

# Bylaw Amendment Chart for the College of Complementary Health Professionals of British Columbia

May 31, 2024

*Note: Amendments are shown in **red font** and ~~strikeout~~ indicates wording proposed for removal.*

AMENDMENTS	COMMENTS
<b>Non-Substantive Amendments</b>	
<p><b><u>Definitions:</u></b> Designated Health Profession, Good Standing, HPC Eligible Designated Health Profession, HPC Eligible Registrant, Registrant</p> <p><b><u>Bylaws:</u></b> 2.47, 2.53, 3.4, 4.10, 4.32, 4.34, 9.1, 9.4, 10.1, 11.2, 11.6, 11.16, 11.17, 12.9, 12.24</p> <p>2.41-2.94: consequential re-numbering and cross-referencing for these Bylaws because of the removal of Bylaw 2.40.</p> <p><b><u>Schedules:</u></b> 3, 4, 5, 8, 9, 11, 13</p>	<p>Minor updates and corrections to spelling, punctuation, formatting, including capitalization, cross-referencing, and re-numbering.</p>
<b>1.0 Definitions</b>	
<p><b>“Complaint”</b> includes any of the following:</p> <p>(a) a complaint under section 32(1) of the Act;</p>	<p>New definition provided for greater clarity.</p>

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<p>(b) an investigation directed by the Inquiry Committee on its own motion under section 33(4) of the Act; and</p> <p>(c) a report that has been treated as a complaint under section 32.2(4)(a), 32.3(3)(a), or 32.4(3) of the Act;</p>	
<p><b>“Complainant”</b> means a person who submits a complaint <b>under section 32(1) of the Act</b> in writing to the College about a Registrant;</p>	<p>Consequential amendment.</p>
<p><b>2.0 College Board</b></p>	
<p><b>Board Meeting: Openness and Exclusions</b></p> <p>2.32 The Board may exclude any person who is not a Board Member from any part of a Board Meeting where one or more of the following items will be discussed:</p> <ul style="list-style-type: none"> <li>(a) personnel matters;</li> <li>(b) instructions to, or opinions received from legal counsel or any other matter subject to solicitor-client privilege, or information or discussion concerning a contemplated or ongoing legal proceeding;</li> <li>(c) property acquisitions or dispositions;</li> <li>(d) communication with the Office of the Ombudsperson;</li> <li>(e) information concerning: <ul style="list-style-type: none"> <li>(i) the contents of an Examination;</li> <li>(ii) the scoring or results of an Examination; or</li> </ul> </li> </ul>	<p>Amendment to remove one item (former (iv) related to quality assurance of individual Registrants) that is not reviewed by Board, and add two items for consistency with related bylaw 2.33.</p>

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<ul style="list-style-type: none"> <li>(iii) any information related to an Examination that would constitute an unreasonable invasion of an individual's personal privacy;</li> <li>(f) information concerning: <ul style="list-style-type: none"> <li>(i) consideration of whether an academic or technical program will be recognized by the College;</li> <li>(ii) an application for an individual for registration, reinstatement, renewal, or certification;</li> <li>(iii) any matter under Part 3 of the Act; or</li> <li>(iv) a criminal, civil, or administrative proceeding the disclosure of which in (i)-(vi) above would be an unreasonable invasion of the individual's personal privacy;</li> </ul> </li> <li>(g) financial, personal, or other matters of such nature that the interest of any affected person or the public interest in avoiding disclosure outweighs the public interest in open Board Meetings; and</li> <li>(h) information that the College or another public body would be required or authorized to refuse to disclose to an applicant making a request for records under Part 2 of the <i>Freedom of Information and Protection of Privacy Act</i>;</li> <li>(i) the Board's self-assessment of its performance; and</li> <li>(j) an internal Board conflict resolution process.</li> </ul>	

