Regulated Health Professions Act

CHAPTER 15 OF THE ACTS OF 2023

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CHAPTER 15 OF THE ACTS OF 2023

An Act to Provide a Common Legislative Foundation for Regulated Health Professions

Table of Contents

(The table of contents is not part of the statute)

Section

Short title 1
Interpretation 2
Regulations and bylaws 3

Governance

Governor in Council regulations 4
Regulatory body 5
Objects 6
Board 7
Membership 8
Initial board 9
Powers and duties of board 10
Registrar 11
Board bylaws 12
Governor in Council regulations 13
Regulations respecting specific regulated health professions 14
Annual report 15
Request for information 16
Disclosure of information 17
Quality assurance program 18
Mandatory standards of practice 19
Ministerial direction 20
Appointment of person to inquire and make recommendations 21
Administrator 22

Joint Panels and Pools

Joint panel for statutory committee 23
Membership 24
Pool of public representatives 25
Pool of regulated health professionals 26

Registration and Licensing

Registers 27
Separate registers and records 28
Name of registrant whose licence expired or suspended 29
Registration and licensing committee 30
Panel 31
Notice of meeting, quorum, voting and membership 32
Rights, powers and privileges 33
Application and criteria for registration 34
Application and criteria for practising licence 35
Registration and licensing decisions by registrar 36
Review of application by registration and licensing committee 37
Decision by registration and licensing committee 38
Publication and disclosure 39
Practising licence—permitted activities 40
Practising licence—term 41
Practising licence—renewal 42

Conditional licence ... 43
Conditional licence—permitted activities ... 44
Conditional licence—term ... 45
Conditional licence—renewal ... 46
No review or appeal of conditions or restrictions ... 47
Restrictions or conditions remain in effect ... 48
Public record ... 49
Written reasons for decision and request for review ... 50
Information to be provided for review ... 51
Procedures of registration and licensing review committee ... 52
Attendance at review ... 53
Written notice of review ... 54
Conduct of review ... 55
Evidence at review ... 56
Failure to attend ... 57
Decision of registration and licensing review committee ... 58
Waiver of criteria for registration, licensing or renewal ... 59

Practice

Duties of registrant ... 60
Charges or other proceedings ... 61
Application and criteria for non-registrant to practise ... 62
Sanctions or complaints from practice outside Province ... 63

Professional Conduct

Professional conduct process ... 64
Preservation of jurisdiction ... 65
Complaints committee ... 66
Panel ... 67
Notice of meeting, quorum, voting and membership ... 68
Rights, powers and privileges ... 69
Initiation of complaint ... 70
Duties of registrar upon receiving complaint ... 71
Investigation of complaint ... 72
Conclusion of investigation ... 73
Fine for practising without licence ... 74
Suspension of licence or ability to obtain licence ... 75
Publication of suspension ... 76
Request for review ... 77
Decision of complaints committee ... 78
Decision of complaints committee final ... 79
Referral of complaint to complaints committee ... 80
Procedure and jurisdiction of complaints committee ... 81
Powers of complaints committee ... 82
Rights of respondent ... 83
Disposition of complaint ... 84
Suspension or restriction of respondent's licence ... 85
Expenses incurred by respondent ... 86
Proposed settlement agreement ... 87
Decision of complaints committee ... 88
Powers pending or following investigation ... 89
Professional conduct committee ... 90
Panel ... 91
Notice of meeting, quorum, voting and membership ... 92
Rights, powers and privileges ... 93
Hearing ... 94
Amendment to notice of meeting ... 95
Service of documents and hearing in respondent's absence ... 96
Public notice of hearing ... 97
Attendance at hearing ... 98
Parties to a hearing ... 99
Referral to fitness-to-practise committee ... 100
Professional conduct committee procedures ... 101
Oath or affirmation ... 102
Rights of parties before professional conduct committee ... 103

Evidence ... 104
Powers of professional conduct committee during hearing ... 105
Expenses ... 106
Decision of professional conduct committee ... 107
Publication and distribution of decision ... 108
Resumption of hearing when allegations proven ... 109
Powers of professional conduct committee where allegations proven ... 110
Restoration of registrant's licence ... 111
Appeal ... 112
Revocation of respondent's registration or licence ... 113
Duties of registrar where licensing sanction issued without hearing ... 114
Duties of registrar where licensing sanction issued following hearing ... 115

Reinstatement

Reinstatement committee ... 116
Notice of meeting and quorum ... 117
Duties of reinstatement committee ... 118
Powers, privileges and immunities ... 119
Hearing ... 120
Decision of reinstatement committee final ... 121

Fitness-to-Practise Process

Fitness-to-practise committee ... 122
Panel ... 123
Notice of meeting, quorum, voting and membership ... 124
Powers, privileges and immunities ... 125
Referral of registrant to fitness-to-practise process ... 126
Fitness-to-practise process ... 127
Fitness-to-practise committee meeting ... 128
Referral back to registrar ... 129
Jurisdiction ... 130
Notification of registrant's licensing status ... 131
Practise review committee ... 132
Panel ... 133
Notice of meeting, quorum, voting and membership ... 134
Powers, privileges and immunities ... 135

Confidentiality

Prohibition on publishing, releasing or disclosing information ... 136
Permitted disclosure ... 137
Legal proceedings ... 138
Information contained in self-assessment tool ... 139

Professional Incorporation

Incorporation not prevented ... 140
Liability for acts or omissions ... 141
Applicable law or standard not affected ... 142
Compellable witness ... 143
Power of inspection, investigation or inquiry continues ... 144

Offences and Penalties

Offences and penalties apply to incorporated entity ... 145
Offences and penalties ... 146
Proof ... 147
Continuing offence ... 148
Injunction ... 149

General

Board may appoint members ... 150
Deliver of notice ... 151
Legal or other assistance ... 152

Costs ... 153
Suspension and reinstatement of licence ... 154
Fine for practising without current licence ... 155
Proof of registration and licensing status ... 156
Competence assessment ... 157
Publication ban ... 158
Required publications ... 159
Requirements for employers ... 160
Non-compliance with decision ... 161
No action lies ... 162
Complaint in good faith ... 163
Act does not prohibit ... 164
Agreements between health profession regulators ... 165
Review of Act ... 166
Application to existing regulator ... 167
Action, appeal, application or other proceeding continued ... 168
Processes initiated under former Acts ... 169
Committees of existing regulators ... 170
Education programs and requirements ... 171
Continuing-competence programs ... 172
Registration and licensing under former Acts ... 173
Code of ethics, standards of practice and entry-level competencies ... 174
Permits and licences of private health facility ... 175
Deemed reference ... 176
Governor in Council regulations ... 177

Repealed Act

Audiologists and Speech-Language Pathologists Act repealed ... 178
Chiropractic Act repealed ... 179
Counselling Therapists Act repealed ... 180
Dental Act repealed ... 181
Dental Hygienists Act repealed ... 182
Dental Technicians Act repealed ... 183
Denturists Act repealed ... 184
Dietitians Act repealed ... 185
Dispensing Opticians Act repealed ... 186
Medical Act repealed ... 187
Medical Imaging and Radiation Therapy Professionals Act repealed ... 188
Medical Laboratory Technology Act repealed ... 189
Medical Professional Corporations Act repealed ... 190
Midwifery Act repealed ... 191
Naturopathic Doctors Act repealed ... 192
Nursing Act repealed ... 193
Occupational Therapists Act repealed ... 194
Optometry Act repealed ... 195
Paramedics Act repealed ... 196
Pharmacy Act repealed ... 197
Physiotherapy Act repealed ... 198
Psychologists Act repealed ... 199
Respiratory Therapists Act repealed ... 200

Consequential Amendments

Adult Capacity and Decision-making Act amended ... 201
Cosmetology Act amended ... 202
Doctors Nova Scotia Act amended ... 203
Emergency Health Services Act amended ... 204
Fair Drug Pricing Act amended ... 205
Fatality Investigations Act amended ... 206-208
Health Protection Act amended ... 209
Homes for Special Care Act amended ... 210
Hospitals Act amended ... 211
Insured Health Services Act amended ... 212
Involuntary Psychiatric Treatment Act amended ... 213, 214
Liquor Control Act amended ... 215
Medical Professional Corporations Act amended ... 216-220

Motor Vehicle Act amended 221
Patient Access to Care Act amended 222
Personal Health Information Act amended 223
Powers of Attorney Act amended 224
Prescription Monitoring Act amended 225, 226
Protecting Access to Reproductive Health Care Act amended 227
Regulated Health Professions Network Act amended 228-236
Tobacco Access Act amended 237
Traffic Safety Act amended 238
Veterinary Medical Act amended 239
Vital Statistics Act amended 240

Effective Date

Effective date 241

Short title

1 This Act may be cited as the *Regulated Health Professions Act*. 2023, c. 15, s. 1.

Interpretation

2 In this Act,

"approved education program" means an education program approved by a regulatory body that qualifies an applicant for registration in the regulated health profession governed by that regulatory body;

"board" means the board of a regulatory body;

"bridging education" means a program approved by a registrar that addresses gaps in competencies identified through a competence assessment or through information otherwise provided to a regulatory body;

"bylaw" means a bylaw of a regulatory body;

"caution" means a determination by a complaints committee that a registrant may have breached the standards of professional ethics or practice but in circumstances that do not constitute professional misconduct, conduct unbecoming the registrant's profession, incompetence or incapacity;

"client" means the individual, group, community or population who is the recipient or intended recipient of services from a registrant, and, where the context requires, includes a substitute decision-maker for the recipient or intended recipient of services;

"committee" includes statutory committees and committees appointed by a board;

"competence" means the ability to integrate and apply competencies in a designated role and practice setting;

"competence assessment" means a process approved by a registrar for assessing competence;

"competencies" means the knowledge, skills and judgement required to practise safely and ethically;

"complaint" means a notice submitted to a regulatory body in the form approved by the registrar that advises of matters that may constitute professional misconduct, conduct unbecoming the profession, incompetence or incapacity of a registrant;

"complaints committee" means the complaints committee appointed under this Act for a regulated health profession;

"conditional licence" means a licence with conditions or restrictions issued under this Act;

"conduct unbecoming the profession" means conduct in a registrant's personal or private capacity that tends to bring discredit upon registrants or the regulated health profession;

"continuing-competence program" means a program approved by a board that focuses on promoting and enhancing the competence of registrants throughout their careers;

"costs" include

(a) expenses incurred by a regulatory body for investigating and deciding a matter;

(b) costs of competence assessments and other assessments, audits, examinations and practice reviews conducted by a regulatory body in the course of addressing a matter;

(c) a regulatory body's solicitor and client costs, including disbursements and goods and services tax, and including those of counsel for the regulatory body and counsel for a committee;

(d) fees for retaining a court reporter and preparing transcripts;

(e) travel costs and reasonable expenses of a witness, including an expert witness;

(f) honoraria for committee members and travel costs and reasonable expenses of committee members; and

(g) such other costs as may be prescribed;

"currency of practice requirements" means those requirements set out in the bylaws that a registrant must meet to establish that the registrant is current in practice;

"designation" means a title authorized by the regulations for use by a registrant;

"employer" includes the health authority, hospital, clinic, person or entity that hires a registrant to engage in practice, regardless of the employment status of the registrant;

"entry-level competencies" means the integrated knowledge, skills and judgement expected and required of students upon completion of an approved education program;

"existing regulator" means a college, board, council or association of a health profession in the Province that existed as a health profession regulator under legislation before becoming or becoming part of a regulatory body under the regulations under this Act;

"expanded scope of practice" means those services not at present in the scope of practice of a particular designation, but within the scope of practice of the regulated health profession, approved by the board for practice by registrants who have completed education approved for that purpose by the board;

"fitness-to-practise committee" means the fitness-to-practise committee appointed under this Act for a regulated health profession;

"fitness-to-practise process" means a fitness-to-practise process set out in this Act to address issues of incapacity;

"former Act" means an Act that established or continued an existing regulator;

"health profession" means a profession in which a person exercises skill or judgement in providing health care;

"hearing" means a process before a statutory committee, other than a complaints committee, a registration and licensing committee or a fitness-to-practise committee, in which the parties may lead evidence, but does not include the consideration by a professional conduct committee of a settlement agreement or an application for consent revocation;

"incapacity" means the status whereby a registrant has or had a medical, physical, mental or emotional condition, disorder or addiction that renders or rendered the registrant unable to practise with competence or that endangers or may have endangered the health or safety of clients;

"incompetence", in relation to a registrant, means a lack of competence demonstrated in the registrant's care of a client or delivery of regulated health services that, having regard to all the circumstances, rendered the registrant unsafe to practise at the time of such care of the client or delivery of regulated health services or that renders the registrant unsafe to continue in practice without remedial assistance;

"individual scope of practice" means the services for which a registrant is educated, authorized and competent to perform;

"investigator" means a person designated by the registrar to conduct or supervise an investigation into a complaint or an application for reinstatement;

"joint panel" means a panel that is formed when a regulatory body, whether voluntarily or mandatorily, draws a health professional of another regulated health profession from a pool to serve on the panel;

"judge" means a judge of the Supreme Court of Nova Scotia;

"legal proceeding" means a civil proceeding, discovery, inquiry or proceeding before a tribunal, board or commission or an arbitration, in which evidence may be given, and includes an action or proceeding for the imposition of punishment by fine, penalty or imprisonment for the violation of an enactment, but does not include a proceeding or hearing conducted under this Act or the regulations;

"licence" means a licence issued under this Act to a registrant authorizing the registrant to engage in practice in accordance with the terms of the licence, and includes a conditional licence and such other category of licence as may be prescribed;

"licensing" means the process by which a person who has qualified for registration is assessed to determine whether the person meets the criteria for a licence under this Act and the regulations;

"licensing sanction" means

(a) the imposition of conditions or restrictions on a licence by a complaints committee or a professional conduct committee or an equivalent body from another jurisdiction, but does not include conditions or restrictions imposed through the process set out in Section 89 or through an informal resolution process under this Act;

(b) a consent reprimand ordered by a complaints committee or an equivalent body from another jurisdiction;

(c) a reprimand issued by a professional conduct committee or an equivalent body from another jurisdiction;

(d) a fine ordered by a professional conduct committee or an equivalent body from another jurisdiction;

(e) a suspension of a licence by a professional conduct committee or an equivalent body from another jurisdiction; or

(f) a revocation of registration or licence by a professional conduct committee or an equivalent body from another jurisdiction,

but does not include a caution;

"licensing term" means the period of time established by a board for the term of a licence;

"Minister" means the Minister of Health and Wellness or, where another member of the Executive Council has been designated under clause 14(z) for a regulated health profession, that member of the Executive Council;

"party" means a regulatory body or a respondent, as the context requires;

"pool" means a pool established under Section 25 or 26 consisting of public representatives or regulated health professionals available for membership on a statutory committee, including a joint panel;

"practice" means the practice of a regulated health profession;

"practice review committee" means a practice review committee appointed under this Act for a regulated health profession;

"prescribed" means prescribed by the regulations;

"private health facility" means a clinic, institution or other type of facility at or through which health services are provided and that is licensed or accredited in accordance with the regulations by a regulatory body, but does not include a facility operated by a health authority as defined by the *Health Authorities Act*;

"professional association" means a national or provincial association that is not a regulatory body whose members are persons practicing a health profession and that has the goal of furthering the interests of the profession and its members;

"professional conduct committee" means the professional conduct committee for a regulated health profession appointed under this Act;

"professional conduct processes" means the professional conduct processes set out in this Act, the regulations and the bylaws;

"professional misconduct" includes such conduct or acts relevant to the practice of a regulated health profession that, having regard to all the circumstances, would reasonably be regarded as disgraceful, dishonourable or unprofessional, including

(a) failing to maintain the standards of practice;

(b) failing to adhere to any codes of ethics adopted by the regulatory body;

(c) abusing a person verbally, physically, emotionally or sexually;

(d) misappropriating property, including drugs, belonging to a client or an employer;

(e) inappropriately influencing a client to make or change a legal document;

(f) abandoning a client;

(g) neglecting to provide care to a client;

(h) failing to exercise appropriate discretion with respect to the disclosure of confidential information;

(i) falsifying records;

(j) inappropriately using licensing status for personal gain;

(k) promoting for personal gain any drug, device, treatment, procedure, product or service that is unnecessary, ineffective or unsafe;

(l) publishing, or causing to be published, any communication that is false, fraudulent, deceptive or misleading;

(m) engaging or assisting in fraud, misrepresentation, deception or concealment of a material fact when applying for or securing registration or a licence or taking any examination provided for in this Act, including using fraudulently procured credentials; and

(n) taking or using a designation or a derivation or abbreviation thereof, or describing the person's activities as being part of the practice of a regulated health profession in any communication, including verbally, unless the referenced activity falls within the practice of the profession;

"public representative" means a member of the board of a regulatory body, a statutory committee or a pool who is not a registrant;

"quality assurance program for regulatory performance" means a program established under Section 18;

"re-entry program" means a program approved by a board that tests competencies;

"register" means a register established under this Act;

"registrant" means a person whose name is entered in a register;

"registrar" means the person who acts as the registrar of a regulatory body;

"registration" means the process by which a person who is not registered is initially assessed to determine whether the person meets the criteria for registration under this Act and the regulations;

"registration and licensing committee" means the registration and licensing committee appointed under this Act for a regulated health profession;

"registration and licensing review committee" means the registration and licensing review committee for a profession appointed under this Act;

"regulated health profession" means a health profession designated as a regulated health profession by a regulation made under clause 4(a);

"regulatory body" means the regulatory body of a regulated health profession that is continued or established by a regulation made under clause 4(b);

"regulatory processes" means those processes conducted under this Act, the regulations or bylaws by a statutory committee or the registrar;

"reinstatement committee" means a reinstatement committee appointed under this Act for a regulated health profession;

"respondent" means the person who is the subject of a complaint or other regulatory process under this Act or the regulations;

"scope of practice of the designation" means the services authorized for practice by a registrant holding a particular designation;

"self-assessment tool" means a document or information prepared by a registrant containing a self-assessment of the registrant for the purpose of the continuing-competence program;

"settlement agreement" means an agreement that resolves a complaint after a matter has been referred for hearing by the complaints committee;

"standards of practice" means the minimal professional practice expectations approved by a board for a registrant of a particular designation in a setting or role;

"statutory committee" means a registration and licensing committee, a registration and licensing review committee, a complaints committee, a professional conduct committee, a fitness-to-practise committee, a reinstatement committee or a practice review committee for a regulated health profession, as the context requires;

"support program" means a program established under the regulations to provide support, which may include counselling and navigation, to a person impacted by a matter that is the subject of the complaints process under this Act;

"witness" includes every person who, in the course of a legal proceeding, is examined for discovery, is cross-examined upon an affidavit made by that person, answers any interrogatories, makes an affidavit as to documents or is called upon to answer any question or produce any document, whether under oath or not, and includes any representative of a regula-

tory body, including a member of its board or a committee and an employee or agent of the regulatory body. 2023, c. 15, s. 2.

