

FAQ

Health Professions and Occupations Act (HPOA) FAQs

1. When will the HPOA come into force?

The HPOA received Royal Assent in November 2022 but is not yet in force. It is expected to come into force by regulation of the Lieutenant Governor in Council in 2025. During the current interregnum period, there will be no major changes or decisions related to policies, bylaws or contracts. Consultation on CPSBC draft bylaws will begin following the election.

2. What is the HPOA expected to accomplish?

The HPOA will:

- Commit to cultural safety and humility by taking a proactive approach to discrimination in BC's health care system.
- Improve governance, moving to a merit and competency-based appointment process for board members.
- Strengthen oversight by creating the Office of the Superintendent of Health Profession and Occupation Oversight.
- Create a safer complaints process with a new independent disciplinary hearing process.
- Improve information sharing.

3. Will any terms change under the HPOA?

Yes, all regulated health-care professionals under the HPOA will be referred to as "licensees" rather than "registrants."

4. What is the role of the Office of the Superintendent of Health Professions and Occupations Oversight?

The role of the superintendent's office is to oversee all health colleges in BC, ensuring they continue to be transparent, accountable, and operate in the public interest. Its role is to make merit-based recommendations to the minister of health for board appointments, conduct oversight activities (e.g. audits, investigations, general reviews), and make recommendations on which health professions should be regulated. In June, the province announced Sherri Young as the new superintendent.

5. What will the governance structure for CPSBC look like under the HPOA?

CPSBC will continue to have a board and committees that report to the board. The superintendent will be responsible for selecting and recommending board members to the minister of health. The minister of health is responsible for appointing all board members. Board members have a fiduciary duty to colleges and the public.

6. What committees are required under the HPOA?

There will be two legally mandated decision-making committees under the HPOA: an investigation committee and a licence/permit committee. Other committees may be formed at the discretion of the board. A board member cannot be a member of the investigation or licence/permit committee.

7. How will the complaints process be different under HPOA?

CPSBC will continue to handle the intake of complaints and subsequent investigations; however, it will no longer determine disciplinary outcomes. Under the HPOA, a discipline tribunal will be formed led by an independent director of discipline. The director will be appointed by the minister of health and will be housed within the superintendent's office. The director will create independent panels to determine disciplinary action for misconduct. The discipline panel must consist of one licensee, a member of the public and a specialist in the area of concern. Colleges will be responsible for enforcing the disciplinary orders decided by the discipline panel.

8. Will complaints against licensees be made public?

No, only disciplinary actions and summary protection orders (limits, conditions, suspensions) will be published on a licensee's profile in CPSBC's online directory. Complaints that are unfounded will be dismissed. Complaints that do not result in disciplinary action, warnings and advice will not be published or made public. Colleges will, however, be able to acknowledge that they have received a complaint or disposed of a complaint in order to respond to public sources like the media.

9. How will bylaws and practice standards be created for CPSBC?

Under the HPOA, all eligibility, ethics, practice and accreditation standards must become bylaws, which ensures that action can be taken if a contravention occurs. The board will have to seek the advice of professional standards advisors for bylaws about eligibility, ethics and practice standards. The professional standards advisors must have relevant education, training, qualifications and experience that allows them to give expert advice. Consultation will be required for any new or amended bylaws.