appoint a mediator at the college's expense who is acceptable to the parties that will attend the mediation.

Mediation terms and agreement to mediate

172(1) A mediation must be conducted in accordance with any policies and procedures approved by the board that are not inconsistent with this Part.

(2) The mediator must conduct the mediation process in accordance with the terms of a written Agreement to Mediate, which must be executed by the parties, the mediator and any other persons the parties agree may attend the mediation.

(3) An Agreement to Mediate must contain a confidentiality provision that is acceptable to the inquiry committee and may list any exceptions to that condition.

Agreement reached by mediation

173(1) In this section, “mediated agreement” means a written agreement between the parties that is reached through mediation.

(2) Where an agreement between the parties is reached through mediation,

(a) the terms of the agreement must be set out in a mediated agreement that must be signed by the mediating parties,

(b) the agreement must contain an enforcement provision that is enforceable by and acceptable to the inquiry committee, and

(c) a copy of the signed mediated agreement must be submitted by the mediator to the inquiry committee.

(2) Where a term of a mediated agreement requires the registrant to undertake or consent to an action referred to in section 36 of the Act, that undertaking or consent must be monitored and enforced by the inquiry committee.

(3) Where a mediated agreement is reached, the inquiry committee must:

(a) report the resolution of the matter to the board;

(b) if the mediation did not involve the complainant, report the resolution of the matter to the complainant;

(c) retain a copy of the signed mediated agreement on file.

Agreement not reached

174. Where an agreement is not reached through mediation, the mediator must refer the matter back to the inquiry committee with or without recommendations, and the committee may then take any other action under section 33(6) of the Act.

Registrant cooperation

175(1) A registrant must cooperate with the inquiry committee during an investigation of a complaint against that or any other registrant.

(2) If a registrant refuses to cooperate with the inquiry committee during an investigation, the committee must advise the respondent that continued refusal may

- (a) constitute a breach of subsection (1) or the Code of Ethics, and
- (b) become a new, separate complaint against the registrant.

(3) Despite subsection (1) or (2), a registrant may refuse to mediate a complaint under sections 169 or 170, and the committee may not use that refusal against the respondent in any subsequent proceeding.

Part 15 – Citations and Disciplinary Proceedings

Citation for disciplinary hearing

176(1) Before the issuance of a citation under section 37 of the Act, on the direction of the inquiry committee, the registrar may join 2 or more complaints or other matters which are to be the subject of a discipline hearing in one citation, as the panel considers appropriate in the circumstances

(2) After the issuance of a citation or citations under section 37 of the Act, on the direction of the discipline committee, the registrar may, as the committee considers appropriate in the circumstances,

- (a) join 2 or more complaints or other matters which are to be the subject of a discipline hearing,
- (b) sever 2 or more complaints or other matters which are to be the subject of a discipline hearing, or
- (c) amend a citation.

(3) If a citation is amended under subsection (2)(c) before a discipline hearing, the amended citation must be delivered to the respondent by personal service or sent by regular mail to the respondent at the last address for the respondent recorded in the register referred to in section 21(2) of the Act not fewer than 14 days before the date of the hearing

(4) If a citation is amended under subsection (2)(c) before 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.

Discipline committee or panel

177(1) No person may sit on the discipline committee or panel while he or she is a member of the inquiry committee.

(2) No member of the discipline committee may sit on the panel hearing a matter in which he or she

(a) was involved in the investigation leading to the citation or was a member of the inquiry committee that recommended the citation, or

(b) has had any other prior involvement that would create a reasonable apprehension of bias.

Disciplinary hearings

178(1) A respondent may apply to the discipline committee to raise pre-hearing and procedural matters that the committee may address by way of a hearing if it so requires.

(2) The registrar or the discipline committee must provide information about the date, time and subject matter of the hearing 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) of the Act.

(4) The discipline committee must ensure that a discipline hearing is recorded.

(5) Any person may obtain, at his or her expense, a transcript of any part of the hearing that he or she was entitled to attend, by submitting a request in writing to the registrar.

