

COLLEGE OF SPEECH AND HEARING PROFESSIONALS OF BC

BYLAWS

Includes amendments up to and including April 1, 2011

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DEFINITIONS

1. In these bylaws:

"**Act**" means the *Health Professions Act*;

"**appointed board member**" means

- (i) prior to the first election referred to in section 17(2)(a) of the Act, a person appointed under section 17(2)(a) of the Act to represent the public on the first board, or
- (ii) a person appointed to the board under section 17(3)(b) of the Act;

"**board**" means the board of the college;

"**board member**" means an appointed board member or an elected board member;

"**Board Members' Code of Ethics**" means the code established by the board, including standards for board members to avoid conflicts of interest;

"**chair**" means the chair of the board elected under section 12;

"**client**" means a person who receives a service provided by a registrant, and includes

- (i) a patient at a health care facility,
- (ii) a resident in a long-term care facility,
- (iii) if the registrant is learning a technique or service, a subject or simulated client,
- (iv) a student attending an elementary or secondary school, and
- (v) if the context so requires, the parent or legal guardian of a child client, or the legal representative of an adult client;

"**Code of Ethics**" means the standards of professional ethics for registrants, including standards for avoiding conflicts of interest, established by the board under section 19(1)(l) of the Act and set out in Schedule E;

"**college**" means the College of Speech and Hearing Health Professionals of British Columbia established under section 51(1) of the Act for the professions;

"deliver", with reference to a notice or other document, includes mail to or leave with a person, or deposit in a person's mailbox or receptacle at the person's residence or place of business, or delivery by email or similar electronic means to a person's email account;

"elected board member" means

- (i) prior to the first election referred to in section 17(2)(a) of the Act, a person appointed under section 17(2)(a) of the Act to represent a profession on the first board, or
- (ii) a registrant elected to the board under section 17(3)(a) of the Act or appointed to the board under section 10;

"examination" means a theoretical examination, given orally or in writing, or a practical examination, or any combination of these, and includes a supplemental examination;

"profession" means either the profession of hearing instrument practice, speech-language pathology or audiology as the context so requires;

"professional misconduct of a sexual nature" means

- (i) sexual intercourse or other forms of physical sexual relations between the registrant and the client,
- (ii) touching, of a sexual nature, of the client by the registrant, or
- (iii) behaviour or remarks of a sexual nature by the registrant towards the client;

but does not include touching, behaviour and remarks by the registrant towards the client that are of a clinical nature appropriate to the service being provided.

"public representative" means a person who

- (i) is not a registrant or former registrant, and
- (ii) has no close family or business relationship with a registrant or former registrant

and includes an appointed board member;

“quality assurance program” means the program administered by the quality assurance committee under section 26.1 of the Act;

"Regulation" means the Speech and Hearing Health Professionals Regulation, B.C. Reg. 413/2008;

"respondent" means a registrant named in a citation under section 37 of the Act;

"special resolution" means a resolution that requires a 75 percent majority vote of those persons present and eligible to vote at a meeting;

"Standards of Practice" means the standards, limits or conditions for the practice of a profession by registrants established by the board under section 19(1)(k) of the Act;

“supervision” means a situation in which a person’s practice is overseen by a qualified registrant;

"vice-chair" means the vice-chair of the board elected under section 12.

DIVISION A – GOVERNANCE AND ADMINISTRATION

Part 1 – College Board

Composition of the board

- 2(1) The board consists of eight elected board members and the appointed board members.
- (2) Of the eight elected board members
- (a) two must be hearing instrument practitioners,
 - (b) four must be speech-language pathologists, and
 - (c) two must be audiologists.
- (3) An audiologist or speech-language pathologist who is also a hearing instrument practitioner may not be elected or appointed as an elected board member to represent hearing instrument practitioners under subsection (2)(a).
- (4) An audiologist who spends over fifty percent of his or her time providing the services of an audiologist and is also a speech-language pathologist may not be elected or appointed as an elected board member to represent speech-language pathologists under subsection (2)(b).
- (5) A speech-language pathologist who spends over fifty percent of his or her time providing the services of a speech-language pathologist and is also an audiologist may not be elected or appointed as an elected board member to represent audiologists under subsection (2)(c).

Notice of election

- 3(1) The registrar must notify every registrant of an election by delivering a notice at least 120 days prior to the expiry of the term of office.
- (2) The notice must contain information about the nomination procedure and the election procedure.

Nomination procedure

- 4(1) A registrant who is a hearing instrument practitioner, speech-language pathologist or audiologist may nominate for office a maximum of two registrants of the same profession as that registrant for each vacant position on the board for that profession, by delivering a

nomination form to the registrar, together with a letter of consent from the person nominated, at least 90 days prior to the expiry of the term of office.

(2) A hearing instrument practitioner, speech-language pathologist or audiologist may be nominated under subsection (1) if that registrant is

- (a) in good standing with the college, and
- (b) either an active or retired registrant of the college.

(3) For the purposes of subsection (2)(a) a registrant is not in good standing if that registrant:

- (a) is the subject of an unresolved citation that has been issued by the registrar under section 37 of the Act;
- (b) has had his or her registration suspended or cancelled by the discipline committee under section 39(2) of the Act;
- (c) has not paid a fee by the required deadline.

(4) A person nominated under this section must declare in writing at the time of nomination that he or she will observe the provisions of the Act, the regulations and these bylaws, the procedures related to the election, and the conduct of the election.

Election procedure

5(1) The registrar must prepare and deliver to each registrant an election ballot not less than 60 days prior to the expiry of the term of office.

(2) Each registrant is entitled to one ballot.

(3) A registrant may vote in favour of one candidate for each vacant position to be elected regardless of the registrant class in which that registrant has been registered.

(4) The registrar must not count a ballot unless it is received by the registrar at least 30 days prior to the expiry of the term of office and is signed by the registrant.

(4.1) Faxed and electronically scanned ballots are acceptable when the name and signature of the registrant is clearly identified on the ballot.

(4.2) Anonymous ballots are acceptable when received in an envelope where the name and signature of the registrant appear.

(5) The person or persons receiving the most votes on the return of the ballots is elected.

(6) In the case of a tie vote, the registrar must select the successful candidate by random draw.

(7) The registrar must supervise and administer all board elections and may establish procedures, consistent with these bylaws and as approved by the board, for that purpose.

(8) The registrar may determine any dispute or irregularity with respect to any nomination, ballot or election.

(9) Where the number of persons nominated under section 4 is less than or equal to the number of positions at the close of nominations, the nominees are deemed to be elected by acclamation.

(10) The registrar must use Form #1 to certify newly elected members of the board under section 17.1(1) of the Act.

Terms of office

6(1) The term of office for an elected board member is three years.

(2) An elected board member may serve a maximum of three consecutive terms.

Terms of office for the first elected board

6.1(1) Notwithstanding section 6(1), the first term of office of the first elected board members is

(a) two years for one hearing instrument practitioner, one audiologist and two speech-language pathologists, and

(a) three years for one hearing instrument practitioner, one audiologist and two speech-language pathologists.

(2) The board must allocate the two and three year terms to the members of the first elected board either with the consent of those members or by random draw.

Assuming or leaving office

7(1) A successful candidate assumes his or her position on the board once that member has presented a completed oath of office or certificate to the registrar under section 17.11(3) of the Act.

(2) An elected board member may resign at any time by delivering a notice in writing to the registrar and the resignation is effective when received by the registrar.

Removal of elected board member

8(1) An elected member of the board ceases to hold office if he or she:

- (a) ceases to become a member in good standing;
- (b) submits a written resignation to the chair or registrar;
- (c) becomes an employee of the college;
- (d) is removed by a special resolution approved under subsections (2) to (4);
- (e) is absent from three or more consecutive board meetings for a reason that the board does not find acceptable.

(2) An elected member of the board may be removed from the board by a special resolution of the members of the board.

(3) Before the board may act in accordance with subsection (2), a notice of the resolution for removal must be provided to every member of the board then in office, accompanied by a brief statement of the reason or reasons for the proposed removal.

(4) The elected member of the board who is the subject of the proposed resolution for removal must be given an opportunity to be heard before the resolution is put to a vote.

Deemed removal of elected board member: Disciplinary proceeding

9(1) If an elected member of the board

- (a) has had his or her membership as a registrant cancelled under section 39(2)(e) of the Act, or
- (b) agrees to a cancellation of his or her membership in a consent agreement reached under section 36(1) of the Act,

that elected member ceases to hold office.

(2) If an elected member of the board

- (a) has had his or her membership as a registrant suspended under sections 35(1)(b) or 39(2)(c) of the Act, or
- (b) agrees to a suspension of his or her membership in a consent agreement reached under section 36(1) of the Act,

that elected member ceases to hold office during the period of suspension.

Vacancy

10(1) Any vacancy of an elected board position may be filled to the end of that board member's term by a registrant of that profession appointed by the remaining members of the board by special resolution of the board.

(2) A member of the board appointed under subsection (1) serves the remainder of the term of the vacant board position.

Delayed application

10.1 Sections 6 to 10 do not apply until after the first election referred to in section 17(2)(a) of the Act.

Remuneration of board members

11(1) A board member is entitled to be

- (a) paid an honorarium or a per diem, or both, and
- (b) reimbursed by the college for reasonable expenses necessarily incurred in connection with the business of the college,

in the amounts and on such terms and conditions as the board may set out in policies and procedures.

(2) Appointed board members and elected board members must be remunerated equally under the policies and procedures referred to in this section.

Chair and vice-chair

12(1) At the first meeting of the board following an election under section 17(2) of the Act, the members of the board must elect from amongst the board members a chair and a vice-chair by a majority vote.

(2) The term of office for the chair and vice-chair is for a one-year term, but each may be elected to their positions every year as long as they remain board members.

(3) The chair

- (a) must preside at all meetings of the college and board,
- (b) unless the chair has been appointed to a committee as a voting member, is an ex officio (non-voting) member of all committees,

- (c) must sign all certificates, diplomas and other instruments executed on behalf of the college as required,
 - (d) must sign the minutes of each meeting after they are approved by the board, and
 - (e) must act generally in accordance with the requirements of his or her office for the proper carrying out of the duties of the board.
- (4) In the absence of the chair, the vice-chair must perform the duties of the chair.
- (5) In the absence of both the chair and the vice-chair, the board members present must elect by majority vote an acting chair for that board meeting.

Board meetings

- 13(1) The board must meet at least four times in each fiscal year and must provide reasonable notice of board meetings to registrants.
- (2) The registrar must call a meeting of the board at the request of either the chair or any three board members.
- (3) Despite subsections (1) and (2), the chair may call a meeting of the board without providing notice to the registrants if necessary to conduct urgent business.
- (4) Subject to section 15, meetings of the board must be open to registrants and the public.
- (5) The registrar must ensure that minutes are taken at each meeting and retained on file.
- (6) If some or all board members are unable to meet in person, those members who cannot attend in person may participate and the board may meet and conduct business using videoconference, teleconference or internet conference connections.
- (7) Except as otherwise provided in the Act, the regulations, or these bylaws, the most recent edition of *Robert's Rules of Order* governs the procedures at meetings of the board.

Notice of a board meeting

- 14(1) The board must provide reasonable notice of board meetings to registrants and the public.
- (2) The registrar must provide the following to members of the public on request:
- (a) details of the time and place of a board meeting,
 - (b) a copy of the agenda, and

- (c) a copy of the minutes of any preceding meeting, except an *in camera* meeting.
- (3) Notice of a board meeting provided to registrants and the public that is posted at the college website is deemed to meet the requirement of subsection (1).
- (4) The accidental omission to deliver notice of a board meeting to, or the non-receipt of such notice by, any person entitled to receive notice does not invalidate proceedings at that meeting.

In camera meetings

15(1) The board may exclude any person from any part of a meeting if it is satisfied that during that part of the meeting one or more of the following matters will be discussed:

- (a) financial or personal or other matters of such a nature that the desirability of avoiding public disclosure of them in the interest of any person affected or in the public interest outweighs the desirability of adhering to the principle that meetings be open to the public;
 - (b) information concerning a person involved in a criminal proceeding or civil suit or proceeding may be prejudiced by disclosure;
 - (c) personnel matters or property acquisitions;
 - (d) the contents of examinations;
 - (e) communications with the Office of the Ombudsman or the Privacy Commissioner;
 - (f) information that the college would be required or authorized to refuse to disclose to an applicant making a request for records under Part 2 of the *Freedom of Information and Protection of Privacy Act*;
 - (g) instructions will be given to or opinions received from legal counsel for the college, the board or a committee;
 - (h) any other matter subject to solicitor-client privilege;
 - (i) information that the college is otherwise required or authorized by law to keep confidential.
- (2) If the board excludes any person from all or a part of a meeting, its reasons for doing so must be noted in the minutes of the meeting.
- (3) The registrar must ensure that minutes are taken at each board meeting, retained on file, and, subject to subsection (4), posted on the college website.

(4) The registrar may edit minutes posted on the college website under subsection (3) to remove information about any matter referred to in subsection (1), provided that the reasons for removing that information are noted in the edited minutes.

Voting

16(1) A majority of the board constitutes a quorum.

(2) A resolution proposed at a meeting must be seconded, but neither the name of the mover or seconder of the resolution need be recorded in the minutes.

(3) The chair of a meeting may move or propose a resolution.

(4) In case of an equality of votes, the chair does not have a casting or second vote in addition to the vote to which he or she is entitled as a board member and the proposed resolution does not pass.

(5) Voting by proxy is not permitted at a board meeting.

Special resolution in writing

17(1) For the purposes of this section, “special resolution” means a resolution that is

(a) approved by 75 percent of the current members of the board in writing,

(b) conducted by mail, facsimile or e-mail, and

(c) filed with the registrar or the chair, as the case may be.

(2) Where it is not possible for the board to meet to discuss an urgent issue that requires a prompt decision, the board may approve a special resolution, and such a resolution is valid and binding and of the same force and effect as it had been duly passed at a meeting of the board.

(3) A report of any special resolution approved under subsection (2) must be verified and set out in the minutes of the next meeting of the board.

Spokespersons

18. Only the chair of the board or other persons authorized by the chair may speak on behalf of the college concerning board decisions or policies.

Board Members' Code of Ethics

19. While carrying out their duties as college officials, a board member must at all times conduct him or herself in a manner that is in keeping with the public interest, the ethical standards of the profession, and the Board Members' Code of Ethics.

Registrar

20(1) In addition to the duties and powers of the registrar under the Act, the registrar is authorized under section 19(2.1) of the Act to

- (a) establish, by bylaw, the forms, certificate or similar documents specified in these bylaws, and
- (b) require the use of such forms by applicants or registrants.

(2) The registrar is an *ex officio* (non-voting) member of every committee.

Part 2 – Committees

Registration committee

21(1) The registration committee is established consisting of at least five persons appointed by the board, and must include

- (a) at least one registrant from each profession, and
- (b) at least two public representatives.

(2) The number of public representatives on the registration committee must constitute at least one-third of the total number of persons on the committee.

(3) In addition to the duties and powers of the registration committee under Parts 2 and 3 of the Act, the committee is responsible for the duties and powers granted to the committee under Division B of these bylaws.

Hearing Instrument Practitioner Examination Advisory Committee

21.1(1) The hearing instrument practitioner examination advisory committee is established consisting of at least four audiologists or hearing instrument practitioners appointed by the board, and must include at least two audiologists.

(2) The hearing instrument practitioner examination advisory committee reports to the registration committee.

(3) In addition to any tasks or projects the registration committee may direct the hearing instrument practitioner examination advisory committee to undertake, the committee is responsible for the following:

- (a) developing the content of the practical examination and overseeing the examination;
- (b) developing or selecting the written examination;
- (c) monitoring and making recommendations to the board in relation to the examination requirements for hearing instrument students.

(4) In carrying out its responsibilities, the hearing instrument practitioner examination advisory committee may consult, as it considers necessary or appropriate, with registrants or other individuals who have expertise relevant to a particular area of practice or on any other matter considered by the committee.

Inquiry committee

22(1) The inquiry committee is established consisting of at least five persons appointed by the board, and must include

- (a) at least one registrant from each profession, and
- (b) at least two public representatives.

(2) The number of public representatives on the inquiry committee must constitute at least one-third of the total number of persons on the committee.

(3) In addition to the duties and powers of the inquiry committee under sections 33 to 37.1 of the Act, the committee is responsible for the duties and powers granted to the committee under Part 14 of these bylaws

Discipline committee

23(1) The discipline committee is established consisting of at least five persons appointed by the board, and must include

- (a) at least one registrant from each profession, and
- (b) at least two public representatives.

(2) The number of public representatives on the discipline committee or a panel of the committee must constitute at least one-third of the total number of persons on the committee or panel.

(3) Subject to section 12(3)(b), a person must not simultaneously be a member of the inquiry committee and the discipline committee.

(4) In addition to the duties and powers of the discipline committee under sections 38 and 39 of the Act, the committee is responsible for the duties and powers granted to the committee under Part 15 of these bylaws.

Quality assurance committee

24(1) The quality assurance committee is established consisting of at least five persons appointed by the board, and must include

- (a) at least one registrant from each profession, and
- (b) at least two public representatives.

(2) The number of public representatives on the quality assurance committee must constitute at least one-third of the total number of persons on the committee.

(3) In addition to the duties and powers of the quality assurance committee under sections 26.1 and 26.2 of the Act, the committee is responsible for the duties and powers granted to the committee under these bylaws.

