

Draft bylaws overview

Public Protection

The Public Protection part of the new bylaws address a number of key areas including:

Division 1 - Administrative Matters -

- Provides the registrar authority to dispose of certain administrative matters, prescribed in the *Health Professions and Occupations Act* (HPOA), by making a disciplinary order. The maximum monetary penalty for an administrative matter under section 109(1)(d) of the HPOA is \$100,000.
- The bylaws set out the process of providing information to a respondent about an order made by the Registrar and the process for the respondent to have the disciplinary order reviewed.

Division 2 - Monitoring Regulatory Compliance -

- This is a new compliance program, which the Registrar may administer to allow licensees to be monitored for contraventions of the HPOA, regulations, bylaws, including ethics and practice standards.
- Some of the compliance program activities may include: recommending educational materials for college publication, collaborating with other colleges, government agencies, public bodies, professional associations or other organizations to share information and coordinate monitoring efforts;
- The bylaws allows the registrar to periodically and selectively monitor online platforms, social media, websites, and other publicly accessible media or resources; as well as, periodically requiring some or all licensees to provide self-assessment reports to confirm their continuing awareness of requirements.
- Other monitoring tools available include compliance audits.

Division 3 sets out the requirements for complaints, reports, and initiating investigations, specifically the processes for:

- a regulatory report that must be given to the Registrar,
- a regulatory complaint by the Registrar; and,
- a regulatory complaint by others.

This division also deals with the Registrar's ability to conduct an initial investigation and dispose of matters, before referral to the Investigation Committee.

Division 5 of the Public Protection Bylaws includes provision for competence assessments and Division 6 deals with capacity assessments.

Division 7 deals with summary protection orders, which are enabled by section 259 of the HPOA. This division sets out the process for the Investigation Committee to consider if a respondent's practice may present a significant risk of harm and allows the Investigation Committee to put limits or conditions on the respondent's practice to protect the public. The bylaws also provide the process for reconsideration of a summary protection order.

Division 8 deals with a licensee's duties when their practice is suspended.

Division 9 sets out the factors the Investigation Committee must consider when determining whether to direct the registrar to request the director of discipline issue or cancel a citation for hearing.

Division 12 addresses unauthorized practice and title use, which details the process for for addressing situations where non-licensees are practising or using title.