

**Heshmat, Gary HLTH:EX**

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**From:** Thiessen-Wale, Katherine HLTH:EX  
**Sent:** Thursday, January 21, 2016 10:59 AM  
**To:** Westgate, Brian A HLTH:EX  
**Subject:** FW: MO  
**Attachments:** M020-2016.pdf

Hi Brian, at last, we have the rescindment of the delegation under s.19(3.1) of the *Health Professions Act* confirmed; copy attached.

Katherine

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**From:** Dardengo, Doris JAG:EX  
**Sent:** Thursday, January 21, 2016 10:26 AM  
**To:** Barker, Debbie HLTH:EX; Bennett, Laverne HLTH:EX; Bouchard, Carola HLTH:EX; Fraser, Sandra HLTH:EX; Thiessen-Wale, Katherine HLTH:EX; Marr, Ann HLTH:EX  
**Subject:** MO

PROVINCE OF BRITISH COLUMBIA

Ministerial Order No. M020

ORDER OF THE MINISTER OF HEALTH

*Health Professions Act*

I, Terry Lake, Minister of Health, order that the delegation of duties, powers and functions under section 19(3.1) of the *Health Professions Act* as set out in the attached memorandum of the Minister of Health dated June 9, 2004, is rescinded.

This rescindment of delegation is effective immediately.

JAN 14 2016

\_\_\_\_\_  
Date



\_\_\_\_\_  
Minister of Health

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*(This part is for administrative purposes only and is not part of the Order.)*

Authority under which Order is made:

Act and section:- Ministry of Health Act, s. 4(2).

Other (specify):- Health Professions Act, s. 19 (3.1)



Minister of Health Services

## MEMORANDUM

495888

JUN 09 2004  
Penny Ballem, MD  
Deputy Minister  
Ministry of Health Services

**Re: Delegation of duties under section 19 (3.1) of the *Health Professions Act***

Pursuant to section 4 (2) of the *Ministry of Health Act*, I delegate the duties, powers and functions of the Minister granted or imposed by section 19 (3.1) of the *Health Professions Act* to the following persons:

- (a) an Assistant Deputy Minister of the Ministry of Health Services;
- (b) the Executive Director of Legislation and Professional Regulation in the Ministry of Health Services.

This delegation is effective immediately.

A handwritten signature in black ink, appearing to read "Colin Hansen".

Colin Hansen  
Minister



MY ITEMS

MY ASSIGNEE'S ITEMS

WATCHED ITEMS

CREATE

SUPPORT

SETTINGS

SUPER USER

## ITEM HISTORY

Enter one of the Item Numbers for the history you want to view and then hit Enter on your keyboard.

ID Number

207

Cliff Number

Other Number

Selected Item

Date Completed	ID#	Cliff Number	Other Number	Subject
	207	1041271		Rescinding Ministerial Delegation Orders - HPA

### Approvals

Date Approved	User	Title
12/15/2015 3:49 PM	Thiessen-Wale, Katherine HLTH:EX	Item Approved.
12/10/2015 5:06 PM	Stearn, Anne HLTH:EX	Item Approved.
12/8/2015 4:57 PM	Stearn, Anne HLTH:EX	Item Approved.
12/5/2015 2:58 PM	Stevenson, Lynn HLTH:EX	Item Approved.
12/2/2015 4:05 PM	Crisp, Leah HLTH:EX	Item Approved.
12/2/2015 2:06 PM	Thiessen-Wale, Katherine HLTH:EX	Item Approved.
11/29/2015 2:09 PM	Stevenson, Lynn HLTH:EX	Item NOT Approved.
11/26/2015 8:45 AM	Davidson, Heather (ADM) HLTH:EX	Item Approved.
11/17/2015 4:36 PM	Thiessen-Wale, Katherine HLTH:EX	Item Approved.
11/15/2015 6:39 PM	Patterson, Ted HLTH:EX	Item Approved.
11/4/2015 3:49 PM	Mackinnon, Mark HLTH:EX	Item Approved.
11/4/2015 11:13 AM	Westgate, Brian A HLTH:EX	Item Approved.
11/4/2015 10:22 AM	Thiessen-Wale, Katherine HLTH:EX	Item Approved.
10/29/2015 11:53 AM	Westgate, Brian A HLTH:EX	Item Approved.
10/29/2015 9:04 AM	Westgate, Brian A HLTH:EX	Item Approved.
10/22/2015 5:14 PM	Marr, Ann HLTH:EX	Item Approved.
10/22/2015 4:47 PM	Thiessen-Wale, Katherine HLTH:EX	Item Approved.
10/20/2015 3:55 PM	Thiessen-Wale, Katherine HLTH:EX	Item Approved.

### Comments

Comment Date	User	Title
12/15/2015 3:49 PM	Thiessen-Wale, Katherine HLTH:EX	Forwarding for you to prepare for Minister's signature.
12/15/2015 8:25 AM	Simonson, Kathy HLTH:EX	Approved. please print per process, for next approval.
12/10/2015 5:06 PM	Stearn, Anne HLTH:EX	item approved by L. Stevenson and FYI copy provided to S. Feulgen. Approved by A. Stearn also G. Foran
12/9/2015 4:33 PM	Micheil, Jennifer HLTH:EX	Material provided to S. Feulgen as FYI.
12/8/2015 4:57 PM	Stearn, Anne HLTH:EX	Item approved by L. Stevenson. I have a fulsome email response from Heather regarding the impacts if Sabine wants to review.
12/2/2015 4:05 PM	Crisp, Leah HLTH:EX	Please see K.Thiessen-Wale's comments.
12/2/2015 2:06 PM	Thiessen-Wale, Katherine HLTH:EX	By rescinding Minister may need to make decisions to disallow college bylaws under HPA from time to time. Such decisions have been made at least twice but are not frequent. Staff try to resolve issues w/colleges before the point of needing to disallow.
12/1/2015 10:31 AM	Crisp, Leah HLTH:EX	please see Lynn's comments - what is impact?
12/1/2015 9:23 AM	Stearn, Anne HLTH:EX	item not approved by L. Stevenson - please see comment "need to know impact"
12/1/2015 9:20 AM	Stearn, Anne HLTH:EX	item not approved by L. Stevenson. Please see her comment "need to know the impact of this"
11/29/2015 2:09 PM	Stevenson, Lynn HLTH:EX	need to know the impact of this
11/17/2015 4:36 PM	Thiessen-Wale, Katherine HLTH:EX	Forwarding to you as the next approver. Thank you.
11/17/2015 2:33 PM	Grieve, Darlene L HLTH:EX	To Katherine, approved by Ted Patterson, back to you to send to next on routing list.
11/5/2015 11:05 AM	Sali, Neeta HLTH:EX	To Ted for approval.
11/4/2015 3:49 PM	Mackinnon, Mark HLTH:EX	Approved from our perspective. To Ted for review, please.
11/4/2015 11:13 AM	Westgate, Brian A HLTH:EX	Mark, Katherine has removed the bullet we suggested. Please have a look and pass on to Ted. Thanks.



11/4/2015 10:22 AM	Thiessen-Wale, Katherine HLTH:EX	Returning to you with requested edit made.
10/29/2015 11:53 AM	Westgate, Brian A HLTH:EX	Second bullet in backgrounder should be removed. This is not a ministerial power. That power sits in section 19 (1.2) (b) of the HPA. Thanks.
10/29/2015 9:18 AM	Mackinnon, Mark HLTH:EX	I requested this back from Darlene. As discussed, please check for accuracy against previous documents.
10/29/2015 9:13 AM	Grieve, Darlene E HLTH:EX	To Mark, as requested.
10/29/2015 9:06 AM	Mackinnon, Mark HLTH:EX	No concerns. For Ted's review please.
10/29/2015 9:04 AM	Westgate, Brian A HLTH:EX	No issues.
10/22/2015 4:47 PM	Thiessen-Wale, Katherine HLTH:EX	For your approval.
10/20/2015 2:15 PM	Heshmat, Gary HLTH:EX	Decision Note rescinding Minister's delegations of functions/powers under the Health Professions Act, s. 19(3.1).
10/20/2015 11:06 AM	Heshmat, Gary HLTH:EX	Decision Note rescinding Minister's delegation orders for the Health Professions Act (HPA).

## Path

Path Date	User	Title
12/15/2015 3:49 PM	Thiessen-Wale, Katherine HLTH:EX	Item sent to Bouchard, Carole.
12/15/2015 3:18 PM	Crisp, Leah HLTH:EX	Item sent to Thiessen-Wale, Katherine.
12/15/2015 8:25 AM	Simonsen, Kathy HLTH:EX	Item sent to Crisp, Leah.
12/10/2015 3:09 PM	Stearn, Anne HLTH:EX	Item sent to DPU - Data Processing
12/9/2015 1:25 PM	Michell, Jennifer HLTH:EX	Item sent to Stearn, Anne.
12/9/2015 4:57 PM	Stearn, Anne HLTH:EX	Item sent to Michell, Jennifer
12/5/2015 2:58 PM	Stevenson, Lynn HLTH:EX	Item sent to Stearn, Anne.
12/2/2015 4:05 PM	Crisp, Leah HLTH:EX	Item sent to Stevenson, Lynn
12/2/2015 2:06 PM	Thiessen-Wale, Katherine HLTH:EX	Item sent to Crisp, Leah.
12/1/2015 10:31 AM	Crisp, Leah HLTH:EX	Item sent to Thiessen-Wale, Katherine.
12/1/2015 9:23 AM	Stearn, Anne HLTH:EX	Item sent to Davidson, Heather (ADM).
11/17/2015 9:20 AM	Stearn, Anne HLTH:EX	Item sent to Davidson, Heather.
11/29/2015 2:39 PM	Stevenson, Lynn HLTH:EX	Item sent to Stearn, Anne.
11/26/2015 8:49 AM	Davidson, Heather (ADM) HLTH:EX	Item sent to Stevenson, Lynn
11/17/2015 4:36 PM	Thiessen-Wale, Katherine HLTH:EX	Item sent to Davidson, Heather (ADM).
11/17/2015 2:33 PM	Grieve, Darlene E HLTH:EX	Item sent to Thiessen-Wale, Katherine
11/15/2015 8:39 PM	Patterson, Ted HLTH:EX	Item sent to Grieve, Darlene.
11/9/2015 11:05 AM	Sell, Nadia HLTH:EX	Item sent to Patterson, Ted.
11/4/2015 3:49 PM	Mackinnon, Mark HLTH:EX	Item sent to Grieve, Darlene.
11/4/2015 11:13 AM	Westgate, Brian A HLTH:EX	Item sent to Mackinnon, Mark.
11/4/2015 10:22 AM	Thiessen-Wale, Katherine HLTH:EX	Item sent to Westgate, Brian.
10/29/2015 11:53 AM	Westgate, Brian A HLTH:EX	Item sent to Thiessen-Wale, Katherine.
10/29/2015 9:18 AM	Mackinnon, Mark HLTH:EX	Item sent to Westgate, Brian.
10/29/2015 9:13 AM	Grieve, Darlene E HLTH:EX	Item sent to Mackinnon, Mark.
10/29/2015 9:06 AM	Mackinnon, Mark HLTH:EX	Item sent to Grieve, Darlene.
10/29/2015 9:04 AM	Westgate, Brian A HLTH:EX	Item sent to Mackinnon, Mark.
10/22/2015 5:14 PM	Nam, Ann HLTH:EX	Item sent to Westgate, Brian.
10/22/2015 4:47 PM	Thiessen-Wale, Katherine HLTH:EX	Item sent to Nam, Ann.
10/22/2015 2:29 AM	Heshmat, Gary HLTH:EX	Item sent to Thiessen-Wale, Katherine.
10/20/2015 3:55 PM	Thiessen-Wale, Katherine HLTH:EX	Item sent to Heshmat, Gary.

1 / 30

## DocumentPath

Upload Date	User	Title
11/4/2015 10:22 AM	Thiessen-Wale, Katherine HLTH:EX	Document [1041271 MO Package (HPA) - Rescinding of Delegation Revised Nov 2015] Uploaded.
10/22/2015 7:23 AM	Heshmat, Gary HLTH:EX	Document [1041271 MO Package (HPA) - Rescinding of Delegation] Uploaded.
10/20/2015 11:07 AM	Heshmat, Gary HLTH:EX	Document [1041271 MO Package (HPA) - Rescinding of Delegation Orders - Final, KTW comments - GH Edits] Uploaded.

For support, email: [HLth.eApprovals@gov.bc.ca](mailto:HLth.eApprovals@gov.bc.ca).

## Thiessen-Wale, Katherine HLTH:EX

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**From:** Westgate, Brian A HLTH:EX  
**Sent:** Tuesday, December 1, 2015 11:50 AM  
**To:** Thiessen-Wale, Katherine HLTH:EX  
**Cc:** Heshmat, Gary HLTH:EX; MacKinnon, Mark HLTH:EX  
**Subject:** RE: 1041271

Section 19(3.1) actually has no specific powers in it to delegate.

The specific power it was supposed to be referring to is in Section 19(3.2)(a) which gives the Minister power to disallow a bylaw made by the College under the HPA.

This has happened twice and for the same college (before my time).