(4) The quality assurance committee is responsible for:

- (a) preparing the Code of Ethics and the Standards of Practice to enhance the quality of practice and to reduce incompetent, impaired or unethical practice among registrants for approval by the board;
- (b) reviewing the existing Code of Ethics and Standards of Practice, and to recommend changes to the board for its approval;
- (c) establishing and maintaining a quality assurance program to promote high standards of practice among registrants;
- (d) assessing the professional performance of registrants;
- (e) approving continuing competencies courses or programs required in these bylaws.

Advanced competencies advisory committee

25(1) An advanced competencies advisory committee is established consisting of the following persons appointed by the board:

- (a) at least six registrants with equal representation from each profession;

(b) at least one physician confirmed by the College of Physicians and Surgeons of British Columbia as suitable for membership on the committee.

(2) Notwithstanding section 29(4), the advanced competencies advisory committee must report to the quality assurance committee, and do so in a form and at a time as directed by the quality assurance committee.

(3) In addition to any tasks or projects the quality assurance committee may direct the advanced competencies advisory committee to undertake, the committee is responsible for:

- (a) developing for consideration by the committee the standards of practice for registrants who are granted an advanced competencies certificate under Part 10;
- (b) monitoring the application of the approved standards and recommend to the quality assurance committee revisions to those standards;
- (c) monitoring and making recommendations to the board in relation to the requirements for advanced competencies certificates under Part 10.

(3) In carrying out its responsibilities, the advanced competencies advisory committee may consult, as it considers necessary or appropriate, with registrants or other individuals who have expertise relevant to a particular area of practice or on any other matter considered by the committee.

Client relations committee

26(1) The client relations committee is established consisting of at least five persons appointed by the board, and must include

- (a) at least one registrant from each profession, and
- (b) at least one public representative.

(2) The number of public representatives on the client relations committee must constitute at least one-third of the total number of persons on the committee.

(3) The client relations committee is responsible for

- (a) establishing and maintaining procedures by which the college deals with complaints of professional misconduct of a sexual nature,
- (b) monitoring and periodically evaluating the operation of procedures established under paragraph (a),

- (c) developing and coordinating, for the college, educational programs on professional misconduct of a sexual nature for registrants and the public as required,
- (d) establishing a client relations program to prevent professional misconduct, including professional misconduct of a sexual nature,
- (e) developing guidelines for the conduct of registrants with their clients, and
- (f) providing information to the public regarding the college's complaint and disciplinary process.

Finance and administration committee

27(1) The finance and administration committee is established consisting of at least three persons appointed by the board, one of which must be a board member.

- (2) The finance and administration committee is responsible for
- (a) managing the college's system of financial administration, including
 - (i) accounting practices and systems, including classification of accounts, internal control and auditing systems,
 - (ii) financial planning,
 - (iii) budgetary control,
 - (iv) ensuring the safekeeping of college assets, including assets held in trust,
 - (v) managing college revenues, including receipt, recording and control of funds and deposit to accounts maintained by the board,
 - (vi) producing financial reports for the use of the board, and submitting a financial statement to the accountant immediately after the close of each fiscal year,
 - (b) advising the board on the needs of the college in regard to financial administration, and the financial implications of board decisions,
 - (c) advising the board on the application of legislative, regulatory and other financial requirements to the college,
 - (d) developing, establishing and administering, for the approval of the board, financial policies, systems and procedures essential to the financial administration of the college, and
 - (e) overseeing the organization, staffing and training of financial staff of the college.

Certified support personnel liaison committee

28(1) The certified support personnel liaison committee is established consisting of registrants and certified support personnel appointed by the board, including its chair, to a maximum of five members.

(2) Notwithstanding section 29(4), the certified support personnel liaison committee must report to the quality assurance committee, and do so in a form and at a time as directed by the quality assurance committee.

(3) The certified support personnel liaison committee is responsible for

(a) developing policies and procedures to assist the registration committee in administering Part 12, and

(b) undertaking such other tasks or projects as may be assigned by the board.

Committee terms, membership, chair and reporting requirements

29(1) The board may set the term of a person appointed to a committee and may reappoint such a person.

(2) The board may remove a committee member by a majority vote.

(3) The board must designate the chair and vice-chair of a committee from among the members of the committee.

(4) The chair of a committee must report to the board, and do so in a form and at a time as directed by the board.

(5) A committee must submit an annual report of its activities of the past year to the board, and do so in a form and at a time as directed by the board.

Meetings of a committee

30(1) A majority of a committee constitutes a quorum.

(2) The absence of a public representative or an appointed board member at a meeting of a committee does not invalidate an act or decision of that committee performed or made during that meeting.

(3) Sections 11, 13(6) & (7), 15, 16 and 17 apply to a committee as if it were the board.

Part 3 – Panels

Definitions

31. In this Part,

“**profession-specific panel**” means a panel that is composed of a majority of registrants of one profession;

“**standing panel**” means a panel that will meet on an on-going basis.

Committee panels

32(1) The board or a committee may meet in panels or establish panels.

(2) A panel established under subsection (1) may be a profession-specific panel, a standing panel or both.

Composition of panels

33(1) A panel must be composed of at least three persons.

(2) If a panel is to exercise a statutory authority, the number of public representatives on the panel must constitute at least one-third of the total number of persons on the panel.

(3) If a panel is to consider an issue that requires the expertise of a registrant of one of the three professions, the panel must be a profession-specific panel.

(4) The board or committee establishing a panel must

(a) appoint the members of a panel in accordance with subsections (2) and (3), and

(b) subject to section 34(5), appoint the chair of the panel.

(5) The board or a committee may establish a roster of registrants and public representatives to sit on panels that may be established under this Part.

Activated panels

34(1) This section applies only to the board, the registration committee, the inquiry committee, the discipline committee and the quality assurance committee.

(2) If the board or a committee

(a) is to consider an issue or make a decision that

(i) is to be addressed or made by the board or a committee in the course of exercising or performing a statutory power or duty, and

(ii) requires the expertise of a registrant of one of the three professions, but

- (b) the members cannot agree to establish a profession-specific panel for that purpose or assign the issue to a profession-specific standing panel,
- a member of the board or committee from the profession in question may activate the creation of a profession-specific panel or refer the matter to a profession-specific standing panel of a committee.
- (3) To activate a panel under subsection (2), the member must advise the chair of the board or committee in writing that that member is creating the profession-specific panel under this section.
- (4) The board or committee cannot veto or over-ride a member's decision to activate a panel once the panel has been activated under subsection (2).
- (5) The member who has activated the creation of a panel or the referral under subsection (2) may chair the activated panel.

Authority of a panel

- 35(1) A panel of the board or a committee established under this Part may exercise any power, duty, or function of the board or that committee required under the Act or these bylaws, and may do so on behalf of and in the name of the board or committee, and without the need for final approval by the board or committee.
- (2) A panel that has made a decision on behalf of and in the name of the board or committee must promptly report that decision to the board or committee, and do so in a form and at a time as may be directed by the board or committee.
- (3) A panel activated under section 34 ceases to exist after that panel has made its final report to the board or committee in accordance with subsection (2).

Meetings of a panel

- 36(1) A majority of the members of a panel constitute a quorum.
- (2) The absence of a public representative or an appointed board member at a meeting of a panel does not invalidate an act or decision of that panel performed or made during that meeting.
- (3) Sections 11, 13(6) & (7), 15, 16 and 17 apply to a panel as if it were the board.

Part 4 – General Meetings of Registrants

General meetings

37(1) A general meeting of the registrants must be held in British Columbia at a time and place determined by the board.

(2) The first annual general meeting of the registrants must be held not more than 15 months after the date this section comes into force and, after that, an annual general meeting must be held at least once in every calendar year and not more than 15 months after the holding of the last preceding annual general meeting.

(3) The following matters must be presented at an annual general meeting

- (a) financial statements,
- (b) the report of the board,
- (c) the report of the registrar, and
- (d) the report of the accountant, if any.

(4) Every general meeting,

- (a) other than an annual general meeting is an extraordinary general meeting, and
- (b) is open to the public.

(5) The board

- (a) may convene an extraordinary general meeting by resolution of the board, and
- (b) must convene an extraordinary general meeting within 60 days after receipt by the registrar of a request for such a meeting signed by at least 10 percent of registrants from any one of the three professions, or 10 percent of all registrants.

Notice of general meetings

38(1) The registrar must provide notice of an annual or extraordinary general meeting to every registrant, and the public at least 45 days prior to the meeting.

(2) Notice of a general meeting must include

- (a) the place, day and time of the meeting,
- (b) the general nature of the business to be considered at the meeting,
- (c) any resolutions proposed by the board, and
- (d) any resolutions proposed by the registrants under section 39 and delivered to the registrar prior to the distribution of the notice.

(3) Notice of a general meeting provided to registrants and the public by posting a notice at the college website is deemed to meet the requirement of subsection (1).

(4) The accidental omission to deliver a notice of a meeting to, or the non-receipt of a notice by a registrant, a public representative or the public does not invalidate proceedings at that meeting.

Resolutions proposed by registrants

39(1) Any 20 registrants may deliver a written notice to the registrar at least 30 days prior to the date of an annual or extraordinary general meeting requesting the introduction of a resolution.

(2) On receipt of a notice specified in subsection (1) and at least 14 days prior to the date of that meeting, the registrar must

- (a) deliver a notice and a copy of the resolution to each registrant, or
- (b) post a copy of the resolution at the college's website.

(3) A registrant may propose a resolution at a general meeting from the floor, but any such resolution must be noted by the chair of the meeting and placed at the end of the agenda to be debated if time permits.

(4) A resolution proposed by a registrant must be seconded, but neither the name of the mover or seconder of the resolution need be recorded in the minutes.

(5) Except as provided in section 55(2), a resolution approved by the registrants is not binding on the board.

Proceedings at general meetings

40(1) A quorum at any meeting of registrants is 20 registrants.

(2) No business, other than the adjournment or termination of the meeting, may be conducted at a general meeting at a time when a quorum is not present at the start of the meeting.

(3) If within 30 minutes from the time appointed for the commencement of a general meeting or from any time during a general meeting when a quorum is not present, the meeting must be adjourned.

(4) If at any time during a general meeting there ceases to be a quorum present, business then in progress may continue.

- (5) In the absence of both the chair and the vice-chair of the board, an acting chair for a meeting must be elected by a majority vote of the registrants present.
- (6) A general meeting may be adjourned from time to time and from place to place, but no business may be transacted at an adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.
- (7) When a meeting is adjourned in accordance with subsection (3) or by motion, notice of the rescheduled meeting must be delivered as in the case of the original meeting.
- (8) Except as these bylaws otherwise provide, the most recent edition of *Robert's Rules of Order* governs the procedures at an annual or extraordinary general meeting.

Voting

- 41(1) A registrant present at a meeting is entitled to one vote and the chair of the meeting, if the chair is a registrant, is entitled to one vote.
- (2) Voting must be conducted by a show of hands.
- (3) If the chair determines that it is not possible to determine if the vote was in favour or against the resolution or if the membership votes in favour of this option, the chair may ask for a count of hands in favour and then against the resolution.
- (4) Despite subsection (2) or (3), if the chair determines that the subject matter of the vote warrants or if the membership votes in favour of this option, the chair may then direct that the vote be conducted by secret ballot.
- (5) In case of an equality of votes, the chair does not have a casting or second vote in addition to the vote to which he or she may be entitled, and the proposed resolution does not pass.

Notice to public representatives

42. Every notice or mailing provided to the general membership of the college must also be provided to a public representative serving on the board or a committee.

Part 5 – College Records

Definitions

43. In this Part,

"personal information" means "personal information" as defined in Schedule 1 of the *Freedom of Information and Protection of Privacy Act*;

"record" means a "record" as defined in Schedule 1 of the *Freedom of Information and Protection of Privacy Act*.

Body responsible for administering FIPPA

44(1) The registrar is the "head" of the college for the purposes of the *Freedom of Information and Protection of Privacy Act*.

(2) The registrar may authorize a deputy registrar, a person employed by the college or a person who has contracted to perform services for the college to perform any duty or exercise any function of the registrar that arises under the *Freedom of Information and Protection of Privacy Act*.

(3) The board is responsible for ensuring that the registrar fulfils the duties of the head, as set out under the *Freedom of Information and Protection of Privacy Act*.

(4) The registrar must report annually to the board regarding the steps the registrar has taken to fulfil the head's duties as set out under the *Freedom of Information and Protection of Privacy Act*.

Fees for information requests

45. Subject to section 75 of the *Freedom of Information and Protection of Privacy Act*, an applicant who requests access to a college record under section 5 of the *Freedom of Information and Protection of Privacy Act* must pay the fees, as set out in Schedule C for services required to comply with the information request.

Protection of personal information

46(1) The board must take all reasonable measures to ensure that the collection, use, and disclosure of personal information occurs in accordance with the *Freedom of Information and Protection of Privacy Act*.

(2) The board must take reasonable measures to ensure that, if personal information is sent to any person or service organization for processing, storage or destruction, a contract is made with that person or organization that includes an undertaking by the person or organization that confidentiality will be maintained.

Disclosure of annual report

47. The college must

- (a) make its annual report available electronically on the college website without charge,
- (b) notify every registrant that the annual report is available, and
- (c) provide a hard copy of the annual report to any person on request upon payment of the applicable fee specified in Schedule C.

Disclosure of registration status

48(1) Where the board or the registrar receives an inquiry about the registration status of a person, the registrar must disclose, in addition to the matters required by section 22 of the Act,

- (a) whether or not the person is a registrant or a former registrant,
- (b) whether or not the discipline committee has ever issued an order relating to the person under section 39 of the Act and the details of the order,
- (c) whether or not the person has ever signed a consent order under section 36 of the Act, and
- (d) the details of a consent order pertaining to a change in the person's registration status or a restriction on the practice of the profession of the registrant.

(2) Except with the consent of the person affected, the registrar must not release the names of complainants, clients, or their families or information that might otherwise enable a person inquiring about the status of a registrant to establish the identity of complainants, clients or their families.

Manner of disposal of college records containing personal information

49. The board must ensure that a college record containing personal information is disposed of only by

- (a) effectively destroying a physical record by utilizing a shredder or by complete burning,
- (b) erasing information recorded or stored by electronic methods on tapes, disks or cassettes in a manner that ensures that the information cannot be reconstructed,
- (c) returning the record to the person the information pertains to, or
- (d) returning the record to the registrant who compiled the information.

Part 6 – College Administration

Seal

50(1) The board must approve a seal for the college.

(2) Before the college seal is affixed to a document, the board must approve the use of the seal and designate the persons to so affix the seal.

(3) The seal of the college must be affixed to

- (a) certificates of registration,
- (b) certificates of advanced competencies,
- (c) support personnel certificates, and
- (d) such other documents as the board may direct by resolution.

Deputy registrar

51. If a deputy registrar is appointed by the board,

- (a) the deputy registrar is authorized to perform all duties and exercise all powers of the registrar, subject to the direction of the registrar, and
- (b) if the registrar is absent or unable for any reason to act, the deputy registrar is authorized to perform all duties and exercise all powers of the registrar.

Fiscal year

52. The fiscal year of the college commences on April 1 and ends on March 31 of the following year.

Banking

53. The board must establish and maintain such accounts with a chartered bank, trust company or credit union as the board determines necessary from time to time.

Payments and commitments

54(1) The registrar may approve payments and commitments for the purchase of goods and services up to \$10,000.

(2) The board or a board member designated by the board must approve payments and commitments for the purchase of goods and services in the amount of \$10,000 or more.

(3) The board must not purchase real property without a special resolution approved by the registrants of the college at a general meeting.

Borrowing powers

55(1) The board may raise money, or guarantee or secure the payment of money in the name of the college, in any manner determined by the board, in order to carry out the purposes of the college.

(2) The registrants may, by special resolution at a general meeting, restrict the borrowing powers of the board.

Investments

56. The board may invest funds of the college in any investments authorized under sections 15.1 and 15.2 of the *Trustee Act* in the name of the college and may change those investments.

Accountant

57(1) The board may appoint a chartered accountant or a certified general accountant to prepare information about the financial systems and records of the college.

(2) The registrar must submit the financial statement to the accountant within 60 days of the end of the fiscal year.

(3) A copy of the accountant's financial report must be included in the annual report.

Legal counsel

58. The board or, with the approval of the board, a committee or panel, may retain legal counsel for the purpose of assisting the board, committee or panel in carrying out any power or duty under the Act, the regulations or these bylaws.

Insurance

59. The board may cause the college to maintain insurance in such amounts and on such terms and conditions as the board may determine from time to time, including:

- (a) general or third-party liability insurance;
- (b) directors and officers insurance;
- (c) fidelity insurance or bonding in respect of its officers and employees.

DIVISION B – REGISTRATION AND CERTIFICATION

Definitions

60. For the purposes of these bylaws:

“**active registrant**” means a registrant who has been registered in one or more of the classes of registrants established in sections 61(a) to (c);

“**conditional active registrant**” means a registrant who has been registered in one or more of the classes of registrants established in sections 61 (c.1) or (c.2);

“**inactive registrant**” means a registrant who has been registered in one or more of the classes of registrants established in sections 61(g) to (i);

“**limited active registrant**” means a registrant who has been registered in one or more of the classes of registrants established in sections 61(d) to (f);

“**retired registrant**” means a registrant who has been registered in one or more of the classes of registrants established in sections 61(j) to (l);

“**temporary registrant**” means a registrant who has been registered in one or more of the classes of registrants established in sections 61(m) to (o);

“**temporary registrant, teaching**” means a registrant who has been registered in one or more of the classes of registrants established in sections 61(p) to (r).

