



College of Speech and
Hearing Health Professionals
of British Columbia

BYLAWS

Includes amendments up to and including October 23, 2023

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 are eligible to be elected, and
- (b) only full registrants and non-practising 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 the registrant 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 the registrant declares in writing that the registrant 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 the registrant declares in writing that the registrant 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 the registrant 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 the registrant's 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 the registrant's 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 the board position 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 office if that member
- (a) ceases to be a full 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's registration is cancelled
- (a) under section 39(2)(e) of the Act, or
 - (b) 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) is suspended under sections 35(1)(b) or 39(2)(c) of the Act, or
 - (b) agrees to a suspension 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 the board member 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 the 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 the chair is entitled to 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 2020-06-29.]

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.

Repealed

21.1 [Repealed 2022-12-07.]

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

Repealed

25. [Repealed 2022-12-07.]

Repealed

26. [Repealed 2020-06-29.]

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.

Repealed

28. [Repealed 20203-10-23.]

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) Subject to section 33(2),

- (a) a majority of the members of a panel constitute a quorum, and
- (b) 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.

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

Part 4 – General Meetings

General meetings

37(1) A general meeting of the college may be held

- (a) in person,
 - (b) by using one or more of video conferencing, telephone conferencing, or any other electronic means that allows for live, two-way communication between attendees and the representatives of the college who are conducting the meeting, or
 - (c) using a combination of in-person attendance and attendance by the means of communication described in paragraph (b).
- (2) A general meeting of the college must be held at a time determined by the board, and when held in person under subsection (1)(a) or (c), must be held in British Columbia at a place determined by the board.

- (3) A general meeting of the college must be open to the public.
- (4) Subject to subsection (6), the board must determine the agenda for a general meeting of the college, which may include, but is not limited to, the following:
- (a) education for registrants or members of the public or both;
 - (b) the communication of information relevant to the duties and objects of the college under section 16 of the Act;
 - (c) the opportunity for registrants and members of the public to ask questions about, and provide feedback on, issues relevant to the duties and objects of the college under section 16 of the Act.
- (5) An annual general meeting of the college 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.
- (6) The following matters must be presented at an annual general meeting of the college:
- (a) financial statements;
 - (b) the report of the board;
 - (c) the report of the registrar; and
 - (d) the report of the accountant, if any.
- (7) Every general meeting of the college, other than an annual general meeting, is an extraordinary general meeting.
- (8) The board may convene an extraordinary general meeting by special resolution.

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; and
 - (b) the general nature of the matters to be considered at the meeting.
- (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.

Repealed

39. [Repealed 2022-12-07.]

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 the chair may be entitled to 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.

Disclosure of complaints and investigations

48.1 (1) This section applies to information and records that form part of the assessment or investigation of

- (a) a complaint under section 32 of the Act,
- (b) a report under section 32.2 to 32.4 of the Act, or
- (c) a matter under section 33(2) or (4) of the Act.

(2) The registrar may do any of the following in respect of information or a record to which this section applies:

- (a) disclose the information or record to any person or body or the public, with the consent of the registrant or former registrant who is the subject of the complaint, report or matter;
 - (b) disclose the information or record to
 - (i) another college under the Act, or
 - (ii) any other body, in British Columbia or another jurisdiction, that regulates a health profession;
 - (c) if the complaint, report or matter has become known to the public, disclose to any person or the public
 - (i) the existence of the assessment or investigation,
 - (ii) a brief, summary description of the nature of the complaint, report or matter,
 - (iii) the status of the complaint, report or matter, including, if it is closed, the general basis on which it was closed, and
 - (iv) any additional information necessary to correct material inaccuracies in information that has become known to the public;
 - (d) whether in the form of an undertaking or otherwise, if a registrant consents to a limit or condition on, or a suspension of, the registrant's practice of a profession during an assessment or investigation or pending a hearing of the discipline committee, disclose to any person or body or the public the consent given and its effect on the registrant's practice.
- (3) If the inquiry committee or the discipline committee, as the case may be, reasonably believes that information or a record to which this section applies might be evidence of an offence under the laws of any jurisdiction, the inquiry committee or the discipline committee may direct the registrar to disclose the information or record to an appropriate law enforcement agency.
- (4) The registrar's disclosure of information or a record in accordance with a direction of the inquiry committee or discipline committee under subsection (3) is authorized as being in the public interest.