We do our best in this branch to work collaboratively with the colleges to avoid using this section of the HPA.

I still feel that this power would be best to sit at the branch level as any delay in using this power (we have 60 days in legislation) could make it more difficult to disallow (we have those 60 days to file, to allow us time to review and if necessary disallow).

However I understand from a meeting with the Minister a few months ago that the Minister would like to retain this power.

Does this help?

Brian Westgate  
Director of Regulatory Initiatives, Professional Regulation and Oversight  
Health Sector Workforce Division  
Ministry of Health | 1515 Blanshard Street | PO Box 9649 STN PROV GOVT  
Victoria BC V8W 9P4

Phone: 250-952-3145  
Mobile: 250-507-7423  
[Brian.westgate@gov.bc.ca](mailto:Brian.westgate@gov.bc.ca)

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**From:** Thiessen-Wale, Katherine HLTH:EX  
**Sent:** Tuesday, December 1, 2015 11:11 AM  
**To:** Westgate, Brian A HLTH:EX  
**Cc:** Heshmat, Gary HLTH:EX  
**Subject:** FW: 1041271

Hi Brian, the rescindment of the delegation of s.19(3.1) powers under the *Health Professions Act* package is still in approvals, and has been returned to me this morning (not approved) with the question from Lynn Stevenson as to what is the impact. As you know, since the decision to rescind the delegation was already effectively made by Minister Lake in August, the DN was purposely drafted to be as minimal as possible. Do you have any way of quantifying the number of decisions under s.19(3.1) that would now be going to the Minister that would otherwise have been handled by the ADM or the ED?

Thanks,  
Katherine

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**From:** HLTH eApprovals [<mailto:DoNotReply@SP2010.gov.bc.ca>]  
**Sent:** Tuesday, December 1, 2015 10:32 AM  
**To:** Thiessen-Wale, Katherine HLTH:EX  
**Subject:** \*ALERT: Incoming Assignment - eApprovals item 207

You have been sent an eApprovals Item by Crisp, Leah HLTH:EX.

Cliff Number: 1041271

Other Number:

TRIM Number:

Topic: Rescinding Ministerial Delegation Orders - HPA

Date Final Due: 10/30/2015 12:00:00 AM

Last Action: Item Sent To

Comments:

**please see Lynn's comments - what is impact?**

eApprovals Link:

<https://healthshare.gov.bc.ca/prod/SitePages/activeItems.aspx>

Super User Link:

<https://healthshare.gov.bc.ca/prod/SitePages/superUser.aspx>

Cliff Link:



## Ministry of Health

## MINISTERIAL ORDER

## SUBJECT:

This Order would rescind a letter dated June 9, 2004 that delegates the Minister's duties, powers and functions under section 19(3.1) of the *Health Professions Act*.

## MINISTER'S APPROVAL REQUIRED BY:

LEGISLATION CONTACT:  
Katherine Thiessen-Wale  
(250-952-2283)

CLIFF#  
1041271

OTHER CONTACT (IF ANY):  
Gary Heshmat, (250-952-1522)

AUTHORITY (ACT AND SECTION): *Health Professions Act, s.19(3.1); Ministry of Health Act, s. 4(2).*

## EXAMINED BY

## APPROVED

## DATE

<input type="checkbox"/> ORIGINATOR <i>Legislation</i>	Gary Heshmat		
<input type="checkbox"/> DIRECTOR <i>Legislation</i>	Katherine Thiessen-Wale		
<input type="checkbox"/> EXECUTIVE DIRECTOR <i>Legislation &amp; Intergovernmental Relations</i>	Ann Marr		
<input type="checkbox"/> OTHER STAFF <i>Program</i>	Brian Westgate		
<input type="checkbox"/> DIRECTOR / EXECUTIVE DIRECTOR <i>Program</i>	Mark MacKinnon		
<input type="checkbox"/> ASSISTANT DEPUTY MINISTER <i>Program</i>	Ted Patterson		
<input type="checkbox"/> ASSISTANT DEPUTY MINISTER <i>Health Sector Planning &amp; Innovation Division</i>	Heather Davidson		
<input type="checkbox"/> ASSOCIATE DEPUTY MINISTER <i>Health Services</i>	Lynn Stevenson		
<input type="checkbox"/> ASSOCIATE DEPUTY MINISTER <i>Corporate Services</i>	Sabine Feulgen		
<input type="checkbox"/> DEPUTY MINISTER	Steve Brown		

**MINISTER'S OFFICE STAFF:** On approval by Minister, signed Order must be forwarded direct to OIC Office.

*Strictly Confidential – Advice to Minister*

**MINISTRY OF HEALTH  
MINISTERIAL ORDER BRIEFING NOTE**

**Cliff # 1041271**

**PREPARED FOR:** Honourable Terry Lake, Minister – **FOR DECISION**

**SUBJECT:** Minister's Order to rescind the previous delegation of the Minister's duties, powers and functions under section 19(3.1) of the *Health Professions Act*.

**AUTHORITY:** *Health Professions Act*, s. 19(3.1); *Ministry of Health Act*, s. 4(2)

**PURPOSE:** This order will rescind the delegations of the Minister's duties, powers and functions under section 19(3.1) of the *Health Professions Act* as set out in the Minister's Memorandum dated June 9, 2004.

**BACKGROUND:**

Section 4 (2) of the *Ministry of Health Act* provides that the Minister may, in writing, delegate any or all of the Minister's duties, powers and functions granted or imposed by any Act.

Section 19(3.1) of the *Health Professions Act* (the Act) provides that a bylaw made by the board of a health profession's college comes into force when it is filed with the Minister unless:

- the Minister disallows it for a number of reasons set out in the statute; or
- the board withdraws the bylaw.

In June 2004, then-Minister of Health Colin Hansen delegated the duties, powers, and functions of the Minister under these provisions to any Assistant Deputy Minister or the Executive Director of Legislation and Professional Regulation in the Ministry of Health by way of a letter.

**DISCUSSION:**

The authority to delegate these functions relating to professional college bylaws was based on the Minister's power under the *Ministry of Health Act*, s. 4(2), which is intended to alleviate the need for the Minister to review and make decisions in respect of a large volume of routine matters arising out of numerous legislative provisions.

While Ministry staff had proposed continuing the delegation of functions under section 19(3.1) of the Act on similar terms by means of a Ministerial order, on August 26, 2015, the Minister of Health decided against renewing the delegations of the Minister's duties, powers and functions.

s.14

**FINANCIAL IMPLICATIONS:** N/A

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*Strictly Confidential – Advice to Minister*

**IMPACT ON REGULATORY COUNT:** N/A

**RECOMMENDATION:** That the Minister signs this Order as drafted.

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<b>ADM Health Sector Planning &amp; Innovation Division:</b>	Heather Davidson	Tel: 250-952-2569
<b>Director, Legislation:</b>	Katherine Thiessen-Wale	Tel: 250-952-2283
<b>Drafter:</b>	Gary Heshmat	
<b>Date:</b>	October 13, 2015	
<b>File Name with Path:</b> K:\HPR\MO\MO 2015\1041271 MO Package (HPA) – Rescinding of Delegation		

## PROVINCE OF BRITISH COLUMBIA

Ministerial Order No.

### ORDER OF THE MINISTER OF HEALTH

#### *Health Professions Act*

I, Terry Lake, Minister of Health, order that the delegation of duties, powers and functions under section 19(3.1) of the *Health Professions Act* as set out in the attached memorandum of the Minister of Health dated June 9, 2004, is rescinded.

This rescindment of delegation is effective immediately.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Minister of Health

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*(This part is for administrative purposes only and is not part of the Order.)*

**Authority under which Order is made:**

Act and section:- *Ministry of Health Act*, s. 4(2).

Other (specify):- *Health Professions Act*, s. 19 (3.1)

495888

JUN 09 2004  
Penny Ballem, MD  
Deputy Minister  
Ministry of Health Services

**Re: Delegation of duties under section 19 (3.1) of the *Health Professions Act***

Pursuant to section 4 (2) of the *Ministry of Health Act*, I delegate the duties, powers and functions of the Minister granted or imposed by section 19 (3.1) of the *Health Professions Act* to the following persons:

- (a) an Assistant Deputy Minister of the Ministry of Health Services;
- (b) the Executive Director of Legislation and Professional Regulation in the Ministry of Health Services.

This delegation is effective immediately.



Colin Hansen  
Minister



## MINISTERIAL ORDER DISTRIBUTION FORM

**STATUTE:** *Health Professions Act*

For OIC Office use only:

**MINISTRY:** Health

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### SUMMARY OF SUBJECT MATTER

This Order would rescind Minister's Letter dated June 9, 2004 which delegated the Minister's duties, powers and functions under section 19(3.1) of the *Health Professions Act* to any Assistant Deputy Minister of the Ministry of Health and to the Executive Director of Professional Regulation & Oversight in the Ministry of Health.

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**ORIGINATOR** (Name/Ministry/Branch/Telephone/email):

Katherine Thiessen-Wale / Health / Legislation / 250-952-2283 / [Katherine.Thiessen.Wale@gov.bc.ca](mailto:Katherine.Thiessen.Wale@gov.bc.ca)

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### COPIES

☒ **PDF copies** (Please provide name, Ministry and exact email address for each recipient below):

Katherine Thiessen-Wale, Ministry of Health, [Katherine.Thiessen.Wale@gov.bc.ca](mailto:Katherine.Thiessen.Wale@gov.bc.ca)

Sandra Fraser, Ministry of Health, [Sandra.Fraser@gov.bc.ca](mailto:Sandra.Fraser@gov.bc.ca)

Carola Bouchard, Ministry of Health, [Carola.Bouchard@gov.bc.ca](mailto:Carola.Bouchard@gov.bc.ca)

☐ **Certified true copy of this OIC - for legal or evidentiary purposes only**  
(Please provide name, Ministry/Company, mailing address, city, postal code and telephone):

## Heshmat, Gary HLTH:EX

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**From:** Thiessen-Wale, Katherine HLTH:EX  
**Sent:** Friday, October 9, 2015 9:52 AM  
**To:** Westgate, Brian A HLTH:EX  
**Subject:** Rescindment of Delegations under PODSA, ss.21-23 and HPA s.19(3.1)

Hi Brian, I know you are <sup>s.22</sup> and this is mostly just an fyi -- we are moving forward with a larger review of the various delegations that have been made in the past, which will be a big project over the next few months. As a preliminary step, it will be necessary to formally rescind the delegations made respecting the above provisions that were earlier made by letter, given the Minister's decision not to approve the MO packages in August. This must be done by way of Ministerial order. We contemplate that there will be other delegation letters to be rescinded, but rather than wait until we have all of them sorted out and briefing materials prepared on each, I think we need to move these two sooner rather than later so that Minister Lake will know we are following through with his direction.

Do you think we need to route the rescindment package through your branch and division? I would prefer to keep it as simple as possible, since the two MO packages for these delegations (1036111 and 1036116) went through your division and the outcome is known. This is just the follow-up.

*Katherine Thiessen-Wale*  
Director, Legislation  
Legislation and Intergovernmental Relations Branch  
Ministry of Health  
250-952-2283 / 250-216-6441

Page 15 to/à Page 16

Withheld pursuant to/removed as

s.14

Withheld pursuant to/removed as

**Thiessen-Wale, Katherine HLTH:EX**

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**From:** Davidson, Heather (ADM) HLTH:EX  
**Sent:** Wednesday, August 26, 2015 1:26 PM  
**To:** Poilievre, Tricia HLTH:EX  
**Cc:** Marr, Ann HLTH:EX; Thiessen-Wale, Katherine HLTH:EX  
**Subject:** Ministerial Order 1036111 and 1036116

MTL would like to rescind the letters delegating 19(3.1) of HPA and Sections 21,22, and 23 of PODSA. He does not want these authorities delegated to Ministry staff.

s.13

Heather Davidson  
Assistant Deputy Minister  
Health Sector Planning and Innovation  
Ministry of Health  
250 952-2569

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## MacDonald, Aaron HLTH:EX

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**From:** Murray, Heather HLTH:EX  
**Sent:** Tuesday, November 3, 2015 9:03 AM  
**To:** Marr, Ann HLTH:EX  
**Cc:** MacKinnon, Mark HLTH:EX; Westgate, Brian A HLTH:EX; Ty, Marie HLTH:EX; Patterson, Ted HLTH:EX  
**Subject:** FW: Action required: Delegated authority review

Hello Ann,

As requested below, HSWD has the following delegated authority contacts:

- **Professional Regulation and Oversight:** Mark MacKinnon/Brian Westgate
- **Compensation Policy and Programs - Financial:** to make physician compensation payments, via spending authority delegation per the Core Policy Manual. **\*\*Finance & Corporate Services Division has confirmed that they will be responding as lead (Marie Ty contact in HSWD if required).**

Thanks, Heather

Heather Murray~Executive Coordinator~Assistant Deputy Minister's Office  
Health Sector Workforce Division~BC Ministry of Health

250-952-2879~BB 250-415-5856~<mailto:heather.murray@gov.bc.ca>

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**From:** Davidson, Heather (ADM) HLTH:EX  
**Sent:** Wednesday, October 28, 2015 3:06 PM  
**To:** hlth Executive Committee  
**Cc:** hlth Key Contacts; Marr, Ann HLTH:EX  
**Subject:** Action required: Delegated authority review

The Minister has asked the Legislation and Intergovernmental Relations Branch to undertake a review of all delegations of Ministerial authority that have been made under Health legislation and regulations. This note provides background info and **a request that you identify a contact person(s) in your divisions or branches for Legislation staff to connect with regarding this initiative and advise Ann Marr of same by Monday November 2.**

As you will know, there are a number of delegations of Ministerial authority or statutory powers that have been made over time by former Ministers of Health. Authority to exercise some of these powers has been granted to Ministry staff holding particular offices, while the power to exercise certain other functions has been granted to persons or entities external to the Ministry. In recent years, some such delegations have been made by means of Ministerial orders, which are readily traceable. However, it is apparent that a number of delegations have been made through less formal means, such as by way of a letter. We have located some delegation letters that are over 20 years old, but with the passage of time, it is unclear if the powers delegated therein continue to be exercised as directed, or if the delegation was subsequently rescinded. We understand some delegations were sought and obtained by program area branches without knowledge or involvement of the Legislation Branch. It is unclear whether records have been retained by the branches that obtained delegations.

