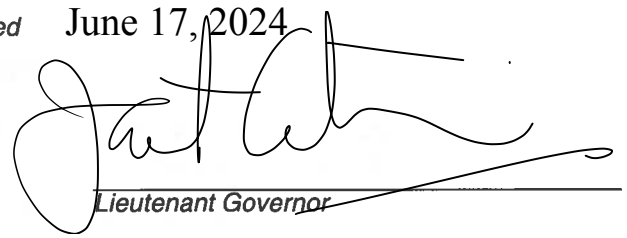


PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 339

, Approved and Ordered June 17, 2024



Lieutenant Governor

**Executive Council Chambers, Victoria**

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that effective June 28, 2024, the following regulations are amended as set out in the attached Schedule:

- (a) Assisted Living Regulation, B.C. Reg. 189/2019;
- (b) Community Living Authority Regulation, B.C. Reg. 231/2005;
- (c) Designation Regulation No. 2, B.C. Reg. 125/99;
- (d) Employment and Assistance Regulation, B.C. Reg. 263/2002;
- (e) Employment and Assistance for Persons with Disabilities Regulation, B.C. Reg. 265/2002;
- (f) Employment Standards Regulation, B.C. Reg. 396/95;
- (g) Family Law Act Regulation, B.C. Reg. 347/2012;
- (h) Health Care Consent Regulation, B.C. Reg. 20/2000;
- (i) Home Owner Grant Regulation, B.C. Reg. 100/2002;
- (j) Liquor Control and Licensing Regulation, B.C. Reg. 241/2016;
- (k) Provincial Sales Tax Exemption And Refund Regulation, B.C. Reg. 97/2013;
- (l) Residential Care Regulation, B.C. Reg. 96/2009;
- (m) Residential Tenancy Regulation, B.C. Reg. 477/2003;
- (n) Statutory Property Guardianship Regulation, B.C. Reg. 115/2014;
- (p) Workers Compensation Act Appeal Regulation, B.C. Reg. 321/2002.



Minister of Health



Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

**Authority under which Order is made:**

Act and section: *Adult Guardianship Act*, R.S.B.C. 1996, c. 6, s. 63 (2); *Community Care and Assisted Living Act*, S.B.C. 2002, c. 75, s. 34; *Community Living Authority Act*, S.B.C. 2004, c. 60, ss. 11, 27 and 29; *Employment and Assistance Act*, S.B.C. 2002, c. 40, ss. 13 (3), 17 (5), 35, 36, 37 and 40; *Employment and Assistance for Persons with Disabilities Act*, S.B.C. 2002, c. 41, s. 26; *Employment Standards Act*, R.S.B.C. 1996, c. 113, ss. 16 and 127; *Evidence Act*, R.S.B.C. 1996, c. 124, s. 51; *Family Law Act*, S.B.C. 2011, c. 25, ss. 51, 245, 247, 248 and 249 (5) and (6); *Health Care (Consent) and Care Facility (Admission) Act*, R.S.B.C. 1996, c. 181, ss. 34 and 35.1; *Home Owner Grant Act*, R.S.B.C. 1996, c. 194, s. 18; *Liquor Control and Licensing Act*, S.B.C. 2015, c. 19, ss. 11; *Provincial Sales Tax Act*, S.B.C. 2012, c. 35, ss. 236, 241, 242 and 243; *Residential Tenancy Act*, S.B.C. 2002, c. 78, s. 97; *Workers Compensation Act*, R.S.B.C. 2019, c. 1, ss. 109 (3) and 315.

Other: OIC 1155/95; OIC 492/99; OIC 89/2000; OIC 363/2002; OIC 873/2002; OIC 1039/2002; OIC 874/2002; OIC 1239/2003; OIC 469/2005; OIC 225/2009; OIC 837/2012; OIC 130/2013; OIC 724/2016; OIC 466/2019

R20774403

## SCHEDULE

### *Assisted Living Regulation*

**1** *Section 44 (3) of the Assisted Living Regulation, B.C. Reg. 189/2019, is repealed and the following substituted:*

- (3) A person who is one of the following is a health professional for the purposes of subsection (2) (a):
- (a) a medical practitioner;
  - (b) a person who is authorized under the *Health Professions Act* to practise the designated health profession of nursing, psychiatric nursing, occupational therapy or psychology;
  - (c) a registrant within the meaning of the *Social Workers Act*.

### *Community Living Authority Regulation*

**2** *Section 1 of the Community Living Authority Regulation, B.C. Reg. 231/2005, is amended by repealing the definition of “registered practitioner” and substituting the following:*

“**registered practitioner**” means a person who is authorized under the *Health Professions Act* to practise the designated health profession of psychology; .

### *Designation Regulation No. 2*

**3** *Section 1 (g) and (i) of the Designation Regulation No. 2, B.C. Reg. 125/99, is repealed and the following substituted:*

- (g) the College of Health and Care Professionals of British Columbia, but only with respect to health care professionals who are authorized to practise the designated health profession of physical therapy;
- (i) the College of Complementary Health Professionals of British Columbia, but only with respect to health care professionals who are authorized to practise the designated health profession of massage therapy; .