Regulations and bylaws

3 **(1)** A regulation made under this Act is a regulation within the meaning of the *Regulations Act*.

(2) A regulation made under this Act may apply to all regulatory bodies, to a class of regulatory bodies or to a particular regulatory body and there may be different regulations for different regulatory bodies or classes of regulatory bodies.

(3) A bylaw made under this Act is not a regulation within the meaning of the *Regulations Act*. 2023, c. 15, s. 3.

GOVERNANCE

Governor in Council regulations

4 The Governor in Council may make regulations

(a) designating a health profession as a regulated health profession and prescribing the scope of practice of the regulated health profession;

(b) establishing a regulatory body or continuing an existing regulator as the regulatory body for one or more regulated health professions, and prescribing its name;

(c) respecting any other matter the Governor in Council considers necessary or advisable for establishing or continuing a regulatory body referred to in clause (b). 2023, c. 15, s. 4.

Regulatory body

5 **(1)** A regulatory body established or continued by the regulations is a body corporate.

(2) A regulatory body has power to acquire, hold, lease, mortgage and otherwise dispose of real property.

(3) All assets, records, property and liabilities held by an existing regulator are vested in the regulatory body continuing or replacing the existing regulator. 2023, c. 15, s. 5.

Objects

6 **(1)** The objects of each regulatory body established under this Act are to

(a) protect the public from harm;

(b) serve and promote the public interest;

(c) subject to the public interest, preserve the integrity of its profession; and

(d) maintain public confidence in the ability of the regulatory body to regulate its profession.

(2) In order to effectively carry out the objects of the regulatory body, the regulatory body

(a) shall regulate the provision of its profession's services and govern its registrants through

(i) the registration, licensing, professional conduct, education approval and other processes set out in this Act and the regulations,

(ii) the approval and promotion of a code of ethics, and

(iii) the establishment and promotion of

(A) standards of practice for the provision of its profession's services,

(B) entry-level and other competencies, and

(C) continuing-competence programs;

(b) is accountable to the Minister and the public; and

(c) shall do all such other lawful acts and things as are incidental to the attainment of the objects of the regulatory body. 2023, c. 15, s. 6.

Board

7 **(1)** A regulatory body shall have a board consisting of at least seven and not more than 11 persons.

(2) Subject to the regulations, the number of public representatives on the board must be as close as possible to half of the board.

(3) Unless otherwise provided in the regulations, public representatives on the board are appointed by the Governor in Council.

(4) Board members are elected or appointed as provided in this Act, the regulations and the bylaws.

(5) The filling of vacancies on the board, other than those of public representatives appointed by the Governor in Council, is as set out in the bylaws.

(6) A majority of the board members, including at least one public representative and such other members as may be set out in the regulations, constitutes a quorum. 2023, c. 15, s. 7.

Membership

8 **(1)** No employee of a regulatory body may serve on its board or any committee of any regulatory body.

(2) Subject to the regulations, no current or former board member of a professional association may serve on the board or a statutory committee or joint panel for that profession until 24 months have elapsed since the member's last day as a board member of the professional association.

(3) Subject to the regulations, members of the board may not serve as a member of a statutory committee.

(4) Subject to subsection (5), registrants of a regulated health profession may not serve as a public representative on a board or statutory committee of another regulated health profession.

(5) Former licence-holders of a regulated health profession, or former licence-holders or their equivalent in any jurisdiction may serve as a public representative on a board, statutory committee or joint panel if

(a) there is no more than one former licence-holder or equivalent on the board, committee or joint panel; and

(b) the former licence-holder or equivalent is not a former licence-holder or equivalent of the same profession that the board, committee or joint panel regulates.

(6) A board or statutory committee member whose term of office expires remains a member of the board or committee until a new member is appointed or the member is reappointed. 2023, c. 15, s. 8.

Initial board

9 **(1)** Upon an existing regulator being continued as a regulatory body under clause 4(b), the board of the existing regulator becomes the initial board of the regulatory body subject to any different or additional requirements set out in the regulations for the regulatory body.

(2) The initial board remains in place until a board is appointed or elected under this Act and the regulations, which cannot be longer than 12 months after becoming a regulatory body. 2023, c. 15, s. 9.

Powers and duties of board

10 **(1)** A board shall govern its regulatory body and in doing so shall

(a) set fees payable by applicants and registrants;

(b) determine the remuneration and reimbursement for expenses payable to board and committee members;

(c) approve the processes for setting, revising and monitoring the annual budget of the regulatory body;

(d) provide an audited financial statement of the regulatory body's operations for the previous fiscal year in the annual report of the regulatory body;

(e) appoint an auditor to audit the accounts of the regulatory body;

(f) set the form and amount of professional liability insurance or other form of malpractice coverage or liability protection a registrant must have;

(g) establish governance policies consistent with this Act and the regulations; and

(h) review the operation of this Act and the regulations and make recommendations thereon.

(2) The board may, by resolution, take any action consistent with this Act and the regulations.

(3) The board may adopt by reference, in whole or in part, any schedule, code, specification, examination, standard or formulary and may also provide that it is adopted as amended from time to time, unless such amendments are expressly disallowed by the board. 2023, c. 15, s. 10.

Registrar

11 **(1)** A board shall appoint a registrar for its regulatory body and determine the remuneration, conditions of appointment, term of office and duties of the registrar.

(2) The registrar may delegate any functions assigned to the registrar by this Act, the regulations or the bylaws. 2023, c. 15, s. 11.

Board bylaws

12 **(1)** Subject to this Act and the regulations, a board governs, controls and administers the affairs of its regulatory body and may make bylaws

(a) respecting whether registrant members of the board, other than the initial board, are required to be elected or appointed, and by whom;

(b) respecting annual and special meetings of the regulatory body including the notice for such meetings, procedure to be followed, required content and quorum;

(c) setting the number of members and composition of the board;

(d) establishing the timing and manner of elections or appointments of registrant members to the board;

(e) respecting the manner in which non-public representative vacancies on the board may be filled and the procedure for removing non-public representative board members;

(f) respecting eligibility for non-public representative board membership, including the number of consecutive terms a non-public representative board member may serve and the waiting period before a non-public representative board member who has served the maximum number of consecutive terms becomes eligible to serve again;

(g) determining the officers of the board, their roles and terms of office, the number of consecutive terms an officer may serve and the waiting period before an officer who has served the maximum number of consecutive terms becomes eligible to serve again;

(h) respecting the holding of board meetings, including the number of required meetings, the notice for such meetings, the procedure to be followed and the manner of voting;

(i) respecting the procedure for calling and holding special board meetings;

(j) determining additional content of the registers and records to be kept for each licensing category and designation;

(k) setting out reporting requirements for registrants with respect to licensing or continuing competence, including changes in practice area or other practice details;

(l) approving the registration and licensing examinations acceptable for registration and licensing purposes;

(m) respecting currency of practice requirements for each licensing category and designation;

(n) respecting a continuing-competence program for each licensing category and designation;

(o) prescribing the requirements and process for the incorporation of registrants;

(p) determining the processes for verification of a registrant's compliance with a continuing-competence program;

(q) requiring registrants to maintain records of their hours in practice and permitting the regulatory body to audit such records;

(r) respecting the use of the term "specialist" by a registrant or subset of registrants;

(s) respecting the composition of statutory committees, beyond the requirements of this Act, including requiring the inclusion of committee members with specified designations;

(t) respecting any additional functions and processes of a statutory committee not provided for in this Act;

(u) subject to Section 146, respecting fines and penalties;

(v) respecting the costs of transcribing recordings or retrieving evidence upon request of a registrant;

(w) respecting witness fees for hearings;

(x) establishing committees, in addition to those established under this Act, to carry out the business of the regulatory body by determining

(i) the names, authority, powers, duties and quorums for the committees,

(ii) the composition of the committees, including the requirement for public representation,

(iii) the manner of appointment, terms of office and qualification of committee members, and

(iv) their functions, processes and procedures;

(y) respecting the seal of the regulatory body;

(z) establishing the location of the head office of the regulatory body;

(aa) approving a code of ethics, standards of practice and competencies for registrants;

(ab) prescribing oaths of office;

(ac) respecting conditions or restrictions of practice for each licensing category and designation;

(ad) respecting all other things necessary for the administration of the affairs of the regulatory body.

(2) Where permitted under a regulation made under clause 14(c), the board may make bylaws

(a) respecting the manner in which public representative vacancies on the board of members appointed by the regulatory body may be filled and the procedure for removing public representative board members appointed by the regulatory body;

(b) respecting licensing, permitting and related requirements and processes for private health facilities or professional corporations and specific roles of individuals working in those facilities;

(c) respecting licensing or permitting standards for private health facilities or professional corporations, including naming rules;

(d) respecting the process and criteria for an applicant, other than a registrant, to engage in practice;

(e) establishing a record of professional corporations;

(f) providing for inspection and accreditation of private health facilities;

(g) respecting the disposition of shares in an incorporated entity;

(h) regulating the compounding, dispensing and sale of drugs by registrants;

(i) regulating the sale of appliances;

(j) establishing processes, other than licensing, to permit others to engage in designated aspects of the practice of a profession, including provisions for supervision or other forms of accountability;

(k) respecting the scope of practice as permitted by the regulations;

(l) prescribing further registration and licensing categories and designations;

(m) respecting profession-specific entry to practice requirements, including

(i) time after graduation, practice experience or last practice within which a person must apply to be registered,

(ii) determining the content of structured practical training programs, practice experience and structured practical experience, and

(iii) determining what is an acceptable program for the purpose of practice experience.

(3) The registrar shall send a copy of a proposed bylaw, or an amendment to a bylaw, to each registrant, the Minister, and any other person or organization identified in the regulations, in accordance with Section 151 and publish notice of a proposed bylaw or amendment to a bylaw on the regulatory body's website for a minimum of 30 days with a request for feedback.

(4) The board shall consider feedback received under subsection (3) before making a bylaw.

(5) A bylaw comes into force on the day it is approved, unless otherwise provided in the resolution approving it.

(6) The registrar shall ensure that all bylaws are published and made available to the public and registrants in an accessible format, including by publication on the regulatory body's website. 2023, c. 15, s. 12.

Governor in Council regulations

13 The Governor in Council, on the recommendation of the Minister after consultation with the existing regulators or regulatory bodies of the relevant professions, may make regulations

(a) prescribing further requirements for consultation by a regulatory body when making bylaws;

(b) prescribing the number or percentage of public representatives on a board;

(c) prescribing issues that must be addressed in the mandatory standards of practice for each regulatory body;

(d) requiring mandatory training for the board, members of statutory committees and staff on board governance, self-regulation and any other topic;

(e) respecting further criteria under which registrants may be ineligible to serve on the board or a statutory committee;

(f) respecting the publication of information respecting and from board meetings;

(g) respecting the additional information required to be included in a register, the time periods for which information must be kept in a register, and the conditions or requirements for the removal of information from a register;

(h) specifying the circumstances in which a registrar must or may refuse a person access to a register or to any information in a register;

(i) respecting the content of information made available to the public regarding the registrant status of each registrant and former registrant, in addition to that required by this Act;

(j) prescribing time periods for review of registration and licensing applications;

(k) prescribing additional powers and authority for a registrar;

(l) prescribing additional powers and authority for a statutory committee;

(m) prescribing the composition and powers of a joint panel;

(n) prescribing the mandatory use of joint panels generally across regulatory bodies, for certain regulatory bodies, for certain statutory committees or for certain types of regulatory matters or files;

(o) respecting the content and service of a notice of hearing for the professional conduct process;

(p) respecting the recording of evidence during a regulatory process;

(q) respecting the preservation of evidence gathered during a regulatory process;

(r) respecting additional complaint resolution processes;

(s) respecting roles and powers of investigators in professional conduct processes;

(t) establishing the procedure for processing and addressing settlement agreements;

(u) establishing the authority of and procedures to be used by the reinstatement committee when reviewing an application for reinstatement, including establishing circumstances for ineligibility for reinstatement of licensure;

(v) respecting the period of time during which a regulatory body is obliged to provide information on findings and outcomes of hearings;

(w) authorizing an award of costs;

(x) determining which statutory committees may award costs in addition to those specified in this Act;

(y) respecting the functions and parameters of a support program;

(z) respecting the functions of the practice review committee and the process for practice reviews;

(aa) setting out the details and process of a quality assurance program for regulatory performance, including the delegation of administering the program to a third party;

(ab) establishing standards of good regulation as part of a quality assurance program for regulatory performance;

(ac) setting out required elements for annual reports;

(ad) authorizing the Minister to use, retain and disclose information that is disclosed to the Minister in accordance with this Act;

(ae) authorizing persons to receive information disclosed on the request of the Minister;

(af) prescribing processes for the collection and sharing of information between regulatory bodies and the Minister for the purpose of health human resources planning and management, equity initiatives and research;

(ag) prescribing processes for the collection and sharing of information between regulatory bodies and the Minister for the purpose of quality assurance or quality improvement;

(ah) prescribing parameters for an agreement between two or more health profession regulators who are located in different jurisdictions;

(ai) prescribing parameters for interjurisdictional practice, including the ability to issue interjurisdictional licences;

(aj) prescribing protocols for handling complaints arising from interjurisdictional practice;

(ak) specifying the requirements for a regulatory body's website, including requirements for the information to be posted on the website and the format for posting that information;

(al) providing for the administration of pools;

(am) further regulating the custodianship process for client records;

(an) respecting the process to appoint a custodian of the client records of a registrant or former registrant when it is in the public interest to do so, and providing authority to

(i) direct persons to seize, remove and take into possession client records,

(ii) enter premises for the purpose of recovering client records,

(iii) direct owners of premises or persons in possession of premises or any depository of client records to deal with, hold, deliver or dispose of patient records as required,

(iv) authorize custodians to take all such necessary action as needed to ensure the client records are dealt with in the public interest, and

(v) provide an immunity from liability for any custodian acting in accordance with such regulations in good faith;

(ao) respecting the requirements for imposing and removing conditions and restrictions placed by a statutory committee;

(ap) establishing requirements for mandatory disclosure between regulatory bodies and employers;

(aq) respecting publication and disclosure of registration and licensing decisions by the registration and licensing committee and the registrar;

(ar) respecting publication bans;

(as) establishing requirements for quality and patient safety reporting by registrants;

(at) respecting virtual care;

(au) respecting additional forms of dispute resolution to which the registrar or complaints committee may refer a matter;

(av) respecting exceptions to confidentiality;

(aw) prescribing the duties of applicants and registrants to report charges and convictions;

(ax) prescribing an authorized entity for the purpose of information sharing with the Minister under Section 17;

(ay) respecting the circumstances as to when a licence will be required to be surrendered and the process of surrendering a licence;

(az) defining any word or expression used but not defined in this Act;

(ba) further defining any word or expression defined in this Act;

(bb) respecting any matter or thing the Governor in Council considers necessary or advisable to effectively carry out the intent and purpose of this Act. 2023, c. 15, s. 13.

