

RESOLUTION OF THE BOARD OF THE COLLEGE OF CHIROPRACTORS OF  
BRITISH COLUMBIA MADE THE 24<sup>th</sup> DAY OF AUGUST 2021 AT VANCOUVER,  
BRITISH COLUMBIA

RESOLVED THAT, in accordance with the authority established in section 19(1) of the *Health Professions Act* (the “*HPA*”), and subject to filing with the Minister of Health (the “Minister”) as required by section 19(3) of the *HPA*, and notice as required by section 19(6.2) of the *HPA*, the board amend the bylaws of the College of Chiropractors of British Columbia as set out in the attached Schedule.

CERTIFIED A TRUE COPY:

A handwritten signature in black ink, appearing to read 'M. Da Roza', written in a cursive style.

Michelle Da Roza  
Registrar, College of Chiropractors of BC

## SCHEDULE

The bylaws of the College of Chiropractors of British Columbia made under the authority of the *Health Professions Act* are amended as follows:

### **1. Section 4 is repealed and replaced by the following:**

#### **Voting and non-voting registrants**

4. (1) Only full registrants are eligible to vote, and to be elected, in an election under section 17(3)(a) of the *Act*.
- (2) Despite subsection (1), a full registrant is not eligible to be elected in an election under section 17(3)(a) of the *Act* if
  - (a) the full registrant
    - (i) does not ordinarily reside in British Columbia,
    - (ii) is not in good standing,
    - (iii) is the subject of an ongoing investigation by the inquiry committee under section 33 of the *Act*,
    - (iv) is named in a citation issued by the registrar under section 37 of the *Act*, the subject matter of which is not yet resolved,
    - (v) is an employee of the college,
    - (vi) is an employee, board officer, board member or committee chair at the Canadian Chiropractic Association, the British Columbia Chiropractic Association, or any other association or organization that advocates on behalf of chiropractors or the chiropractic profession,
    - (vii) at any time in the 3 years preceding the date that a nomination for the board election must be received under section 6(1), was an employee, board officer, board member or committee chair at an association or organization described in subparagraph (vi),
    - (viii) on being elected, would have a conflict of interest by virtue of having competing fiduciary obligations to the college and to another person or organization, or
    - (ix) was an elected board member during each of the 5 years immediately preceding the date that a nomination for the board election must be received under section 6(1), or

- (b) at any time in the 3 years preceding the date that a nomination for the board election must be received under section 6(1),
  - (i) limits or conditions were imposed under section 32.2, 33, 35, 36, 37.1, 38, 39 or 39.1 of the Act on the practice of chiropractic by the registrant, or
  - (ii) the registration of the registrant was suspended or cancelled under section 32.2, 33, 35, 36, 37.1, 38, 39 or 39.1 of the Act.

**2. Section 6 is repealed and replaced by the following:**

**Nomination procedure**

- 6. (1) Any registrant eligible to vote under section 4 may nominate for office a maximum of one registrant in good standing, who is not the subject of an investigation by the inquiry committee under section 33 of the *Act* or an unresolved citation issued by the registrar under section 37 of the *Act*, for each vacant or impending vacant board member position in the registrant's electoral district, by delivering such nomination and election 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 registrant nominated under subsection (1) must declare in writing that the registrant will observe the provisions of the *Act*, the regulations and these bylaws and the procedures related to the election and the conduct of the election.
- (3) A nomination under subsection (1) is not valid if the nominated registrant is not eligible to be elected under section 4.
- (4) Despite subsection (3), at the time of delivering the declaration required under subsection (2), a registrant may also deliver to the registrar, a written request that the registrant's nomination not be disqualified under section 4(2)(a)(ii), (iii) or (iv) or (b), on the basis that such disqualification would breach section 14 of the Human Rights Code.

**3. Section 7(2) is repealed and replaced by the following:**

- (2) A registrant eligible to vote under section 4 is entitled to one election ballot and may vote in favour of one candidate for each vacant or impending vacant board member position in the registrant's electoral district that is to be elected on such ballot.

