

Paramedical Professions

Cap. 372C.

PARAMEDICAL PROFESSIONS RULES, 1976

S.I. 1976/82.

Made by the Paramedical Professions Council with the approval of the Minister under section 23 (1) of the Paramedical Professions Act. Cap. 372C.

PART I*Preliminary*

1. These Rules may be cited as the Paramedical Professions Rules, 1976.

2. For the purposes of these rules—

- “ Assessment Committee ” means the committee appointed in accordance with rule 10;
- “ Chairman ” means the Chairman of the Council, and, in the absence or inability to act of the Chairman, includes the Deputy Chairman of the Council;
- “ Complaints Committee ” means the committee appointed in accordance with rule 18;
- “ Disciplinary Committee ” means the committee appointed in accordance with rule 22;
- “ Secretary ” means the person appointed under rule 4 (1) to perform the functions of Secretary to the Council.

PART II*Procedure of Council*

3. (1) The Council shall meet at least once in every three months and at such other times as are necessary or expedient for the transaction of its business, and meetings of the Council shall be held at such places and times and on such days as the Council determines.

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(2) Not less than seven days' notice in writing of any meeting of the Council shall be given to its members.

4. (1) The Council shall appoint a person, not necessarily being a member of the Council or a paramedical practitioner, to perform the functions of Secretary to the Council.

(2) The Secretary shall *ex-officio* act as secretary to any Committee appointed by the Council under paragraph 2 (a) of the Second Schedule to the Act for the purpose of carrying out any of the functions of the Council under the Act.

5. (1) The Chairman shall summon a special meeting of the Council to be held not later than fourteen days of the receipt by him of a written request for the purpose signed by three members of the Council.

(2) Not less than seven days' written notice of that meeting shall be given to members of the Council.

6. Decisions of the Council shall be by a majority of votes, and, in addition to an original vote, in any case in which the voting is equal, the Chairman of that meeting shall have a second or casting vote.

7. Minutes of each meeting of the Council shall be kept by the Secretary and copies thereof furnished to each member of the Council not later than fourteen days after the date on which the meeting is held.

8. Where the Council decides to recognise any diploma, degree, membership, licence, certificate or other status or form of recognition for the purposes of section 7 (2) of the Act, the Secretary shall prepare and keep a list thereof.

PART III

Applications for registration and qualifications

9. A person who wishes to register as a paramedical practitioner shall apply for the purpose to the Council in the form set out in the First Schedule.

10. The Council shall appoint under paragraph 2 (a) of the Second Schedule to the Act a committee to be known as the Assessment Committee whose functions shall be to examine and report to the Council in respect of—

- (a) applications for registration under the Act;
- (b) matters relating to the recognition of—
 - (i) the qualifications of applicants for such registration;
 - (ii) the additional qualifications to be entered in the register under section 13 of the Act.

11. (1) The Chairman shall be the chairman of the Assessment Committee and the Assessment Committee shall consist of such members of the Council and of medical or paramedical practitioners not being members of the Council as the Council may from time to time consider necessary for the transaction of its business.

(2) Where there is an application for the registration of a person as a practitioner of a paramedical profession to which no member of the Assessment Committee belongs, that Committee may co-opt as a member for the meeting at which the application is to be examined a paramedical practitioner of that profession.

(3) In the absence of the Chairman, the Assessment Committee shall elect one of its members present to act as chairman for that meeting.

12. At any meeting of the Assessment Committee, not less than half of the members of that committee shall form a quorum.

13. The Assessment Committee shall meet at such times and places as the Chairman thinks fit.

14. (1) Where the Council approves an application for registration under the Act, it shall issue to the applicant a certificate of entitlement to registration in the Form set out in the First Schedule.

(2) Where the Registrar has registered a paramedical

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practitioner under the Act, he shall send to the Paramedical Professions Council a certificate of registration in the Form set out in the First Schedule.

PART IV

Examination Fees

15. (1) An applicant who under section 8 of the Act is required by the Council to sit for an examination or is permitted to sit for further examination shall pay in advance to the Secretary—

- (a) in the case of an applicant for registration as a chiropractor or as a clinical psychologist a fee of fifty dollars for each subject offered, subject to a maximum fee payable of three hundred dollars; and
- (b) in every other case a fee of twenty-five dollars for each subject offered, subject to a maximum of one hundred and fifty dollars.