(6) In determining the penalty to be imposed on a registrant under section 39(2) of the Act, the discipline committee must, after making a determination on the facts, consider a previous relevant disciplinary decision regarding the registrant, including

- (a) an order under section 35 of the Act,
- (b) an undertaking or consent to a reprimand given by the registrant under section 36(1) of the Act,
- (c) a deemed order under section 37.1 of the Act,
- (d) a decision under section 39 of the Act,
- (e) an undertaking by the registrant or a decision of the discipline committee under the Hearing Aid Act, R.S.B.C. 1996, c.186.

(7) If the discipline committee or panel determines that one or more of the allegations against a respondent in a citation have been proven, the committee must hold a separate hearing as to the appropriate order, unless the respondent agrees otherwise.

Notice of disciplinary decision

179(1) In addition to the public notification required under section 39.3 of the Act with respect to any of the actions referred to in section 39.3(1)(a) to (e) of the Act, the registrar must notify

- (a) all registrants,
- (b) the regulatory bodies governing the practice of the registrant in every other Canadian jurisdiction,
- (c) any other governing body of a health profession inside or outside of Canada, and
- (d) the employer of the registrant, if known and applicable.

(2) Notification required under subsection (1)(a)

- (a) must include all information included in the public notification under section 39.3 of the Act, and
- (b) unless otherwise directed by the inquiry committee or the discipline committee, as the case may be, must exclude any information withheld from the public notification under section 39.3(3) or (4) of the Act.

(3) Unless otherwise directed by the inquiry committee or the discipline committee, as the case may be, notification provided to other regulatory or governing bodies under

subsections (1)(b) or (c) may include information that has been withheld from the public notification under section 39.3(3) or (4) of the Act.

(4) In addition to any notification required under section 39.3(3) of the Act, the board must within a reasonable time after the discipline committee acts under section 39 of the Act, advise every registrant of

- (a) the name of the respondent,
- (b) the facts of the case,
- (c) the reasons for the decision, and
- (d) the disposition of the case, including the nature of any limitation or suspension, and the date it is in effect.

Retention of disciplinary committee and inquiry committee records

180(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 or discipline committee relating to actions taken under sections 32, 32.2, 32.3, 33(6)(c) or (d), 35, 36, 37.1, 38, 39 or 39.1 of the Act must be kept on permanent record at the office of the college.

Effect of suspension

181(1) During any period of suspension of a license, a registrant must:

- (a) not engage in the practice of the profession;
- (b) not hold himself or herself out as being a registrant;
- (c) not hold office in the college;
- (d) not make appointments for clients or prospective clients;
- (e) not contact or communicate with clients or prospective clients, except for the purposes of
 - (i) advising clients or prospective clients of the fact and duration of the suspension, or

- (ii) advising a client or prospective client that another registrant will continue to operate in the suspended registrant's place, or
 - (iii) referring the client or prospective client to another registrant in good standing;
 - (f) remove from their premises and the building in which the premises are located, their name and any sign relating to their practice;
 - (g) prominently display, a notice of suspension in a form and in a location approved by the registrar, which states the duration and reasons for the suspension;
 - (h) immediately surrender to the registrar their license;
 - (i) pay any fee or special assessment required by the college when due in order to remain a registrant.
- (2) A registrant who has been suspended is not entitled to a refund of the annual fee for the portion of the suspension or of any special assessment that the registrant has paid.
- (3) No current or former registrant is entitled to any refund of any fine, fee, debt or levy paid to the college solely on the basis that it was paid during or in relation to a period of suspension
- (4) During the period of suspension, a suspended registrant may permit another registrant in good standing to practice within the suspended registrant's office, provided that the suspended registrant
- (a) complies with the provisions of subsection (1), and
 - (b) must not, directly or indirectly, receive any payment in respect of services provided by the other registrant under this subsection.
- (5) Any communication under subsection (1)(d) may 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

182. 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

183. The tariffs of costs applicable to sections 33(7), 37.1(1) and (5), and 39(4) and (5) of the Act are set out in Schedule B of these bylaws.