Over time, Ministry, divisional, and branch names have been changed, amendments to statutes have been made, and delegates have moved on to other roles. As delegated powers are exercised on behalf of the Minister and are in some cases exercised frequently, it is important to have a clear understanding of precisely who is authorized to act, and in what capacity. s.13

s.13

Heather Davidson  
Assistant Deputy Minister  
Research, Innovation, and Knowledge Management  
Ministry of Health  
250 952-2159

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## **MacDonald, Aaron HLTH:EX**

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**From:** Davidson, Heather (ADM) HLTH:EX  
**Sent:** Wednesday, August 26, 2015 10:44 AM  
**To:** MacKinnon, Mark HLTH:EX; Poilievre, Tricia HLTH:EX  
**Cc:** Patterson, Ted HLTH:EX; Walman, Barbara J. HLTH:EX; Westgate, Brian A HLTH:EX  
**Subject:** RE: Minister's Delegation Briefing Tomorrow

If you're comfortable as the program person to proceed, I will support. I have one more feeler out to Mary Falconer who was in Darryl's position before Darryl and may also have some intelligence on this.

**From:** MacKinnon, Mark HLTH:EX  
**Sent:** Wednesday, August 26, 2015 10:18 AM  
**To:** Davidson, Heather (ADM) HLTH:EX; Poilievre, Tricia HLTH:EX  
**Cc:** Patterson, Ted HLTH:EX; Walman, Barbara J. HLTH:EX; Westgate, Brian A HLTH:EX; MacKinnon, Mark HLTH:EX  
**Subject:** RE: Minister's Delegation Briefing Tomorrow

Thanks Heather – I'm fine either way.

I share your concern about taking proposals to the Minister when our understanding is incomplete. My natural inclination is to arrive at a Minister's briefing fully prepared to explain what he is being asked to approve. In this case, there are gaps in our knowledge.

I also understand Ted's suggestion to go through with the briefing, as we will need to brief the Minister eventually anyway, and may get some useful feedback or direction now that would help to guide our work.

Regardless, I'm fully prepared to support you in either approach.

Thanks,

Mark

**From:** Davidson, Heather (ADM) HLTH:EX  
**Sent:** Wednesday, August 26, 2015 10:12 AM  
**To:** MacKinnon, Mark HLTH:EX; Poilievre, Tricia HLTH:EX  
**Cc:** Patterson, Ted HLTH:EX; Walman, Barbara J. HLTH:EX; Westgate, Brian A HLTH:EX  
**Subject:** RE: Minister's Delegation Briefing Tomorrow  
**Importance:** High

Mark, I spoke to Cory Campbell. She does not remember the original intent of the delegation of section 19(3.1) but agrees that it is confusing and needs to be confirmed.

She also advises that the Leg group have been going through a process of moving all delegations in the form of letters to Ministerial Orders for the purposes of transparency and record keeping. It is a housekeeping task as you suggested. If the decision is made not to delegate this section, we will have to have a MO to rescind it so we will need a decision about the appropriateness of this delegation.

I am now wondering if we should proceed with the briefing in the absence of clarity about what we are asking for. What are your thoughts?

**From:** MacKinnon, Mark HLTH:EX

**Sent:** Tuesday, August 25, 2015 4:27 PM

**To:** Davidson, Heather (ADM) HLTH:EX

**Cc:** Patterson, Ted HLTH:EX; Walman, Barbara J. HLTH:EX; Westgate, Brian A HLTH:EX; MacKinnon, Mark HLTH:EX

**Subject:** Minister's Delegation Briefing Tomorrow

Hi Heather,

In preparing for tomorrow's delegation briefing with the Minister, we have identified what I believe to be an error in the ministerial order respecting the HPA (I have not identified any concerns with those respecting PODSA). Unfortunately, I have not been able to reach anyone who was involved in the preparation of the document to confirm the intended outcome:

- I understand that Ann is out of the office today and will not be participating on the call tomorrow;
- I understand that Katherine is out of the office today and will not be participating on the call tomorrow;
- We haven't been able to identify anyone else in Ann's shop who is familiar with this;
- We have attempted to contact the legal counsel who advised them on this, but she no longer appears in the government directory.

I have just spoken with Fiona Gow (legal counsel for the Ministry of Health) and she has confirmed my reading of the document.

The MO respecting the HPA purports to delegate duties, powers and functions under section 19(3.1). While this is identical language to the pre-existing MO, there are no ministerial powers contained in section 19(3.1), and therefore nothing to delegate.

s.13

Brian and I are attempting to schedule time with you tomorrow morning at 9:30 to discuss this with you.

Barb – I'm copying you as I believe you also received an invitation to tomorrow's briefing.

Thanks,

Mark

Mark MacKinnon  
Executive Director, Professional Regulation and Oversight  
Health Sector Workforce Division  
Ministry of Health  
3<sup>rd</sup> Flr, 1515 Blanshard Street  
PO Box 9649 STN PROV GOVT  
Victoria, BC V8W 9P4  
Office: 250-952-2864



Mobile: 250-588-9172

## MacDonald, Aaron HLTH:EX

**From:** MacKinnon, Mark HLTH:EX  
**Sent:** Tuesday, August 25, 2015 3:31 PM  
**To:** Patterson, Ted HLTH:EX  
**Cc:** Westgate, Brian A HLTH:EX; Anderson, Deb L HLTH:EX; MacKinnon, Mark HLTH:EX  
**Subject:** FW: Ministers meeting tomorrow

**Importance:** High

Hi Ted,

In preparing for tomorrow's delegation briefing with the Minister, we have identified what I believe to be a significant error in one of the ministerial orders. Unfortunately, we have not been able to reach anyone who was involved in the preparation of the document:

- Ann Mar is out of the office (and will not be participating in the call tomorrow);
- Ann Mar's Director is out of the office (and will not be participating in the call tomorrow);
- There is no one else in Ann's shop that appears to be familiar with this;
- We have attempted to locate the legal counsel who advised them on this, but she no longer appears in the government directory;
- We have attempted to contact our legal counsel, but have been unable to reach her;
- Heather Davidson is not working today, and is not available until mid-morning tomorrow.

In light of this – and given that we (HSWD/PRO) – are the only ones affected by this, my suggestion is that we cancel tomorrow's briefing with the Minister and reschedule at a time when we are confident that we have things right. As it stands, I cannot explain/defend all of the delegation requests.

Are you comfortable with us arranging for this today, or should we wait to speak with Heather tomorrow?

Thanks,

M

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**From:** Anderson, Karen HLTH:EX  
**Sent:** Tuesday, August 25, 2015 9:29 AM  
**To:** Westgate, Brian A HLTH:EX; MacKinnon, Mark HLTH:EX  
**Subject:** Ministers meeting tomorrow

As Ted will be in Negotiations tomorrow I have asked that Mark take the Ministers call tomorrow at 1pm. I will cancel the pre-brief this morning and confirm the call tomorrow when I hear back from the DM's office

Thank you  
Karen

Karen Anderson  
*Executive Assistant to*  
Ted Patterson, Assistant Deputy Minister  
Health Sector Workforce Division  
3-1, 1515 Blanshard Street

Victoria BC V8W 3C8  
250 952 3166 office  
250 952 3131 fax

## MacDonald, Aaron HLTH:EX

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**From:** MacKinnon, Mark HLTH:EX  
**Sent:** Tuesday, August 25, 2015 10:40 AM  
**To:** Westgate, Brian A HLTH:EX  
**Subject:** RE: Delegation orders

Just to clarify – the first one was signed and approved. What is the status of the second attachment?

**From:** Westgate, Brian A HLTH:EX  
**Sent:** Tuesday, August 25, 2015 10:37 AM  
**To:** MacKinnon, Mark HLTH:EX  
**Subject:** FW: Delegation orders

Brian Westgate  
Director of Regulatory Initiatives, Professional Regulation and Oversight  
Health Sector Workforce Division  
Ministry of Health | 1515 Blanshard Street | PO Box 9649 STN PROV GOVT  
Victoria BC V8W 9P4

Phone: 250-952-1204  
Mobile: 250-507-7423  
[Brian.westgate@gov.bc.ca](mailto:Brian.westgate@gov.bc.ca)

**From:** Campbell, Corrie L HLTH:EX  
**Sent:** Tuesday, January 20, 2015 11:44 AM  
**To:** MacKinnon, Mark HLTH:EX; Westgate, Brian A HLTH:EX  
**Cc:** Fraser, Sandra HLTH:EX  
**Subject:** Delegation orders

Hi there – please find attached the orders delegating powers under the HPA. There is one outstanding which is the order for s. 19.31. This one was identified as needing to be updated after the others had completed going through sign off. I understand that Sandra sent it along with the others, noting that it had not yet been approved, when Brian requested the HPA delegation orders. This seems to be the source of the misunderstanding about which orders went to the MO.

There is another delegation under PODSA that also needs to be updated. We will batch it with that one. Sorry for the delay.

## MacDonald, Aaron HLTH:EX

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**From:** MacKinnon, Mark HLTH:EX  
**Sent:** Tuesday, August 25, 2015 10:36 AM  
**To:** Westgate, Brian A HLTH:EX  
**Subject:** RE: Minister briefing tomorrow - PODSA and HPA - delegation

Do you have the signed copies of the orders that MTL previous approved?

---

**From:** Westgate, Brian A HLTH:EX  
**Sent:** Tuesday, August 25, 2015 9:51 AM  
**To:** MacKinnon, Mark HLTH:EX  
**Subject:** FW: Minister briefing tomorrow - PODSA and HPA - delegation  
**Importance:** High

fyi

Brian Westgate  
Director of Regulatory Initiatives, Professional Regulation and Oversight  
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Mobile: 250-507-7423  
[Brian.westgate@gov.bc.ca](mailto:Brian.westgate@gov.bc.ca)

---

**From:** Dunsdon, Kelly HLTH:EX  
**Sent:** Tuesday, August 25, 2015 9:36 AM  
**To:** Westgate, Brian A HLTH:EX  
**Subject:** Minister briefing tomorrow - PODSA and HPA - delegation  
**Importance:** High

Hi Brian,

Katherine Thiessen-Wale [s.22](#) and prior to departure she advised that there would be an ADM briefing for the Minister on 2 Minister's Orders enabling delegation of the Minister's powers under PODSA and HPA. I understand the Minister is seeking clarification. The meeting will take place by conference call tomorrow from 1 to 1:30 pm. It appears that our ADM Heather Davidson, as well as ADMs Ted Patterson and Barbara Walman will be participating in the meeting. Katherine did not indicate that anyone from our branch would be attending, and said that you are the contact on this file.

I am now being asked to attend the meeting on behalf of Ann Marr, but do not feel well-equipped to do that as I am a newbie to this ministry and have little knowledge of the file. Perhaps it would be appropriate for you to participate? I assume you have seen the materials for the Minister's Orders packages, but if not I can ensure that you get a copy today.

Thanks!

*Kelly Dunsdon*

Senior Legislative Analyst

Legislation and Intergovernmental Relations

Health Sector Planning and Innovation Division

Ministry of Health

(250) 952-2379

## MacDonald, Aaron HLTH:EX

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**From:** MacKinnon, Mark HLTH:EX  
**Sent:** Monday, August 24, 2015 4:34 PM  
**To:** Westgate, Brian A HLTH:EX  
**Cc:** MacKinnon, Mark HLTH:EX  
**Subject:** FW: August 26th: Minister Briefings on Ministerial Orders

Hi there,

Just getting around to reading the materials on these and have a couple of questions/comments:

- As noted below, I don't think that this really relates to Barb in a significant way.
- Why do we suggestion delegation only to ED level under HPA, but to Dir level under PODSA?
- Re HPA:
  - We should have examples of the type and volume of items that would not end up going to the Minister;
  - We need to be clearer about why we are not recommending following LSB advice;
  - We need to be clear that the ONLY change is replacing the title of Ann's position with the title of my position.
- Re PODSA:
  - We should have examples of the type and volume of items that would not end up going to the Minister;
  - We need to be clearer about why we are not recommending following LSB advice;
  - We need to be clear about why this needs to be delegated to the director level;
  - We need to be clear that the ONLY changes are replacing titles of positions.

