

SALPN Regulatory Bylaws
Office Consolidation as of July 22, 2016

NOTE:

This consolidation is not official, but is prepared for convenience of reference. Amendments to *The SALPN Regulatory Bylaws* have been incorporated into the original bylaw for convenience of reference. Technically, the original bylaw and the amendments to it, as each of them was published in *The Saskatchewan Gazette*, should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original documents, errors that may have appeared are reproduced in this consolidation. The notes following each section of the bylaws indicate where the official published version of the bylaws may be found.

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*;
 - (a.1) “authorized professional” means a member of a regulated profession who is authorized to issue a prescription or order;
 - (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;
 - (d.1) “regulated profession” means a profession that is regulated pursuant to an Act of the Legislature;
 - (e) “SALPN” means the Saskatchewan Association of Licensed Practical Nurses.

Gazette Aug 16/13, s. 2; am Gazette Jan 15/16, s. 2; am Gazette July 15/16, s. (1).

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.

Gazette Aug 16/13, s. 3.

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.

Gazette Aug 16/13, s. 4.

Graduate licensed practical nurse

5(1) To qualify for admission to membership and initial licensure as a graduate licensed practical nurse, a person must:

- (a) comply with the requirements set out in clauses 19(1)(a), (b) and (c) of the Act;

- (b) submit a satisfactory criminal record check that includes a vulnerable sector query; and
 - (c) meet the English language requirements set by the council.
- (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.

Gazette Aug 16/13, s. 5; am Gazette July 15/16, s. (2).

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.

Gazette Aug 16/13, s. 6.

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.

Gazette Aug 16/13, s. 7.

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.

Gazette Aug 16/13, s. 8.

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.

Gazette Aug 16/13, s. 9.

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 the maximum number of claimable hours in each category as set out in Table 1 and subject to section 13, at least:

(i) 24 hours of continuing education, where the member was licensed for seven or more months in the previous year;

- (ii) 12 hours of continuing education, where the member was licensed for three or more but less than seven months in the previous year;
 - (iii) 6 hours of continuing education, where the member was licensed for less than three months in the previous year; and
 - (c) complete or challenge the health assessment program or basic program equivalent;
 - (d) complete the medications administration program or basic program equivalent;
 - (d.1) as of December 1, 2018, complete or challenge the IV initiation/therapy 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.

Gazette Aug 16/13, s. 10; am Gazette July 15/16, s. (3).

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.

Gazette Aug 16/13, s. 11.

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.

Gazette Aug 16/13, s. 12.

CONTINUING EDUCATION

Accumulation of continuing education hours

13(1) For the purposes of clause 10(1)(b), a member is required to accumulate the required number of continuing education hours during the period commencing on December 2 of the year prior to the date of application for licence renewal.

(2) A member who accumulates more than the required number of hours during the period commencing on December 2 of the year prior to the date of application for licence renewal may carry those additional hours forward to be counted in relation to the member's application for licence renewal in the next year, to a maximum of one-third of the total required number of hours, which total includes at least one-third of the minimum required number of hours set out in sections 1(1) and 1(2) of Table 1.

Gazette July 15/16, s. (4).

NOTE: *Sections 14 to 18 were enacted as published in the Gazette on August 16, 2013, but repealed by the amendments to the bylaws published in the Gazette July 15, 2016, s. (4).*

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.

Gazette Aug 16/13, s. 19.

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.

Gazette Aug 16/13, s. 20.

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.

Gazette Aug 16/13, s. 21.

SPECIALIZED AREAS OF LPN PRACTICE

Advanced orthopedics

21.1(1) In this section, “advanced orthopedics” includes the provision of practical nursing care related to orthopedics for the purpose of applying orthopedic devices or casts.

- (2) No member shall provide advanced orthopedics unless the member:
- (a) has successfully completed the formal post-basic education certificate program, known as the “Advanced Education in Orthopedics for LPNs” program from Norquest College in Edmonton, Alberta, or an equivalent program recognized by council;
 - (b) is registered with SALPN as qualified to provide advanced orthopedics; and
 - (c) practises pursuant to an order of an authorized professional and in collaboration with other members of the health care team, while assisting an authorized professional under his or her direction with the setting or resetting of a fracture of a bone.

Gazette Jan 15/16, s. 3.

Hemodialysis care

21.2(1) In this section, “hemodialysis care” includes the provision of practical nursing care related to hemodialysis.

- (2) No member shall provide hemodialysis care unless the member:
- (a) has successfully completed:
 - (i) prior to January 1, 2016 a post-basic education program that was recognized by council; or
 - (ii) on or after January 1, 2016, the formal post-basic theoretical education certificate program, known as the “Care of the Patient with Kidney Disease” from the Saskatchewan Polytechnic, or an equivalent program recognized by council, together with clinical experience obtained through a practical program provided by an employer and recognized by council;
 - (b) is registered with SALPN as qualified to provide hemodialysis care; and
 - (c) practises pursuant to an order of an authorized professional and in collaboration with other members of the health care team.

Gazette Jan 15/16, s. 3.

Perioperative care

21.3(1) In this section, “perioperative care” includes the provision of practical nursing care to patients in a perioperative setting and assistance to an authorized professional who is performing surgery in an operating theatre.

