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20 BYLAWS 23



RPNAS

REGISTERED PSYCHIATRIC NURSES
ASSOCIATION OF SASKATCHEWAN

The *Registered Psychiatric Nurses Act, 1993* and the bylaws of RPNAS provide the regulatory framework to regulate the profession of psychiatric nursing in Saskatchewan. The bylaws further explain provisions within the Act. Bylaws usually are approved by the Council under the Act and then voting RPN members present at an annual meeting.

Bylaw changes made by Council in advance of an annual meeting are in force and effect until the next annual meeting, where the change(s) must be approved by RPN voting members present at the annual meeting. Regulatory bylaws are then reviewed and approved by the Minister of Health and published in the Saskatchewan Gazette before becoming official.

In situations where there is a difference between RPNAS bylaws and the Saskatchewan Gazette, the Gazette will be considered the official version.

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DEFINITIONS

In these Bylaws the following terms shall have the following meaning:

- 1 “Association”** means the Registered Psychiatric Nurses Association of Saskatchewan;
- 2 “Act”** means the *Registered Psychiatric Nurses Act, S.S. 1993, c. R-13.1* as amended from time to time;
- 3 “Council”** means the Council of the Association;
- 4 “Emergency”** means a state of affairs determined by the Registrar in their sole discretion to require an urgent response, or a public health emergency within the meaning of the *Public Health Act, S.S. 1994, c. P-37.1*;
- 5 “Good Standing”** means, in respect of a member, that:
 - (a) the member’s registration has not been suspended or revoked; and
 - (b) there are no limits, conditions, or restrictions on the member’s practice of psychiatric nursing.
- 6 “Psychiatric Nursing Practice”** means, the application of psychiatric nursing knowledge, skill, and judgement:
 - (a) to coordinate and provide physical and mental health care through the utilization of the nursing process;
 - (b) to promote, prevent, restore and maintain health, with a focus on minimizing the effects of mental illness and developmental challenges, psychosocial, mental, or emotional disorders, or conditions, and associated or comorbid physiological conditions; and
 - (c) in the domain of direct care, education, administration, policy development, and research.

ADMINISTRATIVE BYLAWS

BYLAW I – COUNCIL

Section 1 - Composition

1 The affairs of the Association shall be managed by the Council which shall be composed of:

- (a) a minimum of five elected members, which shall include a President and President-Elect, plus members at large who may be elected or appointed to Council in accordance with the Act and these Bylaws;
- (b) one or more public representatives with voting power appointed by the Lieutenant Governor in Council in accordance with section 8 of the Act; and
- (c) Council may appoint other public representatives to Council through various mechanisms available to it.

Section 2 - Eligibility

1 Practicing members of the Association in Good Standing may be elected as members of the Council with the following exceptions:

- (a) employees of the Association or those who were employed by the RPNAS in the previous three years;
- (b) elected officers shall not hold the same office for more than three consecutive terms;
- (c) a member who has held the office of President is not eligible to run for Council until at least three years have elapsed since the end of the member's most recent term of office as President;
- (d) practicing members ordinarily residing outside of Saskatchewan;
- (e) a member who is the subject in Saskatchewan, another province or territory, or a foreign jurisdiction, of an unresolved allegation of professional misconduct or professional incompetence, or of professional discipline sanctions.

Section 3 - Terms of Office

1 A minimum of two Council members-at-large shall be elected each year.

2 At the first Council meeting following the Annual Meeting, the Council members shall elect a President-Elect from among the Council members by a simple majority vote of the Council members present and voting at the meeting.

3 The term of office for the elected members of Council shall be two years and shall begin at the close of the Annual Meeting immediately following the election process.

4 The Council shall request the replacement or reappointment of a public representative at least every two years in accordance with the Act.

5 The President-Elect succeeds the office of President for a two year term:

(a) on the expiry of the President's term of office; or

(b) on termination of the President's term of office and thereafter continues in office as President of the Association in accordance with section 3(4).

6 If the President-Elect succeeds the office of President pursuant to section 3(b), that person holds office as President for the remainder of the predecessor's term of office, and continues in office thereafter as President for a full two-year term.

Section 4 - Powers and Functions

1 The Council shall govern, manage and regulate the affairs of the Association and without restricting the generality of the foregoing shall:

(a) establish policies necessary to further the Association's mandate of protection of the public;

(b) establish policies governing examinations, registration and licensing, and the admission of members;

(c) establish policies governing the Professional Conduct and Discipline Committees of the Association;

(d) establish policies governing the financial affairs of the Association, including the management of surplus funds;

(e) approve the appropriation, investment and disbursement of Association funds;

(f) review for approval the proposed budget of the Association according to Association policies;

(g) recommend to the Association membership revisions to, or amendments of, the bylaws;

(h) enter into an agreement pursuant to which categories of members designated by Council have access to an adequate form of professional liability protection with a minimum limit of \$5,000,000 per claim and a minimum aggregate limit of \$10,000,000 per year;

(i) establish a mechanism for regularly evaluating the Association and Council effectiveness;

- (j) submit to each annual meeting of the Association an audited financial statement of the operations of the Association for the past fiscal year of the Association;
- (k) appoint the Executive Director of the Association;
- (l) authorize the Association to enter into agreements or arrangements with any person, group, association, organization or body corporate having goals or objectives similar to those of the Association;
- (m) approve criteria for the approval of the nursing education program(s) for psychiatric nurses;
- (n) establish a committee of Council to annually review, in writing, the performance of the Executive Director;
- (o) establish and monitor standards of practice to enhance the quality of practice and reduce incompetent, impaired or unethical practice amongst members;
- (p) establish and maintain a continuing education program to promote high practice standards amongst members; and
- (q) establish and monitor standards of professional ethics amongst members.