Regulations respecting specific regulated health professions

14 The Governor in Council, on the recommendation of the Minister after consultation with the regulatory body of affected professions, may make regulations that only apply to a specific regulated health profession or professions

(a) establishing a regulatory body, its name and the professions for which it provides oversight;

(b) establishing requirements for the initial board of a regulatory body that differ from those set out in this Act;

(c) limiting certain bylaw-making powers under subsection 12(2) to a specific regulatory body;

(d) assigning additional duties or authorities to the registrar;

(e) establishing the scope of practice for each licensing category or designation as required;

(f) establishing circumstances in which a regulatory body may make bylaws with respect to scope of practice;

(g) establishing what constitutes unauthorized practice and any exemptions for non-registrants related to practice protection or exemptions to application of oversight generally by a regulatory body;

(h) prescribing registration and licensing categories and designations;

(i) prescribing registration and licensing criteria;

(j) establishing title protection and exceptions;

(k) prescribing profession-specific requirements for composition of boards, including for multidisciplinary or amalgamated regulatory bodies;

(l) permitting the regulatory body to appoint one or more of the public representatives appointed to the board and, where this authority is granted to a particular regulatory body, requiring public advertising of openings for public representatives on the board;

(m) permitting a regulatory body to appoint public representatives to statutory committees and, where this authority is granted to a particular

regulatory body, requiring public advertising of openings for public representatives on statutory committees;

(n) where the public representatives are appointed by the regulatory body, respecting the authority, eligibility, term of office and process to appoint and dismiss public representatives as members of the board and statutory committees;

(o) establishing processes and requirements for the licensing of private health facilities, including establishing

(i) regulated roles within a private health facility and related duties and authorities, and

(ii) restrictions on a non-licensed private health facility from using words or terms in its business name or description that are reserved for facilities licensed by a regulatory body;

(p) respecting the designation or definition of private health facilities;

(q) respecting additional professional incorporation requirements;

(r) respecting inspectors of private health facilities and the roles and powers of persons conducting inspections;

(s) respecting additional powers of custodians of records appointed when a practice closes;

(t) establishing minimum educational requirements for entry into the profession for each licensing category and designation;

(u) establishing designations and licensing categories;

(v) prescribing the maximum amount of fines that may be issued by a professional conduct committee;

(w) respecting restrictions on former board, statutory committee or joint panel members serving on the board of a regulatory body;

(x) respecting the provision of services under Section 164;

(y) respecting the provisions of this Act and the regulations that apply to hospital settings and the practice of a profession in a hospital;

(z) designating a member of the Executive Council other than the Minister of Health and Wellness as the Minister for the purpose of the administration of this Act and the regulations with respect to the specific profession or professions;

(aa) respecting any matter or thing the Governor in Council considers necessary or advisable to effectively carry out the intent and purpose of this Act. 2023, c. 15, s. 14.

Annual report

15 (1) Notwithstanding Section 136, a board shall provide the Minister with an annual report containing the information set out in the regulations within the time specified in the regulations after the end of the regulatory body's fiscal year.

(2) An annual report submitted under subsection (1) must be published on the regulatory body's website. 2023, c. 15, s. 15.

Request for information

16 **(1)** The Minister may request a regulatory body to provide information with respect to the fulfilment of its duties and responsibilities under this Act, the regulations and the bylaws.

(2) A regulatory body shall co-operate with a request of the Minister under this Section.

(3) The Minister may request in writing that the registrar provide information respecting registrants, including personal information, for

(a) health human resource planning and management;

(b) equity initiatives; and

(c) research.

(4) The Minister shall request de-identified information whenever possible to fulfill the requirements for which the information is sought.

(5) The registrar shall provide the Minister with the information, including personal information, requested under this Section in the form and within the time period specified by the Minister after consulting with the registrar.

(6) Notwithstanding subsection (5), where it is not possible for the registrar to provide the Minister with the information requested under subsection (3), the registrar shall direct the registrant to provide the information directly to the Minister in the form and within the time specified by the Minister after consulting with the registrar. 2023, c. 15, s. 16.

Disclosure of information

17 **(1)** Notwithstanding any other provision of this Act or any other enactment, the Minister may

(a) disclose information, including personal information, provided under subsection 16(5) or (6) to any entity authorized by subsection (3); and

(b) impose conditions on that entity respecting the use, protection, retention and further disclosure of the information.

(2) An entity shall comply with any conditions imposed on it under clause (1)(b).

(3) The following entities are authorized to receive information under subsection (1):

(a) a health authority as defined by the *Health Authorities Act*;

(b) the Canadian Institute for Health Information;

(c) a government or organization with which the Minister has entered into an agreement to share information for the purposes stated in subsection 16(3);

(d) an entity prescribed by the regulations. 2023, c. 15, s. 17.

Quality assurance program

18 **(1)** The Minister may establish a quality assurance program for regulatory performance.

(2) The Minister may, in accordance with the regulations, assess the performance of a regulatory body in relation to the standards of good regulation established as part of a quality assurance program for regulatory performance or may delegate the assessment to another person or body.

(3) The results of any assessment conducted under this Section must be made public. 2023, c. 15, s. 18.

Mandatory standards of practice

19 **(1)** In this Section, "mandatory standards of practice" means standards addressing the issues prescribed under clause 13(c).

(2) The Minister may designate a person or organization to set requirements for mandatory standards of practice.

(3) A person or organization designated under subsection (2) must consult with regulatory bodies in setting requirements for mandatory standards of practice.

(4) A regulatory body shall make mandatory standards of practice for issues prescribed under clause 13(c).

(5) Mandatory standards developed by regulatory bodies must meet or exceed any relevant requirements set under subsection (2).

(6) A regulatory body may develop additional practice standards. 2023, c. 15, s. 19.

Ministerial direction

20 **(1)** The Minister may direct a regulatory body with respect to exercising its mandate and objectives, including directing amendments to bylaws, if

(a) it is in the public interest to do so; or

(b) the directive would provide for matters related to health, safety or quality assurance in the practice of the regulated health profession.

(2) A direction under subsection (1) is subject to approval by the Governor in Council on the recommendation of the Minister.

(3) The Minister shall consult with any affected regulatory body before making a recommendation to the Governor in Council under this Section, unless doing so is not practicable in the circumstances.

(4) The Minister may not issue a direction related to a professional conduct, reinstatement or fitness-to-practise process in relation to a specific registrant.

(5) The Minister may not issue a direction related to licensing and accreditation of a specific private health facility. 2023, c. 15, s. 20.

Appointment of person to inquire and make recommendations

21 **(1)** The Governor in Council may, on the recommendation of the Minister, appoint a person to inquire into or make recommendations respecting

(a) any aspect of the administration or operation of a regulatory body or regulatory bodies;

(b) the state of practice of one or more regulated health professions in the Province, a region of the Province or within one or more private health facilities; or

(c) the activities of a person or organization designated by the Minister under Sections 19, 25 and 26.

(2) A person appointed under subsection (1) has all of the powers, privileges and immunities of a commissioner appointed under the *Public Inquiries Act*, with the exception of the powers of contempt, arrest and imprisonment.

(3) A person appointed under subsection (1) shall comply with any terms of reference the Governor in Council may establish concerning the conduct of the inquiry.

(4) The Minister shall consult with any affected regulatory body before making a recommendation to the Governor in Council under this Section, unless doing so is not practicable in the circumstances.

(5) Costs incurred as a result of the operation of this Section are the responsibility of the regulatory body unless the Governor in Council orders otherwise. 2023, c. 15, s. 21.

Administrator

22 **(1)** The Governor in Council may, on the recommendation of the Minister,

(a) appoint one or more persons as administrators of a regulatory body for a specified term;

(b) authorize the payment of remuneration or expenses out of the regulatory body's funds to any person appointed as an administrator.

(2) Unless the appointment provides otherwise, an administrator has the exclusive right to exercise all of the powers of a regulatory body, its board, officers or committees under this Act, the regulations and the bylaws.

(3) The Governor in Council may specify the powers and duties of an administrator under this Section and any terms and conditions governing those powers.

(4) The Governor in Council may, on the recommendation of the Minister that the administrator is no longer required, terminate the administrator's

appointment before the end of the specified term on terms and conditions that the Governor in Council considers advisable.

(5) The Minister shall consult with any affected regulatory body before making a recommendation to the Governor in Council under this Section, unless doing so is not practicable in the circumstances.

(6) Costs incurred as a result of the operation of this Section are the responsibility of the regulatory body, unless the Governor in Council orders otherwise. 2023, c. 15, s. 22.

JOINT PANELS AND POOLS

Joint panel for statutory committee

23 Subject to the regulations, a regulatory body may use a joint panel for any statutory committee. 2023, c. 15, s. 23.

Membership

24 **(1)** Subject to the regulations, a joint panel must include at least one registrant from the same profession as the individual whose matter is before the committee and one public representative.

(2) Subject to subsection (1), in addition to pool members, a regulatory body may appoint panel members from its registrants.

(3) A public representative or regulated health professional pool member is deemed to be a member of a statutory committee at the time the representative or member is appointed to a panel of the committee and for the duration of the appointment. 2023, c. 15, s. 24.

Pool of public representatives

25 **(1)** The Minister may designate a person or organization to establish and maintain a pool of public representatives to serve on statutory committee panels, including joint panels.

(2) Public representatives are appointed to the pool by the person or organization designated by the Minister. 2023, c. 15, s. 25.

Pool of regulated health professionals

26 **(1)** The Minister may designate a person or organization to establish and maintain a pool of regulated health professionals to serve on statutory committees, including joint panels.

(2) Regulated health professionals are appointed to the pool by the person or organization designated by the Minister. 2023, c. 15, s. 26.

REGISTRATION AND LICENSING

Registers

27 **(1)** The registrar for each regulatory body shall keep the registers for each of the categories of licence overseen by the regulatory body.

(2) Subject to the regulations, a register must include the following information for each registrant:

(a) the name of the registrant;

(b) a unique registration number;

(c) the name and location of education programs attended;

(d) the graduation date from education programs;

(e) the date of entry in the register; and

(f) such other information as set out in the regulations or the bylaws.

(3) A conditional register must include

(a) the information required under subsection (2);

(b) the conditions or restrictions under which a registrant is registered; and

(c) such other information as set out in the regulations or the bylaws.

(4) The registrar shall annotate a registrant's information in a register

(a) when the registration of the registrant is revoked;

(b) when the registrant resigns;

(c) when there is a change in the registrant's name;

(d) when there is an error on the register;

(e) when the registrar determines the registrant no longer meets the criteria for registration; and

(f) under such other circumstances when it is determined appropriate by the registrar.

(5) The Governor in Council may make regulations

(a) respecting a public portal containing all registers for all regulated health professions;

(b) respecting the content of registers. 2023, c. 15, s. 27.

Separate registers and records

28 A registrar shall, in accordance with the regulations and bylaws, keep separate registers and records for each licence category and designation defined in the regulations or bylaws. 2023, c. 15, s. 28.

Name of registrant whose licence expired or suspended

29 The name of a registrant whose licence has expired or been suspended must remain on the relevant register until it is removed in accordance with this Act, the regulations or the bylaws. 2023, c. 15, s. 29.

Registration and licensing committee

30 **(1)** In this Section and Sections 31 to 33, "committee" means the registration and licensing committee or the registration and licensing review committee, as the case may be.

(2) A board shall appoint a registration and licensing committee and a registration and licensing review committee each composed of at least one public representative and such other number of registrants and public representatives as the board determines.

(3) The registration and licensing committee shall perform registration and licensing functions under this Act, the regulations and the bylaws.

(4) The registration and licensing review committee shall perform registration and licensing reviews under this Act, the regulations and the bylaws.

(5) The board shall appoint a chair of a committee. 2023, c. 15, s. 30.

Panel

31 **(1)** Where a matter is referred to a committee, the chair of the committee shall appoint a panel or joint panel of at least three members of the committee to act as the committee, at least one of whom must be a public representative.

(2) The chair of the committee may sit on the panel and shall act as the chair of the panel in that case.

(3) Where the chair of the committee is not appointed to the panel, the chair of the committee shall appoint a chair for the panel. 2023, c. 15, s. 31.

Notice of meeting, quorum, voting and membership

32 **(1)** Failure of one or more committee members to receive notice of a meeting does not invalidate the proceedings at the meeting, and nothing precludes the members from waiving notice of a meeting.

(2) A quorum of a panel of a committee consists of three members, at least one of whom must be a public representative and the remainder of whom must hold such designations as are set out in the bylaws.

(3) A committee decision requires the vote of a majority of the panel of the committee appointed under subsection 31(1).

(4) Where a proceeding is commenced before the committee and the term of office of a member sitting on the committee expires, that member remains part of the committee until the proceeding is concluded. 2023, c. 15, s. 32.

Rights, powers and privileges

33 When performing registration and licensing functions or registration and licensing review functions under this Act, the regulations and the bylaws, the registrar, a committee and each member of the committee have all of the powers, privileges and immunities of a commissioner appointed under the *Public Inquiries Act*, with the exception of the powers of contempt, arrest and imprisonment. 2023, c. 15, s. 33.

Application and criteria for registration

34 An applicant for registration on any register other than a conditional register shall submit an application in accordance with the criteria set out in the regulations. 2023, c. 15, s. 34.

Application and criteria for practising licence

35 **(1)** An applicant for a practising licence shall submit a completed application in a form approved by a registrar together with the criteria set out in the regulations.

(2) In assessing whether an applicant meets the criteria for a practising licence under subsection (1), the registrar may require an applicant to satisfactorily complete such competence assessments and bridging education as determined by the registrar. 2023, c. 15, s. 35.

Registration and licensing decisions by registrar

36 **(1)** After receiving the information required from an applicant for registration or licensing or for renewal of the applicant's licence, a registrar shall

(a) approve the application and issue the registration, licence or renewal of licence if the registrar determines that the criteria have been met;

(b) deny the application if the registrar determines that the applicant does not meet the criteria;

(c) limit the duration of or impose conditions or restrictions on the registration, licence or renewal of licence if the registrar determines that the objects of the regulatory body require the imposition of such limits, conditions or restrictions; or

(d) refer the application to the registration and licensing committee if the registrar determines that there is an issue regarding whether the applicant meets the criteria for registration, licensing or renewal of licence or whether conditions or restrictions should be imposed.

(2) When issuing a licence under this Section, the registrar shall decide the effective term of the licence.

(3) When making a determination under clause (1)(c), the registrar may consider an applicant's non-compliance with a continuing-competence program.

(4) Where the registrar denies the application or imposes conditions or restrictions on the registration, licence or renewal of licence, the registrar shall notify the applicant within 14 days by

(a) providing the applicant with a written decision with reasons; and

(b) informing the applicant of the applicant's right to have the decision reviewed by the registration and licensing review committee as set out in Section 50.

(5) Where the registrar issues the registration, licence or renewal of licence under clause (1)(a) or (c), the registrar shall record the name of the registrant in the relevant register and in the record for the licensing category and designation. 2023, c. 15, s. 36.

Review of application by registration and licensing committee

37 (1) Where an application is referred to a registration and licensing committee either under clause 36(1)(d) or under the regulations or the bylaws, the registration and licensing committee shall review the application and such other information as the registrar provides within the time specified in the regulations.

(2) When considering an application for registration, licensing or the renewal of a licence, the registration and licensing committee may

(a) request that the registrar obtain additional information;

(b) require an applicant to satisfactorily complete such competence assessments and bridging education as determined by the committee; and

(c) extend the term of an applicant's existing registration or licence until it has made a decision. 2023, c. 15, s. 37.

Decision by registration and licensing committee

38 (1) Where the registration and licensing committee determines that an applicant meets the criteria for registration, licensing or renewal of a licence, the committee shall approve the application and direct the registrar to register the applicant or issue or renew the licence and to record the name of the applicant in the appropriate register and in the record for the licensing category and designation.

(2) Where a registration and licensing committee determines that an applicant does not meet the criteria for registration, licensing or renewal of a licence, the committee shall deny the application or impose conditions or restrictions on the licence and notify the applicant by

(a) providing the applicant with a written decision with reasons; and

(b) informing the applicant of the applicant's right to have the decision reviewed by the committee as set out in Section 50. 2023, c. 15, s. 38.

Publication and disclosure

39 (1) A registration and licensing committee and a registration and licensing review committee may direct publication or disclosure of the outcome or a summary of the outcome of the denial of a registration.

(2) Publication under subsection (1) must not include information related to the incapacity of an applicant. 2023, c. 15, s. 39.

Practising licence—permitted activities

40 A registrant who holds a practising licence may

(a) use the titles and abbreviations authorized by this Act and the regulations for the designation for which the registrant has been registered and licensed;

(b) practise within the registrant's individual scope of practice;

(c) practise within any expanded scope of practice that may be approved by the registrar for that registrant in accordance with the process set out in the bylaws;

(d) serve as an appointed member on any committee of the regulatory body;

(e) receive all official publications of the regulatory body;

(f) attend, participate and vote at meetings of the regulatory body; and

(g) enjoy such other privileges as set out in the bylaws. 2023, c. 15, s. 40.