Part 7 – Registration (All Professions)

Classes of registrants

61. The following classes of registrants are established:

- (a) active registration – audiologist;
- (b) active registration – hearing instrument practitioner;
- (c) active registration – speech-language pathologist;
 - (c.1) conditional active registration – audiologist;
 - (c.2) conditional active registration – speech-language pathologist;
- (d) limited active registration – audiologist;
- (e) limited active registration – hearing instrument practitioner;
- (f) limited active registration – speech-language pathologist;
- (g) inactive registration – audiologist;

- (h) inactive registration – hearing instrument practitioner;
- (i) inactive registration – speech-language pathologist;
- (j) retired registration – audiologist;
- (k) retired registration – hearing instrument practitioner;
- (l) retired registration – speech-language pathologist;
- (m) temporary registration – audiologist.
- (n) temporary registration – hearing instrument practitioner;
- (o) temporary registration – speech-language pathologist;
- (p) temporary registration, teaching – audiologist.
- (q) temporary registration, teaching – hearing instrument practitioner;
- (r) temporary registration, teaching – speech-language pathologist.

Payment of registration and other fees

62(1) Where a section in these bylaws states that an applicant, a registrant or a support person must pay an application, examination, registration, renewal or any other fee, the applicant, registrant or support person, as the case may be, must make payment

- (a) in full and in the amount specified in Schedule A,
- (b) by the date specified, and
- (c) if payment is made in the form of a cheque or money order, that it be made payable to “College of Speech and Hearing Health Professionals of BC”.

(2) The college may establish other methods to ensure the full and prompt payment of fees, including payment by credit card.

Fee adjustments

63(1) If a registrant is registered as a registrant in two or more professions, that registrant need only pay the fees for one profession.

(2) If a registrant is granted registration or an advanced competencies certificate that was not granted in the first quarter of the fiscal year, the registration committee must reduced the applicable registration or certification fee for the balance of the licensing year, pro-rated on a quarterly basis.

Inactive registration

64(1) The registration committee may grant inactive registration to an active registrant if the registrant has delivered to the registrar

- (a) a signed Form #16 application for registration (inactive),
- (b) a completed Form #16 statutory declaration attesting that, while registered under this section, he or she will not provide in the province of British Columbia the services of a hearing instrument practitioner, speech-language pathologist or audiologist, as the case may be, and
- (c) payment of the inactive registration fee, as set out in Schedule A.

(2) An inactive registrant

- (a) must fulfil during the period of inactive registration the continuing competencies requirements of an active registrant as required by section 159,
- (b) may not provide in the province of British Columbia the services of a hearing instrument practitioner, speech-language pathologist or audiologist, as the case may be,
- (c) may use the occupational title granted to his or her profession but only with the addition of “(Inactive)” at the end.

(3) An inactive registrant

- (a) may remain on the inactive registry for a maximum of three consecutive years, and
- (b) must apply every year to renew and maintain inactive registration to that maximum, by
 - (i) submitting Form #4 registration renewal (inactive), and
 - (ii) paying the renewal fee, as set out in Schedule A.

(4) An inactive registrant is eligible:

- (a) to vote in an election for members of the board under section 5;
- (b) to vote at a meeting of the membership under section 41;
- (c) but not to be nominated or appointed as a member of the board under sections 4 or 10.

Retired registration

65(1) The registration committee may grant retired registration to an active registrant if the registrant has delivered to the registrar

- (a) a signed Form #16 application for registration (retired),
- (b) a completed Form #16 statutory declaration attesting that he or she will no longer provide the services of a hearing instrument practitioner, speech-language pathologist or audiologist, as the case may be, and
- (c) payment of the retired registration fee, as set out in Schedule A.

(2) A retired registrant

- (a) may not provide the services of a hearing instrument practitioner, speech-language pathologist or audiologist, as the case may be,
- (b) may use the occupational title granted to his or her profession but only with the addition of “(Retired)” at the end.

(3) A retired registrant must apply every year to renew and maintain retired registration, by

- (a) submitting Form #4 registration renewal (retired), and
- (b) paying the renewal fee, as set out in Schedule A.

(4) A retired registrant is eligible:

- (a) to be nominated or appointed as a member of the board under sections 4 or 10;
- (b) to vote in an election for members of the board under section 5;
- (c) to vote at a meeting of the membership under section 41.

Temporary registration

66(1) An applicant may be granted temporary registration by the registration committee for a period of time to be established by the committee, not to exceed three months, if the applicant

- (a) is a registrant in good standing of a regulatory body governing the practice of a hearing instrument practitioner, speech-language pathologist or audiologist, as the case may be, in another jurisdiction, and
- (b) is a Canadian citizen or is entitled to work in Canada, and
- (c) has delivered to the registrar
 - (i) a signed Form #2 registration application (temporary registration),

- (ii) a completed Form #3 statutory declaration attesting that he or she will only be providing the services a hearing instrument practitioner, speech-language pathologist or audiologist, as the case may be, in the province for a period of time not to exceed three months,
 - (iii) a signed Form #5 criminal record check authorization, current within six months of the application,
 - (iv) payment of the criminal records check and temporary registration fees, as set out in Schedule A, and
 - (v) proof of professional liability insurance or coverage required by section 151 and effective on or before the date of registration.
- (2) A person who has been granted temporary registration under subsection (1)
- (a) may only perform the services of an active registrant as may be required by the registration committee and under such supervision or upon such limits or conditions that the committee may also set, and
 - (b) may use the occupational title granted to his or her profession but only with the addition of “(Temporary)” at the end.
- (3) The temporary registration of a person registered under subsection (1) expires after three months from the date the person is placed on the temporary register.
- (4) A temporary registrant may apply to renew a temporary registration for an additional three months before it expires by
- (a) submitting a completed Form #4 registration renewal (temporary registration), and
 - (b) paying the renewal fee, as set out in Schedule A.
- (5) A temporary registrant is not eligible
- (a) to be nominated or appointed as a member of the board under sections 4 or 10;
 - (b) to vote in an election for members of the board under section 5;
 - (c) to vote at a meeting of the membership under section 41.

Temporary registration (teaching)

67(1) This section applies to a person who

- (a) will be demonstrating on a person the performance of a restricted activity that has been granted to the professions under section 5 of the Regulation,
- (b) will not be doing the demonstration for longer than three months, and
- (c) is not a registrant of the college or the registrant of another college established under the Act that has been granted the same restricted activity,

where such a demonstration is being done

- (d) to help a student fulfil the conditions or requirements for registration as a member of the college under section 50(4)(b) of the Act,
- (e) to help a registrant fulfil the conditions or requirements to be granted an advanced competencies certificate as required under section 6 of the Regulation, or
- (f) for any other educational or training purpose.

(2) An applicant may be granted temporary registration (teaching) by the registration committee for a period of time to be established by the committee not to exceed three months if the applicant

(a) is either

- (i) a registrant in good standing of a regulatory body in another jurisdiction that regulates the practice of a hearing instrument practitioner, speech-language pathologist or audiologist, as the case may be, or
- (ii) in possession of academic qualifications in relation to the restricted activity to be demonstrated that are acceptable to the committee,

(b) has delivered to the registrar

- (i) a signed Form #2 registration application (temporary registration, teaching),
- (ii) a completed Form #3 statutory declaration attesting
 - (A) that he or she will only be performing a restricted activity for the purposes set out in subsection (1),
 - (B) to his or her registration status in a regulatory body or academic qualifications, as specified in subsection (2)(a),
- (iii) payment of the temporary registration fee, as set out in Schedule A, and

- (iv) proof of professional liability insurance or coverage required by section 151 and effective on or before the date of registration.
- (3) A person who has been granted temporary registration (teaching) under subsection (2)
 - (a) may only perform the services of an active registrant as may be required by the registration committee and under such terms or conditions as the committee may set, and
 - (b) must not use an occupational title granted to registrants under section 3 of the Regulation.
- (4) The temporary registration of a person granted under subsection (2) expires after three months from the date the person is placed on the temporary register (teaching).
- (5) A temporary registrant (teaching) may apply to renew a temporary registration (teaching) for an additional three months before it expires by
 - (a) submitting a completed Form #4 registration renewal (temporary registration, teaching), and
 - (b) payment of the renewal fee, as set out in Schedule A.
- (6) A temporary registrant (teaching) is not eligible
 - (a) to be nominated or appointed as a member of the board under sections 4 or 10;
 - (b) to vote in an election for members of the board under section 5;
 - (c) to vote at a meeting of the membership under section 41.

Examinations

68(1) All examinations required to be taken under these bylaws must be prepared or approved by the registration committee.

- (2) The registration committee must
 - (a) determine the time and place for the holding of an examination, designate invigilators and determine the procedures for the conduct of the examinations,
 - (b) review the results of the examination or re-examination for each applicant and make a determination as to that applicant's qualification for registration, and
 - (c) notify the applicant of the results of the examination or re-examination as soon as is practicable.

- (3) An applicant for whom an examination is required under these bylaws must
- (a) pay the examination fee, as set out in Schedule A, and at least two weeks prior to the date of the examination, and
 - (b) attend for examination at a date, time and place as set by the registration committee.

Examination failures

69(1) An applicant who fails an initial examination is entitled to two further opportunities to repeat the examination, and must complete all attempts within two years from the date of the applicant's initial application.

(2) An applicant who fails an examination a third time may apply for licensure again, but only after the passage of two years.

Improper conduct during an examination

70(1) Where an invigilator has reason to believe that an applicant has engaged in improper conduct during the course of an examination, the invigilator

- (a) must make a report to the registration committee, and
- (b) may recommend in that report that the registration committee take one or more of the following courses of action
 - (i) fail the applicant,
 - (ii) pass the applicant,
 - (iii) require the applicant to rewrite the examination, or
 - (iv) disqualify the applicant from participating in any examination for a defined period of time.

(2) After considering a report made under subsection (1)(a), the registration committee may take one or more of the courses of action specified in subsection (1)(b).

(3) The registration committee must provide an applicant disqualified under subsections (1)(b)(iv) and (2) written reasons for that disqualification.

Transferring registrant (labour mobility within Canada)

71(1) This section applies to an applicant who is registered as a member of a profession in another Canadian jurisdiction and is seeking to be registered as an active registrant in British Columbia under these bylaws under the BC-Alberta *Trade, Investment and*

Labour Mobility Agreement or the national *Agreement on Internal Trade*.

- (2) For the purposes of this section, a “member in good standing” means someone who
- (a) has met the continuing competencies requirements or quality assurance requirements of the regulatory body of which the applicant is currently a member (the home jurisdiction),
 - (b) has paid the applicable membership fees of the home jurisdiction, and
 - (c) is not the subject of an active complaint investigation or an active citation or disciplinary proceeding initiated by the home jurisdiction,
 - (d) does not have any sanctions or practice restrictions placed on his or her practice by the home jurisdiction.
- (3) Where an applicant is at the time of application registered with another regulatory body (the home jurisdiction), the applicant must arrange for that regulatory body to provide to the registration committee
- (a) a letter to be sent directly from the home jurisdiction to the committee
 - (i) confirming that the applicant is currently a member in good standing of the profession being applied for, and
 - (ii) stating the type of registration or membership held by the applicant in the home jurisdiction, and
 - (b) any other information or documents requested by the committee.
- (4) The provisions of sections 82(2)(a), (b), (e), (f), (h), (i), (j) and (k), apply to an applicant who is applying to transfer as a hearing instrument practitioner under this section.
- (5) The provisions of sections 85(3)(a), (b), (f), (g), (i), (j), (k) and (l) apply to an applicant who is applying to transfer as an audiologist or speech-language pathologist under this section.

Transferring registrant (international)

72(1) This section applies to an applicant who is registered as a member of a profession in a jurisdiction outside of Canada and is seeking to be registered as an active registrant in British Columbia under these bylaws.

- (2) For the purposes of this section, a “member in good standing” means someone who
- (a) has met the continuing competencies requirements or quality assurance

- requirements of the regulatory body of which the applicant is currently a member (the home jurisdiction),
- (b) has paid the applicable membership fees of the home jurisdiction,
 - (c) is not the subject of an active complaint investigation or an active citation or disciplinary proceeding initiated by the home jurisdiction, and
 - (d) does not have any sanctions or practice restrictions placed on his or her practice by the home jurisdiction.
- (3) Where an applicant is at the time of application registered with another regulatory body outside of Canada (the home jurisdiction), the applicant must arrange for that regulatory body to provide to the registration committee
- (a) a letter to be sent directly from the home jurisdiction to the committee
 - (i) confirming that the applicant is or was a member in good standing of the profession being applied for, and
 - (ii) stating the type of registration or membership held by the applicant in the home jurisdiction,
 - (b) proof in a form acceptable to the committee that the applicant's education and training is substantially the same as that required of an applicant for active registration in the appropriate class of registration, including
 - (i) originals or certified photocopies of post-secondary education transcripts,
 - (ii) a record of clinical hours,
 - (iii) documents that support the member's original registration or membership in the home jurisdiction, such as translations, credential assessments, syllabus, and
 - (c) any other information or documents requested by the committee.
- (4) For the purposes of subsection (3)(b), the registration committee may, in addition to the information set out in that subsection, request the applicant to complete an examination and, if the committee so requests, the provisions of sections 68 to 70 apply.
- (5) If the home jurisdiction does not hold the original of a document, it must indicate which jurisdiction holds such documents.
- (6) For the purposes of this section, if information or a document the applicant provides or arranges to be provided to the registration committee is not in English, the committee

may require the applicant to provide or arrange to provide at the applicant's expense a copy of the document translated into English by a certified translator acceptable to the committee.

(7) The provisions of sections 82(2)(a), (b), (e), (f), (h), (i), (j) and (k), apply to an applicant who is applying to transfer as a hearing instrument practitioner under this section.

(8) The provisions of sections 85(3)(a), (b), (f), (g), (i), (j), (k) and (l) apply to an applicant who is applying to transfer as an audiologist or speech-language pathologist under this section.

Substantial equivalency

73. Despite sections 82 and 85, the registration committee has the discretion, in satisfying itself under section 20 of the Act that an applicant meets the conditions or requirements for registration as a registrant of the college, to consider whether the applicant's knowledge, skills and abilities are substantially equivalent to the standards of academic or technical achievement and the competencies or other qualifications of

- (a) a hearing instrument practitioner as required in sections 82(1)(a) and (c), and to grant registration on that basis, if the applicant also meets the requirements established in sections 82(1)(b) and (d) to (i), or
- (b) an audiologist or speech-language pathologist as required in sections 85(1)(a) and (2), and to grant registration on that basis, if the applicant also meets the requirements established in sections 85(1)(b) to (h).

Issuing a certificate of registration

74(1) On the instruction of the registration committee, the registrar must issue a certificate of registration in Form #6A to a person who, in the committee's determination, meet the requirements for the applicable class of registration.

- (2) A certificate of registration issued under subsection (1) must state
- (a) the class of registration as listed in section 61,
 - (b) the name of the certificate holder,
 - (c) the date the certificate was issued,
 - (d) the expiry date as set by subsections (3) or (4), and

(e) the limits or conditions that may apply to that registrant or class of registrant, if any.

(3) A certificate of registration for active, inactive, limited active or retired registration is valid until no later than the following March 31st, but may be extended for a period of time as set out in a renewal certificate issued under section 78.

(4) A certificate of registration for temporary registration or temporary registration (teaching) or any renewal of such a certificate is valid until the date set by the registration committee under section 66 or 67.

(5) A certificate of registration for conditional active registration or any renewal of such a certificate is, subject to section 87.9, valid until no later than the following March 31st.

Display of a certificate of registration

75(1) A registrant must either

- (a) be able to provide proof that he or she is a registrant of the college and is registered in the applicable class of registration, or
- (b) display a certificate of registration issued under section 74 in a prominent location at the registrant's place of business to which the general public has access.

(2) If a registrant chooses to only display a certificate of registration under subsection (1)(b), and has more than one place of business, the registrant must display

- (a) the certificate of registration in the registrant's main place of business, and
- (b) a copy of the certificate of registration in every other place of business other than the main place of business.

Deemed revocation

76(1) As soon as a registrant ceases to be a Canadian citizen or is no longer entitled to work in Canada,, that registrant is deemed to no longer be a registrant of the college.

(2) If the registrar has knowledge of the facts as set out in subsection (1), the registrar must revoke the registrant's registration with the college and remove his or her name from the registry.

Return of a certificate of registration

77. A registrant must immediately return to the registration committee a certificate of registration, renewal certificate or any photocopies of it, and any other proof of registration issued by the committee, if any of the following occur:

- (a) if the registrant has been served notice that his or her certificate of registration has been suspended or cancelled under Part 3 of the Act;
- (b) if the registrant is deemed to no longer be a registrant of the college under section 76;
- (c) if the registrant fails to pay a registration renewal fee and the reinstatement fee, as set out in Schedule A, in accordance with section 78.