Section 5 - Removal from Office

- 1** Members of the Association who are members of Council, a Committee, a staff advisory committee, or a special or *ad hoc* committee whose conduct or activities are detrimental to or incompatible with the objectives and policies of the Association may be removed or suspended from office.
- 2** Any matter raised under section 5(1) shall be dealt with by Council upon written notice or receipt of any form of information identifying a concern, in a fair and transparent manner.
- 3** Notice of motion of removal or suspension of any member must be given to the member concerned and to all members of the particular Committee or group and all members of Council in a timely manner.
- 4** The motion to remove or suspend must be passed by a 2/3 majority of the Council members present and voting at a Council meeting where a quorum is present.
- 5** A member of the Association elected or appointed to Council or a Committee ceases to hold office as an elected Council member, or as a member of a Committee if, before the expiry of their term of office they:
 - (a) contravene a term of the Code of Conduct;

- (b) negatively affect the reputation of the Association;
- (c) cease to be registered as an RPN;
- (d) cease to be a member in Good Standing;
- (e) cease to reside in Saskatchewan;
- (f) become a respondent in Saskatchewan, another province, or foreign jurisdiction in a professional conduct process; or
- (g) become an employee of the Association.

6 In the event of a vacancy in the elected members of the Council, the Council may appoint another practicing member in Good Standing to fill the vacancy until the earlier of:

- (a) the expiry of the term of office of the Council member whose departure caused the vacancy;
or
- (b) the date on which a practicing member in Good Standing is elected to fill the vacancy in accordance with the Act and these Bylaws.

Section 6 - Council Meetings

1 Meetings of the Council shall be called by the President or as arranged at a previous meeting of the Council with not less than four meetings being held between annual meetings.

2 If the President is absent or unable to act, the President-Elect may call a meeting of the Council.

3 A simple majority of Council members constitutes a quorum at a Council meeting.

4 Council may meet and conduct business in person, or by video, telephone conference, web casting, or an equivalent method of telecommunication that allows all Council members in attendance to hear and interact with each other.

5 The Registrar must ensure that minutes are taken at each Council meeting and:

- (a) the Registrar must publish the minutes of each Council meeting on the Association's website;
- (b) the Registrar may edit minutes to remove information about any matter if the reasons for removing that information are noted in the edited minutes.

6 In the case of an emergency, Council meetings of the Association may be postponed or cancelled upon a resolution by Council supported by a simple majority of Council members, one of which must be a public representative.

7 Council meetings must be open to members and the public and:

(a) Council may exclude any person who is not a Council member from any Council meeting or part of a Council meeting if the person's attendance at the Council meeting is disruptive, or if Council is satisfied that one or more of the following matters will be discussed:

(i) Council effectiveness and performance assessment;

(ii) financial or personal or other matters of such a nature that the interest of any affected person, or the public interest in avoiding disclosure of those matters, outweighs the public interest in having the meeting open to the public;

(iii) personnel matters;

(iv) contents of examinations;

(v) information concerning the scoring or results of examinations, or any request for approval to rewrite an examination, or any report of a Registrar about improper conduct, the disclosure which would jeopardize an individual's personal privacy;

(vi) instructions given to, or opinions received from legal counsel, or any other matter which is subject to solicitor-client privilege;

(vii) information that the Association could not disclose or is not required to disclose to an applicant making a request for records under applicable provincial and/or federal laws; or

(viii) information that the Association is required by law to keep confidential.

Section 7 - President

1 The President shall:

(a) be a voting member of the Council;

(b) preside at all general and special meetings of the Association, and of the Council;

(c) perform all acts and deeds pertaining to this office;

(d) be accountable for the integrity of Council's processes;

(e) represent the Council to stakeholders or third parties; and

(f) if the President is absent or unable to act, the President-Elect shall exercise the powers and perform the duties of the President.

Section 8 - President-Elect

1 The President-Elect shall:

- (a) in the absence of the President perform the duties of the President;
- (b) act as chair of the Legislative Committee and of other Committees as designated;
- (c) perform such duties as may be assigned by the Council or the President; and
- (d) succeed to the office of President.

Section 9 - Members-At-Large

1 The members-at-large shall:

- (a) attend all meetings of the Council and all general and special meetings of the Association;
- (b) read all meeting agendas and materials and prepare to discuss all agenda items;
- (c) vote on all Council motions and resolutions except in the case of a conflict of interest as described in the Association's Conflict of Interest Policy, or other valid reasons to abstain;
- (d) in the absence of the President and President-Elect, choose one of their members to perform the duties of the President;
- (e) may act as chair of designated Committees of the Association; and
- (f) perform such duties as may be assigned by the Council or the President.

Section 10 - Public Representatives

1 The public representatives shall:

- (a) attend all meetings of the Council and all general and special meetings of the Association;
- (b) read all meeting agendas and materials and prepare to discuss all agenda items;
- (c) vote on all Council motions and resolutions except in the case of a conflict of interest as described in the Association's Conflict of Interest Policy, or other valid reasons to abstain;
- (d) represent the views of the public on matters before the Council;
- (e) may act as a member or chairperson of designated Committees of the Association; and

(f) may perform such duties as may be assigned by the Council or the President.

Section 11 - Executive Director

1 The Executive Director shall be appointed by and responsible to the Council and shall:

- (a) execute the strategic directives and initiatives established by the Council and report regularly to the Council on progress;
- (b) ensure that complete and accurate financial records are maintained;
- (c) ensure that a motion is presented at a Council meeting appointing a qualified public accountant to complete an annual audit of Association financial records;
- (d) ensure the preparation and presentation of financial reports:
 - (i) to the Council as directed by the Council; and
 - (ii) to the membership at the annual meeting;
- (e) maintain all records of the Association, in accordance with the Association's records retention policy, including a record of all meetings of the Association and the Council;
- (f) notify all members of all annual or special meetings of the Association, and circulate to members appropriate information and documentation prior to any special or annual meeting;
- (g) issue all notices required by statute, by these Bylaws, or by resolution of the Council;
- (h) be responsible for employment assignment and supervision of staff, and administration of salaries;
- (i) be a non-voting member of all Council Committees, and hold no membership status on Statutory Committees;
- (j) ensure that criteria and procedure for the approval of the psychiatric nursing education program(s) have been determined;
- (k) ensure that the approval process for education program(s) is carried out not less than once every five years;
- (l) act as the official spokesperson for the Association;
- (m) act as Registrar in the absence of such an appointment by Council;

(n) have custody of the Association seal; and

(o) monitor annually the trends affecting the Registered Psychiatric Nursing profession, the Association and its Committees, and report to Council regarding such trends.