Disclosure of citations

48.2 (1) If a citation has been issued in accordance with section 37(1) of the Act, the registrar must disclose in a notice to the public, not fewer than 14 days before the date of the hearing,

- (a) the date the citation was issued,
- (b) the name of the respondent,
- (c) a brief, summary description of the nature of the complaint or other matter which is to be the subject of a hearing, and
- (d) the date, time and place of the hearing.

(2) Information about the date, time, place and subject matter of a hearing must be provided to any person on request.

(3) Once a citation has been delivered to the respondent in accordance with section 37(2) of the Act, the registrar may disclose to the public the citation and its status including without limitation whether it has been cancelled or dismissed.

(4) Disclosure under subsection (1) or (3) may be made by means of posting on the college website.

(5) Despite subsections (1) to (4), the registrar must not disclose under this section the names or personal health information of complainants, clients or witnesses, or their families, or information which might otherwise enable the identity of complainants, clients or witnesses, or their families, to be established, except with the consent of the person affected.

Disclosure of disciplinary actions

48.3 (1) In addition to any notification required under section 39.3 of the Act, the registrar may notify

- (a) all bodies, in other Canadian jurisdictions, that regulate one or more of the professions,
- (b) any current or prospective employer, partner or associate of the person respecting whom the action was taken, and
- (c) any other body, in British Columbia, or any other jurisdiction, that regulates a health profession.

(2) Notification provided under subsection (1)

- (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, or a panel of one of those committees, as the case may be, may include information that is not releasable to the public under section 48 or that has otherwise been withheld from the public notification under section 39.3(3) or (4) of the Act.

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) temporary 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
- (5) A registrant who held retired registration in a profession at midnight on the day before the effective date
- (a) is no longer a registrant in the same profession as of the effective date, and
 - (b) must not use a title reserved under section 3 of the Regulation for exclusive use of those registered in the respective profession.

Payment of registration and other fees

62. Where these bylaws require that an applicant for registration or a registrant must pay a fee, the applicant or registrant must pay that fee to the college
- (a) in the full amount specified in Schedule A, and
 - (b) by the date specified, and
 - (b) by credit card or debit card.

Fee adjustments

63. Despite section 62(a), 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.

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 the registrant 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 the non-practising registrant is registered.
- (3) A non-practising registrant may remain on the non-practising register for a maximum of 3 consecutive years provided the registration of the non-practising registrant is renewed 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) evidence satisfactory to the registration committee that the non-practising registrant is of good character and fit to engage in the practice of a profession consistent with the responsibilities of a full registrant and the standards expected of a full registrant,
 - (c) 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) proof of completion of the requirements under section 159,
 - (vi) any other fee, fine, levy or debt owed to the college, and
 - (vii) 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
- (d) if, as a result of being registered under this section, the non-practising registrant did not report the practice of required hours for a 3-year cycle under section 161(1)(b) or (2)(b), the non-practising registrant must
- (i) report the practice of the required hours for that cycle to the quality assurance and professional practice committee in accordance with the reporting procedures approved by the committee, and
 - (ii) if the non-practising registrant has not completed the required hours for that cycle, submit a deficiency plan under section 162.

Repealed

65. [Repealed 2022-12-07]

Repealed

66. [Repealed 2023-10-23]

Temporary registration

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

- (a) the applicant either
 - (i) is
 - (A) a registrant in good standing of a body in another jurisdiction responsible for regulation of that profession, and
 - (B) authorized to practise that profession in that jurisdiction as the equivalent of a full registrant, or
 - (ii) possesses academic qualifications acceptable to the registration committee in relation to a restricted activity of that profession which the applicant intends to demonstrate under subsection 4(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 registration,
 - (ii) evidence satisfactory to the registration committee of the applicant's
 - (A) registration 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 practising the 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 registration may be granted under subsection (1) for a period of up to 90 days.

