

## FAQ: HPA, HPOA, Renewal, and Bylaws

### 1. Has the HPOA been “voted in” yet?

Yes.

The Health Professions and Occupations Act received Royal Assent on November 24, 2022. It has been enacted as law since that date.

### 2. Is the HPOA already law, or are we still under the Health Professions Act (HPA)?

Both statements are true in different ways.

The HPOA has been enacted as law since November 2022.

However, its implementation is phased. Not all operational sections took effect immediately. Certain operational provisions of the HPA continue to apply during the transition period until the remaining HPOA sections come into force on April 1, 2026.

While the HPOA has received Royal Assent and is the governing statute, many operational provisions are not yet in force and will come into effect April 1, 2026.

### 3. Can I choose to renew under the HPA instead of the HPOA?

No.

Legislation applies automatically by operation of law. Registrants do not opt into one statute or another.

Renewal maintains your licence under the legal framework that is in effect at the time. It does not create a contractual agreement to remain under a prior statute, nor does it allow a registrant to choose between Acts.

### 4. Why do renewal materials still reference the HPA?

This reflects transitional implementation timing and legacy procedural language.

Because some operational provisions continue to apply during phased implementation, HPA terminology may still appear in materials. This does not mean the HPA remains the governing statute in full, nor does it create an option to remain under the HPA.

### 5. Does the college board vote to approve bylaws before April 1 implementation?

Yes.

Under the HPOA, the board has authority to approve bylaws. If bylaws are scheduled to take effect April 1, they must be formally approved by the board in accordance with the Act's consultation requirements before that date.

There is no registrant vote.

### 6. Could the CCHPBC board simply refuse to approve the new bylaws?

Boards are legally required to align bylaws with the governing statute. They do not have discretion to ignore statutory obligations. If a board failed to implement required bylaws, oversight or ministerial intervention mechanisms could be triggered under the HPOA.

### 7. Do registrants get to vote on bylaws?

No.

Under the former HPA, certain bylaws required a 90-day consultation period. Under the HPOA, consultation with the public is required, but there is no mandated time period and no registrant ratification vote.

Bylaws are approved by the board.

## 8. Who appoints the board now?

Under the HPOA, board members are appointed through a ministerial appointment process.

This represents a structural shift from the prior model.

## 9. If I do not renew, does that prevent the HPOA from applying to me?

No.

The HPOA governs the regulatory system. Choosing not to renew simply means you are no longer licensed to practise. It does not alter the governing legislation.

In some circumstances, former licensees may still be subject to investigation or disciplinary processes for matters that arose while they were licensed.

## 10. Can the HPOA be repealed?

Yes, but only through new legislation passed by the Legislative Assembly. A college, board, or registrant group cannot repeal the Act.

## 11. FAQ: How has BCND communicated with members about the HPOA and its status as enacted legislation?

The Health Professions and Occupations Act received Royal Assent on November 24, 2022 and has been law since that date.

Since 2024, BCND has issued eight general member bulletins (four per year). The HPOA has been referenced and discussed in every one of those bulletins.

In addition, BCND has:

- Issued dedicated updates and articles specifically focused on the HPOA
- Shared summaries of relevant government correspondence
- Consulted with four separate legal advisors regarding legislative interpretation and implementation
- Participated in meetings and direct discussions with ministry and regulatory officials
- Collaborated with other health professional associations and regulatory stakeholders
- Hosted or promoted webinars and information sessions
- Responded directly to member inquiries as questions have arisen
- Participated in detailed bylaws and standards feedback

Throughout this period, BCND has consistently communicated that:

- The HPOA was passed into law in 2022
- Its implementation is phased
- It introduces structural changes to governance and oversight
- Consultation and bylaw processes differ from the former HPA
- The regulatory framework has shifted from the prior self-regulation model

We recognize that the phased coming-into-force of provisions, combined with evolving implementation details from government has created understandable uncertainty. At the same time, BCND has made sustained efforts to communicate clearly and repeatedly about the legislative transition and its implications.

We encourage members to review the materials provided and to reach out with specific questions where clarification is needed. We remain committed to transparency, advocacy, and informed engagement as implementation progresses.