

Health Professions Act

Reserved Actions Regulation

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Definitions

1 In this Regulation:

“Act” means the *Health Professions Act*;

“compound” means

- (a) in respect of a drug, to mix the drug with one or more other ingredients, and
- (b) in respect of a therapeutic diet, to mix two or more ingredients of the therapeutic diet;

“contact lens” includes a lens or mold designed or offered for use in orthokeratology or corneal refractive therapy;

“dental appliance” means

- (a) an appliance, or
- (b) a device,

designed or offered for a dental condition or another condition of the orofacial complex, excluding a ready-to-use or self-adapted mouthguard designed or offered for temporary protection against injury during sporting activities;

“dispense” means

- (a) in respect of a wearable hearing instrument, to select, prepare, alter, sell or offer to sell,
- (b) in respect of a vision appliance, to design, supply, prepare, adjust or verify,
- (c) in respect of a dental appliance, to fabricate or alter, and
- (d) if paragraphs (a) to (c) do not apply, the same as in the *Pharmacy Operations and Drug Scheduling Act*;

“drug” means a drug specified in Schedule I, IA, II or IV of the Drug Schedules Regulation, B.C. Reg. 9/98;

“fit” means

- (a) in respect of a wearable hearing instrument, to adapt or verify, using sound field testing or real ear measurements,
- (b) in respect of a contact lens,
 - (i) to select or recommend the design and type of lens required, or
 - (ii) to perform any tests related to assessing physiological safety or suitability, and

- (c) in respect of a dental appliance, to perform any intra-oral procedure, including the making of impressions, related to dispensing;

“prescribe” means

- (a) in respect of a drug, to issue a “prescription” as defined in the *Pharmacy Operations and Drug Scheduling Act*, and
- (b) in respect of a wearable hearing instrument, vision appliance or dental appliance, to issue an authorization to dispense, for use by a named individual;

“sell” means, in respect of a wearable hearing instrument, to enter into a transfer of title, conditional sale contract, lease, hire purchase or any other contract where a person disposes of, and any other person acquires, the wearable hearing instrument, excluding a wholesale transaction;

“substance” includes air and water and excludes a drug;

“verify”, in respect of a vision appliance, means to verify objectively to the authorization;

“vision appliance” means

- (a) an appliance, or
- (b) a device,

designed or offered for a vision condition, including a contact lens and a low vision aid, and excluding complete ready-to-wear corrective eyeglasses not fabricated for use by a named individual;

“wearable hearing instrument” means

- (a) an appliance, or
- (b) a device,

wearable on the head or body and designed or offered for a hearing condition, including any ear molds or parts or accessories for the appliance or device, except batteries or cords.

Reserved actions

2 The following activities are prescribed for the purposes of Part 4.1 of the Act:

- (a) to make a diagnosis identifying, as the cause of signs or symptoms of an individual,
 - (i) a disease, disorder or condition, or
 - (ii) the effects of a disease, disorder or condition;
- (b) to perform a procedure on tissue
 - (i) below the dermis,
 - (ii) below the surface of a mucous membrane,
 - (iii) in or below the surface of the cornea, or
 - (iv) in or below the surfaces of the teeth, including the scaling of teeth;
- (c) to set or cast a fracture of a bone;
- (d) to reduce a dislocation of a joint;

- (e) to move a joint of the spine beyond the limits the body can voluntarily achieve but within the anatomical range of motion using a high velocity, low amplitude thrust;
- (f) to administer a substance
 - (i) by injection,
 - (ii) by inhalation,
 - (iii) by mechanical ventilation,
 - (iv) by irrigation,
 - (v) by enteral or parenteral instillation, or
 - (vi) using a hyperbaric chamber;
- (g) to put an instrument or a device, hand or finger
 - (i) into the external ear canal,
 - (ii) beyond the point in the nasal passages where they normally narrow,
 - (iii) beyond the pharynx,
 - (iv) beyond the opening of the urethra,
 - (v) beyond the labia majora,
 - (vi) beyond the anal verge, or
 - (vii) into an artificial opening into the body;
- (h) to put into the external ear canal, up to the eardrum, a substance that
 - (i) is under pressure, or
 - (ii) subsequently solidifies;
- (i) to manage labour or delivery of a baby;
- (j) to apply
 - (i) ultrasound for
 - (A) diagnostic or imaging purposes, including any application of ultrasound to a fetus, or
 - (B) lithotripsy,
 - (ii) electricity for the purposes of destroying tissue or affecting activity of the heart or nervous system,
 - (iii) electromagnetism for the purpose of magnetic resonance imaging,
 - (iv) laser for the purpose of cutting or destroying tissue, or
 - (v) X-rays for diagnostic or imaging purposes, including X-rays for computerized axial tomography;
- (k) to issue an instruction or authorization for another person to apply, to a named individual,
 - (i) ultrasound for
 - (A) diagnostic or imaging purposes, including any application of ultrasound to a fetus, or
 - (B) lithotripsy,
 - (ii) electricity for the purposes of destroying tissue or affecting activity of the heart or nervous system,
 - (iii) electromagnetism for the purpose of magnetic resonance imaging,

- (iv) a laser for the purpose of cutting or destroying tissue, or
- (v) X-rays for diagnostic or imaging purposes, including X-rays for computerized axial tomography;
- (l) to prescribe a drug;
- (m) to compound a drug;
- (n) to dispense a drug;
- (o) to administer a drug by any method;
- (p) if nutrition is administered enterally or parenterally,
 - (i) to select ingredients for a therapeutic diet,
 - (ii) to compound a therapeutic diet, or
 - (iii) to dispense a therapeutic diet;
- (q) to prescribe a wearable hearing instrument;
- (r) to dispense or fit a wearable hearing instrument;
- (s) to prescribe a vision appliance;
- (t) to verify a vision appliance;
- (u) to fit a contact lens;
- (v) to prescribe a dental appliance;
- (w) to dispense or fit a dental appliance;
- (x) to conduct challenge testing for allergies
 - (i) that involves injection, scratch tests or inhalation, if the individual being tested has not had a previous anaphylactic reaction, or
 - (ii) by any method, if the individual being tested has had a previous anaphylactic reaction;
- (y) to conduct desensitizing treatment for allergies,
 - (i) that involves injection, scratch tests or inhalation, if the individual being tested has not had a previous anaphylactic reaction, or
 - (ii) by any method, if the individual being tested has had a previous anaphylactic reaction.

NOTE: The 'hazardous energy' reserved actions set out in paragraphs (j) and (k) of section 2 represent a preliminary list only. The Ministry of Health will continue to consider whether additional reserved actions in this area are appropriate.