**4. Section 9 is repealed and replaced by the following:**

**Elected board member ceasing to hold office**

9. (1) An elected board member ceases to hold office if the elected board member
- (a) ceases to be a full registrant,
  - (b) ceases to be in good standing,
  - (c) ceases to be ordinarily resident in British Columbia,
  - (d) is named in a citation issued by the registrar under section 37 of the Act,
  - (e) is the subject of a hearing, either pending or underway, in British Columbia or in another jurisdiction, that could result in their entitlement to practise a health profession being cancelled, revoked or suspended for any reason other than late payment or nonpayment of fees,
  - (f) becomes an employee of the college,
  - (g) becomes the subject of a finding by any court that he or she is incapable of managing their own affairs,
  - (h) becomes an employee, board officer, board member or committee chair at an association or organization described in section 4(2)(a)(vi),
  - (i) resigns from the board under section 8(4),
  - (j) is removed from office under section 17.11(5) of the Act or subsection (2), or
  - (k) dies.
- (2) In addition to the board's powers and duties under section 17.11(5) of the Act, the board may, by special resolution, remove an elected board member from office, if, after giving the elected board member reasonable notice and an opportunity to be heard, the board is satisfied that the elected board member has contravened a term of the code of conduct approved by the board for the purpose of this subsection.
- (3) Despite subsection (1)(b), (d) and (e), an elected board member does not cease to hold office if
- (a) the elected board member delivers to the registrar a written request to remain in office on the basis that applying subsection (1)(b), (d) or (e) to the elected board member would breach section 14 of the Human Rights Code, and

- (b) after giving the elected board member an opportunity to be heard, the board grants the elected board member's request.
- (4) A written request delivered by an elected board member under subsection (3)(a) must be received by the registrar not later than seven days after the date that the elected board member first has notice of the precipitating event under subsection (1)(b), (d) or (e), as applicable, and in any event not more than 14 days after the college has notice of such event.
- (5) The operation of subsection (1)(b), (d) or (e) is stayed pending a decision by board under subsection (3)(b).

**5. Section 11(2)(d) is repealed and replaced by the following:**

- (d) act generally in accordance with the requirements of the office of the chair for the proper carrying out of the duties of the board.

**6. Section 13(10) is repealed and replaced by the following:**

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

**7. Section 33 is repealed and replaced by the following:**

**General meetings**

33. (1) A general meeting of the college may be held
- (a) in person, or
  - (b) by using one or more of video conferencing, telephone conferencing, internet conferencing, or any other electronic means that allows for live, two-way communication between attendees and the representatives of the college who are conducting the meeting, or
  - (c) using a combination of in-person attendance and attendance by the means of communication described in paragraph (b).
- (2) A general meeting of the college must be held at a time determined by the board, and when held in person under subsection (1)(a) or (c), must be held in British Columbia at a place determined by the board.
- (3) A general meeting of the college must be open to the public.

- (4) Subject to subsection (6), the board must determine the agenda for a general meeting of the college, which may include, but is not limited to, the following:
  - (a) education for registrants or members of the public or both;
  - (b) the communication of information relevant to the duties and objects of the college under section 16 of the Act;
  - (c) the opportunity for registrants and members of the public to ask questions about and provide feedback on issues relevant to the duties and objects of the college under section 16 of the Act.
- (5) An annual general meeting of the college 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.
- (6) The following matters must be considered at an annual general meeting of the college:
  - (a) financial statements;
  - (b) the report of the board;
  - (c) the report of the auditor.
- (7) Every general meeting of the college, other than an annual general meeting, is an extraordinary general meeting.
- (8) The board may convene an extraordinary general meeting by special resolution.

**8. Section 34 is repealed and replaced by the following:**

**Notice of general meetings**

34. (1) The board must deliver notice of an annual or extraordinary general meeting to all board members and registrants 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 35 and delivered to the registrar prior to the mailing of the notice.
- (3) The registrar must
  - (a) provide reasonable notice of each general meeting to the public, and
  - (b) provide to members of the public on request a copy of the notice given under subsection (1) in respect of a general meeting.
- (4) The accidental omission to deliver notice of a general meeting to, or the non-receipt of a notice by, any person entitled to receive notice under this section does not invalidate proceedings at that meeting.

**9. Section 36(12) is repealed and replaced by the following:**

- (12) In the case of an equality of votes the chair does not have a casting or second vote in addition to the vote to which the chair is entitled under subsection (10), if any, and the proposed resolution does not pass.

**10. Section 44(1)(e)(viii) is repealed and replaced by the following**

- (viii) evidence satisfactory to the registration committee of the applicant's Canadian citizenship or right to work in Canada,

**11. Section 44(2)(a) is repealed and replaced by the following:**

- (a) satisfies the registration committee that the applicant is currently authorized to practise chiropractic in that other jurisdiction as the equivalent of a full registrant under these bylaws, and

**12. Section 44(4) is repealed and replaced by the following:**

- (4) Despite subsection (1), an applicant who successfully completed the examinations specified by the registration committee under subsection (1)(b), 3 years or more prior to the date of the application for full registration submitted under subsection (1)(e), may be granted registration under this section if, in addition to meeting the conditions and requirements established in subsections (1)(a) and (c) to (e), the applicant
  - (a) successfully completes the clinical skills examinations specified by the registration committee, or

- (b) satisfies the registration committee that
  - (i) during each of the 3 years immediately preceding the application for full registration under subsection (1)(e), the applicant
    - (A) engaged in the practise of chiropractic in another regulated jurisdiction for a minimum of 300 hours in accordance with criteria established by the quality assurance committee, and
    - (B) completed a minimum of 20 hours of continuing education that meet the criteria and guidelines established by the quality assurance committee under section 58, or
  - (ii) the applicant's knowledge, skills and abilities are substantially equivalent to the competencies or other qualifications established in subparagraph (i).