Thanks,

M

---

**From:** MacKinnon, Mark HLTH:EX  
**Sent:** Monday, August 24, 2015 4:27 PM  
**To:** Patterson, Ted HLTH:EX  
**Cc:** Anderson, Karen HLTH:EX; Murdock, Melissa HLTH:EX; Murray, Heather HLTH:EX; Westgate, Brian A HLTH:EX; MacKinnon, Mark HLTH:EX  
**Subject:** RE: August 26th: Minister Briefings on Ministerial Orders

Hi folks – just checking back in. Just to clarify in advance of our pre-briefing tomorrow, this piece related to PODSA is not so much relevant to Barb. Barb has policy lead on revisions to PODSA itself that would give the College the ability to determine suitability of pharmacy owners – which I do not believe is the subject of this briefing.

This briefing – as I understand it – is focused solely on updating two delegations, one under each of the HPA and PODSA. They focus on changing the delegation from Ann's position name to mine.

We have time tomorrow morning to discuss further, so I can clarify anything that I've muddled here.

Thanks,

M

**From:** Patterson, Ted HLTH:EX  
**Sent:** Thursday, August 13, 2015 1:42 PM  
**To:** Murray, Heather HLTH:EX  
**Cc:** Anderson, Karen HLTH:EX; MacKinnon, Mark HLTH:EX; Murdock, Melissa HLTH:EX  
**Subject:** Re: August 26th: Minister Briefings on Ministerial Orders

Barb Walman should lead the policy part of the discussion

Sent from my iPhone

On Aug 13, 2015, at 12:55 PM, Murray, Heather HLTH:EX <[Heather.Murray@gov.bc.ca](mailto:Heather.Murray@gov.bc.ca)> wrote:

Please see the information below on the scheduled ministers briefing. We can discuss with Ted on Monday if Mark should also be on this call in addition to some time for Ted and Mark to discuss prior. Thx! H.

---

**From:** Andrachuk, Andrea HLTH:EX  
**Sent:** Thursday, August 13, 2015 12:43 PM  
**To:** Murray, Heather HLTH:EX  
**Cc:** Docs Processing HLTH:EX; Foran, Grace E HLTH:EX; Michell, Jennifer HLTH:EX; Stearn, Anne HLTH:EX; Crisp, Leah HLTH:EX; Marr, Ann HLTH:EX; Scott, Pam HLTH:EX  
**Subject:** August 26th: Minister Briefings on Ministerial Orders

Hi Heather:

The MO has confirmed the above noted Minister briefing on the attached Ministerial Orders. Details are below.

**Date:** Wednesday, August 26th  
**Time:** 1:30 -2:00pm  
**Location:** s.15

**Dial in information** s.15

Minister Lake is the Moderator

**Additional details:** Background attached. Minister Lake has requested clarification on #1036116 (Pharmacy Operations and Drug Scheduling Act) #1036111 (Health Professions Act).

Calendar invites will be sent to Sabine Feulgen, Heather Davidson and Ted Patterson to attend (although I see Sabine is away). Please advise if any additional staff will need to be included.

**\*Important:** Please advise if any ministry staff will be attending in person at the PVO.

**Materials:** MO packages already provided to MO.

Please don't hesitate to give me a call if there are any concerns.

Many thanks,

**Andrea Andrachuk** | Manager/Executive Operations  
Office of the Deputy Minister  
Ministry of Health

P: 250.952.1908 | C: 250.217.3655 | email: [andrea.andrachuk@gov.bc.ca](mailto:andrea.andrachuk@gov.bc.ca)



## MacDonald, Aaron HLTH:EX

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**From:** Thorneloe, Meghan HLTH:EX  
**Sent:** Tuesday, August 18, 2015 3:42 PM  
**To:** Westgate, Brian A HLTH:EX  
**Subject:** RE: August 26th Minister Briefings on Ministerial Orders

Nothing to add – thanks Brian!

***Meghan Thorneloe***

Phone: 250-952-1772

---

**From:** Westgate, Brian A HLTH:EX  
**Sent:** Thursday, August 13, 2015 9:51 AM  
**To:** Sekhon, Ranique HLTH:EX; Thorneloe, Meghan HLTH:EX  
**Subject:** FW: August 26th Minister Briefings on Ministerial Orders

Here are the delegation packages that are going up to the Minister on the 26<sup>th</sup>.

Meghan when you get back could you review and we can discuss any other information we should provide Ted and Barb.

Let's not lose track of this one.

Thanks

Brian Westgate  
Director of Regulatory Initiatives, Professional Regulation and Oversight  
Health Sector Workforce Division  
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Phone: 250-952-1204  
Mobile: 250-507-7423  
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---

**From:** Thiessen-Wale, Katherine HLTH:EX  
**Sent:** Thursday, August 13, 2015 9:50 AM  
**To:** Westgate, Brian A HLTH:EX  
**Subject:** RE: August 26th Minister Briefings on Ministerial Orders

Here they are.

---

**From:** Westgate, Brian A HLTH:EX  
**Sent:** Thursday, August 13, 2015 9:49 AM  
**To:** Thiessen-Wale, Katherine HLTH:EX  
**Subject:** RE: August 26th Minister Briefings on Ministerial Orders

Ok thanks for that Katherine. I will put something together. Have you got a copy of the packages?

Brian Westgate  
Director of Regulatory Initiatives, Professional Regulation and Oversight  
Health Sector Workforce Division  
Ministry of Health | 1515 Blanshard Street | PO Box 9649 STN PROV GOVT

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Phone: 250-952-1204

Mobile: 250-507-7423

[Brian.westgate@gov.bc.ca](mailto:Brian.westgate@gov.bc.ca)

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**From:** Thiessen-Wale, Katherine HLTH:EX  
**Sent:** Thursday, August 13, 2015 9:37 AM  
**To:** Westgate, Brian A HLTH:EX  
**Subject:** FW: August 26th Minister Briefings on Ministerial Orders

Hi Brian, following our inquiry as to status, these two items are being set down for a briefing on August 26. I have sent along the materials to the DMO this morning. Heather Davidson will attend **s.22**  
**s.13**

Katherine

---

**From:** Andrachuk, Andrea HLTH:EX  
**Sent:** Wednesday, August 12, 2015 12:06 PM  
**To:** Thiessen-Wale, Katherine HLTH:EX  
**Cc:** Marr, Ann HLTH:EX; Crisp, Leah HLTH:EX; Foran, Grace E HLTH:EX; Docs Processing HLTH:EX  
**Subject:** August 26th Minister Briefings on Ministerial Orders

Hi Katherine,  
The Minister has asked to be briefed on the two Ministerial Orders below. I believe they will both be with Ted and, for the later, Barb Walman as well. Can you please advise, would Heather Davidson attend or Ann Marr?  
Also, may I please have an electronic copy of these so provide as meeting material?

Many thanks,

**Andrea Andrachuk** | Manager/Executive Operations  
Office of the Deputy Minister  
Ministry of Health

P: 250.952.1908 | C: 250.217.3655 | email: [andrea.andrachuk@gov.bc.ca](mailto:andrea.andrachuk@gov.bc.ca)

---

**From:** Jukes, Shaina HLTH:EX  
**Sent:** Wednesday, August 12, 2015 11:55 AM  
**To:** Andrachuk, Andrea HLTH:EX  
**Subject:** August 26th

Hi Andrea, Minister Lake has reviewed the following two Ministerial Orders and would like to be briefed on them August 26<sup>th</sup>. Can we please set these up, we expect both can fit into 30 minutes.

MO #1036111 Health Professions Act  
MO #1036116 Pharmacy Operations and Drug Scheduling Act

*Shaina Jukes*

*Administrative Coordinator to the Honourable Terry Lake*

Minister of Health | PO Box 9050 Stn Prov Govt Victoria, BC V8W 9E2  
Phone: 250-953-3547 | Fax: 250-356-9587 | [HiIth.Health@gov.bc.ca](mailto:HiIth.Health@gov.bc.ca)

**MacDonald, Aaron HLTH:EX**

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**From:** Thiessen-Wale, Katherine HLTH:EX  
**Sent:** Thursday, June 18, 2015 3:32 PM  
**To:** Westgate, Brian A HLTH:EX  
**Subject:** Ministerial Orders for delegations  
**Attachments:** 1036111 MO Package.pdf; 1036116 MO Package.pdf

Hi Brian, I wanted to let you know that the two packages for delegation orders are now in the system and will be coming to Mark through eApprovals shortly. I am attaching copies for your information. I apologize for the delay getting these done, as every time I dug in I was pulled away to address business re the 2016 legislative agenda. You may notice that I reworked the BNs quite a bit, in an effort to emphasize that we are maintaining the status quo – that may have not been appreciated by the Minister the first time.

Let me know if you see any issues with the documents. Thanks,

*Katherine Thiessen-Wale*  
Director, Legislation  
Legislation and Intergovernmental Relations Branch  
Ministry of Health  
250-952-2283 / 250-216-6441



## Ministry of Health

## MINISTERIAL ORDER

<b>SUBJECT:</b>  This Order would rescind Minister's Letter dated June 9, 2004 and delegate the Minister's duties, powers and functions under section 19(3.1) of the <i>Health Professions Act</i> .	<b>APPROVAL REQUIRED BY:</b> June 30, 2015		
	<b>LEGISLATION CONTACT:</b> Katherine Thiessen-Wale (250-952-2281)		<b>CLIFF#</b> 1036111
	<b>OTHER CONTACT (IF ANY):</b>		
	<b>AUTHORITY (ACT AND SECTION)</b> <i>Health Professions Act, s.19(3.1); Ministry of Health Act, s. 4(2).</i>		
<b>EXAMINED BY</b>		<b>APPROVED</b>	<b>DATE</b>
<input type="checkbox"/> <b>ORIGINATOR</b> <i>Legislation</i>			
<input type="checkbox"/> <b>DIRECTOR</b> <i>Legislation</i>	Katherine Thiessen-Wale		
<input type="checkbox"/> <b>EXECUTIVE DIRECTOR</b> <i>Legislation &amp; Intergovernmental Relations</i>	Ann Marr		
<input type="checkbox"/> <b>OTHER STAFF</b> <i>Program</i>			
<input type="checkbox"/> <b>DIRECTOR / EXECUTIVE DIRECTOR</b> <i>Program</i>	Mark MacKinnon		
<input type="checkbox"/> <b>ASSISTANT DEPUTY MINISTER</b> <i>Program</i>	Ted Patterson		
<input type="checkbox"/> <b>ASSISTANT DEPUTY MINISTER</b> <i>Program</i>			
<input type="checkbox"/> <b>ASSISTANT DEPUTY MINISTER</b> <i>Health Sector Planning &amp; Innovation Division</i>	Heather Davidson		
<input type="checkbox"/> <b>ASSOCIATE DEPUTY MINISTER</b> <i>Health Services</i>			
<input type="checkbox"/> <b>ASSOCIATE DEPUTY MINISTER</b> <i>Corporate Services</i>	Sabine Feulgen		
<input type="checkbox"/> <b>DEPUTY MINISTER</b>	Steve Brown		

**MINISTER'S OFFICE STAFF:** On approval by Minister, signed Order must be forwarded direct to OIC Office.

*Strictly Confidential – Advice to Deputy Minister*

**MINISTRY OF HEALTH  
MINISTERIAL ORDER BRIEFING NOTE**

**Cliff # 1036111**

**PREPARED FOR:** Honourable Terry Lake – **FOR DECISION**

**SUBJECT:** Minister's Order to continue the delegation of the Minister's duties, powers and functions under section 19(3.1) of the *Health Professions Act*

**AUTHORITY:** *Health Professions Act*, s. 19(3.1); *Ministry of Health Act*, s. 4(2)

**PURPOSE:** This order will rescind the delegations set out in the Minister's Memorandum dated June 9, 2004 and delegate the Minister's duties, powers and functions under section 19(3.1) of the *Health Professions Act* on similar terms.

**BACKGROUND:**

Section 4 (2) of the *Ministry of Health Act* provides that the Minister may, in writing, delegate any or all of the Minister's duties, powers and functions granted or imposed by any Act.

Section 19(3.1) of the *Health Professions Act* provides that a bylaw made by the board of a health profession's college comes into force when it is filed with the Minister unless:

- the Minister disallows it for a number of reasons set out in the statute;
- the Minister declares that it comes into force on an earlier date; or
- the board withdraws the bylaw.

**DISCUSSION:**

s.13

**FINANCIAL IMPLICATIONS:** N/A

**IMPACT ON REGULATORY COUNT:** N/A

**RECOMMENDATION:** That the Minister signs this Order as drafted.

---

<b>ADM, Health Sector Planning &amp; Innovation Division:</b>	Heather Davidson	<b>Tel:</b> 250-952-2569
<b>Executive Director, Legislation:</b>	Ann Marr	<b>Tel:</b> 250-952-2281
<b>Drafter:</b>	Katherine Thiessen-Wale	
<b>Date:</b>	June 17, 2015	
<b>File Name with Path:</b> K:\MPROM Delegations 2014\1026084 MO delegation s 19 3.1.V2 May 2015.docx		

# PROVINCE OF BRITISH COLUMBIA

Ministerial Order No.

