



# Jurisprudence Course Handbook

## Overview

Outlining the regulatory framework for the practice and obligations of regulated members of the College of Acupuncturists of Alberta

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### VERSION 1

**Effective Date:** June 12, 2025

**Approved Date:** June 12, 2025

## Land Acknowledgement

The College of Acupuncturists of Alberta respectfully acknowledges that we operate on the traditional and ancestral territory of many peoples, including the Indigenous peoples of the Treaties 4, 6, 7, 8, and 10 regions, and the Métis Settlements and Six Regions of the Métis Nation of Alberta. We respect the histories, languages, and cultures of First Nations, Métis, Inuit, and all First Peoples of Canada, whose presence continues to enrich our communities.

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## 1. Introduction

The purpose of this jurisprudence course handbook is to provide individuals who are applying, reapplying after not practicing for two years, or currently registered as acupuncturists with information to better understand their legal and professional obligations.

## 2. Co-Regulation versus Self-Regulation

Co-regulation, in the context of the *Health Professions Act* (Act), occurs when decision-making bodies in healthcare regulatory organizations include both regulated members and public members. This structure aims to ensure a fair and balanced approach to regulating healthcare professions. Regulated members are healthcare professionals regulated under the Act (i.e. acupuncturists), while public members are individuals from outside the healthcare field.

The main idea behind co-regulation is to prevent any one group, whether regulated professionals or the public, from having too much influence over regulatory processes. By having an equal number of regulated and public members on decision-making bodies, like the College of Acupuncturists of Alberta's (College) Council or Hearing Tribunals, transparency, accountability, and public interest protection in healthcare regulation are promoted.

This balance, with 50% regulated members and 50% public members, helps ensure that regulatory decisions consider both healthcare professionals' perspectives and the broader public viewpoint, leading to a more balanced and effective regulatory environment in the health profession.

On the other hand, self-regulation puts the responsibility for setting and enforcing standards mainly in the hands of the profession being regulated. This means the industry creates its own rules, codes of conduct, and enforcement mechanisms without meaningful external oversight. Self-regulatory organizations usually consist of members from within the profession.

Co-regulation is crucial because it ensures fairness and transparency in the regulatory process, thus maintaining the public's confidence in the integrity of the profession and its ability to self-regulate. For example, if someone complains about an acupuncturist and the Hearing Tribunal consists only of acupuncturists, there might be concerns that the process is not fair or transparent and that the public perspective is not accurately reflected.

However, under the co-regulation framework, decision-making bodies include both regulated members and public members. This balanced representation helps ensure that complaints are considered from multiple perspectives, leading to fairer outcomes and greater public trust in the regulatory system.

In summary, co-regulation ensures accountability, protects the public, and upholds professional integrity for regulated members. A regulatory system that values transparency and public input is crucial for upholding professional standards and fostering community trust.

### 3. Laws Governing the Profession of Acupuncture

Acupuncturists have a professional responsibility to understand their regulatory and statutory obligations to ensure safe, competent, and ethical practice, and to self-report or report other individuals who are not compliant with legislation and any other governing documents that guide the profession.

This section highlights the laws that apply to the profession of acupuncture and briefly reviews the scope and purpose of such laws. It is not meant to be an exhaustive list and, as stated above, it is the responsibility of acupuncturists to understand the laws and regulatory requirements that apply to them and keep updated on changes.

#### 3.1 Health Professions Act

The *Health Professions Act* (Act) was proclaimed for acupuncturists on December 30, 2020. It is considered umbrella legislation that currently encompasses 29 health profession colleges whose mandate is to ensure health professionals provide safe, competent, and ethical care.

Parts 1 to 9 of the Act address the establishment of colleges, registration, renewal, continuing competence, and the investigation and adjudication of complaints.

To align with its mandate of public protection, the College is obligated under the Act to carry out the following activities:

- Establishing a Council made up of 50% public members, appointed by the provincial government, and 50% acupuncturists, appointed in accordance with College bylaws.
- Approving acupuncture program(s) of study or the removal of such an approval.
- Establishing and enforcing the entry to practice, renewal, and reinstatement requirements, including establishing and administering examinations to test competencies.
- Setting out registration processes for applicants and existing acupuncturists within established standards.
- Ensuring ongoing competence through the development and management of a Continuing Competence Program (CCP), which includes self-study and College-directed activities.
- Establishing, maintaining, and enforcing Standards of Practice and a Code of Ethics.
- Managing, investigating, and adjudicating complaints of unprofessional conduct.
- Establishing, maintaining, and administering regulatory committees.
- Protecting titles applicable to the industry.

#### 3.2 Acupuncturists Profession Regulation

All health professions under the Act are also subject to regulations, which set out a framework for how colleges will regulate matters, such as registration, member registers, renewal, and the use and protection of titles. For acupuncturists, the *Acupuncturists Profession Regulation* specifically applies to the practice of acupuncture in Alberta.

#### 3.3 Health Professions Restricted Activity Regulation

The *Health Professions Restricted Activity Regulation* authorizes the performance of restricted activities by regulated health professions governed under the Act.