**13. Section 46(1)(d)(vi) is repealed and replaced with the following:**

- (vi) evidence satisfactory to the registration committee of the applicant's Canadian citizenship or right to work in Canada,

**14. Section 47(4)(b)(v) is repealed and replaced with the following:**

- (v) proof of completion of the requirements under section 57(1) as though the non-practising registrant had been a full registrant for the period of time since ceasing to be a full registrant,

**15. Section 47(4)(c) is repealed and replaced by the following:**

- (c) if the non-practising registrant's full registration has been cancelled for 3 consecutive years or more prior to the date of application under this subsection, the non-practising registrant either successfully completes the clinical skills examinations specified by the registration committee, or satisfies the registration committee that
  - (i) during each of the 3 years immediately preceding the date of application under this subsection, the non-practising registrant
    - (A) engaged in the practice of chiropractic in another regulated jurisdiction for a minimum of 300 hours in accordance with criteria established by the quality assurance committee, and



(B) completed a minimum of 20 hours of continuing education that meet the criteria and guidelines established by the quality assurance committee under section 58, or

(ii) the non-practicing registrant's knowledge, skills and abilities are substantially equivalent to the competencies or other qualifications established in subparagraph (i).

**16. Section 48(1)(d)(vii) is repealed and replaced by the following:**

(vii) evidence satisfactory to the registration committee of the applicant's Canadian citizenship or right to work in Canada,

**17. Section 48(4) is repealed and replaced by the following:**

(4) A person who has been granted temporary registration under subsection (1) may provide the same chiropractic services as a full registrant.

**18. Section 52(5) is repealed and replaced by the following:**

(5) If a full registrant or non-practising registrant fails to meet, on or before July 31, the conditions and requirements established in subsection (1), the registration of that registrant is cancelled.

**19. Section 53(a) is repealed and replaced by the following:**

(a) when the previous registration of the former registrant was cancelled, the former registrant was a full registrant or a non-practising registrant and in good standing,

**20. Section 54(a) is repealed and replaced by the following**

(a) when the previous registration of the former registrant was cancelled, the former registrant was a full registrant or a non-practising registrant,

**21. Section 54(d)(v) is repealed and replaced by the following:**

(v) in the case of a former full registrant, proof of completion of all applicable requirements of the quality assurance program under Part 5 as though the former registrant had been a full registrant for the period of time since ceasing to be a full registrant,

**22. Section 54(e) is repealed and replaced by the following:**

- (e) in the case of a former full registrant whose previous registration has been cancelled for 3 consecutive years or more prior to the date of application under this section, the former registrant either successfully completes the clinical skills examinations specified by the registration committee, or satisfies the registration committee that
  - (i) during each of the 3 years immediately preceding the date of application under this section, the former registrant
    - (A) engaged in the practice of chiropractic in another regulated jurisdiction for a minimum of 300 hours in accordance with criteria established by the quality assurance committee, and
    - (B) completed a minimum of 20 hours of continuing education that meet the criteria and guidelines established by the quality assurance committee under section 58, or
  - (ii) the former registrant's knowledge, skills and abilities are substantially equivalent to the competencies or other qualifications established in subparagraph (i).

**23. Section 55(2)(c)(v) is repealed and replaced by the following:**

- (v) in the case of a disciplined person who is a former full registrant, proof of completion of all applicable requirements of the quality assurance program under Part 5 as though the disciplined person had been a full registrant for the period of time since ceasing to be a full registrant,

**24. Section 55(2)(d) is repealed and replaced by the following:**

- (d) in the case of a disciplined person who is a former full registrant whose previous registration has been cancelled for 3 consecutive years or more prior to the date of application under this section, the disciplined person either successfully completes the clinical skills examinations specified by the registration committee, or satisfies the registration committee that
  - (i) during each of the 3 years immediately preceding the date of application under this section, the disciplined person
    - (A) engaged in the practice of chiropractic in another regulated jurisdiction for a minimum of 300 hours in accordance with criteria established by the quality assurance committee, and

- (B) completed a minimum of 20 hours of continuing education that meet the criteria and guidelines established by the quality assurance committee under section 58, or
- (ii) the disciplined person's knowledge, skills and abilities are substantially equivalent to the competencies or other qualifications established in subparagraph (i).

**25. Section 60(2) is repealed and replaced by the following:**

- (2) Upon receiving a practice self-review form or any other request for practice information from the quality assurance committee under subsection (1)(b), a registrant must send the committee the completed form or a response to the request within 30 days.

