



Province of Alberta

HEALTH PROFESSIONS ACT

# CHIROPRACTORS PROFESSION REGULATION

**Alberta Regulation 277/2006**

Extract

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Alberta Queen's Printer  
7<sup>th</sup> Floor, Park Plaza  
10611 - 98 Avenue  
Edmonton, AB T5K 2P7  
Phone: 780-427-4952  
Fax: 780-452-0668

E-mail: [qp@gov.ab.ca](mailto:qp@gov.ab.ca)  
Shop on-line at [www.qp.alberta.ca](http://www.qp.alberta.ca)

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**ALBERTA REGULATION 277/2006**

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*Table of Contents*

1 Definitions

**Registers**

2 Register categories

**Registration**

3 General register

4 Equivalent jurisdiction

5 Substantial equivalence

6 Courtesy register

7 Good character

8 Liability insurance

9 Citizenship

**Titles**

10 Titles

**Practice Permit**

11 Renewal requirements

12 Conditions

**Restricted Activities**

13 Basic authorized activities

14 Other authorized activities

15 Restriction

16 Students

17 Supervision

**Continuing Competence**

18 Continuing competence program

19 Continuing professional development

20 Program rules

21 Rule distribution

22 Practice visits

**Alternative Complaint Resolution**

23 Process conductor

24 Agreement

25 Confidentiality

26 Leaving the process

**Reinstatement of Registration  
and Practice Permits**

27 Reinstatement application

28 Consideration of application

29 Decision

30 Review by Council

31 Publication of decision

**Information**

32 Requested information

33 Section 119 information

**Transitional Provisions, Repeals and  
Coming into Force**

34 Transitional

35 Repeal

36 Coming into force

**Definitions**

1 In this Regulation,

- (a) “Act” means the *Health Professions Act*;
- (b) “active practice” means the provision of the services of the practice of a chiropractor, within the meaning of section 3 of Schedule 2 to the Act, to non-family members on an ongoing and regular basis;
- (c) “College” means the Alberta College and Association of Chiropractors;
- (d) “Competence Committee” means the competence committee of the College;
- (e) “Complaints Director” means the complaints director of the College;
- (f) “Council” means the council of the College;

- (g) “courtesy register” means the courtesy register category of the regulated members register;
- (h) “general member” means a regulated member registered on the general register;
- (i) “general register” means the general register category of the regulated members register;
- (j) “Registrar” means the registrar of the College;
- (k) “Registration Committee” means the registration committee of the College;
- (l) “Standards of Practice” means the standards of practice governing the practice of chiropractic as adopted by the Council in accordance with the bylaws and section 133 of the Act.

## **Registers**

### **Register categories**

**2** The regulated members register established by the Council under section 33(1)(a) of the Act has the following categories:

- (a) general register;
- (b) courtesy register.

## **Registration**

### **General register**

**3(1)** An applicant for registration as a general member may be registered on the general register if the applicant

- (a) has obtained a degree of Doctor of Chiropractic from a chiropractic program approved by the Council, and
- (b) has successfully passed
  - (i) a written cognitive skills examination approved by the Council,
  - (ii) a clinical competency examination approved by the Council, and
  - (iii) the examination in jurisprudence and ethics approved by the Council.

- (2) The applicant must have passed the examination referred to in subsection (1)(b)(ii) within one year immediately preceding the date the Registrar receives the complete application.
- (3) If the applicant is unable to meet the requirement in subsection (2), the applicant must
- (a) within one year immediately preceding the date the Registrar receives the complete application, have been registered in good standing and carried on active practice in a jurisdiction recognized by the Council as a jurisdiction that regulates the practice of chiropractic, or
  - (b) demonstrate to the Registrar or Registration Committee that the applicant is currently competent to practise chiropractic.
- (4) For the purposes of subsection (3)(b), the Registrar or Registration Committee may require an applicant to undergo any examinations, testing, assessment, training or education the Registrar or Registration Committee considers to be advisable, including a requirement that the applicant successfully pass a clinical competency examination under subsection (1)(b)(ii).