Registration renewal (active, conditional active, limited active, inactive and retired)

78(1) To be eligible for a renewal of registration, a registrant must, before the expiry date set in section 74(3), (4) or (5)

- (a) submit to the registrar a completed Form #4 application for renewal,
- (b) pay the registration renewal fee, as set out in Schedule A,
- (c) pay any other outstanding fee, debt or levy owed to the college,
- (d) attest that he or she is in compliance with the Act, the regulations, and these bylaws, and is in compliance with any limits or conditions imposed under sections 39(1)(b) and (d) of the Act, and
- (e) provide proof of having met the requirements of the quality assurance program under section 159, if applicable.

(2) Notice of the fees must

- (a) be delivered to each registrant no later than January 31st, and
- (b) describe the consequences of late payment or non-payment of fees.

(3) Each registrant must pay to the college the registration renewal fee, as set out in Schedule A on or before March 31st.

(4) A registrant may pay the annual registration renewal fee, as set out in Schedule A, in advance instalments if the registration committee approves that arrangement.

(5) On payment of the registration renewal fee, and any arrears, the registrar must issue to the registrant making payment a receipt bearing the seal of the college and stating that the

registrant is, subject to his or her compliance with the Act, the regulations, and these bylaws, entitled to practise as a hearing instrument practitioner, speech-language pathologist or audiologist, as the case may be, in the Province of British Columbia as a registrant of the college.

(6) If a registrant fails to pay a registration renewal fee on or before March 31st, he or she may be granted renewal providing that the registrant pays that fee, plus a penalty of 10% of the unpaid renewal fee, on or before April 30th.

(7) If a registrant fails to pay a registration renewal fee and the penalty fee on or before April 30th, that registrant ceases to be registered as a hearing instrument practitioner, speech-language pathologist or audiologist, as the case may be.

Reinstatement after suspension or cancellation

79(1) A registrant whose registration has been suspended or cancelled under sections 39(1)(d) or (e) of the Act may apply to the registration committee for reinstatement

- (a) after the period of time of suspension or cancellation set out in the disciplinary decision, or
- (b) if a period of time was not set out in the disciplinary decision, after the expiration of two years from the date of the suspension or cancellation, by
- (c) submitting Form #7, application for reinstatement, and
- (d) paying the reinstatement fee as set out in Schedule A.

(2) Despite subsection (1), a hearing instrument practitioner whose licence was suspended under the *Hearing Aid Act* may apply to the registration committee for reinstatement under this section after the expiration of two years from the date of the suspension or cancellation.

(3) When considering an application for reinstatement under this section, the registration committee must consider whether

- (a) the applicant poses a risk to clients or public health or safety, and
- (b) the goals of deterrence and rehabilitation, including whether any quality assurance programs ordered by the discipline committee or panel have been met.

Reinstatement following non-payment of fees

80(1) A former registrant who ceased to be registered under section 78(7) by reason only of a failure to renew his or her registration may apply for reinstatement under section 21(4) of the Act, if the former registrant

- (a) applies for reinstatement by submitting Form #7, application for reinstatement not later than three months following the expiry of his or her registration,
- (b) is not in contravention of the Act, the Regulation or these bylaws,
- (c) pays the registration renewal fee and reinstatement fee, both as set out in Schedule A.

(2) Despite subsection (1), the board may reinstate a person without charging any fee if the person is able to demonstrate to the satisfaction of the board that he or she was unable to comply with section 78 for reasons of undue hardship.

Information registrants must provide

81(1) A registrant must inform the registrar of the following business information:

- (a) if self-employed, the address, phone number and email address of the registrant's primary or main office or clinic;
- (b) if employed, the name of the employer, and the address, phone number and email address of the employer's office or clinic where the registrant most often works.

(2) A registrant must promptly inform the registrar of any changes to the business information specified in subsection (1), as well as changes to

- (a) the registrant's home address, phone number or email, if it is different than the registrant's or employer's business address, phone number or email, and
- (b) the registrant's name.

Part 8 – Registration of Hearing Instrument Practitioners

Active registration (hearing instrument practitioner)

82(1) For the purposes of section 20(2) of the Act, an applicant to become an active registrant (hearing instrument practitioner) must meet the following criteria:

- (a) completion of second year post-secondary education or the equivalent level, and an educational program in hearing aid dispensing approved by the board;

- (b) successful completion of examinations prepared or approved by the registration committee, with grades equal to or above the minimum levels set by the committee;
 - (c) completion of a period of supervised practice training
 - (i) of 840 hours duration and of a form approved by the committee,
 - (ii) to be completed within a number of consecutive months as required by the committee, and
 - (iii) under the supervision of a person approved by the committee;
 - (d) be a Canadian citizen or entitled to work in Canada;
 - (e) be able to speak and write English with reasonable fluency;
 - (f) be of good character satisfactory to the committee and consistent with the responsibilities of a registrant and the standards expected of a registrant;
 - (g) not have been charged with or convicted of an indictable offence under the *Criminal Code* (Canada) if the nature or circumstances of the offence give rise to concerns about the applicant's competence or fitness to practice the profession, as provided under section 20(2.2) of the Act;
 - (h) has professional liability insurance or coverage in the form and amount required by section 151;
 - (i) has paid the application, examination, criminal records check, and registration fees, as set out in Schedule A.
- (2) An applicant must provide or arrange to provide the registration committee with the following forms, documents or information as proof of meeting the criteria set out in subsection (1):
- (a) a signed Form #8 application registration (student – hearing instrument practitioner);
 - (b) a completed Form #3 statutory declaration, including statements certifying that
 - (i) the applicant owns or has access to the minimum equipment for the practice of the profession as required by the committee, and
 - (ii) the applicant has not contravened or otherwise failed to comply with the Act or the bylaws;

- (c) a copy of the applicant's post-secondary transcript sent directly to the registrar from the post-secondary institution or a notarized copy of the original transcript, certificate, diploma or degree, or other evidence satisfactory to the registration committee, of the successful completion of the educational program specified in subsection (1)(a), and evidence satisfactory to the registration committee that the applicant is the person named in any transcript, certificate, diploma or degree;
- (d) proof in a form acceptable to the registration committee of completion of the supervised practice training specified in subsection (1)(c);
- (e) proof in a form acceptable to the registration committee of Canadian citizenship or entitlement to work in Canada,;
- (f) if requested by the committee, a copy of the applicant's language proficient test results sent directly to the registrar from the training institution or a notarized copy of the original test results, or other evidence satisfactory to the committee that the applicant meets the requirement of subsection (1)(e) and is the person named in a test result;
- (g) letters of recommendation, attesting to the good character of the applicant and such other information as the committee may require, sent directly to the registrar from two persons who
 - (i) are not related to the applicant,
 - (ii) have known the applicant for more than two years, and
 - (iii) will not benefit if the applicant is licensed under this Part;
- (h) information concerning a current proceeding for or a finding of professional misconduct, incompetence or incapacity in British Columbia or another jurisdiction in relation to the profession or another health profession;
- (i) a signed Form #5 criminal record check authorization form, current within six months of the application;
- (j) proof of professional liability insurance or coverage required by section 151 and effective on or before the date of registration;
- (k) payment in full of the application, examination, criminal records check and registration fees, as set out in Schedule A.

(3) The registration committee may require the applicant to appear before the committee in order to determine that the applicant has satisfied the requirements of subsections (1) and (2).

(4) The registration committee may publish the results of the examination completed by the applicant under subsection (1)(b).

(5) A person who applies to become an active registrant (hearing instrument practitioner), must complete all licensing and examination requirements within two years of the date the application was first filed, unless granted an extension by the committee for a period of time set by the committee.

Deemed eligibility of Hearing Aid Act license holders

82.1(1) For the purposes of section 20(2) of the Act, a person who

(a) is licensed as a hearing aid dealer and consultant under the *Hearing Aid Act* on March 31, 2010, and

(b) is in good standing under that Act on that date,

is deemed to meet the requirements of section 82(1)(a) to (f), and, subject to subsection (2), below, is entitled on application to be automatically registered in the active registration (hearing instrument practitioner) class.

(2) To be granted registration under this section, an applicant who is a hearing aid dealer and consultant licensed under the *Hearing Aid Act* must provide to the registration committee

(a) proof in a form acceptable to the committee that the applicant meets the requirements of subsection (1)(a) and (b),

(b) the documents or information required in sections 82(2)(a), (h), (i) and (j), and

(c) the criminal records check and registration fees, as set out in Schedule A.

(3) This section expires and is of no force or effect on April 2, 2011.

Automatic transfer of applications under the Hearing Aid Act

82.2(1) If the application of a person who applied to become a hearing aid dealer and consultant under the *Hearing Aid Act* prior to the repeal of that Act has not been completed by April 1, 2010, then that application is automatically transferred to the

college and becomes an application to become a hearing instrument practitioner under the Health Professions Act and these bylaws.

(2) A person whose application has been transferred under subsection (1) must meet the registration, examination and supervision requirements set out in section 82, but need not pay the application fee.

(3) This section expires and is of no force or effect on April 2, 2012.

82.3 Grand-parenting (dispensing public health audiologists)- This section expires and is of no force or effect on April 2, 2011.

Limited active registration (dispensing public health audiologists)- This section expires and is of no force or effect on April 2, 2011.

Participation and voting rights

83. An active registrant (hearing instrument practitioner) is eligible:

- (a) to be nominated or appointed as a member of the board under sections 4 or 10;
- (b) to vote in an election for members of the board under section 5;
- (c) to vote at a meeting of the membership under section 41;.

Part 9 – Registration of Speech-Language Pathologists and Audiologists

Definitions

84. In this Part:

“**BCASLPA**” means the British Columbia Association of Speech-Language Pathologists and Audiologists;

“**CASLPA**” means the Canadian Association of Speech-Language Pathologists and Audiologists.

Sub-Part 9.1 – Standard Applications

Active registration (audiologist or speech-language pathologist)

85(1) For the purposes of section 20(2) of the Act, an applicant to become an active registrant (audiologist or speech-language pathologist) must meet the following criteria:

- (a) holds at least a master's degree in speech-language pathology or audiology or both from a university with a program of study that meets or exceeds the requirements set out in subsection (2) and is acceptable to the registration committee;
- (b) successful completion of the certification examination prepared by CASLPA;
- (c) be a Canadian citizen or entitled to work in Canada;
- (d) be able to speak and write English with reasonable fluency;
- (e) be of good character, satisfactory to the committee and consistent with the responsibilities of a registrant and the standards expected of a registrant;
- (f) not have been charged with or convicted of an indictable offence under the *Criminal Code* (Canada), if the nature or circumstances of the offence give rise to concerns about the applicant's competence or fitness to practice the profession, as provided under section 20(2.2) of the Act;
- (g) has professional liability insurance or coverage in the form and amount required by section 151;
- (h) has paid the application, criminal records check and registration fees, as set out in Schedule A.

(2) To be acceptable to the committee under subsection (1)(a), a program of study would be one that meets the following requirements:

- (a) 270 hours of course work in basic communication processes that include
 - (i) the anatomic and physiologic basis for normal development and use of speech, language and hearing,
 - (ii) physical bases and processes of the production and perception of speech, and
 - (iii) perceptual processes and psycholinguistic variables related to normal development and use of speech, language and hearing;
- (b) 200 hours of course work in related areas that include
 - (i) study of human behaviour, both normal and abnormal,
 - (ii) statistics, and
 - (iii) administrative organization of speech language pathology and/or audiology programs;

- (c) 360 hours of course work in the major professional area that provides in-depth study of disorders of speech and language or of hearing functioning and clinical evaluation and treatment of communication disorders;
 - (d) course work in the minor professional area that provides study in audiology for speech-language pathology majors and study in speech-language pathology for audiology majors;
 - (e) 350 hours of supervised university accredited clinical practicum, completed during the period of academic preparation, with both children and adults representing a wide variety of communication disorders in the area in which registration is sought.
- (3) An applicant must provide or arrange to provide the registration committee with the following forms, documents or information as proof of meeting the criteria set out in subsection (1):
- (a) a signed Form #2 application form for registration (active);
 - (b) a completed Form #3 statutory declaration, including statements certifying that the applicant has not contravened or otherwise failed to comply with the Act or these bylaws;
 - (c) a copy of the applicant's post-secondary transcript sent directly to the registrar from the post-secondary institution or a notarized copy of the original transcript, certificate, diploma or degree, or other evidence satisfactory to the registration committee, of the successful completion of the educational program specified in subsection (1)(a), and evidence satisfactory to the registration committee that the applicant is the person named in any transcript, certificate, diploma or degree;
 - (d) proof in a form acceptable to the registration committee of completion of the supervised practice training specified in subsection (2)(e);
 - (e) proof of successful completion of the CASLPA certification examination specified in subsection (1)(b);
 - (f) proof in a form acceptable to the registration committee of Canadian citizenship or entitlement to work in Canada;
 - (g) if requested by the committee, a copy of the applicant's language proficient test results sent directly to the registrar from the training institution or a notarized

- copy of the original test results, or other evidence satisfactory to the committee that the applicant meets the requirement of subsection (1)(d) and is the person named in a test result;
- (h) letters of recommendation, attesting to the good character of the applicant and such other information as the committee may require, sent directly to the registrar from two persons who
 - (i) are not related to the applicant,
 - (ii) have known the applicant for more than two years, and
 - (iii) will not benefit if the applicant is licensed under this Part;
 - (i) information concerning a current proceeding for or a finding of professional misconduct, incompetence or incapacity in British Columbia or another jurisdiction in relation to the profession or another health profession.
 - (j) a signed Form #5 criminal record check authorization form, current within six months of the application;
 - (k) proof of professional liability insurance or coverage required by section 151 and effective on or before the date of registration;
 - (l) payment in full of the application, criminal records check and registration fees, as set out in Schedule A.

Appearing before the committee

86. The registration committee may require an applicant to appear before the committee in order to determine if that applicant has satisfied the requirements of sections 85 or 87.3 to 87.8.

Participation and voting rights

87. An active registrant (audiologist or speech-language pathologist) is eligible:
- (a) to be nominated or appointed as a member of the board under sections 4 or 10;
 - (b) to vote in an election for members of the board under section 5;
 - (c) to vote at a meeting of the membership under section 41.

Sub-Part 9.2 – Grand-parenting Applications – Repealed effective April 2, 2011

Time limits

- 87.1(1) No person may apply for registration under this Sub-Part after October 1, 2010.
(2) This Sub-Part expires and is of no force or effect on April 1, 2012.

Sub-Part 9.3 – Conditional Active Registration

Conditional active registration: application

87.9(1) If, on the date of an initial application for active registration under section 85, the applicant has not successfully completed the certification examination required in section 85(1)(b), the registration committee may grant conditional active registration to the applicant if the applicant meets all the other requirements of section 85(1).

- (2) An applicant who wishes to be registered under this section must
- (a) indicate this on the application form, and
 - (b) complete Section III on Form #3, statutory declaration attesting that the applicant will write the certification examination at the next scheduled examination date.
- (3) If, after two years from the date of initial application, a registrant granted registration under this section has failed to successfully complete the certification examination required in section 85(1)(b) and provide evidence satisfactory to the committee of successful completion,
- (a) the conditional active registration granted under this section expires, and may not be renewed under section 78, and
 - (b) the registrant ceases to be registered.
- (4) For greater certainty,
- (a) section 69 does not apply to an applicant seeking registration under this section, and
 - (b) an applicant granted registration under this section may apply under section 78 for renewal of that registration, but any such renewal cannot extend the period of registration under this section beyond the date that is two years after the date of initial application.
- (5) If a conditional active registrant successfully completes the certification examination required in section 85(1)(b) and provides evidence satisfactory to the committee of

successful completion within two years of the date of initial application, the registrant may be registered as an active registrant in the appropriate class.

Conditional active registrant: rights and responsibilities

87.10 (1) A conditional active registrant

- (a) must fulfill the responsibilities of an active registrant under the Act, Regulation and these bylaws, while practicing his or her profession under supervision,
- (b) must fulfill during the period of conditional active registration the continuing competencies requirements of an active registrant as required by section 159,
- (c) may use a title reserved in the Regulation for exclusive use by his or her profession but only with the addition of “(Conditional)” at the end.

(2) A conditional active registrant is eligible

- (a) to vote in an election for members of the board under section 5, and
- (b) to vote at a meeting of the membership under section 41, but is not eligible to be nominated or appointed as a member of the board under sections 4 or 10.

(3) A conditional active registrant must not

- (a) apply for advanced competencies certification under Part 10,
- (b) supervise individuals who are fulfilling the conditions or requirements for registration as a member of the college, or
- (c) practise as a sole private practitioner.

Part 10 – Advanced Competencies Certification Programs

Application

88. The requirements of sections 89 to 93 apply to all the certificates required in this Part.

General

89(1) The quality assurance committee

- (a) must monitor or administer the advanced competencies certification programs described in this Part, and
- (b) holds the exclusive authority to make a decision as to whether or not a registrant should be granted a particular certification.

(2) In relation to each of the advanced competencies certificate programs that are described in this Part, the training of a registrant must take place

- (a) under the level of supervision as stipulated in each program of study for each certificate and by another registrant or health professional who
 - (i) is already qualified or certified to perform the activity that is the subject of that certificate, and
 - (ii) is acceptable to the committee, and
- (b) in a setting that allows the training registrant to obtain sufficient clinical experience, including direct contact with clients.
- (3) The quality assurance committee may issue a directive that lists the specific programs of study that the committee determines meets the requirements for each certification program described in this Part.
- (4) To be granted an advanced competencies certificate under this Part, an active registrant must
 - (a) submit to the registrar a completed Form #9 application for advanced competencies certification,
 - (b) proof in a form acceptable to the committee of any specific requirement for a particular advanced competency certificate, and
 - (c) pay the advanced competencies certification fee (initial) as set out in Schedule A.