## ORDER OF THE MINISTER OF HEALTH

### *Health Professions Act*

The delegation of duties, powers and functions under section 19(3.1) of the *Health Professions Act* as set out in the memorandum of the Minister of Health Services to the Deputy Minister of Health Services on June 9, 2004, is rescinded.

Pursuant to section 4 (2) of the *Ministry of Health Act*, the duties, powers and functions of the Minister granted or imposed by section 19(3.1) of the *Health Professions Act* may be performed or exercised by:

- (a) any Assistant Deputy Minister of the Ministry of Health.
- (b) the Executive Director of Professional Regulation & Oversight in the Ministry of Health.

This delegation is effective immediately.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Minister of Health

---

*(This part is for administrative purposes only and is not part of the Order.)*

Authority under which Order is made:

Act and section:- *Ministry of Health Act*, s. 4(2).

Other (specify):- *Health Professions Act*, s. 19 (3.1)





Minister of Health Services

## MEMORANDUM

495888

JUN 09 2004  
Penny Ballern, MD  
Deputy Minister  
Ministry of Health Services

Re: Delegation of duties under section 19 (3.1) of the *Health Professions Act*

Pursuant to section 4 (2) of the *Ministry of Health Act*, I delegate the duties, powers and functions of the Minister granted or imposed by section 19 (3.1) of the *Health Professions Act* to the following persons:

- (a) an Assistant Deputy Minister of the Ministry of Health Services;
- (b) the Executive Director of Legislation and Professional Regulation in the Ministry of Health Services.

This delegation is effective immediately.

A handwritten signature in black ink, appearing to read "Colin Hansen".

Colin Hansen  
Minister

## MINISTERIAL ORDER DISTRIBUTION FORM

**STATUTE:** *Health Professions Act*

For OIC Office use only:

**MINISTRY:** Health

### SUMMARY OF SUBJECT MATTER

This Order would rescind Minister's Letter dated June 9, 2004 and delegate the Minister's duties, powers and functions under section 19(3.1) of the *Health Professions Act* to any Assistant Deputy Minister of the Ministry of Health and to the Executive Director of Professional Regulation & Oversight in the Ministry of Health.

**ORIGINATOR** (Name/Ministry/Branch/Telephone/email):

Katherine Thiessen-Wale / Health / Planning & Policy / Legislation / 250-952-2283 /  
[Katherine.ThiessenWale@gov.bc.ca](mailto:Katherine.ThiessenWale@gov.bc.ca)

### COPIES

☒ PDF copies (Please provide name, Ministry and exact email address for each recipient below):

Katherine Thiessen-Wale, Ministry of Health, [Katherine.ThiessenWale@gov.bc.ca](mailto:Katherine.ThiessenWale@gov.bc.ca)

Sandra Fraser, Ministry of Health, [Sandra.Fraser@gov.bc.ca](mailto:Sandra.Fraser@gov.bc.ca)

Carola Bouchard, Ministry of Health, [Carola.Bouchard@gov.bc.ca](mailto:Carola.Bouchard@gov.bc.ca)

☐ Certified true copy of this OIC - for legal or evidentiary purposes only  
(Please provide name, Ministry/Company, mailing address, city, postal code and telephone):



## Ministry of Health

## MINISTERIAL ORDER

## SUBJECT:

This Order would rescind Minister's Letter dated June 29, 2012 and delegate the Minister's duties, powers and functions under sections 21, 22 and 23 of the *Pharmacy Operations and Drug Scheduling Act*.

APPROVAL REQUIRED BY: June 30, 2015

LEGISLATION CONTACT:  
Katherine Thiessen-Wale  
(250-952-2283)CLIFF#  
1036116

OTHER CONTACT (IF ANY):

AUTHORITY (ACT AND SECTION) *Pharmacy Operations and Drug Scheduling Act, s. 21, 22, 23; Ministry of Health Act, s. 4(2).*

EXAMINED BY	APPROVED	DATE
<input type="checkbox"/> ORIGINATOR <i>Legislation</i>		
<input type="checkbox"/> DIRECTOR <i>Legislation</i>	Katherine Thiessen-Wale	
<input type="checkbox"/> EXECUTIVE DIRECTOR <i>Legislation &amp; Intergovernmental Relations</i>	Ann Marr	
<input type="checkbox"/> OTHER STAFF <i>Program</i>		
<input type="checkbox"/> DIRECTOR / EXECUTIVE DIRECTOR <i>Program</i>	Mark MacKinnon	
<input type="checkbox"/> ASSISTANT DEPUTY MINISTER <i>Program</i>	Ted Patterson	
<input type="checkbox"/> ASSISTANT DEPUTY MINISTER <i>Program</i>		
<input type="checkbox"/> ASSISTANT DEPUTY MINISTER <i>Health Sector Planning &amp; Innovation Division</i>	Heather Davidson	
<input type="checkbox"/> ASSOCIATE DEPUTY MINISTER <i>Health Services</i>		
<input type="checkbox"/> ASSOCIATE DEPUTY MINISTER <i>Corporate Services</i>	Sabine Feulgen	
<input type="checkbox"/> DEPUTY MINISTER	Steve Brown	

MINISTER'S OFFICE STAFF: On approval by Minister, signed Order must be forwarded direct to OIC Office.

*Strictly Confidential – Advice to Deputy Minister*

**MINISTRY OF HEALTH  
MINISTERIAL ORDER BRIEFING NOTE**

**Cliff # 1036116**

**PREPARED FOR:** Honourable Terry Lake – **FOR DECISION**

**SUBJECT:** Minister's Order to continue the delegation of the Minister's duties, powers and functions under sections 21, 22, and 23 of the *Pharmacy Operations and Drug Scheduling Act*

**AUTHORITY:** *Pharmacy Operations and Drug Scheduling Act*, s. 21, 22 and 23; *Ministry of Health Act*, s. 4(2)

**PURPOSE:** This order will rescind the delegations set out in the Minister's Memorandum dated June 29, 2012 and delegate the Minister's duties, powers and functions under section 21, 22 and 23 of the *Pharmacy Operations and Drug Scheduling Act* on similar terms.

**BACKGROUND:**

Section 4 (2) of the *Ministry of Health Act* provides that the Minister may, in writing, delegate any or all of the Minister's duties, powers and functions granted or imposed by any Act.

Sections 21 and 22 of the *Pharmacy Operations and Drug Scheduling Act* provide that a bylaw or regulation of the College of Pharmacists (the College) comes into force when it is filed with the minister unless:

- the minister disallows it;
- the minister declares that it comes into force on an earlier date; or
- the board withdraws the bylaw.

Section 23 of the *Pharmacy Operations and Drug Scheduling Act* gives the Minister authority to request that the board of the College amend or repeal an existing bylaw or drug schedule regulation or make a new bylaw or drug schedule regulation.

**DISCUSSION:**

s.13

**FINANCIAL IMPLICATIONS:** N/A

**IMPACT ON REGULATORY COUNT:** N/A

**RECOMMENDATION:** That the Minister signs this Order as drafted.

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<b>ADM, Health Sector Planning &amp; Innovation Division:</b>	Heather Davidson	<b>Tel:</b> 250-952-2569
<b>Executive Director, Legislation:</b>	Ann Marr	<b>Tel:</b> 250-952-2281
<b>Drafter:</b>	Katherine Thiessen-Wale	
<b>Date:</b>	June 17, 2015	
<b>File Name with Path:</b> K:\POISS\ Delegations\1026083 MO delegation s 21 22 23.V2 May 2015.docx		

# PROVINCE OF BRITISH COLUMBIA

Ministerial Order No.

## ORDER OF THE MINISTER OF HEALTH

### *Pharmacy Operations and Drug Scheduling Act*

The delegation of duties, powers and functions under sections 21, 22 and 23 of the *Pharmacy Operations and Drug Scheduling Act* as set out in the memorandum of the Minister of Health to the Deputy Minister of Health on June 29, 2012, is rescinded.

Pursuant to section 4 (2) of the *Ministry of Health Act*, the duties, powers and functions of the Minister granted or imposed by sections 21 (4), (6) (b), (7) and (8), 22 (2), (2.2) and (2.3) and 23 (1) and (3) of the *Pharmacy Operations and Drug Scheduling Act* may be performed or exercised by:

- (a) any Assistant Deputy Minister of the Ministry of Health,
- (b) the Executive Director of Professional Regulation & Oversight in the Ministry of Health, or
- (c) the Director of Regulatory Initiatives in the Ministry of Health.

This delegation is effective immediately.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Minister of Health

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*(This part is for administrative purposes only and is not part of the Order.)*

Authority under which Order is made:

Act and section:- *Ministry of Health Act*, s. 4(2).

Other (specify):- *Pharmacy Operations and Drug Scheduling Act*, ss. 21, 22, 23



## Memorandum

Ministry of Health  
Office of the Minister

JUN 29 2012

932527

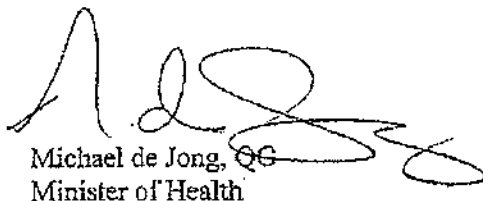
To: Graham Whitmarsh  
Deputy Minister  
Ministry of Health

Re: Delegation of duties, powers and functions under sections 21, 22 and 23 of  
the *Pharmacy Operations and Drug Scheduling Act*

Pursuant to section 4 (2) of the *Ministry of Health Act*, the duties, powers and functions of the Minister granted or imposed by sections 21 (4), (6) (b), (7) and (8), 22 (2), (2.2) and (2.3) and 23 (1) and (3) of the *Pharmacy Operations and Drug Scheduling Act* may be performed or exercised by:

- (a) any Assistant Deputy Minister of the Ministry of Health,
- (b) the Executive Director of Legislation and Professional Regulation in the Ministry of Health, or
- (c) the Director of Professional Regulation in the Ministry of Health.

This delegation is effective immediately.



Michael de Jong, Q.C.  
Minister of Health

## MINISTERIAL ORDER DISTRIBUTION FORM

**STATUTE:** *Pharmacy Operations and Drug Scheduling Act*

For OIC Office use only:

**MINISTRY:** Health

### SUMMARY OF SUBJECT MATTER

This Order would rescind Minister's Letter dated June 29, 2012 and delegate the Minister's duties, powers and functions under sections 21, 22 and 23 of the *Pharmacy Operations and Drug Scheduling Act* to any Assistant Deputy Minister of the Ministry of Health, to the Executive Director of Professional Regulation & Oversight, and to the Director of Regulatory Initiatives in the Ministry of Health.

**ORIGINATOR** (Name/Ministry/Branch/Telephone/email):

Katherine Thiessen-Wale / Health / Legislation / 250-952-2283 / [Katherine.ThiessenWale@gov.bc.ca](mailto:Katherine.ThiessenWale@gov.bc.ca)

### COPIES

☒ PDF copies (Please provide name, Ministry and exact email address for each recipient below):

Katherine Thiessen-Wale, Ministry of Health, [Katherine.ThiessenWale@gov.bc.ca](mailto:Katherine.ThiessenWale@gov.bc.ca)

Sandra Fraser, Ministry of Health, [Sandra.Fraser@gov.bc.ca](mailto:Sandra.Fraser@gov.bc.ca)

Carola Bouchard, Ministry of Health, [Carola.Bouchard@gov.bc.ca](mailto:Carola.Bouchard@gov.bc.ca)

☐ Certified true copy of this OIC - for legal or evidentiary purposes only  
(Please provide name, Ministry/Company, mailing address, city, postal code and telephone):



## **MacDonald, Aaron HLTH:EX**

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**From:** MacKinnon, Mark HLTH:EX  
**Sent:** Monday, May 4, 2015 2:32 PM  
**To:** Marr, Ann HLTH:EX; Thiessen-Wale, Katherine HLTH:EX  
**Cc:** Westgate, Brian A HLTH:EX  
**Subject:** FW: Jan 13: Minister briefing re: OIC's 1024017 and 1024018  
**Attachments:** Speaking Notes - HPA Delegation for Bylaw Filing.docx; 1024018 MO delegation s 20.pdf; Delegation orders

Thanks Brian,

I'm also attaching the last correspondence on this that I received from Corrie.

Thanks,

M

**From:** Westgate, Brian A HLTH:EX  
**Sent:** Monday, May 4, 2015 2:20 PM  
**To:** Marr, Ann HLTH:EX  
**Cc:** MacKinnon, Mark HLTH:EX  
**Subject:** FW: Jan 13: Minister briefing re: OIC's 1024017 and 1024018

Please send to Katherine when her email is up.  
Attached is our speaking notes used on the last set of delegations.  
To summarize:

### **Delegation of Section 19 of the HPA**

- Delegation would give the Executive Director of Professional Regulation and Oversight, and the Director of Regulatory Initiatives the authority to do the following:
  - Accept and confirm the filing of a bylaw change;
  - Declare an earlier in-force date for a filed bylaw change;
  - Accept and confirm the withdrawal of a filed bylaw change;
  - Request a board to make a bylaw change; and
  - Specify a shorter notice period for a board-proposed bylaw change.
- The Minister, the Deputy Minister or an Associate Deputy Minister will retain the authority to do what has been delegated above as well as the following:
  - Disallow a filed bylaw change;
  - Impose a bylaw change if the board has refused a change request;
  - Specify a shorter notice period for an imposed bylaw change.