Section 12 - Signing Authority

1 Signing officers shall include one Council member, the Executive Director and two staff as required.

2 Cheques shall be co-signed by two signing officers of the Association.

Section 13 - Registrar

1 If appointed by Council, the Registrar shall be a Registered Psychiatric Nurse and is responsible to the Executive Director.

2 The Registrar shall perform those duties and functions provided for by the Act and these Bylaws in respect to membership, licensing and registration of members of the Association and perform such other duties as are determined by Council.

BYLAW II - ELECTIONS

Section 1 - Election of Council

- 1** In the event a vacancy occurs in the membership of the Council section 10 of the Act shall apply.
- 2** A member cannot be nominated for election to more than one vacant or impending vacant elected Council position.
- 3** In the case of an emergency, elections may be deferred upon a resolution supported by a simple majority of Council members, one of which must be a public representative.

Section 2 - Voting

- 1** Voting for candidates running for Council shall be conducted by physical or secure digital ballot, sent to practicing members at least 30 days prior to the first day of the annual meeting.
- 2** The Association will use secure digital ballots whenever possible, to be provided using Association technology or a third-party firm or vendor.
- 3** Physical ballots shall be held 30 days following the election and then destroyed. Digital ballots will be stored for 30 days and then permanently deleted.
- 4** In the event that there are not enough candidates to run an election, the member(s) who have submitted their name(s) for the vacant or impending vacant Council position(s) shall be acclaimed.

Section 3 – Election Procedures

- 1** The Executive Director or designate shall certify the eligibility of each voter through the Association database.
- 2** A ballot will not be counted unless it is:
 - (a) received by the Registrar no later than the date and time determined by the Registrar and identified in a notification to members; and
 - (b) delivered to the Registrar in accordance with section 4.
- 3** In the event of a service or technical interruption that interferes with the delivery of the ballots as set out in section 4(2), the Registrar may extend the time for delivery for as long as may be necessary for the interruption to be resolved.
- 4** A verification of results report is required.

5 The election results must be made available to any electoral candidate upon receipt of a written request.

6 In the case of a tie vote for a vacant or impending vacant elected Council position, one recount will be conducted. If the vote remains tied, then the Registrar must select a designate to select the successful candidate by random draw.

BYLAW III - MEETINGS OF THE ASSOCIATION

Section 1 - Annual Meeting

- 1** Notice of the Annual Meeting shall be forwarded to the membership at least 30 days prior to the date of the meeting.
- 2** The annual report shall be forwarded to members of the Association at least 14 days prior to the date of the meeting.
- 3** Council shall establish the rules and procedures of the meeting.
- 4** The Annual Meeting may be conducted in person, by video, telephone conference, web casting, or an equivalent method of telecommunication delivery as determined by Council.
- 5** In the event of an emergency, the Annual Meeting or Special Meeting of the Association may be postponed or cancelled upon a resolution of Council supported by a simple majority of Council members present and voting, one of which must be a public representative.
- 6** The Registrar must make the annual report available to the public electronically and free of charge on the Association's website.

Section 2 - Special Meetings

- 1** Council may call special meetings of the Association as required at a time and place decided upon by the Council.
- 2** The Council shall call a special meeting of the Association on the written request of at least 10% of members.
- 3** Notice of a special meeting shall state the business to be considered at such meetings.
- 4** Council shall establish the rules and procedures of the meeting.
- 5** The special meeting may be conducted in person, by video, telephone conferencing, web casting, or an equivalent method of telecommunication delivery as determined by Council.

Section 3 - Quorum

- 1** A quorum for any annual or special meeting of the Association shall be the number of practicing members present.

Section 4 - Voting

- 1** All votes shall be decided by a simple majority of the practicing members present and voting except votes to make, vary, or revoke any bylaw shall require a 2/3 majority of the practicing members present and voting.
- 2** Eligibility to vote at a meeting of the Association shall be determined by verification of identity as a practicing member.
- 3** Voting results shall be recorded in the minutes of the meeting of the Association and all ballots shall be destroyed following the meeting.

BYLAW IV - FEES

Section 1 – Application Fee

- 1** A non-refundable application fee shall accompany each application from an applicant.
- 2** The fee shall be determined by the Council from time to time.

Section 2 - Annual Licensing Fee

- 1** The registration year of the Association shall be defined as January 1 – December 31.
- 2** The annual licensing fee for the subsequent membership year shall be payable by December 15.
- 3** The annual licensing fee for the period January 1 to December 31, for practicing members, shall be the amount approved by the Council and the members at an annual or special meeting and will be reviewed annually.
- 4** A penalty for late payment of the annual licensing fee may be assessed in an amount determined by Council from time to time.
- 5** A prorated annual licensing fee equalling 60% of the annual licensing fee shall be established to accommodate members registering after June 30 of the membership year.
- 6** Practicing members who have not paid the annual licensing fee, the late payment penalty fee if applicable, and other fees prescribed by Council by December 31 shall cease to be practicing members of the Association. Such applicants shall be licensed as practicing members upon completing the prescribed forms and submission of the annual licensing fees, and other fees as prescribed by Council, provided the applicant has met the requirements of Bylaw IX, section 3(1).

Section 3 – Graduate Psychiatric Nurse Licensing Fee

- 1** A graduate psychiatric nurse is eligible to apply for a four-month graduate nurse license to practice psychiatric nursing as a graduate psychiatric nurse and the fee shall be one third of the annual licensing fee.
- 2** A graduate psychiatric nurse may be eligible for two further four-month graduate nurse license periods upon expiration of the initial graduate psychiatric nurse license, and the fee for each further four-month period shall be one third of the annual licensing fee.

