

**Redline to reflect amendments proposed to designate
“psychotherapy” as a health profession**

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Health Professions Act

**HEALTH PROFESSIONS DESIGNATION
AND AMALGAMATION REGULATION
B.C. Reg. 270/2008**

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Definition

- 1 In this regulation, “**Act**” means the *Health Professions Act*.

PART 1 – DESIGNATIONS

Designations

- 2 (1) The designations of the following health professions are continued for the purposes of the Act:
- (a) dental hygiene;
 - (b) dental technology;
 - (c) denturism;
 - (d) dietetics;
 - (e) massage therapy;

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and is not an official version of the regulation currently in force.

- (f) midwifery;
 - (g) naturopathic medicine;
 - (h) nursing;
 - (i) occupational therapy;
 - (j) opticianry;
 - (k) physical therapy;
 - (l) psychology;
 - (m) psychiatric nursing;
 - (n) traditional Chinese medicine and acupuncture.
- (2) The designation of licensed practical nursing is continued, for the purposes of the Act, as practical nursing.
- (3) The following professions are designated for the purposes of the Act:
- (a) audiology, hearing instrument dispensing and speech-language pathology;
 - (b) chiropractic;
 - (c) optometry;
 - (d) the practice of pharmacy;
 - (e) dentistry;
 - (f) medicine;
 - (g) podiatric medicine;
 - (h) clinical perfusion, respiratory therapy, radiation therapy and medical laboratory technology;
 - (i) psychotherapy.

[am. B.C. Regs. 412/2008, s. 2; 419/2008, App., s. 4; 420/2008, App., s. 6; 421/2008, App., s. 6; 422/2008, App., s. 6; 423/2008, App., s. 6; 169/2010, s. (c); 132/2017.]

PART 2 – APPLICATION FOR DESIGNATION

Application fee

- 3** The application fee to be submitted with an application under section 7 (1) of the Act is \$2 000.

Cost of investigation

- 4** The minister may not charge to a health profession association the first \$7 500 of costs incurred by the minister in the conduct of the investigation of the health profession association's application under section 7 (1) of the Act.

Fees and costs prorated

- 5** If the minister conducts one investigation for the designation of a health profession in

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respect of more than one application under section 7 (1) of the Act, the fee payable under section 3 and the costs in excess of the amount under section 4 may be prorated by the minister between or among the health profession associations that have applied.

PART 3 – PUBLIC INTEREST CRITERIA

Criteria for designation of health professions

- 6** (1) For the purposes of section 10 (1) of the Act, the minister must consider the extent to which the practice of a health profession may involve a risk of physical, mental or emotional harm to the health, safety or well-being of the public, having regard to the following:
- (a) the services performed by practitioners of the health profession;
 - (b) the technology, including instruments and materials, used by practitioners of the health profession;
 - (c) the invasiveness of the procedure or mode of treatment used by practitioners of the health profession;
 - (d) the degree to which the health profession is practised
 - (i) under the supervision of another person who is qualified to practise as a member of a different health profession, or
 - (ii) in a currently regulated environment.
- (2) The minister may also consider the following criteria:
- (a) the extent to which the health profession has demonstrated that there is a public interest in ensuring the availability of regulated services provided by the health profession;
 - (b) the extent to which the services of the health profession provide a recognized and demonstrated benefit to the health, safety or well-being of the public;
 - (c) the extent to which there exists a body of knowledge that forms the basis of the standards of practice of the health profession;
 - (d) whether practitioners of the health profession are awarded a certificate or degree from a recognized post-secondary educational institution;
 - (e) whether it is important that continuing competence of a practitioner of the health profession be monitored;
 - (f) the extent to which there exists within the health profession recognized leadership which has expressed a commitment to regulating the profession in the public interest;
 - (g) the likelihood that a college established under the Act would be capable of carrying out the duties imposed by the Act, having regard to factors that may affect the viable operation of the college;
 - (h) whether designation of the health profession is likely to limit availability of services contrary to the public interest.

PART 4 – COLLEGE AMALGAMATIONS

Amalgamation of nursing colleges

- 7 (1) The following colleges are amalgamated into one college:
- (a) the College of Licensed Practical Nurses of British Columbia;
 - (b) the College of Registered Nurses of British Columbia;
 - (c) the College of Registered Psychiatric Nurses of British Columbia.
- (2) The amalgamation date for the purpose of subsection (1) is September 4, 2018.
[en. B.C. Reg. 69/2018, s. 2.]