Other provincial and federal legislation<sup>1</sup> that impacts the acupuncture profession includes:

Name of Legislation	Scope and Purpose
<a href="#">The Canadian Charter of Rights and Freedoms (The Charter)</a>	<p>Guarantees fundamental rights, including freedoms such as freedom of association, democratic rights such as the right to vote, legal rights such as the right to security of the person, and equality rights.</p> <p>The Charter prevails over all other legislation and must be considered in all circumstances.</p>
<a href="#">The Alberta Human Rights Act</a>	<p>Affirms basic human rights and prohibits discrimination in various contexts in Alberta and establishes the Human Rights Commission to hear complaints of violations of those rights.</p> <p>An allegation against an acupuncturist under this legislation does not prevent a complaint from also being lodged under the Act.</p>
<a href="#">Child Youth and Family Enhancement Act</a>	<p>Regulates the provision of services and protection of children and youth in Alberta. Under section 4, there is a requirement for any person, who has information indicating that a child might be in need of intervention, to report all information in their possession to a director or police officer.</p> <p>A child is in need of intervention if there are reasonable and probable grounds to believe that the safety, security, or development of the child is endangered, and/or there are reasonable or probable grounds that the child's security, survival, or development are endangered as set out under s.2. It can include abandonment, neglect, and/or risk of being physically injured or of sexual abuse.</p>
<a href="#">Emergency Medical Aid Act</a>	<p>Establishes protection from liability for a physician, registered health discipline member, or registered nurse who voluntarily renders emergency medical services or first aid assistance to a person who is ill, injured, or unconscious, as a result of and at the scene of an accident or other emergency. It also establishes protection for other persons who provide emergency first aid at the immediate scene of an accident or emergency.</p> <p>Acupuncturists are included under this legislation due to their requirement to carry a CPR certification.</p>
<a href="#">Fair Registrations Practices Act (FRPA)</a>	<p>Eliminates the barriers associated with the assessment of qualifications for applicants by ensuring that registration practices in place for regulated professions, designated occupations, or trades are transparent, objective, impartial, and procedurally fair.</p> <p>The College is obligated to adhere to this legislation when considering applications for registration in Alberta.</p>

<sup>1</sup> This is not an exhaustive list, and it is the responsibility of all acupuncturists to stay up to date on any changes to the laws, regulations, and policies that govern their practice.

Name of Legislation	Scope and Purpose
<a href="#">Funding for Treatment and Counselling Regulation</a> (Enabling Statute - Health Professions Act)	<p>Section 135.9(5) of the Act requires funding for treatment and counselling to be provided in accordance with the Regulation. This Regulation establishes how funding for treatment and counselling is to be provided to eligible patients.</p> <p>When an individual alleges sexual abuse and/or sexual misconduct by an acupuncturist through the complaint process, an assessment is done by the Complaints Director to determine eligibility for funding based on this regulation.</p>
<a href="#">Health Information Act (HIA)</a>	<p>Governs and regulates access to and the collection, use, and disclosure of health information. It provides Albertans with the right to access their own health information and to request corrections. It protects the privacy and confidentiality of health information and enables health information to be accessed and shared to provide health services and manage the health system.</p> <p>While acupuncturists are not identified as custodians of this type of information under the HIA, they have similar obligations under Personal Information Protection Act (PIPA). Importantly, if an acupuncturist works in a multidisciplinary clinic run by a custodian, such as a chiropractor or doctor, they may have obligations under the HIA and should be discussing these obligations with the employer.</p>
<a href="#">Labour Mobility Act (LMA)</a>	<p>Allows highly skilled Canadian certified professional workers in more than 100 regulated occupations to easily and quickly get work in Alberta by removing barriers and creating a consistent approach to recognizing out-of-province credentials. This includes acupuncturists.</p> <p>The College is obligated to adhere to this legislation when considering applications for registration in Alberta.</p>
<a href="#">Occupational Health and Safety Act (OHS) OHS Code</a>	<p>Sets out the framework for health and safety in Alberta's workplaces.</p> <p>Should an acupuncturist be an owner/operator of their own clinic, they will need to ensure they have the necessary processes in place to ensure safety at the clinic.</p>
<a href="#">Personal Information Protection Act (PIPA)</a>	<p>Protects personal information that is collected, used, or disclosed by private-sector organizations in the province. Balances the rights of individuals and the needs of organizations to collect, use, and disclose personal information for reasonable purposes.</p> <p>Patient's health information collected by acupuncturists is also considered personal information. Acupuncturists must adhere to PIPA and, if an acupuncturist is not an owner/operator of a clinic or they work within a multidisciplinary clinic, it is important for acupuncturists to understand how the clinic will handle patient information.</p>

Name of Legislation	Scope and Purpose
<a href="#">Personal Services Regulation</a> (Enabling Statute – Public Health Act) <a href="#">Personal Services Standards</a>	Establishes the minimum health and safety requirements for the personal services industry.  This includes acupuncturists who perform personal services for the primary purpose of enhancing, preserving, or altering an individual's appearance. Acupuncturists are required to register with Alberta Health Services (AHS) if they provide these services and any complaints about these services will be managed through AHS. The College publishes a fact sheet on its website to support members in understanding these requirements.

It is important for acupuncturists in Alberta to be familiar with the laws, regulations, and standards that govern their practice and to always ensure that they are providing safe, competent, and ethical care to their patients.

Acupuncturists can update themselves by regularly reviewing the College's website, attending continuing education courses, and consulting with other acupuncturists or legal experts as needed.