Section 4 - Other Membership Fees

1 Membership fees associated with all other categories of membership shall be:

- (a) for student membership, an amount approved from time to time by Council;
- (b) for emergency practicing membership, an amount approved from time to time by Council;
- (c) for courtesy educator practicing membership, registration fee shall be the amount approved from time to time by Council.

2 Former members applying for practicing membership are required to pay the reinstatement fee as approved from time to time by Council.

BYLAW V – NONSTATUTORY COUNCIL COMMITTEE

Section 1 - Council Committees

- 1** Council may establish any Council Committee that it considers necessary, or that is required in accordance with the Act, and assign to it any powers or duties as permitted by section 13 of the Act.
- 2** Each Council Committee shall have a minimum of one public representative, or member of the public appointed by Council. The Council shall determine the skills and competencies for Committee volunteers and appoint qualified individuals to a roster for committee appointments.
- 3** The Council shall make all Council Committee appointments and may specify an alternate who may be called upon to complete the term of any Committee member who resigns during their term of office.
- 4** Policies shall be maintained to guide Council in appointing Council Committees.
- 5** Each Council Committee with the exception of a Statutory Committee shall:
 - (a) perform its duties subject to the direction of Council;
 - (b) meet as frequently as required to fulfil its terms of reference;
 - (c) report to Council on the business of each meeting of the Committee; and
 - (d) prepare and submit an annual report of its activities to Council.
- 6** Unless these Bylaws set out how a Committee chairperson is to be elected or named Council shall appoint the chairperson of a Committee.
- 7** Each Council Committee appointment shall be for a term as specified in Council's policies.
- 8** Each member of a Council Committee shall have voting power, unless otherwise specified in these Bylaws.
- 9** A quorum for a Council Committee shall be the majority of its members, one of which must be a public representative or member of the public.
- 10** No Association staff member shall have voting privileges on a Council Committee.
- 11** Members of Council Committees are subject to the Association's Conflict of Interest Policy.

Section 2 - Legislative Committee

- 1** The membership of the Legislative Committee shall be:

- (a) the President-Elect who shall be the chairperson;
- (b) two practicing members; and
- (c) at least one public representative or member of the public.

2 The duties of the Committee shall be:

- (a) to monitor federal, provincial and municipal legislation affecting the public and the psychiatric nursing profession, and to make recommendations to Council for Association action;
- (b) to review the Act and Bylaws of the Association and to make recommendations to Council regarding necessary changes; and
- (c) upon the direction of Council, to consider and propose changes in the Act and Bylaws.

Section 3 - Nominations Committee

1 The membership of the Nominations Committee shall be:

- (a) two practicing members; and
- (b) at least one public representative or member of the public.

2 The duties of the Committee shall be:

- (a) to call for nominations at least 120 days prior to the Annual Meeting;
- (b) to receive nominations for the open positions on Council and to prepare a list of eligible nominees;
- (c) to prepare the ballot with the list of eligible nominees arranged in alphabetical order under the name of each open elected position for the coming year; and
- (d) to file with the Council at least forty-five (45) days prior to the first day of the Annual Meeting, a report of the Nominations Committee and the ballot for officers of the Association.

3 All nominations must be received in writing by the chairperson of the Nominations Committee at least 60 days prior to the Annual Meeting.

4 All nomination applications must be complete and received by the deadline, accompanied by a signature from the nominator and a signed consent from the nominee.

5 Members of the Nominations Committee are not permitted to nominate candidates, in order to

avoid real or perceived conflicts of interest.

Section 4 – Finance Committee

1 The membership of the Finance Committee shall be:

- (a) the President-Elect;
- (b) a minimum of one practicing member; and
- (c) a minimum of one public representative or member of the public who is independent of the Association and financially literate and who has a financial designation or relevant financial management expertise.

2 The duties of the Committee shall be:

- (a) review and recommend the financial information that will be provided to Council and the membership, and ensure that this information accurately represents the financial situation of the Association;
- (b) review and report to the Council on any financial administration, financial risk management or audit matter referred to it by the Council;
- (c) review the financial policies and internal controls established by the Executive Director and Council to:
 - (i) ensure the Association's sound financial performance;
 - (ii) ensure that the Association's internal controls have integrity and will lead to the production of accurate financial statements and performance reports;
 - (iii) ensure the Executive Director has appropriate systems in place to identify and manage risk and prevent financial mismanagement; and
 - (iv) recommend to Council any necessary changes to the financial policies and internal controls;
- (d) oversee the preparation of the Association's financial statements;
- (e) recommend the appointment and compensation of the external auditor;
- (f) work with the auditor to review audit results; and
- (g) recommend amounts for the application fees, annual licensing fees, and any other fees as directed by Council.

BYLAW VI - REMUNERATION AND REIMBURSEMENT

Section 1 – Council

1 Members of Council are entitled to remuneration and reimbursement for services rendered to the Association in an amount determined annually by Council policy.

Section 2 – Committees

1 Members of Association Committees may be entitled to remuneration and reimbursement for services rendered on behalf of the Association in an amount determined by Council policy.

Section 3 – Members of the Association and the Public

1 Members of the Association and members of the public appointed to Committees, other than those appointed in accordance with the Act, who are acting in an official capacity on behalf of the Association may be entitled to remuneration and reimbursement for services rendered in an amount determined by Council policy.

Regulatory Bylaws

BYLAW VII – MEMBERSHIP

Section 1 – Categories of Membership

1 Membership in the Association shall consist of the following categories:

- (a) practicing membership;
- (b) graduate psychiatric nurse membership;
- (c) student membership;
- (d) emergency practicing membership; and
- (e) courtesy educator practicing membership.

Section 2 – Practicing Membership

1 Practicing membership in the Association may be granted upon completion of the prescribed application form, submission of required documentation and payment of the fees set by the Association in the method prescribed by the Association.