Practising licence—term

41 **(1)** Except as provided in subsection (2), a practising licence remains in effect until the end of the licensing term in which it is issued or such earlier expiry date specified on the licence by the registrar or the committee approving the licence.

(2) A practising licence ceases to be valid if

(a) it is suspended or revoked;

(b) the registrant's registration is revoked;

(c) there are conditions or restrictions placed on the registrant through agreement or as the result of a decision under a regulatory process under this Act; or

(d) the licence is surrendered in accordance with the regulations. 2023, c. 15, s. 41.

Practising licence—renewal

42 In addition to paying the applicable fee and any penalties incurred for late application, a registrant applying to renew a practising licence shall submit a completed application in a form approved by the registrar together with

(a) proof satisfactory to the registrar that the registrant continues to meet the licensing criteria set out in the regulations; and

(b) where the registrant has practised outside the Province in the previous year, proof satisfactory to the registrar that the registrant has no outstanding complaints, prohibitions, conditions or restrictions that would preclude the issuing of a practising licence in the Province. 2023, c. 15, s. 42.

Conditional licence

43 A registrar shall issue a conditional licence and record the registrant's name as holding a conditional licence in a specified designation if

(a) the registrant meets the licensing requirements set out in the regulations, with the exception of any requirement relating to having no conditions or restrictions on the registrant's ability to practise from any registration or licensing authority, and the registrar determines it is consistent with the objects of the regulatory body to issue a licence subject to conditions or restrictions; or

(b) the registrant does not meet the licensing requirements set out in the regulations, but conditions or restrictions have been agreed upon or imposed by the registrar, the registration and licensing committee or the registration and licensing review committee or as a result of a decision of a statutory committee under this Act or the regulations. 2023, c. 15, s. 43.

Conditional licence—permitted activities

44 A registrant who holds a conditional licence has all of the privileges set out in Section 40, except to the extent that the restrictions or conditions modify those privileges. 2023, c. 15, s. 44.

Conditional licence—term

45 **(1)** Except as provided in subsection (2), a conditional licence remains in effect until the end of the licensing term, or such earlier expiry date specified on the conditional licence by the registrar or the committee issuing the licence.

(2) A conditional licence ceases to be valid if

(a) the licence is suspended or revoked;

(b) the registrant's registration is revoked;

(c) the registrant fails to comply with the conditions or restrictions on the registrant's licence;

(d) the licence is changed through the imposition of different conditions or restrictions; or

(e) the licence is surrendered in accordance with the regulations. 2023, c. 15, s. 45.

Conditional licence—renewal

46 In addition to paying the applicable fee and any penalties incurred for late application, a registrant applying to renew a conditional licence shall submit a completed application on a form approved by the registrar together with

(a) proof satisfactory to the registrar that the registrant continues to meet the licensing criteria set out in Section 43; and

(b) where the registrant practised outside the Province in the previous year, proof satisfactory to the registrar respecting any outstanding complaints, prohibitions, conditions or restrictions, to enable the registrar to determine the conditions or restrictions required. 2023, c. 15, s. 46.

No review or appeal of conditions or restrictions

47 Conditions or restrictions agreed upon or ordered by a complaints committee, a professional conduct committee, a fitness-to-practise committee or a reinstatement committee may not be reviewed or appealed when a registrant applies

for the renewal of the registrant's conditional licence, and the relevant committee retains jurisdiction over any conditions or restrictions imposed by it. 2023, c. 15, s. 47.

Restrictions or conditions remain in effect

48 Restrictions or conditions imposed on a conditional licence that have not expired remain in effect on any new licence issued to the registrant. 2023, c. 15, s. 48.

Public record

49 Where the right of a registrant to practise has been limited by the imposition of conditions or restrictions under this Act or the regulations, particulars of all conditions or restrictions imposed on that person must be noted in the records of the regulatory body and may be disclosed to the public in accordance with this Act unless a publication ban has been imposed by the registrar or committee imposing the conditions or restrictions. 2023, c. 15, s. 49.

Written reasons for decision and request for review

50 **(1)** Where an applicant or registrant

(a) has been refused registration;

(b) has been refused a licence;

(c) has been refused the renewal of a licence; or

(d) has conditions or restrictions imposed on a registration or licence,

the applicant or registrant must be provided with written reasons for such decision by the decision maker, and the applicant or registrant may, by written notice to the registrar sent within 30 days of receipt of the written reasons, seek a review of that decision by the registration and licensing review committee.

(2) An applicant requesting a review shall

(a) stipulate the grounds for review; and

(b) pay the applicable fee.

(3) The fee paid under clause (2)(b) must be refunded to the applicant if the review results in the granting of registration or the issuing of a licence. 2023, c. 15, s. 50.

Information to be provided for review

51 As soon as practicable after receipt of a request for a review, a registrar shall provide the registration and licensing review committee and the applicant with

(a) a copy of the written decision being reviewed;

(b) a copy of all records relating to the application in the possession of the regulatory body, subject to any lawful restrictions; and

(c) any additional written information the registrar considers necessary. 2023, c. 15, s. 51.

Procedures of registration and licensing review committee

52 **(1)** A registration and licensing review committee may determine its own procedures, which may include

(a) ordering pre-review processes, including pre-review conferences that are held in private, and directing the times, dates and places for those processes;

(b) ordering that a review, parts of such review or a pre-review process under clause (a) be conducted using a means of telecommunication that permits the parties and the committee to communicate simultaneously;

(c) administering oaths and affirmations;

(d) receiving and accepting any evidence and information on oath or affirmation, by affidavit or otherwise as the registration and licensing review committee considers fit, whether or not admissible in a court of law;

(e) adjourning or postponing a proceeding;

(f) amending or permitting the amendment of any document filed in connection with the proceeding;

(g) requesting that the registrar obtain additional information;

(h) extending the term of a registrant's existing registration or licence until it has made a decision; and

(i) such other procedures the committee deems consistent with the objects of the regulatory body.

(2) The registration and licensing review committee may determine whether a review is to be conducted through written submissions or whether the parties have a right of attendance before the committee for the presentation of evidence or to make submissions. 2023, c. 15, s. 52.

Attendance at review

53 Where a registration and licensing review committee determines to grant a right of attendance, the committee shall fix a reasonable time and place for the review and determine whether the right of attendance will be for submissions only or for the presentation of evidence. 2023, c. 15, s. 53.

Written notice of review

54 A registrar shall provide written notice of a review process that requires the applicant's attendance to the applicant at least 14 days before the date set for the review. 2023, c. 15, s. 54.

Conduct of review

55 **(1)** The parties to a review are the regulatory body and the applicant.

(2) In proceedings before a registration and licensing review committee, the parties have the right to

(a) representation by legal counsel at their own expense;

(b) where the committee has determined to grant a right of attendance, the opportunity to present evidence, if the right of attendance is for the presentation of evidence, and make submissions; and

(c) disclosure of all relevant information and documents.

(3) The applicant is a compellable witness in a review.

(4) Where evidence or submissions are presented during a review, the proceedings must be electronically recorded.

(5) Subject to the regulations, where requested by a party, the registration and licensing review committee may impose a publication ban at any time during a review, or on some or all of its decision, subject to such terms and conditions as determined by the committee. 2023, c. 15, s. 55.

Evidence at review

56 (1) Subject to subsection (2), evidence is not admissible at a review unless the opposing party has been given, at least 10 days before the date of the review,

(a) for written or documentary evidence, an opportunity to examine the evidence;

(b) for expert evidence, the expert's qualifications and a copy of the expert's written report or, where there is no written report, a written summary of the evidence; and

(c) the identity of any other witness and a summary of the witness's anticipated evidence.

(2) The registration and licensing review committee may allow the introduction of evidence that would be otherwise inadmissible and may make any directions it considers necessary to ensure that a party is not prejudiced by the admission of that evidence. 2023, c. 15, s. 56.

Failure to attend

57 Where an applicant fails to attend a review, the registration and licensing review committee may proceed with the review in the applicant's absence and take any action authorized under this Act and the regulations. 2023, c. 15, s. 57.

Decision of registration and licensing review committee

58 (1) A registration and licensing review committee shall render its decision with reasons as soon as practicable after

(a) the completion of an oral review; or

(b) where no oral review is held, completion of its review of the written evidence and written submissions.

(2) The registration and licensing review committee may make any decision the registrar or the registration and licensing committee could have made with respect to the application, and may

(a) order the imposition of conditions or restrictions on the registration or licence of the applicant; and

(b) assess costs to be paid by the applicant if the application for review is denied.

(3) A determination of the registration and licensing review committee is final. 2023, c. 15, s. 58.

Waiver of criteria for registration, licensing or renewal

59 A registrar, a registration and licensing committee and a registration and licensing review committee may waive any of the criteria for registration, licensing or renewal of a licence if

(a) it is required by law; or

(b) it is consistent with the objects of the regulatory body. 2023, c. 15, s. 59.

PRACTICE

Duties of registrant

60 **(1)** A registrant shall

(a) comply with this Act and the regulations, bylaws, code of ethics and standards of practice;

(b) co-operate with the regulatory body, the registrar and any committees of the regulatory body with respect to any regulatory process or requirements under this Act, the regulations and the bylaws;

(c) maintain current contact information with the regulatory body;

(d) maintain a record of practice hours;

(e) maintain such professional liability insurance or other form of malpractice coverage or liability protection as required by the board;

(f) practise only within

(i) the registrant's individual scope of practice and scope of practice of the designation held by that registrant,

(ii) any terms, conditions or restrictions of the registrant's licence, and

(iii) any expanded scope of practice authorized for that registrant in accordance with this Act, the regulations and the bylaws;

(g) report to the registrar if the registrant has reasonable grounds to believe that another registrant

(i) has engaged in professional misconduct, incompetence or conduct unbecoming the profession,

(ii) is incapacitated, or

(iii) is practising in a manner that otherwise constitutes a danger to the public; and

(h) report to the regulatory body of another health profession if the registrant has reasonable grounds to believe that a member of that profession

(i) has engaged in professional misconduct, incompetence or conduct unbecoming the profession as those terms apply to that profession,

(ii) is incapacitated, or

(iii) is practising in a manner that otherwise constitutes a danger to the public.

(2) No action for damages or other relief lies against a registrant for any report made under clause (1)(g) or (h) if such report was made in good faith. 2023, c. 15, s. 60.

Charges or other proceedings

61 **(1)** Notwithstanding anything contained in this Act or the regulations, where a person

(a) has been charged with, pleaded guilty to or been convicted of any offence in or outside Canada that is inconsistent with the proper professional behaviour of a registrant, including a conviction under

(i) the *Criminal Code* (Canada),

(ii) the *Controlled Drugs and Substances Act* (Canada), or

(iii) such other legislation as prescribed;

(b) has been found guilty of a disciplinary finding in another jurisdiction;

(c) has had a licensing sanction imposed by another jurisdiction; or

(d) is the subject of an investigation or disciplinary process in any jurisdiction,

and the person is a registrant or applies for registration or a licence or the renewal of a licence, the registrar may, by such notice as the registrar prescribes, require the person to attend a meeting before the complaints committee or, where the person is not a registrant, the registration and licensing committee, to fully disclose the facts and circumstances of any of the matters referred in clauses (a) to (d).

(2) Clause (1)(a) does not apply to a person with respect to a matter for which a pardon has been issued or a record suspension has been ordered.

(3) After hearing from a person under subsection (1), the committee may take any of the actions authorized to be taken by the committee under this Act or the regulations.

(4) For the purpose of subsection (1), a certificate of conviction of a person is conclusive evidence that the person has committed the offence stated in the certificate, unless it is proved that the conviction has been quashed or set aside.

(5) Where any of the criteria set out in subsection (1) apply to a registrant or to a person seeking registration, a licence or the renewal of a licence, the registrant or person seeking registration or a licence shall report the matter to the registrar immediately. 2023, c. 15, s. 61.

Application and criteria for non-registrant to practise

62 **(1)** A person, other than a registrant, who is seeking to practise a regulated health profession in the Province and

(a) intends to practise for a limited time and purpose in the Province; or

(b) is a student enrolled in an education program other than an approved education program,

shall apply to the registrar in such form as set out by the registrar and must

(c) meet the criteria approved by the registrar;

(d) agree to such terms, conditions or restrictions as may be imposed by the registrar; and

(e) receive approval from the registrar before engaging in the practice of the profession.

(2) The registrar may withdraw the approval granted under subsection (1) if the registrar believes it is in the public interest to do so.

(3) A person other than a registrant or person specified in subsection (1) may engage in the practice of the profession in the Province if

(a) the person is a student enrolled in an approved education program and is authorized by the administrators of that program to engage in practice as part of such program, and the student's practice is carried out in accordance with approvals or conditions, if any, required by the registrar;

(b) the person is permitted to engage in practice as otherwise provided in this Act, the regulations or the bylaws; or

(c) the person is exempt from this Act as set out in Section 164 or the regulations. 2023, c. 15, s. 62.

Sanctions or complaints from practice outside Province

63 **(1)** A registrant who engages in practice outside the Province, who was subject to any licensing sanctions while outside the Province or who has outstanding complaints or allegations of incapacity from outside the Province, shall not engage in practice on the registrant's return to the Province before providing the registrar with notice of such licensing sanctions, complaints or allegations, and receiving notice from the registrar that the registrant is authorized to resume practice in the Province.

(2) Where the registrar receives notice under subsection (1), the registrar may

(a) initiate a complaint;

(b) with the consent of the registrant, refer the matter to the fitness-to-practise committee;

(c) reach agreement with the registrant on conditions or restrictions on the registrant's licence; or

(d) impose conditions or restrictions on the registrant's licence, and notify the registrant of the registrant's right of review under Section 50. 2023, c. 15, s. 63.

PROFESSIONAL CONDUCT

Professional conduct process

64 **(1)** In accordance with the objects of a regulatory body, the purpose of the professional conduct process is to address professional misconduct, conduct unbecoming the profession, incompetence and, unless addressed through the fitness-to-practise process, incapacity.

(2) The regulatory body shall investigate, on its own initiative or on the complaint of a person, alleged instances of misconduct, conduct unbecoming the profession, incompetence or incapacity and, where appropriate, dispose of the matter in accordance with this Act, the regulations and the bylaws.

(3) Except where considered prejudicial to the attainment of the objects of the regulatory body, the professional conduct process must take into account the potential for the rehabilitation of the respondent.

(4) The registrar, investigators, the complaints committee, the professional conduct committee, the reinstatement committee and the chairs of those committees shall perform such functions and have such authority as is set out in this Act, the regulations and the bylaws.

(5) A complaints, professional conduct or reinstatement committee member whose term of office expires remains a member of the committee until a new member is appointed or the member is reappointed. 2023, c. 15, s. 64.

Preservation of jurisdiction

65 Where a person ceases to be registered or licensed for any reason by a regulatory body, such person remains subject to the jurisdiction of the regulatory body for the purpose of the professional conduct process if the subject-matter of the professional conduct process arose out of the person's conduct while registered or licensed. 2023, c. 15, s. 65.

Complaints committee

66 **(1)** A board shall appoint a complaints committee composed of at least one public representative and such other number of registrants and public representatives as the board determines.

(2) A board shall appoint a chair and a vice-chair of the committee.

(3) The vice-chair shall act as chair in the absence of the chair.

(4) Where neither the chair nor the vice-chair is available for the purpose of subsection 67(1) or (3), the chair may appoint another member of the committee to chair the committee. 2023, c. 15, s. 66.

Panel

67 **(1)** Upon receipt of a referral or a request for a review of a complaint, the chair of the complaints committee shall appoint a panel or joint panel of at least three members of the committee to act as the committee, at least one of whom must be a public representative.

(2) The chair of the complaints committee may sit on the panel and shall act as the chair of the panel in that case.

(3) Where the chair of the complaints committee is not appointed to the panel, the chair of the complaints committee shall appoint a chair for the panel. 2023, c. 15, s. 67.

Notice of meeting, quorum, voting and membership

68 **(1)** Failure of one or more complaints committee members to receive notice of a meeting does not invalidate the proceedings at the meeting, and nothing precludes the members from waiving notice of a meeting.

(2) A quorum of the complaints committee consists of any two members of the panel appointed under subsection 67(1), at least one of whom must be a public representative and the remainder of whom must hold such designations as set out in the bylaws.

(3) A decision of the complaints committee requires the vote of a majority of the panel of the committee appointed under subsection 67(1).

(4) Where a proceeding is commenced before the complaints committee and the term of office of a member sitting on the committee expires, that member remains part of the committee until the proceeding is concluded. 2023, c. 15, s. 68.

Rights, powers and privileges

69 When performing their functions as set out in this Act, the regulations and the bylaws, the registrar, an investigator and the members of a complaints committee have all the rights, powers, privileges and immunities of a commissioner appointed under the *Public Inquiries Act*, with the exception of the powers of contempt, arrest and imprisonment. 2023, c. 15, s. 69.

Initiation of complaint

70 **(1)** A complaint may be initiated by

(a) a registrar;

(b) a committee of the regulatory body; or

(c) any other person.