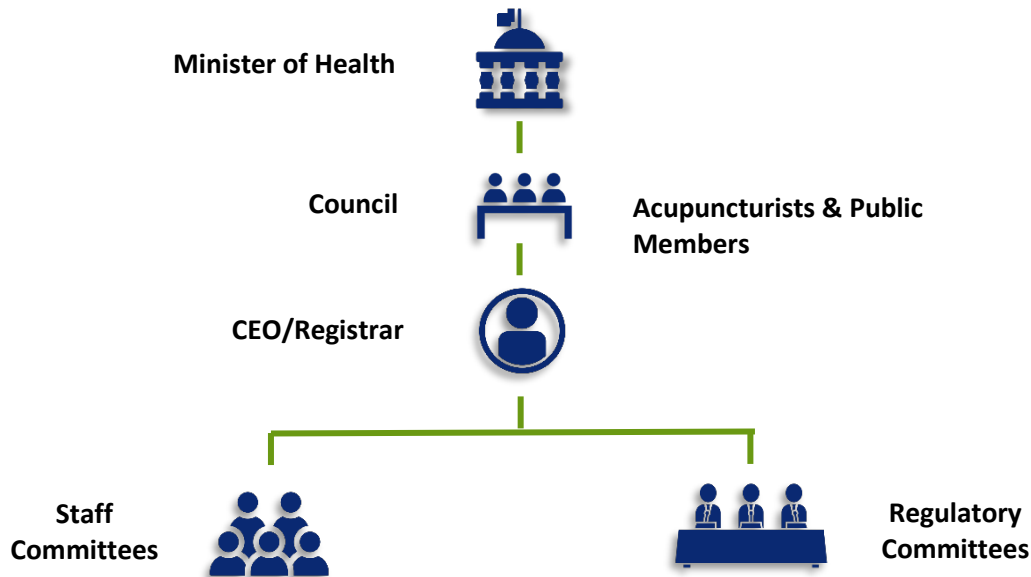
## 4. Governance of the College

### 4.1 Structure of the College

The College is created by statute through the Act and is governed by a Council. The Council consists of both acupuncturists and public individuals appointed by the government. The role of the Council is to manage and conduct the activities of the College under the Act and the bylaws. The Council also sets the strategic direction of the organization and appoints and oversees the work of the CEO.

The CEO is responsible for the day-to-day operations of the College and establishes the initiatives the organization pursues to achieve its strategic plan. The CEO is accountable for ensuring the College is adhering to respective laws, complying with policy, and operating in a manner that is financially sustainable. The CEO is supported by staff and regulatory committees. See the following diagram.





#### 4.2 Bylaws, Policies, Procedures, and Other Standards

The Council and the CEO are guided in their work through the establishment of organizational bylaws, policies, and procedures. These documents provide a framework for governance, decision-making, and operational processes.

**Bylaws** – According to section 132 of the Act, the Council has the power to create bylaws. Bylaws detail the requirements for governance, including how the Council, committees, and tribunals operate and how membership is established. They set the rules around registration, information sharing, and other administrative functions of the College.

**Policies and Procedures** – The Council may also set policies that clarify responsibilities and activities laid out in the Act and the bylaws. The College’s policy framework is approved by Council and has three categories: governance, operational, and regulatory.

1. Governance policies (approved by Council) guide the governance of the College, such as the appointment of acupuncturists to committees and risk oversight.
2. Operational policies (approved by the CEO) guide the day-to-day management of the College, including human resources, records, and expenses.
3. Regulatory policies (approved by the CEO) guide the processes of the College as set out under the Act, such as complaints, registration, and hearings.

**Standards of Practice (SOPs)** – The College also sets standards for acupuncturists as required under the Act. These outline the minimum expectations and responsibilities of acupuncturists. SOPs undergo a rigorous consultation process involving acupuncturists, the Council, the government, and stakeholders. They are adopted by the Council following the consultation process and publicly available on the College’s website.

SOPs evolve over time and are directly impacted by changes in legislation. All SOPs are found on the College's website and include topics such as patient records, continuing competence, and competency and practice. It is important for acupuncturists to become familiar with all SOPs. Current SOPs include:

- Continuing Competence Program (CCP) – outlines the minimum requirements for acupuncturists to complete within a registration year.
- Patient Records – sets out an acupuncturist's obligations to keep accurate patient records, store these records safely and securely, and minimum record retention requirements.
- Performance of a Restricted Activity – sets out the requirement for acupuncturists to perform only those restricted activities that they are competent and authorized to perform.
- Preventing Female Genital Mutilation (FGM) – outlines the expectations of acupuncturists with respect to reporting and/or abstaining from procuring or performing FGM.
- Sexual Abuse/Misconduct– outlines the steps required to ensure appropriate boundaries are maintained to prevent sexual abuse/misconduct by acupuncturists, and ultimately to protect patients from sexual abuse/misconduct. It also includes information on who is considered a patient.
- Competency and Practice - outlines the knowledge and skills necessary for safe and effective practice as an acupuncturist in Alberta.

Under no circumstances should an acupuncturist have a sexual relationship with a current patient even if the patient consents.

**Code of Ethics (Code)** - The College is required to establish a Code. Similar to SOPs, the Code must undergo a consultation process. The Code outlines the ethical behaviours that acupuncturists are expected to uphold, including, but not limited to, accountability, competency, fairness, honesty, and inclusivity.

Abiding by these principles contributes to the advancement, integrity, and reputation of the acupuncture profession. It fosters public confidence and trust and enhances the overall well-being of patients.

#### 4.3 Other Committees and Positions

Other committees and positions of the College include:

Position or Committee	Function
<b>Appointment Review Committee</b>	Reviews applications and makes recommendations for acupuncturist appointments to the Council.
<b>President/Chair of the Council</b>	Chairs the meetings of the Council, is an officer of the College, and is the official spokesperson of the College. Elected by members of the Council.

