

DRAFT

PART 11 - QUALITY ASSURANCE

Definitions

1-1 In this Part, the following definitions apply:

“certified licensee” has the same meaning as in Part 7;

“certified licensee currency requirement” has the same meaning as in Part 7;

“former certified licensee” has the same meaning as in Part 7;

“former practising LGN licensee” has the same meaning as in section 6-37;

“former practising LPN licensee” has the same meaning as in section 6-20;

“former practising midwife licensee” has the same meaning as in section 6-48;

“former practising NP licensee” has the same meaning as in section 6-43;

“former practising RN licensee” has the same meaning as in section 6-33;

“former practising RPN licensee” has the same meaning as in section 6-26;

“quality assurance program” means the quality assurance program established under section 11-2(1);

“quality assurance working group” means an advisory working group appointed under section 11-3.

Quality assurance program, policies and procedures

- 1-2
- (1) The registrar must establish and administer a quality assurance program that encompasses all designed health professions governed by the college.
 - (2) The registrar must establish a *Quality Assurance Assessment Process Policy* to provide guidance for the conduct of quality assurance assessments, including guidance to minimize disruption to the ordinary course of licensees providing health care services to their clients.
 - (3) The registrar must establish and maintain non-exhaustive lists, including profession-specific lists where appropriate, concerning
 - (a) types of clinical or other evaluations,
 - (b) recognized education or training courses,
 - (c) cultural safety, Indigenous cultural safety, anti-racism and anti-discrimination courses, reference materials or other resources, and

- (d) other resources, which may include consultants, for supporting and promoting awareness of reconciliation with Indigenous peoples, the *United Nations Declaration of the Rights of Indigenous Peoples* and the *Declaration on the Rights of Indigenous Peoples Act*, and the need to address racism and anti-racism issues that are specific to Indigenous peoples,

which a quality assurance assessor may consult when making recommendations relating to an individual performance matter under section 100 of the Act, or to remedy issues of professional performance across multiple licensees or within a class of licensees under section 101 of the Act.

- (4) The registrar may establish additional guidelines, policies and procedures relating to the quality assurance program.

Quality assurance working group

- 1-3 (1) The registrar may appoint an advisory working group under section 3-9 as a quality assurance working group to provide guidance for the administration and operation of the quality assurance program.
- (2) The composition of the quality assurance working group
 - (a) may include, but is not limited to, employees of the college, and
 - (b) must include individuals with relevant professional expertise, including profession-specific expertise where appropriate.
- (3) The quality assurance working group may make recommendations to the registrar relating to the administration and operation of the quality assurance program, including but not limited to recommendations respecting any of the following:
 - (a) enacting, establishing, amending or repealing bylaws, guidelines, policies or procedures relating to the quality assurance program;
 - (b) retaining, employing or dismissing individuals to act as quality assurance assessors;
 - (c) training, assistance and support for quality assurance assessors;
 - (d) the content of lists established and maintained by the registrar under section 11-2(3);
 - (e) enacting, establishing, amending or repealing standards or guidelines relating to issues of professional performance across multiple licensees or within a class of licensees.

Quality assurance assessor qualifications

- 1-4 (1) An individual retained or employed under section 363 of the Act to exercise the powers and perform the duties of a quality assurance assessor must
 - (a) hold current licensure in good standing as a practising licensee,

- (b) possess training, experience or expertise satisfactory to the registrar in clinical practice or peer review, and in the subject matter of any quality assurance assessments assigned to them, and
 - (c) possess any additional qualification required under subsection (2).
- (2) The registrar must establish and maintain a list of the qualifications required to conduct quality assurance assessments for each designated health profession governed by the college.
- (3) Subsections (1) and (2) do not limit the registrar's discretion to refuse to retain or employ any individual as a quality assurance assessor, or to dismiss a quality assurance assessor, either generally or in specific circumstances.

Duty to maintain quality assurance records

- 1-5 (1) Every licensee must maintain, during each calendar year, adequate supporting records to document their compliance with applicable quality assurance requirements under this Part in the calendar year.
- (2) Every licensee must retain the records described in subsection (1)
 - (a) for at least three years after the end of each calendar year, or
 - (b) for any longer period required under section 11-18 for retention of records described in that section.

Verification of quality assurance activities

- 1-6 (1) The registrar may cause audits of samples of licensees to be conducted as the registrar considers necessary or appropriate to verify their compliance with applicable quality assurance requirements under this Part.
- (2) The registrar may require a licensee to submit information
 - (a) necessary to determine whether the licensee has met any applicable quality assurance requirements under this Part, or
 - (b) as part of an audit under subsection (1).