Substantial equivalency re: advanced competencies

89.1. The quality assurance committee has the discretion, in satisfying itself that a registrant meets the conditions or requirements to be granted an advanced competencies certificate under this Part, to consider whether the registrant's knowledge, skills and abilities are substantially equivalent to the standards of academic or technical achievement and the competencies or other qualifications as specified for a certificate in this Part.

Issuing of certificates

90(1) The registrar must, on the instruction of the quality assurance committee, issue Form #10 advanced competencies certificate to an active registrant who, in the committee's determination, meets the requirement for that certificate as set out in this Part .

(2) A certificate issued under subsection (1) must state

- (a) the specific advanced competency being certified,
- (b) the name of the certificate holder,
- (c) the date the certificate was issued,
- (d) the expiry date set for the certificate, and
- (e) the limits or conditions that may apply to that registrant or certificate, if any.

Right to a decision and a review of a denied certificate

91(1) The registration committee must, within 30 days of making a decision under this Part to refuse an active registrant's request for an advanced competencies certificate, deliver a written notice to the registrant setting out the committee's decision and reasons, and advising the denied registrant of his or her right to apply for a review of that decision under subsection (2).

(2) An active registrant who has been denied an advanced competencies certificate by the registration committee under this Part may request a review of that decision by the board under Part 11.

Display of certificates

92(1) A registrant granted an advanced competencies certification under this Part must either

- (a) be able to provide proof that he or she is certified in the applicable advanced competencies program, or
- (b) display a certificate in a prominent location at the registrant's place of business to which the general public has access.

(2) If a registrant chooses to only display a certificate under subsection (1)(b), and has more than one place of business, the registrant must display

- (a) the certificate in the registrant's main place of business, and
- (b) a copy of the certificate in every other place of business other than the main place of business.

Return of certificate

93. If a registrant's advanced competencies certificate is suspended or cancelled, the registrant must return it and any copies of it to the registrar immediately on being served notice that the certificate has been suspended or cancelled.

Certification renewal

94(1) To be eligible to renew an advanced competencies certificate, a registrant must, before the expiry date for that certificate,

- (a) submit to the registrar a completed Form #11 advanced competencies certificate renewal, including a statutory declaration attesting that he or she is in compliance with the Act, the regulations, these bylaws, and any limits or conditions imposed under sections 39(2)(b) or (d) of the Act,
- (b) pay the advanced competencies certification renewal fee in the amount specified in Schedule A,
- (c) pay any other outstanding fee, debt or levy owed to the college, and
- (d) meet the continuing advanced competencies requirements of section 95.

(2) Notice of the certificate renewal fees must be delivered to each registrant no later than 60 days before the expiry date, and must describe the consequences of late payment and non-payment of fees.

(3) Each registrant must pay the certificate renewal fee, as set out in Schedule A, in full on or before the expiry date.

(4) Where a registrant fails to pay a certificate renewal fee on or before the expiry date, he or she ceases to be entitled to provide services covered under the terms and conditions of that advanced competencies certificate.

(5) On receipt of payment of the certificate renewal fee, the registrar must issue to the registrant making payment a receipt and a statement that the registrant is, subject to his or her compliance with the Act, the regulations, and these bylaws, entitled to provide the services covered under the terms and conditions of the advanced competencies certificate.

Continuing advanced competencies program

95(1) A registrant who has been granted an advanced competencies certificate must,

- (a) complete at least four hours of continuing competencies in the specific advanced competency, as approved by the quality assurance committee, and do so prior to the expiry or renewal date for that certificate, and

- (b) report the continuing competencies credits earned during the cycle to the quality assurance committee in accordance with the reporting schedule and procedures approved by the committee.
- (2) A registrant must retain documents or other information that support the continuing advanced competencies credits being reported to the quality assurance committee under subsection (1).
- (3) The quality assurance committee may without notice to a registrant audit the registrant to ensure the accuracy and truthfulness of the continuing advanced competencies credits that the registrant has reported under subsection (1)(a).
- (4) If the quality assurance committee finds an inaccuracy or a false report and is unable to resolve that deficiency by subsequent negotiation with the registrant, the committee may report that finding to the inquiry committee, which may in turn investigate the registrant for a breach of this section under Part 3 of the Act and Part 14 of these bylaws.

Standards of Practice

96. A registrant who has been issued an advanced competencies certificate under this Part must apply and follow the Standards of Practice for the performance of the services covered by that certificate as may be approved by the board.

Sub-Part 10.1 – Certificates for Audiologists

General requirements

- 96.1 (1) The requirements of this section apply to all the advanced competencies certificates for audiologists set out in this Sub-Part.
- (2) A registrant
 - (a) may not be granted an advanced competencies certificate under this Sub-Part until the registrant has completed one year of clinical experience as an audiologist, but may commence the acceptable program of study within the first year of clinical experience, and
 - (b) must have completed the program of study no more than three years prior to applying for certification.
 - (3) The quality assurance committee may grant to an audiologist an advanced competencies certificate specified in this Sub-Part and as required by section 6(2) of the

Regulation, if the registrant has completed successfully a program of study in the advanced competency that is acceptable to the committee as meeting the requirements for each specific certificate.

(4) An advanced competencies certificate granted by the committee under this Sub-Part expires three years after it has been granted, but may be renewed under section 94.

Certificate A) Vestibular Assessment and Management

Application

97. This advanced competencies certificate program applies to the restricted activity set out in section 5(1)(d) of the Regulation.

Certification requirements

98(1) The quality assurance committee may grant to an audiologist a certificate in vestibular assessment and management as required by section 6(2) of the Regulation, if the audiologist

- (a) has completed a program of study that is acceptable to the committee, and
- (b) has performed vestibular system function assessments in accordance with the acceptable program of study.

(2) A certificate in vestibular assessment and management expires three years after the committee has granted it, but may be renewed under section 94.

Acceptable programs of study

99. To be acceptable to the committee under section 98(1)(a), the program of study in the assessment and management of vestibular system function must

- (a) be either
 - (i) a graduate level course of at least three credit hours in assessment of vestibular system function, focusing on vestibular anatomy, physiology and assessment, or
 - (ii) a program of study the committee agrees is substantially similar to such a graduate level course, and
- (b) provide a registrant with the following competencies:

- (i) understanding of the anatomy and physiology of the auditory, visual and somatosensory systems;
- (ii) understanding of electrophysiological tests including auditory brainstem response, electrocochleography, and vestibular evoked myogenic potential;
- (iii) understanding, administering and interpreting pre-testing screening, including vertebral artery screening test and cervical vertigo test;
- (iv) understanding of administering and interpreting postural stability test;
- (v) understanding of assessments and evaluations for the presence of oscillopsia;
- (vi) understanding and experience in administering and interpreting electronystagmography or videonystamography, including oculo-motor testing, positioning and positional testing, air and water-caloric testing and ice-water caloric testing;
- (vii) understanding of autorotation tests and computerized dynamic posturography;
- (viii) understanding of treatment for different forms of benign paroxysmal positional vertigo;
- (ix) understanding of vestibular rehabilitation therapy;
- (x) understanding of outcome measures and monitoring therapy;
- (xi) recognition of contraindications to vestibular assessment or portions thereof;
- (xii) recognition of criteria for referral to medical specialist or another professional;
- (xiii) recognition of complications and how to deal with them.

100. Assessments performed under direct supervision – Repealed effective April 1, 2011

100.1 Time-limited grand-parenting – This section expires and is of no force or effect on April 2, 2011.

Use of “certified”

101. An active registrant who has been certified by the registration committee in assessment of vestibular system function and has been placed on the appropriate registry,

is entitled to use the designation “Certified in Vestibular Assessment and Management”, and may not use any other title or designation for this certification.

Certificate B) Cochlear Implant Management

Definitions

102. For the purposes of sections 103 to 106:

“**cochlear implant**” means a device that directly stimulates the auditory nerve, and can provide sound for people who have a severe to profound hearing loss, or receive little or no benefit from conventional hearing aids, and consists of two parts: internal implant and speech processor;

“**cochlear implant management**” means a process or continuum of care involving an interprofessional team, where

- (i) management includes candidacy assessment, programming and post-implant evaluations,
- (ii) candidacy assessment includes comprehensive audiological evaluation to determine if the potential recipient meets the criteria to receive a cochlear implant,
- (iii) programming of the speech processor establishes individualized listening programs so the recipient can receive full access to speech sounds, and
- (iv) post--implant evaluations are used to monitor a recipient’s progress;

“**internal implant**” means a tiny electrode that is surgically implanted into the inner ear and a receiver is placed under the skin behind the ear;

“**speech processor**” means a device the client wears on the body or behind the ear and the transmitting coil, that is connected to the internal implant via a magnet.

Restriction on practice

103. A registrant must not provide or perform cochlear implant management unless that registrant is an audiologist who has successfully completed a certification program as required by sections 104 and 105.

Certification requirements

104(1) The quality assurance committee may grant to an audiologist a certificate in cochlear implant management, if the audiologist has completed successfully a program of study that is acceptable to the committee.

(2) A certificate in cochlear implant management expires three years after the committee has granted it, but may be renewed under section 94.

Acceptable programs of study

105. To be acceptable to the committee under section 104(1)(a), the program of study in cochlear implant management must be either

- (a) a graduate level course in cochlear implant management, including candidacy assessment, programming and equipment maintenance, and post-implant evaluation, or
- (b) a program of study the committee determines is substantially similar to such a graduate level course, but in either case, the program of study must provide a registrant with the following competencies:
 - (c) knowledge of the anatomy and physiology of the complete auditory system;
 - (d) knowledge of current candidacy requirements and function of a cochlear implant;
 - (e) skill regarding external cochlear implant equipment and accessories, including trouble-shooting in the case of equipment malfunction;
 - (f) recognition of contraindications to implantations;
 - (g) recognition of criteria for referral to medical specialist or another professional;
 - (h) recognition of complications and how to deal with or respond to each complication.

105.1 Time-limited grand-parenting - This section expires and is of no force or effect on April 2, 2011.

Use of “certified”

106. An active registrant who has been certified by the registration committee in cochlear implant management and has been placed on the appropriate registry, is entitled to use

the designation “Certified in Cochlear Implant Management”, and may not use any other title or designation for this certification.

Sub-Part 10.2 – Certificates for Audiologists and Hearing Instrument Practitioners

Certificate C) Cerumen Management

Application

107. This advanced competencies certificate program applies to the restricted activities set out in sections 5(1)(b), (c) and (d), and sections 5(2)(a), (b) and (c) of the Regulation.

Certification requirements

108(1) The registration committee may grant to an audiologist or a hearing instrument practitioner a certificate in cerumen management as required by section 6(1) of the Regulation, if the audiologist or hearing instrument practitioner has completed successfully a program of study that is acceptable to the committee and no more than five years prior to applying for certification.

(2) A certificate in cerumen management expires three years after the committee has granted it, but may be renewed under section 94.

Acceptable programs of study

109. To be acceptable to the committee under section 108(1), the program of study in cerumen management must be acceptable to the quality assurance committee, and provide a registrant with the following competencies:

- (a) knowledge of the anatomy, physiology and pathophysiology of the external ear canal, pinna and the tympanic membrane;
- (b) knowledge of infection control and prevention of disease transmission (universal precautions);
- (c) knowledge of the cerumen removal techniques of aural suction, aural irrigation and instrument extraction, and skill in at least one of these procedures
- (d) knowledge of the equipment required to perform cerumen removal;
- (e) skill in the use of otoscopy;
- (f) recognition of contraindications;

- (g) recognition of criteria for referring the client to medical specialist or another health professional;
- (h) recognition of complications and procedures to be followed;
- (i) knowledge of triggerable reflexes, and the need for emergency protocols.

109.1 Time-limited grand-parenting - This section expires and is of no force or effect on April 2, 2011

Use of “certified”

110. An active registrant who has been certified by the registration committee in cerumen management and has been placed on the appropriate registry, is entitled to use the designation “Certified in Cerumen Management”, and may not use any other title or designation for this certification.

Sub-Part 10.3 – Certificates for Hearing Instrument Practitioners

Certificate D) Hearing Instrument Services for Children

Sections 111 to 114 are vacant until the details of the advanced competencies certification program that will allow HIPs to provide hearing instrument services to children under the age of 16 have been finalized. Those new provisions will be added to the bylaws under this sub-heading.

Sub-Part 10.4 – Certificates for Speech-Language Pathologists

Definitions for Sub-Part

115. For the purposes of this Sub-Part:

“**entry-to-practice understanding**” means the applicant or registrant can, in a clinical setting, comprehend and apply that information as would be obtained through coursework at the graduate level by explaining the information, modifying a treatment plan, relating that information to other information, and summarizing or explaining the information;

“**advanced understanding**” means the applicant or registrant, in addition to having an entry-to-practice understanding, can in a clinical setting analyse, synthesize or evaluate information by designing treatment plans, differentiating

between two different situations or types of information, and interpreting current or new information.

General requirements

116(1) The requirements of this section apply to all the advanced competencies certificates for speech-language pathologists set out in this Sub-Part.

(2) A registrant

(a) may not be granted an advanced competencies certificate under this Sub-Part until the registrant has completed one year of clinical experience as a speech-language pathologist, but may commence the acceptable program of study within the first year of clinical experience, and

(b) must have completed the program of study no more than three years prior to applying for certification.

(3) The registration committee may grant to a speech-language pathologist an advanced competencies certificate specified in this Sub-Part and as required by section 6(4) of the Regulation, if the registrant has completed successfully a program of study in the advanced competency that is acceptable to the committee as meeting the requirements for each specific certificate.

(4) An advanced competencies certificate granted by the committee under this Sub-Part expires three years after it has been granted, but may be renewed under section 94.

Certificate E) Fiberoptic Endoscopic Evaluation and Management of Voice Disorders

Application

117. This advanced competencies certificate program applies to the restricted activities set out in sections 5(3)(c) and (d) of the Regulation.

Acceptable programs of study

118. To be acceptable to the committee under section 116(3), the program of study in fiberoptic endoscopic evaluation and management of voice disorders must involve instruction specific to fiberoptic endoscopic evaluation and management of voice disorders, including practical training, and provide a registrant with the following competencies:

- (a) an entry-to-practice understanding of oral, nasal, pharyngeal, laryngeal and esophageal anatomy and physiology;
- (b) an advanced understanding of phonatory anatomy and physiology, voice assessment, including the use of applicable diagnostic equipment (procedures and interpretation) and rehabilitation;
- (c) an ability to identify and describe normal and abnormal aerodigestive physiology for respiration, airway protection, and voice production;
- (d) an ability to recognize anatomical landmarks as viewed endoscopically;
- (e) an ability to recognize altered anatomy as it relates to laryngeal function;
- (f) an ability to recognize changes in anatomy and physiology of phonation over the life span;
- (g) an ability to identify indications and contraindications for a flexible fiberoptic endoscopic evaluation of swallowing;
- (h) an ability to identify elements of a comprehensive endoscopic fiberoptic endoscopic evaluation of vocal function;
- (i) an ability to detect and interpret abnormal swallow findings in terms of the underlying anatomy and pathophysiology;
- (j) an ability to apply appropriate treatment interventions to determine the effect on phonation;
- (k) an ability to use results of the examination to make appropriate recommendations, to guide treatment of the client, and to determine treatment outcomes;
- (l) an ability to make appropriate recommendations or referrals for other examinations as needed;
- (m) an ability to recognize when to re-evaluate vocal function;
- (n) an ability to use endoscopy as a biofeedback tool;
- (o) an ability to use endoscopic images to educate clients, family, and staff either during or after the examination;
- (p) knowledge of use and contraindications of topical anesthetics and an ability to use topical anesthetics as appropriate.

118.1 *Time-limited grand-parenting* – *This section expires and is of no force or effect on April 2, 2011*

Use of “certified”

119. An active registrant who has been certified by the registration committee in fiberoptic endoscopic evaluation and management of voice disorders and has been placed on the appropriate registry, is entitled to use the designation “Certified in Fiberoptic Endoscopic Evaluation and Management of Communication and Voice Disorders”, and may not use any other title or designation for this certification.

Certificate F) Fiberoptic Endoscopic Evaluation and Management of Swallowing Disorders

Application

120. This advanced competencies certificate program applies to the restricted activity set out in section 5(3)(c) of the Regulation.

Acceptable programs of study

121. To be acceptable to the committee under section 116(3), the program of study in fiberoptic endoscopic evaluation and management of swallowing must involve instruction specific to fiberoptic endoscopic evaluation and management of swallowing disorders, including practical training, and must provide a registrant with the following competencies:

- (a) an entry-to-practice understanding of oral, nasal, pharyngeal, laryngeal and esophageal anatomy and physiology;
- (b) an advanced understanding of the anatomy and physiology involved in swallowing assessment, including the use of applicable diagnostic equipment (procedures and interpretation) and rehabilitation;
- (c) an ability to identify and describe normal and abnormal aerodigestive physiology for respiration, airway protection, and swallow;
- (d) an ability to recognize anatomical landmarks as viewed endoscopically;
- (e) an ability to recognize altered anatomy as it relates to swallowing function;
- (f) an ability to recognize changes in anatomy and physiology of the swallow over the life span;

- (g) an ability to identify indications and contraindications for a flexible fiberoptic endoscopic evaluation of swallowing;
- (h) an ability to identify elements of a comprehensive endoscopic fiberoptic endoscopic evaluation of swallowing;
- (i) an ability to detect and interpret abnormal swallow findings in terms of the underlying anatomy and pathophysiology;
- (j) an ability to apply appropriate treatment interventions, implement postural changes, and alter the bolus or method of delivery to determine the effect on the swallow;
- (k) an ability to use results of the examination to make appropriate recommendations, to guide treatment of the client, and to determine treatment outcomes;
- (l) an ability to make appropriate recommendations or referrals for other examinations as needed;
- (m) an ability to recognize when to re-evaluate swallowing function;
- (n) an ability to use endoscopy as a biofeedback tool;
- (o) an ability to use endoscopic images to educate clients, family, and staff either during or after the examination;
- (p) knowledge of use and contraindications of topical anesthetics and an ability to use topical anesthetics as appropriate.

