

PROVINCE OF BRITISH COLUMBIA
ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 373

, Approved and Ordered July 16, 2025




Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that, effective April 1, 2026,

- (a) sections 3 to 8, 9 (1) (b) to (e) and (2), 10 to 13, 14 (1) and (4), 15 (3), 16 to 434, 440, 450 (2), 455 to 466, 467 (1), 468 to 484, 486 (1) (b), 488, 490 to 544 and 546 to 643 of the *Health Professions and Occupations Act*, S.B.C. 2022, c. 43, are brought into force,
- (b) the Health Professions Designation and Amalgamation Regulation, B.C. Reg. 270/2008, is repealed, and
- (c) the attached Health Professions and Occupations Regulation is made.



Minister of Health



Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: *Health Professions and Occupations Act*, S.B.C. 2022, c. 43, ss. 519, 525, 527, 529, 530 and 531

Other: 737/2008

R20860703

HEALTH PROFESSIONS AND OCCUPATIONS REGULATION

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PART 1 – INTERPRETATION

Definition

- 1 In this regulation, “**Act**” means the *Health Professions and Occupations Act*.

PART 2 – GENERAL MATTERS

Family members

- 2 (1) For the purposes of section 59 [*requirements respecting shares*] of the Act, **“family member”**, in relation to an eligible licensee, includes the persons described in subsection (3) of this section.
- (2) For the purposes of section 91 (1) (f) [*adverse actions prohibited*] of the Act, **“family member”**, in relation to a person referred to in section 91 (1) (a) to (e), includes the persons described in subsection (3) of this section.
- (3) The following persons are family members for the purposes of subsections (1) and (2):
- (a) persons who reside with the eligible licensee or person;
 - (b) relatives of the eligible licensee or person who have a close personal relationship with that eligible licensee or person.
- (4) Nothing in this section limits the definition of “family member” in section 1 [*general definitions*] of the Act.

Applications to Health Professions Review Board

- 3 (1) In this section, **“application for review”** means an application made under section 311 [*making applications*] of the Act for
- (a) a licensing decision review, or
 - (b) a complaint disposition review.
- (2) A person may make an application for review no more than 30 days after the earliest date on which the person received or is deemed to have received the adverse application decision or order that is the subject of the application for review.

Recovery of debts

- 4 A person who may, under section 497 [*who may make certificates*] of the Act, issue a certificate stating the amount for which a debtor is liable must make the certificate in the form set out in Schedule 1.

Disclosure to Ombudsperson

- 5 (1) In this section:
- “investigation”** means an investigation conducted under the *Ombudsperson Act*;
 - “protected information”** has the meaning given to it in section 242 of the Act.
- (2) Despite section 243 [*disclosure of protected information*] of the Act, regulators are authorized to disclose protected information to the Ombudsperson for the purposes of conducting an investigation.

PART 3 – SERVICE REQUIREMENTS

Division 1 – Prescribed Service Requirements

Definition

- 6** In this Division, “**served formally**” means given or served in accordance with section 7 [*methods of formal service*].

Methods of formal service

- 7** (1) A person who gives or serves a notice, order or record that must, under this Division, be served formally must use at least one of the following methods:
- (a) personal service;
 - (b) subject to subsection (3), registered or electronic mail to
 - (i) the intended recipient’s address or electronic mail address as shown in a registry, if applicable, or
 - (ii) the intended recipient’s last known address or electronic mail address, if subparagraph (i) does not apply.
- (2) Personal service on a health profession corporation must be in accordance with Rule 4-3 (2) (b) (i), (iii) or (iv) of the Supreme Court Civil Rules.
- (3) Electronic mail may not be used to serve a record under section 499 (3) [*filed certificate of debt due*] of the Act.
- (4) A notice, order or record is not effectively served by electronic mail unless both of the following conditions are met:
- (a) the intended recipient confirms, by electronic mail, that the notice, order or record was received;
 - (b) the confirmation is received by the person who served the notice, order or record, or a person acting on that person’s behalf, no later than 96 hours after the electronic message containing the notice, order or record was sent.
- (5) Subsection (4) (b) does not apply if the intended recipient confirms, by electronic mail, after the expiry of the 96-hour period that the notice, order or record was received by the intended recipient.

Deemed receipt

- 8** A notice, order or record referred to in this Division that is given or served by registered mail is deemed to have been served formally 7 days after the date on which it was mailed.

Notices that must be served formally

- 9** A notice given under any of the following provisions of the Act must be served formally:
- (a) section 44 (2), 53 (1) or (4), 63 (1), 64 (1) or 209 (1) or (4) [*adverse application decision*];
 - (b) section 110 (1) [*information respecting disposition of administrative matter*];

- (c) section 114 (1) (a) or (3) [*discipline of health profession corporation*];
- (d) section 124 (3) [*investigation without regulatory complaint*];
- (e) section 145 (1) or (3) [*completion of capacity assessment*];
- (f) section 159 (1) (a) or 246 (2) (a) [*notice of regulatory complaint*];
- (g) section 248 (1) (b) (ii) [*information respecting director's review process*], if the notice is being given to the respondent;
- (h) section 383 (2) [*decision on reconsideration or review*].