(2) Where the registrar and the complainant agree, a complaint may be withdrawn. 2023, c. 15, s. 70.

Duties of registrar upon receiving complaint

71 **(1)** On receiving a complaint, and prior to investigating, a registrar shall

(a) dismiss the complaint and notify the complainant and the respondent of this disposition if the registrar decides that

(i) the complaint is not within the jurisdiction of the regulatory body,

(ii) the complaint cannot be substantiated,

(iii) the complaint is frivolous or vexatious,

(iv) the complaint constitutes an abuse of process,

(v) the facts alleged, even if proven, do not constitute professional misconduct, conduct unbecoming the profession, incompetence or incapacity, or would not merit a caution, or

(vi) the processing of the complaint would not advance the objects of the regulatory body;

(b) informally resolve the complaint if the registrar considers that it may be satisfactorily resolved consistent with the objects of the regulatory body;

(c) subject to the regulations, refer the matter to another form of dispute resolution;

(d) authorize the resignation of the respondent;

(e) where the respondent and the registrar agree, refer the matter to the fitness-to-practise process; or

(f) begin an investigation and send a copy of the complaint to the respondent.

(2) Where the registrar dismisses the complaint, the registrar may provide written advice relevant to the complaint to

(a) the respondent;

(b) the complainant; and

(c) a person or organization affected by the complaint.

(3) The registrar shall provide a copy of any written advice provided under clause (2)(b) or (c) to the respondent. 2023, c. 15, s. 71.

Investigation of complaint

72 **(1)** A registrar may appoint an investigator to conduct an investigation.

(2) When investigating a complaint, the registrar or the investigator may

(a) require the respondent to provide a written or oral response to the matters under investigation within such time as directed;

(b) request documents and written or oral explanations from the complainant, the respondent or third parties;

(c) request an interview with the complainant, the respondent or third parties; and

(d) with the respondent's consent,

(i) where the registrar has reasonable or probable grounds to believe that the respondent has an issue of incapacity, require the respondent to submit to physical or mental examinations by a qualified person or persons designated by the registrar, and authorize the reports from the examinations to be given to the registrar,

(ii) order a review or audit of the respondent's practice by a qualified person or persons designated by the registrar, and authorize a copy of the review or audit to be given to the registrar, and

(iii) complete a competence assessment to determine whether the respondent is competent to practise, and authorize the assessment report to be given to the registrar.

(3) An investigator, the registrar or the complaints committee may investigate any matter relating to the respondent that arises in the course of the investigation, in addition to the complaint, that may constitute

(a) professional misconduct;

(b) conduct unbecoming the profession;

(c) incompetence; or

(d) incapacity.

(4) A respondent may submit medical and any other information relevant to the complaint to the registrar, an investigator or the complaints committee. 2023, c. 15, s. 72.

Conclusion of investigation

73 **(1)** At the conclusion of an investigation, a registrar shall take into account the results of the investigation and

(a) dismiss the complaint and notify the complainant and the respondent if the registrar decides that any of the criteria in clause 71(1)(a) apply;

(b) informally resolve the complaint if the registrar considers that would be consistent with the objects of the regulatory body;

(c) subject to the regulations, refer the matter to another form of dispute resolution;

(d) authorize the resignation of the respondent;

(e) where the matter may involve incapacity and the respondent agrees, refer the matter to the fitness-to-practise process; or

(f) refer the matter under investigation to the complaints committee.

(2) The registrar may provide written advice relevant to the complaint to

(a) the respondent;

(b) the complainant; and

(c) a person or organization affected by the complaint.

(3) The registrar shall provide a copy of any written advice provided under clause (2)(b) or (c) to the respondent. 2023, c. 15, s. 73.

Fine for practising without licence

74 (1) Where a registrar is satisfied that a registrant has engaged in practice without a valid licence, the registrar may fine the registrant an amount as set out in the bylaws.

(2) A fine imposed on a registrant under subsection (1) is not a licensing sanction against the registrant and may not be reported on a certificate of standing sent to other regulatory bodies.

(3) Where a registrant fails to pay a fine imposed under subsection (1), the registrar shall refer the matter to the complaints committee. 2023, c. 15, s. 74.

Suspension of licence or ability to obtain licence

75 (1) On receipt of a referral under subsection 74(3), the complaints committee may direct the registrar to suspend the registrant's licence or suspend the ability of the registrant to obtain a licence until the fine is paid, together with any reinstatement fee ordered by the complaints committee.

(2) The registrar shall suspend the registrant's licence or ability to obtain a licence in accordance with the direction of the complaints committee under subsection (1). 2023, c. 15, s. 75.

Publication of suspension

76 A registrar may take such steps, at the expense of a registrant who has been suspended for nonpayment of a fine under Section 74, to bring the suspension to the attention of the public and other affected individuals as the registrar considers necessary. 2023, c. 15, s. 76.

Request for review

77 (1) No later than 30 days after a complainant is notified of a dismissal by a registrar under clause 71(1)(a) or 73(1)(a), the complainant may submit a written request for review of the dismissal to the registrar.

(2) Upon receipt of a request under subsection (1), the registrar shall send the request to

(a) the respondent; and

(b) the chair of the complaints committee.

(3) On receipt of a request for review of a complaint dismissal under subsection (2), the chair of the complaints committee shall appoint a panel of the complaints committee to review the dismissal. 2023, c. 15, s. 77.

Decision of complaints committee

78 **(1)** After reviewing a complaint referred under subsection 77(1), any other material considered by the registrar when making the decision to dismiss and the registrar's decision, the complaints committee may

(a) confirm the dismissal of some or all of the complaint; or

(b) overturn the dismissal of some or all of the complaint and

(i) order an investigation of any aspects of the complaint that have not been dismissed, and

(ii) refer the matter to be considered by a differently constituted complaints committee panel under subsection 67(1).

(2) The complaints committee shall render its decision on a review under subsection (1), in writing and with reasons, and provide a copy of the decision as soon as practicable to

(a) the registrar;

(b) the complainant; and

(c) the respondent. 2023, c. 15, s. 78.

Decision of complaints committee final

79 A decision of a complaints committee under Section 78 is final. 2023, c. 15, s. 79.

Referral of complaint to complaints committee

80 A registrar may refer a complaint to the complaints committee at any time during an investigation for the complaints committee to

(a) provide direction with regard to the investigation; or

(b) exercise any of the powers conferred upon it under this Act and the regulations. 2023, c. 15, s. 80.

Procedure and jurisdiction of complaints committee

81 **(1)** A complaints committee may set its own procedure for investigations and the review of complaints.

(2) Once a matter is referred to the complaints committee, the committee retains jurisdiction over it until

(a) a hearing commences before the professional conduct committee;

(b) the complaints committee recommends a settlement agreement to the professional conduct committee; or

(c) where the matter may involve incapacity and the respondent and the registrar agree, the complaints committee refers the matter to the fitness-to-practise process. 2023, c. 15, s. 81.

Powers of complaints committee

82 **(1)** At any time before the disposition of a complaint, a complaints committee may

(a) direct any investigation the committee considers necessary;

(b) receive information in addition to the information from an investigator if the information is relevant to the matters before it;

(c) require the respondent to provide a written response to the matters under investigation within such time as directed by the committee;

(d) where the matter may involve incapacity and the respondent and the registrar agree, refer the matter to the fitness-to-practise process;

(e) interview such persons as the committee in its discretion deems relevant, including the respondent; and

(f) impose a publication ban on information that may be subject to confidentiality under this Act.

(2) Where the complaints committee receives additional information under clause (1)(b), the respondent must be given an opportunity to respond to the information before the committee's final disposition of the matter. 2023, c. 15, s. 82.

Rights of respondent

83 A respondent to a complaint has the right to

(a) be represented by legal counsel, a union representative or another representative at the respondent's own expense;

(b) notice of any matters under investigation;

(c) a reasonable opportunity to present a response and make submissions in such form as determined by the committee;

(d) such other information as natural justice requires; and

(e) such other information as determined by the registrar. 2023, c. 15, s. 83.

Disposition of complaint

84 (1) Where a matter is referred to a complaints committee, the committee may

(a) dismiss the complaint and provide any guidance the committee considers useful to the complainant, the respondent or any other person associated with the complaint if the committee determines that

(i) the complaint is outside the jurisdiction of the regulatory body,

(ii) the complaint cannot be substantiated,

(iii) the complaint is frivolous or vexatious,

(iv) the complaint constitutes an abuse of process,

(v) the facts alleged, even if proven, would not constitute professional misconduct, conduct unbecoming the profession, incompetence or incapacity, or would not merit a caution, or

(vi) the processing of the complaint would not advance the objects of the regulatory body;

(b) require the respondent to

(i) submit to physical or mental examinations by a qualified person or persons designated by the committee, and authorize the reports from the examinations to be given to the committee,

(ii) submit to a review or audit of the respondent's practice by a qualified person or persons designated by the committee, and authorize a copy of the review or audit to be given to the committee,

(iii) complete a competence assessment as directed by the committee to determine whether the respondent is competent to practise, and authorize the assessment report to be given to the committee, or

(iv) produce any records or documents kept respecting the respondent's practice that the committee deems relevant;

(c) informally resolve the complaint, including authorizing the respondent's resignation from the register and any relevant category of licensing;

(d) subject to the regulations, refer the matter to another form of dispute resolution;

(e) caution the respondent;

(f) with the respondent's consent, order that the respondent receive a reprimand and that the reprimand be communicated to the respondent, the complainant and any other person the committee considers appropriate;

(g) with the respondent's consent, impose conditions or restrictions, or both, on the respondent's registration or licence;

(h) where the matter may involve incapacity, and the respondent and the registrar agree, refer the matter to the fitness-to-practise process; and

(i) where a determination is made that the matter warrants a hearing, refer the matter to the professional conduct committee.

(2) Unless it dismisses a complaint under clause (1)(a), the complaints committee shall give the respondent a reasonable opportunity to appear before the committee, and may request other persons to appear before it before it disposes of a complaint.

(3) An informal resolution under clause (1)(c) may include costs if the parties agree.

(4) A disposition issued under clause (1)(e) or (f) may include costs. 2023, c. 15, s. 84.

Suspension or restriction of respondent's licence

85 Where a respondent fails to comply with requirements under clause 84(1)(b) or otherwise fails to comply with any direction from a complaints committee or a professional conduct committee, the complaints committee may suspend or restrict the respondent's licence until the suspension or restriction is lifted, superseded or annulled by the complaints committee or the professional conduct committee, respectively. 2023, c. 15, s. 85.

Expenses incurred by respondent

86 Expenses incurred by a respondent to comply with a requirement under clause 84(1)(b) must be paid by the regulatory body but may be awarded as costs against the respondent under Section 153. 2023, c. 15, s. 86.

Proposed settlement agreement

87 **(1)** Where a matter has been referred to a professional conduct committee under clause 84(1)(i), the regulatory body or the respondent may submit a proposed settlement agreement to the other party for consideration as a means of resolving the matter.

(2) A proposed settlement agreement must include

(a) sufficient facts to provide context for the admissions of the respondent;

(b) an admission by the respondent to one or more of the matters referred to the professional conduct committee;

(c) the respondent's consent to a specified disposition, conditional upon the acceptance of the settlement agreement by the professional conduct committee assigned to review the proposed settlement agreement; and

(d) an agreement on the amount of costs to be paid and the timing for such payment.

(3) Where the respondent and the registrar agree to the proposed terms of a settlement agreement, the proposed agreement must be processed in accordance with the procedure set out in the regulations.

(4) The complaints committee and the professional conduct committee have the authority to address the proposed settlement agreement as set out in the regulations. 2023, c. 15, s. 87.

Decision of complaints committee

88 (1) Once the complaints committee has completed its investigation, it shall issue a written decision, with reasons, and direct the registrar, subject to any publication bans ordered by the committee, to send

(a) a copy of the written decision to the respondent;

(b) a copy of the written decision or a summary of the decision to the complainant; and

(c) some or all of the written decision, or a summary of the decision, to such other persons as the complaints committee determines.

(2) Where the decision of the complaints committee involves a licensing sanction, the committee shall forward the decision to the registrar for publication in accordance with Section 114. 2023, c. 15, s. 88.

Powers pending or following investigation

89 (1) Notwithstanding any other provision of this Act, where a complaints committee finds there are reasonable and probable grounds to believe that

(a) a respondent is exposing or likely to expose the public, clients, the profession or the registrant to harm or injury; and

(b) intervention is required prior to the disposition of the matter by the complaints committee or the professional conduct committee,

the complaints committee may, at its discretion, pending or following the completion of an investigation,

(c) suspend the respondent's licence;

(d) impose restrictions or conditions on the respondent's licence; or

(e) where a respondent does not hold a current licence, suspend the ability of the respondent to obtain a licence,

until the suspension, restrictions or conditions are lifted, superseded or annulled by the complaints committee or the professional conduct committee, as the case may be.

(2) The respondent must receive, forthwith, notice in writing, with reasons for a decision made under subsection (1).

(3) Within 30 days of receiving written notice under subsection (2), a respondent may request, in writing, an opportunity to meet with the complaints committee.

(4) Where a request is received under subsection (3), the complaints committee shall

(a) provide an opportunity for the respondent to meet with the committee within 10 days of receiving the written request; and

(b) after meeting with the respondent, confirm, vary or terminate the suspension, restrictions or conditions imposed under subsection (1).

(5) Where a meeting is held under subsection (4), the respondent has the right to

(a) be represented by legal counsel, a union representative or another representative at the respondent's own expense;

(b) disclosure of the complaint, any written report of an investigator provided to the complaints committee and any other document produced or received by the committee; and

(c) a reasonable opportunity to present a response and make submissions.

(6) Where the complaints committee makes a decision under subsection (1), it shall provide a copy of the decision to the respondent and shall determine whether any aspects of its decision should be provided to other affected individuals, other regulatory bodies in other jurisdictions, any past, present or intended employer of the respondent and the public.

(7) The complaints committee may set its own procedures for matters involving the exercise of its authority under this Section. 2023, c. 15, s. 89.

Professional conduct committee

90 (1) A board shall appoint a professional conduct committee composed of at least one public representative and such other number of registrants and public representatives as the board determines.

(2) A board shall appoint a chair and a vice-chair of its professional conduct committee.

(3) The vice-chair shall act as chair in the absence of the chair.

(4) Where neither the chair nor the vice-chair is available for the purpose of subsection 91(1) or (3), the chair may, for such purpose, appoint a member of the professional conduct committee as chair of the committee. 2023, c. 15, s. 90.

Panel

91 (1) Where the complaints committee refers a matter to the professional conduct committee, the chair of the professional conduct committee shall appoint a panel or joint panel to act as the professional conduct committee, consisting of at least three persons from the professional conduct committee, one of whom must be a public representative.

(2) The chair of the professional conduct committee may sit on the panel and shall act as the chair of the panel in that event.

(3) Where the chair of the professional conduct committee is not appointed to the panel, the chair shall appoint a chair for the panel. 2023, c. 15, s. 91.

Notice of meeting, quorum, voting and membership

92 (1) Failure of one or more professional conduct committee members to receive notice of a meeting does not invalidate the proceedings at the meeting, and nothing precludes committee members from waiving notice of a meeting.

(2) A quorum of the professional conduct committee consists of any three members of the panel appointed under subsection 91(1), at least one of whom must be a public representative and the remainder of whom must hold such designations as set out in the bylaws.

(3) A decision of the professional conduct committee requires the vote of a majority of the panel of the committee appointed under subsection 91(1).

(4) Where a proceeding is commenced before the professional conduct committee and the term of office of a person sitting on the committee expires, that person remains part of the professional conduct committee until the proceeding is concluded. 2023, c. 15, s. 92.

Rights, powers and privileges

93 When performing their functions as set out in this Act, the regulations and the bylaws, the members of the professional conduct committee have all the rights, powers, privileges and immunities of a commissioner appointed under the *Public Inquiries Act*, with the exception of the powers of contempt, arrest and imprisonment. 2023, c. 15, s. 93.

Hearing

94 (1) Where the complaints committee refers a matter to the professional conduct committee, the registrar shall fix a date, time and place for a hearing, which must commence on such date as the respondent and the registrar may agree.

(2) Where the respondent and registrar cannot agree on a date under subsection (1), the professional conduct committee may set the date following an opportunity for submissions on the matter from both parties.

(3) A notice of hearing, containing such information as required by the bylaws, must be forwarded by the registrar to the respondent and the complainant at least 30 days prior to the hearing, or such other date as the respondent and the registrar may agree or the professional conduct committee may order, following an opportunity for submissions from both parties as to such date. 2023, c. 15, s. 94.

Amendment to notice of hearing

95 (1) At any time before or during a hearing, a professional conduct committee may, on its own motion or on the motion of a party to the hearing, amend the notice of hearing to

(a) correct a defect in substance or form; or

(b) make the notice conform to the evidence if there appears to be a difference between the evidence and the notice or if the evidence discloses that any of the following may be established during the hearing that is not stated in the notice:

(i) professional misconduct,

(ii) conduct unbecoming the profession,

(iii) incapacity, or

(iv) incompetence.