### *Employment and Assistance Regulation*

**4** *Section 1 (1) of the Employment and Assistance Regulation, B.C. Reg. 263/2002, is amended by repealing the definition of “dietitian” and substituting the following:*

“**dietitian**” means a person who is authorized under the *Health Professions Act* to practise the designated health profession of dietetics; .

**5** *Section 1 of Schedule C is amended*

(a) *by repealing the definitions of “audiologist”, “hearing instrument practitioner”, “occupational therapist”, “optician”, “optometrist” and “physical therapist” and substituting the following:*

“**audiologist**” means a person who is authorized under the *Health Professions Act* to practise the designated health profession of audiology;

“**hearing instrument practitioner**” means a person who is authorized under the *Health Professions Act* to practise the designated health profession of hearing instrument dispensing;

“**occupational therapist**” means a person who is authorized under the *Health Professions Act* to practise the designated health profession of occupational therapy;

“**optician**” means a person who is authorized under the *Health Professions Act* to practise the designated health profession of opticianry;

“**optometrist**” means a person who is authorized under the *Health Professions Act* to practise the designated health profession of optometry;

“**physical therapist**” means a person who is authorized under the *Health Professions Act* to practise the designated health profession of physical therapy; , *and*

(b) *by adding the following definitions:*

“**acupuncturist**” means a person who is authorized under the *Health Professions Act* to practise the designated health profession of acupuncture;

“**chiropractor**” means a person who is authorized under the *Health Professions Act* to practise the designated health profession of chiropractic;

“**massage therapist**” means a person who is authorized under the *Health Professions Act* to practise the designated health profession of massage therapy;

“**naturopath**” means a person who is authorized under the *Health Professions Act* to practise the designated health profession of naturopathic medicine;

“**podiatrist**” means a person who is authorized under the *Health Professions Act* to practise the designated health profession of podiatry; .

6 *Section 2 (1) (c) is amended by repealing the table and substituting the following:*

Item	Column 1 Service	Column 2 Provided by
1	acupuncture	acupuncturist
2	chiropractic	chiropractor
3	massage therapy	massage therapist
4	naturopathic medicine	naturopath

Item	Column 1 Service	Column 2 Provided by
5	non-surgical podiatry	podiatrist
6	physical therapy	physical therapist

***Employment and Assistance for Persons with Disabilities Regulation***

- 7 ***Section 1 (1) of the Employment and Assistance for Persons with Disabilities Regulation, B.C. Reg. 265/2002, is amended by repealing the definition of “dietitian” and substituting the following:***

**“dietitian”** means a person who is authorized under the *Health Professions Act* to practise the designated health profession of dietetics; .

- 8 ***Section 1 of Schedule C is amended***

- (a) ***by repealing the definitions of “audiologist”, “hearing instrument practitioner”, “occupational therapist”, “optician”, “optometrist” and “physical therapist” and substituting the following:***

**“audiologist”** means a person who is authorized under the *Health Professions Act* to practise the designated health profession of audiology;

**“hearing instrument practitioner”** means a person who is authorized under the *Health Professions Act* to practise the designated health profession of hearing instrument dispensing;

**“occupational therapist”** means a person who is authorized under the *Health Professions Act* to practise the designated health profession of occupational therapy;

**“optician”** means a person who is authorized under the *Health Professions Act* to practise the designated health profession of opticianry;

**“optometrist”** means a person who is authorized under the *Health Professions Act* to practise the designated health profession of optometry;

**“physical therapist”** means a person who is authorized under the *Health Professions Act* to practise the designated health profession of physical therapy; , **and**

- (b) ***by adding the following definitions:***

**“acupuncturist”** means a person who is authorized under the *Health Professions Act* to practise the designated health profession of acupuncture;

**“chiropractor”** means a person who is authorized under the *Health Professions Act* to practise the designated health profession of chiropractic;

**“massage therapist”** means a person who is authorized under the *Health Professions Act* to practise the designated health profession of massage therapy;

**“naturopath”** means a person who is authorized under the *Health Professions Act* to practise the designated health profession of naturopathic medicine;

**“podiatrist”** means a person who is authorized under the *Health Professions Act* to practise the designated health profession of podiatry; .

9 **Section 2 (1) (c) is amended by repealing the table and substituting the following:**

Item	Column 1 Service	Column 2 Provided by
1	acupuncture	acupuncturist
2	chiropractic	chiropractor
3	massage therapy	massage therapist
4	naturopathic medicine	naturopath
5	non-surgical podiatry	podiatrist
6	physical therapy	physical therapist

***Employment Standards Regulation***

10 **Section 31 (d), (j) and (k) of the *Employment Standards Regulation, B.C. Reg. 396/95, is repealed and the following substituted:***

- (d) a person who is authorized under the *Health Professions Act* to practise the designated health profession of chiropractic,
- (j) a person who is authorized under the *Health Professions Act* to practise the designated health profession of naturopathic medicine,
- (k) a person who is authorized under the *Health Professions Act* to practise the designated health profession of optometry, .