(3) The registration of a temporary registrant may be renewed once, prior to its expiry, for an additional period of up to 90 days, if the temporary registrant delivers to the registrar

- (a) a completed application for renewal, and
- (b) the renewal fee specified in Schedule A.

(4) A temporary registrant must not practise a profession except as permitted under subsection (5) or (6), as applicable.

(5) A temporary registrant registered under subsection (1)(a)(i) may demonstrate for an education or training purpose the performance of a restricted activity permitted under section 5 of the Regulation to the profession in which the registrant is registered.

(6) A temporary registrant registered under subsection (1)(a)(ii) may demonstrate for an education or training purpose the performance of a restricted activity for which the registrant possesses academic qualifications acceptable to the registration committee.

(7) 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.

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. 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.

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 the applicant 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 the applicant 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 the applicant 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.

Entry on the register and issuance of a certificate of registration

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

(2) At the time of entering a registrant on the register under subsection (1), the registrar must

(a) ensure the registrant is also entered on the copy of the register posted on the college website, and

(b) if requested by the registrant, issue the registrant a certificate of registration.

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

(a) the class of registration as listed in section 61,

(b) the name of the registrant,

(c) the date the certificate was issued,

(d) the expiry date, and

(e) any limits or conditions that may apply to that registrant or class of registrant.

(4) A certificate of registration for full registration, conditional registration, or non-practising 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, or temporary registrant must be able to provide proof of being 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 of a suspension or cancellation of registration 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, and non-practising)

78(1) To be eligible for renewal of registration, a full registrant, a conditional registrant in the first year of conditional registration, or a non-practising 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 the registrant's class of registration specified in Schedule A;
- (c) pay any other outstanding fee, debt, or levy owed to the college;
- (d) as applicable to the registrant's 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) 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 first being 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.

(3) The registrar must provide written confirmation of renewal of registration to each full registrant, each conditional registrant in the first year of conditional registration, and each non-practising registrant who, on or before March 31,

- (a) meets all the conditions and requirements established in subsection (1), and
- (b) if applicable, successfully completes the jurisprudence course and the client consent course under subsection (2).

(4) The registration of a full registrant, a conditional registrant in the first year of conditional registration, or a non-practising registrant is cancelled if the registrant fails to do both of the following 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 (2).

(5) No later than January 31, the registrar must send an email to the last email address on file with the college for each full registrant, each conditional registrant in the first year of conditional registration and each non-practising registrant, reminding those registrants of the March 31 renewal deadline and describing the consequences of failing to meet the conditions and requirements under subsection (1) by that deadline.

Repealed

79. [Repealed 2020-06-29.]

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, conditional registrant, or non-practising registrant was cancelled under section 78(5), the conditions and requirements for reinstatement of registration are, despite sections 64, 82, 85, or 87,

- (a) the former registrant was in good standing at the time the former registrant's previous registration was cancelled,
- (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 April 30 in the year of the cancellation under s. 78(5):
 - (i) a completed application for reinstatement;
 - (ii) the renewal fee specified in Schedule A for the class of registration in which the former registrant is seeking reinstatement;
 - (iii) the reinstatement fee specified in Schedule A;
 - (iv) any other fee, levy, or debt owed to the college; and
 - (v) 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),
 - (i) successful completion of at least a diploma course in hearing instrument dispensing from one of the academic programs specified in Schedule C, or
 - (ii) subject to subsection (6), successful completion of
 - (A) at least a master's degree in audiology from one of the recognized academic programs listed in Schedule C, or
 - (B) a post-secondary degree in audiology from an academic program that meets or exceeds the requirements set out in Schedule D, or
 - (C) at least a diploma course in hearing instrument dispensing from an academic program that meets or exceeds the requirements set out in Schedule E.
- (b) successful completion of the examinations specified by the registration committee,
- (c) completion of supervised practice training
 - (i) in the form and amount specified 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 an application for registration under subsection (1)(f)(i), the applicant may be granted registration under this section provided the applicant
- (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 an application for registration under subsection (1)(f)(i), the applicant 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) the applicant's knowledge, skills and abilities are substantially equivalent to the competencies or other qualifications established in subparagraph (i).
- (3) Despite subsection (1), an applicant who is a former full registrant in the profession of hearing instrument dispensing may be granted registration under this section provided the applicant
- (a) became a full registrant in the profession of hearing instrument dispensing without having completed the educational requirement under subsection (1)(a),
 - (b) submits an application under subsection (1)(f)(i) within 24 months of the applicant's full registration in the profession of hearing instrument dispensing having been cancelled under section 78(5), and

(c) meets the conditions and requirements set out in subsection (1)(b) to (e) and (f)(ii) and (iv) to (ix).

