

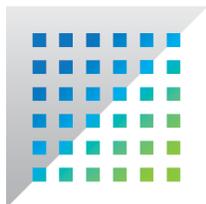
OSPG Policy and Procedures: S. 85 Applications for Designation

VERSION 1.0

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Issued by: 

Paul Craven, Superintendent



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of Professional Governance



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Version Control History

Version #	Date (YYY-MM-DD)	Modification	Approved by
1.0	2022-03-11	Initial version	Paul Craven, Superintendent



OSPG Policy and Procedures: S. 85 Applications for Designation

Purpose

This document explains the policy and procedures of the Office of the Superintendent of Professional Governance (OSPG) for assessing professional regulators/professions for designation under the *Professional Governance Act* (PGA), and includes the following aspects:

- Expectations and timing considerations for OSPG review and feedback on draft applications
- Intake and processing of applications for timely decisions on whether to proceed to investigation
- Priority and timing for commencing investigations
- Investigation process expectations
- Conclusions of investigations and next steps

Background

The PGA includes provisions for designation that may bring currently regulated professions under the PGA or may add professions that lack a regulatory framework. The designation process can commence by application of a prospective regulatory body (s. 85) or on initiative of the Superintendent (s. 86). The Superintendent may refuse an application without investigation or may conduct an investigation to determine whether the profession should be designated under the PGA. This policy and procedure document concerns applications for designation.

Organizations wishing to submit a designation application should review and follow the [OSPG Guidance: Application for Designation under the Professional Governance Act](#) when developing their application.

Initial Information Meetings

- Any interested organization may wish to first set up an information meeting with OSPG to learn more about the designation process and/or the expectations and requirements for operating under the PGA.
- Requests can be sent to the OSPG inbox (ospngenquires@gov.bc.ca) or directly to Rebecca Freedman, Director of Policy, Legislation, Best Practices and Business Operations (Rebecca.Freedman@gov.bc.ca)

Draft Designation Application Review

- OSPG will work to review draft designation applications or portions of draft designation applications as requested prior to formal submission of designation applications and provide feedback on the information presented, including any gaps.
- Organizations wishing to have their draft designation application reviewed should contact Rebecca Freedman, Director of Policy, Legislation, Best Practices and Business Operations (Rebecca.Freedman@gov.bc.ca).



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- OSPG timing for providing feedback is dependent on staff capacity and existing priorities. The Director will keep applicants informed of timing and progress.
- Verbal and/or written feedback may be provided.

Formal Submission of Designation Application

- Formal submissions of designation applications should be made to the Superintendent (Paul.Craven@gov.bc.ca) and cc'd to the Director (Rebecca.Freedman@gov.bc.ca).
- At present, OSPG does not charge a fee for investigations; however it does have authority to do so.

Initial Assessment following Formal Submission

- OSPG will work to carry out an [initial assessment](#) of the designation application to support the Superintendent's decision regarding an investigation within a 60 day timeframe.
- Any delays to this timeframe will be communicated to the applicant, including delays related to existing initial assessments needing to be concluded prior to commencing new initial assessments.
- Applications will be assessed in the order in which they are submitted.
- Following the Superintendent's decision regarding an investigation, applicants will be notified in writing and, if applicable, will also be provided with an indication of when an investigation could commence.

Commencing Designation Investigations Following Decision to Investigate

- The order in which designation investigations are commenced may not follow the order in which designation applications are received.
- OSPG's ability to initiate a designation investigation may be based on capacity and the priority in which new designation investigations are opened may be based on strategic factors.
- Capacity examples include the need to conclude current designation investigations first or competing requirements on staff resources related to other operational needs.
- Strategic factor examples include real or imminent risks or challenges related to the practice of a profession or the governance of the profession.
- A designation investigation will commence following the posting of a notice in the Gazette.
- PGA s. 86 (3) outlines the actions that may be taken by the Superintendent in the course of the designation investigation.
- Time it takes to carry out an investigation may be between six to 12 months or longer.
- OSPG staff will keep the applicant informed of the process and timeline and may schedule meetings to collect or discuss additional information required in the course of the designation investigation.

Concluding Designation Investigations

- The designation investigation may conclude with recommendations to the Superintendent on whether the profession should be designated and how it could be regulated.



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- A summary of draft recommendations may be published or circulated and input considered prior to final recommendations going to the Superintendent for decision on whether it is in the public interest to designate the profession(s) under the PGA.
- The PGA s. 87 outlines the decision process that must be followed by the Superintendent upon conclusion of a designation investigation.
- If a decision is made by government to designate a profession under the PGA, the OSPG will work with the applicant on next steps, including timing and process to transition under the PGA.

Questions

- Questions regarding the designation process or this policy and procedures document can be directed to the Director of Policy, Legislation, Best Practices and Business Operations (Rebecca.Freedman@gov.bc.ca or 778-698-4862).