2 Subject to the Act and these Bylaws, a practicing member is entitled to the following privileges:

- (a) to practice psychiatric nursing;
- (b) to use the title “registered psychiatric nurse”, the abbreviation “RPN”, “PN” or any word, title or designation, abbreviated or otherwise to show that the person is a registered psychiatric nurse, subject to subsection 22(1) of the Act;
- (c) to have beneficiary status with the Canadian Nurses Protective Society;
- (d) to hold office;
- (e) to have voice and vote at the annual and special meetings of the Association;
- (f) to be appointed to Committees;
- (g) to use the consulting services of the Association; and
- (h) to receive a copy of Association member communications, documents, guidelines and any other form of regulatory information designed for distribution to practicing members.

3 Practicing membership carries obligations including but not limited to the following:

- (a) to adhere to the Association's code of ethics;
- (b) to adhere to the Association's psychiatric nursing standards;
- (c) to adhere to the Association's continuing education requirements as determined by Council;
- (d) to have professional liability protection acceptable to Council with a minimum limit of \$5 million per claim and a minimum aggregate limit of \$10 million per year. Beneficiary status with the Canadian Nurses Protective Society in accordance with section 2(2)(c) satisfies this requirement;
- (e) to immediately notify the Association:
 - (i) if they have been charged with any criminal offence under *the Criminal Code* (Canada), the *Controlled Drugs and Substances Act* (Canada) or any similar legislation in any province, territory, state or country or any offence in relation to the practice of psychiatric nursing or another profession in any jurisdiction; and
 - (ii) if they have been convicted of any criminal offence under *the Criminal Code* (Canada), the *Controlled Drugs and Substances Act* (Canada) or any similar legislation in any province, territory, state or country, or any offence in relation to the practice of psychiatric nursing or another profession in any jurisdiction; and
- (f) to ensure the Association has all of the member's updated information pertaining to any change of name, address, telephone number(s), electronic mail address, or any registration information previously provided to the Registrar, within 30 days of the change.

Section 3 – Graduate Psychiatric Nurse Membership

- 1** Graduate psychiatric nurse membership in the Association may be granted upon completion of the prescribed application form, required documentation and payment of the fees set by the Association.
- 2** Subject to the Act and these Bylaws, a graduate psychiatric nurse is entitled to the following privileges:
 - (a) to practice psychiatric nursing under the supervision of a registered psychiatric nurse or registered nurse in accordance with Association policies and for the period specified in a graduate nurse license;
 - (b) to have beneficiary status with the Canadian Nurses Protective Society;
 - (c) to have voice, but no vote at annual and special meetings of the Association;
 - (d) to use the consulting services of the Association; and

(e) to receive a copy of Association member communications, documents, guidelines and any other form of regulatory information designed for distribution to practicing members.

3 Graduate psychiatric nurse membership carries obligations including but not limited to the following:

(a) to adhere to the Association's code of ethics;

(b) to adhere to the Association's psychiatric nursing standards;

(c) to adhere to the Association's continuing education requirements as determined by Council;

(d) to immediately notify the Association:

(i) if they have been charged with any criminal offence under *the Criminal Code* (Canada), the *Controlled Drugs and Substances Act* (Canada) or any similar legislation in any province, territory, state, or country, or any offence in relation to the practice of psychiatric nursing or another profession in any jurisdiction; and

(ii) if they have been convicted of any criminal offence under the *Criminal Code* (Canada), the *Controlled Drugs and Substances Act* (Canada) or any similar legislation in any province, territory, state, or country, or any offence in relation to the practice of nursing or another profession in any jurisdiction;

(e) to have professional liability protection acceptable to Council with a minimum limit of \$5 million per claim and a minimum aggregate limit of \$10 million per year. Beneficiary status with Canadian Nurses Protective Society in accordance with section 3(2)(b) satisfies this requirement; and

(f) to ensure the Association has all updated information pertaining to any change of name, address, telephone number(s), electronic mail address, or any registration information previously provided to the Registrar, within 30 days of the change.

4 In the event of an emergency, the Registrar has the ability to extend a graduate nurse license under any time limits, terms, restrictions, or conditions that the Registrar considers appropriate.

Section 4 – Student Membership

1 Student membership in the Association may be granted upon completion of the prescribed application form and payment of the fees set by the Association.

2 A person may be eligible for student membership if they are:

(a) currently a student, either full time or part time, in an approved psychiatric nursing education

program in Saskatchewan; and

(b) their enrolment is verified by the Registrar of the program.

3 Subject to the Act and these Bylaws, a student member is entitled to the following privileges:

(a) to have voice, but no vote, at annual and special meetings of the Association; and

(b) to receive a copy of Association member communications, documents, guidelines and any form of regulatory information designed for distribution to practicing members.

Section 5 - Emergency Practicing Membership

1 In the event of an emergency in all or part of the province, and if the Registrar determines that the services of Registered Psychiatric Nurses from outside the province are required, then emergency practicing membership may be granted to an applicant who:

(a) holds a practicing registration as an RPN from another jurisdiction in Canada for the duration of the emergency practicing membership that is acceptable to the Registrar; and

(b) provides proof of identity satisfactory to the Association that they are the person named therein.

2 Where the emergency continues beyond 90 days, an emergency practicing membership may be extended by the Registrar under any terms or conditions that the Registrar considers appropriate.

3 Notwithstanding any other provision of these Bylaws, in the event of a public health emergency within the meaning of *The Public Health Act* (Saskatchewan), if the Registrar determines that additional psychiatric nurses are needed to provide care, the Registrar may register as a member and issue an emergency practicing membership to:

(a) a member holding any category of membership in the Association; or

(b) a person who is currently or has been previously licensed to practice as a registered psychiatric nurse in Canada;

under any time limits, terms, restrictions, or conditions that the Registrar considers appropriate.

4 An Emergency Practicing member must have professional liability protection acceptable to Council with a minimum limit of \$5 million per claim and a minimum aggregate limit of \$10 million per year. Beneficiary status with the Canadian Nurses Protective Society in accordance with clause 2(2)(c) satisfies this requirement.