***Family Law Act Regulation***

11 **Section 5 (2) (b) (i) of the *Family Law Act Regulation, B.C. Reg. 347/2012, is repealed and the following substituted:***

- (i) the individual is authorized under the *Health Professions Act* to practise the designated health profession of psychology or is a registrant within the meaning of the *Social Workers Act*; .

12 **Section 6 (1) (a) (ii) is repealed and the following substituted:**

- (ii) the College of Health and Care Professionals of British Columbia, .

***Health Care Consent Regulation***

- 13** *Section 16 of the Health Care Consent Regulation, B.C. Reg. 20/2000, is repealed and the following substituted:*

**Prescribed health care providers**

- 16** The classes of health care providers who are prescribed as assessors for the purposes of the Act are as follows:
- (a) persons who are authorized under the *Health Professions Act* to practise the designated health profession of nursing, psychiatric nursing, occupational therapy or psychology;
  - (b) registrants within the meaning of the *Social Workers Act*.

***Home Owner Grant Regulation***

- 14** *Section 2 (1) of the Home Owner Grant Regulation, B.C. Reg. 100/2002, is amended in the definition of “health professional” by repealing paragraphs (c) and (d) and substituting the following:*

- (c) a person who is authorized under the *Health Professions Act* to practise the designated health profession of occupational therapy or psychology; .

***Liquor Control and Licensing Regulation***

- 15** *Section 192 (6) (b) of the Liquor Control and Licensing Regulation, B.C. Reg. 241/2016, is repealed and the following substituted:*

- (b) a person who is one of the following, if the ethyl alcohol is for use only in connection with the person’s practice:
  - (i) a medical practitioner or nurse practitioner;
  - (ii) a person who is authorized under the *Health Professions Act* to practise the designated health profession of dentistry or naturopathic medicine;
  - (iii) a person who is authorized under the *Veterinarians Act* to practise veterinary medicine; .

***Provincial Sales Tax Exemption and Refund Regulation***

- 16** *Section 3 (1) (i) of the Provincial Sales Tax Exemption and Refund Regulation, B.C. Reg. 97/2013, is amended*

- (a) *in subparagraph (i) by striking out “a person registered as a member of the College of Opticians of British Columbia” and substituting “a person who is authorized under the Health Professions Act to practise the designated health profession of opticianry”, and*

- (b) *in subparagraph (ii) by striking out “a practitioner or a person registered as a member of the College of Opticians of British Columbia” and substituting “a person referred to in subparagraph (i)”.*

#### ***Residential Care Regulation***

- 17 ***Section 1 of the Residential Care Regulation, B.C. Reg. 96/2009, is amended by repealing the definition of “dietitian” and substituting the following:***

“**dietitian**” means a person who is authorized under the *Health Professions Act* to practise the designated health profession of dietetics; .

#### ***Residential Tenancy Regulation***

- 18 ***Section 39 (j) of the Residential Tenancy Regulation, B.C. Reg. 477/2003, is repealed and the following substituted:***

(j) a person who is authorized under the *Health Professions Act* to practise the designated health profession of psychology; .

- 19 ***Section 40 (c) is repealed and the following substituted:***

(c) a person who is designated for this purpose by a board within the meaning of the *Health Authorities Act* and who is

(i) referred to in section 39 (g) to (j) or (l), or

(ii) authorized under the *Health Professions Act* to practise the designated health profession of occupational therapy.

#### ***Statutory Property Guardianship Regulation***

- 20 ***Section 3 (2) and (3) of the Statutory Property Guardianship Regulation, B.C. Reg. 115/2014, is repealed and the following substituted:***

(2) The classes of health care providers who are prescribed as qualified health care providers are as follows:

(a) persons who are authorized under the *Health Professions Act* to practise the designated health profession of nursing, psychiatric nursing, occupational therapy or psychology;

(b) registrants within the meaning the *Social Workers Act*.

(3) A person referred to in subsection (2) may exercise powers and perform duties as a qualified health care provider only if

(a) the board for the college that is responsible, under the *Health Professions Act* or the *Social Workers Act*, for governing the practice of the person’s designated health profession or the practice of social work, as applicable, has established standards, limits or conditions respecting eligibility to act as qualified health care providers, and

(b) the person is eligible under, and acting in accordance with, all applicable standards, limits and conditions referred to in paragraph (a).

***Workers Compensation Act Appeal Regulation***

**21** ***Section 5 (c) of the Workers Compensation Act Appeal Regulation, B.C. Reg. 321/2002, is repealed and the following substituted:***

- (c) authorization under the *Health Professions Act* to practise the designated health profession of psychology; .