



Bill 87: The Protecting Patients Act

Changes that are in effect as of May 30, 2017

- The following additional information will be available and maintained on an audiologist's or speech-language pathologist's profile on the Public Register:
 - To remain permanently – Cautions and Specified Continuing Educational or Remediation Programs (SCERPs) that are ordered;
 - Specific allegations of every matter referred to the Discipline Committee that have not been fully resolved;
 - If the Discipline Committee does not make a finding of professional misconduct or incompetence, the outcome will be posted on the Public Register for 90 days;
 - Findings of incapacity; and
 - The date the member dies.
- The Inquiries, Complaints and Reports Committee (ICRC) can now order an interim suspension of a member when it first receives a complaint or as soon as it appoints an investigator. The Committee can do this if it feels that the member's conduct or behaviour is likely to put patients at immediate/imminent risk. Historically, the Committee could only order an interim suspension when the investigation was complete.
- ICRC and the Discipline Committee can no longer impose gender-based restrictions (e.g. a male member can only practice on male patients).
- Touching of a sexual nature of a patient's genitals, anus, breasts or buttocks will now result in mandatory revocation of a certificate of registration.
- For findings of sexual abuse that do not result in revocation, the minimum penalty must include a suspension. Previously, the minimum penalty was a caution.
- The fines for failing to report sexual abuse have increased to \$50,000 for individuals and to \$200,000 for corporations.



Future Changes that will Come into Effect

- Patients who complain about sexual abuse by an audiologist or speech-language pathologist may seek funding for therapy or counselling at the time a complaint or report is received, rather than having to wait until the Discipline Committee makes a finding.
- Sexual abuse includes conduct occurring within one year of the professional relationship ending. The government may set additional criteria to define who is “a patient” for the purposes of sexual abuse provisions.
- New mandatory self-reporting obligations will include:
 - Registration with all other regulatory bodies, and any findings of professional misconduct or incompetence (but not incapacity) made by those bodies; and
 - All charges for an offence, and any resulting bail conditions or other restrictions.