

# SALPN Regulatory Bylaws

## Office Consolidation as of December 2, 2021

**NOTE:**

This consolidation includes *The SALPN Regulatory Bylaws* Gazetted on August 13, 2021, and the amendments to those bylaws Gazetted on November 5, 2021.

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 is 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.

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Table 1

**Title**

1 These bylaws may be cited as *The SALPN Regulatory Bylaws 2021*.

*Gazette Aug 13/21, s. 1*

**Definitions**

2 In these bylaws:

- (a) “Act” means *The Licensed Practical Nurses Act, 2000*;
- (b) “authorized professional” means a member of a regulated profession who is authorized to issue a prescription or order;
- (c) “independent practice” means independent practice as described in section 21;
- (d) “prescribed examination” means the Canadian Practical Nurse Registration Examination or an equivalent examination recognized by the council;
- (e) “prescribed fee” means the fee prescribed in the administrative bylaws relating to fees;
- (f) “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;
- (g) “regulated profession” means a profession that is regulated pursuant to an Act of the Legislature;
- (h) “SALPN” means the Saskatchewan Association of Licensed Practical Nurses.

*Gazette Aug 13/21, s. 2*

**MEMBERSHIP AND REGISTRATION****Categories of membership**

3 The following categories of membership are established:

- (a) licensed practical nurse;
- (b) graduate licensed practical nurse;
- (c) student practical nurse.

*Gazette Aug 13/21, s. 3*

**General requirements**

4(1) All applications for registration in any category of membership must be made on a form

provided by SALPN for the purpose.

(2) All applicants for admission to membership as a licensed practical nurse or a graduate 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.

*Gazette Aug 13/21, s. 4*

**Licensed practical nurse**

5(1) A person applying for membership and initial licensure pursuant to subsection 19(1) or (1.1) of the Act must, in addition to meeting the requirements set out in the applicable provision of the Act, provide proof of completions of a recognized education program in:

- (a) health assessment;
- (b) medication administration;
- (c) IV initiation/ therapy.

(1.1) A person applying for membership and initial licensure pursuant to subsection 19(1) of the Act must pass the prescribed examination and apply within three years of successful completion of a recognized practical nurse education program.

(2) Where an applicant for admission under subsection(1.1) has completed an educational program that is alleged to be equivalent to a recognized practical nurse education program, the applicant must provide:

- (a) an assessment of equivalency from an agency acceptable to council and any other information that the council may require to determine equivalency; and
- (b) proof that the applicant will have sufficient registered working hours to qualify for licence renewal in accordance with clause 10(1)(a).

(3) 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 13/21, s. 5; amended  
Gazette Nov 5/21, s. 2*

**Graduate licensed practical nurse**

6(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; and
- (b) unless the registrar has given written permission to defer the writing of the prescribed examination, write the prescribed examination;
  - (i) at the first writing of the examination after becoming eligible to write it; and
  - (ii) in the event of a failure to pass the examination, at the next available writing.

(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 fourth 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, participate in and vote at all meetings of SALPN; and
- (b) to receive any notices and newsletters from SALPN.

*Gazette Aug 13/21, s. 6*

**Student practical nurse**

7(1) To qualify for admission to membership as a student practical nurse, a person must be registered in a recognized practical nurse education program;

(2) A student practical nurse is entitled to the following privileges of membership:

- (a) to attend and participate but not vote at all meetings of SALPN; and
- (b) to receive any notices and newsletters from SALPN.

*Gazette Aug 13/21, s. 7*

**Resignation on medical or other grounds**

8(1) The council may, on the recommendation of the registrar, accept the resignation of a member who wishes to resign his or her membership in SALPN for medical or other reasons acceptable to the council.

(2) Where the resignation of a member is accepted by the council, the registrar shall note in the register the reasons for which the member has resigned, and that notation shall be provided to any person who inquires as to the former member's membership status.

(3) A member whose resignation is accepted by the council may apply to be reinstated as a member and shall, in addition to meeting all other requirements for registration as a member pursuant to the Act and the bylaws, demonstrate to the satisfaction of the council that the reasons that resulted in the resignation from SALPN no longer exist.

*Gazette Aug 13/21, 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 completed 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, is not entitled to practise 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 13/21, 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 reported working hours during the previous five years, or such longer period that the registrar may approve in writing;
- (b) in the case of a member who is registered with SALPN as qualified to provide practical nursing care in a specialized area of LPN practice pursuant to sections 18 to 20 or who is engaged in an independent practice as described in section 21, report the number of working hours completed in the specialized area or independent practice;
- (c) in accordance with section 14, obtain and report the required minimum number of continuing education hours as set out in Table 1;
- (d) *Repealed, Gazette Nov 5/21, s.3;*

- (e) *Repealed, Gazette Nov 5/21, s.3*
- (f) *Repealed, Gazette Nov 5/21, s.3*
- (g) where the member is engaged in independent practice as described in section 21, provide proof of insurance as required by that section;
- (h) 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
- (i) 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 reported 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 the member is registered in the graduate licensed practical nurse membership category.

*Gazette Aug 13/21, s. 10; amended  
Gazette Nov 5/21, 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 13/21, 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.

*Gazette Aug 13/21, s. 12*

#### **Emergency registration and licensure**

13 Notwithstanding any other provision of these bylaws, in an emergency the registrar may, under any terms, conditions or restrictions that the registrar considers appropriate, register as a licensed practical nurse and issue a practising licence to:

- (a) a person who is currently or has been licensed to practice as a licensed practical nurse in Canada; or
- (b) a person who is a graduate of or a student in a recognized practical nurse education or equivalent nurse education program.

*Gazette Aug 13/21, s. 13*

## CONTINUING EDUCATION

### **Accumulation of continuing education hours**

14(1) For the purposes of clause 10(1)(c), 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 eight hours in the section identified in Table 1 in which the carry-over is obtained.