121.1 *Time-limited grand-parenting – This section expires and is of no force or effect on April 2, 2011.*

Use of “certified”

122. An active registrant who has been certified by the registration committee in fiberoptic endoscopic evaluation and management of swallowing and has been placed on the appropriate registry, is entitled to use the designation “Certified in Fiberoptic Endoscopic Evaluation and Management of Swallowing”, and may not use any other title or designation for this certification.

Certificate G) Voice Restoration (Voice Prostheses)

Application

123. This advanced competencies certificate program applies to the restricted activities set out in section 5(3)(e) and (g) of the Regulation.

Conditions

123.1. Despite section 116(2), a registrant

- (a) may not be granted an advanced competencies certificate in voice restoration (voice prostheses) until that registrant has completed two years of clinical experience as a speech-language pathologist, and
- (b) may not commence the acceptable program of study within the first year of clinical experience.

Acceptable programs of study

124. To be acceptable to the committee under section 116(3), the program of study in assessing and managing voice disorders and restoration using tracheo-esophageal puncture (TEP) techniques and prostheses must involve instruction specific to assessing and managing voice disorders and restoration, including practical training, and must provide a registrant with the following competencies:

- (a) an entry-to-practice understanding of oral, nasal, pharyngeal, laryngeal and esophageal anatomy and physiology, head and neck cancer, including tumour staging, effects of treatments such as irradiation, and physiological changes;
- (b) an advanced understanding of parameters of voice assessment and intervention, including familiarity with diagnostic equipment, laryngectomy rehabilitation, causes, anatomical changes and emotional aspects of laryngectomy, preoperative consultation assessment and treatment to individuals who will be alaryngeal with communication and swallowing needs resulting from cancer (or its treatment) or other medical conditions, selection criteria for appropriate TEP candidates, placement, care and use of indwelling prostheses, and selection of appropriate candidates for a tracheostoma valve;
- (c) an ability to size and fit removable TEP prostheses;

- (d) an ability to teach the client or significant other to use and care for the prosthesis and the tracheostoma valve;
- (e) an ability to resolve problems related to sound production and to teach the client to do the same;
- (f) an ability to resolve problems related to leaking of liquid or food from the fistula site and to teach the client to do the same;
- (g) an ability to resolve problems related to tissue changes and to teach the client to do the same;
- (h) an ability to resolve problems related to stoma size;
- (i) knowledge of use and contraindications of topical anesthetics and an ability to use topical anesthetics as appropriate.

124.1 Time-limited grand-parenting – This section expires and is of no force or effect on April 2, 2011.

Use of “certified”

125. An active registrant who has been certified by the registration committee in voice disorders and restoration using TEP and has been placed on the appropriate registry, is entitled to use the designation “Certified in Voice Restoration (Voice Prostheses)”, and may not use any other title or designation for this certification.

Certificate H) Voice Restoration (Tracheotomy Tubes or Speaking Valves)

Application

126. This advanced competencies certificate program applies to the restricted activity set out in section 5(3)(e) of the Regulation.

Acceptable programs of study

127. To be acceptable to the committee under section 116(3), the program of study in assessing and managing swallowing and voice disorders and restoration using talking tracheotomy tubes and one-way speaking valves, with or without ventilator dependency, must provide a registrant with the following competencies:

- (a) an entry-to-practice understanding of swallowing and voice assessment and intervention, including that pertaining to tracheotomy and ventilation;

- (b) an advanced understanding of parameters of swallowing and voice assessment and intervention, including familiarity with diagnostic equipment;
- (c) providing identification, assessment and treatment to tracheotomy clients with or without ventilator dependency;
- (d) an ability to identify and describe normal and abnormal aerodigestive physiology for respiration, airway protection, swallowing and voice production;
- (e) an ability to select appropriate tracheotomy valve candidates and understand the contraindications for use;
- (f) an ability to place a one-way speaking valve on non-ventilated patients subsequent to initial placement;
- (g) an understanding of the placement of tracheotomy tubes;
- (h) an ability to teach the client or significant other to care for the one way valve or tube;
- (i) an ability to teach the client to use the one way valve or tube;
- (j) an ability to resolve problems related to sound production or swallowing, and to teach the client to do the same.

127.1 Time-limited grand-parenting – This section expires and is of no force or effect on April 2, 2011.

Use of “certified”

128. An active registrant who has been certified by the registration committee in voice disorders and restoration using tracheotomy tubes or speaking valves and has been placed on the appropriate registry, is entitled to use the designation “Certified in Voice Restoration (Tracheotomy Tubes or Speaking Valves)”, and may not use any other title or designation for this certification.

Certificate I) Videofluoroscopic Assessment of Adult Swallowing Disorders

Definitions

129. For the purposes of this section to section 131.4:

“**adult**” means an individual who has attained the age of 16 years;

“**child**” means an individual who has not attained the age of 16 years or an adult under the age of 20 who has been diagnosed with a condition or disorder that gives that adult a developmental age of someone under 16;

“**paediatric**” means the care or services that are provided to a child.

Certification required

130(1) A registrant must not conduct a videofluoroscopic assessment of an adult’s swallowing disorder unless the registrant is certified in this advanced competency.

(2) Nothing in these bylaws authorizes a registrant to order or administer radiation, including fluoroscopy for diagnostic or imaging purposes, or to operate videofluoroscopic equipment.

Acceptable programs of study

130.1(1) To be acceptable to the committee under section 116(3), the program of study in videofluoroscopic assessment of adult swallowing disorders must provide a registrant with the following competencies in relation to adults:

- (a) an entry-to-practice understanding of dysphagia, potential results depending on the causative factors of swallowing disorders, and parameters of anatomical landmarks as viewed fluoroscopically in the lateral and anterior-posterior planes including familiarity with diagnostic equipment;
- (b) an ability to identify and describe normal and abnormal aerodigestive physiology for respiration, airway protection, and voice production;
- (c) an advanced understanding of
 - (i) normal and abnormal aerodigestive anatomy and physiology for respiration, airway protection and swallowing,
 - (ii) the interrelationship of respiration and swallowing,
 - (iii) typical age-related changes in anatomy and physiology of the swallow,
 - (iv) changes in swallowing anatomy and physiology related to various medical conditions or surgical procedures,
 - (v) the potential effects of common medications on swallowing;

- (vi) instrumental swallowing studies to provide a foundational understanding of the instrumental assessment, follow up management based on the assessment, and regulatory issues and professional standards related to the instrumental assessment,
 - (vii) indications and contraindications and advantages and disadvantages of the videofluoroscopic swallowing assessment,
 - (viii) elements of a comprehensive videofluoroscopic swallowing assessment, and the implementation of same,
 - (ix) proper positioning of the adult for optimal imaging and functional assessment,
 - (x) the roles of various team members who may be involved in the assessment, and
 - (xi) use of the appropriate treatment interventions and their rationale, including postural changes, manoeuvres, bolus modifications, delivery method, and sensory enhancement techniques to improve safety and efficiency of the swallow;
- (d) an ability to prepare standard bolus types and viscosities prior to the examination according to facility specific protocol and results of most recent clinical swallowing evaluation;
 - (e) an ability to present bolus types in a calibrated and consistent pattern;
 - (f) an ability to evaluate the integrity of airway protection before, during, and after swallowing;
 - (g) an ability to evaluate the effectiveness of postures, manoeuvres, bolus modifications, and sensory enhancement techniques;
 - (h) an ability to evaluate the adult's tolerance of and ability to perform and repeat appropriate therapeutic interventions;
 - (i) an ability to conduct the examination in a timely manner to minimize radiation exposure;
 - (j) an ability to monitor possible adverse reactions to the examinations;
 - (k) based on the assessment results, an ability to provide recommendations regarding

- (i) safety for oral versus non-oral delivery of nutrition and hydration,
- (ii) specific oral intake modifications,
- (iii) therapeutic interventions for meals,
- (iv) positioning,
- (v) safe feeding precautions,
- (vi) need for and timing of re-evaluation,
- (vii) necessary referrals,
- (viii) prognosis, and
- (ix) the adult's cultural preferences and attitudes towards eating and diet.

(2) The competencies listed in subsection (1) must be demonstrated for specific populations of adults.

Time-limited grand-parenting

130.2(1) Despite sections 116 and 130, the committee may grant a certificate in videofluoroscopic assessment of adult swallowing disorders to a registrant who

- (a) has completed successfully a videofluoroscopic assessment of adult swallowing disorders course more than three years before April 1, 2010, and
- (b) submits a completed Form #12 statutory declaration attesting that he or she has provided ongoing videofluoroscopic assessment of adult swallowing disorders since completing that course.

(2) This section is repealed on July 1, 2011.

Use of "certified"

130.3 An active registrant who has been certified by the quality assurance committee in videofluoroscopic assessment of adult swallowing disorders and has been placed on the appropriate registry, is entitled to use the designation "Certified in Videofluoroscopic Assessment of Adult Swallowing Disorders", and may not use any other title or designation for this certification.

Issuing of replacement certificates

130.4(1) If a registrant was granted a Certificate I “Videofluoroscopic Assessment of Swallowing Disorders” under the former sections 129 to 131 prior to the date this section came into force, the registrar may issue a replacement certificate to the registrant in the form of a Certificate I “Videofluoroscopic Assessment of Adult Swallowing Disorders”, if the quality assurance committee determines that the registrant had obtained at the time of applying for the original certificate the competencies set out in section 130.1(1).

(2) For greater certainty, sections 89 to 96 apply to a replacement certificate issued under this section.

Certificate J) Videofluoroscopic Assessment of Paediatric Swallowing Disorders

Certification required

131(1) A registrant must not conduct a paediatric videofluoroscopic swallowing assessment of a child unless that registrant is certified in this advanced competency.

(2) Nothing in these bylaws authorizes a registrant to order or administer radiation, including fluoroscopy for diagnostic or imaging purposes, or to operate video fluoroscopic equipment.

Acceptable programs of study

131.1(1) To be acceptable to the committee under section 116(3), the program of study in videofluoroscopic assessment of paediatric swallowing disorders must provide a registrant with the following competencies in relation to children:

- (a) an entry-to-practice understanding of dysphagia, potential results depending on the causative factors of swallowing disorders, and parameters of anatomical landmarks as viewed fluoroscopically in the lateral and anterior-posterior planes including familiarity with diagnostic equipment;
- (b) an ability to identify and describe normal and abnormal aerodigestive physiology for respiration, airway protection, and voice production at various developmental stages;
- (c) an advanced understanding, at various developmental stages, of

- (i) normal and abnormal aerodigestive anatomy and physiology for respiration, airway protection and swallowing,
 - (ii) the interrelationship of respiration and swallowing,
 - (iii) typical age-related changes in anatomy and physiology of the swallow,
 - (iv) changes in swallowing anatomy and physiology related to various congenital and acquired medical conditions or surgical procedures,
 - (v) the potential effects of common medications on swallowing;
 - (vi) instrumental swallowing studies to provide a foundational understanding of the instrumental assessment, follow up management based on the assessment, and regulatory issues and professional standards related to the instrumental assessment,
 - (vii) indications and contraindications and advantages and disadvantages of the videofluoroscopic swallowing assessment,
 - (viii) elements of a comprehensive videofluoroscopic swallowing assessment, and the implementation of same,
 - (ix) proper positioning of the child for optimal imaging and functional assessment,
 - (x) the roles of various team members who may be involved in the assessment, and
 - (xi) use of the appropriate treatment interventions and their rationale, including postural changes, manoeuvres, bolus modifications, delivery method, and sensory enhancement techniques to improve safety and efficiency of the swallow;
- (d) an ability to prepare standard bolus types and viscosities prior to the examination according to facility specific protocol and results of most recent clinical swallowing evaluation;
- (e) an ability to present bolus types in a calibrated and consistent pattern;
- (f) an ability to evaluate the integrity of airway protection before, during, and after swallowing;

- (g) an ability to evaluate the effectiveness of postures, manoeuvres, bolus modifications, and sensory enhancement techniques;
- (h) an ability to evaluate the child's tolerance of and ability to perform and repeat appropriate therapeutic interventions;
- (i) an ability to conduct the examination in a timely manner to minimize radiation exposure;
- (j) an ability to monitor possible adverse reactions to the examinations;
- (k) based on the assessment results, an ability to provide recommendations regarding
 - (i) safety for oral versus non-oral delivery of nutrition and hydration,
 - (ii) specific oral intake modifications,
 - (iii) therapeutic interventions for meals,
 - (iv) positioning,
 - (v) safe feeding precautions,
 - (vi) need for and timing of re-evaluation,
 - (vii) necessary referrals,
 - (viii) prognosis, and
 - (ix) the child's cultural preferences and attitudes towards eating and diet.

(2) The competencies listed in subsection (1) must be demonstrated for specific paediatric populations.

Time-limited grand-parenting

131.2(1) Despite sections 116 and 131, the committee may grant a certificate in videofluoroscopic assessment of child swallowing disorders to a registrant who

- (a) has completed successfully a videofluoroscopic assessment of child swallowing disorders course more than three years before April 1, 2010, and
- (b) submits a completed Form #12 statutory declaration attesting that he or she has provided ongoing videofluoroscopic assessment of child swallowing disorders since completing that course.

(2) This section is repealed on July 1, 2011.

Use of “certified”

131.3. An active registrant who has been certified by the quality assurance committee in videofluoroscopic assessment of paediatric swallowing disorders and has been placed on the appropriate registry, is entitled to use the designation “Certified in Videofluoroscopic Assessment of Paediatric Swallowing Disorders”, and may not use any other title or designation for this certification.

Issuing of replacement certificates

131.4(1) If a registrant was granted a Certificate I “Videofluoroscopic Assessment of Swallowing Disorders” under the former sections 129 to 131 prior to the date this section came into force, the registrar may

- (a) issue a replacement certificate to the registrant in the form of a Certificate J “Videofluoroscopic Assessment of Paediatric Swallowing Disorders”, if the committee determines that the registrant had obtained at the time of applying for the original certificate the competencies set out in section 131.1(1), or
- (b) issue both the certificate described in paragraph (a) and the certificate described in section 130.4(1), if the committee determines that the registrant had obtained at the time of applying for the original certificate the competencies set out in both sections 130.1(1) and 131.1(1).

(2) For greater certainty, sections 89 to 96 apply to a replacement certificate issued under this section.

Part 11 – Review by the board

Definitions

132. For clarity, a reference to “the board” in this Part is a reference to the college board as defined in section 1 of these bylaws, and not the Health Professions Review board established under Part 4.2 of the Act.

Application

133. This Part applies if a section elsewhere in these bylaws grants to a person the right to request a review by the board of a committee decision.

Board review of a decision

134(1) A person applying for a review under this Part must, within 30 days of the day on which written notice of the committee's decision is sent to that person, deliver to the registrar:

- (a) a copy of all information that person provided to the committee leading up to its decision;
- (b) a copy of the committee's decision;
- (c) the reason(s) why the person believes that the committee's decision is wrong;
- (d) any other information the person believes the board should consider.

(2) Only the person directly affected by the decision and the committee are parties to a review under this Part.

(3) The board may approve policies and procedures not inconsistent with the Act or this Part to administer its reviews.

Conduct of a board review

135(1) On receipt of an application for a review under section 134, the board must conduct a review of the committee's decision in keeping with the sections in this Part and any review policies and procedures approved by the board.

(2) A review under this section is a review on the record.

(3) Despite subsection (2), the board may hear evidence that is not part of the record as reasonably required by the board so as to provide a full and fair disclosure of all matters related to the issue under review.

Result of a board review

136(1) On completing its review under this Part, the board may make an order

- (a) confirming the committee's original decision,
- (b) directing the committee to make the decision that it should have made, or

(c) sending the matter back to the committee for reconsideration, with or without direction.

(2) The board must, no later than 30 days after making its order under subsection (1), deliver a copy of the order to the parties to the review.

Review re: an advanced competencies certificate

137(1) If the matter under review is a decision of the registration committee to deny an active registrant an advanced competencies certificate under Part 10, the board may make an order under section 136(1) directing the committee to grant an advanced competencies certificate, with or without limits or conditions, or certification, as the case may be, only if the board is satisfied that

(a) the committee failed to act fairly in considering the application for certification,

(b) the certification decision

(i) was made arbitrarily or in bad faith, or for an improper purpose,

(ii) was based entirely or predominantly on irrelevant factors, or

(iii) failed to take into account requirements under the Act or the bylaws, and

(c) the conditions described in subsections (2)(a) or (b) are met.