Selection of licensees for quality assurance assessment

- 1-7 (1) This section applies to licensees in a class of practising licensees, provisional licensees or multijurisdictional licensees only.
- (2) In addition to the circumstances described in section 99(1)(a) to (c) of the Act, a quality assurance assessor may conduct a quality assurance assessment of a licensee who is selected by the college
 - (a) by a non-random selection process designed to ensure or promote that every licensee, or every licensee in a specific class, periodically undergoes a quality assurance assessment, or
 - (b) on the recommendation of the registrar

- (i) based on an assessment of the risk presented by a class of licensees, or by types of health care services provided by licensees, or by a class established on any other basis, or
 - (ii) on any other basis other than for purposes of an investigation or a disciplinary proceeding.
- (3) A licensee selected for a quality assurance assessment in accordance with section 99(1)(a) to (c) of the Act or subsection (2) must cooperate with the conduct of the quality assurance assessment and complete the assessment as directed by the quality assurance assessor in accordance with sections 99(2) and 103(1) of the Act and section 11-8.

Methods of quality assurance assessment

- 1-8 In addition to the methods of assessment in section 99(2)(a) to (c) of the Act, a quality assurance assessor may, for purposes of conducting a quality assurance assessment of a licensee, do any of the following:
- (a) contact the licensee's work peers, including employers, supervisors, professional colleagues and co-workers, to gather information in confidence, including but not limited to their knowledge, observations, opinions, recommendations and evaluations pertaining to the licensee's professional performance, employment, or occupational or educational history;
 - (b) contact the licensee's clients or their family members to gather information in confidence, including but not limited to their knowledge, observations, opinions, recommendations and evaluations pertaining to the licensee's professional performance, employment, or occupational or educational history;
 - (c) collect information from any individual referred to in paragraph (a) or (b), with that individual's consent, for the purposes described in paragraph (a) or (b);
 - (d) collect third party documentation and records pertaining to the licensee's professional performance;
 - (e) review the licensee's history of professional activities, including but not limited to the licensee's patterns and processes, if any, of assessment, diagnostic testing, prescribing, diagnosis, treatment, charting, care planning and management of care;
 - (f) interview or engage in discussions with the licensee pertaining to the licensee's professional practice;
 - (g) require that the licensee undergo a specific clinical skills assessment process;
 - (h) conduct an on-site visit to the licensee's place of practice;
 - (i) require that the licensee
 - (i) engage in a practice reflection,
 - (ii) conduct a critical chart review, or
 - (iii) complete one or more elements of a personal practice review under section 11-9,and engage in discussion with the quality assurance assessor about that exercise;

- (j) require that the licensee provide contact information for selected individuals, if any, referred to in paragraph (a) or (b) who are willing to provide feedback under paragraph (a) or (b);
- (k) require the licensee to comply with
 - (i) the *Quality Assurance Assessment Process Policy*, and any other applicable policies and procedures established under section 11-2(4) respecting the conduct of quality assurance assessments,
 - (ii) any form or manner required by or under the policies and procedures described in subparagraph (i) for the purpose of completing an assessment or aspects of an assessment, and
 - (iii) any applicable deadlines imposed by or under the policies and procedures described in subparagraph (i) for completing the assessment or aspects of the assessment.

Personal practice review

- 1-9
- (1) Every practising licensee must annually satisfy the personal practice review requirement established under this section.
 - (2) A multijurisdictional licensee must annually satisfy the personal practice review requirement established under this section if they hold certification in one or more certification programs established under section 7-2.
 - (3) To satisfy the personal practice review requirement, a practising licensee or a multijurisdictional licensee described in subsection (2) must do all of the following during each one-year period ending March 31:
 - (a) complete a confidential self-assessment of their practice of practical nursing, psychiatric nursing, nursing, nursing as a nurse practitioner, or midwifery, as applicable;
 - (b) seek and receive peer feedback on their practice of practical nursing, psychiatric nursing, nursing, nursing as a nurse practitioner, or midwifery, as applicable, or, if the licensee does not have access to peers who can provide feedback, complete a practice reflection;
 - (c) develop and implement a professional development plan;
 - (d) evaluate the impact of their professional development plan on their practice of practical nursing, psychiatric nursing, nursing, nursing as a nurse practitioner, or midwifery, as applicable;
 - (e) if the licensee is an NP licensee, complete a critical chart review;
 - (f) if the licensee is a midwife licensee, complete midwifery case reviews.
 - (4) If a practising LPN licensee, practising RPN licensee, practising RN licensee, practising LGN licensee, practising NP licensee or practising midwife licensee has not satisfied the personal practice review requirement under this section at the time their practising licence expires under section 6-64(3), they must satisfy their incomplete personal practice review requirement before their practising licence may be reinstated.