(2) A respondent must be given an opportunity to respond to an amendment to a notice of hearing made under subsection (1).

(3) After receiving the respondent's response under subsection (2), the professional conduct committee may

(a) approve the amendment, subject to such terms and conditions that the committee deems appropriate; or

(b) decide that an amendment or alteration to the notice of hearing should not be made and may refer any new allegations to the registrar for processing as a new complaint under this Act and the regulations. 2023, c. 15, s. 95.

Service of documents and hearing in respondent's absence

96 **(1)** A document required to be served or provided to a respondent or other person is deemed to be served or provided if the process set out in the bylaws is followed.

(2) After receiving proof of service of the notice of hearing in accordance with the bylaws, a professional conduct committee may proceed with the hearing in the respondent's absence and take any action authorized under this Act and the regulations without further notice to the respondent. 2023, c. 15, s. 96.

Public notice of hearing

97 A registrar shall give public notice of a scheduled hearing through its website or any alternative means the registrar considers appropriate, including notice of

(a) the date, time and location of the hearing;

(b) an application for an order to exclude the public under Section 98; and

(c) such other information as may be set out in the bylaws. 2023, c. 15, s. 97.

Attendance at hearing

98 **(1)** Except as provided in this Section, a hearing is open to the public.

(2) At the request of a party, the professional conduct committee may order that the public, in whole or in part, be excluded from a hearing or any part of it if the professional conduct committee is satisfied that

(a) personal, medical, financial or other matters that may be disclosed at the hearing are of such a nature that avoiding public disclosure of those matters in the interest of the public or any person affected outweighs adhering to the principle that hearings should be open to the public;

(b) the safety of any person may be jeopardized by permitting public attendance; or

(c) the integrity of the hearing process may be compromised.

(3) The professional conduct committee may order that the public be excluded from a part of a hearing that deals with a request for an order to exclude the public under subsection (2).

(4) The professional conduct committee may make any order that it considers necessary, including an order prohibiting publication or broadcasting, to prevent the public disclosure of matters disclosed in the professional conduct process or in a part of a hearing dealing with an order under subsection (2) or (3). 2023, c. 15, s. 98.

Parties to a hearing

99 (1) The parties to a hearing are the regulatory body and the respondent.

(2) For greater certainty, a complainant is not a party to a hearing. 2023, c. 15, s. 99.

Referral to fitness-to-practise committee

100 Where a complaint may involve incapacity, and the respondent and the registrar agree, the professional conduct committee may refer the matter to the fitness-to-practise committee. 2023, c. 15, s. 100.

Professional conduct committee procedures

101 The professional conduct committee may determine its own procedures provided they are consistent with this Act, the regulations and the bylaws, and it is not bound by the rules of evidence. 2023, c. 15, s. 101.

Oath or affirmation

102 (1) Witnesses at a hearing must testify under oath or affirmation.

(2) An oath or affirmation may be administered by any member of a professional conduct committee or other person in attendance authorized by law to administer oaths or affirmations. 2023, c. 15, s. 102.

Rights of parties before professional conduct committee

103 In a proceeding before a professional conduct committee, the parties have the right to

(a) natural justice;

(b) be represented by legal counsel, a union representative or another representative at the party's own expense;

(c) the opportunity to present evidence, make submissions and cross-examine witnesses;

(d) know all the evidence considered by the committee; and

(e) receive written reasons for a decision within 90 days of the conclusion of the hearing. 2023, c. 15, s. 103.

Evidence

104 **(1)** Subject to subsections (2) and (3), evidence is not admissible before the professional conduct committee unless, at least 10 days before a hearing, the opposing party has been given

(a) for written or documentary evidence, an opportunity to examine the evidence;

(b) for expert evidence, the expert's qualifications and a copy of the expert's written report or, where there is no written report, a written summary of the evidence; and

(c) the identity of any other witness and a summary of the witness's anticipated evidence.

(2) The professional conduct committee may extend beyond 10 days the time required for an opposing party to be provided with evidence under clause (1)(b).

(3) The professional conduct committee may, in its discretion, allow the introduction of evidence that is otherwise inadmissible under subsection (1) and may make directions it considers necessary to ensure that a party is not prejudiced. 2023, c. 15, s. 104.

Powers of professional conduct committee during hearing

105 **(1)** During a hearing, a professional conduct committee may order the respondent to

(a) submit to physical or mental examinations by a qualified person or persons designated by the committee, and authorize the reports from the examinations to be given to the committee;

(b) submit to a review or audit of the respondent's practice by a qualified person or persons designated by the committee, and authorize a copy of the review or audit to be given to the committee;

(c) complete a competence assessment as directed by the committee to determine whether the respondent is competent to practise and authorize the assessment report to be given to the committee; and

(d) produce records or documents kept respecting the respondent's practice that the committee deems relevant.

(2) Where a respondent fails to comply with a requirement under subsection (1), the professional conduct committee may suspend the respondent's licence or ability to apply for a licence until the respondent complies. 2023, c. 15, s. 105.

Expenses

106 Expenses incurred by a respondent to comply with a requirement under subsection 105(1) must be paid by the regulatory body, but may be awarded as costs against the respondent under Section 153. 2023, c. 15, s. 106.

Decision of professional conduct committee

107 (1) The professional conduct committee shall render a written decision at the conclusion of a hearing, with reasons, that addresses whether

(a) the allegations in the notice of hearing have been proven; and

(b) any proven allegations amount to professional misconduct, conduct unbecoming the profession, incompetence or incapacity.

(2) Subject to any publication bans ordered by the professional conduct committee where a decision under subsection (1) involves a finding of professional misconduct, conduct unbecoming the profession, incompetence or incapacity, the committee may direct the registrar to

(a) send a copy of the written decision to the respondent;

(b) send a copy of the decision or a summary of the decision to the complainant and such other persons as directed by the committee; and

(c) publish and distribute the decision or a summary of the decision in accordance with Section 114. 2023, c. 15, s. 107.

Publication and distribution of decision

108 Where a professional conduct committee dismisses all allegations against a respondent, the committee shall, following consultation with the respondent and the registrar, determine the extent of the publication and distribution of the decision. 2023, c. 15, s. 108.

Resumption of hearing when allegations proven

109 (1) Where a professional conduct committee has determined that one or more of the allegations in a notice of hearing have been proven and amount to professional misconduct, conduct unbecoming the profession, incompetence or incapacity, the committee shall set a date for the resumption of the hearing following consultation with the parties, to determine the disposition of the matter.

(2) Sections 97 to 108 apply with necessary changes to the resumption of a hearing under subsection (1). 2023, c. 15, s. 109.

Powers of professional conduct committee where allegations proven

110 (1) Where a professional conduct committee finds professional misconduct, conduct unbecoming the profession, incompetence or incapacity on the part of a respondent, it may

(a) revoke the respondent's registration;

(b) revoke any licence held by the respondent;

(c) for a respondent whose licence has expired, revoke the respondent's ability to register or be licensed, or require the respondent to comply with any conditions or restrictions imposed by the committee before registration or licensure is granted;

(d) authorize the respondent to resign from the register and direct the registrar to annotate the regulatory body's records accordingly;

(e) suspend the respondent's licence for a specific period of time and direct the registrar to remove the respondent's name from the records of the applicable regulatory body;

(f) suspend the respondent's ability to obtain a specified licence for a specified period of time;

(g) suspend a licence held by the respondent until conditions ordered by the professional conduct committee are complied with;

(h) impose restrictions or conditions, or both, which may include requirements for competence assessments and bridging education, or other forms of remediation;

(i) reprimand the respondent and direct that the reprimand be recorded in the records of the regulatory body;

(j) direct the respondent to pass a particular course of study or satisfy the professional conduct committee or any other committee established under this Act of the respondent's general competence to practise or competence in a particular field of practice;

(k) direct the respondent to obtain medical treatment;

(l) direct the respondent to obtain any counselling that the committee considers appropriate;

(m) unless the finding is of incompetence or incapacity, impose a fine that does not exceed the prescribed amount regardless of the number of proven allegations;

(n) make such other order as the committee deems sufficient to meet the objects of the regulatory body; and

(o) in its discretion, award costs.

(2) Where the professional conduct committee revokes the registration or licence of a registrant, the committee shall determine whether the registrant is entitled to apply for reinstatement of the registration or licence.

(3) Where the professional conduct committee determines that a registrant whose registration or licence has been revoked may apply for reinstate-

ment, the committee shall determine the time when the registrant may apply for reinstatement.

(4) The professional conduct committee must issue a written decision, with reasons, at the conclusion of a hearing under this Section and shall direct the registrar to send a copy of the written decision to the respondent, the complainant and such other persons as directed by the committee and to disclose or publish the decision under Section 115. 2023, c. 15, s. 110.

Restoration of registrant's licence

111 **(1)** Where the period of suspension of a registrant has expired, the conditions imposed on the registrant have been satisfied or the restrictions imposed on the registrant have been removed, the registrar shall restore the licence of the registrant in the form it existed before the imposition of the suspension, conditions or restrictions, if the registrant otherwise meets the criteria for the issuing of a licence.

(2) Where the licence has expired for a registrant to whom subsection (1) applies, the registrant shall pay the prescribed fee for renewal of the licence before its re-issue.

(3) Where a registrant's licence has been restored under subsection (1), the registrar shall

(a) make the appropriate entries in the records of the regulatory body;

(b) where registering bodies in other jurisdictions had previously been informed of the suspension, conditions or restrictions, notify those registering bodies of the lifting of the suspension, conditions or restrictions; and

(c) notify other persons as directed by the committee that initially imposed the suspension, conditions or restrictions. 2023, c. 15, s. 111.

Appeal

112 **(1)** A party may appeal the findings of a professional conduct committee on a point of law to the Nova Scotia Court of Appeal.

(2) A notice of appeal must be served upon the other party not later than 30 days after service of the final decision of the professional conduct committee under subsection 110(4).

(3) The record on appeal from the findings of the professional conduct committee consists of a copy, certified by the registrar, of the transcript of the proceedings, the decisions of the committee and the evidence before the committee.

(4) The *Civil Procedure Rules*, governing appeals from the Supreme Court of Nova Scotia to the Nova Scotia Court of Appeal, that are not inconsistent with this Act, apply with necessary changes to appeals to the Court of Appeal under this Section.

(5) Where a matter is appealed to the Nova Scotia Court of Appeal under this Section, the decision of the professional conduct committee takes effect immediately, unless the Court of Appeal grants a stay of the committee's decision. 2023, c. 15, s. 112.

Revocation of respondent's registration or licence

113 (1) A respondent who does not contest the allegations or who admits to some or all of the allegations set out in a complaint or a notice of hearing may, with the consent of the registrar, ask the professional conduct committee to revoke the respondent's registration or licence, or both.

(2) The professional conduct committee may consent to the revocation of the respondent's registration or licence, or both, in accordance with subsection (1), with or without conditions, or may refuse consent.

(3) A respondent who consents to the revocation of the respondent's registration or licence, or both, must in all respects be treated as though the registration or licence, or both, were revoked by the professional conduct committee.

(4) Notification of a revocation under this Section must be given in accordance with Section 114. 2023, c. 15, s. 113.

Duties of registrar where licensing sanction issued without hearing

114 (1) Except as prohibited by a publication ban, where a licensing sanction has been issued without a hearing, a registrar shall

(a) make appropriate entries on the records of the regulatory body and on the licence of the registrant to reflect the licensing sanction;

(b) publish a summary of the decision in accordance with subsection (2)

(i) on the regulatory body's website, and

(ii) in any other publication determined by the committee making the decision;

(c) provide notice of the licensing sanction ordered or agreed upon, and include information requested by another licensing jurisdiction to

(i) registering bodies in other Canadian jurisdictions,

(ii) registering bodies in the original jurisdiction of the registrant, and

(iii) registering bodies in other jurisdictions where the registrant is known to be or to have been registered or is seeking registration;

(d) give a copy of the decision to the respondent;

(e) give a copy of the decision or any part of the decision, as the committee making the decision directs, to the complainant; and

(f) provide

(i) notice of the decision,

(ii) a summary of the decision,

(iii) parts of the decision, or

(iv) a copy of the decision,

to any person the committee making the decision directs.

(2) Except for information that must be excluded under subsection (3), or that may be modified under subsection (4), a summary of the decision must be prepared by the registrar and contain

(a) the registrant's name and registration number;

(b) the provision of the Act under which the licensing sanction is issued;

(c) the date of the decision;

(d) all relevant background information;

(e) the allegations that were upheld by the complaints committee or the professional conduct committee or, for a consent revocation, the allegations that were either admitted or not contested by the registrant;

(f) whether the allegations amounted to professional misconduct, conduct unbecoming the profession, incompetence or incapacity;

(g) the disposition ordered by the complaints committee, the professional conduct committee or agreed upon with the respondent;

(h) the reasons for the decision; and

(i) any additional information the registrar considers necessary to meet the objects of the regulatory body.

(3) Where allegations have been found to constitute incapacity, the specific nature of the incapacity must not be included in a summary of the decision.

(4) Where a matter is resolved by a settlement agreement, a summary of the decision may be modified to align with the terms of the settlement agreement. 2023, c. 15, s. 114.

Duties of registrar where licensing sanction issued following hearing

115 Except as prohibited by a publication ban, where a licensing sanction has been issued following a hearing, a registrar shall

(a) comply with the requirements of clauses 114(1)(a) and (c) to (f);

(b) publish a summary of the decision in any publication determined by the registrar; and

(c) publish a copy of the full decision on the website of the regulatory body. 2023, c. 15, s. 115.

REINSTATEMENT

Reinstatement committee

116 (1) A board shall appoint a reinstatement committee composed of at least one public representative and such other number of registrants and public representatives as the board determines.

(2) A board shall appoint the chair of its reinstatement committee. 2023, c. 15, s. 116.

Notice of meeting and quorum

117 (1) Failure of one or more reinstatement committee members to receive notice of a meeting does not invalidate the proceedings at the meeting, and nothing precludes the members from waiving notice of a meeting.

(2) A quorum of a reinstatement committee consists of three persons from the committee appointed under Section 116, at least one of whom must be a public representative, and the remainder of whom must hold such designations as set out in the bylaws. 2023, c. 15, s. 117.

Duties of reinstatement committee

118 (1) A reinstatement committee shall review applications for reinstatement of registration or licence following a revocation or a resignation authorized under this Act of the registration or licence of a registrant, and shall perform such other duties as set out in this Act and the regulations.

(2) Applications for reinstatement must proceed in accordance with the process set out in the regulations.

(3) Where a registrant's registration or licence has been reinstated under this Section, the reinstatement committee, in its discretion, shall determine whether publication of the reinstatement is required in the interest of the public. 2023, c. 15, s. 118.

Powers, privileges and immunities

119 A reinstatement committee and an investigator appointed in accordance with the regulations have all the powers conferred by this Act and the bylaws in the discharge of its functions, including the ability to award costs, as well as the powers, privileges and immunities of a commissioner appointed under the *Public Inquiries Act*, with the exception of the powers of contempt, arrest and imprisonment. 2023, c. 15, s. 119.

Hearing

120 (1) In a hearing before a reinstatement committee, a party has the right to

(a) natural justice;

(b) be represented by legal counsel, a union representative or another representative at the party's own expense;

(c) disclosure of any information to be provided to the committee; and

(d) a reasonable opportunity to present a response and make submissions.

(2) Evidence is not admissible before the reinstatement committee unless, at least 10 days before the hearing, the opposing party has been given

(a) for written or documentary evidence, an opportunity to examine the evidence;

(b) for expert evidence, the expert's qualifications and a copy of the expert's written report or, where there is no written report, a written summary of the evidence; and

(c) the identity of any other witness, and a summary of the witness's anticipated evidence.

(3) The reinstatement committee may extend beyond 10 days the time required for an opposing party to be provided with evidence under clause (2)(b).

(4) Notwithstanding subsection (2), the reinstatement committee may, in its discretion, allow the introduction of evidence that is otherwise inadmissible under subsection (2) and may make directions it considers necessary to ensure that a party is not prejudiced. 2023, c. 15, s. 120.

Decision of reinstatement committee final

121 A decision of a reinstatement committee is final. 2023, c. 15, s. 121.

FITNESS-TO-PRACTISE PROCESS

Fitness-to-practise committee

122 (1) A board shall appoint a fitness-to-practise committee composed of at least one public representative and such other number of registrants and public representatives as the board determines.

(2) A board shall appoint a chair and a vice-chair of the fitness-to-practise committee.

(3) The vice-chair shall act as chair in the absence of the chair.

(4) Where neither the chair nor the vice-chair is available for the purpose of subsections 123(1) and (3), the chair may, for such purpose, appoint a member of the fitness-to-practise committee as chair of the committee. 2023, c. 15, s. 122.

Panel

123 (1) Upon referral of a matter to a fitness-to-practise committee, the chair of the committee shall appoint a panel or joint panel of at least three members of the committee to act as the fitness-to-practise committee, at least one of whom must be a public representative.