(4) 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 subsection (1)(b), (d), (e), and (f)(i) to (iii) and (v) to (ix).

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

(6) If an applicant is applying for registration as a full registrant in the profession of hearing instrument dispensing based on successful completion of a degree specified in subsection (1)(a)(ii), the applicant must provide evidence satisfactory to the registration committee of having completed hearing instrument dispensing coursework and clinical practicum components that meet or exceed the requirements set out in Schedule E.

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) if the applicant is applying based on a degree from an academic program that meets or exceeds the requirements set out in Schedule D, proof in a form

- acceptable to the registration committee that the applicant has completed those requirements;
- (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 an audiologist or a speech-language pathologist,
 - (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 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 an application for registration under subsection (1)(e)(i), the applicant may be granted registration under this section provided the applicant
- (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 an application for registration under subsection (1)(e)(i), the applicant has engaged in the practice of the applicant's 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) the applicant's knowledge, skills and abilities are substantially equivalent to the competencies or other qualifications established in subparagraph (i).
- (3) Despite subsection (1), an applicant who is a former full registrant in the profession of audiology or the profession of speech-language pathology may be granted registration under this section provided the applicant
- (a) became a full registrant in the profession without having completed the educational requirement under subsection (1)(a),
 - (b) submits an application under subsection (1)(e)(i) within 24 months of the applicant's full registration in the profession having been cancelled under section 78(5), and
 - (c) meets the conditions and requirements set out in subsection (1)(b) to (d) and (e)(ii) 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 an application for registration under subsection (1)(e)(i), the application expires, and if the applicant still wishes to be registered, the applicant 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 conditional registration under section 82, 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 their application 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 the registrant 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 the registrant 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), the conditional registrant 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), the conditional registrant 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 conditional registration under subsection (1) fails the examinations required under section 82(1)(b) 3 times, or
 - (ii) a registrant granted conditional 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 conditional 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 conditional 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) Subject to section 80, 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 unless under the supervision of a full registrant,
 - (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 the 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 (2) to (5), the full registrant has successfully completed the certification program approved by the board for that certificate under section 90(1), and

(b) pay the certified practice certificate application fee specified in Schedule A.

(2) 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).

(3) Despite subsection (2), 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 the applicant

- (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.

(4) 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).

(5) Despite subsection (4)(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 videoflourosopic 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 the 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 the registrant 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) 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.

- (3) 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.
- (4) If a full registrant fails to satisfy the requirements established in subsection (1) on or before the expiry date for the certified practice certificate, the certificate is cancelled.
- (5) Where a full registrant's certified practice certificate is cancelled under subsection (4), the registrant may reinstate the certificate 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.
- (6) The registrar must issue to a full registrant who satisfies the conditions and requirements specified in subsection (5) 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
- (b) complete the practice hours required by the quality assurance and professional practice committee as relevant to the services authorized by the certificate, and
- (c) report the continuing competency credits completed under paragraph (a) and practice hours completed under paragraph (b) 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 the 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 the registrant’s 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 cancelation of the 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 the registrant 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 2020-06-29.]

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 2020-06-29.]

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 a 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 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 the registrant's marketing.

Internet marketing

153. If a registrant uses a website to market the registrant's 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 of those registered in the respective 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 of those registered in the respective profession, provided the title is followed by the term "non-practising" in brackets.

(3) A temporary registrant may use a title reserved under section 3 of the Regulation for exclusive use of those registered in the respective profession, provided the title is followed by the term “temporary” in brackets.

(4) A conditional registrant may use a title reserved under section 3 of the Regulation for exclusive use of those registered in the respective profession, provided the title is followed by the term “conditional” in brackets.