- (5) A practising licensee or a former practising licensee described in subsection (4) must do the things required under subsection (3)
 - (a) in accordance with any applicable policies and procedures established under section 11-2(4),
 - (b) using any applicable practice standards and ethics standards, and any other documents or materials authorized or required for those purposes under the policies and procedures described in paragraph (a),
 - (c) in a form or manner authorized or required by or under the policies described in paragraph (a), and
 - (d) by any applicable deadlines imposed by or under the policies and procedures described in paragraph (a) for completing any aspect of the personal practice review requirement.
- (6) Despite subsections (1) to (5), the registrar may exempt a licensee, an applicant for reinstatement, or a group of licensees or applicants for reinstatement from one or more requirements under those subsections, or impose modified requirements on the licensee, applicant, or group of licensees or applicants, in accordance with any applicable policies and procedures established under section 11-2(4).

Additional personal practice review requirement for certified licensees

- 1-10 Every practising licensee or multijurisdictional licensee holding certification in one or more certification programs established under section 7-2 must include at least one example relating to each applicable certification program in their professional development plan under section 11-9(3)(c).

Conduct of quality assurance assessments

- 1-11 (1) Without limiting section 4-8, the registrar may require a quality assurance assessor to complete a conflict of interest check in accordance with the *Conflict of Interest Policy for College Employees* before conducting a quality assurance assessment of a licensee.
- (2) At the commencement of a quality assurance assessment of a licensee, a quality assurance assessor who must advise the licensee of
- (a) their power under section 103(1) of the Act to notify the registrar of a licensee's interference with the conduct of a quality assurance assessment,
 - (b) their powers and duties requesting quality assurance information under sections 102 and 103 of the Act, and
 - (c) the exceptions to the confidentiality of quality assurance information under sections 104 and 105 of the Act.
- (3) A quality assurance assessor conducting a quality assurance assessment must not observe a licensee while the licensee is providing a health care service to a client unless
- (a) the client's consent is obtained in advance, or
 - (b) the service is being provided in a public setting.

LPN currency requirement

- 1-12 (1) A practising LPN licensee, provisional LPN licensee or multijurisdictional LPN licensee satisfies the LPN currency requirement only if they have engaged in the practice of practical nursing for a cumulative total of not fewer than 1,125 qualifying hours, as determined in accordance with criteria specified in an applicable policy under section 11-2(4), within the five-year period immediately preceding the applicable deadline to provide their completed annual declaration to the college under section 6-58(1), (2) or (3).
- (2) A former practising LPN licensee who applies to the college for reinstatement of their practising licensure or an applicant for temporary LPN (emergency) licensure satisfies the LPN currency requirement only if they have engaged in the practice of practical nursing for a cumulative total of not fewer than 1,125 qualifying hours, as determined in accordance with criteria specified in an applicable policy under section 11-2(4), within the five-year period immediately preceding the date of their application.

RPN currency requirement

- 1-13 (1) A practising RPN licensee, provisional RPN licensee or multijurisdictional RPN licensee satisfies the RPN currency requirement only if they have engaged in the practice of psychiatric nursing for a cumulative total of not fewer than 1,400 qualifying hours, as determined in accordance with criteria specified in an applicable policy under section 11-2(4), within the five-year period immediately preceding the applicable deadline to provide their completed annual declaration to the college under section 6-58(1), (2) or (3).
- (2) A former practising RPN licensee who applies to the college for reinstatement of their practising licensure or an applicant for temporary RPN (emergency) licensure satisfies the RPN currency requirement only if they have engaged in the practice of psychiatric nursing for a cumulative total of not fewer than 1,400 qualifying hours, as determined in accordance with criteria specified in an applicable policy under section 11-2(4), within the five-year period immediately preceding the date of their application.