(2) An applicant shall not, unless the Council in any special circumstances allows, be permitted to be examined more than twice in respect of the same subject.

PART V

Discipline

16. The Council shall do all such things and exercise such care as in its judgement are necessary for maintaining proper standards of professional conduct in the practice of the paramedical professions by persons registered under the Act.

17. (1) For the purposes of the Act and these rules, professional misconduct on the part of a person registered under the Act includes any act or thing done that is contrary to the generally recognised duty and responsibility of such person to his patient or to professional ethics, or the failure to do any act or thing with respect to a patient in accordance with generally recognised professional ethics, and, without limiting the generality of the foregoing, includes—

- (a) immorality or other improper conduct or association with a patient;
- (b) the performance of any professional procedures not authorised by the Act or rules;
- (c) wilful or deliberate betrayal of a professional confidence;
- (d) abandonment of a patient in danger;
- (e) knowingly issuing a certificate with respect to any matter relating to health which the person issuing the certificate knows or ought to know is untrue, misleading or otherwise improper;
- (f) the excessive ingestion of intoxicating liquor or drugs;
- (g) the impersonation of another person registered under the Act;
- (h) falsely holding out to the public directly or indirectly that his name is entered in the register;
- (i) knowingly practising his profession while suffering from a mental or physical condition or while under the influence of alcohol or drugs to such an extent as to constitute a danger to a patient;
- (j) dishonesty, negligence or incompetence in the performance of his duties;
- (k) refusal without lawful or proper excuse to obey a lawful order given in the course of duty by a person in authority;
- (l) deliberate ill-treatment of a patient;
- (m) the doing of or failure to do any act or thing in connection with his professional practice, the doing of which or the failure to do which is in the opinion of the Council unprofessional, unethical or discreditable.

(2) For the purposes of paragraph (1) (b), the professional procedures which may be performed by a paramedical practitioner are those set out in the Second Schedule.

(3) For the purposes of paragraph (1) (c), any disclosure which is legally justifiable or required for the treatment of a patient shall be deemed not to be a wilful or deliberate betrayal of a professional confidence.

18. The Council shall appoint under paragraph 2 (a) of the Second Schedule to the Act a committee to be known as the

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Complaints Committee whose functions shall be to investigate and report to the Council on any matter referred to it by the Council under rule 19 (1).

19. (1) Where—

(a) a complaint is made to the Council against a person registered under the Act, alleging professional misconduct or a conviction as mentioned in paragraph (a) or (b) of section 15 (1) of the Act; or

(b) such an allegation comes to the notice of the Council, the Council shall refer the matter to the Complaints Committee for investigation and a report.

(2) On a complaint being referred to it under paragraph (1), the Complaints Committee shall direct the Secretary to investigate the matter and submit his findings thereon.

20. The Secretary shall, within seven days of the date of submitting his findings to the Complaints Committee, notify in writing the person affected (in this part referred to as the “respondent”) of the nature of the allegation and request that he submit within twenty-one days of the date of the request a written statement of such explanations or representations as are necessary.

21. (1) The Complaints Committee having regard to any explanation or representation made by the respondent may—

(a) determine that no inquiry shall be held;

(b) refer the matter, in whole or in part, to the Disciplinary Committee;

(c) take such other steps as it considers appropriate in the circumstances.

(2) If the Complaints Committee determines that no inquiry shall be held, the Secretary shall inform the complainant, if any, and the respondent of the fact in such manner as the Complaints Committee directs.

22. The Council shall appoint under paragraph 2 (a) of the Second Schedule to the Act a committee to be known as the Disciplinary Committee whose functions shall be to examine, and, if it thinks fit, inquire into any matter relating to the

discipline of paramedical practitioners referred to it by the Complaints Committee.

23. Where in the opinion of the Disciplinary Committee an inquiry into a matter referred to it by the Complaints Committee should not be held, the Secretary shall so notify the complainant, if any, and the respondent.

24. (1) Where the Disciplinary Committee proposes to hold an inquiry into any matter referred to it by the Complaints Committee, the Secretary shall serve on the respondent a notice of inquiry (in this Part referred to as the notice) which shall—

- (a) specify in the form of charges the matters into which the inquiry is to be held; and
- (b) state the time and place at which the inquiry is proposed to be held.

(2) Except with the consent of the respondent, an inquiry shall not be fixed for a date earlier than twenty-eight days after the date of the notice.

(3) The notice shall be served personally or by prepaid registered post on the respondent at the address shown on the register, or at his last known address if that address differs from that on the register.

