

O.C. 437/2010

A.R. 206/2010

November 24, 2010

The Lieutenant Governor in Council approves the Acupuncture Amendment Regulation set out in the attached Appendix.

For Information only

Recommended by: Minister of Health and Wellness

Authority: Health Disciplines Act
(section 55)

APPENDIX

Health Disciplines Act

ACUPUNCTURE AMENDMENT REGULATION

1 The *Acupuncture Regulation* (AR 42/88) is amended by this Regulation.

2 Section 1 is amended

(a) by repealing clause (e) and substituting the following:

(e) “Board” means the Health Disciplines Board established under section 3 of the Act;

(e.1) “College” means the College and Association of Acupuncturists of Alberta named in an order made under section 19(3)(a) of the Act as the health discipline association to govern acupuncturists;

(e.2) “Conduct and Competency Committee” means the conduct and competency committee described in section 17 of the Act and established under section 22 of this Regulation;

(e.3) “Council” means the Council referred to in section 20 of this Regulation;

(b) by repealing clause (g) and substituting the following:

(g) “dentist” means a regulated member of the Alberta Dental Association and College under Schedule 7 to the *Health Professions Act*;

(c) by adding the following after clause (j):

- (k) “Registrar” means the Registrar appointed in accordance with section 15 of the Act;
- (l) “Registration Committee” means the registration committee described in section 16 of the Act and established under section 21 of this Regulation.

3 Section 2 is amended

- (a) in subsection (1)**
 - (i) in clause (c)(iii) by adding “Registration” before “Committee”;**
 - (ii) in clause (d) by striking out “prescribed in section 15,” and substituting “prescribed by the College’s bylaws, and”;**
 - (iii) by repealing clause (e);**
- (b) in subsection (2)**
 - (i) by striking out “subsection (1)(a) to (e)” and substituting “subsection (1)(a) to (d)”;**
 - (ii) by adding “Registration” before “Committee”.**

4 Section 3(1) is amended

- (a) in clause (a) by striking out “section 2(1)(a), (e) and (f)” and substituting “section 2(1)(a) and (f)”;**
- (b) in clause (c) by striking out “fees prescribed in section 15 prior to October 1, 1991” and substituting “fees prescribed by the College’s bylaws”.**

5 Section 4 is amended

- (a) in subsection (1)**
 - (i) by striking out “section 34” and substituting “section 24”;**
 - (ii) by striking out “prescribed in section 15” and substituting “prescribed by the College’s bylaws”;**
 - (iii) in clause (a) by adding “Registration” before “Committee”;**
 - (iv) in clause (b)**
 - (A) by striking out “section 34(4)” and substituting “section 24(7)”;**
 - (B) by striking out “Committee” wherever it occurs and substituting “Registration Committee”;**
- (b) in subsection (2)**

(i) by striking out “Committee” wherever it occurs and substituting “Registration Committee”;

(ii) by striking out “section 34(4)” and substituting “section 24(7)”.

6 Section 5 is amended by striking out “section 34” and substituting “section 24”.

7 Section 8(1) is amended

(a) in clause (a) by striking out “he” and substituting “he or she”;

(b) in clause (b) by striking out “he” and substituting “he or she”.

8 Section 12(2) is amended by striking out “from the Alberta Acupuncture Society and”.

9 Section 13(1) is amended by striking out “his practice” and substituting “his or her practice”.

10 Section 14 is amended by striking out “Committee” and substituting “College”.

11 Section 15 is repealed.

12 Section 16 is amended

(a) by repealing clause (b) and substituting the following:

(b) attend to the health needs of all those seeking acupuncture services without discrimination based on race, religious beliefs, colour, gender, physical disability, mental disability, ancestry, place of origin, marital status, source of income, family status or sexual orientation;

(b) in clause (c) by striking out “he” and substituting “the acupuncturist”;

(c) in clause (d) by striking out “his” and substituting “the acupuncturist’s”;

(d) in clause (e) by striking out “his” wherever it occurs and substituting “his or her”;

(e) in clause (g) by striking out “his patient” and substituting “the patient”.

13 Section 17 is amended

(a) in subsection (2) by striking out “Committee” and substituting “College”;

- (b) in subsection (4) by striking out “his behalf” and substituting “behalf of the acupuncturist”;
- (c) in subsection (5) by striking out “his” and substituting “the acupuncturist’s”.

14 Section 18 is amended

- (a) in subsection (1)
 - (i) in clause (a) by striking out “his” and substituting “the acupuncturist’s”;
 - (ii) in clauses (b) and (k) by striking out “Committee” and substituting “College”;
- (b) in subsection (7)
 - (i) by striking out “Committee” and substituting “College”;
 - (ii) by striking out “his” and substituting “the acupuncturist’s”;
 - (iii) by striking out “he” and substituting “the acupuncturist”.

15 Section 19 is amended

- (a) in subsection (2) by striking out “his” and substituting “the acupuncturist’s”;
- (b) in subsections (3) and (4) by striking out “Committee” and substituting “College”.

16 Section 20 is repealed and the following is substituted:

Governing body

- 20** The governing body of the College shall be a Council consisting of
- (a) not fewer than 6 and not more than 9 registered members, and
 - (b) 2 persons appointed by the Lieutenant Governor in Council under section 14(1)(b) of the Act.

Registration Committee

- 21(1)** The Registration Committee is established and shall consist of not fewer than 3 and not more than 9 persons who are registered members and who are appointed by the Council.
- (2)** Despite subsection (1), if
- (a) before the coming into force of this section, a registered member of the Acupuncture Committee established under section 9(1)(a) of the Act was designated to review a registration matter under section 23 or 24 of the Act, and

- (b) on the coming into force of this section, the review of that registration matter is not concluded,

the registered member is deemed, on the coming into force of this section, to have been appointed under subsection (1) and continues as a member of the Registration Committee for the sole purpose of completing the review, until that review is concluded, or he or she is reappointed, as the case may be.

Conduct and Competency Committee

22(1) The Conduct and Competency Committee is established and shall consist of

- (a) not fewer than 3 persons who are registered members and who are appointed by the Council, and
- (b) the person appointed by the Lieutenant Governor in Council under section 17(1)(b) of the Act.

(2) Despite subsection (1), if

- (a) before the coming into force of this section, a registered member of the Acupuncture Committee established under section 9(1)(a) of the Act was designated by the chair under section 27.1 of the Act to sit as a member of a panel of the Acupuncture Committee in respect of a complaint matter under Part 4 of the Act, and
- (b) on the coming into force of this section, the complaint matter remains before the panel,

the registered member is deemed, on the coming into force of this section, to have been appointed under subsection (1) and continues as a member of the Conduct and Competency Committee for the sole purpose of completing the complaint matter in respect of which he or she had been designated to sit as a member of a panel, until that complaint matter is concluded, or he or she is reappointed, as the case may be.

Annual report

23 The date on or before which the College is to submit the report under section 18 of the Act is March 1 of each year.

17 This Regulation comes into force on January 1, 2011.