

# Health Professions and Occupations Act Important Update

The BC NDP passed Bill 36 in November 2022, as the new Health Professions and Occupations Act (HPOA).  
Why do you need to be aware and involved? See facts below.

## Key Restrictions Imposed by the HPOA

### 1. Compliance Required:

The government is now in a position to set health guidelines, which could prevent practitioners from making honest recommendations.

### 2. Severe Penalties for Non-Compliance:

Healthcare professionals face up to \$200,000 in fines and 2 years of incarceration for ill-defined offences against the Act, including even the sharing of information.<sup>1</sup>

### 3. Anonymous Complaints:

Anonymous complaints to the Colleges can result in summary suspension of licensure to practice before the complaint is investigated.<sup>2,3</sup>

### 4. Entry and Seizure of Records:

Appointees, chosen by politicians, may now enter a healthcare practice, seize patient records and restrict access to that facility without a warrant or court order.<sup>4</sup>

### 5. Vaccination Mandates:

Refusal to accept all Ministry mandated vaccines and therapies will likely result in delicensure.<sup>5</sup>

### 6. Composition of Advisory Boards and Loss of Self-Regulation:

Healthcare professions, previously regulated by expert members within the field, will now be overseen solely by political appointees.<sup>6,7</sup>

### 7. Adoption of Foreign Regulations:

The Cabinet and the Minister of Health can adopt as law in BC any regulations, codes, standards or rules enacted in foreign jurisdictions or international bodies.<sup>8</sup>

### 8. Ambiguous Terminology:

The new *Health Professions and Occupations Act* requires further elucidation of undefined terms used in the Act, such as "false or misleading information", which may be defined by appointees at their discretion, lacking consultation with health professionals.<sup>9</sup>

## Background

### One of the Largest Bills Passed in BC

- **LENGTH:** The bill has 645 sections in 276 pages.
- **VIOLATION:** 412 of the 645 sections (64%) of Bill 36 were not fully debated or considered when Mike Farnworth motioned to end the debate. This violated the BC government's own Standing Orders. s. 84 (1)(2) of the *BC Constitution Act* (1996), s.45.
- **ENFORCEMENT:** The NDP plan to enforce the HPOA in 2025. Changes can only occur with a new government.

### Impacts to Patient & Practitioner Due to HPOA

- **LOSS OF PRIVACY:** Your personal health records are no longer confidential or private.
- **LOSS OF HEALTHCARE:** Medical doctors and other professionals are leaving BC or retiring due to HPOA.
- **LOSS OF EXPERTISE:** Medically untrained politicians will set practice standards for medical professionals.

### Take Action

- **READ:** Review the HPOA: <http://tinyurl.com/HPOA-Bill36>
- **REVIEW:** Resources at [www.CSSEM.org/HPOA](http://www.CSSEM.org/HPOA)
- **TALK:** Inform your contacts.
- **SHARE ONLINE:** post this info on social media and how the HPOA will affect you as a patient or practitioner.

References: 1§514,518 2,3§122,153,225,259,260 4§131,224,506,511 5§49 6,7§345,346,486 8§335(2),533(1) 9§34(2b),49,72 (3) (b), 200,213,518,519



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