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<p><b>Board Meetings: Quorum and Decision-Making</b></p> <p>2.38 Board <del>decisions</del> <b>resolutions</b> are made by majority vote unless otherwise provided in these Bylaws.</p>	<p>Replaced ‘decisions’ with ‘resolutions’ for consistent use of the term ‘resolutions’ across all Bylaws.</p>
<p>2.40 <del>In the event of a tie vote, the resolution fails to pass.</del></p>	<p>Bylaw not required - addressed implicitly in Bylaw 2.38.</p> <p>Please note that with the removal of this bylaw, the remaining bylaw numbering under Part 2.0 will change.</p>
<p><b>Board Elections: Eligibility</b></p> <p>2.51 A Registrant is ineligible for Board election if, on the date that nomination forms must be received under Bylaw 2.64, the Registrant:</p> <ul style="list-style-type: none"> <li>(a) is not in Good Standing;</li> <li><del>(b) is in default of any Fee owed to the College;</del></li> <li>(c) is the subject of an ongoing investigation by the Inquiry Committee under section 33 of the Act;</li> <li>(d) is a Respondent in relation to an unresolved Citation;</li> <li>(e) directly or indirectly owns a legal or beneficial interest in any voting shares of a Health Professional Corporation named in an unresolved notice of HPC Permit Revocation Hearing;</li> <li>(f) is the subject of an unresolved hearing in British Columbia or another jurisdiction that could result in the individual’s entitlement to practise a profession being cancelled, revoked, or suspended, other than for non-payment of fees;</li> </ul>	<p>Paragraph (b) removed as the definition of Good Standing includes not being in default of any Fee.</p>

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<p>(g) is an undischarged bankrupt; or</p> <p>(h) is the subject of a current order or finding by a court in Canada or another jurisdiction to be incapable of managing the person’s own affairs.</p>	
<p><b>Ceasing to Hold Office: Elected Board Members</b></p> <p>2.87 An Elected Board Member ceases to hold office as a Board Member if the individual at any time during their term:</p> <p>(a) ceases to be a Registrant in the registration class corresponding to the Board position to which there were elected;</p> <p>(b) meets any of the disqualification criteria in Bylaws 2.50, 2.51, 2.52, or 2.53 except Bylaw <del>2.51(d)</del> 2.50(b);</p> <p>(c) is deceased;</p> <p>(d) is removed from office under section 17.11(5) of the Act or under Bylaw 2.87; or</p> <p>(e) resigns in accordance with these bylaws.</p>	<p>Typo correction for the excepted disqualification criteria and re-numbering.</p>
<p>2.88 In addition to the Board’s power under section 17.11(5) of the Act, if the Board is satisfied that an Elected Board Member has contravened the Board Code of Conduct, the Board by Special Resolution may <b>do one or more of the following:</b></p>	<p>Wording clarification.</p>

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<ul style="list-style-type: none"> <li>(f) remove the Elected Board Member from one or more Board Meetings;</li> <li>(g) censure the Elected Board Member;</li> <li>(h) suspend the Elected Board Member from Board duties for a specific period of time; <del>or</del> <b>and</b></li> <li>(i) remove the Elected Board Member from office.</li> </ul>	
<p><b>3.0 College Administration</b></p>	
<p><b>Banking, Borrowing Powers and Investments</b></p> <p>3.12 The Board may raise funds, <b>borrow</b>, or guarantee or secure payments on behalf of the College in any manner determined by the Board, in order to carry out College purposes.</p>	<p>Addition of “borrow” for clarity.</p>
<p><b>Auditor</b></p> <p>3.17 The Registrar must:</p> <ul style="list-style-type: none"> <li>(a) deliver the College’s financial statements to the auditor <b>within</b> <del>at least</del> 60 days <del>of</del> <b>after</b> the end of each fiscal year; and</li> <li>(b) instruct the auditor to conduct an annual audit of the College’s finances.</li> </ul>	<p>Timing clarification.</p>