(2) A fitness-to-practise committee shall perform such functions as set out in this Act, the regulations and the bylaws.

(3) The fitness-to-practise committee may set its own procedures for meetings.

(4) The chair of the fitness-to-practise committee may sit on the panel and shall act as the chair of the panel in this event.

(5) Where the chair of the fitness-to-practise committee is not appointed to the panel, the chair of the committee shall appoint a chair for the panel. 2023, c. 15, s. 123.

Notice of meeting, quorum, voting and membership

124 (1) Failure of one or more fitness-to-practise committee members to receive a notice of a meeting does not invalidate the proceedings at the meeting, and nothing precludes the members from waiving notice of a meeting.

(2) A quorum of the fitness-to-practise committee consists of three members of the panel, at least one of whom must be a public representative and the remainder of whom must hold such designations as set out in the bylaws.

(3) A decision of the fitness-to-practise committee requires the vote of a majority of the panel of the committee appointed under subsection 123(1).

(4) Where a matter is referred to the fitness-to-practise committee and the term of office of a person sitting on the committee expires, that person remains part of the committee until the matter is concluded. 2023, c. 15, s. 124.

Powers, privileges and immunities

125 When performing their functions as set out in this Act, the regulations and the bylaws, the members of a fitness-to-practise committee have all the rights, powers, privileges and immunities of a commissioner appointed under the *Public Inquiries Act*, with the exception of the powers of contempt, arrest and imprisonment. 2023, c. 15, s. 125.

Referral of registrant to fitness-to-practise process

126 (1) Subject to subsection (3), a registrar may refer a registrant to the fitness-to-practise process if the registrant agrees and the registrar determines that the registrant is eligible.

(2) The board shall approve eligibility criteria for a referral under subsection (1).

(3) No registrant may be referred to the fitness-to-practise process unless

(a) a complaint concerns the registrant's incapacity;

(b) the information disclosed in a regulatory process raises concerns respecting the registrant's incapacity;

(c) a person raises questions respecting the possible incapacity of the registrant to the regulatory body in the absence of a complaint; or

(d) the registrant self-reports incapacity to the regulatory body. 2023, c. 15, s. 126.

Fitness-to-practise process

127 (1) Where a registrar determines under Section 126 that a registrant is eligible for the fitness-to-practise process, the registrant shall

(a) cease practising to pursue remediation of the incapacity under such terms and conditions as agreed with the registrar; or

(b) continue in or resume practice under such terms and conditions as agreed with the registrar.

(2) An agreement reached under clause (1)(b) must be approved by the fitness-to-practise committee.

(3) Where a matter referred to the fitness-to-practise process concerns a registrant who was previously part of a fitness-to-practise process, the registrar and the fitness-to-practise committee must be provided with all information in the possession of the regulatory body related to the previous matter.

(4) The registrar may request a meeting with the fitness-to-practise committee at any time during the fitness-to-practise process with respect to a registrant's progress in the process or to request the registrant's removal from the process.

(5) Where expenses are incurred in the fitness-to-practise process involving the remediation of the incapacity or in order for a registrant to continue in or resume practice, the registrar or the fitness-to-practise committee may require a registrant to pay for such expenses under such terms as the registrar or fitness-to-practise committee determines.

(6) Nothing in this Section precludes a registrant, a registrar and a fitness-to-practise committee from working together to develop an agreement under clause 127(1)(b). 2023, c. 15, s. 127.

Fitness-to-practise committee meeting

128 (1) A registrant who has advised the registrar that the registrant

(a) has ceased practicing under clause 127(1)(a) and is seeking to return to practice; or

(b) has agreed to terms and conditions for practice under clause 127(1)(b) and seeks to remove or vary any of the terms and conditions,

may request the registrar to convene a meeting with the fitness-to-practise committee.

(2) A registrant appearing before the fitness-to-practise committee has the right to

(a) be represented by legal counsel, a union representative or another representative at the registrant's own expense;

(b) notice of any matters under investigation;

(c) a reasonable opportunity to present a response and make submissions in such form as determined by the committee;

(d) such other information as natural justice requires; and

(e) such other information as determined by the registrar.

(3) Upon receipt of a request under subsection (1), the fitness-to-practise committee shall convene a meeting with the registrant and may

(a) approve the registrant's return to practice, subject to such terms and conditions as the fitness-to-practise committee deems appropriate and with which the registrant agrees;

(b) vary the terms and conditions under which the registrant is practising if the registrant agrees to such variation; or

(c) deny the return to practice or variation request and refer the registrant back to the registrar. 2023, c. 15, s. 128.

Referral back to registrar

129 **(1)** A registrant may be referred back to the registrar if

(a) the registrant withdraws consent to participate in the fitness-to-practise process;

(b) the registrant fails to submit to a capacity examination as directed by the registrar;

(c) the registrant does not agree with the terms or conditions for practice or for a return to practice sought by the fitness-to-practise committee;

(d) the committee determines that a registrant

(i) fails to meet the agreed terms and conditions of practice, or

(ii) poses an immediate threat to the health or safety of others;

(e) the committee is not satisfied that the registrant is incapacitated; or

(f) at any time the committee considers that it is no longer consistent with the objects of the regulatory body for the registrant to participate in the fitness-to-practise process.

(2) Where a registrant is referred back to the registrar under subsection (1) or clause 128(3)(c), the registrant must be removed from the fitness-to-practise process and

(a) where the registrant was involved in a regulatory process at the time of referral to the fitness-to-practise process, the registrant must be referred back to the committee conducting the regulatory process; or

(b) where the matter was referred by the registrar outside of a regulatory process, the registrar shall determine whether a regulatory process should be initiated or whether the matter requires fur-

ther action under this Act, and the registrant's file, including reports, assessments and evaluations in the possession of or obtained by the fitness-to-practise committee, must accompany the referral and may be provided by the registrar to any person or statutory committee addressing the matter. 2023, c. 15, s. 129.

Jurisdiction

130 **(1)** A fitness-to-practise committee retains jurisdiction over a registrant who is subject to ongoing terms and conditions of practice agreed upon with the committee until such terms and conditions have been met or the matter has been referred back to the registrar under Section 129.

(2) Where a registrant has been referred back to a statutory committee under clause 129(2)(a), the statutory committee regains jurisdiction over the matter involving the registrant.

(3) Where the registrar initiates a regulatory process under clause 129(2)(b), the committee conducting the regulatory process gains jurisdiction over the matter. 2023, c. 15, s. 130.

Notification of registrant's licensing status

131 Where an agreement has been reached with a registrant to cease practising or to practise under terms and conditions under Section 127 or 128, the registrar shall

(a) annotate the regulatory body's records to reflect the licensing status of the registrant;

(b) notify the registrant's employers, as identified in the records of the regulatory body or otherwise known to the regulatory body, of the registrant's licensing status; and

(c) notify the licensing authority in any other jurisdiction in which the registrant is licensed of the registrant's licensing status,

without disclosing the nature of the registrant's diagnosis. 2023, c. 15, s. 131.

PRACTICE REVIEWS

Practise review committee

132 **(1)** Where required by the regulations, a board shall appoint a practice review committee composed of such number of registrants and public representatives as determined by the Board, but must include at least one public representative.

(2) A practice review committee shall perform such functions as set out in the regulations.

(3) The practice review committee may set its own procedures for meetings.

(4) The board shall appoint a chair and a vice-chair of the practice review committee.

(5) The vice-chair shall act as chair in the absence of the chair.

(6) Where neither the chair nor the vice-chair is available for the purpose of subsections 133(1) and (3), the chair may, for such purpose, appoint a member of the practice review committee as chair of the committee. 2023, c. 15, s. 132.

Panel

133 (1) Upon receipt of a referral to a practice review committee, the chair of the committee shall appoint a panel or joint panel of at least three members of the committee to act as the practice review committee, at least one of whom must be a public representative.

(2) The chair of the practice review committee may sit on the panel and shall act as the chair of the panel in this event.

(3) Where the chair of the practice review committee is not appointed to the panel, the chair of the committee shall appoint a chair for the panel. 2023, c. 15, s. 133.

Notice of meeting, quorum, voting and membership

134 (1) Failure of one or more practice review committee members to receive a notice of a meeting does not invalidate the proceedings at the meeting, and nothing precludes a member from waiving a notice of meeting.

(2) A quorum of the practice review committee consists of any three members of the panel appointed under subsection 133(1), at least one of whom must be a public representative and the remainder of whom must hold such designations as set out in the bylaws.

(3) A decision of the practice review committee requires the vote of a majority of the panel of the committee appointed under subsection 133(1).

(4) Where a matter is referred to the practice review committee and the term of office of a member sitting on the committee expires, that member remains part of the practice review committee until the matter is concluded. 2023, c. 15, s. 134

Powers, privileges and immunities

135 When performing their functions as set out in this Act, the regulations and the bylaws, the members of a practice review committee have all the rights, powers, privileges and immunities of a commissioner appointed under the *Public Inquiries Act*, with the exception of the powers of contempt, arrest and imprisonment. 2023, c. 15, s. 135.

CONFIDENTIALITY

Prohibition on publishing, releasing or disclosing information

136 No individual involved in the administration of this Act, member of a board or a committee of a board, or other person who receives or has knowledge of information as a result of a regulatory process under this Act, the regulations or the bylaws, may publish, release or disclose the information and such individual shall

maintain confidentiality with respect to such information that comes to that individual's knowledge, except

(a) as permitted by the *Regulated Health Professions Network Act*;

(b) as provided by this Act, the regulations or the bylaws;

(c) to the individual's own legal counsel or healthcare provider;

(d) in the case of a respondent, to the respondent's legal counsel, union or other representative or healthcare provider;

(e) in the case of a participant in a regulatory process, other than a respondent, to

(i) legal counsel for the regulatory body,

(ii) legal counsel, a union representative or other representative for the respondent in that regulatory process, or

(iii) the participant's own legal counsel, union representative or healthcare provider;

(f) if the information is otherwise publicly available;

(g) as required by law; or

(h) with the consent of the person to whom the information relates. 2023, c. 15, s. 136.

Permitted disclosure

137 (1) A disclosure of otherwise confidential information under Section 136 or subsection (2) must be limited to the minimum amount of information necessary to achieve the purpose for which it is disclosed.

(2) Notwithstanding Section 136 or any other provision of this Act, the regulations or the bylaws, where it is consistent with the objects of the regulatory body, the registrar may disclose

(a) to the public, subject to the terms of a decision ordering licensing sanctions, particulars of a licensing sanction that has been imposed on a registrant or the decision of a complaints committee to issue an interim suspension or restriction pending completion of an investigation and any hearing that may follow;

(b) without a request for disclosure, to an extra-provincial regulatory body

(i) that a complaint with respect to a registrant has been received, the particulars of the complaint and that the matter is under investigation, and

(ii) the decision of a statutory committee that impacts the fitness or eligibility of a registrant for registration or licensing in the extra-provincial regulatory body;

(c) to law enforcement authorities, information respecting possible criminal activity on the part of a registrant;

(d) specific information to a specific person or agency as will enable the recipient to determine whether action is required to protect the public; and

(e) to such other persons, such other information as is consistent with the objects of the regulatory body and in the public interest. 2023, c. 15, s. 137.

Legal proceedings

138 (1) A witness in a legal proceeding, whether a party thereto or not, shall not answer any question as to any proceedings of a regulatory process and shall not produce any report, statement, memorandum, recommendation or other document prepared for the purpose of the regulatory process, including any information gathered in the course of an investigation or produced for a statutory committee.

(2) Subsection (1) does not apply to documents or records that have been made available to the public by the regulatory body if permitted by this Act, the regulations or the bylaws.

(3) Unless otherwise determined by a court of competent jurisdiction, a decision issued under any process conducted under this Act, or any information set out in subsection (1) relevant to such decision, is not admissible in a civil proceeding other than an appeal or a process under this Act. 2023, c. 15, s. 138.

Information contained in self-assessment tool

139 (1) Where the information or decision set out under subsections 138(1) and (3) involves a self-assessment tool prepared by a registrant for a continuing-competence program, no person may disclose or is required to disclose in a proceeding under this Act or the regulations any information or documents relating to the content of a registrant's self-assessment tool without the express consent of the registrant or unless otherwise determined by a court of competent jurisdiction.

(2) The provision by a registrant of a copy of the registrant's self-assessment tool to another person is not, in itself, consent for the purpose of subsection (1).

(3) Subject to subsection (1), a witness in a legal proceeding shall answer any question or produce any document that the witness is otherwise bound by law to answer or produce.

(4) Subsection (1) does not apply to the original medical and hospital records of a client. 2023, c. 15, s. 139.

PROFESSIONAL INCORPORATION

Incorporation not prevented

140 Subject to the regulations, nothing in this Act prevents the incorporation of a registrant, but every registrant continues to be personally responsible for compliance with this Act, the regulations and the bylaws notwithstanding incorporation. 2023, c. 15, s. 140.

Liability for acts or omissions

141 A person who carries on the practice of a regulated health profession as, through or on behalf of an incorporated entity is liable with respect to acts or omissions done or omitted to be done by that person in the course of that person's practice to the same extent and in the same manner as if such practice were carried on by that person as an individual or a partnership carrying on such practice. 2023, c. 15, s. 141.

Applicable law or standard not affected

142 Where a registrant is engaged in the practice of a regulated health profession as an incorporated entity, the existence of the incorporated entity does not affect, modify or limit any law or standard applicable to the confidential or ethical relationship between the registrant and the registrant's client. 2023, c. 15, s. 142.

Compellable witness

143 A shareholder, director, officer or employee of an incorporated entity engaged in the practice of a regulated health profession is a compellable witness in any proceedings under this Act. 2023, c. 15, s. 143.

Power of inspection, investigation or inquiry continues

144 Where the conduct of a registrant is the subject of a complaint, investigation or inquiry and the registrant was an officer, director, shareholder or employee of an incorporated entity at the time the conduct occurred, any power of inspection, investigation or inquiry that may be exercised with respect to the registrant or the registrant's records may be exercised with respect to the incorporated entity or its records. 2023, c. 15, s. 144.

OFFENCES AND PENALTIES

Offences and penalties apply to incorporated entity

145 **(1)** Every incorporated entity engaged in the practice of a regulated health profession that contravenes this Act, the regulations or the bylaws is guilty of an offence and is liable to the same penalties as any person who is guilty of an offence under this Act.

(2) Sections 146 and 147 apply to all incorporated entities engaged in the practice of a regulated health profession. 2023, c. 15, s. 145.

Offences and penalties

146 **(1)** Every person who

(a) knowingly furnishes false information in an application under this Act or in a statement required to be furnished under this Act, the regulations or the bylaws;

(b) engages in practice in the Province without complying with this Act, the regulations or the bylaws;

(c) engages in practice in violation of any condition or limitation contained on the person's licence; or

(d) otherwise contravenes this Act or the regulations,

is guilty of an offence and liable on summary conviction to a fine of not more than $2,000 or to imprisonment for a term of not more than six months, or to both fine and imprisonment.

(2) The *Summary Proceedings Act* applies in addition to any regulatory process or penalty otherwise provided for in this Act or the regulations.

(3) All fines and penalties payable under this Act or under the *Summary Proceedings Act* as a result of a prosecution by or on behalf of a regulatory body belong to the regulatory body.

(4) An information to be laid under this Act or the *Summary Proceedings Act* may be laid by a registrar or a person authorized by the registrar. 2023, c. 15, s. 146.

Proof

147 (1) In a prosecution for an offence under this Act or the regulations, the onus of proof that a person accused of an offence has the right to practise, or that a person comes within an exemption provided by this Act, is on the accused person.

(2) For the purpose of this Act and the regulations, proof of the performance by a non-registrant of one act of practice is sufficient to establish that a person has engaged in practice. 2023, c. 15, s. 147.

Continuing offence

148 Where an offence under this Act or the regulations is committed or continues for more than one day by a person or an employer, the offender is guilty of a separate offence for each day that the violation is committed or continues. 2023, c. 15, s. 148.

Injunction

149 (1) In the event of a threatened or continuing violation of this Act or the regulations, a regulatory body may apply to a judge for an injunction to restrain the person from continuing or committing the violation and the judge, where the judge deems it just, may grant such an injunction.

(2) A judge may, on application, grant an interim injunction pending the hearing of an application for an injunction under subsection (1) if the judge is satisfied that there is reason to believe that a person is likely to commit or is continuing to commit a violation of this Act or the regulations.

(3) A judge may make such order as to costs as the judge considers appropriate in a proceeding under this Section. 2023, c. 15, s. 149.

GENERAL

Board may appoint members

150 Where a quorum of members of a statutory committee is not available for a meeting or hearing, the board may, for the purpose of such meeting or hear-

ing, appoint to the committee such additional members as are needed for a quorum but in all cases a public representative member is required for a quorum. 2023, c. 15, s. 150.

