

SALPN Regulatory Bylaws

Title

1 These bylaws may be cited as *The SALPN Regulatory Bylaws*.

Definitions

2 In these bylaws:

- (a) "Act" means *The Licensed Practical Nurses Act, 2000*;
- (b) "prescribed examination" means the Canadian Practical Nurse Registration Examination or an equivalent examination recognized by the council;
- (c) "prescribed fee" means the fee prescribed in the administrative bylaws relating to fees;
- (d) "recognized practical nurse education program" means a program recognized by the council pursuant to clause 19(1)(c) of the Act or an equivalent program;
- (e) "SALPN" means the Saskatchewan Association of Licensed Practical Nurses.

MEMBERSHIP AND REGISTRATION

Categories of membership

3 The following categories of membership are established:

- (a) licensed practical nurse;
- (b) graduate licensed practical nurse;
- (c) honorary life member.

Licensed practical nurse

4(1) In addition to meeting the requirements set out in subsection 19(1) of the Act, a person applying under that subsection for admission to membership and initial licensure must:

- (a) apply within five years of successful completion of a recognized practical nurse education program;

- (b) pass the prescribed examination;
 - (c) submit a satisfactory criminal record check that includes a vulnerable sector query; and
 - (d) meet the English language requirement set by the council.
- (2) Where an applicant for admission under subsection (1) has completed an educational program that is alleged to be equivalent to a practical nurse education program recognized by the council, the applicant must provide an assessment of equivalency from an agency acceptable to council and any other information that council may require to determine equivalency.
- (3) In addition to meeting the requirements set out in subsection 19(1.1) of the Act, a person applying under that subsection for admission to membership and initial licensure as a licensed practical nurse must:
- (a) submit a satisfactory criminal record check that includes a vulnerable sector query; and
 - (b) meet the English language requirement set by the Council.
- (4) In addition to the privileges of membership provided for in the Act, a licensed practical nurse is entitled to the following privileges of membership:
- (a) to attend, participate in and vote at all meetings of SALPN and in elections;
 - (b) to be eligible for appointment to committees of SALPN and to stand for or be elected or appointed to office; and
 - (c) to receive any notices and newsletters from SALPN.

Graduate licensed practical nurse

- 5(1) To qualify for admission to membership and initial licensure as a graduate licensed practical nurse, a person must comply with the requirements set out in clauses 19(1)(a), (b) and (c) of the Act.
- (2) Registration as a graduate licensed practical nurse is only available for the period of time commencing on completion of the practical nurse education program and ending on successful completion of the prescribed examination or on a third failure of that examination.
- (3) A graduate licensed practical nurse is entitled to practice only under the direct

supervision of a person licensed to practice as a licensed practical nurse, a registered nurse, or a registered psychiatric nurse.

- (4) A graduate licensed practical nurse is entitled to the following privileges of membership:
 - (a) to attend and participate but not vote at all meetings of SALPN;
 - (b) to receive any notices and newsletters from SALPN.

Honourary life member

- 6(1) Registration as an honorary life member is available to any person who, on the recommendation of council, has provided distinguished service to the practical nursing profession in Canada.
- (2) An honorary life member is entitled to the following privileges of membership:
 - (a) to hold himself or herself out as an honorary life member of SALPN;
 - (b) to attend and participate in, but not vote at, all meetings of SALPN;
 - (c) to receive any notices and newsletters from SALPN.

Registration procedures generally

- 7(1) Applications for registration shall be made on a form provided by SALPN for the purpose.
- (2) The certificate of registration issued to members shall be in the form determined by council.

Examination

- 8(1) A person who applies for registration as a licensed practical nurse is required to have written the prescribed examination at the first writing of the examination after he or she becomes eligible to write it, unless the registrar has given written permission to defer the writing of the examination.
- (2) A person who writes the prescribed examination and who fails on first writing is required to rewrite the examination at the next opportunity, unless the registrar has given written permission to write it at a later time.

- (3) A person who fails the prescribed examination on three occasions is not eligible for registration as a licensed practical nurse.