Position or Committee	Function
<b>Vice President/Vice Chair of the Council</b>	Assumes the responsibilities of the Chair in the event the Chair is unavailable and is an officer of the College. Elected by members of the Council.
<b>Governance and Nomination Committee (GNC)</b> Composed of Council members and may include outside individuals selected for expertise	Makes recommendations to the Council regarding Council and committee effectiveness.  Identifies, recruits, and recommends qualified individuals for appointment to the Council, its committees, or to fill the vacancy for the CEO position.
<b>Finance, Risk, and Audit Committee (FRAC)</b> Composed of Council members and may include outside individuals selected for expertise	Assists the Council in fulfilling its oversight responsibilities relating to budgeting, forecasting, reporting, accounting policies/practices, internal controls, investment policies (monitoring and reporting), and risk management.
<b>Registrar</b>	Considers applications for initial registration, renewal, and reinstatement. The Registrar's ultimate responsibility is to protect the public by ensuring only qualified, competent, and ethical professionals are allowed to practice.  In smaller colleges, the CEO and Registrar role can be combined, as is the case at the College.
<b>Complaints Director</b>	Receives complaints about acupuncturists or former acupuncturists and determines how complaints should be dealt with. Requests expert opinions, conducts investigations, or appoints investigators to conduct investigations. Reviews investigation reports and determines whether complaints should be referred to a hearing or dismissed. Assesses next steps and may make directions where issues of incapacity of a regulated member arise.  The Complaints Director and Hearings Director cannot be the same individual.
<b>Hearings Director</b>	Provides administrative support for hearings and appeals. Schedules hearings. Appoints hearing tribunal members. Responsible for the service of notices to acupuncturists and preparing the notices to witnesses. Ensures hearings, CRC reviews, and appeals are conducted according to the requirements set out in the Act.  The Hearings Director and Complaints Director cannot be the same individual.
<b>Registration and Examination Committee</b> Composed of acupuncturists	Makes recommendations to the CEO/Registrar regarding registration applications, as well as policies and procedures regarding registration, practice permit renewals, and examinations.
<b>Acupuncture Education Program Review Committee</b> Composed of acupuncturists	Makes recommendations to the CEO/Registrar regarding acupuncture education programs.

Position or Committee	Function
<b>Competence Committee</b> Composed of acupuncturists	Makes recommendations to the Council regarding the development and maintenance of a CCP. Reviews and assesses competence of acupuncturists.  The Complaints Director draws from the experience of this committee to assist as subject matter experts for complaint files.
<b>Complaint Review Committee (CRC)</b> Composed of 50% public members (appointed by government) and 50% acupuncturists (appointed by Council)	Established by the Hearings Director to conduct reviews of the dismissal of a complaint where requested by a complainant and to review and ratify settlements under the Act.
<b>Appeals Committee</b> Composed of 50% public members of Council (appointed by government) and 50% acupuncturists of Council (appointed by Council)	Hears appeals under the Act from a decision of a Hearing Tribunal.
<b>Hearing Tribunal</b> Composed of 50% public members and 50% regulated members	A Hearing Tribunal is selected by the Hearings Director to hear matters referred to them.  Public members are chosen from the government appointed roster of tribunal members and acupuncturists are chosen from the membership list approved by the Council.

#### 4.4 College versus Association

The role of a college is to serve the public interest, while the role of an association is to serve its members. The following chart outlines the differences between a college and an association for regulated professions under the Act.

	College	Association
<b>Membership</b>	Mandatory	Voluntary
<b>Accountability</b>	Accountable to the government ( <i>in our case, the Minister of Health</i> ).	Accountable to its members.
<b>Primary Goal</b>	Achieve mandate to protect the public.	Act in the best interest of its members and advocate on behalf of the profession they represent.
<b>Legislative Compliance</b>	Govern regulated members according to legislation and bylaws.  Sets the standards for competence requirements.	No regulatory authority.
<b>Competence</b>	Required to run a CCP.	
<b>Standards of Practice and Code of Ethics</b>	Sets the standards for safe and competent practice and a code for ethical practice.	Free to offer professional development opportunities to support their members in their pursuit of competent and ethical practice.

	College	Association
Complaint and Discipline Process	Authorized to receive complaints from the public of alleged unprofessional conduct against regulated members and can take disciplinary action when necessary.	
Protected Title	Authorize the use of a protected title.	Cannot authorize use of a protected title/credentials.
Advocacy	Not permitted to advocate for the profession.	Free to focus on advocacy and promotion of the profession, including such issues as public awareness and professional image.

## 5. Protected Titles

The Act indicates that only qualified regulated members who meet the requirements of the College are authorized to use protected titles and designations. For acupuncturists in Alberta, the protected titles include:

- doctor of acupuncture
- Dr. Ac.
- acupuncturist
- intern acupuncturist
- R. AC
- AC

Only the College can grant the use of a protected title in the acupuncture profession. Schools, associations, institutions that provide continuing education courses, etc. are not authorized to grant protected titles.

### 5.1 Use of the Doctor Title

If an acupuncturist chooses to use the doctor of acupuncture title, they **must** specify that they are a doctor of acupuncture. In advertisements (including company websites, social media, business cards, letterhead, etc.), acupuncturists must use one of the following:

- Dr. Jane Doe, Doctor of Acupuncture
- Dr. Jane Doe, Dr. of Ac.
- Dr. Jane Doe, Dr. Ac.
- Doctor of Acupuncture, Jane Doe
- Dr. of Ac., Jane Doe
- Dr. Ac., Jane Doe
- Jane Doe, Doctor of Acupuncture
- Jane Doe, Dr. of Ac.
- Jane Doe, Dr. Ac

## 5.2 Use of TCM

Traditional Chinese Medicine (TCM) is not regulated in Alberta. Since “doctor” is a protected title, acupuncturists are not authorized to refer to themselves as a Doctor of TCM or any variation thereof (e.g., TCMD, DTCM, Dr. TCM). Those who wish to reference TCM can reference this as having additional education. For example, a member could include that they have education in TCM herbology in a biography.

## 6. Registration and Renewal

The College sets registration requirements to become an acupuncturist in Alberta and to renew a practice permit. These requirements are integral in ensuring the public receives safe, competent, and ethical care from acupuncturists.

### 6.1 Registration

The College registers individuals who are new to the profession, who are moving to Alberta from another province or country where they practiced as an acupuncturist, and those returning to practice after a leave.

The College must comply with applicable legislation when accepting, processing, and deciding on an application for registration as outlined in the laws governing acupuncture above.

