

May 8, 2024

An update on progress towards reserved practice for technology professionals

Over the past three years, the Office of the Superintendent of Professional Governance has been working on behalf of the Ministry of Post-Secondary Education and Future Skills (the Ministry) to consider a reserved practice for registrants of Applied Science Technologists and Technicians of BC (ASTTBC). The Ministry has been leading this work in close partnership with ASTTBC and Engineers and Geoscientists BC. Reserved practice means that the ability to practice a profession is reserved only for registrants of that regulatory body. Regulatory bodies listed on schedule 3 of the *Professional Governance Act* (including ASTTBC) are eligible to be granted reserved practice by government.

Early on in these discussions the organizations agreed that **no changes would be proposed to the reserved practice of professional engineers and licensees**. Professional engineers and licensees would continue to supervise those people who are performing work in the reserved practice of engineering. Further, professional engineers would be able to practice and supervise others in the future reserved practice of ASTTBC registrants.

Currently, technicians and technologists have a choice whether to register with ASTTBC. This means that, outside the reserved practice of professional engineering, there is no mechanism to ensure that applied science technology work is carried out by qualified individuals who are accountable for adhering to the professional and ethical standards of the *Professional Governance Act*. Establishing a reserved practice for ASTTBC would mean that technologists and technicians must register to engage in work outside the reserved practice of engineering where there is risk to public health or safety.

The creation of a reserved practice for ASTTBC registrants would serve the public interest by ensuring that work undertaken by engineers, technologists and technicians is held to the standardized accountability requirements under the *Professional Governance Act*. In the case of the reserved area of practice under consideration for ASTTBC registrants, it is recognized that it would not exclude registrants of Engineers and Geoscientists BC.

The Ministry has expressed its commitment to advancing reserved practice for ASTTBC registrants and recognizes that there is some time sensitivity in respect of this public interest priority. Individuals who choose not to register or re-register with ASTTBC are not accountable in the way that government contemplated when ASTTBC was brought under the *Professional Governance Act*, which is contrary to the public interest.

The Ministry, ASTTBC, and Engineers and Geoscientists BC remain committed to achieving the shared goal of public protection. In addition, we are committed to ensuring that implementation of a reserved practice (if approved) would be supported by materials that are sufficiently clear with

respect to the boundaries within the engineering team, that any inherent risks or unintended consequences are well understood, and that the approach follows the principles of right-touch regulation – where the level of regulation is proportionate to the risk to the public.

Progress to Date

The boards of ASTTBC and Engineers and Geoscientists BC, along with the Ministry, have jointly agreed to four policy statements that will form the basis of our continued discussions:

1. EGBC registrants can choose to supervise either an ASTTBC registrant or any non-registrant to perform work in the reserved practice of EGBC.
2. EGBC's reserved practice remains the same and is not to be impacted.
3. EGBC registrants can continue to practice in the new reserved practice of ASTTBC.
4. Either an ASTTBC registrant or an EGBC registrant could supervise a non-registrant conducting work in the new reserved practice of ASTTBC.

With these policy statements established, the group is now focusing on gaining alignment on how the policy statements would be represented in a specific proposal.

Next Steps

To ensure that development of a reserved practice is informed by feedback from registrants and others who may be impacted by this change, the Ministry, ASTTBC and Engineers and Geoscientists BC will be seeking input on a proposal for reserved practice for ASTTBC registrants from key partners, such as practice-specific volunteer groups. The Ministry intends to bring the proposal forward for decision in the near future, depending on proposal readiness and availability of government decision makers.

If approved, the specifics of the reserved practice – which would take the form of a regulation under the *Professional Governance Act* – would be published to BC Laws and be shared more broadly. Previous practice shows that it can be beneficial to delay the in-force date of the reserved practice to approximately one year after the publication date. This approach gives plenty of time for registrants and industry to prepare for implementation and allows feedback to be gathered from a wider audience. If necessary, it would be possible to adjust the regulation prior to the in-force date, in response to feedback. Once in force, ASTTBC would focus on engagement and compliance promotion for the first year before moving to more serious enforcement measures. This approach is consistent with the introduction of new reserved practices for applied biology and agrology in 2021.

As additional details are confirmed, we will continue to provide updates to our respective organizations and registrants.

The Ministry, ASTTBC, and Engineers and Geoscientists BC remain committed to working together to support a reserved practice for ASTTBC registrants.