#### **Equivalent jurisdiction**

**4** An applicant for registration as a general member who is registered in good standing in another jurisdiction recognized by the Council under section 28(2)(b) of the Act as having substantially equivalent registration requirements as those set out in section 3 may be registered on the general register.

#### **Substantial equivalence**

- 5(1)** An applicant for registration as a general member who does not meet the registration requirements under section 3 may be registered on the general register if the applicant's qualifications have been determined by the Registrar or Registration Committee under section 28(2)(c) of the Act to be substantially equivalent to the registration requirements set out in section 3(1) and (2).
- (2) In determining whether or not an applicant's qualifications are substantially equivalent to the registration requirements set out in section 3(1)(a), the Registrar or Registration Committee may require an applicant under subsection (1) to undergo examinations, testing or assessment activities to assist with the determination.
- (3) The Registrar or Registration Committee may direct the applicant to undergo any education or training activities the Registrar or Registration Committee considers necessary in order for the applicant to be registered, including a requirement that the

applicant successfully pass a clinical competency examination approved by the Council.

**Courtesy register**

**6(1)** A person who requires registration in Alberta as a registered member on a temporary basis for a purpose and term approved by the Registrar is eligible to be registered on the courtesy register if the person

- (a) is registered as a chiropractor in good standing in another jurisdiction, or
- (b) satisfies the Registrar of having the necessary competencies to carry out the purpose for which registration is requested.

**(2)** A person who is registered on the courtesy register pursuant to subsection (1)(a) must maintain registration in the other jurisdiction while registered on the courtesy register.

**(3)** A registration under this section may not exceed one year.

**Good character**

**7(1)** An applicant for registration as a regulated member must provide evidence satisfactory to the Registrar of having good character and reputation by submitting one or more of the following:

- (a) written references from colleagues and, if applicable, written references from colleagues from other jurisdictions recognized by the Council in which an applicant is or was registered with an organization responsible for the regulation of chiropractors, including confirmation of good standing in those jurisdictions;
- (b) written references from any organization
  - (i) in which the applicant is currently registered, and
  - (ii) which is responsible for the regulation of a profession;
- (c) a statement by the applicant as to whether the applicant
  - (i) is currently undergoing an investigation, alternative complaint resolution process, hearing or appeal related to unprofessional conduct, or

- (ii) has previously been disciplined by an organization responsible for the regulation of chiropractors or of another profession;
- (d) the results of a current criminal records check;
- (e) a statement by the applicant as to whether the applicant has ever pleaded guilty or has been found guilty of a criminal offence in Canada or an offence of a similar nature in a jurisdiction outside Canada for which the applicant has not been pardoned;
- (f) any other relevant evidence as requested by the Registrar.

**(2)** If an applicant has engaged in an activity that has, in the opinion of the Registrar, undermined the applicant's good character and reputation in the past, the applicant may provide evidence to the Registrar of rehabilitation.

**(3)** The Registrar may also consider information other than that provided by the applicant in determining whether the applicant is of a good character and reputation, but if the Registrar considers that information, the Registrar must give the applicant sufficient particulars of the information to allow the applicant to respond to that information.

#### **Liability insurance**

**8** An applicant for registration as a regulated member must provide evidence of having the type and amount of professional liability insurance required by the Council.

#### **Citizenship**

**9** An applicant for registration as a regulated member must provide proof of Canadian citizenship or proof of having been lawfully admitted to and entitled to work in Canada.

### **Titles**

#### **Titles**

**10** A regulated member registered on the general register or courtesy register may use the following titles, abbreviations and initials:

- (a) Doctor of Chiropractic;
- (b) Chiropractor;
- (c) Registered Chiropractor;

- (d) D.C.;
- (e) Doctor or Dr., in connection with providing a health service within the practice of chiropractic.

### **Practice Permit**

#### **Renewal requirements**

**11** A general member applying for renewal of the member's practice permit must provide evidence of

- (a) having met the continuing competence requirements set out in this Regulation,
- (b) continuing to meet the requirements set out in sections 7 to 9, and
- (c) carrying on an active practice.

