

October 2024

Health Professions and Occupations Act

Background

On November 24, 2022, Bill 36, the revised [Health Professions and Occupations Act \(HPOA\)](#) passed third reading in the Legislative Assembly of BC and received Royal Assent the same day. This new Act, the HPOA, will replace the previous Health Professions Act and is now a law although it is *not yet in force* and it remains unclear when this will occur.

The new HPOA delivers on the Government of BC's desire to implement recommendations arising from the [2018 Cayton Report](#). In October 2022, Health Minister Adrian Dix indicated his commitment to delivering on reformation of the regulatory framework for health professionals, as outlined in the Cayton Report. The final approved HPOA moved very rapidly through the legislative process and includes numerous provisions that represent significant change to the regulation of health professions in BC.

These changes include but are not limited to:

- Reducing the number of regulatory colleges. Note, amalgamation of the [College of Complementary Health Professionals of BC](#) (CCHPBC) occurred June 28, 2024.
- A restructured discipline and complaints process.
- A strong commitment to cultural safety and humility.
- Changes to information sharing and transparency amongst the regulatory colleges and other agencies aimed to enhance public safety and protection.
- A competency-based Board appointment model for regulatory college Board of Directors.

Current Context

Over the last year, BCND has worked closely with our health professional association colleagues through the Healthcare Associations of BC to ascertain and understand numerous aspects of the new HPOA. These included an audience with and an opportunity to ask questions of government officials, discussion of shared issues and concerns, ongoing meetings and conversation with the CCHPBC college, various legal reviews of the HPOA, as well as hearing from NDs throughout the process.

We have heard from NDs concerns in the following key areas:

- The discipline and complaints process.
- Privacy and human rights issues as they pertain to the complaints and discipline process.
- Costs of the HPOA and if those will be passed on to the professions.
- The composition of Boards and Committees and how naturopathic doctors will be represented at both the Board and Committee level.
- The protection of titles as are currently in use.
- Ethical implications of mandatory vaccinations.
- Concerns that regulatory overreach will erode self-regulation.

In working with our Association partners, BCND recognizes that many of the issues noted above are consistent amongst our health professional colleagues and as such we are working together to seek clarification from government on these issues.

BCND remains committed to our dual oriented approach to understanding and staying on top of news and information as it relates to the HPOA.

Activities include:

- Securing legal advice and ensuring we continue to engage with legal as new issues arise.
- Working with all health professions as part of the Healthcare Associations of British Columbia group. This group which includes all health professions (Allied Health as well as medical doctors and nursing professionals) meets at minimum once a month where we:
 - Share information as each organization has heard from our respective Colleges and government relations insiders.
 - Discuss shared issues of concern. Some of the shared issues of concern include:
 - Disciplines and complaints process
 - Use of titles
 - Privacy and human rights issues
 - Costs of the HPOA
 - Invite government officials from the professional regulation branch to attend meetings for Q/A purposes.
 - Invite legal opinion on various aspects of the HPOA.
 - Strategize about best ways forward.

BC Election 2024

On October 28th 2024, it was announced that the BCNDP had secured a slim majority government, winning 47 seats. On the mind of many health professionals was the new HPOA. While timelines for implementation remain unclear, there is some hope that the regulatory changes that have begun might be slowed in order to allow for critical questions to be answered.

During the election, BCND benchmarked a series of critical questions that remain relevant given the NDP majority. These include:

- What is your understanding of the Health Professions and Occupations Act and its implications for healthcare professionals in our province?
- How will you ensure that the HPOA promotes equitable access to healthcare for patients, while also supporting the professional needs of healthcare providers, including naturopathic doctors (NDs)?
- If elected, how would you engage with healthcare professionals to ensure that the HPOA is effectively implemented and amended if needed?
- What are your thoughts on the current scope of practice for naturopathic doctors under the HPOA, and do you see any potential for expanding their role in the healthcare system?
- The HPOA is designed to regulate health professions and ensure accountability. How would you ensure that all health professionals, including alternative practitioners like NDs, are treated fairly under this act?
- How will you ensure that the oversight and regulation of healthcare professionals through the HPOA remain transparent and effective without creating unnecessary barriers to practice?

Key Messages

- The overarching goal of the HPOA is improved public safety by reforming the regulation of health professionals, implementing recommendations from the 2018 Cayton Report. These reforms include the reduction of regulatory colleges, a new discipline and complaints process, and greater transparency to protect patients and ensure accountability across professions.
- BCND is committed to ensuring that naturopathic doctors (NDs) are fairly represented in the new regulatory framework. This includes advocating for ND representation on Boards and Committees, protection of professional titles, and addressing shared concerns such as the costs associated with the new act and privacy issues within the complaints process.
- BCND is actively working with other healthcare professions through the Healthcare Associations of BC to address common concerns about the HPOA. Regular meetings allow health professions to share information,

discuss strategies, and engage with government officials to ensure a smooth transition and effective implementation of the new regulatory system.

- The HPOA emphasizes cultural safety and humility in healthcare. BCND supports this focus and is committed to ensuring that NDs continue to provide inclusive, patient-centered care that respects the diverse needs of the BC population under the new legislation.
- BCND has raised important ethical concerns about the HPOA, including the implications of mandatory vaccinations for health professionals and potential impacts on human rights and privacy in the complaints process. BCND continues to seek clarification and legal advice on these issues to protect the interests of NDs and their patients.
- The HPOA marks a shift away from self-regulation for health professions, centralizing control and reducing the autonomy of individual regulatory colleges. BCND is concerned about this erosion of self-regulation, as it could limit the ability of naturopathic doctors (NDs) and other health professionals to shape standards and practices within their own professions. BCND is advocating for safeguards to ensure that NDs retain a voice in regulatory decisions that directly impact their practice and patient care.
- The implementation of the HPOA must support equitable access to healthcare for all patients, while also considering the professional needs of healthcare providers. BCND is advocating for a regulatory framework that enables NDs to practice effectively and contribute to the broader healthcare system without facing unnecessary barriers.

Resources

- [Health Professions and Occupations Act](#)
- [Office of the Superintendent of Health Profession and Occupation Oversight](#)
- [CCHPBC Website](#)
- [The Cayton Report](#)