Permitted practice descriptions / Preferred areas of practice

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

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

(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 the registrant 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 the registrant speaks on behalf of the college, unless expressly authorized by the board to state the official position of the college, and
- (b) use the registrant’s status as a professional to endorse 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 the registrant 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 registrant's professional practice, and
- (c) establish remedial procedures to assist a registrant in identifying and correcting deficiencies in the registrant's 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) Subject to subsection (2), a full registrant must

- (a) within a 3-year cycle, practise a minimum of 750 hours in a profession in which the full registrant 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) When a registrant is registered as a full registrant in more than one profession, in addition to completing and reporting the hours for one profession as required under subsection (1), the registrant must also

- (a) within the same 3-year cycle, practise a minimum of 250 hours in each other profession, either in British Columbia or another regulated jurisdiction, and
 - (b) report the practice of the hours required under paragraph (a) to the quality assurance and professional practice committee in accordance with subsection (1)(b).
- (3) A full registrant must complete the hours required under subsection (1) and, if applicable, subsection (2) even if the full registrant was a non-practicing registrant for some portion of a 3-year cycle.
- (4) If a full registrant fails to complete and report the hours required under subsection (1) and, if applicable, subsection (2) by the deadline specified in subsection (1), the registrant must submit a deficiency plan under section 162.
- (5) A registrant must retain documents or other information that supports the practice hours reported under subsection (1) or (2) or further to a deficiency plan.
- (6) 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 (2) or further to a deficiency plan.
- (7) If the quality assurance and professional practice committee finds a registrant inaccuracy or falsely reported practice hours 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 a deficiency in practice hours 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(3) or 161(4), 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(3) or 161(4), does not have to pay the deficiency plan fee if the plan is submitted 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 the registrant's 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 the registrant's 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 the registrant ceases to practise, 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 also a member of the inquiry committee.

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

- (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 that person's expense, a transcript of any part of the hearing that they were 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 practise 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 (Canadian-educated and labour mobility applicants) (per application)	\$260
Application fee for full registration or conditional registration (internationally educated applicants) (per application)	\$520
CSHBC Hearing Instrument Dispensing Practical Examination fee	\$1,450
Registration fee for full registration or conditional registration (first registration)	\$950
Registration fee for full registration or conditional registration (second registration)	\$150
Registration fee for full registration or conditional registration (third registration)	\$150
Registration fee for non-practising registration	\$250
Registration fee for temporary registration	\$100
Verification of registration request	\$30
<i>Renewal</i>	
Renewal fee for full registration or conditional registration (first registration)	\$950
Renewal fee for full registration or conditional registration (second registration)	\$150
Renewal fee for full registration or conditional registration (third registration)	\$150
Renewal fee for non-practising registration	\$250

Renewal fee for temporary registration	\$100
Deficiency plan fee	\$200
Reinstatement fee (per registration)	\$500
<i>Certification</i>	
Application fee for certified practice certificate (per certificate)	\$100
Renewal fee for certified practice certificate (per certificate)	\$100
Reinstatement fee for certified practice certificate (per 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))

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

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 knowledge specific 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 knowledge specific 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 speech and language development, delays and disorders, such as screening or identification programs and procedures for speech, language and hearing problems throughout the lifespan; potential impact of hearing loss on speech and language acquisition, and
 - (ii) for an applicant for registration as a full registrant in the profession of speech-language pathology, must include development of normal hearing; hearing disorders and related speech-language disorders, such as symptoms of hearing disorders, including associated speech, language and voice profiles; screening procedures and basic audiometric testing; application of audiometric information to the speech-language assessment; modification in speech and language procedures to accommodate varying degrees of hearing loss; approaches to habilitation and rehabilitation of speech and language of the hearing impaired; use, care and maintenance of hearing aids, assistive listening devices, and amplification systems,
- (e) 350 hours of supervised clinical practicum components, which
- (i) for an applicant for registration as a full registrant in the profession of audiology, must include a minimum of 300 hours of direct client contact or simulation, involving,
 - (A) a minimum of at least 50 hours with children,
 - (B) a minimum of at least 50 hours with adults,
 - (C) a minimum of at least 100 hours of assessment,
 - (D) a minimum of at least 50 hours of intervention, and
 - (E) a variety of clinical practicum components on the topics of hearing measurement; audiological assessment; electrophysiological and other diagnostic measurements; amplification (systems, selection, fitting, verification and validation); and implantable hearing devices, and

- (F) 20 hours of direct client contact or simulation, which must include exposure to speech-language pathology assessment, intervention and/or prevention activities.