#### **Conditions**

**12** On issuing a practice permit to a regulated member, the Registrar or Registration Committee may impose conditions on the practice permit, including, but not limited to, the following:

- (a) that the member practise under the supervision of another regulated member;
- (b) that the member refrain from engaging in sole practice;
- (c) that the member submit to additional practice visits.

### **Restricted Activities**

#### **Basic authorized activities**

**13** A regulated member may, in the practice of chiropractic and in accordance with the Standards of Practice, perform the following restricted activities:

- (a) to use a deliberate, brief, fast thrust to move the joints of the spine beyond the normal range but within the anatomical range of motion, which generally results in an audible click or pop;
- (b) to insert or remove instruments, devices or fingers
  - (i) beyond the cartilaginous portion of the ear canal,
  - (ii) beyond the point in the nasal passages where they normally narrow, and

- (iii) beyond the anal verge;
- (c) to reduce a dislocation of a joint;
- (d) to order any form of ionizing radiation in
  - (i) medical radiography, and
  - (ii) nuclear medicine;
- (e) to apply any form of ionizing radiation in medical radiography;
- (f) to order non-ionizing radiation in
  - (i) magnetic resonance imaging, and
  - (ii) ultrasound imaging.

**Other authorized activities****14(1)** A regulated member

- (a) who has successfully completed an education program in needle acupuncture approved by the Council,
- (b) who meets the additional requirements for continuing competence related to needle acupuncture set by the Council, and
- (c) who has received notification from the Registrar that the authorization is indicated on the appropriate register

may, in the practice of chiropractic and in accordance with the Standards of Practice, perform the restricted activity of cutting a body tissue or performing other invasive procedures on body tissue below the dermis or mucous membrane for the purpose of needle acupuncture.

**(2)** A regulated member

- (a) who has successfully completed a specialty program in orthopaedics approved by the Council,
- (b) who meets the additional requirements for continuing competence related to setting fractures set by the Council, and
- (c) who has received notification from the Registrar that the authorization is indicated on the appropriate register

may, in the practice of chiropractic and in accordance with the Standards of Practice, perform the restricted activity of setting or resetting a simple fracture of a bone.

#### **Restriction**

**15(1)** Despite any authorization to perform restricted activities, regulated members must restrict themselves in performing restricted activities to those activities that they are competent to perform and to those that are appropriate to the member's area of practice and the procedure being performed.

**(2)** A regulated member who performs a restricted activity must do so in accordance with the Standards of Practice.

#### **Students**

**16(1)** A student who is enrolled in a program of chiropractic studies approved by the Council is, within the program, permitted to perform the restricted activities described in section 13 with the consent of and under the supervision of a general member.

**(2)** A general member who is enrolled in a program of acupuncture studies or a student who is enrolled in a program of chiropractic studies approved by the Council and who is enrolled in a program of acupuncture studies is permitted to perform the restricted activity described in section 14(1) with the consent of and under the supervision of a general member.

#### **Supervision**

**17** The supervising general member who consents to supervise under section 16 must

- (a) be authorized by this Regulation to provide the restricted activity being performed,
- (b) obtain approval as a preceptor from the Registrar in accordance with the requirements set by the Council,
- (c) supervise by being physically present and available to assist the student or a general member who is in a program of studies approved by the Council, related to the performance of restricted activities described in sections 13 and 14(1), who is performing a restricted activity,
- (d) secure written consent from the patient on whom the student is to perform the restricted activity, and
- (e) comply with the Standards of Practice.

## Continuing Competence

### Continuing competence program

**18** The continuing competence program of the College comprises

- (a) continuing professional development, and
- (b) practice visits.

### Continuing professional development

**19** A general member as part of the continuing competence program must acquire 72 program credits every 3 years through verified attendance at or participation in a scientific or clinical course or an education activity designated to enhance the continuing competence of chiropractors that is approved in accordance with the rules for the continuing competence program.