Orders that must be served formally

- 10** (1) The following types of orders must be served formally:
- (a) continuing practice orders;
 - (b) disciplinary orders;
 - (c) information and production orders;
 - (d) revocation orders;
 - (e) summary protection orders.
- (2) An order made under any of the following provisions of the Act must be served formally:
- (a) section 20 (1) (c) or (d) or 469 (1) (a) or (d) [*superintendent's order to provide information or attend hearing*];
 - (b) section 115 (1) (b) or (c) [*discipline of health profession corporation*];
 - (c) section 121 (2) (b) or (c) or, if the order is directed to a respondent, section 224 (2) [*order to provide information*];
 - (d) section 132 (1), 136 (3) (b) (ii) or 140 (1) (a) [*competence assessment or capacity evaluation*];
 - (e) section 272 (2) or (3) or 273 (1) [*hearing costs or investigation expenses*];
 - (f) section 302 (1) [*recovery of funding amounts*].
- (3) Any variation or termination of an order referred to in subsection (1) or (2) of this regulation must be served formally.

Records that must be served formally

- 11** A record given or served under any of the following provisions of the Act must be served formally:
- (a) section 164 (3) [*citation*];
 - (b) section 246 (2) (b) or (d) or (3), 247 (2) (a) or, if the record is being given to the respondent, section 248 (1) (a) or (c) [*investigation and hearing records*];
 - (c) section 377 (1) (a) [*warning or advice to person under investigation*];
 - (d) section 499 (3) [*filed certificate of debt due*].

Included records and copies

- 12** (1) Any records given or served with a notice, order or other record referred to in this Division must be served formally.

- (2) A copy of a notice, order or other record referred to in this Division that is given or served to a person who is not a respondent is not required to be served formally.

Exception for discipline tribunal matters

- 13** If the director of discipline is of the opinion that a respondent is acting, has acted or will likely act in a manner that interferes with or obstructs, or will likely interfere with or obstruct, a discipline process of the discipline tribunal, the director may, by order and despite anything to the contrary in this Division, do the following:
- (a) provide that one or more requirements of this Division do not apply for the purpose of giving or serving notices, orders or records referred to in this Division, or a class of any of them;
 - (b) provide for different requirements to apply instead.

Division 2 – Other Service Requirements

Application

- 14** This Division applies to a notice, order or record that must be given or served under the Act but is not referred to in Division 1 of this Part.

General service requirements

- 15** (1) A notice, order or record given or served by or to the minister must be given or served as follows:
- (a) if given or served by the minister, in any manner that, in the minister's opinion, will bring the notice, order or record to the attention of the intended recipient;
 - (b) if given or served to the minister, in accordance with the directions of the minister.
- (2) Subject to subsection (1) (b), a notice, order or record given or served by or to the superintendent must be given or served in accordance with whichever of the following applies:
- (a) an order made under section 442 [*administrative powers*] of the Act;
 - (b) the procedures established by the superintendent.
- (3) Subject to subsections (1) (b) and (2), a notice, order or record given or served by or to the director of discipline must be given or served in accordance with the practice directives of the director of discipline.
- (4) A notice, order or record given or served by or to a person under Division 5 [*Support Programs*] of Part 5 of the Act must be given or served in accordance with the procedures set out in the applicable program parameters.
- (5) Subject to subsections (1) (b) and (2), a notice, order or record given or served under Part 6 [*Health Professions Review Board*] of the Act must be given or served in accordance with the rules and practice directives of the Health Professions Review Board.

- (6) A notice, order or record given or served by or to the provincial health officer under Part 7 [*Public Health Emergencies*] of the Act must be given or served in accordance with the directions of the minister.
- (7) A notice, order or record given or served by or to a person under Division 2 or 3 [*Court Orders*] of Part 10 of the Act must be given or served in accordance with section 4 of this regulation and the applicable court rules.

Regulators and regulated health practitioners

- 16**
- (1) A notice or record to which section 386 [*administrative powers*] of the Act applies must be given or served in accordance with an order made under that section.
 - (2) A notice, order or record given or served by a board member, a health occupation director or a person who is appointed, employed or retained by a regulator must be given or served in accordance with
 - (a) section 15 [*general service requirements*] of this regulation, if applicable, or
 - (b) a bylaw or rule made under section 387 [*notices and consultations*] of the Act, if section 15 of this regulation does not apply.
 - (3) A notice given under section 82 (2) (b) [*duties if not practising or restricted*] of the Act by a licensee must be given in accordance with
 - (a) the order referred to in section 82 (1) of the Act, or
 - (b) the procedures set out in a bylaw made under section 387 of the Act by the regulatory college that is responsible for governing the designated health profession practised by the licensee, if the order does not specify how notice is to be given.

