



College of
TRADITIONAL
CHINESE MEDICINE
PRACTITIONERS +
ACUPUNCTURISTS
of British Columbia

900-200 Granville Street
Vancouver, BC, V6C 1S4
ctcma.bc.ca

T (604) 742-6563
Toll Free 1-855-742-6563
F (604) 357-1963
E info@ctcma.bc.ca

Interim Practice Guidance – Ethical Principles for the Use of Artificial Intelligence (AI) in TCM/A Practices

This interim guidance document seeks to fill current regulatory gaps and provide guidance for the safe and appropriate application of AI in TCM/A practice in British Columbia. Interim guidance documents are intended to provide guidance to registrants in areas where research and current practice are evolving or changing rapidly, the implementation of processes and procedures may be premature, or it is timely to communicate the College's stance on an issue before a practice standard or professional guideline is developed.

What is Artificial Intelligence (AI)?

As defined by Health Canada, artificial intelligence (AI) is a broad term for a category of algorithms and models that perform tasks and exhibit behaviours such as learning, making decisions and predictions. Machine learning (ML) is the subset of AI that allows ML training algorithms to establish ML models when applied to data, rather than models that are explicitly programmed¹. Reference to AI within this document encompasses ML.

Is AI regulated in Canada?

Currently, Health Canada acts as the oversight body for medical devices and systems that use AI. In June 2022, the Government of Canada tabled the Artificial Intelligence and Data Act (AIDA) as part of Bill C-27, the Digital Charter Implementation Act, 2022, as one of the first national regulatory frameworks for AI. In 2023, Health Canada published Draft guidance: Pre-market guidance for machine learning-enabled medical devices², to provide guidance to manufacturers who are submitting a new or amendment application for Class II, III and IV machine learning-enabled medical devices (MLMD) under the regulations.

Though Health Canada's legislation focuses on directing the development and commercialization of AI devices (including MLMD devices) in Canada, it does not regulate the application of publicly available AI-enabled tools, including large language models (LLMs) like ChatGPT and Bard AI, by individual health care providers.

¹ <https://www.canada.ca/en/health-canada/services/drugs-health-products/medical-devices/application-information/guidance-documents/pre-market-guidance-machine-learning-enabled-medical-devices.html>

² <https://www.canada.ca/en/health-canada/services/drugs-health-products/medical-devices/application-information/guidance-documents/pre-market-guidance-machine-learning-enabled-medical-devices.html>



College of
TRADITIONAL
CHINESE MEDICINE
PRACTITIONERS +
ACUPUNCTURISTS
of British Columbia

900-200 Granville Street
Vancouver, BC, V6C 1S4
ctcma.bc.ca

T (604) 742-6563
Toll Free 1-855-742-6563
F (604) 357-1963
E info@ctcma.bc.ca

How is AI being used in healthcare?

Artificial Intelligence (AI) has demonstrated the capability to assist health care providers with multiple elements of care such as diagnosis, creating treatment plans and writing patient communications. However, AI must be used with caution to ensure patient safety and wellbeing.

The impact of AI on the quality of healthcare services is rapidly evolving and because of the speed of change, there is currently limited research-based evidence to guide regulatory policy.

What are my ethical responsibilities?

Registrants are expected to always act in the best interest of the patient and ensure that the use of AI used in care meets professional [standards of practice](#) and [ethical codes of conduct](#) as set out in the College's bylaws and the [College's Practice Standards](#) and, that they meet all privacy obligations. Registrants using MLMD's in their practices, must use only those approved by Health Canada and when doing so, understand the device classification, the level of evidence supporting the use of the device in clinical practice and the limitations of the device. For more information on Health Canada's guidelines for MLMD's, click [here](#).

What are the expectations for using AI in TCM/A practice?

When using AI in TCM/A practice, registrants are expected to adhere to the following principles:

1. Privacy, confidentiality, and consent:

Registrants are expected to ensure that patient privacy and confidentiality is maintained when using AI. If using personal patient data, the data must be securely stored, accessed, and transmitted and the AI tool must comply with applicable privacy and security laws and regulations. Personal patient data must not be transferred from the clinical environment at which care is provided without patient consent or where required or permitted by law. Registrants are advised to contact the Office of the Information and Privacy Commissioner (OIPC) to understand Personal Information Protection Act (PIPA) regulations regarding AI.

When seeking patient consent to transfer personal patient data, registrants must explain the nature of the AI being used, potential benefits and limitations, and risks associated with its use.

Many AI tools, such as ChatGPT, do not currently comply with privacy and security regulations. As such, personal patient data or identifying data must never be used; data must be de-identified such that the patient's identity cannot be reconstructed.



College of
TRADITIONAL
CHINESE MEDICINE
PRACTITIONERS +
ACUPUNCTURISTS
of British Columbia

900-200 Granville Street
Vancouver, BC, V6C 1S4
ctcma.bc.ca

T (604) 742-6563
Toll Free 1-855-742-6563
F (604) 357-1963
E info@ctcma.bc.ca

2. Accuracy and reliability:

Responsibility for decisions made about patient care rests principally with the registrant. Although AI is proficient in generating responses that appear to be accurate and reliable, they can be partially or completely wrong, leading to erroneous decision-making if relied upon without critical thinking. Registrants must always use critical thinking and clinical expertise when applying AI to patient care.