(4) Where there is a complainant, a copy of the notice shall be sent to him.

25. The respondent is entitled to receive free copies of, or to be allowed access to, any documentary evidence relied on for the purpose of the inquiry, and upon request he shall be given a copy of the evidence (including copies of documents tendered in evidence) after the inquiry is closed.

26. The respondent is entitled to be represented at the inquiry by an attorney-at-law.

27. Where the respondent does not appear at the date fixed for the inquiry, the Disciplinary Committee if it is satisfied that a notice has been served on the respondent, may proceed with the inquiry in his absence.

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28. Where witnesses are examined by the Disciplinary Committee, the respondent shall be given an opportunity of attending and of putting questions to the witnesses in his own behalf, and no documentary evidence shall be used against him unless he has previously been supplied with a copy thereof or given access thereto.

29. The respondent shall be permitted to give evidence, call witnesses and make submissions orally or in writing on his own behalf.

30. The Disciplinary Committee may call additional witnesses and may adjourn the proceedings to another convenient time or place.

31. If having heard the evidence in support of the charges the Disciplinary Committee is of the opinion that the evidence is insufficient, it may dismiss the charges without calling upon the respondent for his defence.

32. If at the conclusion of the hearing the Disciplinary Committee is of the opinion that the respondent is not guilty of professional misconduct or that he has not been convicted as mentioned under paragraph (a) or (b) of section 15 (1) of the Act, it shall immediately dismiss the charges against him relating to such misconduct or conviction, but where the respondent is found guilty of any such charge, the Disciplinary Committee shall proceed to deal with the matter in accordance with section 15 (2) of the Act.

PART VI

Miscellaneous

33. Where a person registered under the Act is convicted of an indictable offence in Barbados—

- (a) the Registrar, in the case of a conviction or indictment; or
- (b) the magistrate, in the case of a summary conviction,

shall as soon as practicable thereafter notify the Secretary of the conviction.

34. A paramedical practitioner shall notify the Registrar of every change of his permanent address, and for the purposes of these rules the last address so notified shall be deemed to be the registered address of the paramedical practitioner.

35. Expenses incurred by the Council in the conduct of examinations under the Act shall be paid by the Secretary on the authorisation of the Council.

FIRST SCHEDULE

PARAMEDICAL PROFESSIONS ACT

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Application for Registration

Rule 9.

To the Secretary,
Paramedical Professions Council.

I the undersigned
(Full name in BLOCK LETTERS)

of
(address)

and a national of
(country)

hereby apply to be registered as a
in Barbados. I certify that I can read, write, speak and understand the
English Language and that the particulars of my qualifications are as
follows—

Qualifications	University or College	Date obtained
.....
.....
.....
.....

.....
Date Signature

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Certificate of Entitlement to Registration

Rule 14 (1).

To the Registrar,

We hereby certify that the Paramedical Council has examined the
application of
and is satisfied that the applicant is entitled to be registered as a.....

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..... in accordance with section 7 of the abovementioned Act.

Date

Chairman

Secretary
Paramedical Professions Council.

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PARAMEDICAL PROFESSIONS ACT

Rule 14 (2).

Certificate of Registration

To the Secretary,
Paramedical Professions Council.

I hereby certify that
was registered as a on the
day of 19.....

Date

Registrar

Rule 17 (2).

SECOND SCHEDULE

The professional procedures which may be performed by a paramedical practitioner are those specified in the First Schedule to the Act and more particularly in the case of—

- (1) Chiropractic—the treatment of persons by the relief of interference with the normal functioning of the body by the adjustment or manipulation or both of the articulations and the tissues thereof, more especially of the spinal column, and, when necessary, with the aid of—
 - (a) exercise;
 - (b) light;
 - (c) thermotherapy;
 - (d) hydrotherapy;
 - (e) electrotherapy;
- (2) Diagnostic and Therapeutic Radiography—the application of radio-isotopes for the diagnosis or treatment of disease or malfunction of organs or systems in the human body;
- (3) Occupational Therapy—the treatment, under prescription of patients by physical or mechanical means, exercise or the application of splints or appliances;
- (4) Physiotherapy—
 - (a) the use of—
 - (i) radiant and electrical energy, except radiant and electrical energy from radio-active materials or X-ray machines, and
 - (ii) mechanical energy, and
 - (b) the exercising of the body in any suitable medium.