5 Subject to the Act and these Bylaws, an emergency practicing member is entitled to the following privileges:

(a) to practice psychiatric nursing; and

(b) to use the title “registered Psychiatric nurse”, the abbreviation “RPN”, “PN” or any word, title or designation, abbreviated or otherwise to show that the person is a registered psychiatric nurse, subject to subsection 22(1) of the Act.

6 An emergency practicing membership carries obligations including, but not limited to the following:

(a) to adhere to the Association’s code of ethics;

(b) to adhere to the Association’s psychiatric nursing standards;

(c) to immediately notify the Association:

(i) if they have been charged with any criminal offence under *the Criminal Code* (Canada), *the Controlled Drugs and Substances Act* (Canada) or any similar legislation in any province, territory, state, or country, or any offence in relation to the practice of psychiatric nursing or another profession in any jurisdiction; and

(ii) if they have been convicted of any criminal offence under the *Criminal Code* (Canada), *the Controlled Drugs and Substances Act* (Canada) or any similar legislation in any province, territory, state, or country, or any offence in relation to the practice of nursing or another profession in any jurisdiction; and

(d) to ensure the Association has all updated information pertaining to any change of name, address, telephone number(s), electronic mail address, or any registration information previously provided to the Registrar, within 30 days of the change.

Section 6 - Courtesy Educator Practicing Membership

1 A person who is a registered psychiatric nurse in another jurisdiction in Canada may apply for courtesy educator practicing membership to work as an educator in an RPN program approved by Council to develop curriculum or provide theory courses in on-line programming or distance delivery.

2 The applicant must sign a declaration confirming that they are applying for courtesy educator practicing membership solely for the purpose of performing or providing the specific services approved by the Association.

3 The courtesy educator membership is valid for the registration year and must be renewed annually.

4 It is a condition of registration that the person maintain a license and provide evidence of current

registration in the jurisdiction where the person currently practices and indicate they are not subject to unresolved allegations of professional misconduct or professional incompetence, or of professional discipline sanctions in the jurisdiction where they are licensed at the time of granting the courtesy educator membership. If the registration in the other jurisdiction is suspended or cancelled, the courtesy educator practicing registration is also cancelled.

5 A courtesy educator practicing member must have professional liability protection acceptable to Council with a minimum limit of \$5 million per claim and a minimum aggregate limit of \$10 million per year. Beneficiary status with the Canadian Nurses Protective Society in accordance with clause 2(2)(c) satisfies this requirement.

6 Subject to the Act and these Bylaws, a courtesy educator member is entitled to the following privileges:

(a) to practice psychiatric nursing; and

(b) to use the title “registered Psychiatric nurse”, the abbreviation “RPN”, “PN” or any word, title or designation, abbreviated or otherwise to show that the person is a registered psychiatric nurse, subject to subsection 22(1) of the Act.

7 A courtesy educator membership carries obligations including, but not limited to the following:

(a) to adhere to the Association’s code of ethics;

(b) to adhere to the Association’s psychiatric nursing standards;

(c) to immediately notify the Association:

(i) if they have been charged with any criminal offence under *the Criminal Code* (Canada), the *Controlled Drugs and Substances Act* (Canada) or any similar legislation in any province, territory, state, or country, or any offence in relation to the practice of psychiatric nursing or another profession in any jurisdiction; and

(ii) if they have been convicted of any criminal offence under the *Criminal Code* (Canada), the *Controlled Drugs and Substances Act* (Canada) or any similar legislation in any province, territory, state, or country, or any offence in relation to the practice of psychiatric nursing or another profession in any jurisdiction; and

(d) to ensure the Association has all updated information pertaining to any change of name, address, telephone number(s), electronic mail address, or any registration information previously provided to the Registrar, within 30 days of the change.

Section 7 – Change of Status

1 A member who fails to renew their membership by its expiry date loses their rights and privileges

of membership in the Association. Former members who have lost the rights and privileges of membership only because they failed to renew their membership by its expiry date, and who meet the requirements for registration at the time of reinstatement may be reinstated upon completing reinstatement forms, meeting reinstatement requirements and paying the reinstatement fee set by Council.

Section 8 – Reinstatement following Expulsion

- 1** A person who has been expelled from membership in the Association and remains eligible for registration may apply to the Council for reinstatement.
- 2** A person applying for reinstatement shall complete the reinstatement application forms and pay the reinstatement application fee set by the Council.
- 3** The Council shall review completed applications for reinstatement and investigate the application by taking any steps it considers necessary. The Council may require the applicant for reinstatement to attend and answer questions about the reasons for expulsion and their subsequent conduct and suitability for reinstatement.
- 4** The Council will issue a decision in writing. If the decision is to refuse the application for reinstatement, or to reinstate the applicant on terms or condition the Council shall give reasons for its decision.
- 5** An application for reinstatement may be made no more frequently than once per year.

BYLAW VIII – REGISTRATION

Section 1 - Registrar

1 The Registrar shall:

(a) keep a register containing the following information for each psychiatric nurse registered:

(i) registration number;

(ii) name and address;

(iii) category of practice;

(iv) license issued;

(v) encumbrances, conditions or restrictions on the license; and

(vi) such other information as may be required;

(b) record the existence of all Association discipline orders, orders of suspension, alternative dispute resolution agreements, undertakings and mediation agreements on the register, in accordance with Council policy;

(c) where applicable, collect the fee determined by Council for provision of a certified extract of the register, in accordance with Association policy; and

(d) grant or deny applications for membership in the Association and issue licenses to members with or without limits, conditions, or restrictions on the practice of a member as the Registrar deems appropriate in their sole discretion, which power is delegated to the Registrar by Council pursuant to the Act.

Section 1.1 – Deputy Registrar

1 The Executive Director may appoint a Deputy Registrar. The Deputy Registrar may serve as Acting Registrar and exercise any power or function of the Registrar in the Registrar's absence.