*Gazette Aug 13/21, s. 14*

## PROFESSIONAL CONDUCT

### **Generally**

15 All members shall ensure that they work within their educational preparation, level of competence, and scope of practice.

*Gazette Aug 13/21, s. 15*

### **Standards of practice**

16 All members shall comply with the standards of practice set out in the *Standards of Practice for Licensed Practical Nurses* approved and adopted by the Canadian Council for Practical Nurse Regulators as amended or revised from time to time.

*Gazette Aug 13/21, s. 16*

### **Code of Ethics**

17 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 the Canadian Council for Practical Nurse Regulators as amended or revised from time to time.

*Gazette Aug 13/21, s. 17*

## SPECIALIZED AREAS OF LPN PRACTICE

### **Advanced orthopedics**

18(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 Aug 13/21, s. 18*

### **Hemodialysis care**

19(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 Aug 13/21, s. 19*

### **Perioperative care**

20(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; and
- (c) practises pursuant to an order of an authorized professional and in collaboration with other members of the health care team.

*Gazette Aug 13/21, s. 20*

## INDEPENDENT PRACTICE

### **Independent practice**

21 A member who engages in the provision of licensed practical nurse services while self-employed or as an employee of an entity that is substantially controlled by the member is required to:

- (a) annually report to the registrar the fact that the member is engaged in independent practice and the nature of the services the member is providing;
- (b) annually provide to the registrar proof of insurance against liability for professional negligence in an amount that is at least \$2,000,000 per incident and \$2,000,000 per year;
- (c) provide to the registrar, on request, copies of policies and procedures the member has adopted in relation to:
  - (i) physicians’ orders;
  - (ii) record keeping;
  - (iii) patient consents to treatment;
  - (iv) infection control;
  - (v) referral processes.

*Gazette Aug 13/21, s. 21*

## PHYSICIAN DELEGATIONS

### **Physician delegations**

22(1) In this section, “physician delegation” means a delegation by a physician to a member of a function or activity pursuant to the Regulatory Bylaws of the College of Physicians and Surgeons of Saskatchewan.

(2) A member shall carry out a physician delegation only where the member practises under the supervision of a duly qualified medical practitioner who has assessed the patient and established a

treatment plan and is on site and/or has direct contact by other means and available to assist as necessary.

*Gazette Aug 13/21, s. 22*

## DISCIPLINE

### **Counselling and Investigation Committee**

23(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, the member 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 13/21, s. 23*

### **Discipline Committee**

24(1) The Discipline Committee that the council is required to appoint pursuant to section 28 of the Act shall consist of at least 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 13/21, s. 24*

### **Publication**

25(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 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 made available on the SALPN website.

*Gazette Aug 13/21, s. 25*

## THE REGISTER

### **Contents**

26 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) if the member is engaged in independent practice, a notation indicating that fact and the nature of the services the member is providing;
- (e) any limitations or restrictions on the member's practice for the period of time during which the limitation or restriction is effective;
- (f) if a formal complaint has been referred to the Discipline Committee, a notation that a discipline hearing is pending;
- (g) if the member participated in a consent resolution process, a notation indicating the nature of the discipline offence resolved; and
- (h) 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 Aug 13/21, s. 26*

## REVIEW OF REGISTRAR'S DECISIONS

### **Applications to review decisions of the registrar**

27(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 by letter addressed to the council:

- (a) within 30 days after a written copy of the decision is served on the applicant;
- (b) received in the SALPN office within that time; and
- (c) 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 13/21, s. 27*

## MISCELLANEOUS

### **Demand for special meeting**

28 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 13/21, s. 28*

### **Electronic service of notices**

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

*Gazette Aug 13/21, s. 29*

### **Recognition of practical nurse education programs**

30 The council may recognize practical nurse education programs for registration under clause 19(1)(c) of the Act that in its opinion meet the standards for approval set out in SALPN's Basic Program Approval document, dated April 26, 2017.

*Gazette Aug 13/21, s. 30*

### **Repeal of former regulatory bylaws**

31 All former regulatory bylaws of SALPN are repealed.

*Gazette Aug 13/21, s. 31*

Table 1

SALPN CEP Program Education Classification	
Section A: Formal Activities	Section B: Informal Activities
<p>1. Educational activities related to nursing/healthcare including two or more of the following:</p> <ul style="list-style-type: none"> <li>a) ends with an exam or quiz</li> <li>b) includes assignment(s), presentation(s), learning package(s), or project(s)</li> <li>c) demonstration of competence/competency</li> <li>d) interactive group work</li> <li>e) results in a credential</li> <li>f) can be passed or failed</li> </ul> <p>2. Completion of a Professional Growth Plan (16 Reportable hours)</p>	<p>Informal activities include the following:</p> <ul style="list-style-type: none"> <li>a) CPR, TLR, WHMIS, PART, GPA, WAVE recertification(s)</li> <li>b) preceptorship (8 reportable hours per each week of preceptorship)</li> <li>c) nursing/healthcare committees</li> <li>d) any other educational activity related to nursing/healthcare not meeting the criteria for formal activities in Section A</li> </ul>

**SALPN CEP Program: Hour Requirements**

Length of time Practicing Licence was held in previous licensure period	Minimum Number of Total Hours required for renewal	Minimum Number of Hours required from Section A: Formal Activities	Carry Over Hours Allowed
<3 months	6	2	Up to 8 (if an excess of the required 6 hours is obtained- applied in the category earned)
>3 Months <7 Months	12	4	Up to 8 (if an excess of the required 12 hours is obtained- applied in the category earned)
>7 Months	24	8	Up to 8 (if an excess of the required 24 hours is obtained- applied in the category earned)