Notice of disciplinary action under section 39.1 of Act

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

Schedule A – Schedule of Fees

<i>Type of fee</i>	<i>Amount</i>
<i>Registration</i>	
Application fee for full registration or conditional registration	\$225
Hearing instrument dispensing practical examination fee	\$450
Registration fee for full registration or conditional registration	\$750
Registration fee for non-practising registration	\$275
Registration fee for temporary registration or temporary (teaching) registration	\$100
Registration fee for retired registration	\$50
<i>Renewal</i>	
Renewal fee for full registration or conditional registration	\$750
Renewal fee for non-practising registration	\$275
Renewal fee for temporary registration or temporary (teaching) registration	\$100
Renewal fee for retired registration	\$50
Renewal late fee	\$250
Deficiency plan fee	\$200
Reinstatement fee	\$500
<i>Certified Practice Certificates</i>	
Application fee for certified practice certificate (per certificate to a maximum of \$100)	\$50
Renewal fee for certified practice certificate (per certificate to a maximum of \$50)	\$25
Reinstatement fee for certified practice certificate	\$50

Schedule B – Tariff of Costs

INVESTIGATION TARIFF

1. For the purposes of assessing costs under this tariff, qualifying expenses incurred by the college from the time

(a) the registrar receives a complaint in writing under section 32(1) of the Act, or

(b) the inquiry committee initiates an investigation of a matter on its own motion under section 33(4) of the Act,

until the time the inquiry committee directs the registrar to issue a citation or otherwise disposes of the complaint under section 33(6) of the Act are deemed to be expenses incurred for the investigation of the complaint or matter.

<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, including per diems paid to the members of the inquiry committee	100% of actual fees
Other reasonable and necessary disbursement incurred for the purposes of the investigation, including disbursements incurred by legal counsel	100% of actual disbursements

DISCIPLINARY HEARING TARIFF

2. 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 section 36(6)(d) of the Act until

(a) the inquiry committee accepts a written proposal for consent under sections 37.1(2) or (5) of the Act,

(b) the discipline committee dismisses the matter under section 39(1) of the Act, or

(c) the discipline committee issues an order under section 39(2) of the Act,

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

Expense	Rate of indemnity
Legal representation for the purposes 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 professional services contracted for the purposes of preparing for and conducting the hearing, including per diems paid to the members of the inquiry committee or discipline committee	100% of actual fees
Other reasonable and necessary disbursement incurred for the purposes of preparing for and conducting the hearing, including disbursements incurred by legal counsel	100% of actual disbursements

Schedule C – Recognized Academic Programs

The academic programs of the following institutions are recognized academic programs for the purposes of Part 4 of the bylaws:

Hearing Instrument Practitioner (section 82(1)(a))

Conestoga Community College
Douglas College
George Brown College
Grant MacEwan University
Rosemont College, Cégep de La Pocatière

Audiologist (section 85(1)(a)(i))

Dalhousie University
University of British Columbia
Université de Montréal
University of Ottawa
Western University

Speech-Language Pathologist (section 85(1)(a)(i))

Dalhousie University
McGill University
McMaster University
Université Laval
Université de Montréal
University of Alberta
University of British Columbia
University of Ottawa
University of Toronto
Western University

Schedule D – Acceptable Academic Program

1. For the purposes of section 85(1)(a)(ii), an academic program must be provided by a degree-granting university and include

- (a) 135 hours of course work in basic science related to the applicant's profession, with at least
 - (i) one course in the area of anatomical, physiological and neurological basis of speech, language and hearing functioning,
 - (ii) for an applicant for registration as a full registrant in the profession of audiology, 2 courses in the area of the physical basis and perceptual processes of hearing, and
 - (iii) for an applicant for registration as a full registrant in the profession of speech- language pathology, 2 courses in the area of fundamental information pertaining to the use of speech and language processes,
- (b) 180 hours in basic science related to other health professions, with at least
 - (i) 2 courses in the area of basic principles and methods involved in conducting research in human behaviour,
 - (ii) one course in the area of professional practices and issues or administrative organization of audiology or speech-language pathology programs, and
 - (iii) one course in the area of psychological and social aspects of human development, which must provide information from related fields, such as psychology or education pertinent to communication disorders, including at least one of
 - (A) theories of learning and behaviour that have application to communication disorders,
 - (B) personality development or abnormal behaviour,
 - (C) development and education of special populations, psychometric evaluation or school psychology, or
 - (D) counselling and interviewing,
- (c) 405 hours in professional competency, which