(2) The following conditions apply for the purposes of subsection (1)(c):

(a) the registrant's knowledge, skills and abilities must be substantially equivalent to the standards of academic or technical achievement and the competencies or other qualifications required for certification by others in that class of registration, and

(b) the registrant must meet any other conditions or requirements for advanced certification that apply to that class of registration,.

Part 12 – Support Personnel (Certified Non-registrants)

DRAFTING NOTE: Section 138 to 149 are vacant. The College's work on Part 12 of and the accompanying Schedules D.1 to D.3 is continuing. When the revised version of this part (and the schedules) has been approved by the Board, it will be added to the bylaws.

DIVISION C – STANDARDS, COMPLAINTS AND DISCIPLINE

Part 13 – Regulating Professional Practice

Code of ethics and standards of practice

150(1) While providing services to the public, a registrant must at all times conduct his or her practice

- (a) in a manner that is in keeping with the ethical standards of the profession, and
- (b) in accordance with the Code of Ethics and the Standards of Practice, as approved by the board.

(2) A registrant must take reasonable steps to ensure that other registrants, assistants, students, and non-registrants employed by or supervised by the registrant, are aware of and act in accordance with the requirements of the Code of Ethics and the Standards of Practice, so far as they apply to those persons.

Liability insurance

151(1) An active, limited active or temporary registrant who is self-employed, and any employee of such a registrant, must obtain and at all times maintain professional liability insurance coverage in an amount of at least \$2,000,000 per claim and in a form that is satisfactory to the board.

(2) A registrant who is not self-employed must ensure that the registrant's employer has insurance in place that covers the registrant in the form and amount as specified in subsection (1) or will otherwise indemnify the salaried registrant for any liability arising from an error, omission or negligent act performed by that registrant.

Marketing

152(1) In this part,

- (a) "**advertisement**" means the use of space or time in a public medium, or the use of a commercial publication such as a brochure or handbill, to communicate with the general public, or a segment thereof, for the purpose of promoting professional services or enhancing the image of the advertiser,
- (b) "**marketing**" includes

- (i) an advertisement,
- (ii) any publication or communication in any medium with any client, prospective client or the public generally in the nature of an advertisement, promotional activity or material, a listing in a directory, a public appearance or any other means by which professional services are promoted, including a business card, newspaper or internet advertising, and
- (iii) contact with a prospective client initiated by or under the direction of a registrant.

(2) A registrant must not engage in marketing his or her professional services or authorize marketing that

- (a) is false,
- (b) contains material inaccuracies,
- (c) is reasonably capable of confusing, deceiving or misleading a member of the public,
- (d) is likely to create in the mind of the recipient or intended recipient an unjustified expectation about the results that the registrant can achieve,
- (e) exploits or takes advantage of the public's physical or emotional states, or the public's lack of knowledge of professional subject matters,
- (f) contains claims or assertions that cannot be verified by a member of the public acting as a reasonable consumer of professional services,
- (g) uses comparative statements that include reference to fees, services, products or facilities,
- (h) implies that the registrant can obtain results
 - (i) not achievable by other registrants,
 - (ii) by improperly influencing a public body or official, or any corporation, agency or person having any interest in the welfare of the recipient,
 - (iii) by any other improper means, or
- (i) compares the quality of services provided with those provided by
 - (i) another registrant,

- (ii) a person authorized to provide health care services under another enactment, or
 - (iii) another health profession,
 - (j) tends to undermine the professionalism, ethics, integrity or dignity of the profession or otherwise brings the profession into disrepute, or
 - (k) is otherwise contrary to the public interest.
- (3) A registrant who, in any advertisement, includes a statement of fees for a specific service or product
- (a) must ensure that the statement sufficiently describes the fees and services so as to enable the recipient or intended recipient to understand the nature and extent of the services or product to be provided and the cost to the client, and
 - (b) must not in the advertisement compare the fees or product prices charged by the registrant with those charged by another registrant.
- (4) A registrant must retain for one year after the date of publication or broadcast of any advertisement or brochure, and must provide to the board upon request
- (a) a copy of any such publication
 - (b) a recording of any such broadcast made by use of any electronic media, including radio, television and microwave transmission, and
 - (c) a written record of when and where the publication or broadcast was made.
- (5) It is the duty of the registrant, when called upon by the discipline committee, inquiry committee, or the board to do so, to verify the statements made in his or her marketing.

Internet marketing

153. If a registrant uses a website to market his or her services, the home page of the registrant's website must clearly show:

- (a) that the registrant is licensed in British Columbia;
- (b) the physical location of the registrant's office or clinic;
- (c) the registrant's 10-digit office or clinic telephone number.
- (d) the contact information for the college;
- (e) a notice to clients that unresolved concerns they may have about the registrant's practice may be reported to the college.

Use of titles

154(1) A registrant when using a title required by section 3 of the Regulation may use, in connection with that title, only the term “registered” before that title.

(2) A registrant must not use the term “regulated”, “licensed”, “certified” or any other term to suggest or denote they are a registrant of the college or hold a special certification, unless the registrant is specifically authorized to use “certified” under Part 10 (Advanced Competencies Certification Programs).

Permitted practice descriptions / Preferred areas of practice

155(1) In describing his or her practice as a registrant or as someone permitted to provide the services of a registrant, a registrant may list

- (a) the services that he or she is trained in and is capable of providing as a registrant,
- (b) the techniques that he or she has been trained to provide as a registrant, or
- (c) the typical types of speech or hearing problems that he or she is trained to assess, treat or prescribe as a registrant.

(2) In complying with subsection (1), a registrant

- (a) may not list a service, technique or problem that falls outside the scope of practice of a registrant, as required under the Regulation or as may otherwise be directed by the board,
- (b) may state that the listed service, technique or problem is a "preferred area of practice" using that or similar phrasing, and
- (c) may not misrepresent any clinical expertise that he or she holds or has obtained.

Declaring a specialty

156(1) Despite sections 154 and 155, a registrant may

- (a) declare or inform the public that the registrant specializes in the performance of a specific technique or the provision of a particular service, or
- (b) refer to certificate or diploma the registrant has obtained in relation to a technique or service, so long as, while doing so, the registrant
- (c) describes accurately the precise nature of the technique or service, or

- (d) identifies the educational program or agency that granted the certificate or diploma to the registrant in relation to that technique or service, but
- (e) does not use the term “specialist” or otherwise suggest the registrant is a specialist in that technique or service.

(2) To ensure compliance with this section, the registration committee may require a registrant provide the committee with proof in support of any declaration or reference made under subsections (1)(a) or (b).

(3) In complying with subsection (1)(b), a registrant may use an abbreviated version of a recognized national or international clinical certification credential in the form approved by the national or international organization that provided the registrant with that credential.

Ability of registrants to accept delegations or act under supervision

157. A registrant is entitled to undertake a restricted activity outside of the scope of practice of that registrant’s profession if such activity is authorized by and undertaken in accordance with the bylaws of another college established under the Act that has authority to regulate the activity in question.

Speaking on behalf of the college/ Professional endorsements

158. A registrant must not

- (a) state publicly that he or she speaks on behalf of the college, unless he or she has been expressly authorized by the board to state the official position of the college, and
- (b) endorse or lend himself or herself as a professional to the advertisement of any property, investment or service for sale to the public, unless such property, investment or service relates directly to the profession.

Quality assurance program

159 (1) An active registrant, conditional active registrant or inactive registrant must

- (a) complete within a three-year cycle not less than 45 continuing competencies equivalent credits approved by the quality assurance committee, and

(b) report the continuing competencies credits earned during the cycle to the committee in accordance with the reporting schedule and procedures approved by the committee.

(2) A registrant must retain documents or other information that supports the continuing competencies credits that are reported to the committee under subsection (1).

(3) The committee may without notice to a registrant audit the registrant to ensure the accuracy and truthfulness of the continuing competencies the registrant has reported under subsection (1).

(4) If the committee finds an inaccuracy or false reporting and is unable to resolve that deficiency by subsequent negotiation with the registrant, the committee may report that finding to the inquiry committee, which may in turn investigate the registrant for a breach of this section under Part 3 of the Act and Part 14 of these bylaws.

Assessment of professional performance

160(1) If, based upon a random audit, one or more complaints or other information, the quality assurance committee has grounds to believe that there is a deficiency in the manner in which a registrant's practice (or the practice of a number of registrants) is being conducted, the committee or an assessor appointed by the committee may

- (a) assess the professional performance of the registrant,
- (b) collect information from the registrant for the purposes of section 159, or
- (c) establish remedial procedures to assist the registrant (or all registrants) in identifying and correcting deficiencies in his or her (or their) clinical abilities or place of practice.

(2) An assessor must not observe a registrant while the registrant is providing a service to a client except where

- (a) the consent of the client being treated has been obtained in advance, or
- (b) the service is being provided in a public setting.

(3) Where the quality assurance committee is required to notify the inquiry committee under section 26.2(3) of the Act, it must deliver notice in writing to the registrar.

Remedial examination of registrants

161(1) If the quality assurance committee has grounds to believe that a registrant has failed or is failing to maintain an adequate level of knowledge or standards of practice, the committee may require that that registrant attend for one or more examinations at a time and place established by the committee.

(2) If a registrant fails to obtain scores acceptable to the quality assurance committee in the examinations assigned under subsection (1), the committee may require the registrant to take additional training, courses and examinations that it considers necessary.

Failure to satisfy continuing competencies requirements

162(1) A registrant who is applying for renewal of registration but has not provided evidence of meeting the applicable continued competencies requirements under this Part may only be granted renewal of registration on such terms and conditions that will allow the applicant to meet those requirements, but such a conditional renewal of registration may not be granted for a period of more than three months unless the registration committee decides otherwise.

(2) An applicant who is applying for reinstatement of registration who has not provided evidence of meeting the applicable continued competencies requirements under this Part may only be granted renewal of registration on such terms and conditions that will to allow the applicant to meet those requirements, but such conditional renewal of registration may not to be granted for a period of more than three months unless the registration committee decides otherwise.

Client records

163(1) A registrant who is in private practice and is not employed by an agency, organization or another registrant must, while in private practice,

- (a) comply with the *Personal Information Protection Act*, and
- (b) develop and follow policies and procedures as required by section 5 of that Act, including a process to respond to complaints concerning the registrant's application of that Act.

(2) A registrant who is employed by an agency, organization or another registrant must, while employed, follow the policies and procedures of the employer as required under the

Freedom of Information and Protection of Privacy Act or the *Personal Information Protection Act*, whichever one applies to the registrant's employer.

(3) The board may approve a guideline to help registrants who are not employed by an agency, organization or another registrant to meet the requirements of the *Personal Information Protection Act* that apply to their private practice.

(4) A registrant must retain client records of an adult for a minimum of seven years, and the clinic records of a child for a minimum of seven years from the date when the child turns 19 years of age.

(5) If a registrant in private retires, permanently closes an office or otherwise ceases to practice the profession, the registrant – or in the case of a deceased registrant, the trustee of the registrant's estate – must inform the registrar concerning the disposition of all the registrant's then existing client records.

Annual calibration of equipment

164(1) For the purposes of this section "calibrated equipment" means any equipment or device that

- (a) is used to assess or screen hearing, middle ear function or cochlear function, and
- (b) requires calibration to maintain its accuracy,

and includes audiometers, acoustic immittance meters, otoacoustic emission measurement equipment, real ear measurement equipment that is not self-calibrating and sound level meters.

(2) A registrant must ensure that

- (a) any calibrated equipment used by that registrant or any person under the direction or supervision of the registrant is properly calibrated at least once every calendar year, and
- (b) a calibration report is prepared for each calibrated equipment and retained for at least two years from the date the calibration was performed.

Part 14 – Complaint Investigation and Resolution

Inspections

165. If an inspector intends to observe a registrant provide a service to a client, the inspector must obtain the consent of the client being treated, unless that service is being provided in a public setting.

Investigations by inquiry committee

166(1) The inquiry committee must notify a registrant who is the subject of an investigation and any complainant of the disposition of the investigation and any action taken under section 33(4) of the Act.

(2) Before agreeing to accept an undertaking or consent under section 36 of the Act, the inquiry committee may review all previous complaints and disciplinary matters involving the registrant to be satisfied that the proposed undertaking or consent is appropriate in the circumstances.

(3) The inquiry committee may order that the identity of a complainant not be disclosed to the respondent or any other party if the committee is of the view that such disclosure may place the complainant at undue risk of harm.

Registrar authority

167. The registrar is authorized to act under section 32(3) of the Act.

Consent orders

168(1) In this section, "consent order" means an agreement under sections 32.2(4)(b) or 32.3(3)(b) of the Act, the record of an undertaking or a consent given under section 36 of the Act, or a consent order under section 37.1 of the Act.

(2) A consent order must

- (a) include any consent to a reprimand or to any other action made by the registrant under section 32.2(4)(b), 32.3(3)(b), 36 or 37.1 of the *Act*,
- (b) include any undertaking made by the registrant under section 36 or 37.1 of the *Act*,
- (c) specify the length of time that an undertaking specified in paragraph (b) is binding on the registrant,

- (d) specify the procedure that the registrant may follow to be released from an undertaking specified in paragraph (b), and
- (e) subject to sections 22 and 39.3 of the Act and these bylaws, specify which terms or conditions of the consent order may be disclosed to others, including the public.

(3) If an undertaking or consent given under section 36 of the Act, a consent order under section 37.1 of the Act, or an agreement under section 32.2(4)(b) or 32.3(3)(b) of the Act requires the respondent to take any corrective or remedial action, the inquiry committee may direct the registrar

- (a) to monitor the respondent's compliance with that requirement, and
- (b) to report periodically to the chair of the inquiry committee regarding the respondent's compliance with that requirement.

Mediation between complainant and registrant

169. The inquiry committee may recommend under section 33(6)(b) of the Act that a complaint be mediated between the complainant and the registrant if

- (a) the committee believes it is in the public interest to mediate the complaint, and
- (b) the complainant and the registrant agree to mediation.

Mediation between committee and registrant

170. The inquiry committee may recommend under section 33(6)(b) of the Act that a complaint be mediated between the committee and the registrant if

- (a) the committee believes it is in the public interest to mediate the complaint without the complainant, and
- (b) the committee and the registrant agree to mediation in the absence of the complainant.

Appointment and payment of mediator

171. If the parties agree to mediation under either section 169 or 170, the inquiry committee must appoint a mediator at the college's expense who is acceptable to the parties that will attend the mediation.

Mediation terms and agreement to mediate

172(1) A mediation must be conducted in accordance with any policies and procedures approved by the board that are not inconsistent with this Part.

(2) The mediator must conduct the mediation process in accordance with the terms of a written Agreement to Mediate, which must be executed by the parties, the mediator and any other persons the parties agree may attend the mediation.

(3) An Agreement to Mediate must contain a confidentiality provision that are acceptable to the inquiry committee, and may list any exceptions to that condition.

Agreement reached by mediation

173(1) In this section, “mediated agreement” means a written agreement between the parties that is reached through mediation.

(2) Where an agreement between the parties is reached through mediation,

- (a) the terms of the agreement must be set out in a mediated agreement that must be signed by the mediating parties,
- (b) the agreement must contains an enforcement provision that is enforceable by and acceptable to the inquiry committee, and
- (c) a copy of the signed mediated agreement must be submitted by the mediator to the inquiry committee.

(2) Where a term of a mediated agreement requires the registrant to undertake or consent to an action referred to in section 36 of the Act, that undertaking or consent must be monitored and enforced by the inquiry committee.

(3) Where a mediated agreement is reached, the inquiry committee must:

- (a) report the resolution of the matter to the board;
- (b) if the mediation did not involve the complainant, report the resolution of the matter to the complainant;
- (c) retain a copy of the signed mediated agreement on file.

Agreement not reached

174. Where an agreement is not reached through mediation, the mediator must refer the matter back to the inquiry committee with or without recommendations, and the

committee may then take any other action under section 33(6) of the Act.

Registrant cooperation

175(1) A registrant must cooperate with the inquiry committee during an investigation of a complaint against that or any other registrant.

(2) If a registrant refuses to cooperate with the inquiry committee during an investigation, the committee must advise the respondent that continued refusal may

- (a) constitute a breach of subsection (1) or the Code of Ethics, and
- (b) become a new, separate complaint against the registrant.

(3) Despite subsection (1) or (2), a registrant may refuse to mediate a complaint under sections 169 or 170, and the committee may not use that refusal against the respondent in any subsequent proceeding.

Part 15 – Citations and Disciplinary Proceedings

Citation for disciplinary hearing

176(1) Before the issuance of a citation under section 37 of the Act, on the direction of the inquiry committee, the registrar may join two or more complaints or other matters which are to be the subject of a discipline hearing in one citation, as the panel considers appropriate in the circumstances

(2) After the issuance of a citation or citations under section 37 of the Act, on the direction of the discipline committee, the registrar may, as the committee considers appropriate in the circumstances,

- (a) join two or more complaints or other matters which are to be the subject of a discipline hearing,
- (b) sever two or more complaints or other matters which are to be the subject of a discipline hearing, or
- (c) amend a citation.

(3) If a citation is amended under subsection (2)(c) before a discipline hearing, the amended citation must be delivered to the respondent by personal service or sent by regular mail to the respondent at the last address for the respondent recorded in the register referred to in section 21(2) of the Act not fewer than 14 days before the date of

the hearing

(4) If a citation is amended under subsection (2)(c) before a discipline hearing and the amended citation changes the date, time or place of the hearing, the registrar must notify any complainant of the amendment not fewer than 14 days before the date of the hearing.