The Act requires any qualified person who is practicing a regulated profession in Alberta to be registered with a regulatory college. A person is considered qualified if they meet the legislative registration requirements for the College, including having completed a program of study in acupuncture.

The practice of acupuncture is outlined in schedule 1 of the Act and includes the following:

- Diagnose, treat, and prevent diseases, disorders, and dysfunctions using methods based on the holistic principles of TCM and on using methods of stimulating acupuncture points and meridians;
- Provide restricted activities authorized by the regulations; and
- Teach, manage, and conduct research in the science, techniques, and practice of acupuncture.

### 6.2 Registers

The College maintains lists of acupuncturists registered with the College. These lists are called registers. When you are registered as an acupuncturist, you receive an annual practice permit.

There are three registers for acupuncturists: general, provisional, and courtesy registers.

- The **general register** is for acupuncturists who have completed all requirements to be registered within a three-year period preceding the date on which the Registrar receives a complete application, which includes, but is not limited to their diploma from a program in acupuncture approved by the Council. Registration decisions are made by the Registrar with support as needed from the Registration Committee.

- The **provisional register** is for those who have received their diploma from a program of study approved by the College and the jurisprudence requirement. These acupuncturists may only practice under the supervision of an acupuncturist who is on the general register and authorized to perform the restricted activities that the acupuncturist being supervised is authorized to perform. Individuals may only be on this register for one year, subject to the Registrar's discretion in extenuating circumstances. A supervision agreement is required in these circumstances.
- The **courtesy register** is for acupuncturists who wish to work in Alberta for a particular amount of time or for a particular reason (e.g., an acupuncturist registered in British Columbia wants to treat patients in Alberta to cover for a resident acupuncturist on sick leave). The timeframe on a courtesy registration cannot exceed six months.

There are also two registers for non-regulated members. These are non-practicing and student registers.

- The **non-practicing register** is for those who choose to take a break from practice (e.g., parental leave, travel, or illness). These members are not authorized to engage in the practice of acupuncture in Alberta or use the protected titles.
- The **student register** is for a person enrolled in an acupuncture education program approved by the Council.

The Act also requires the College to collect demographic information about acupuncturists. This includes, but is not limited to, their name, contact information, education information, and employment information.

This information is kept securely by the College, but some information may be requested by the public. The College has a legal obligation to provide this upon request unless the College suspects that the release of this information may cause harm to the acupuncturist.

### 6.3 Renewals

The registration year is from April 1 to March 31 of the following year, meaning that acupuncturists must renew their practice permit annually by March 31 to continue practicing.

Renewal applications become available on the member portal on February 1 every year. To renew, an acupuncturist must provide the following:

- Payment of practice permit fees, penalties, costs, and any other outstanding fees.
- Practice hour requirements, including direct hours.
- CCP requirements.
- Valid and current standard first aid and CPR-C certification.
- Valid \$2,000,000 professional liability insurance indicating 'acupuncture services'.
- Various declarations relating to their fitness to practice, good character, and reputation.

The College reviews all the documentation provided by the renewal applicant to ensure completeness and identify any deficiencies.

If registration renewal (including full payment) is not completed by March 31, the acupuncturist's practice permit will be suspended on April 1, and it will be illegal to practice acupuncture. The practice permit will be cancelled within 30 days of suspension if no further steps are made to comply with the renewal process. If a practice permit is cancelled, the former acupuncturist will need to go through the reinstatement process if they wish to return to practice.

Acupuncturists may have practice conditions, such as supervision or monitoring requirements, placed on their practice permit by the College. Unless they have a specified expiry date, the conditions are reviewed at renewal or throughout the year and may be removed if certain requirements have been met. These conditions are visible on an acupuncturist's practice permit.

An application for registration may be approved, approved with conditions, or denied. If an application is approved with conditions or denied, the applicant has the right to request a review. Information on reviews is dealt with in the professional conduct section.

Changes to registration status require additional steps. For example, when leaving practice, it is important to notify patients where to access their records and to notify the College in case they receive inquiries about their patient records.

The College sets out the requirements for each registration category based upon application type that must be submitted for an application to be considered complete. This is available in the Registration Procedure on the College website.

Acupuncturists must display their practice permit at their place of employment where they provide acupuncture services.

#### 6.4 Currency in Practice Requirements

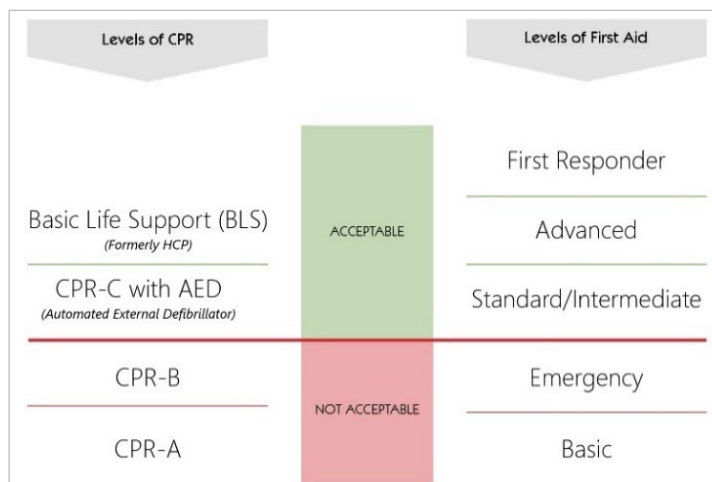
Applicants seeking reinstatement must meet the currency in practice requirements to be eligible for registration. For those who have been unregistered for less than two years, this includes completing any outstanding CCP requirements and mandatory College-directed activities. Those who have been unregistered for more than two years will need to fulfill additional requirements, which may include retaking exams and completing 500 supervised practice hours. More information can be found in the Registration Procedure on the College's website.