**26. Section 60(4) is repealed and replaced by the following:**

- (4) Despite subsection (3), the quality assurance committee, or an assessor on behalf of the committee, may assess a registrant's professional practice and inspect the registrant's records under section 26.1(2) and (3) of the *Act*, if
  - (a) the registrant does not send the quality assurance committee a completed practice self-review form or a response to a request for information under subsection (2) or (3), or
  - (b) the committee is not satisfied with a response provided by the registrant in a practice self-review form or in reply to a request for information under subsection (2) or (3).

**27. Section 66(1) is repealed and replaced by the following:**

- (1) No member of the discipline committee may hear a matter under section 38 of the *Act* in which the discipline committee member
  - (a) was involved as a member of the inquiry committee, or
  - (b) has otherwise had any prior involvement.

**28. Section 66(5) is repealed and replaced by the following:**

- (5) All discipline hearings must be recorded and, on paying the associated cost, a person may obtain a transcript of any part of the hearing that person was entitled to attend.

**29. Section 69(1) is repealed and replaced by the following:**

- (1) A registrant whose registration is suspended must, for the duration of the suspension,
  - (a) not provide, delegate or supervise chiropractic services in British Columbia
  - (b) not advertise as, or otherwise claim to be, a registrant,
  - (c) not hold office in the college,
  - (d) not make appointments for patients or prospective patients,
  - (e) not contact or communicate with patients or prospective patients, except for the following purposes:
    - (i) to advise patients or prospective patients of the fact and duration of the suspension;
    - (ii) to advise a patient or prospective patient that another registrant will continue to operate in the suspended registrant's place, or to refer the patient to another registrant in good standing,
  - (f) remove the registrant's name from any signs in or around the premises where the registrant practises and in or on the building in which the premises are located,
  - (g) prominently display, a notice of suspension in a form and in an area approved by the registrar, which states the duration of and reasons for the suspension,
  - (h) surrender to the registrar the practice certificate issued to the registrant under section 49,
  - (i) pay any fee or special assessment required by the college when due in order to remain a member, and
  - (j) not be given a refund solely by reason of the suspension on any fee or special assessment required to be paid under paragraph (i).

**30. Section 73(d) is repealed and replaced by the following:**

- (d) ensure that all records from the registrant's practice containing patient personal information are safely and securely stored, or disposed of, by making reasonable security arrangements against such risks as unauthorized access, collection, use, disclosure or disposal.

**31. Section 75(2) is repealed and replaced by the following:**

- (2) The president of a corporation applying for a permit under subsection (1) or the president's designate must promptly advise the board in writing of any change to the information contained in the permit application.

**32. Section 77(3) is repealed and replaced by the following:**

- (3) The president of the health profession corporation or the president's designate must promptly advise the board in writing of any change to the information contained in the most recent permit renewal application.

**33. Section 84(2) is repealed and replaced by the following:**

- (2) For a period of 5 years following the grant of non-practising registration under section 47(1), a non-practising registrant must maintain professional liability protection or insurance coverage in the amount and form specified in subsection (1) against liability arising from the practice of chiropractic while the non-practising registrant was a full registrant or temporary registrant or a member of the college under the *Chiropractors Act*.

**34. Section 85(2) is repealed and replaced by the following:**

- (2) Any marketing undertaken or authorized by a registrant in respect of professional services must not be
  - (a) false,
  - (b) inaccurate,
  - (c) unverifiable,
  - (d) misleading,
  - (e) misrepresentative of the effectiveness of any technique, procedure, instrument or device
  - (f) undignified, offensive or in bad taste, or
  - (g) contrary to the ethical standards of the profession.

**35. Section 85(4)(a) is repealed and replaced by the following:**

- (a) state publicly that the registrant speaks on behalf of the college unless the registrant has been expressly authorized by the board to state the official position of the college, or

**36. Section 85(8) is repealed and replaced by the following:**

- (8) It is the duty of a registrant to verify the statements made in the registrant's marketing when requested to do so by the registrar, the inquiry committee, the discipline committee or the board.

**37. Section 86(3) is repealed and replaced by the following:**

- (3) A registrant cannot use a clinic name if another registrant can demonstrate to the satisfaction of the registrar that the other registrant is and has been using,
  - (a) an identical name, or
  - (b) a name so closely resembling the name which the first registrant wants or has begun to use that it is likely to confuse or mislead the public.

**38. Paragraph 6 of Schedule "C" is repealed and replaced by the following:**

**6. Prorating of fees:**

Fees listed in sections 3(a) and (b), 4(a) and (b), and 5(b)(i) of this Schedule will be prorated on a monthly basis for a registrant who practises less than a full year, including a registrant who discontinues practice for reasons of a maternity or paternity leave. Prorating does not apply when a registrant cannot practice because of the cancellation or suspension of the registrant's registration.