



## ORDER OF THE PROVINCIAL HEALTH OFFICER

(Pursuant to section 13 of the *Health Professions General Regulation*, B.C. Reg 275/2008)

### ***MIDWIVES AND CERTIFIED PRACTICE SPEECH LANGUAGE PATHOLOGISTS SARS-CoV-2 SWABBING – November 16, 2020***

#### **WHEREAS:**

- A. On March 17, 2020 I provided notice under section 52 (2) of the *Public Health Act* that the transmission of the infectious agent SARS-CoV-2, which has caused cases and outbreaks of a serious illness known as COVID-19 among the population of the Province of British Columbia, constitutes a regional event as defined in section 51 of the *Public Health Act* (the “**Emergency**”);
- B. Screening for infection with SARS-CoV-2 involves carrying out a nasopharyngeal swab, which requires the insertion of an instrument or device beyond the point of the nasal passages where they normally narrow, or a throat swab, which requires the insertion of an instrument or device beyond the pharynx or a mouth rinse (the “**Screening Activity**”);
- C. Sections 5(1)(g)(i) and (ii) of the *Midwives Regulation* establish the nasal passage and pharynx restricted activities that may be performed by a midwife. Sections 5(3)(c) and (d) of the *Speech and Hearing Health Professionals Regulation* establish the nasal passage and pharynx restricted activities, subject to section 6(4) of the *Speech and Hearing Health Professionals Regulation*, that may be performed by a speech language pathologist. Each of these regulations provides limitations that would affect the ability of a midwife or speech language pathologist to provide a Screening Activity (the “**Screening Activity Limitations**”);
- D. I am of the opinion that:
  - (i) the Screening Activity Limitations adversely affect the timely delivery of the Screening Activity, and the efficient and effective use of health human resources, throughout British Columbia, and
  - (ii) midwives and speech language pathologists (who are authorized to provide the activities established in sections 5 (3 )(c) and (d) of the *Speech and Hearing Health Professionals Regulation*) (each a “**Testing Registrant**”) may perform the Screening Activity, as authorized by this order, without undue risk to the health or safety of the patient or any other person.

**I, Dr. Bonnie Henry, Provincial Health Officer, order that notwithstanding any requirements set out in the *Midwives Regulation* or *Speech and Hearing Health Professionals Regulation* or any standard set by the British Columbia College of Nurses and Midwives or the College of Speech and Hearing Health Professionals that conflict or may conflict with this order, a Testing Registrant is authorized to perform the Screening Activity, subject to the following conditions:**

1. The Screening Activity must be performed in the course of providing a screening program approved by a medical health officer with responsibility for the geographic area in which the activity is performed.
2. The Screening Activity must be conducted in accordance with the guidelines issued by the BC Centre for Disease Control (the “**Guidelines**”) posted at the following website:  
  
<http://www.bccdc.ca/health-professionals/clinical-resources/covid-19-care/lab-testing>
3. The Testing Registrant’s employer or a medical health officer must first assess the Testing Registrant’s competence to perform the Screening Activity in a manner that is safe for both the client and the Testing Registrant, including by requiring the Testing Registrant to demonstrate knowledge, in accordance with the Guidelines, respecting who to test, specimen collection and labelling, and the use of personal protective equipment. The Testing Registrant’s employer may only make this assessment if the employer is a registrant, or is acting on the advice of a registrant, who has assessed the Testing Registrant and who is authorized under a health profession regulation, and competent, to perform the Screening Activity.

Unless rescinded earlier, this order will end on the date that I provide notice under section 59 (b) of the *Public Health Act* that the Emergency has passed.

DATED THIS: 16<sup>th</sup> day of November 2020

**SIGNED:**

  
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Bonnie Henry  
MD, MPH, FRCPC  
Provincial Health Officer