A registration decision review requires the applicant to submit their request within a certain time limit and this must be dealt with by the appropriate appellant body within a reasonable time.

#### 6.5 First Aid and CPR Certification

All applicants must provide proof of successful completion of first aid and CPR. The training must be from an organization approved by Alberta Occupational Health and Safety. See the following table for more information on the different levels of certification required.





## 6.6 Registration Review

Under the Act and in accordance with the College's bylaws and policies, the Registrar has the authority to approve an application for registration or to:

- Impose conditions on a registration approval;
- Defer a registration; or
- Refuse an application.

The Registrar may request recommendations from the Registration and Examination Committee before deciding on an application. The decision must contain reasons and information on how the applicant can request a review of the decision. Reviews of these decisions are conducted by a Hearing Tribunal made of Council members, composed of at least 50% public members and 50% acupuncturists.

In a review, the Council (or a panel of Council) has the authority to:

- Confirm, reverse, or vary the decision of the Registrar, and make any decision that the Registrar could have made.
- Refer the matter back to the Registrar and direct the Registrar to make a further assessment of the application and make a decision.
- Make any further order the Council considers necessary for the purposes of carrying out its decision.

## 7. Restricted Activities

All regulated health professionals are authorized to perform certain restricted activities as described in the Act, the *Health Professions Restricted Activity Regulation*, and SOPs. These are activities where specialized skill is required and which may be high-risk to patient safety if improperly performed.

Acupuncturists are authorized to perform the restricted activities of cutting a body tissue or performing other invasive procedures on body tissue below the dermis or mucous membrane for the purposes of practicing acupuncture. Notably, herbology is not considered a restricted activity.

Acupuncturists are only permitted to perform restricted activities that they are duly authorized and proficient in, strictly adhering to legislative and regulatory standards. While other health professions may be authorized to perform acupuncture-related restricted activities if appropriately educated, trained, and authorized by their regulatory bodies, they are prohibited from assuming the title of "acupuncturist," which is a protected title.

## 8. Continuing Competence

The College is responsible for establishing, maintaining, and enforcing standards for continuing competence. Acupuncturists on the general and provisional registers are required under the Act to participate in the Continuing Competence Program (CCP). Adherence to the requirements of the CCP is reported through the annual practice permit renewal. The CCP cycle runs from April 1 to March 31 of the following year for acupuncturists on the general register and for a one-year period beginning on the date a practice permit is issued for acupuncturists on the provisional register.

The CCP serves to ensure that healthcare professionals maintain their competence and enhance the quality of care and services they provide. Other key benefits of the CCP include:

- Acupuncturists can assess and uphold their performance and competence.
- Acupuncturists are assured that high standards of expertise, competence, and professional ethics are upheld throughout the profession.
- The public can trust that acupuncturists are committed to ongoing professional development, ensuring their competence and respect within the profession.
- The College, as a regulator, is responsible for protecting the public interest. The CCP helps acupuncturists adapt to the evolving healthcare environment, contributing to the profession's quality and public safety.
- The College can use the CCP as a system to ensure a responsible, accountable, and formal approach to assessing and reporting on the continuing competence of its members, as required by the Act.

### 8.1 CCP Credits

- One CCP credit is equal to one hour of meaningful learning that is relevant to the acupuncture practice.
- CCP credits can be earned by completing self-selected learning activities or College-directed activities.
- CCP credits completed in one cycle cannot be carried over to a following cycle.

## 8.2 CCP Requirements

Acupuncturists are required to record learning activities for 15 CCP credits per cycle and submit one learning reflection on the CCP form on the College's member portal. A completed learning reflection includes the following components:

- Practice area to which the learning relates
- Objective/goal of the learning plan
- Importance of the objective/goal
- Learning summary
- Reflection on learning and/or impact on practice

Acupuncturists who do not complete the requirements established may be denied their practice permit or have a complaint referred to the Complaints Director.

Acupuncturists must keep supporting documents with respect to the CCP for at least five years after the end of the CCP cycle.

The College may propose College-directed activities at anytime throughout the year based on the College's mandate to serve the public interest. These may be mandatory or optional.

## 8.3 Self-selected Learning Topics

The College posts information on what may be considered a self-selected learning activity on the website under eight competencies. These competencies include:

- Interpersonal skills
- Professionalism
- Practice management
- Acupuncture foundations
- Fundamentals of biomedicine
- Acupuncture diagnostics and treatment
- Acupuncture techniques
- Safety

Herbology-only courses and first aid and CPR courses are not accepted by the College for CCP credits. First aid and CPR are a requirement of registration and renewal.

A topic is eligible for CCP credits if it is addressed by the [Alberta Competency Standard for Acupuncturists document](#).

## 8.4 CCP Periodic Review

The College monitors CCP completion through periodic reviews. A review includes verification of credits, documentation, and learning reflections. Review selection criteria may include:

- Random selection
- Non-compliance from previous year's audit
- Incomplete or late submissions

## 9. Professional Conduct

The Act provides a framework for the College to follow as it relates to the handling of complaints and conducting hearings. It also outlines what is considered unprofessional conduct, orders that can be made by a Hearing Tribunal, including the fines applicable to the acupuncture profession that may be ordered, and specific rules for the mandatory reporting of acupuncturists and for assessing the incapacity of acupuncturists.

The Code, SOPs, and any other College guidance documents set further expectations on the profession of acupuncture. Acupuncturists are accountable for practicing in compliance with the Act, Regulation, Code, and SOPs. They are in place to ensure that Albertans receive safe, competent, and ethical acupuncturist care and services.

Under the Act, unprofessional conduct is defined in part as:

- Displaying a lack of knowledge of or lack of skill or judgment in the provision of professional services.
- Contravention of the Act, Code, or SOPs.
- Failure or refusal to comply with the requirements of the CCP.
- Failure or refusal to comply with the requests of an investigator.
- Conduct that harms the integrity of the profession.