Section 2 –Registration as a Practicing Member

1 All persons applying for registration as practicing members of the Association must:

(a) meet the requirements for registration defined in the Act;

- (b) complete the prescribed application forms and pay the prescribed fees;
- (c) provide references as described in the application forms;
- (d) provide a criminal record and vulnerable sector check (VSC) pursuant to *the Criminal Records Act* (Canada) conducted by the local Canadian police service where the applicant lives or by an authorized body. The criminal record and VSC must have been obtained within the six months immediately preceding the filing of the application;
- (e) disclose any past resolved or unresolved investigation, review or allegations of professional misconduct or professional incompetence, or past complete or incomplete professional sanctions in relation to the profession of psychiatric nursing and/or any other profession in any province, territory, state or country;
- (f) meet the English language requirements set by Council;
- (g) provide confirmation dated not more than 60 days before the date of application from each applicable regulatory or licensing authority in every jurisdiction where the applicant is or was, at any time, entitled to practice a profession of whether:
 - (i) the applicant's entitlement to practice in the profession has been cancelled, suspended, limited, restricted, or made subject to conditions in the applicable jurisdiction at any time;
- (h) provide acceptable evidence verifying the applicant's identity; and
- (i) fulfil any other requirements as determined by the Registrar.

2 A person who has satisfactorily completed a psychiatric nursing education program in Saskatchewan which has been approved by Council must, in addition to meeting the requirements of subsection 2(1):

- (a) provide documentation indicating successful completion of the program within the four-year period immediately preceding the date of application for registration; and
- (b) meet the examination requirement for registration as set by Council.

3 A person applying for registration as a practicing member, where the person holds registration and a license to practice in another Canadian province or territory equivalent to that of a practicing member, which is not subject to any practice limitations, restrictions or conditions must, in addition to meeting the requirements of subsection 2(1):

- (a) provide evidence of registration and Good Standing in that jurisdiction;
- (b) provide proof of having worked in psychiatric nursing activities approved by the Association for at least 1400 hours in the five-year period immediately preceding the date of application for the year in which licensure is sought; and

(c) hold a practicing membership with a regulatory body recognized by Council while working in approved registered psychiatric nursing activities for these hours to contribute to eligibility for registration.

4 A person who has satisfactorily completed a basic psychiatric nursing education program outside of Canada must, in addition to meeting the requirements of subsections 2(1) and 3(1):

(a) arrange to have forwarded by an organization approved by the Council:

(i) a certified copy of records outlining the theory and clinical content of the program, and the applicant's National Nursing Assessment Service identification and application numbers, or equivalent information from another similar body or organization recognized by the Council; and

(b) meet the examination requirement for registration.

5 A license to practice psychiatric nursing as a registered psychiatric nurse may be issued to persons who meet the requirements of Bylaw VIII, subsection 2(1) and (2), or (3), or (4).

Section 3 - Maintaining Eligibility as a Practicing Member

1 To maintain eligibility as a practicing member, a psychiatric nurse must:

(a) work in psychiatric nursing activities approved by the Association for at least 1400 hours in the five-year period immediately preceding the date of application for the year in which licensure is sought;

(b) hold a practicing membership with the Association or a regulatory body recognized by the Association while working in approved psychiatric nursing activities for these hours to contribute to eligibility for licensure;

(c) immediately disclose any criminal charges under the *Criminal Code* (Canada), the *Controlled Drugs and Substances Act* (Canada), any outstanding allegations or findings of professional incompetence and/or misconduct in relation to the profession of psychiatric nursing and/or any other profession in any province, territory, state or country;

(d) complete the prescribed forms and submit with the annual licensing fee and other fees prescribed by Council; and

(e) meet the Association's continuing education requirements as determined by Council.

2 A person who has not maintained eligibility for registration in accordance with clauses 3(1)(a) and (b) must:

- (a) complete a re-entry program approved by Council in the five-year period immediately preceding the date of application for the year in which licensure is sought;
- (b) arrange to have forwarded by the Director of the program to the Registrar a statement indicating successful completion of the re-entry program; and
- (c) provide references as described in the application forms;
- (d) where a person has not held an active practicing license in the ten-year period immediately preceding the date of application in which licensure is sought, meet the examination requirements for registration; and
- (e) complete the prescribed application forms, other required documentation, and submit with the licensing fee and other fees prescribed by Council.

Section 4 – Registration as a Graduate Psychiatric Nurse

1 Persons applying for registration as a graduate psychiatric nurse member of the Association must:

- (a) meet the requirements for registration as defined in the Act;
- (b) complete the prescribed application forms and pay the fees set by the Association; and
- (c) meet the requirements in Bylaw VIII, subsections 2(1) and clauses 2(2)(a) and (b).

2 A graduate nurse license to practice psychiatric nursing as a graduate psychiatric nurse may be issued for a four-month period to persons who meet the requirements of Bylaw VIII, subsections 4(1) and (2).

3 A graduate nurse license to practice registered psychiatric nursing as a graduate psychiatric nurse may be renewed for a maximum of two further four-month periods, with the total time for licensure not to exceed twelve (12) months, and the person must:

- (a) provide satisfactory references from the current nursing employer(s);
- (b) demonstrate that effort has been made to meet requirements for registration as a practicing member; and
- (c) fulfils any other requirements deemed appropriate by the Registrar.

Section 5 – Registration Reviews

1 An applicant whose application has been refused, or approved subject to limits, terms, conditions, or restrictions may apply to the Council for a review of the decision.

2 An application for review must be filed with the Association within 30 days of receiving the registration decision.

BYLAW IX - EXAMINATIONS

Section 1 - Examinations

- 1** The Council shall prescribe the examinations required for registration and shall:
 - (a) determine the fees and conditions governing the administration of the examinations; and
 - (b) set the requirements for eligibility to write the exam.
- 2** To meet the examination requirements for registration, a candidate must:
 - (a) complete the prescribed application forms, provide the required documentation and pay the prescribed examination fees; and
 - (b) pass the registration examinations approved by Council.
- 3** Candidates are allowed a total of three attempts to pass the examinations within two years of their graduation date. Candidates who fail the examination a third time will not be permitted to attempt the examination again.
- 4** A graduate psychiatric nursing license is cancelled immediately upon notice the member has failed the required examination for the third time.