3. Transparency:

Registrants using AI must be transparent about the extent to which they are relying on such tools to make clinical decisions and must be able to explain to patients how these tools work and what their limitations are.

4. Interpretability:

AI tools can produce results which are difficult to interpret or replicate. When used in medicine, registrants must be capable of interpreting the clinical appropriateness of a result reached and exercising clinical judgement regarding findings.

5. Bias:

Registrants must be mindful of the inherent bias and critically analyze all AI driven results or recommendations through an equity, diversity, and inclusion (EDI) lens. An EDI lens considers an individual's unique needs, circumstances and lived experiences and may require alternate approaches for interpreting or delivering information.

6. Monitoring and oversight:

Registrants must monitor the use of AI in patient care to ensure that it is used appropriately and effectively. This includes critically reviewing and assessing whether the AI tool is suited for its intended use and the nature of practice it is being applied to. Registrants must also ensure that there is appropriate oversight of the AI tool that they or their employees are using, including regular updates and maintenance.

Practice Note: AI holds great potential for optimizing resource allocation and improving health outcomes. However, this potential is accompanied by significant concern related to its misuse. Registrants are expected to use AI in a safe and responsible manner that respects patient privacy and confidentiality, promotes transparency, and meets professional standards of practice. Registrants are expected to provide TCM/A care based on objective evidence and sound clinical judgment, using AI to complement – and not replace – their own expertise.



College of
TRADITIONAL
CHINESE MEDICINE
PRACTITIONERS +
ACUPUNCTURISTS
of British Columbia

900-200 Granville Street
Vancouver, BC, V6C 1S4
ctcma.bc.ca

T (604) 742-6563
Toll Free 1-855-742-6563
F (604) 357-1963
E info@ctcma.bc.ca

The College will continue to monitor developments in this field and make every effort to communicate them to registrants and update its guidance as more information becomes available.

Useful links and resources

Adapted from CPSBC <https://www.cpsbc.ca/files/pdf/IG-Artificial-Intelligence-in-Medicine.pdf>

1. Health Canada, Artificial Intelligence and Data Act, June 2022. Retrieved from: <https://ised-isde.canada.ca/site/innovation-better-canada/en/artificial-intelligenceand-data-act>
2. Health Canada, Artificial Intelligence and Data Act Companion Document, June 2022. Retrieved from: <https://ised-isde.canada.ca/site/innovation-better-canada/en/artificialintelligence-and-data-act-aida-companion-document>
3. Health Canada, Digital Charter Implementation Act, 2022. Retrieved from: <https://ised-isde.canada.ca/site/innovation-better-canada/en/canadas-digitalcharter/bill-summary-digital-charter-implementation-act-2020>
4. Health Canada, Draft guidance: Pre-market guidance for machine learning-enabled medical devices. September 18, 2023. Retrieved from: <https://www.canada.ca/en/health-canada/services/drugs-health-products/medicaldevices/application-information/guidance-documents/pre-market-guidance-machinelearning-enabled-medical-devices.html>
5. World Health Organization, WHO issues first global report on Artificial Intelligence (AI) in health and six guiding principles for its design and use. June 2021. Retrieved from: <https://www.who.int/news/item/28-06-2021-who-issues-first-global-report-on-ai-in-health-and-six-guiding-principles-for-its-design-and-use>
6. The Royal Australian and New Zealand College of Radiologists. Ethical Principles for AI in Medicine, 2023. Retrieved from: <https://www.ranzcr.com/college/document-library/ethical-principles-for-ai-in-medicine>
7. College of Physicians and Surgeons of Alberta, Artificial Intelligence in Generated Patient Record Content, 2023. Retrieved from: <https://cpsa.ca/resources/artificial-intelligence-in-generated-patient-record-content/>
8. College of Physicians and Surgeons of Ontario. Can AI Boost Safety and Quality in Patient Care? 2023. Retrieved from: <https://dialogue.cpso.on.ca/2023/09/can-aiboost-safety-and-quality-in-patient-care/>
9. Canadian Medical Protective Association. The emergence of AI in healthcare, 2019 (revised 2023). Retrieved from: <https://www.cmpa-acpm.ca/en/advicepublications/browse-articles/2019/the-emergence-of-ai-in-healthcare>



College of
TRADITIONAL
CHINESE MEDICINE
PRACTITIONERS +
ACUPUNCTURISTS
of British Columbia

900-200 Granville Street
Vancouver, BC, V6C 1S4
ctcma.bc.ca

T (604) 742-6563
Toll Free 1-855-742-6563
F (604) 357-1963
E info@ctcma.bc.ca

10. Law Society of British Columbia. Practice Resource: Guidance on Professional Responsibility and Generative AI, November 2023. Retrieved from:

<https://www.lawsociety.bc.ca/Website/media/Shared/docs/practice/resources/Professional-responsibility-and-AI.pdf>

11. Royal College of Physicians and Surgeons of Canada <https://www.royalcollege.ca/en/health-policy/initiatives-driven-by-research/ai-task-force.html>