- (2) No member shall provide perioperative care unless the member:
- (a) has successfully completed the formal post-basic education certificate program in perioperative practical nursing, known as the “Perioperative Nursing LPN/ Advanced Certificate” from the Saskatchewan Polytechnic, or an equivalent program recognized by council;
 - (b) is registered with SALPN as qualified to provide perioperative care;
 - (c) practises in accordance with the Standards of Practice and Competencies for Perioperative Licensed Practical Nurses approved and adopted by Canadian regulatory agencies as of December 2010; and
 - (d) practises pursuant to an order of an authorized professional and in collaboration with other members of the health care team.

Gazette Jan 15/16, s. 3.

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.

Gazette Aug 16/13, s. 22.

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.

Gazette Aug 16/13, s. 23.

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.

Gazette Aug 16/13, s. 24.

THE REGISTER

24.1 The Registrar may maintain the register required to be kept pursuant to subsection 18(1) of the Act in an electronic form and shall, in addition to the information required to be included in accordance with that subsection, include the following information with respect to each member:

- (a) date of initial registration;
- (b) current licensure status;
- (c) any specialized area of practice in which a member is registered;
- (d) any limitations or restrictions on the member's practice for the period of time during which the limitation or restriction is effective;
- (e) if a formal complaint has been referred to the Discipline Committee, a notation that a discipline hearing is pending;
- (f) if the member participated in a consent resolution process, a notation indicating the nature of the discipline offence resolved; and
- (g) if the Discipline Committee has made a finding of guilt after a discipline hearing, a notation indicating the nature of the discipline offence found to have been committed by the member.

Gazette July 15/16, s. (5).

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.

Gazette Aug 16/13, s. 25.

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.

Gazette Aug 16/13, s. 26.

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.

Gazette Aug 16/13, s. 27.

Repeal of former regulatory bylaws

28 All former regulatory bylaws of SALPN are repealed.

Gazette Aug 16/13, s. 28.

Table 1

Section	Category	Examples/Description	Licence Renewal Period		
			< 3 months Minimum Hours Required = 6	3 but < 7 months Minimum Hours Required = 12	7 or more months Minimum Hours Required = 24
Section 1: Individual Learning	1. Formalized Education	<ul style="list-style-type: none"> • Courses related to health care or nursing practice offered by an educational institution/organization recognized by council 	<ul style="list-style-type: none"> • At least 2 Hours 	<ul style="list-style-type: none"> • At least 4 Hours 	<ul style="list-style-type: none"> • At least 8 Hours
	2. Self-Directed Learning	<ul style="list-style-type: none"> • Less formalized education offered outside of institutional learning, including online learning modules, acceptable to council 	<ul style="list-style-type: none"> • At least 2 Hours 	<ul style="list-style-type: none"> • At least 4 Hours 	<ul style="list-style-type: none"> • At least 8 Hours
	3. Other Learning Resources	<ul style="list-style-type: none"> • Credible articles, audio-visual or internet sources from a nursing or health related source acceptable to council 	<ul style="list-style-type: none"> • 2 Maximum Claimable Hours 	<ul style="list-style-type: none"> • 4 Maximum Claimable Hours 	<ul style="list-style-type: none"> • 8 Maximum Claimable Hours
Section 2: Group Learning and Professional Growth	1. Nursing Practice Education: Sponsored Activities	<ul style="list-style-type: none"> • Learning event such as courses, in-services, workshops, conferences/AGM, and seminars sponsored or accredited by a professional organization or association acceptable to council (SALPN, Alzheimers Society, etc), which may or may not lead to an official certification 	<ul style="list-style-type: none"> • 4 Maximum Claimable Hours 	<ul style="list-style-type: none"> • 8 Maximum Claimable Hours 	<ul style="list-style-type: none"> • 16 Maximum Claimable Hours
	2. Nursing Practice Education: Unsponsored Activities	<ul style="list-style-type: none"> • Unsponsored educational events, group-based activities such as lunch and learn sessions, employer lead education days, unofficial certifications that are acceptable to council 	<ul style="list-style-type: none"> • 4 Maximum Claimable Hours 	<ul style="list-style-type: none"> • 8 Maximum Claimable Hours 	<ul style="list-style-type: none"> • 16 Maximum Claimable Hours
	3. Professional Nursing Participation	<ul style="list-style-type: none"> • Participation in quality improvement, professional committees, LEAN committee, SALPN Council/ Committees, Special interest groups, official mentorship programs 	<ul style="list-style-type: none"> • 4 Maximum Claimable Hours 	<ul style="list-style-type: none"> • 8 Maximum Claimable Hours 	<ul style="list-style-type: none"> • 16 Maximum Claimable Hours
	4. Preceptorship	<ul style="list-style-type: none"> • Providing preceptorship training for a student 	<ul style="list-style-type: none"> • 16 Maximum Claimable Hours (8 hours per week) 	<ul style="list-style-type: none"> • 16 Maximum Claimable Hours (8 hours per week) 	<ul style="list-style-type: none"> • 16 Maximum Claimable Hours (8 hours per week)
	5. Professional Growth Plan	<ul style="list-style-type: none"> • Develop professional growth plan that includes: <ul style="list-style-type: none"> a) self-assessment b) goals related to LPN Standards of Practice and practice competencies c) performance appraisal completed by a nursing colleague, manager or employer 	<ul style="list-style-type: none"> • N/A 	<ul style="list-style-type: none"> • N/A 	<ul style="list-style-type: none"> • 8 Hours