Discipline committee or panel

177(1) No person may sit on the discipline committee or panel while he or she is a member of the inquiry committee.

(2) No member of the discipline committee may sit on the panel hearing a matter in which he or she

- (a) was involved in the investigation leading to the citation or was a member of the inquiry committee that recommended the citation, or
- (b) has had any other prior involvement that would create a reasonable apprehension of bias.

Disciplinary hearings

178(1) A respondent may apply to the discipline committee to raise pre-hearing and procedural matters that the committee may address by way of a hearing if it so requires.

(2) The registrar or the discipline committee must provide information about the date, time and subject matter of the hearing to any person on request.

(3) The discipline committee must provide notice by registered mail or by personal service to a person who is required to attend a hearing under section 38(6) of the Act.

(4) The discipline committee must ensure that a discipline hearing is recorded.

(5) Any person may obtain, at his or her expense, a transcript of any part of the hearing that he or she was entitled to attend, by submitting a request in writing to the registrar.

(6) In determining the penalty to be imposed on a registrant under section 39(2) of the Act, the discipline committee must, after making a determination on the facts, consider a previous relevant disciplinary decision regarding the registrant, including

- (a) an order under section 35 of the Act,
- (b) an undertaking or consent to a reprimand given by the registrant under section 36(1) of the Act,
- (c) a deemed order under section 37.1 of the Act,

- (d) a decision under section 39 of the Act,
- (e) an undertaking by the registrant or a decision of the discipline committee under the *Hearing Aid Act*, R.S.B.C. 1996, c.186.

(7) If the discipline committee or panel determines that one or more of the allegations against a respondent in a citation have been proven, the committee must hold a separate hearing as to the appropriate order, unless the respondent agrees otherwise.

Notice of disciplinary decision

179(1) In addition to the public notification required under section 39.3 of the Act with respect to any of the actions referred to in section 39.3(1)(a) to (e) of the Act, the registrar must notify

- (a) all registrants and certified support personnel,
- (b) the regulatory bodies governing the practice of the registrant in every other Canadian jurisdiction,
- (c) any other governing body of a health profession inside or outside of Canada, and
- (d) the employer of the registrant, if known and applicable.

(2) Notification required under subsection (1)(a)

- (a) must include all information included in the public notification under section 39.3 of the Act, and
- (b) unless otherwise directed by the inquiry committee or the discipline committee, as the case may be, must exclude any information withheld from the public notification under section 39.3(3) or (4) of the Act.

(3) Unless otherwise directed by the inquiry committee or the discipline committee, as the case may be, notification provided to other regulatory or governing bodies under subsections (1)(b) or (c) may include information that has been withheld from the public notification under section 39.3(3) or (4) of the Act.

(4) In addition to any notification required under section 39.3(3) of the Act, the board must within a reasonable time after the discipline committee acts under section 39 of the Act, advise every registrant of

- (a) the name of the respondent,
- (b) the facts of the case,
- (c) the reasons for the decision, and

- (d) the disposition of the case, including the nature of any limitation or suspension, and the date it is in effect.

Retention of disciplinary committee and inquiry committee records

180(1) Records of the inquiry committee must be retained for not less than 10 years following the conclusion of an investigation and records of the discipline committee must be retained for not less than 10 years following the date a decision is rendered.

(2) Despite subsection (1), documents setting out decisions and reasons of the inquiry or discipline committee relating to actions taken under sections 32, 32.2, 32.3, 33(6)(c) or (d), 35, 36, 37.1, 38, 39 or 39.1 of the Act must be kept on permanent record at the office of the college.

Effect of suspension

181(1) During any period of suspension of a license, a registrant must:

- (a) not engage in the practice of the profession ;
- (b) not hold himself or herself out as being a registrant;
- (c) not hold office in the college;
- (d) not make appointments for clients or prospective clients;
- (e) not contact or communicate with clients or prospective clients, except for the purposes of
 - (i) advising clients or prospective clients of the fact and duration of the suspension, or
 - (ii) advising a client or prospective client that another registrant will continue to operate in the suspended registrant's place, or
 - (iii) referring the client or prospective client to another registrant in good standing;
- (f) remove from their premises and the building in which the premises are located, their name and any sign relating to their practice;
- (g) prominently display, a notice of suspension in a form and in a location approved by the registrar, which states the duration and reasons for the suspension;
- (h) immediately surrender to the registrar their license;

(i) pay any fee or special assessment required by the college when due in order to remain a registrant.

(2) A registrant who has been suspended is not entitled to a refund of the annual fee for the portion of the suspension or of any special assessment that the registrant has paid.

(3) No current or former registrant is entitled to any refund of any fine, fee, debt or levy paid to the college solely on the basis that it was paid during or in relation to a period of suspension

(4) During the period of suspension, a suspended registrant may permit another registrant in good standing to practice within the suspended registrant's office, provided that the suspended registrant

(a) complies with the provisions of subsection (1), and

(b) must not, directly or indirectly, receive any payment in respect of services provided by the other registrant under this subsection.

(5) Any communication under subsection (1)(d) may be made in writing in a form approved in advance by the registrar, or by employing office staff, an answering service or other telephonic device specifically for this purpose.

Fines

182. The maximum amount of a fine that may be ordered by the discipline committee under section 39(2)(f) of the Act is \$50,000.

Costs

183. The tariffs of costs applicable to sections 33(7), 37.1(1) & (5), and 39(4) & (5) of the Act are set out in Schedule B of these bylaws.

Notice of disciplinary action under section 39.1 of Act

184. The discipline committee must notify a registrant not fewer than 14 days before making an order under section 39.1 of the Act.

Schedule “A” – Schedule of Fees

1. For the purposes of this Schedule:

- (a) “advanced competencies certification fee (initial)” is the fee that applies to all active registrants who apply for an advanced competencies certificate under Part 10;
- (b) “advanced competencies recertification fee” is the fee that applies to all active registrants who wish to renew and maintain an advanced competencies certificate granted under Part 10;
- (c) “application fee” is a one-time fee that applies to all persons applying to become registrants of the college in any class, except persons applying under sections 82.1 and 87.3;
- (d) “examination fee (dispensing, written / dispensing, practical)” is a fee that applies to applicants who take a written or practical examination and applies every time an examination is attempted;
- (e) “criminal records check fee” is the fee that applies to a criminal records check as required by the *Criminal Records Review Act*;
- (f) “registration fee (active or limited active)” is the fee that applies to all active or limited active registrants when they are first registered with the college;
- (g) “registration fee (inactive)” is the fee that applies to all registrants who apply to become inactive registrants under section 64;
- (h) “registration fee (retired)” is the fee that applies to all registrants who apply to become retired registrants under section 65;
- (i) “reinstatement fee” is the fee that applies to all registrants following a lapse of their registration of less than three years, and the applicable registration fee must be paid in addition to the reinstatement fee;
- (j) “renewal fee (active or limited active registrant)” is the annual fee that applies to active and limited active registrants after their initial or first year of registration with the college;

(k) “renewal fee (inactive registrant)” is the annual fee that applies to inactive registrants after their first year of inactive registration with the college that can only be renewed for one additional year;

(l) “renewal fee (retired registrant)” is the annual fee that applies to retired registrants after their initial or first year of retired registration with the college;

<i>Type of fee</i>	<i>Amount</i>
Application fee (active or limited active registrants)	\$225
Criminal records check fee (active, limited active or temporary registrant)	\$20
Registration fee (active or limited active registrant)	\$600
Registration fee (inactive registrant)	\$225
Registration fee (retired registrant)	\$200
Registration fee (temporary registrant, and one time renewal)	\$100
Renewal fee (active or limited active registrant)	\$500
Renewal fee (inactive registrant)	\$225
Renewal fee (retired registrant)	\$200
Examination fee (dispensing, written)	\$185
Examination fee (dispensing, practical)	\$350
Reinstatement fee (lapse of membership)	\$200
Advanced competencies certification fee (initial), for each of the first two certificates, with no additional fee for additional certificates	\$45
Advanced competencies recertification fee, for each of the first two certificates, with no additional recertification fee for additional certificates	\$25

Schedule “B” – Tariff of Costs

INVESTIGATION TARIFF

1. For the purposes of assessing costs under this tariff, qualifying expenses incurred by the college from the time

- (a) the registrar receives a complaint in writing under section 32(1) of the Act, or
- (b) the inquiry committee initiates an investigation of a matter on its own motion under section 33(4) of the Act,

until the time the inquiry committee directs the registrar to issue a citation or otherwise disposes of the complaint under section 33(6) of the Act are deemed to be expenses incurred for the investigation of the complaint or matter.

<i>Expense</i>	<i>Rate of indemnity</i>
Legal representation for the purposes of the investigation	Up to 50% of actual legal fees
Other reasonable and necessary professional services contracted for the purposes of the investigation, including per diems paid to the members of the inquiry committee	100% of actual fees
Other reasonable and necessary disbursement incurred for the purposes of the investigation, including disbursements incurred by legal counsel	100% of actual disbursements

DISCIPLINARY HEARING TARIFF

2. For the purposes of calculating costs under this tariff, qualifying expenses incurred from the time that the inquiry committee directs the registrar to issue a citation under section 36(6)(d) of the Act until

(a) the inquiry committee accepts a written proposal for consent under sections 37.1(2) or (5) of the Act,

(b) the discipline committee dismisses the matter under section 39(1) of the Act, or

(c) the discipline committee issues an order under section 39(2) of the Act,

are deemed to be expenses for the purposes of preparing for and conducting the hearing.

<i>Expense</i>	<i>Rate of indemnity</i>
Legal representation for the purposes preparing for and conducting the hearing	Up to 50% of actual legal fees
Reasonable and necessary expert witness fees for the purposes of preparing for and conducting the hearing	100% of actual fees
Other reasonable and necessary professional services contracted for the purposes of preparing for and conducting the hearing, including per diems paid to the members of the inquiry committee or discipline committee	100% of actual fees
Other reasonable and necessary disbursement incurred for the purposes of preparing for and conducting the hearing, including disbursements incurred by legal counsel	100% of actual disbursements

Schedule "C" - Fees for Information Requests

1. For an applicant other than a commercial applicant:

(a) for locating and retrieving a record	\$7.50 per 1/4 hour after the first 3 hours,
(b) for producing a record manually	\$7.50 per 1/4 hour,
(c) for producing a record from a machine readable record	\$16.50 per minute for cost of use of central mainframe processor and all locally attached devices plus \$7.50 per 1/4 hour for developing a computer program to produce the record,
(d) for preparing a record for disclosure and handling a record	\$7.50 per 1/4 hour,
(e) for shipping copies	actual costs of shipping by method chosen by applicant,
(f) for making photocopies and computer printouts	\$.25 per page (8.5 x 11, 8.5 x 14), \$.30 per page (11 x 17),
(g) for making or copying compact disks	\$10.00 per disk
(h) for making or copying photographs (colour or black and white)	\$5.00 to produce a negative \$12.00 each for 16" x 20" \$9.00 each for 11" x 14" \$4.00 each for 8" x 10" \$3.00 each for 5" x 7",
(i) for making photographic print of textual, graphic or cartographic records	\$12.50 each, 8" x 10" black and white)
(j) for making hard copy laser or dot matrix print, black and white	\$1.00 per page
(k) for making hard copy laser or dot matrix print, colour	\$2.00 per page
(l) for duplicating an audio cassette	\$10.00 plus \$7.00 per 1/4 hour
(m) for duplicating a video cassette (1/4" or 8 mm) or a DVD	\$11.00 per 60 minute cassette plus \$7.00 per 1/4 hour of recording \$20.00 per 120 minute cassette or DVD plus \$7.00 per 1/4 hour of recording

2. For a commercial applicant:

(a) for each service listed in item 1	the actual cost of providing that service
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3. Where a service is not listed in item 1, the registrar may set the fee for providing that service, but that fee may not exceed the actual cost of providing that service.

Schedules D.1 to D.3 - Support Personnel

DRAFTING NOTE: The College's work on these schedules (and Part 12) continues. Once the revised versions have been approved by the Board, they will added to the bylaws.

Schedule E - Code Of Ethics

Introduction

This Code of Ethics of the College of Speech and Hearing Health Professionals of BC is a general guide to provide registrants with the college's expectations of ethical conduct. It outlines professional standards to allow for the proper discharge of services provided by audiologists, hearing instrument practitioners and speech-language pathologists to their clients and to protect the integrity of the professions.

This Code should be construed as a general guide and not a denial of the existence of other duties equally imperative or other rights not specifically mentioned. Any act or omission by a registrant that is in violation of the spirit and purpose of this Code may be found to be unethical conduct.

Principle One

A registrant must provide professional services and conduct research with integrity and reliability, and ensure that the dignity, individuality and rights of the client are safeguarded.

Principle Two

A registrant must make the welfare of a client the registrant's primary concern.

1. A registrant must not attempt to provide assessment/diagnostic or treatment services for which they have not been adequately prepared, nor may they misrepresent their training or competence.
2. A registrant must not provide unnecessary or futile services including administering unnecessary assessment/diagnostic tests, accepting persons for treatment if benefit cannot reasonably be expected to accrue, and continuing treatment if benefit cannot reasonably be expected.

3. A registrant must be professionally responsible for all treatment and services rendered by the registrant or by other personnel, including students who are under the supervision of the registrant. A registrant must not delegate any service requiring professional competence to unqualified personnel.
4. A registrant must utilize every available resource by initiating appropriate referrals to other professionals whose knowledge may contribute to the diagnosis, assessment and/or treatment of those served.

Principle Three

A registrant must maintain the confidentiality and privacy of the information and records of those receiving services or involved in research, as required by either the Personal Information Protection Act or the Freedom of Information and Protection of Privacy Act, which ever may apply.

5. A registrant must not reveal any information regarding a client's condition or any professional services performed for a client to any person other than the client without the consent of the client or his/her legal guardian/representative, unless required to do so by law or the college.
6. A registrant must not allow case material, case records, or audio-visual material to be used in teaching or mass media communication in a way that permits identification of a client, without the written consent of the client or his/her legal guardian/representative.

Principle Four

A registrant must provide accurate information about the nature and management of communicative disorders and about the services provided and products offered.

7. A registrant must provide accurate information regarding the nature and treatment of the client's communication disorder and the possible effects of professional services and products that the registrant has provided or proposes to provide to the client or the research being proposed or conducted.

8. A registrant may make a statement of prognosis, but must not guarantee results, mislead or misinform persons served or studied.
9. A registrant must conduct and report product-related research only according to accepted standards of research practice.
10. A registrant must conduct teaching and/or research activities without invasion of privacy or failure to inform the client fully about the nature and possible effects of the activities. All persons must be afforded free choice of participation.
11. A registrant must maintain documentation of professional activities that include but are not limited to the nature, extent, duration and outcome of services provided.

Principle Five

A registrant must recognize and accept his/her responsibilities to the public and the profession, and must do everything within the registrant's means to provide for the enhancement and development of the profession.

12. A registrant should assist in the education of the public regarding speech, language, hearing problems and other matters falling within their professional competence.
13. A registrant should establish harmonious relations with registrants of other professions, endeavoring to inform other professions of the services and products that can be rendered by registrants of the speech and hearing health professions and, in turn, should seek information from registrants of related professions.
14. A registrant should seek to advance services for individuals with communication disabilities and assist in establishing and maintaining high professional standards for such programs.
15. A registrant must not misrepresent any information relating to the practice of the professions of speech-language pathology, audiology or hearing aid dispensing, or regarding the provision of such services or products to individual clients or the general public.

Principle Six

A registrant must avoid activities that constitute a conflict of interest. Should a registrant identify himself/herself to be in such a conflict, the registrant is responsible for the prompt resolution of the conflict.

16. A registrant must not exploit any clinical relationship with a client or others to further his/her own physical, emotional, financial, political or business interests at the expense of the best interest of the client or others, or compromise the honor of the profession or reduce the effectiveness of the services that the registrant provides.
17. Without limiting the generality or scope of section 16, a registrant must not:
 - (a) use coercion or take advantage of any relationship of trust or dependency to engage in professional misconduct of a sexual nature with a client;
 - (b) initiate or continue treatment of a client if such treatment it is ineffective, unnecessary or no longer indicated;
 - (c) breach or nullify a professional contractual agreement without cause;
 - (d) disparage the skill, knowledge, or services of another registrant;
 - (e) charge fees for services that were not rendered.
18. Unless a registrant obtains the consent of the registrant's employer, a registrant who is employed by a public health authority or agency must not
 - (a) provide or offer to provide private for-fee services or products to someone who is a client of the registrant's employer, or
 - (b) refer someone who is a client of the registrant's employer to another registrant who is also employed by the same employer so that the second registrant may provide private for-fee services or products to that client.
19. A registrant must not secure or accept referrals or clients by providing, directly or indirectly, any significant incentives, financial or otherwise, to other colleagues, professional or referring sources.

Principle Seven

A registrant must uphold the dignity of the profession and freely accept the college's self-imposed standards.

20. A registrant must not violate or attempt to circumvent the Code of Ethics.
21. A registrant must not engage in dishonest or illegal conduct that adversely reflects the profession.
22. A registrant must notify the Inquiry Committee when the registrant has reason to believe that another registrant of the college has violated the Code of Ethics.
23. A registrant has the responsibility to advise and cooperate with the Inquiry Committee during investigations of complaints concerning alleged violations of the Code of Ethics.