Amalgamation of colleges of physicians and surgeons and podiatric surgeons

- 8 (1) The following colleges are amalgamated into one college:
- (a) the College of Physicians and Surgeons of British Columbia;
 - (b) the College of Podiatric Surgeons of British Columbia.
- (2) The amalgamation date for the purpose of subsection (1) is August 31, 2020.
[en. B.C. Reg. 128/2020.]

Amalgamation of midwife and nursing colleges

- 9 (1) The following colleges are amalgamated into one college:
- (a) the College of Midwives of British Columbia;
 - (b) the British Columbia College of Nursing Professionals.
- (2) The amalgamation date for the purpose of subsection (1) is September 1, 2020.
[en. B.C. Reg. 127/2020.]

Amalgamation of oral health colleges

- 10 (1) The following colleges are amalgamated into one college:
- (a) the College of Dental Hygienists of British Columbia;
 - (b) the College of Dental Surgeons of British Columbia;
 - (c) the College of Dental Technicians of British Columbia;
 - (d) the College of Denturists of British Columbia.
- (2) The amalgamation date for the purpose of subsection (1) is September 1, 2022.
[en. B.C. Reg. 164/2022.]

Amalgamation of colleges of health and care professionals

- 11 (1) The following colleges are amalgamated into one college:
- (a) the College of Dietitians of British Columbia;
 - (b) the College of Occupational Therapists of British Columbia;
 - (c) the College of Opticians of British Columbia;

- (d) the College of Optometrists of British Columbia;
- (e) the College of Physical Therapists of British Columbia;
- (f) the College of Psychologists of British Columbia;
- (g) the College of Speech and Hearing Health Professionals of British Columbia.

- (2) The amalgamation date for the purpose of subsection (1) is June 28, 2024.
[en. B.C. Reg. 171/2023.]

Amalgamation of colleges of complementary health professionals

- 12** (1) The following colleges are amalgamated into one college:
- (a) the College of Chiropractors of British Columbia;
 - (b) the College of Massage Therapists of British Columbia;
 - (c) the College of Naturopathic Physicians of British Columbia;
 - (d) the College of Traditional Chinese Medicine Practitioners and Acupuncturists of British Columbia.
- (2) The amalgamation date for the purpose of subsection (1) is June 28, 2024.
[en. B.C. Reg. 172/2023.]

Psychotherapy Explanatory Note to Accompany Redline Document May 24, 2024

What is the purpose of this consultation?

The Ministry of Health is seeking public feedback on a proposal to designate “psychotherapy” as a health profession under the *Health Professions Act* (HPA). The “red line” document for consultation is a draft version of the *Health Professions Designation and Amalgamation Regulation* (HPDAR). The HPDAR is the regulation which sets out which health professions are designated under the HPA (such as physicians, nurses, and optometrists).

The purpose of the HPDAR redline document is to demonstrate what regulatory change would be needed to designate “psychotherapy” as a health profession.

What is “psychotherapy”?

Persons who are competent to perform psychotherapy treat mental disorders or other mental health-related problems resulting in a patient’s psychological suffering. Certain types of counsellors have the education and competency to perform psychotherapy and may include those who use titles such as clinical counsellor and counselling therapist.

Why is this consultation being held?

Feedback gathered during this consultation will be considered in the decision whether to designate “psychotherapy” as a regulated health profession under the HPA. Ultimately, the decision to designate a new health profession is made in regulations established by the Lieutenant Governor in Council (LGIC) .

What is designation?

Designation is different from regulation. Under the HPA, a new health profession must first be “designated” before they can become regulated by a regulatory college. Regulatory colleges are given the authority under the HPA to oversee the practice of a designated health profession in the public interest, and are responsible for establishing, monitoring, and enforcing standards of practice for the profession(s) they oversee, setting registration requirements, and having a process in place for responding appropriately to complaints from the public about the conduct of individual practitioners.

If “psychotherapy” is designated as a health profession, persons who practice psychotherapy would become regulated by a regulatory college at a future date yet to be determined.

If psychotherapy is designated, what happens to people who work in that professional area?

The designation of psychotherapy itself would not have an immediate impact on persons currently practicing psychotherapy.

Some professionals who practice psychotherapy, such as psychologists, are already regulated health professionals overseen by a regulatory college. These professionals would not be impacted by the designation of psychotherapy as a profession.

