



Canadian Life & Health
Insurance Association
Association canadienne des
compagnies d'assurances
de personnes

February 27, 2024

Legislative and Regulatory Affairs
Department of Health and Community Services
1st Floor, West Block
Confederation Building
P.O. Box 8700
St. John's, NL A1B 4J6

Sent via email to: TCMfeedback@gov.nl.ca

Re: Amendment to the Health Professions Act and Acupuncturists Regulations

On behalf of the Canadian life and health insurance industry, I am writing to encourage the province of Newfoundland and Labrador to move forward with an amendment to the Health Professions Act and the Acupuncturists Regulations to expand the scope of regulation of traditional Chinese medicine to include the practice of herbal medicine.

The CLHIA is the national trade association for life and health insurers in Canada. Our members account for 99 per cent of Canada's life and health insurance business. The industry provides a wide range of financial security products such as life insurance, annuities, and supplementary health insurance. In Newfoundland and Labrador, the life and health insurance industry provides some 390,000 Newfoundlanders and Labradorians with supplementary health benefit coverage.

For context, we understand that the Health Professions Act defines "traditional Chinese medicine" as the promotion, maintenance, and restoration of health and prevention of a disorder, imbalance or disease based on traditional Chinese medicine theory, treatment principles and methodology. Also, under existing legislation, only the practice of acupuncture is regulated.

Benefits of Regulation to Newfoundlanders and Labradorians

Decreased risk of harm:

As noted in the province's overview, as a regulated profession, registered acupuncturists in the province must comply with competency and conduct standards and must meet registration and licensure requirements. If regulated, similar requirements would be put in place for practitioners of herbal medicine.

Regulation provides a layer of oversight upon practice and an avenue for a patient to file a

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complaint with the knowledge that the regulatory college has the ability to discipline the member. Discipline can take many forms, depending upon the case, and results are posted transparently for the safety of other Newfoundlanders and Labradorians who may be considering treatment by the healthcare practitioner.

Expanding the regulation to include the practice of herbal medicine will provide patients with added peace of mind when their healthcare practitioner recommends herbal medicines and remedies that range from food-safe herbs to natural health products as regulated by Health Canada.

Unregulated health practitioners are not required to maintain liability insurance. Regulated providers require this as a part of licensure, protecting both patients and practitioners and providing a pathway to seek damages.

Code of ethics and standards of practice:

The code of ethics and standards helps ensure practitioners have the professional knowledge, skills, values and experience to provide treatment safely, and serves to provide clarity and transparency to patients.

Conclusion:

Acupuncture benefits are frequently included as part of an employee's overall group benefits plan. Although regulation does not guarantee coverage, it helps employers make informed decisions about the benefits they are providing their employees and the healthcare practitioners that are eligible under the terms of the group benefit plan.

Regulation of healthcare providers helps to ensure that the services that they provide are delivered in accordance with minimum standards of practice, and this enhances the protection of the public generally.

Finally, residents of Newfoundland and Labrador may benefit from a tax perspective if additional traditional Chinese medicine practices are regulated. Section 22 of the Income Tax Act, 2000 provides a limited tax credit in respect of medical expenses as defined in section 118.2 of the Income Tax Act (Canada). The federal act defines eligible expenses to include the services of "medical practitioners", including acupuncturists and traditional Chinese medicine practitioners, but only if such practitioners are regulated in the jurisdiction in which they provide services. Many healthcare spending accounts offered with group insurance plans follow these eligibility criteria.

Thank you for your attention to this important issue. We would be pleased to discuss this with your officials at their convenience or provide any other information as needed. Please feel free to contact me at 613-449-0679 or sburns@clhia.ca.

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Sincerely,

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