### Program rules

**20(1)** The Council may make rules, in accordance with this section, governing the operation of the continuing competence program, including, but not restricted to, the following:

- (a) respecting the eligibility of an activity to qualify for program credits;
- (b) respecting the number of program credits to be earned for participating in each activity;
- (c) requiring members to participate in a specified number of different continuing competence activities;
- (d) requiring members to participate in continuing competence activities in order to maintain specific competencies;
- (e) limiting the number of program credits that can be earned from different continuing competence activities;
- (f) requiring members to participate in continuing competence activities in order to refresh specific competencies prior to renewal of their annual practice permit;
- (g) approving courses, continuing competence activities, study clubs, meetings, journal sessions, and self-study or distance education;
- (h) verifying attendance at and participation in activities that qualify for program credits;

- (i) other matters relating to the continuing competence program.
- (2) The Registrar and the Competence Committee may recommend rules or amendments to the rules to the Council.
- (3) Before the Council establishes any rules or amendments to the rules, the rules or amendments to the rules must be distributed by the Registrar to all general members of the College for their review.
- (4) The Council may establish the rules or amendments to the rules 30 or more days after distribution under subsection (3) and after having considered any comments received on the proposed rules or proposed amendments to the rules.

#### **Rule distribution**

**21** The Registrar must distribute the rules and any amendments to the rules established under section 20(4) to the general members and provide copies on request to the Minister, regional health authorities and any person who requests them.

#### **Practice visits**

- 22(1)** The Competence Committee is authorized to carry out practice visits and may, for the purpose of assessing continuing competence, select individual general members or groups of general members for a practice visit based on the criteria for selecting members for review developed by the Competence Committee and approved by the Council.
- (2) If the results of a practice visit are unsatisfactory, the Competence Committee may direct a general member to undertake one or more of the following actions within a specified period of time:
- (a) to complete specific continuing competence requirements within a specified time;
  - (b) to complete any examinations, testing, assessment, training, education or counselling considered by the Competence Committee to be advisable;
  - (c) to practise under the supervision of another general member;
  - (d) to prohibit the general member from supervising other general members or students providing professional services;

- (e) to correct any problems identified in the practice visit;
- (f) to submit to additional practice visits.

### **Alternative Complaint Resolution**

#### **Process conductor**

**23** When a complainant and an investigated person have agreed to enter into an alternative complaint resolution process, the Complaints Director must appoint a person to conduct the alternative complaint resolution process acceptable to both the complainant and the investigated person.

#### **Agreement**

**24(1)** The person who conducts the alternative complaint resolution process must, in consultation with the complainant and the investigated person, establish the procedures for and the objectives of the alternative complaint resolution process.

**(2)** The procedures and objectives referred to in subsection (1) must be set out in writing and signed by the complainant, the investigated person and the representative of the College appointed by the Complaints Director to participate in the alternative complaint resolution process.

#### **Confidentiality**

**25** The complainant and the investigated person must, subject to sections 59 and 60 of the Act, agree to treat all information shared during the alternative complaint resolution process as confidential.

#### **Leaving the process**

**26** The complainant or the investigated person may withdraw from the alternative complaint resolution process at any time.

### **Reinstatement of Registration and Practice Permits**

#### **Reinstatement application**

**27(1)** A person whose registration and practice permit have been cancelled under Part 4 of the Act may apply in writing to the Registrar to have the registration reinstated and the practice permit reissued.

**(2)** An application under subsection (1) may be made

- (a) not earlier than 5 years after the date of cancellation, or

- (b) no more than once each calendar year after the refusal of an application under section 29.

**(3)** An applicant under subsection (1) must provide evidence of qualifications for registration.

#### **Consideration of application**

**28(1)** An application under section 27 must be reviewed by the Registrar or Registration Committee.

**(2)** When reviewing an application under section 27, the Registrar or Registration Committee must

- (a) consider the record of the hearing at which the applicant's registration and practice permit were cancelled, and
- (b) consider whether
  - (i) the applicant meets the current requirements for registration,
  - (ii) any conditions imposed at the time the applicant's registration and practice permit were cancelled have been met,
  - (iii) the applicant is fit to practise chiropractic, and
  - (iv) the applicant poses a risk to public safety.