Delivery of notice

151 (1) Unless otherwise provided in this Act or the regulations or directed by a statutory committee, a notice required to be given under this Act, the regulations or the bylaws may be delivered electronically, and a meeting required to be held under this Act may be held by electronic means, including telephone and video conferencing.

(2) Where a notice is delivered electronically, delivery is deemed effective on the date the notice was sent to the last electronic address the applicant for registration or licensing or registrant filed with the regulatory body.

(3) Where a notice is sent by registered mail, delivery is deemed effective on the third business day after the day of mailing. 2023, c. 15, s. 151.

Legal or other assistance

152 (1) For the purpose of the execution of their duties under this Act, a registrar or any committee of a regulatory body may retain such legal or other assistance as the registrar or the committee thinks necessary or proper.

(2) Where authorized by this Act or the regulations, the costs of legal or other assistance retained under subsection (1) may be included, in whole or in part, as costs ordered by the registrar or the committee. 2023, c. 15, s. 152.

Costs

153 A registration and licensing review committee, a complaints committee, a professional conduct committee and a reinstatement committee, and any other committees set out in the regulations, may award costs against a registrant or the regulatory body if authorized by this Act or the regulations. 2023, c. 15, s. 153.

Suspension and reinstatement of licence

154 A registrar may suspend the licence of a registrant without notice or investigation upon the registrant's contravention of a regulation or bylaw that requires the registrant to pay a fee, file a document or do any other act by a specified or ascertainable date, and may reinstate the licence so suspended upon payment of such fine as set out in the bylaws. 2023, c. 15, s. 154.

Fine for practising without current licence

155 Where a registrar, a registration and licensing committee, a registration and licensing review committee, a complaints committee or a professional conduct committee determines a person who subsequently becomes a registrant has engaged in practice without holding a current licence, the registrar or the committee may impose a fine in such amount as set out in the bylaws. 2023, c. 15, s. 155.

Proof of registration and licensing status

156 A statement certified by the registrar respecting the registration and licensing status of a person is admissible in evidence as prima facie proof of that person's registration and licensing status. 2023, c. 15, s. 156.

Competence assessment

157 A registrar or committee requiring a competence assessment may require one or more of

(a) a review of information provided by an applicant for registration or a licence;

(b) a self-assessment;

(c) a written or oral test or examination;

(d) a case study;

(e) an audit;

(f) a practice review;

(g) a live demonstration of competencies;

(h) an interview of the applicant;

(i) a practice observation;

(j) a reflective practice; and

(k) such other method of assessment the registrar or committee determines to be necessary. 2023, c. 15, s. 157.

Publication ban

158 Subject to the regulations, with respect to any proceeding conducted or decision issued by a statutory committee, the committee may, on its own initiative or at the request of a party, impose a publication ban on such portions of its proceeding or decision that is in the public interest. 2023, c. 15, s. 158.

Required publications

159 Subject to the regulations, a registrar shall publish on the regulatory body's website

(a) the name and registration number of all registrants;

(b) with respect to a particular registrant,

(i) the name of the register in which a registrant is registered,

(ii) the licence held,

(iii) any conditions or restrictions that are not covered by a publication ban, and

(iv) any licensing sanctions not covered by a publication ban;

(c) the regulatory body's annual report;

(d) any practice standards developed or adopted by the regulatory body;

(e) the results of any assessment conducted by the Minister under Section 18; and

(f) such other information as may be set out in the regulations or the bylaws. 2023, c. 15, s. 159.

Requirements for employers

160 (1) Every person, other than a client, who employs a person in practice and every agency or registry that procures employment for a person in practice shall

(a) ensure that the person, at the time of employment and each year employed thereafter, holds a current licence; and

(b) where the person's employment is terminated or the person resigns because of allegations of professional misconduct, conduct unbecoming the profession, incompetence or incapacity, report the matter to the registrar forthwith and provide a copy of the report to the person whose employment is terminated.

(2) Every person, other than a client, who employs an incorporated entity engaged in practice and every agency or registry that procures employment for an incorporated entity engaged in practice shall comply with the provisions of subsection (1) with respect to each person who is in the employ of the incorporated entity. 2023, c. 15, s. 160.

Non-compliance with decision

161 (1) Where a registrant does not comply with a decision of a committee within the time specified in the decision, and the period for an appeal has expired, the registrar may file a certified copy of the decision with the Supreme Court of Nova Scotia and enforce the decision as if it were an order of the Court.

(2) Any fine or costs ordered to be paid under this Act or the regulations is a debt due to the regulatory body and recoverable by civil action, in addition to any other remedy available to the regulatory body for non-payment of a fine or costs.

(3) Where a registrant or other person does not comply with a power exercised under the *Public Inquiries Act*, the registrar may apply to the Supreme Court of Nova Scotia for enforcement of the power and the Court may award costs arising from the application. 2023, c. 15, s. 161.

No action lies

162 (1) No action lies against a regulatory body, a board, members of a board, a committee or subcommittee of a regulatory body or a board, or the members of a committee or subcommittee, a registrar or officers, agents, investigators, contractors or employees of a regulatory body or anyone acting on the instruction of any of them for

(a) any act or failure to act, or any proceeding initiated or taken in good faith under this Act, the regulations or the bylaws, or in carrying out the duties or obligations under this Act, the regulations or the bylaws;

(b) a decision, order or resolution made or enforced in good faith under this Act, the regulations or the bylaws; or

(c) a disclosure made in good faith under this Act, the regulations or the bylaws.

(2) No registrant of the regulatory body or member of the board, committees or subcommittees of the regulatory body or board, or any officer, agent or employee thereof is personally liable for any of the debts or liabilities of the regulatory body, unless the person expressly agrees to be liable. 2023, c. 15, s. 162.

Complaint in good faith

163 No action lies against a person for making a complaint under this Act unless the complaint is not made in good faith. 2023, c. 15, s. 163.

Act does not prohibit

164 Nothing in this Act prohibits

(a) the private care of a person without remuneration;

(b) the furnishing of first aid or emergency assistance if such aid or assistance is given without hire, gain or hope of reward;

(c) employees from engaging in a lawful strike; or

(d) the provision of services as may be prescribed by the regulations. 2023, c. 15, s. 164.

Agreements between health profession regulators

165 Subject to the regulations, nothing in this Act precludes agreements between two or more health profession regulators who are located in different jurisdictions. 2023, c. 15, s. 165.

Review of Act

166 (1) The Minister shall initiate a review of this Act within five years of it coming into force and make a written report respecting the review available to the public.

(2) In conducting the review of this Act, the Minister shall consult with the public, regulatory bodies, professional associations and other stakeholders. 2023, c. 15, s. 166.

TRANSITIONAL

Application to existing regulator

167 Sections 16 to 22 apply to an existing regulator. 2023, c. 15, s. 167.

Action, appeal, application or other proceeding continued

168 An action, appeal, application or other proceeding being carried on or power or remedy being exercised by or with respect to an existing regulator may be continued in the name of a successor regulatory body under this Act. 2023, c. 15, s. 168.

Processes initiated under former Acts

169 (1) A matter subject to a regulatory process under a former Act must continue to be proceeded with in accordance with this Act as nearly as circumstances permit.

(2) Notwithstanding subsection (1), where a hearing has commenced under a former Act, the hearing must proceed in accordance with the former Act, unless the parties agree the matter can be addressed under this Act.

(3) Where a completed application for registration or licensing has been received by an existing regulator before the coming into force of the regulatory body under this Act but no decision has been rendered on the application, the decision must be made in accordance with the process in place under this Act.

(4) Where an application for registration or licensing has been commenced but not completed at the time of the application of this Act to a regulated health profession, the application must be continued in accordance with this Act.

(5) An agreement, informal resolution, undertaking, decision or order made in a regulatory process under a former Act remains in effect under this Act under the same terms and conditions. 2023, c. 15, s. 169.

Committees of existing regulators

170 Persons serving on committees of an existing regulator continue as members of those committees or their counterparts under this Act until committee appointments are made under this Act. 2023, c. 15, s. 170.

Education programs and requirements

171 (1) All standards for education programs and all practical education programs, education programs and re-entry programs approved by an existing regulator immediately before the coming into force of this Act are deemed to be approved by the relevant board under this Act until their approval is withdrawn or expires.

(2) Until such time as regulations made under this Act respecting the minimum education requirements for an approved education program are effective, the minimum education requirements for an approved education program are those approved under the processes in place under the former Acts.

(3) An examination required for registration or licensing purposes under a former Act of an existing regulator is an approved examination for the same purpose under this Act, unless provided otherwise in the bylaws. 2023, c. 15, s. 171.

Continuing-competence programs

172 (1) A continuing-competence program approved under a former Act remains approved until such time as amended by the bylaws.

(2) The processes for verification of compliance with a continuing-competence program under a former Act remain in place until such time as amended by the bylaws.

(3) All requirements for currency of practice in place under the former Acts and the regulations remain in effect for registration and licensing purposes until such time as amended by the bylaws. 2023, c. 15, s. 172.

Registration and licensing under former Acts

173 **(1)** Every person who, at the coming into force of a regulatory body under this Act is registered under a former Act, is deemed to be registered under this Act with the same privileges, and subject to the same conditions or restrictions as contained in the register under the former Act.

(2) Every person who, at the coming into force of a regulatory body under this Act holds a licence issued under a former Act authorizing that person to practise under the former Act, is deemed to hold a licence under this Act with the same privileges, and subject to the same conditions or restrictions, under the licence issued under the former Act.

(3) The registration or licence deemed to be held by a person under subsection (1) or (2) at the coming into force of the regulatory body under this Act remains in effect until the earlier of the expiration of the licence issued under the former Act and the issuing of a new licence under this Act. 2023, c. 15, s. 173.

Codes of ethics, standards of practice and entry-level competencies

174 The codes of ethics, standards of practice and entry-level competencies approved by an existing regulator under a former Act remain in place until such time as a change is made under this Act. 2023, c. 15, s. 174.

Permits and licences of private health facility

175 Permits or licences granted to a private health facility by an existing regulator continue in effect until they are withdrawn or expire. 2023, c. 15, s. 175.

Deemed reference

176 A reference to a person licensed or registered under a former Act in any other document, proceeding or enactment is deemed to be a reference to a person licensed or registered under the equivalent regulations made under this Act, upon the coming into force of the regulations. 2023, c. 15, s. 176.

Governor in Council regulations

177 The Governor in Council may make regulations

(a) respecting the transition to this Act of anything under a former Act, including the interpretation of any transitional provision in this Act;

(b) to remedy any confusion, difficulty, inconsistency or impossibility resulting from the transition to this Act from a former Act;

(c) providing that this Act or any part of this Act applies to an existing regulator or the practice of any health profession, regardless of whether it is otherwise regulated by this Act. 2023, c. 15, s. 177.

REPEALED ACTS

Audiologists and Speech-Language Pathologists Act repealed

178 **Chapter 3 of the Acts of 2015, the *Audiologists and Speech-Language Pathologists Act*, is repealed.** 2023, c. 15, s. 178.

Chiropractic Act repealed

179 Chapter 4 of the Acts of 1999 (Second Session), the *Chiropractic Act*, is repealed. 2023, c. 15, s. 179.

Counselling Therapists Act repealed

180 Chapter 37 of the Acts of 2008, the *Counselling Therapists Act*, is repealed. 2023, c. 15, s. 180.

Dental Act repealed

181 Chapter 3 of the Acts of 1992, the *Dental Act*, is repealed. 2023, c. 15, s. 181.

Dental Hygienists Act repealed

182 Chapter 29 of the Acts of 2007, the *Dental Hygienists Act*, is repealed. 2023, c. 15, s. 182.

Dental Technicians Act repealed

183 Chapter 126 of the Revised Statutes, 1989, the *Dental Technicians Act*, is repealed. 2023, c. 15, s. 183.

Denturists Act repealed

184 Chapter 25 of the Acts of 2000, the *Denturists Act*, is repealed. 2023, c. 15, s. 184.

Dietitians Act repealed

185 Chapter 2 of the Acts of 2009, the *Dietitians Act*, is repealed. 2023, c. 15, s. 185.

Dispensing Opticians Act repealed

186 Chapter 39 of the Acts of 2005, the *Dispensing Opticians Act*, is repealed. 2023, c. 15, s. 186.

Medical Act repealed

187 Chapter 38 of the Acts of 2011, the *Medical Act*, is repealed. 2023, c. 15, s. 187.

Medical Imaging and Radiation Therapy Professionals Act repealed

188 Chapter 7 of the Acts of 2013, the *Medical Imaging and Radiation Therapy Professionals Act*, is repealed. 2023, c. 15, s. 188.

Medical Laboratory Technology Act repealed

189 Chapter 8 of the Acts of 2000, the *Medical Laboratory Technology Act*, is repealed. 2023, c. 15, s. 189.

Medical Professional Corporations Act repealed

190 Chapter 11 of the Acts of 1995-96, the *Medical Professional Corporations Act*, is repealed. 2023, c. 15, s. 190.

Midwifery Act repealed

191 Chapter 18 of the Acts of 2006, the *Midwifery Act*, is repealed. 2023, c. 15, s. 191.

Naturopathic Doctors Act repealed

192 Chapter 5 of the Acts of 2008, the *Naturopathic Doctors Act*, is repealed. 2023, c. 15, s. 192.

Nursing Act repealed

193 Chapter 8 of the Acts of 2019, the *Nursing Act*, is repealed. 2023, c. 15, s. 193.

Occupational Therapists Act repealed

194 Chapter 21 of the Acts of 1998, the *Occupational Therapists Act*, is repealed. 2023, c. 15, s. 194.

Optometry Act repealed

195 Chapter 43 of the Acts of 2005, the *Optometry Act*, is repealed. 2023, c. 15, s. 195.

Paramedics Act repealed

196 Chapter 33 of the Acts of 2015, the *Paramedics Act*, is repealed. 2023, c. 15, s. 196.

Pharmacy Act repealed

197 Chapter 11 of the Acts of 2011, the *Pharmacy Act*, is repealed. 2023, c. 15, s. 197.

Physiotherapy Act repealed

198 Chapter 22 of the Acts of 1998, the *Physiotherapy Act*, is repealed. 2023, c. 15, s. 198.

Psychologists Act repealed

199 Chapter 32 of the Acts of 2000, the *Psychologists Act*, is repealed. 2023, c. 15, s. 199.

Respiratory Therapists Act repealed

200 Chapter 13 of the Acts of 2007, the *Respiratory Therapists Act*, is repealed. 2023, c. 15, s. 200.

CONSEQUENTIAL AMENDMENTS

Adult Capacity and Decision-making Act amended

201 *amendments*

Cosmetology Act amended

202 *amendments*

Doctors Nova Scotia Act amended
203 *amendments*

Emergency Health Services Act amended
204 *amendments*

Fair Drug Pricing Act amended
205 *amendments*

Fatality Investigations Act amended
206 to **208** *amendments*

Health Protection Act amended
209 *amendments*

Homes for Special Care Act amended
210 *amendments*

Hospitals Act amended
211 *amendments*

Insured Health Services Act amended
212 *amendments*

Involuntary Psychiatric Treatment Act amended
213 and **214** *amendments*

Liquor Control Act amended
215 *amendments*

Medical Professional Corporations Act amended
216 to **220** *amendments*

Motor Vehicle Act amended
221 *amendments*

Patient Access to Care Act amended
222 *amendments*

Personal Health Information Act amended
223 *amendments*

Powers of Attorney Act amended
224 *amendments*

Prescription Monitoring Act amended
225 and **226** *amendments*

Protecting Access to Reproductive Health Care Act amended
227 *amendments*

Regulated Health Professions Network Act amended
228 to **236** *amendments*

Tobacco Access Act amended
237 *amendments*

Traffic Safety Act amended
238 *amendments*

Veterinary Medical Act amended
239 *amendments*

Vital Statistics Act amended
240 *amendments*

EFFECTIVE DATE

Effective date
241 Sections 178 to 240 come into force on such day as the Governor in Council orders and declares by proclamation. 2023, c. 15, s. 241.

ss. 196, 204, 222(q), (u), 228(b), 229(c), (d), 230(1), 233, 234, 236 proclaimed	-	May 30, 2024
In force	-	June 3, 2024
ss. 194, 201(b), 221(b), 222(o) proclaimed	-	March 4, 2025
In force	-	March 31, 2025
ss. 181-184, 211(a), 212(a), 215(a), 222(d)-(g) proclaimed	-	April 25, 2025
In force	-	May 1, 2025
ss. 197, 205, 215(b), 222(r), 223, 225(e), 227(a), 237, 239 proclaimed	-	June 3, 2025
In force	-	June 30, 2025
ss. 178-180, 185-193, 195, 198-200, 201(a), (c), (d), 202, 203, 206-210, 211(b)-(e), 212(b), (c), 213, 214, 215(c), 216-220, 221(a), (c)-(e), 222(a)-(c), (h)-(n), (p), (s), (t), (v), 224, 225(a)-(d), (f), 226, 227(b), 228(a), (c), 229(a), (b), 230(2), 231, 232, 235, 238, 240	-	not proclaimed