This was approved and signed by the Minister.

### **Delegation of Section 19 (3.1)**

- Delegation would give the Executive Director and Director the authority to refuse to accept a bylaw for deposit on the basis of lack of statutory authority.
- If bylaws are refused, key issues are brought to the Ministers attention when a board is notified of the refusal.

### **Delegation of Section 20.4(2)**

- Delegation gives the Assistant Deputy Minister, Health Sector Workforce Division, the authority to approve agreements under s. 20.4(2) promoting cooperation with governing bodies between BC health profession colleges, and health professions in other jurisdictions. – This has been approved and is attached

Similar sections exist in PODSA. I do not have the BN and MO for this delegation but if you have it could you send it to me? As with how I summarized above I can do the same for PODSA.

Thanks

Brian Westgate  
Director of Regulatory Initiatives, Professional Regulation and Oversight  
Health Sector Workforce Division  
Ministry of Health | 1515 Blanshard Street | PO Box 9649 STN PROV GOVT  
Victoria BC V8W 9P4

Phone: 250-952-1204  
Mobile: 250-507-7423  
[Brian.westgate@gov.bc.ca](mailto:Brian.westgate@gov.bc.ca)

---

**From:** Westgate, Brian A HLTH:EX  
**Sent:** Monday, May 4, 2015 11:48 AM  
**To:** MacKinnon, Mark HLTH:EX  
**Subject:** FW: Jan 13: Minister briefing re: OIC's 1024017 and 1024018

Fyi speaking notes

Brian Westgate  
Director of Regulatory Initiatives, Professional Regulation and Oversight  
Health Sector Workforce Division  
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[Brian.westgate@gov.bc.ca](mailto:Brian.westgate@gov.bc.ca)

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**From:** MacKinnon, Mark HLTH:EX  
**Sent:** Monday, January 12, 2015 9:15 AM  
**To:** Westgate, Brian A HLTH:EX  
**Subject:** FW: Jan 13: Minister briefing re: OIC's 1024017 and 1024018

FYI

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**From:** Murray, Heather HLTH:EX  
**Sent:** January-09-15 3:27 PM  
**To:** Patterson, Ted HLTH:EX  
**Cc:** MacKinnon, Mark HLTH:EX; Obee, Sarah F HLTH:EX  
**Subject:** FW: Jan 13: Minister briefing re: OIC's 1024017 and 1024018

Hi Ted – let me know if you have everything you need for Tuesday's briefing with the Minister, or if you like we can also schedule some briefing time on Monday for you to review with Mark/Brian. Thanks, H.

---

**From:** Westgate, Brian A HLTH:EX  
**Sent:** Thursday, January 8, 2015 1:29 PM  
**To:** Patterson, Ted HLTH:EX; MacKinnon, Mark HLTH:EX  
**Cc:** Murray, Heather HLTH:EX; Obee, Sarah F HLTH:EX; Nojszewski, Aleksandra HLTH:EX  
**Subject:** RE: Jan 13: Minister briefing re: OIC's 1024017 and 1024018

Attached is some speaking notes detailing some history and specific examples.  
Thanks to Jessica for helping pull this together.  
If you need anything else or have any questions please let me know.

Brian Westgate  
Director of Regulatory Initiatives, Professional Regulation and Oversight  
Health Sector Workforce Division  
Ministry of Health | 1515 Blanshard Street | PO Box 9649 STN PROV GOVT  
Victoria BC V8W 9P4

Phone: 250-952-1204  
Mobile: 250-507-7423  
[Brian.westgate@gov.bc.ca](mailto:Brian.westgate@gov.bc.ca)

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**From:** Westgate, Brian A HLTH:EX  
**Sent:** Tuesday, January 6, 2015 9:43 AM  
**To:** Patterson, Ted HLTH:EX; MacKinnon, Mark HLTH:EX  
**Cc:** Murray, Heather HLTH:EX; Obee, Sarah F HLTH:EX; Nojszewski, Aleksandra HLTH:EX  
**Subject:** RE: Jan 13: Minister briefing re: OIC's 1024017 and 1024018

As requested here is the attached documents Corrie did for the original request for delegation.  
Following is a quick summary:

Delegation of section 19:

If the delegation is approved the Executive Director and Director would have the authority to do the following:

- accept and confirm the filing of a bylaw change;
- declare an earlier in-force date for a filed bylaw change;
- accept and confirm the withdrawal of a filed bylaw change;
- request a board to make a bylaw change; and
- specify a shorter notice period for a board-proposed bylaw change.

the Minister, the Deputy Minister or an Associate Deputy Minister will retain the authority to do the following:

- disallow a filed bylaw change;
- impose a bylaw change if the board has refused a change request;
- specify a shorter notice period for an imposed bylaw change.

Delegation of Section 19 (3.1):

Delegates the authority to the Executive Director and Director to refuse to accept a bylaw for deposit on the basis of lack of statutory authority. If this were to happen these issues would routinely be brought to the Ministers attention at the time a board is so notified.

Delegation of section 20.4 (2):

If the delegation is approved any Assistant Deputy Minister would have the authority to approve an agreement covered by s. 20.4(2) that promotes cooperation with governing bodies between BC Health Profession Colleges and corresponding health professions in other jurisdictions.

**More information on history is being compiled today.**

Brian Westgate  
Director of Regulatory Initiatives, Professional Regulation and Oversight  
Health Sector Workforce Division  
Ministry of Health | 1515 Blanshard Street | PO Box 9649 STN PROV GOVT  
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Phone: 250-952-1204  
Mobile: 250-507-7423  
[Brian.westgate@gov.bc.ca](mailto:Brian.westgate@gov.bc.ca)

---

**From:** Patterson, Ted HLTH:EX  
**Sent:** Tuesday, January 6, 2015 6:35 AM  
**To:** MacKinnon, Mark HLTH:EX  
**Cc:** Murray, Heather HLTH:EX; Obee, Sarah F HLTH:EX; Nojszewski, Aleksandra HLTH:EX; Westgate, Brian A HLTH:EX  
**Subject:** Re: Jan 13: Minister briefing re: OIC's 1024017 and 1024018

Thanks Mark. s.22

Can we also put together a break down of the types of bylaw changes the branch approved last year?

Sent from my iPhone

On Jan 6, 2015, at 6:30 AM, MacKinnon, Mark HLTH:EX <[Mark.MacKinnon@gov.bc.ca](mailto:Mark.MacKinnon@gov.bc.ca)> wrote:

We have the one that Corrie did to accompany the items. I'll ask Brian to track it down and circulate it. We'll also do some thinking about any other questions that may come up and make sure that we have answers.

s.22

M

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**From:** Patterson, Ted HLTH:EX  
**Sent:** 2015-01-05, 3:00 PM  
**To:** Murray, Heather HLTH:EX, MacKinnon, Mark HLTH:EX  
**Cc:** Obee, Sarah F HLTH:EX, Nojszewski, Aleksandra HLTH:EX  
**Subject:** RE: Jan 13: Minister briefing re: OIC's 1024017 and 1024018

Mark,

Do we have a good briefing note on this?

T

**Ted Patterson**  
Assistant Deputy Minister  
Health Sector Workforce Division

---

**From:** Murray, Heather HLTH:EX  
**Sent:** Monday, January 5, 2015 2:59 PM  
**To:** Patterson, Ted HLTH:EX; MacKinnon, Mark HLTH:EX  
**Cc:** Obee, Sarah F HLTH:EX; Nojszewski, Aleksandra HLTH:EX  
**Subject:** Fw: 1024018

Fyi

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**From:** Casanova, Tamara HLTH:EX  
**Sent:** Monday, January 5, 2015 2:56 PM  
**To:** Campbell, Corrie L HLTH:EX; Marr, Ann HLTH:EX; Murray, Heather HLTH:EX  
**Cc:** Foran, Grace E HLTH:EX; Docs Processing HLTH:EX; Bouchard, Carola HLTH:EX  
**Subject:** Jan 13: Minister briefing re: OIC's 1024018

Hi all,

As requested by the MO, please be advised the above noted briefing has now been confirmed for next week. Details are below.

**Date:** Tuesday, January 13th  
**Time:** 3:00 to 3:30 pm  
**Location:** s.15

**Dial in information:** s.15

Minister Lake is the Moderator

Calendar invites will be sent to Sabine, Ted, Mark MacKinnon and Corrie at this time. Please advise if any additional staff will need to be included, however staffing support should be around 4 people maximum.

**\*Important:** Please advise if any ministry staff will be attending in person at the PVO.

**Materials:** Is it possible to receive e-copies of the OICs?

Many thanks,  
Tamara

**Tamara Casanova** | Executive Operations  
Office of the Deputy Minister  
Ministry of Health

P: 250.952.1908 | C: 250.217.3655 | email: [tamara.casanova@gov.bc.ca](mailto:tamara.casanova@gov.bc.ca)

---

**From:** Casanova, Tamara HLTH:EX  
**Sent:** Tuesday, December 23, 2014 10:58 AM  
**To:** Campbell, Corrie L HLTH:EX; Marr, Ann HLTH:EX; Murray, Heather HLTH:EX  
**Cc:** Foran, Grace E HLTH:EX; Docs Processing HLTH:EX; Bouchard, Carola HLTH:EX  
**Subject:** Minister briefing re: OIC's 1024018

Thanks Corrie. Heather - Looping you into this request.

**Tamara Casanova** | Executive Operations  
Office of the Deputy Minister  
Ministry of Health

P: 250.952.1908 | C: 250.217.3655 | email: [tamara.casanova@gov.bc.ca](mailto:tamara.casanova@gov.bc.ca)

**From:** Campbell, Corrie L HLTH:EX  
**Sent:** Tuesday, December 23, 2014 10:52 AM  
**To:** Casanova, Tamara HLTH:EX; Marr, Ann HLTH:EX  
**Cc:** Foran, Grace E HLTH:EX; Docs Processing HLTH:EX; Bouchard, Carola HLTH:EX  
**Subject:** RE: Minister briefing re: OIC's 1024018

Hi Tamara - Ted Patterson/Mark Mackinnon should be invited to this as it is their area. One of us can attend to talk about the technical side of it if so desired.

Corrie Campbell | Director, Legislation | Ministry of Health | Office (250) 744-7844 | Fax (250) 952-2205 |  
Email [Corrie.Campbell@gov.bc.ca](mailto:Corrie.Campbell@gov.bc.ca)

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**From:** Casanova, Tamara HLTH:EX  
**Sent:** Tuesday, December 23, 2014 9:54 AM  
**To:** Marr, Ann HLTH:EX; Campbell, Corrie L HLTH:EX  
**Cc:** Foran, Grace E HLTH:EX; Docs Processing HLTH:EX; Bouchard, Carola HLTH:EX  
**Subject:** Minister briefing re: OIC's 1024018

Good morning all,

FYI - I've added this request to the list of briefings in the queue and will advise once a date and time has been confirmed in the new year.

Many thanks,  
Tamara

**Tamara Casanova** | Executive Operations  
Office of the Deputy Minister  
Ministry of Health

P: 250.952.1908 | C: 250.217.3655 | email: [tamara.casanova@gov.bc.ca](mailto:tamara.casanova@gov.bc.ca)

**From:** Loiacono, Sabrina HLTH:EX  
**Sent:** Thursday, December 18, 2014 10:06 AM  
**To:** Jukes, Shaina HLTH:EX; Casanova, Tamara HLTH:EX; Godfrey, Debbie HLTH:EX; Foran, Grace E HLTH:EX  
**Cc:** Martin, Rhiannon HLTH:EX; O'Brien, Kellie HLTH:EX  
**Subject:** Minister briefing re: OIC's 1024018

Good morning,

The office received two OIC's Cliff 1024018 last week. The Minister has reviewed and would like a briefing. Please set this up in the new year.

**Cliff 1024017:** this order would rescind Minister's letter dated November 3, 2008 and delegate the Minister's duties, powers and functions under Section 19 of the Health Professions Act.

**Cliff 1024018:** this order would rescind Minister's letter dated November 3, 2008 and delegate the Minister's duties, powers and functions under Section 20.4(2) of the Health Professions Act.

Thanks



## **Speaking Notes – Health Professions Act (HPA) Delegation Request**

### **Background**

- Under s. 19(3) of the HPA, the Minister of Health (or delegate) must file all bylaw amendments submitted by the health profession Colleges in order for the amendments to take effect.
- Under the HPA, a bylaw will come into force 60 days after it is submitted by the college.
- Under s. 19(3.1), the Minister (or delegate) has the authority to declare an early-in-force date that is less than the 60 days. This is done by way of a Ministerial Order.
- Historically, there has been a high volume of minor bylaw amendments that require processing by the Ministry.
- In the past, the authority to accept and file bylaws and shorten notice and filing periods on behalf of the Minister has been delegated to the Director of Professional Regulation, to ensure that the bylaws can be processed and filed in an efficient and effective way, to enable the colleges to continue to meet operational requirements that are legislated under the HPA.
- As a result of internal re-organization and staffing changes, a change in delegation is requested at this time.
- The Professional Regulation and Oversight Branch is requesting delegation to give the new Director of Regulatory Initiatives, and the new Executive Director of Professional Regulation and Oversight the authority to file bylaws.