### 9.1 Mandatory Reporting

All health professionals under the Act must report unauthorized or unsafe practices to the appropriate college. This includes:

- Instances where a regulated member has been found guilty of unprofessional conduct by any college, whether within the acupuncture profession or another health profession.
- Situations where an acupuncturist has been found professionally negligent.
- Cases where an acupuncturist has been charged with or convicted of an offence under the Criminal Code of Canada.

Additionally, acupuncturists must report to the appropriate college, if while working, they have uncovered reasonable grounds to believe that another regulated member, of any college, has procured or performed FGM or has committed sexual abuse or sexual misconduct as defined in the Act.

Employers must report the following to the appropriate college:

- Termination or suspension of an acupuncturist's employment, or if the acupuncturist quits due to what the employer believes to be unprofessional conduct.
- Any reasonable grounds to believe that the acupuncturist has performed FGM or committed sexual abuse or sexual misconduct, regardless of any employment actions taken.

Failure to comply with the Act, Code, or SOPs or engaging in inappropriate conduct, including conduct that harms the integrity of the profession, may result in a formal complaint, which is handled by the Complaints Director.

## 9.2 Complaint Management

The College manages complaints and hearings in accordance with Part 4 of the Act ensuring that the processes in place are consistent, fair, objective, transparent, and within the requisite time limits, as well as in conformance with applicable privacy laws.

The College is guided by the principles of natural justice, which are based on the fundamental notion that every person is owed a duty of fairness. The key principles of natural justice include:

- **The right to be heard:** This principle requires that all parties to a dispute be given the opportunity to present their case and respond to the other party's arguments.
- **The right to know the case against them:** Refers to a person's right to be informed of the allegations made against them, as well as the evidence supporting those allegations.
- **The right to be judged impartiality:** Requires the decision maker(s) to be neutral and unbiased in making a decision.
- **The right to reasons for a decision:** Refers to the right to receive clear and understandable reasons for a decision made by a person or organization that affects them.

All complaints submitted about an acupuncturist or former acupuncturist are assessed by the Complaints Director to determine if the College has the authority to action the complaint. Circumstances that may lead to a complaint not being actioned include, but are not limited to:

- A request for monetary compensation or damages.
- A complaint about a former acupuncturist that has not been an acupuncturist for more than two years.
- An unsigned complaint.
- An anonymous complaint.

Complaints may be filed by anyone, including a member of the public, an employer, a colleague, or a student. All complaints must be in writing, be signed, provide details of the complaint, and cannot be anonymous.

Lodging a complaint does not prevent the complainant from taking other action against the acupuncturist or former acupuncturist through civil proceedings, or by lodging a criminal complaint or a complaint to another administrative body, such as the Human Rights Commission or Office of the Information and Privacy Commissioner. Additionally, the College still has the authority to handle a complaint even if the substance of the complaint overlaps with other proceedings.

The Complaints Director may choose one or more actions at any point and in any order before the commencement of a hearing, including:

- Encouraging the complainant and the acupuncturist or the former acupuncturist to communicate with each other and resolve the complaint.
- Attempting to resolve the complaint, with the consent of the complainant and the acupuncturists or former acupuncturists.
- Making a referral to an alternative complaint resolution (ACR) process.
- Requesting an expert to assess and provide a written report on the subject matter of the complaint.

- Conducting or appointing an investigator to conduct an investigation.
- Dismissing the complaint.
- Making a direction under s.118 of the Act relating to incapacity.

Even if no written complaint is received, the Complaints Director can treat information received as a complaint where the information provides grounds to believe that the acupuncturist has engaged in unprofessional conduct. Further, in very serious cases, where public or patient safety is at risk, the Complaints Director may request the designated person from the College to impose conditions on an acupuncturist's practice permit or suspend a practice permit before a hearing is held. Where conditions are imposed or a suspension occurs, the member has the option to seek a stay of the decision by applying to the Court of King's Bench.

Complaints alleging sexual abuse and/or sexual misconduct involving a patient will not be handled informally or via the ACR process. These types of complaints will generally require a fulsome investigation.

Complaints alleging the procurement or performance of FGM require the Complaints Director to report the matter to law enforcement. If the acupuncturist is convicted, the Complaints Director must notify the Registrar of this conviction, and the Registrar must cancel the acupuncturist's practice permit.

### 9.3 Incapacity

Information received by the Complaints Director about an acupuncturist's incapacity may result in an acupuncturist having to undergo various examinations from other health professionals. Incapacity means that a person is suffering from a physical, mental, or emotional condition or disorder or an addiction that impairs the acupuncturist's ability to provide professional services safely and competently.

Should the Complaints Director determine that the practice of an acupuncturist is a risk to public safety while they are subject of the examinations and prior to receiving the results, the Complaints Director may direct the acupuncturist to cease practicing.

Subsequently, after receiving the results of an examination, and where there is sufficient evidence of incapacity, the Complaints Director may direct the acupuncturist to receive treatment and require a copy of the progress notes relating to the treatment. An acupuncturist may appeal this decision to the College's Council.

Where the Complaints Director has referred a complaint to investigation, upon conclusion of an investigation, the Complaints Director may:

- Dismiss the complaint as trivial or vexatious, or as having insufficient or no evidence of unprofessional conduct.
- With the consent of the complainant and the acupuncturist, proceed to resolve the complaint or to refer the complainant and the acupuncturist to an ACR process.
- Refer the matter to a hearing where there is sufficient evidence of unprofessional conduct, and the complaint has not been resolved under the Act.

## 9.4 Complaint Dismissal Review

Under the Act, the Complaints Director may dismiss a complaint and must provide reasons for the dismissal. A complainant may request a review of this dismissal within 30 days of receiving the decision. This request for a review is forwarded to the CRC, which is selected by the Hearings Director and composed of at least 50% public members and 50% acupuncturists.