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<p><b>General Meetings</b></p> <p>3.26 The Board may establish procedural rules or guidelines in relation to General Meetings.</p>	<p>Bylaw added for express procedural rule authority.</p>
<p><b>Patient Relations Program</b></p> <p>3.30 All patient relations standards, policies or criteria of, respectively,</p> <ul style="list-style-type: none"> <li>(a) the CCBC for the Designated Health Profession of Chiropractic;</li> <li>(b) the CMTBC for the Designated Health Profession of Massage Therapy;</li> <li>(c) the CNPBC for the Designated Health Profession of Naturopathic Medicine; and</li> <li>(d) the CTCMA for the Designated Health Professions of Traditional Chinese Medicine and Acupuncture,</li> </ul> <p>that were in effect immediately before the Amalgamation Date:</p> <ul style="list-style-type: none"> <li>i. remain in effect for that Designated Health Profession on and after the Amalgamation Date, unless and until they are amended or repealed, or others are established in their place; and</li> <li>ii. for greater certainty, are deemed to have been established by the Board as patient relations standards, policies or criteria of the College.</li> </ul>	<p>Addition of a transition bylaw for patient relations programs.</p>

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<b>4.0 Committees &amp; Panels</b>	
<p>4.7 Registrants in the following classes who are in Good Standing are eligible to <del>serve on</del> <b>be appointed</b> to a Committee:</p> <ul style="list-style-type: none"> <li>(a) Chiropractic: Full;</li> <li>(b) Chiropractic: Non-Practising;</li> <li>(c) Massage Therapy: Practising;</li> <li>(d) Naturopathic Medicine: Full;</li> <li>(e) <del>Naturopathic Medicine: Temporary;</del></li> <li>(f) <del>Naturopathic Medicine: Student;</del></li> <li>(g) <del>Naturopathic Medicine: Non-Practising;</del> and</li> <li>(h) Traditional Chinese Medicine and Acupuncture: Full.</li> </ul>	Clarification
<p><b>Committee and Panel Meetings: Procedure</b></p> <p>4.40 A <del>Committee or</del> Panel may make a decision by <del>unanimous</del> email <del>vote</del>:</p> <ul style="list-style-type: none"> <li>(a) <b>in the case of a Committee, by majority vote if quorum requirements are met; and</b></li> <li>(b) <b>in the case of a Panel, by unanimous vote.</b></li> </ul>	Clarifying amendment in relation to Committee and Panel email voting.
<b>11.0 Inspections, Investigations, and Discipline</b>	
<p>11.3 Where there is more than one <del>of any of the following</del> <b>Complaint</b> which concerns the same Registrant, the Registrar or the Inquiry</p>	Bylaw amended to reflect new definition of Complaint.



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<p>Committee, as applicable, may consider them together for any purpose under the Act.</p> <p><del>(a) a complaint under section 32(1) of the Act;</del></p> <p><del>(b) an investigation directed by the Inquiry Committee on its own motion under section 33(4) of the Act; and/or</del></p> <p><del>(c) a report received under section 32.2, 32.3, or 32.4 of the Act.</del></p>	
<p>11.4 Where a single <b>C</b>eomplaint <del>is made about</del> <b>concerns</b> more than one Registrant, the Registrar or the Inquiry Committee, as applicable, may consider it as more than one separate <b>C</b>eomplaint each relating to a different Registrant.</p>	<p>Bylaw amended to reflect new definition of Complaint.</p>
<p>11.5 Where a single <b>C</b>eomplaint <del>is made about</del> <b>concerns</b> a Registrant with respect to more than one Designated Health Profession, the Registrar or the Inquiry Committee, as applicable, may consider it as more than one separate <b>C</b>eomplaint each relating to the practice of one Designated Health Profession.</p>	<p>Bylaw amended to reflect new definition of Complaint.</p>
<p><b>Additional Powers of Investigation</b></p> <p>11.8 The Registrar, an Inspector, or the Inquiry Committee may do any of the following in assessing or investigating a <b>C</b>eomplaint:</p> <p>(a) require a Registrant to produce, for inspection, Examination or copying:</p>	<p>Complaint is now capitalized as it is a defined term, and subparagraph 11.8(b)(iii) has been removed to address concerns about compellability of non-Registrants.</p>