### **Summary of HPA Delegation Requests**

#### **Delegation of Section 19 of the HPA**

- Delegation would give the Executive Director of Professional Regulation and Oversight, and the Director of Regulatory Initiatives the authority to do the following:
  - Accept and confirm the filing of a bylaw change;
  - Declare an earlier in-force date for a filed bylaw change;
  - Accept and confirm the withdrawal of a filed bylaw change;
  - Request a board to make a bylaw change; and
  - Specify a shorter notice period for a board-proposed bylaw change.
- The Minister, the Deputy Minister or an Associate Deputy Minister will retain the authority to do what has been delegated above as well as the following:
  - Disallow a filed bylaw change;
  - Impose a bylaw change if the board has refused a change request;
  - Specify a shorter notice period for an imposed bylaw change.

#### **Delegation of Section 19 (3.1)**

- Delegation would give the Executive Director and Director the authority to refuse to accept a bylaw for deposit on the basis of lack of statutory authority.
- If bylaws are refused, key issues are brought to the Ministers attention when a board is notified of the refusal.

#### **Delegation of Section 20.4(2)**

*\*Note: Lacking a specific example of having used this authority, PRO staff have built good working relationships with colleges and this has made the use of this section unnecessary so far.*



- Delegation would give the Assistant Deputy Minister, Health Sector Workforce Division, the authority to approve agreements under s. 20.4(2) promoting cooperation with governing bodies between BC health profession colleges, and health professions in other jurisdictions.

#### Use of Delegation Authority under the HPA in 2014

- In 2014, **44 bylaw amendments** for health profession colleges were filed with the Minister.
- **21 of those amendments required a corresponding Ministerial Order.** All Ministerial Orders issued in 2014 with respect to bylaws filed for health profession colleges were used to declare an early-in-force date for a filed bylaw change.
- Signed and filed bylaw amendments were traditionally completed by the previous Director of Professional Regulation, under the delegation of authority under Section 19 of the HPA.
- Delegated authority was not used to refuse to accept a bylaw for deposit under Section 19(3.1) of the HPA in 2014.
- Additionally, no delegated authority was exercised under Section 20.4(2) in 2014.
- A broad range of bylaw amendments were approved and filed last year. The following table describes the key reasons for bylaw amendments that were filed in 2014, and the corresponding number of amendments that were filed for each reason\*:

Reason for Bylaw Amendment	Number of Amendments Filed
Changes to college fee schedules	21
Housekeeping and minor operational items, including: <ul style="list-style-type: none"> <li>• Voting</li> <li>• Tariff fees</li> <li>• Technical revisions (e.g. Removing repetitive requirements already found in legislation)</li> <li>• Changes to requirements for board members (e.g. adjustment of terms)</li> </ul>	12
Registration and education revisions, including: <ul style="list-style-type: none"> <li>• Registration requirements</li> <li>• Recognized education programs</li> <li>• Continuing education requirements</li> <li>• Entry to practice requirements</li> </ul>	6
Changes to forms required by bylaws	5
Significant repeals and replacements of bylaws including: <ul style="list-style-type: none"> <li>• Creation of new class of professional (dental therapists),</li> <li>• Significant operational and administrative changes,</li> <li>• Changes to procedures for disciplinary hearings</li> </ul>	3

*\*Note: Some bylaw amendments included changes in two categories listed above.*

SUBJECT: This Order would rescind Minister's Letter dated November 3, 2008 and delegate the Minister's duties, powers and functions under section 20.4(2) of the *Health Professions Act*.

APPROVAL REQUIRED BY: December 1, 2014

LEGISLATION CONTACT:  
Corrie Campbell (250-952-2283)

CLIFF#  
1024018

OTHER CONTACT (IF ANY):

AUTHORITY (ACT AND SECTION) *Health Professions Act*, s. 20.4(2);  
*Ministry of Health Act*, s. 4(2):)

EXAMINED BY		APPROVED	DATE
<input type="checkbox"/> ORIGINATOR <i>Legislation</i>	Sandra Fraser		
<input type="checkbox"/> DIRECTOR <i>Legislation</i>	Corrie Campbell		
<input type="checkbox"/> EXECUTIVE DIRECTOR <i>Legislation &amp; Intergovernmental Relations</i>	Ann Marr		
<input type="checkbox"/> OTHER STAFF <i>Program</i>			
<input type="checkbox"/> DIRECTOR / EXECUTIVE DIRECTOR <i>Program</i>	Mark MacKinnon		
<input type="checkbox"/> ASSISTANT DEPUTY MINISTER <i>Program</i>	Ted Patterson		
<input type="checkbox"/> ASSISTANT DEPUTY MINISTER <i>Program</i>			
<input type="checkbox"/> ASSISTANT DEPUTY MINISTER <i>Health Sector Planning &amp; Innovation Division</i>	Heather Davidson		
<input type="checkbox"/> ASSOCIATE DEPUTY MINISTER <i>Health Services</i>			
<input type="checkbox"/> ASSOCIATE DEPUTY MINISTER <i>Corporate Services</i>	Sabine Feulgen		
<input type="checkbox"/> DEPUTY MINISTER	Steve Brown		

**MINISTER'S OFFICE STAFF:** On approval by Minister, signed Order must be forwarded direct to OIC Office.

*Strictly Confidential – Advice to Deputy Minister*

**MINISTRY OF HEALTH  
MINISTERIAL ORDER BRIEFING NOTE**

**Cliff # 1024018**

**PREPARED FOR:** Honourable Terry Lake – **FOR DECISION**

**SUBJECT:** This Order would rescind Minister's Memorandum dated November 3, 2008 and delegate the Minister's duties, powers and functions under section 20.4(2) of the *Health Professions Act*.

**AUTHORITY:** *Health Professions Act*, s. 20.4(2); *Ministry of Health Act*, s. 4(2)

**PURPOSE:** This Order would rescind the delegations set out in the Minister's Memorandum dated November 3, 2008, (see attached) and delegate the Minister's duties, powers and functions under section 20.4(2) of the *Health Professions Act*.

**BACKGROUND:**

Section 4 (2) of the *Ministry of Health Act* provides that the Minister may, in writing, delegate any or all of the Minister's duties, powers and functions granted or imposed by any Act.

**DISCUSSION:**

s.13

...2

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*Strictly Confidential – Advice to Minister*

s.13,s.14

**FINANCIAL IMPLICATIONS: N/A**

**IMPACT ON REGULATORY COUNT: N/A**

**RECOMMENDATION:** That the Minister signs this Order as drafted to delegate the duties, powers and functions of the Minister granted or imposed by section 20.4 (2) of the *Health Professions Act*.

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<b>ADM, Health Sector Planning &amp; Innovation Division:</b>	Heather Davidson	<b>Tel:</b> 250-952-2569
<b>Director, Legislation:</b>	Corrie Campbell	<b>Tel:</b> 250-952-2283
<b>Drafter:</b>	Corrie Campbell	
<b>Date:</b>	November 17, 2014	
<b>File Name with Path:</b>	k/HPRO/delegations/1024018 MO delegation s 20	

# PROVINCE OF BRITISH COLUMBIA

Ministerial Order No.

## ORDER OF THE MINISTER OF HEALTH

### *Health Professions Act*

The delegation of duties, powers and functions under section 20.4(2) of the *Health Professions Act* as set out in the memorandum of the Minister of Health Services to the Deputy Minister of Health Services on November 3, 2008, is rescinded

Pursuant to section 4 (2) of the *Ministry of Health Act*, any Assistant Deputy Minister of the Ministry of Health may perform the duties or exercise the powers and functions of the Minister granted or imposed by section 20.4 (2) of the *Health Professions Act*, except the authority to prescribe an agreement for the purposes of section 20.4 (2) (a) (iii).

This delegation is effective immediately.

January 16, 2015

Date



Minister of Health

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*(This part is for administrative purposes only and is not part of the Order.)*

**Authority under which Order is made:**

Act and section:- *Ministry of Health Act*, s. 4(2)

Other (specify):- *Health Professions Act*, s. 20.4(2)

## MINISTERIAL ORDER DISTRIBUTION FORM

**STATUTE:** *Health Professions Act*

For OIC Office use only:

**MINISTRY:** Health

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### SUMMARY OF SUBJECT MATTER

This Order would rescind Minister's Memorandum dated November 3, 2008 and delegate the Minister's duties, powers and functions under section 20.4(2) of the *Health Professions Act*.

---

**ORIGINATOR** (Name/Ministry/Branch/Telephone/email):

Corrie Campbell / Health / Planning & Policy / Legislation / 250-952-2283 / Corrie.Campbell@gov.bc.ca

---

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Sandra Fraser, Ministry of Health, [Sandra.Fraser@gov.bc.ca](mailto:Sandra.Fraser@gov.bc.ca)

Carola Bouchard, Ministry of Health, [Carola.Bouchard@gov.bc.ca](mailto:Carola.Bouchard@gov.bc.ca)

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(Please provide name, Ministry/Company, mailing address, city, postal code and telephone):

## MacDonald, Aaron HLTH:EX

---

**From:** Campbell, Corrie L HLTH:EX  
**Sent:** Tuesday, January 20, 2015 11:44 AM  
**To:** MacKinnon, Mark HLTH:EX; Westgate, Brian A HLTH:EX  
**Cc:** Fraser, Sandra HLTH:EX  
**Subject:** Delegation orders  
**Attachments:** 1024017 MO delegation s. 19.pdf; 1024018 MO delegation s 20.pdf

Hi there – please find attached the orders delegating powers under the HPA. There is one outstanding which is the order for s. 19.31. This one was identified as needing to be updated after the others had completed going through sign off. I understand that Sandra sent it along with the others, noting that it had not yet been approved, when Brian requested the HPA delegation orders. This seems to be the source of the misunderstanding about which orders went to the MO.

There is another delegation under PODSA that also needs to be updated. We will batch it with that one. Sorry for the delay.

PROVINCE OF BRITISH COLUMBIA

Ministerial Order No.

M 013

ORDER OF THE MINISTER OF HEALTH

*Health Professions Act*

The delegation of duties, powers and functions under section 19 of the Health Professions Act as set out in the memorandum of the Minister of Health Services to the Deputy Minister of Health Services on November 3, 2008, is rescinded.

Pursuant to section 4 (2) of the *Ministry of Health Act*, the duties, powers and functions of the Minister granted or imposed by section 19 (3), (3.2) (b), (3.3), (5) and (6.2) (a) of the *Health Professions Act* may be performed or exercised by

- (a) any Assistant Deputy Minister of the Ministry of Health,
- (b) the Executive Director of Professional Regulation & Oversight in the Ministry of Health, or
- (c) the Director of Regulatory Initiatives in the Ministry of Health.

This delegation is effective immediately.

Jan. 13, 2015  
Date

Shah  
Minister of Health

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section:- *Ministry of Health Act*, s. 4(2):.

Other (specify):- *Health Professions Act*, s. 19



SUBJECT: This Order would rescind Minister's Letter dated November 3, 2008 and delegate the Minister's duties, powers and functions under section 20.4(2) of the *Health Professions Act*.

APPROVAL REQUIRED BY: December 1, 2014

LEGISLATION CONTACT:  
Corrie Campbell (250-952-2283)

CLIFF#  
1024018

OTHER CONTACT (IF ANY):

AUTHORITY (ACT AND SECTION) *Health Professions Act*, s. 20.4(2);  
*Ministry of Health Act*, s. 4(2):)

EXAMINED BY		APPROVED	DATE
<input type="checkbox"/> ORIGINATOR <i>Legislation</i>	Sandra Fraser		
<input type="checkbox"/> DIRECTOR <i>Legislation</i>	Corrie Campbell		
<input type="checkbox"/> EXECUTIVE DIRECTOR <i>Legislation &amp; Intergovernmental Relations</i>	Ann Marr		
<input type="checkbox"/> OTHER STAFF <i>Program</i>			
<input type="checkbox"/> DIRECTOR / EXECUTIVE DIRECTOR <i>Program</i>	Mark MacKinnon		
<input type="checkbox"/> ASSISTANT DEPUTY MINISTER <i>Program</i>	Ted Patterson		
<input type="checkbox"/> ASSISTANT DEPUTY MINISTER <i>Program</i>			
<input type="checkbox"/> ASSISTANT DEPUTY MINISTER <i>Health Sector Planning &amp; Innovation Division</i>	Heather Davidson		
<input type="checkbox"/> ASSOCIATE DEPUTY MINISTER <i>Health Services</i>			
<input type="checkbox"/> ASSOCIATE DEPUTY MINISTER <i>Corporate Services</i>	Sabine Feulgen		
<input type="checkbox"/> DEPUTY MINISTER	Steve Brown		

**MINISTER'S OFFICE STAFF:** On approval by Minister, signed Order must be forwarded direct to OIC Office.

*Strictly Confidential – Advice to Deputy Minister*

**MINISTRY OF HEALTH  
MINISTERIAL ORDER BRIEFING NOTE**

**Cliff # 1024018**

**PREPARED FOR:** Honourable Terry Lake – **FOR DECISION**

**SUBJECT:** This Order would rescind Minister's Memorandum dated November 3, 2008 and delegate the Minister's duties, powers and functions under section 20.4(2) of the *Health Professions Act*.