RN currency requirement

- 1-14 (1) A practising RN licensee, practising LGN licensee, practising NP licensee, provisional RN licensee, provisional LGN licensee, provisional NP licensee or multijurisdictional RN licensee satisfies the RN currency requirement only if they have engaged in the practice of nursing for a cumulative total of not fewer than 1,125 qualifying hours, as determined in accordance with criteria specified in an applicable policy under section 11-2(4), within the five-year period immediately preceding the applicable deadline to provide their completed annual declaration to the college under section 6-58(1), (2) or (3).
- (2) A former practising RN licensee, former practising LGN licensee or former practising NP licensee who applies to the college for reinstatement of their practising licensure or an applicant for temporary RN (emergency) licensure or temporary NP (emergency) licensure satisfies the RN currency requirement only if

they have engaged in the practice of nursing for a cumulative total of not fewer than 1,125 qualifying hours, as determined in accordance with criteria specified in an applicable policy under section 11-2(4), within the five-year period immediately preceding the date of their application.

NP currency requirement

- 1-15 (1) A practising NP licensee or provisional NP license satisfies the NP currency requirement only if, in addition to satisfying the RN currency requirement under section 11-14(1), they have also done at least one of the following within the three-year period immediately preceding the applicable deadline to provide their completed annual declaration to the college under section 6-58(1) or (2):
- (a) engaged in the practice of nursing as a nurse practitioner for a cumulative total of not fewer than 900 qualifying hours, excluding any hours of nursing practice counted towards satisfaction of the RN currency requirement, in accordance with criteria specified in an applicable policy under section 11-2(4);
 - (b) engaged in the practice of nursing as a nurse practitioner for a cumulative total of not fewer than 400 qualifying hours, excluding any hours of nursing practice counted towards satisfaction of the RN currency requirement, in accordance with criteria specified in an applicable policy under section 11-2(4), and provided written evidence in a form acceptable to the college that establishes their satisfactory performance as a nurse practitioner in such practice to the satisfaction of the registrar.
- (2) A former practising NP licensee who applies to the college for reinstatement of their practising licensure or an applicant for temporary NP (emergency) licensure satisfies the NP currency requirement only if, in addition to satisfying the RN currency requirement under section 11-14(2), they have also satisfied paragraph (a) or (b) of subsection (1) within the three-year period immediately preceding the date of their application.

Midwife currency requirement

- 1-16 (1) The registrar must recommend, for board approval, conditions and requirements to be met by midwife licensees to demonstrate currency in their midwifery practice.
- (2) A practising midwife licensee, a provisional midwife licensee, a former practising midwife licensee who applies to the college for reinstatement of their practising licensure, or an applicant for temporary midwife (emergency) licensure satisfies the midwife currency requirement only if they satisfy all applicable conditions and requirements approved by that board under subsection (1).

Additional currency requirements for certified licensees

- 1-17 (1) Without limiting sections 11-13, 11-14 and 11-16, the registrar may recommend, for board approval, conditions and requirements to be met by certified licensees licensee holding certification in a certification program established under section 7-2 to demonstrate currency in their performance of restricted activities authorized by that certification program.

- (2) A certified licensee holding certification in a certification program or an applicant for reinstatement of certification in a certification program satisfies the certified licensee currency requirement for that certification program only if they satisfy all applicable conditions and requirements approved by the board under subsection (1).

Records of practice hours

- 1-18 (1) This section does not apply to temporary (emergency) licensees or employed student licensees.
- (2) Every LPN licensee, RPN licensee, RN licensee, LGN licensee and NP licensee must maintain supporting records to document their practice hours qualifying to be counted towards satisfaction of the LPN currency requirement, the RPN currency requirement or the RN currency requirement, as applicable, for not less than five years following the end of the calendar year to which a specific record or entry relates.
- (3) Without limiting the records they are required to maintain under subsection (2), every NP licensee must also maintain any additional supporting records to document their practice hours qualifying to be counted towards satisfaction of the NP currency requirement for not less than three years following the end of the calendar year to which a specific record or entry relates.
- (4) Every midwife licensee must maintain supporting records to document their satisfaction of the midwife currency requirement for a period of time specified by the board for that purpose.
- (5) A certified licensee must maintain supporting records to document their satisfaction of any applicable certified licensee currency requirement for a period of time specified by the board for that purpose.
- (6) Without limiting section 11-6, the registrar may audit licensees to ensure the accuracy and truthfulness of practice hours or other information reported by them to satisfy any applicable currency requirement in sections 11-12 to 11-17.
- (7) If the registrar has reasonable grounds to believe that a licensee has inaccurately or falsely reported practice hours or other information reported to satisfy an applicable currency requirement, the registrar may do one or more of the following:
 - (a) recommend that the quality assurance program conduct a quality assurance assessment of the licensee;
 - (b) report their belief and reasons to the licence committee;
 - (c) make a regulatory complaint under section 119 of the Act;
 - (d) exercise other relevant powers under the Act or bylaws.