

An Update on the Health Professions and Occupations Act

Background

On November 24, 2022, Bill 36, the revised [Health Professions and Occupations Act \(HPOA\)](#) passed third reading in the Legislative Assembly of BC and received Royal Assent the same day. This new Act, the HPOA, will replace the previous Health Professions Act and is now a law although it is *not yet in force* and it remains unclear when this will occur.

The new HPOA delivers on the Government of BC's desire to implement recommendations arising from the [2018 Cayton Report](#). In October 2022, Minister Dix indicated his commitment to delivering on reformation of the regulatory framework for health professionals, as outlined in the Cayton Report. The final approved HPOA moved very rapidly through the legislative process and includes numerous provisions that represent significant change to the regulation of health professions in BC. These include but are not limited to:

- Reducing the number of regulatory colleges. Nurses will recall that the BC College of Nurses and Midwives [completed its amalgamation](#) on September 1, 2020.
- A restructured discipline and complaints process.
- A strong commitment to cultural safety and humility.
- Better information sharing and transparency amongst the regulatory colleges and other agencies to enhance public safety and protection.
- A competency-based Board appointment model for regulatory college Board of Directors.

In a [December 2023 update from BC Government](#), the following was noted:

- An update on the amalgamation of colleges, with final amalgamation to be complete by June 2024.
- An update on the establishment of an oversight body called the "Office of the Superintendent of Health Profession and Occupation". *Note, this office also includes a Director of Discipline who will be integral to the new discipline tribunal process outlined in the new HPOA.*

Work to Date

Over the last year NNPBC has worked closely with our Health Professional Association colleagues through the [Coalition of Health Professional Associations of British Columbia](#) (the "Coalition") to ascertain and understand numerous aspects of the new HPOA. These included an audience with and an opportunity to ask questions of government officials, discussion of shared issues and concerns with Coalition partners as well as the creation of a website (to be added to over time), ongoing meetings and conversation with the BC College of Nurses and Midwives, various legal reviews of the HPOA, as well as hearing from nurses through our [feedback form](#).

We have heard from nurses concerns in the following key areas:

- The discipline and complaints process.
- Privacy and human rights issues as they pertain to the complaints and discipline process.
- Costs of the HPOA and if those will be passed on to the professions.
- The composition of Boards and how nursing will represent itself at Board tables.

In working with the Coalition, NNPBC recognizes that many of the issues noted above are consistent amongst our health professional colleagues and as such we are working together to seek clarification from government on these issues.

On the Horizon

- NNPBC will continue working with Coalition colleagues to learn more about the key areas of concern, and how they impact nursing professionals.
- At present, NNPBC and our Coalition colleagues are working through a comprehensive legal review of the most concerning elements of the new HPOA. We will communicate our collective findings as soon as we are able.
- As a Coalition we are looking at shared opportunities for feedback sessions, QA materials, and other avenues which we will communicate to our respective members.
- The Association will also continue to seek further audience and clarification with government on the new HPOA as we are given opportunity to do so.

Key Messages

- On November 24, 2022, Bill 36, the revised Health Professions and Occupations Act (HPOA) received Royal Assent.
- While now law, a Cabinet order will determine when the HPOA comes into force.
- NNPBC has focused its efforts on learning more about the HPOA and how it will impact nurses in collaboration with our association colleagues.
- Much of the new HPOA remains of concern and is written vaguely. Legal reviews have been necessary to determine the way in which the HPOA may be implemented.
- NNPBC will continue to seek feedback from nurses about the HPOA.
- NNPBC will continue its work with colleagues and partners to learn more about the HPOA and will communicate to members accordingly.
- NNPBC is committed to advancing the profession of nursing as an autonomous, self-regulating profession.

Links & Resources

- [Coalition of Health Professional Associations of British Columbia](#)
- [NNPBC Issues Brief- Health Professions and Occupations Act](#)
- [NNPBC HPOA Feedback Form](#)
- [BCCNM- A message from the CEO and Registrar](#)
- [BC Government HPOA FAQs](#)
- [BC Health Regulators](#)