#### **Decision**

**29** The Registrar or Registration Committee may, on completing the review of an application in accordance with section 28, make one or more of the following orders:

- (a) an order denying the application;
- (b) an order to reinstate the applicant's registration and to reissue the applicant's practice permit;
- (c) an order to impose specified conditions on the applicant's practice permit;
- (d) an order directing the applicant to pay any or all of the College's expenses incurred in respect of the application as provided for in the bylaws;
- (e) any other order that the Registrar or Registration Committee considers necessary for the protection of the public.

**Review by Council**

**30(1)** An applicant whose application for reinstatement is refused under section 29 or on whose practice permit terms and conditions have been imposed under section 29 may apply to the Council for a review of the decision of the Registrar or Registration Committee.

**(2)** Sections 31 and 32 of the Act apply to a review under subsection (1).

**Publication of decision**

**31(1)** The Registrar or Registration Committee, under section 29, and the Council, under section 30, may order that its decision be published in a manner it considers appropriate.

**(2)** The College must make the decisions under sections 29 and 30 available for 6 years to the public on request.

**Information****Requested information**

**32(1)** A regulated member or an applicant for registration as a regulated member must provide the following information, in addition to that required under section 33(3) of the Act, to the Registrar, on the initial application for registration, on the request of the Registrar and when there are any changes to the information:

- (a) home address, current address or mailing address, telephone number, e-mail address and fax number;
- (b) business address, telephone number, e-mail address and fax number;
- (c) passport photo;
- (d) date of birth;
- (e) college from which the regulated member graduated;
- (f) date of graduation;
- (g) original transcripts from college graduation;
- (h) emergency contact number;
- (i) required good character documents;
- (j) proof of liability insurance;

- (k) proof of Canadian citizenship or proof that the regulated member is lawfully admitted to Canada and entitled to work in Canada;
  - (l) continuing education or practice visit information where applicable;
  - (m) certification verifying completion of programs allowing an applicant to provide restricted activities;
  - (n) whether the member is registered with another college under the Act or with an organization that under another enactment governs a profession that provides health services;
  - (o) whether the member is registered in another jurisdiction with an organization that governs the practice of chiropractic.
- (2) Subject to section 34(1) of the Act, the College may disclose the information collected under subsection (1)
- (a) with the consent of the regulated member whose information it is, or
  - (b) in a summarized or statistical form so that it is not possible to relate the information to any particular identifiable person.

#### **Section 119 information**

**33** The periods of time during which the College is to provide information under section 119(4) of the Act are as follows:

- (a) information referred to in section 33(3) of the Act entered in a register for a regulated member, except for the information referred to in section 33(3)(h) of the Act, while the named regulated member is registered as a member of the College;
- (b) information referred to in section 119(1) of the Act respecting
  - (i) the suspension of a regulated member's practice permit, while the suspension is in effect,
  - (ii) the cancellation of a regulated member's practice permit, for 6 years after the cancellation,
  - (iii) the conditions imposed on a regulated member's practice permit, while the conditions are in effect,

- (iv) the directions made that a regulated member cease providing professional services, while the directions are in effect, and
- (v) the imposition of a reprimand or fine under Part 4 of the Act, for 6 years after the imposition of the reprimand or fine;
- (c) information as to whether a hearing is scheduled to be held under Part 4 of the Act with respect to a named regulated member, until the hearing is concluded;
- (d) information respecting
  - (i) whether a hearing has been held under Part 4 of the Act with respect to a named regulated member, for 6 years from the date the hearing is concluded, and
  - (ii) a decision and a record of the hearing referred to in section 85(3) of the Act of a hearing held under Part 4 of the Act, for 6 years after the date the hearing tribunal of the College rendered its decision.

### **Transitional Provisions, Repeals and Coming into Force**

#### **Transitional**

**34** On the coming into force of this Regulation, a registered member described in section 6 of Schedule 2 to the Act is deemed to be entered on the general register.

#### **Repeal**

**35** The *Chiropractic Profession Regulation* (AR 356/86) is repealed.

#### **Coming into force**

**36** This Regulation comes into force on the coming into force of Schedule 2 to the *Health Professions Act*.





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