

# COMING SOON TO A CLINIC NEAR YOU: MANDATORY VACCINATION FOR PRIVATE REGULATED HEALTH PROFESSIONALS

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In the fall of 2021, the British Columbia Government mandated vaccination for health professionals employed at public health authorities and facilities through the implementation of the *Residential Care COVID-19 Preventative Measures Order* (dated October 21, 2022) and the *Hospital and Community (Health Care and Other Services) COVID-19 Vaccination Status Information and Preventative Measures Order* (dated November 18, 2021) (collectively the “**Orders**”). Although health professionals working in private health care settings were not impacted by the Orders, the Orders made clear that there was an intention to implement a broader order in the future which would to impact all regulated health professionals, including those working in private facilities. It seems that the time has now come.

On February 9, 2022, the BC Government [announced](#) that a new public health order mandating COVID-19 vaccination for all private regulated health professionals was on the horizon, and will require that all regulated health professionals in British Columbia be fully vaccinated by March 24, 2022. Dr. Henry is currently in consultation with health professional colleges to finalize the details of the new order, which we expect to be published in the very near future.

The BC Government has advised that any health professionals to whom the new order applies will be permitted to continue working in their profession beyond March 24, 2022 on the condition that: (1) they are either fully vaccinated or vaccinated with at least one dose of a COVID-19 vaccine before March 24, 2022, and (2) they receive the second dose within 28-35 days after the first dose.

## Scope of the New Order

Although the new order has yet to be published, based on the announcement, it appears the new order will apply to the following private regulated health professionals:

- acupuncturists
- audiologists

- chiropractic doctors (chiropractors)
- certified dental assistants
- dental hygienists
- dentists
- dental technicians
- dental therapists
- denturists
- dietitians
- hearing instrument practitioners
- massage therapy
- midwives
- naturopathic physicians (naturopaths)
- nurse practitioners
- registered nurses
- occupational therapists
- opticians
- optometrists
- pharmacists
- pharmacy technicians
- physical therapists
- physicians and surgeons
- podiatric surgeons
- licensed practical nurses
- registered psychiatric nurses
- psychologists
- speech-language pathologists
- traditional Chinese medicine (TCM) practitioners

### **Collection of Vaccination Status Information**

It is expected that the new order will enable colleges to collect vaccination status information from their registrants and also prevent registrants from providing health services if they have not confirmed their vaccination status by March 24, 2022. Colleges will be required to follow-up and investigate instances in which unvaccinated health professionals continue to provide health care services beyond March 24, 2022 in breach of the mandate.

## **Conclusion**

The deadline of March 24 is fast approaching. Businesses that employ any of the regulated health professionals noted above should ensure that they begin preparing a vaccination policy in line with the new order. We will provide a further update on the details of the new order once the full order is published.

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## **A Cautionary Note**

The foregoing provides only an overview and does not constitute legal advice. Readers are cautioned against making any decisions based on this material alone. Rather, specific legal advice should be obtained.

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