(ii) for an applicant for registration as a full registrant in the profession of speech-language pathology, must include a minimum of 300 hours of direct client contact or simulation, involving

- (A) a minimum of at least 50 hours with children,
- (B) a minimum of at least 50 hours with adults,
- (C) a minimum of at least 50 hours of assessment,
- (D) a minimum of at least 100 hours of intervention, and
- (E) a variety of clinical practicum components on the topics of articulation or phonological disorders; preschool or school-aged language development and literacy; developmental language disorders; acquired language disorders; cognitive communication disorders; voice disorders; resonance disorders or structurally related disorders, such as cleft lip and palate; fluency disorders; neurologically based speech disorders; augmentative and alternative communication; dysphagia; and prevention and identification activities, and
- (F) 20 hours of direct client contact or simulation, which must include exposure to audiology assessment, intervention, and/or prevention activities.

2. No more than 50 hours of the 350 hours of supervised clinical practicum required under subsection (1)(e)(i) may be completed in simulation.

3. No more than 50 hours of the 350 hours of supervised clinical practicum required under subsection (1)(e)(ii) may be completed in simulation.

Schedule E – Acceptable Academic Program

1. For the purposes of section 82(1)(a)(ii)(C), an academic program must be provided by a degree- or diploma-granting post-secondary institution and must include in-class and in-lab learning as well as a clinical practicum component with at least 150 contact hours.

Topics that must be covered in each of these components include

- (a) Theoretical knowledge (in-class instruction)
 - (i) fundamental knowledge,
 - (A) Anatomy and physiology of the ear,
 - (B) physics of sound and acoustics,
 - (C) speech perception and psychoacoustics,
 - (D) hearing disorders,
 - (ii) assessment,
 - (A) hearing assessment and interpretation,
 - (iii) treatment,
 - (A) amplification device knowledge, hearing aid verification and validation
 - (iv) client management,
 - (A) psycho-social impact of hearing loss,
 - (B) counselling assessment and treatment information,
 - (C) consent, privacy, and confidentiality,
 - (D) aural rehabilitation,
 - (E) tenets of client-centered care,
 - (F) selling and offering to sell hearing instruments,
- (b) Related knowledge (in-class instruction)
 - (i) scope of practice and knowledge of related professions,
 - (ii) ethics and professionalism,
 - (iii) infection control,
 - (iv) hearing loss in the aging population,
- (c) Professional competencies (performed in a simulated lab)

- (i) assessment: case history, questionnaires, otoscopy, audiometry (air conduction, bone conduction, speech, masking, LDL, MCL, UCL), tympanometry, interpretation, recommendations, referral,
- (ii) report writing and documentation including consent,
- (iii) counselling information to client and families,
- (iv) treatment: hearing aid selection, earmold and earmold impressions, verification including Real Ear Measurement, hearing aid and accessories orientation; follow-up, validation of hearing aid benefit; communication strategies; referral,
- (v) hearing Aid Troubleshooting,
- (vi) calibration and equipment maintenance,
- (vii) hearing aid maintenance and troubleshooting,
- (viii) infection control,
- (ix) knowing when/how to refer out,
- (x) tinnitus management for uncomplicated tinnitus,
- (d) Clinical practicum (performed onsite under supervision)
 - (i) assessment: case history, questionnaires, otoscopy, pure tone and speech audiometry, tympanometry, interpretation, recommendations, when to refer,
 - (ii) intervention: hearing aid selection, earmolds, fitting, verification, validation, hearing aid troubleshooting,
 - (iii) client management: communication skills and strategies, hearing loss prevention, infection control, documentation, assisted listening devices, selling and offering to sell hearing instruments, when/how to refer out.