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<ul style="list-style-type: none"> <li>(i) any equipment or materials used by the Registrant in connection with the practice of a Designated Health Profession; and/or</li> <li>(ii) any records within the Registrant’s possession or control that relate to the Registrant’s practice of a Designated Health Profession or any other matter being investigated, including, without limitation, financial and communication records;</li> <li>(b) require a Registrant to: <ul style="list-style-type: none"> <li>(i) attend for an interview by the Registrar, an Inspector, or the Inquiry Committee at a time and place set by the Registrar, Inspector, or the Inquiry Committee; <b>and</b></li> <li>(ii) answer questions in writing or otherwise provide information relating to any matter being assessed or investigated; <b>and</b></li> <li><del>(iii) cause an employee or agent of the Registrant to answer questions and provide information relating to any matter being assessed or investigated; and</del></li> </ul> </li> <li>(c) require a Registrant to provide the identity and contact information of the Registrant’s employees, employers, contractors, or supervisors, if any.</li> </ul>	
<p><b>Pre-Hearing Conference</b></p> <p>11.21 At any time before the commencement of a hearing in respect of a Citation, on its own motion or on the request of</p>	<p>Clarification.</p>

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<p>the Respondent or the Registrar College, the Discipline Committee may direct the parties to attend a pre-hearing conference.</p>	
<p><b>Schedule 2: Chiropractic: Registration, Examinations, and Professional Liability Insurance</b></p>	
<p><b>5.0 Examinations</b></p> <p>5.1 Except for Examinations conducted by the Canadian Chiropractic Examining Board, any Examination required to be taken must be prepared by or under direction of approved by the Registration Committee and approved by the Board.</p>	<p>Clarifying amendment to reflect Registration Committee authority and operational roles.</p>
<p><b>Schedule 5: Traditional Chinese Medicine and Acupuncture: Registration, Examinations, and Professional Liability Insurance</b></p>	
<p><b>1.0 Traditional Chinese Medicine and Acupuncture: Full</b></p> <p>1.2 An Applicant for registration under this heading must deliver to the Registrar:</p> <p>...</p> <p>1.2.4 evidence of compliance with the requirements of the <i>Criminal Records Review Act</i>, RSBC 1996, c.86</p>	<p>The requirement for a signed authorization under the <i>Criminal Records Review Act</i> was missing from this heading of the Schedule.</p>
<p>1.5 After considering an application for registration under this heading, the Registration Committee may grant registration in the Registrant class of Traditional Chinese Medicine and</p>	<p>Amendment to address missing language in first posting.</p>

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<p>Acupuncture: Limited to an Applicant and impose such limits or conditions on an Applicant's registration which, in its opinion, are necessary to protect the public.</p>	
<p><b>Schedule 6: Classes of Registration on Amalgamation</b></p>	
<p><b>Under column titled 'Current Class of Registration':</b>            Traditional Chinese Medicine and Acupuncture: Full            Traditional Chinese Medicine and Acupuncture: Limited            Traditional Chinese Medicine and Acupuncture: Temporary            Traditional Chinese Medicine and Acupuncture: Student            Traditional Chinese Medicine and Acupuncture: Non-Practising</p>	<p>Amendments for consistency in name of Designated Health Profession.</p>
<p><b>Schedule 14: Naturopathic Medicine: Quality Assurance</b></p>	
<p><b>4.0 Continuing Education</b>            ...            4.5 The Quality Assurance Committee must <del>approve the continuing education courses taken to meet the required number of continuing education hours under this heading</del> <b>establish criteria and guidelines for completing the continuing education hours required under paragraph 4.2.</b></p>	<p>Updated procedure for paragraph 4.5.</p>