BYLAW X – STATUTORY COMMITTEES

Section 1 - Professional Conduct Committee

1 The Professional Conduct Committee shall notify, in writing, the member who is the subject of a complaint alleging professional misconduct or professional incompetence that a complaint has been received.

2 The Committee chair will request a comprehensive written response from the member to each and every allegation in the complaint, in which case the member shall also be advised that their written response will be submitted to the Professional Conduct Committee for review and may be provided to the complainant for comment.

3 The Committee shall notify, in writing, the person who made the complaint that the complaint has been received.

4 The Committee shall, pursuant to subsection 24(1) of the Act, take appropriate action to address the complaint, including, but not limited to, the following:

(a) review the complaints;

(b) investigate the complaints by taking any steps it considers necessary, including summoning before it the member whose conduct and/or competence is the subject of the complaint;

(c) request any party to answer any questions and to produce any records, notes, photographs, X-rays, films, books, papers or other documents or things in the party's possession or under their control that are or may be relevant to the report or conduct being investigated; and

(d) with the consent of the party producing them, copy and keep copies of any of the documents or things that are produced under clause (c).

5 The Committee shall keep in confidence all documentation and information received.

6 When it appears to the Committee that the member who is the subject of the complaint may have engaged in professional misconduct or professional incompetence, the Committee may offer the member an alternate dispute resolution agreement:

(a) in determining whether to use an alternate dispute resolution agreement, the Committee shall consider the best interest of the public; and

(b) such an agreement may only be used with the consent of the Committee and the member who is the subject of the investigation alleging professional misconduct or professional incompetence.

7 At the conclusion of its investigation, the Committee shall make a written report to the Discipline Committee recommending that:

(a) no further action be taken on the complaint; or

(b) subject to subsection 24(3) of the Act, that the Discipline Committee hear and determine the formal complaint.

8 When the Committee recommends that no further action be taken on a complaint, the Committee may issue a letter of guidance to the member who is the subject of the complaint and provide a copy of the letter of guidance to the person who made the complaint.

9 The Executive Director may publish letters of guidance and alternate dispute resolution agreements.

Section 2 – Discipline Committee

1 Council shall designate the chair of the Discipline Committee.

2 The Discipline Committee shall hold all hearings in Regina unless otherwise directed by the Executive Director.

3 Pursuant to subsection 26(11) of the Act, the person(s) who made the complaint:

(a) shall be advised by the Executive Director of the date, time and place of the hearing; and

(b) is entitled to attend the hearing.

4 The discipline hearing shall be open to the public.

5 The Discipline Committee may exclude any member of the public including the complainant from any part of the hearing, when the Committee is of the opinion that the evidence brought in the presence of the persons to be excluded will unduly jeopardize the privacy of a person other than the member whose conduct is the subject of the hearing.

6 The Discipline Committee shall issue a written decision with reasons and provide a copy of its decision to the member who is the subject of the complaint and to the person who made the complaint.

7 The identities of the person who made the complaint and persons other than the member who is the subject of the complaint may be redacted or replaced with initials in the Discipline Committee's written decision.

8 Pursuant to subsections 28(1) and (2) of the Act, the Committee may find a registered psychiatric nurse guilty of professional misconduct and/or professional incompetence if the member, engaged in any of the following listed actions, which is not exhaustive:

(a) abused a client physically, sexually, verbally or psychologically;

- (b) misappropriated a client's personal property;
- (c) inappropriately used the psychiatric nurse's professional status for personal gain;
- (d) influenced a client to change the client's last will and testament;
- (e) wrongfully abandoned a client;
- (f) misappropriated drugs;
- (g) misappropriated property belonging to a psychiatric nurse's employer or fellow employee;
- (h) disclosed confidential information about a client without authorization;
- (i) failed to maintain or falsified a record with respect to the observation, rehabilitation or treatment of a client;
- (j) failed to inform an employer of the psychiatric nurse's inability to accept specific responsibility in areas where special training is required or where the psychiatric nurse does not feel competent to function without supervision;
- (k) failed to report the professional misconduct or professional incompetence of a colleague whose actions may endanger the safety of a client or of the public;
- (l) failed to comply with the code of ethics and/or standards of practice of the Association;
- (m) failed without reasonable cause to respond to inquiries from the Association regarding alleged professional misconduct or professional incompetence;
- (n) conspired to participate in any act of misconduct or counselled a person to participate in any act of misconduct;
- (o) obtained registration by misrepresentation or fraud; and/or
- (p) contravened any provision of this Act or Bylaws.

9 The Executive Director may publish decisions of the Discipline Committee and of the Council finding professional misconduct, professional incompetence and imposing disciplinary orders.

BYLAW XI - CODE OF ETHICS

1 Every member of the Association shall comply with the RPNAS *Code of Ethics*, amended from time to time.

BYLAW XII – STANDARDS OF PRACTICE

1 Every member of the Association shall comply with the RPNAS *Standards of Psychiatric Nursing Practice*, amended from time to time.

BYLAW XIII - ADVERTISING BY MEMBERS

Section 1 - Advertising

1 Every member of the Association shall comply with the RPNAS advertising guidelines, as amended from time to time.

BYLAW XIV - CONFLICT OF INTEREST

Section 1 - Conflict of Interest

1 Members of Council and Committees of the Association acting in an official capacity are subject to RPNAS *Conflict of Interest policy* and must:

(a) refrain from attempting to exert influence in connection with issues for which they are in conflict or potential conflict of interest; and

(b) abstain from participating in any hearings, discussions, or voting on issues for which they are in conflict or potential conflict pending resolution of the conflict or potential conflict as prescribed by the *Conflict of Interest policy*, except where allowable in the Act.

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