The CRC will review the information gathered in the case, including any investigation report or expert report, the reasons the complainant is requesting a review, the dismissal decision made by the Complaints Director, and any other submissions made throughout the process by the complainant and the acupuncturist. The CRC may determine whether the submissions will be oral, in writing, or both.

Following its review, CRC will issue a decision in writing.

The CRC has the authority to:

- Uphold the decision of the Complaints Director.
- Order the Complaints Director to investigate the matter further and have that further investigation come back to the CRC for a decision.
- Refer the matter to hearing.

## 9.5 Hearing Management

The Hearings Director manages the scheduling and organization of hearings. This includes the selection of hearing tribunal members consisting of at least 50% public members and 50% acupuncturists of the College.

Hearings are quasi-judicial, which means the hearing is somewhat like court in that a Hearing Tribunal can make decisions that affect a regulated member, but hearings do not follow the same rules as court. A Hearing Tribunal will decide on a case brought before it, including whether the alleged conduct is proven and constitutes unprofessional conduct. If one or more findings of unprofessional conduct are made, the Hearing Tribunal can make orders under the Act.

The College provides both the Hearing Tribunal and the Complaints Director with legal representation. An acupuncturist who is the subject of the hearing may also hire their own legal representation at their own cost. This representation is sometimes available through the acupuncturist's professional liability insurance.

Hearings may be contested or uncontested. A hearing is contested if the acupuncturist does not make an admission of unprofessional conduct on the allegations. A hearing is uncontested if the acupuncturist admits to the allegations and that the conduct is unprofessional conduct. For an uncontested hearing, the hearing generally proceeds with an Agreed Statement of Facts, Admission of Unprofessional Conduct, and Joint Submission on Sanction. A hearing must still be held, although witnesses are not called to give evidence. The parties present the Agreed Statement of Facts, Admission of Unprofessional Conduct, and Joint Submission on Sanction to the Hearing Tribunal, and the Hearing Tribunal must consider the agreed facts, admission, and make a determination on whether to accept the agreement, including the proposed sanction.

The most significant distinction between contested and uncontested hearings is the time commitment: contested hearings may run for several days depending on the number of witnesses and/or experts called to testify, while uncontested hearings usually take one day or less. As such, uncontested hearings also generally incur significantly lower costs than contested hearings.

Upon conclusion of the hearing, the Hearing Tribunal will issue a written decision outlining its findings and the reasoning for those findings. If there is one or more findings of unprofessional conduct, the Hearing Tribunal will also issue a sanction, which may include issuing a reprimand, requiring an educational course, putting conditions on the acupuncturist's practice permit, ordering the acupuncturist to pay a fine, and ordering the acupuncturist to pay some or all costs of the investigation and hearing. In very serious cases, the Hearing Tribunal has the ability to suspend an acupuncturist or to cancel the acupuncturist's practice permit and registration.

Under the Act, there are required sanctions for acupuncturists found guilty of sexual abuse and/or sexual misconduct of a patient.

For members found guilty of the sexual abuse of a patient, the Hearing Tribunal must cancel the acupuncturist's practice permit and registration indefinitely. A member is not able to apply for reinstatement following a finding of sexual abuse.

For sexual misconduct, the Hearing Tribunal must suspend the acupuncturist for a time determined by the Hearing Tribunal. However, if appropriate, the Hearing Tribunal can also cancel the practice permit and registration of the acupuncturist, which prohibits the acupuncturist from applying for reinstatement for at least five years.

Acupuncturists who do not comply with an order of a Hearing Tribunal may be subject to another complaint and/or hearing with further implications, such as conditions on their practice permit.

## 9.6 Appeals and Stays

All decisions have an appeal mechanism. These mechanisms are laid out in the Act, including the timelines for all requests.

Both the Complaints Director and the acupuncturist have the right to appeal the decision of a Hearing Tribunal, whether the hearing was contested or uncontested. It is less likely for the parties to appeal an uncontested hearing if the Hearing Tribunal accepted the Agreed Statement of Facts, Admission of Unprofessional Conduct, and Joint Submission on Sanction.

Appeal requests are heard by Council, or a panel of Council made up of 50% public members and 50% acupuncturists that are also members of the Council.

Appeals are generally on the record (that is, on the information that was before the Hearing Tribunal). A party may not introduce new evidence on appeal, unless permitted to do so by the Council or panel of Council hearing the appeal.

The panel of Council has the authority to:

- Refer the matter back to the original Hearing Tribunal to hear additional evidence for further consideration.



- Refer the matter to the Hearings Director for a rehearing using a Hearing Tribunal composed of individuals who were not members of the original Hearing Tribunal.
- Make any finding that, in its opinion, should have been made by the Hearing Tribunal.
- Quash, confirm, or vary any finding or order of the Hearing Tribunal or substitute or make a finding or order of its own.

A decision of a Hearing Tribunal remains in effect pending an appeal unless the acupuncturist requests a stay of the decision until such time as an appeal is heard. A stay application is heard by a designated member of the Council. Should the designated member of the Council not grant a stay, the acupuncturist may apply to the Court of King's Bench. The findings, order, or direction of the Council may be appealed by either party to the Court of Appeal. The appeal process to the Court of Appeal is governed by the Act and the *Alberta Rules of Court*.

A decision of the Council or a panel of Council on appeal remains in effect pending an appeal unless the Court of Appeal grants a stay of the decision.

## 10. Version History

Date	Notes
June 12, 2025	New jurisprudence handbook to align with transfer from the <i>Health Disciplines Act</i> to the <i>Health Professions Act</i> , align with the revised Code of Ethics and Standards of Practice.