

CNPBC Protocol for the Enforcement of the Naturopathic Act

Voluntary Compliance:

- # Upon receipt of a complaint from the public or the Board (CNPBC), the committee appointed by the Board to oversee Public Safety and Act Enforcement will investigate the nature and evidence of the complaint.
- # The Public Safety and Act Enforcement committee would, as a first step, seek voluntary compliance from the offending party.
- # Failing voluntary compliance, or upon repeat contravention of the Act, a charge would be laid.

The Charge:

- # The police agency (Municipal police or RCMP) who have jurisdiction in the area would be informed and a charge filed with them by The CNPBC.
- # The police agency would investigate the nature of the charge and substantiate, as well as, gather any evidence necessary to lay the charge.
- # The police would issue a 'violation ticket' [a generic ticket issued under the Offense Act] with a fine of \$100 for the first offense and a \$250 fine upon a second contravention. The individual would have 10 days to appeal the charge.

Acceptance or Appeal:

- # The charge is to be appealed to the Supreme Court within 10 days of the issuance of the 'violation ticket'. The charge can be simultaneously appealed to the Board and the Board would, upon satisfactory agreement, drop the charges.
- # If the individual accepts the violation which he does by paying the fine within the 10 day period, the police would take no further action.
- # The person would be presumed guilty if the ticket was not paid within the 10-day period. The police would collect the unpaid ticket(s) in the same fashion as any other unpaid ticket(s).
- # If the person appeals, then a hearing date would be fixed and the police file copied to the AG's office and to the CNPBC. The AG's office would deal with the appeal on its merits, with police, CNPBC and other witnesses in attendance.
- # The Board would, after a period of 60 days, direct the Public Safety and Act Enforcement Committee to investigate if the violation has been corrected or has not reemerged. It would be the Boards regulatory authority to file a second step (or third as appropriate) charge, which would be another charge submitted to the police if any contravention of the Act exists.

HEALTH PROFESSIONS ACT

[RSBC 1996] CHAPTER 183

Prohibitions regarding practice of designated health profession

13 (1) If a regulation under section 12 (2) (d) limits the services that may be performed in the course of practice of a designated health profession, a registrant must limit his or her practice of that designated health profession in accordance with the regulation.

(2) If a regulation under section 12 (2) (e) prescribes a service that may only be performed by a registrant of a particular college,

(a) a person other than a registrant of the college must not perform the service, and

(b) a person must not recover any fee or remuneration in any court in respect of the performance of the service unless, at the time of performance, he or she was a registrant entitled to perform the service.

(3) If a regulation under section 12 (2) (f) prescribes a service that may only be performed by or under the supervision of a registrant of a particular college,

(a) a person other than a registrant of the college must not perform the service unless he or she does so under the supervision of such a registrant, and

(b) a person other than a registrant of the college must not recover any fee or remuneration in any court in respect of the performance of the service unless, at the time of performance, he or she was supervised by such a registrant.

(4) A person other than a registrant of a college must not use a name, title, description or abbreviation in any manner that expresses or implies that he or she is a registrant or is associated with the college.

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Health Professions Act

NATUROPATHIC PHYSICIANS REGULATION

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Definitions

1 In this regulation:

"Act" means the *Health Professions Act*;

"naturopathic medicine" means the art of healing by natural methods or therapeutics, including the first aid treatment of minor cuts, abrasions and contusions, bandaging, taking of blood samples, and the prescribing or administering of authorized preparations and medicines.

Designation

2 (1) Naturopathic medicine is designated as a health profession.

(2) The "College of Naturopathic Physicians of British Columbia" is the name of the college established under section 15 (1) of the Act for naturopathic medicine.

Reserved titles

3 (1) No person other than a registrant may use the title "naturopath", "naturopathic physician", "drugless physician", "sanipractic physician" or "drugless healer".

(2) A registrant may use the title "doctor" or the abbreviation "Dr." but only as "Doctor of Naturopathic Medicine", "Dr. of Naturopathic Medicine", "Naturopathic Doctor" or "Naturopathic Dr.".

(3) A naturopathic physician must not use the titles "doctor" or "physician" in such a way as to suggest an occupation relating to the treatment of human ailments, other than as permitted under this regulation.

Scope of practice

4 A registrant may practise naturopathic medicine.

Reserved acts

5 Subject to section 14 of the Act, no person other than a registrant may practise naturopathic medicine.

Limitations on practice

6 No registrant may

- (a) prescribe or administer drugs for internal or external use other than the preparations and medicines specified in bylaws made by the Board and approved by the Lieutenant Governor in Council,
- (b) use or administer anaesthetics for any purpose, or
- (c) practise surgery.

Patient relations program

7 The College is designated for the purposes of section 16 (2) (f) of the Act.

[Provisions of the *Health Professions Act*, R.S.B.C. 1996, c. 183, relevant to the enactment of this regulation: section 12]