Other practitioners who practice psychotherapy but who are not currently regulated by a regulatory college, which may include types of health-oriented counsellors and therapists, would become regulated by a college at a future date.

What happens if the proposed designation of “psychotherapy” happens?

Health professions are designated under the HPA. Once a new health profession is designated, profession-specific regulations are established, which establish the college that regulates the profession in addition to the profession’s scope of practice, reserved titles, and restricted activities (if any).

To regulate a profession, the regulatory college assigned oversight responsibility would establish specifics of regulation in bylaws, including education requirements, fees, continuing competence, and other licensing and public protection measures. If the LGIC approves the proposal to designate psychotherapy, details on further aspects of regulation would become available in the future. At present, there is no timeline for regulation.

Is a new regulatory college being created?

No. Designation of “psychotherapy” as a health profession would not result in immediate regulation of the health profession, and a new regulatory college would not be created.

What about other types of counselling and therapies?

The Ministry is currently seeking feedback on the designation of “psychotherapy” as a health profession. However, this consultation does not preclude or prevent future consideration of other types of counselling and therapeutic related practices. For the purpose of this consultation, the Ministry is seeking feedback only on the proposed designation of “psychotherapy”.

The public consultation period will run until June 24, 2024. Please submit your feedback by then.

How do I provide feedback?

Please send your input and feedback to the email address

PROREGadmin@gov.bc.ca.

Attention: PROREGADMIN@gov.bc.ca

June 7, 2024

To whom it may concern:

FACTBC welcomes the recent announcement proposing to designate psychotherapy as a health profession under the Health Professions Act. This important step towards regulation of our profession is reassuring for our Board of Directors and for our member associations*. The Ministry of Health is seizing the opportunity to further legitimize mental health services, showing that it is a priority for government to reduce harm and to enhance public protection.

We have worked for decades with the ideas and language of Counselling Therapy, but we acknowledge that choosing Psychotherapy as the name for our profession will align BC with some other jurisdictions (the name is currently used in both Ontario and Quebec) as well as with the pending federal legislation on exemption from GST/HST, which considers them identical. Further, this choice will create ease for inter-provincial professional labour mobility.

Our eleven member associations comprised of BC practitioners practicing a board range of psychotherapeutic approaches, including talk therapy, spiritual care, couple and family therapy, hypnotherapy, music therapy, creative arts therapy, drama therapy and dance therapy. We all firmly advocate for an expansive and inclusive definition of psychotherapy, one that honours the multiple pathways by which practitioners arrive at their foundational, shared competencies. We particularly encourage the incorporation of Indigenous approaches to healing as well as formal recognition of the great diversity in the mental health needs of the public.

FACTBC is committed to supporting the processes involved in the designation and subsequent considerations about regulation of our profession. As these processes unfold, we hope to continue working collaboratively with your team, bringing to bear our wealth of firsthand knowledge and our commitment to protecting the public.

Respectfully submitted,



Nicole Le Bihan, MA, DKATI, RCAT
Registered Canadian Art Therapist
Chair of FACTBC

*Our member associations:

Association of Cooperative Counselling Therapists of Canada
Association of Registered Clinical Hypnotherapists
British Columbia Branch of the Canadian Association for Marriage and Family Therapy
British Columbia Art Therapy Association
Canadian Art Therapy Association
Canadian Professional Counsellors Association
International Association of Counseling Hypnotherapists
Music Therapy Association of British Columbia
North American Drama Therapy Association
Ontario Expressive Arts Therapy Association
Professional Association of Christian Counsellors and Psychotherapists

Cc: Christopher.Bennett@gov.bc.ca
Muriel.Protzer@gov.bc.ca



June 9th, 2024

To Whom It May Concern,

I have practiced counselling in British Columbia for 40 years and founded Orca Institute, a PTIB-designated counselling school, in 1986. I am also one of the original members of the BCACC and contributed to the creation of the "core competencies" model, which has served as a standard for counsellors in Canada and was initially presented to the BC Health Professions Council in 1997.

Additionally, in 1984, I founded the International Association of Counselling Hypnotherapists (IACH), which is currently a member of FACT BC.

I fully support the proposal to designate Psychotherapy as a Health Profession. This term recognizes the diverse range of therapeutic approaches within the counselling field.

I believe this designation can be achieved while maintaining a strong focus on public protection. I advocate for multiple pathways to meet a set of core competencies to achieve this goal.

I look forward to the next steps in this important process.

Sincerely,
Sheldon Bilsker, RCC, HT
Director, Orca Institute