LICENCES

Licence required to work

- 9(1) Every licence to practice provided to a licensed practical nurse or a graduate licensed practical nurse expires on December 31 of the year in respect of which it is issued.
- (2) Every licensed practical nurse and every graduate licensed practical nurse must obtain a licence in each year in order to practice by submitting the required application form, provided by SALPN, together with the prescribed fee for the licence and any other fees or charges owing to SALPN for any reason, on or before December 1 in each year.
- (3) A licensed practical nurse or graduate licensed practical nurse who does not obtain or renew a licence ceases to be licensed, and is not entitled to practise or work as a licensed practical nurse or graduate licensed practical nurse, as the case may be, as at January 1 of the year for which the licence is required, and is noted as an inactive member in the register.

Eligibility for licence renewal

- 10(1) In order to be eligible to obtain a renewal of a licence to practise, a member who is a licensed practical nurse must:
 - (a) have successfully completed a recognized practical nurse educational program within the previous four years, or have worked in licensed practical nurse activities approved by the council for at least 1250 registered working hours during the previous five years, or such longer period that the registrar may approve in writing;
 - (b) obtain, in accordance with sections 13 to 18, at least:
 - (i) five continuing education portfolio points, where the member was licensed for seven or more months in the previous year;
 - (ii) three continuing education portfolio points, where the member was licensed for three or more but less than seven months in the previous year;

- (iii) one continuing education portfolio point, where the member was licensed for less than three months in the previous year;
 - (c) complete or challenge the health assessment program or basic program equivalent;
 - (d) complete the medications administration program or basic program equivalent;
 - (e) where the member has been convicted of a criminal offence in the previous 12 months, submit a satisfactory criminal record check that includes a vulnerable sector query; and
 - (f) pay the prescribed fee.
- (2) A member who does not meet the requirements of clause (1)(a) may obtain a licence by successfully completing a practical nurse re-entry program within five years after the member was last eligible for licensure based on his or her working hours.
- (3) A member who is a graduate licensed practical nurse is eligible to obtain a renewal of a conditional licence for the period of time during which he or she is registered in the graduate licensed practical nurse membership category.

Licence revocation

- 11 The registrar may immediately suspend the licence of a member where the registrar determines that the member was not eligible for the licence when it was obtained, and the registrar shall refer the issue to the Counselling and Investigation Committee as a complaint.

Non-practising certificate

- 12 A licensed practical nurse who is eligible for licensure but is not currently employed or practising as a licensed practical nurse in Saskatchewan or working in licensed practical nurse activities described in clause 10(1)(a), may obtain a non-practising certificate on payment of the prescribed fee, which entitles the member to continue to receive notices and newsletters from SALPN and to accumulate continuing education portfolio points.

CONTINUING EDUCATION

Nursing practice education

- 13(1) A member obtains continuing education portfolio points in accordance with subsection (2) for nursing practice, including courses, in-services, post basic education, conferences, seminars, SALPN education events, or similar programs or activities that enhance nursing practice and promote patient-centred care.
- (2) Points for participation in nursing practice education are allocated as follows:
- (a) for a program or activity consisting of three or more days, five points;
 - (b) for a program or activity consisting of two days, three points;
 - (c) for a program or activity consisting of one day, two points;
 - (d) for a program or activity consisting of one to four hours, one point.

Articles or audio-visual and internet-based presentations

- 14(1) A member obtains 0.25 continuing education portfolio points for reviewing a current health-related article or participating in a health-related audio-visual or internet-based presentation.
- (2) A member may only accumulate a total of one continuing education portfolio point in each year for review of articles or participation in audio-visual or internet-based presentations.

Self-directed learning modules

- 15 A member obtains one continuing education portfolio point for completion of a self-directed learning module available directly from SALPN or on the SALPN website.

Professional nursing participation

- 16(1) A member obtains continuing education portfolio points in accordance with subsection (2) for professional nursing participation, including:
- (a) nursing participation on nursing practice committees relating to quality improvement, wound care, infection control or other similar topics; or
 - (b) participation in a nursing organization or special interest nursing groups.

- (2) Points for professional nursing participation are allocated as follows:
 - (a) for participation totalling five or more meetings per year, five points;
 - (b) for participation totalling four or fewer meetings per year, three points.

Preceptorship

- 17(1) A member obtains continuing education portfolio points in accordance with subsection (2) for preceptoring a nursing student who attends a qualified educational institution.
- (2) Points for preceptorship are allocated as follows:
 - (a) for preceptoring totalling four or more weeks, five points;
 - (b) for preceptoring totalling from two to three weeks, three points.