**AUTHORITY:** *Health Professions Act*, s. 20.4(2); *Ministry of Health Act*, s. 4(2)

**PURPOSE:** This Order would rescind the delegations set out in the Minister's Memorandum dated November 3, 2008, (see attached) and delegate the Minister's duties, powers and functions under section 20.4(2) of the *Health Professions Act*.

**BACKGROUND:**

Section 4 (2) of the *Ministry of Health Act* provides that the Minister may, in writing, delegate any or all of the Minister's duties, powers and functions granted or imposed by any Act.

**DISCUSSION:**

s.13

...2

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*Strictly Confidential – Advice to Minister*

**FINANCIAL IMPLICATIONS:** N/A

**IMPACT ON REGULATORY COUNT:** N/A

**RECOMMENDATION:** That the Minister signs this Order as drafted to delegate the duties, powers and functions of the Minister granted or imposed by section 20.4 (2) of the *Health Professions Act*.

---

<b>ADM, Health Sector Planning &amp; Innovation Division:</b>	Heather Davidson	<b>Tel:</b> 250-952-2569
<b>Director, Legislation:</b>	Corrie Campbell	<b>Tel:</b> 250-952-2283
<b>Drafter:</b>	Corrie Campbell	
<b>Date:</b>	November 17, 2014	
<b>File Name with Path:</b> k/HPRO/delegations/1024018 MO delegation s 20		

# PROVINCE OF BRITISH COLUMBIA

Ministerial Order No.

## ORDER OF THE MINISTER OF HEALTH

### *Health Professions Act*

The delegation of duties, powers and functions under section 20.4(2) of the *Health Professions Act* as set out in the memorandum of the Minister of Health Services to the Deputy Minister of Health Services on November 3, 2008, is rescinded

Pursuant to section 4 (2) of the *Ministry of Health Act*, any Assistant Deputy Minister of the Ministry of Health may perform the duties or exercise the powers and functions of the Minister granted or imposed by section 20.4 (2) of the *Health Professions Act*, except the authority to prescribe an agreement for the purposes of section 20.4 (2) (a) (iii).

This delegation is effective immediately.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Minister of Health

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*(This part is for administrative purposes only and is not part of the Order.)*

**Authority under which Order is made:**

Act and section:- *Ministry of Health Act*, s. 4(2)

Other (specify):- *Health Professions Act*, s. 20.4(2)

## MINISTERIAL ORDER DISTRIBUTION FORM

**STATUTE:** *Health Professions Act*

For OIC Office use only:

**MINISTRY:** Health

---

### SUMMARY OF SUBJECT MATTER

This Order would rescind Minister's Memorandum dated November 3, 2008 and delegate the Minister's duties, powers and functions under section 20.4(2) of the *Health Professions Act*.

---

**ORIGINATOR** (Name/Ministry/Branch/Telephone/email):

Corrie Campbell / Health / Planning & Policy / Legislation / 250-952-2283 / Corrie.Campbell@gov.bc.ca

---

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Sandra Fraser, Ministry of Health, [Sandra.Fraser@gov.bc.ca](mailto:Sandra.Fraser@gov.bc.ca)

Carola Bouchard, Ministry of Health, [Carola.Bouchard@gov.bc.ca](mailto:Carola.Bouchard@gov.bc.ca)

☐ Certified true copy of this OIC - for legal or evidentiary purposes only  
(Please provide name, Ministry/Company, mailing address, city, postal code and telephone):

**MacDonald, Aaron HLTH:EX**

---

**From:** MacKinnon, Mark HLTH:EX  
**Sent:** Wednesday, April 29, 2015 4:45 PM  
**To:** Westgate, Brian A HLTH:EX  
**Subject:** FW: MO for delegation under HPA

FYI

**From:** MacKinnon, Mark HLTH:EX  
**Sent:** Wednesday, April 29, 2015 4:44 PM  
**To:** Marr, Ann HLTH:EX  
**Subject:** RE: MO for delegation under HPA

For sure – thanks Ann.

M

**From:** Marr, Ann HLTH:EX  
**Sent:** Wednesday, April 29, 2015 4:41 PM  
**To:** MacKinnon, Mark HLTH:EX  
**Subject:** FW: MO for delegation under HPA

s.14

**From:** Westgate, Brian A HLTH:EX  
**Sent:** Monday, April 27, 2015 2:47 PM  
**To:** Marr, Ann HLTH:EX  
**Cc:** MacKinnon, Mark HLTH:EX  
**Subject:** FW: MO for delegation under HPA

s.13,s.14

Brian Westgate  
Director of Regulatory Initiatives, Professional Regulation and Oversight

Health Sector Workforce Division  
Ministry of Health | 1515 Blanshard Street | PO Box 9649 STN PROV GOVT  
Victoria BC V8W 9P4

Phone: 250-952-1204  
Mobile: 250-507-7423  
[Brian.westgate@gov.bc.ca](mailto:Brian.westgate@gov.bc.ca)

---

**From:** McReynolds, Amanda HLTH:EX  
**Sent:** Wednesday, April 22, 2015 10:03 AM  
**To:** Tamosiunas, Genevieve JAG:EX; Westgate, Brian A HLTH:EX  
**Cc:** Falconer, Mary JAG:EX  
**Subject:** RE: MO for delegation under HPA

s.14

Page 69 to/à Page 71

Withheld pursuant to/removed as

s.14

Withheld pursuant to/removed as



## MacDonald, Aaron HLTH:EX

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**From:** McReynolds, Amanda HLTH:EX  
**Sent:** Tuesday, April 14, 2015 9:04 AM  
**To:** Westgate, Brian A HLTH:EX  
**Subject:** RE: MO for delegation under HPA

Genevieve is available until 10, can you come to my office to call her or shall I come to yours?

**From:** Westgate, Brian A HLTH:EX  
**Sent:** Tuesday, April 14, 2015 9:01 AM  
**To:** McReynolds, Amanda HLTH:EX  
**Subject:** RE: MO for delegation under HPA

I am free today before noon

Brian Westgate  
Director of Regulatory Initiatives, Professional Regulation and Oversight  
Health Sector Workforce Division  
Ministry of Health | 1515 Blanshard Street | PO Box 9649 STN PROV GOVT  
Victoria BC V8W 9P4

Phone: 250-952-1204  
Mobile: 250-507-7423  
[Brian.westgate@gov.bc.ca](mailto:Brian.westgate@gov.bc.ca)

**From:** McReynolds, Amanda HLTH:EX  
**Sent:** Tuesday, April 14, 2015 8:55 AM  
**To:** Westgate, Brian A HLTH:EX  
**Subject:** FW: MO for delegation under HPA

s.14

Page 73 to/à Page 74

Withheld pursuant to/removed as

s.14

Withheld pursuant to/removed as

SUBJECT: This Order would rescind Minister's Letter dated June 9, 2004 and delegate the Minister's duties, powers and functions under section 19(3.1) of the *Health Professions Act*.

APPROVAL REQUIRED BY: February 16, 2015

LEGISLATION CONTACT:  
Corrie Campbell (250-952-2283)

CLIFF#  
1026084

OTHER CONTACT (IF ANY):

AUTHORITY (ACT AND SECTION) *Health Professions Act*, s. 19(3.1);  
*Ministry of Health Act*, s. 4(2):)

EXAMINED BY		APPROVED	DATE
<input type="checkbox"/> ORIGINATOR <i>Legislation</i>	Amanda McReynolds		
<input type="checkbox"/> DIRECTOR <i>Legislation</i>	Corrie Campbell		
<input type="checkbox"/> EXECUTIVE DIRECTOR <i>Legislation &amp; Intergovernmental Relations</i>	Ann Marr		
<input type="checkbox"/> OTHER STAFF <i>Program</i>			
<input type="checkbox"/> DIRECTOR / EXECUTIVE DIRECTOR <i>Program</i>	Mark MacKinnon		
<input type="checkbox"/> ASSISTANT DEPUTY MINISTER <i>Program</i>	Ted Patterson		
<input type="checkbox"/> ASSISTANT DEPUTY MINISTER <i>Program</i>			
<input type="checkbox"/> ASSISTANT DEPUTY MINISTER <i>Health Sector Planning &amp; Innovation Division</i>	Heather Davidson		
<input type="checkbox"/> ASSOCIATE DEPUTY MINISTER <i>Health Services</i>			
<input type="checkbox"/> ASSOCIATE DEPUTY MINISTER <i>Corporate Services</i>	Sabine Feulgen		
<input type="checkbox"/> DEPUTY MINISTER	Steve Brown		

**MINISTER'S OFFICE STAFF:** On approval by Minister, signed Order must be forwarded direct to OIC Office.

*Strictly Confidential – Advice to Deputy Minister*

**MINISTRY OF HEALTH  
MINISTERIAL ORDER BRIEFING NOTE**

**Cliff # 1026084**

**PREPARED FOR:** Honourable Terry Lake – **FOR DECISION**

**SUBJECT:** Minister's Order to change the delegation of the Minister's duties, powers and functions under section 19(3.1) of the *Health Professions Act*.

**AUTHORITY:** *Health Professions Act*, s. 19(3.1); *Ministry of Health Act*, s. 4(2)

**PURPOSE:** This Order would rescind the delegations set out in the Minister's Memorandum dated June 9, 2004, (see attached) and delegate the Minister's duties, powers and functions under section 19(3.1) of the *Health Professions Act*.

**BACKGROUND:**

Section 4 (2) of the *Ministry of Health Act* provides that the Minister may, in writing, delegate any or all of the Minister's duties, powers and functions granted or imposed by any Act.

Section 19(3.1) of the *Health Professions Act* provides that a bylaw made by the board of a health profession's college comes into force when it is filed with the minister unless:

- The minister disallows it for a number of reasons set out in the statute;
- the minister declares that it comes into force on an earlier date; or
- the board withdraws the bylaw.

**DISCUSSION:**

**FINANCIAL IMPLICATIONS: N/A**

**IMPACT ON REGULATORY COUNT: N/A**

**RECOMMENDATION:** That the Minister signs this Order as drafted.

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<b>ADM, Health Sector Planning &amp; Innovation Division:</b>	Heather Davidson	<b>Tel:</b> 250-952-2569
<b>Director, Legislation:</b>	Corrie Campbell	<b>Tel:</b> 250-952-2283
<b>Date:</b>	February 10, 2015	
<b>File Name with Path:</b>	KAHPROM Delegations 2014\1026084 MO delegation s 19 3.1.docx	

# PROVINCE OF BRITISH COLUMBIA

Ministerial Order No.

## ORDER OF THE MINISTER OF HEALTH

### *Health Professions Act*

The delegation of duties, powers and functions under section 19(3.1) of the Health Professions Act as set out in the memorandum of the Minister of Health Services to the Deputy Minister of Health Services on June 9, 2004, is rescinded.

Pursuant to section 4 (2) of the *Ministry of Health Act*, the duties, powers and functions of the Minister granted or imposed by section 19 (3.1) of the *Health Professions Act* may be performed or exercised by

- (a) any Assistant Deputy Minister of the Ministry of Health,
- (b) the Executive Director of Professional Regulation & Oversight in the Ministry of Health.

This delegation is effective immediately.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Minister of Health

---

*(This part is for administrative purposes only and is not part of the Order.)*

Authority under which Order is made:

Act and section:- *Ministry of Health Act*, s. 4(2).  
Other (specify):- *Health Professions Act*, s. 19(3.1)

## MINISTERIAL ORDER DISTRIBUTION FORM

**STATUTE:** *Health Professions Act*

For OIC Office use only:

**MINISTRY:** Health

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### SUMMARY OF SUBJECT MATTER

This Order would rescind the Minister's Memorandum dated June 9, 2004 and delegate the Minister's duties, powers and functions under section 19(3.1) of the *Health Professions Act*.

---

**ORIGINATOR** (Name/Ministry/Branch/Telephone/email):

Corrie Campbell / Health / Planning & Policy / Legislation / 250-952-2283 / [Corrie.Campbell@gov.bc.ca](mailto:Corrie.Campbell@gov.bc.ca)

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Carola Bouchard, Ministry of Health, [Carola.Bouchard@gov.bc.ca](mailto:Carola.Bouchard@gov.bc.ca)

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(Please provide name, Ministry/Company, mailing address, city, postal code and telephone):

## MacDonald, Aaron HLTH:EX

---

**From:** McReynolds, Amanda HLTH:EX  
**Sent:** Tuesday, April 14, 2015 8:55 AM  
**To:** Westgate, Brian A HLTH:EX  
**Subject:** FW: MO for delegation under HPA  
**Attachments:** 1026084 MO Package delegation s 19 3.1.docx

Hi, Brian. Please see Genevieve's comment below about this delegation. I've attached the MO package that she reviewed. Are you available today or tomorrow to speak to her with me?

A

s.14



Page 81 to/à Page 82

Withheld pursuant to/removed as

s.14

Withheld pursuant to/removed as