Information under an order

- 17**
- Despite sections 15 and 16, a person who makes an order under the Act that requires another person to provide information or records may, in the order, require the other person to provide the information or records using a method other than as set out in those sections.

Deemed receipt

- 18**
- (1) A notice, order or record referred to in this Division that is given or served in accordance with subsection (2) is deemed to have been served 7 days after the date on which it was mailed, unless a longer period is provided for under an applicable direction, order, procedure, practice directive, program parameter, rule or bylaw referred to in section 15 or 16.
 - (2) Subsection (1) applies to a notice, order or record that is served by registered or electronic mail to
 - (a) the intended recipient's address or electronic mail address as shown in a registry, if applicable, or
 - (b) the intended recipient's last known address or electronic mail address, if paragraph (a) does not apply.

PART 4 – REGULATORS

Oath of office

- 19** A person who must, under section 349 of the Act, take an oath of office must take the oath in the form set out in Schedule 2.

Information in registry

- 20** (1) In this section, “**certification program**” means a program established in accordance with section 7 [*requirements to be certified*] of the Regulated Health Practitioners Regulation.
- (2) A registrar must identify in the registry, under a licensee’s name, the names of the certification programs, if any, under which the licensee is certified to perform restricted activities.

Trade agreements

- 21** The New West Partnership Trade Agreement is prescribed for the purposes of sections 50 (d) [*extrajurisdictional applicants*] and 388 (3) (c) [*collaboration between jurisdictions*] of the Act.

SCHEDULE 1 – RECOVERY OF DEBTS

(section 4 [recovery of debts])

| |
|----------------------|
| Registry File Number |
| Registry Location |

In the Supreme Court of British Columbia

RECOVERY OF COSTS CERTIFICATE

(*Health Professions and Occupations Act* sections 497-500)

Between

[insert name of applicable regulator (if registrar, applicable health occupation director or administrator of a support program is making the certificate) or HIS MAJESTY THE KING IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA (if applicable health occupation director or superintendent is making the certificate)]

Creditor

and

[insert names of debtor(s)]

Debtor(s)

I,*[name of registrar, health occupation director, administrator of a support program or the superintendent]* having authority to file certificates under section 499 of the *Health Professions and Occupations Act*, CERTIFY THAT:

1. the Debtor(s)*[names of debtor(s)]*..... *is/are* subject to an order by the Creditor,*[name of creditor]* to pay an amount of money issued on*[date order was issued]*....., a copy of which is attached to this certificate and forms part of this certificate;
2. the Debtor(s) *has / have* not paid the amount of money set out in the order;
3. the Debtor(s) owe(s) the Creditor the total amount set out below: *[Complete the required information in the table below.]*

| <i>Description of Cost</i> | <i>Date Incurred</i> | <i>Issued under Order</i> | <i>Amount</i> |
|----------------------------|----------------------|--|---------------|
| 1 | [dd/mmm/yyyy] | | \$..... |
| 2 | [dd/mmm/yyyy] | | \$..... |
| | | <i>Total Amount Owing to Creditor</i> | \$..... |
| <i>Date</i> | [dd/mmm/yyyy] | <div> <div></div> <div>Signature of registrar or health occupation director, administrator of a support program or superintendent</div> </div> | |

TAKE NOTICE that pursuant to section 500 of the *Health Professions and Occupations Act*, this certificate has the same effect, and proceedings may be taken on it, as if it were a judgment of the Supreme Court for the recovery of a debt in the amount stated above.

IF YOU INTEND TO REQUEST A REVIEW of the amount owing in this certificate, YOU MUST apply to the Supreme Court of British Columbia in accordance with the *Health Professions and Occupations Act* within 30 days of being served with a copy of this certificate.

SCHEDULE 2 – OATH OF OFFICE

(section 19 [oath of office])

Oath of office

I solemnly promise, affirm and declare that:

- (a) I will act in accordance with the *Health Professions and Occupations Act* and all other laws that apply to me in the exercise of my powers and the performance of my duties under that Act;
- (b) I will exercise my powers and perform my duties to the best of my ability and in accordance with the guiding principles under the *Health Professions and Occupations Act*;
- (c) I will act in accordance with the public trust placed in me, being guided by the public interest at all times in fulfilling the purposes of the regulator;
- (d) I will act in accordance with the fiduciary and other duties owed by me to the regulator, including conducting myself in a manner that promotes the purposes of the regulator, and will not bring the regulator into disrepute;
- (e) I will act honestly;
- (f) I will disclose to the board all conflicts of interest relating to the exercise of my powers and the performance of my duties and will manage those conflicts in the way that best protects the public interest;
- (g) I will ensure that other memberships, directorships, voluntary or paid positions or affiliations remain distinct from work undertaken in the course of exercising my powers or performing my duties.

Signed by: _____, on [date] _____

Witness: _____