(i) for an applicant for registration as a full registrant in the profession of audiology, must include

- (A) hearing measurement,
- (B) audiological assessment,
- (C) electrophysiological and other diagnostic measurements,
- (D) basic and advanced concepts in amplification (systems, selection, fitting, verification and validation),
- (E) implantable hearing devices,
- (F) calibration and maintenance of instruments,
- (G) auditory and vestibular disorders involving both peripheral and central pathways of hearing,
- (H) assessment and management of tinnitus, including hyperacusis,
- (I) paediatric audiology,
- (J) habilitation and rehabilitation procedures applied to children, adults, the elderly and specific populations, such as developmental delay and occupational hearing loss, and
- (K) professional practice issues specific to audiology, and

(ii) for an applicant for registration as a full registrant in the profession of speech- language pathology, must include

- (A) articulation or phonological disorders,
- (B) preschool or school-aged language development and literacy,
- (C) developmental language disorders,
- (D) acquired language disorders,
- (E) cognitive communication disorders,
- (F) voice disorders,
- (G) resonance disorders or structurally related disorders, such as cleft lip and palate,
- (H) fluency disorders,
- (I) neurologically based speech disorders,
- (J) augmentative and alternative communication,
- (K) dysphagia, and

(L) professional practice issues specific to speech-language pathology,
(d) 45 hours in professional competency in relation to all communication disorders, which

(i) for an applicant for registration as a full registrant in the profession of audiology, must include

(A) speech and language development, delays and disorders, such as screening or identification programs for speech, language and hearing problems throughout the lifespan,

(B) potential impact of hearing loss on speech and language acquisition, and

(C) screening procedures for speech-language delays and disorders, and

(ii) for an applicant for registration as a full registrant in the profession of speech- language pathology, must include

(A) development of normal hearing,

(B) hearing disorders and related speech-language disorders, such as symptoms of hearing disorders, including associated speech, language and voice profiles,

(C) screening procedures and basic audiometric testing; application of audiometric information to the speech-language assessment,

(D) modification in speech and language procedures to accommodate varying degrees of hearing loss,

(E) approaches to habilitation and rehabilitation of speech and language of the hearing impaired, and

(F) use, care and maintenance of hearing aids, assistive listening devices, and amplification systems),

(e) 350 hours of supervised clinical practicum components, including 300 hours of direct client contact, which

(i) for an applicant for registration as a full registrant in the profession of audiology, must include

(A) 50 hours of direct contact with children,

(B) 50 hours of direct contact with adults,

(C) 100 hours of assessment,

- (D) 50 hours of intervention, and
 - (E) clinical practicum components on the topics of
 - (I) hearing measurement,
 - (II) audiological assessment,
 - (III) electrophysiological and other diagnostic measurements,
 - (IV) amplification (systems, selection, fitting, verification and validation), and
 - (V) implantable hearing devices, and
- (ii) for an applicant for registration as a full registrant in the profession of speech- language pathology, must include
- (A) 50 hours of direct contact with children,
 - (B) 50 hours of direct contact with adults,
 - (C) 50 hours of assessment,
 - (D) 100 hours of intervention, and
 - (E) clinical practicum components on the topics of
 - (I) articulation or phonological disorders,
 - (II) preschool or school-aged language development and literacy,
 - (III) developmental language disorders,
 - (IV) acquired language disorders,
 - (V) cognitive communication disorders,
 - (VI) voice disorders,
 - (VII) resonance disorders or structurally related disorders, such as cleft lip and palate,
 - (VIII) fluency disorders,
 - (IX) neurologically based speech disorders,
 - (X) augmentative and alternative communication,
 - (XI) dysphagia, and
 - (XII) prevention and identification activities, and
- (f) 200 hours of direct client contact, which
- (i) for an applicant for registration as a full registrant in the profession of audiology, must include exposure to speech-language pathology

assessment, intervention or prevention activities, and

(ii) for an applicant for registration as a full registrant in the profession of speech- language pathology, must include exposure to audiology assessment, intervention or prevention.

2. No more than 50 hours of the 300 hours of direct contact required under subsection (1)(e) may be completed in simulation.

3. No more than 50 hours of the 200 hours of direct contact required under subsection (1)(f) may be completed in simulation.