Mentorship

- 18 A member obtains three continuing education portfolio points for participating in a formal SALPN approved mentorship program for a minimum of eight weeks.

PROFESSIONAL CONDUCT

Generally

- 19 All members shall ensure that they work within their educational preparation, level of competence, and scope of practice and comply with the standards of practice set out in the *Standards of Practice for Licensed Practical Nurses* approved and adopted by Canadian regulatory agencies as of April 1, 2013.

Code of Ethics

- 20 All members shall conduct themselves in an honourable and ethical manner, upholding the values of truth, honesty and trustworthiness, and shall observe the standards of conduct set out in the *Code of Ethics for Licensed Practical Nurses in Canada* approved and adopted by Canadian regulatory agencies as of April 1, 2013.

Conflict of interest

- 21 A member shall avoid any situation in which the member's interests conflict, or have the potential to conflict, with the interests of any patient, resident or client with whom

the member has a therapeutic relationship.

DISCIPLINE

Counselling and Investigation Committee

22(1) The Counselling and Investigation Committee shall:

- (a) advise the member that a complaint has been received and of the nature of the complaint and invite comments from the member in reply;
 - (b) provide the member with a copy of the committee's investigation procedures;
 - (c) notify the complainant that the complaints or allegations will be reviewed;
 - (d) attempt to resolve the matter to the satisfaction of the complainant and the member;
 - (e) engage in any counselling of the member that the committee considers necessary or appropriate; and
 - (f) review and investigate the complaint in accordance with the Act.
- (2) Where a member of the committee declares a conflict of interest, he or she shall not thereafter participate in any further consideration of the complaint, and any such withdrawal from the committee does not impair the power of the remaining members of the committee to act.

Discipline Committee

23(1) The Discipline Committee that the council is required to appoint pursuant to section 28 of the Act shall consist of two members, in addition to the public representative appointed to the council pursuant to section 8 of the Act.

- (2) The council shall select the committee's chair.
- (3) The Executive Director shall provide the committee with administrative support.
- (4) The committee shall publish any rules that it adopts in accordance with subsection 28(3) of the Act and shall ensure that the published document is publicly available on request and without charge.

Publication

- 24(1) Full text versions of the decisions of the Discipline Committee, with the names of and identifying information relating to witnesses and clients or patients removed, are to be posted on the SALPN website.
- (2) Summaries of the decisions of the Discipline Committee are to be published in the SALPN newsletter and may be made available on the SALPN website.
- (3) Summaries of complaints that are resolved by consent pursuant to subclause 26(2)(b)(i) of the Act are to be published in the SALPN newsletter and may be made available on the SALPN website.

REVIEW OF REGISTRAR'S DECISIONS

Applications to review decisions of the registrar

- 25(1) For the purposes of subsection 20(4) of the Act, an application to review a decision of the registrar respecting an application for registration or licensure must be made to the council, within 30 days after a written copy of the decision is served, by sending or delivering a written request in the form of a letter to the council, which must be received in the SALPN office within that time, setting out the grounds on which the applicant alleges that the registrar's decision is in error, together with any documentation necessary to support the allegation.
- (2) The council shall provide an applicant for review with an opportunity to make a verbal presentation to the council, if desired by the applicant, as soon as possible after the application is received.

MISCELLANEOUS

Demand for special meeting

- 26 The number of members required to demand a special meeting of SALPN to be held in accordance with subsection 6(2) of the Act is the number equal to 10% of the number of registered members who are licensed to practice.

Electronic service of notices

- 27 Documents that are required or permitted by the Act and the bylaws to be served on or given to a person by facsimile or email, may be sent to the person at the facsimile number or email address in the records of SALPN.

Repeal of former regulatory bylaws

28 All former regulatory bylaws of SALPN are repealed.

Coming into force

29 In accordance with *The Licensed Practical Nurses Act, 2000*, these bylaws come into force when they are made by the council, approved by the members, approved by the Minister of health and published in *The Saskatchewan Gazette*.

Certified to be a true copy of *The SALPN Regulatory Bylaws* approved by the members of the Saskatchewan Association of Licensed Practical Nurses at its annual meeting held on April ____, 2013.

Lynsay Donald, Executive Director
Saskatchewan Association of Licensed Practical Nurses

Date: _____

Minister of Health

Date: _____