

## **DRAFT**

### **LICENSURE & EDUCATION PROGRAM REVIEW BYLAWS**

#### **Division 1 – Definitions and Publication of Requirements**

##### **Definitions**

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

**“equivalency determination”** has the same meaning as in section 48 of the Act;

**“evaluator”** means an evaluator appointed by the licence committee under section 6-11;

**“extrajurisdictional credentials”** has the same meaning as in section 48 of the Act;

**“supervised practice experience”** means a practice experience described in section 6-59(1)(a)(ii), 6-60(1)(a)(i)(B), 6-61(1)(a)(i)(B), 6-62(1)(a)(ii) or 6-63(1)(a)(ii).

##### **Publication of licence requirements**

1-2 The policies and procedures published on the college website regarding eligibility requirements for licences, application processing periods, and any known factors likely to delay application processing, must also include

- (a) the form and manner of delivery specified for the purpose of section 6-3, and
- (b) the information, documentation and fees applicants for licensure are required to include in, or with, their application.

#### **Division 2 – General Requirements for Licences**

##### **Licence applications**

1-3 An applicant must provide a completed application to the registrar for the class of licensees for which the application is made in the specified form.

##### **General eligibility standards**

1-4 (1) Unless otherwise specified in the bylaws, an applicant for each class of licensees, including an applicant for reinstatement, must provide, or cause to be provided, the following to the college:

- (a) information satisfactory to the college, including, without limitation, any reference letters, declarations or other information requested by the registrar, confirming that the applicant
  - (i) is of good character, and will practise the designated health profession for which the applicant is seeking licensure in an ethical manner, and
  - (ii) is fit to engage in the practise of the designated health profession for which the applicant is seeking licensure;

- (b) information satisfactory to the college confirming that the applicant meets all other applicable eligibility standards for the class of licence applied for;
- (c) a declaration by the applicant, in a form acceptable to the college, attesting to
  - (i) the truthfulness and completeness of the information submitted by the applicant in, or with, their application for licensure, and
  - (ii) the applicant's understanding of the consequences that may result from submitting false or incomplete information in, or with, an application for licensure;
- (d) information satisfactory to the college confirming compliance with the applicable requirements for professional liability protection or liability insurance;
- (e) a declaration by the applicant, in a form acceptable to the college,
  - (i) that the applicant has not, at any time, been refused an entitlement sought by the applicant to practise a profession in any jurisdiction, or specifying the particulars of any such refusal, and
  - (ii) specifying every entitlement to practise a profession that the applicant has, at any time, been granted in any jurisdiction;
- (f) information, in a form satisfactory to the college, dated within 60 days of the date of application, from the extrajurisdictional regulator in each jurisdiction in which the applicant is, or was at any time, registered or licensed for the practice of a profession, confirming that
  - (i) the applicant's authority to practise the profession has not been revoked, suspended, limited, restricted, or subject to conditions in that jurisdiction at any time, or specifying particulars of any such revocation, suspension, limitation, restriction, or conditions,
  - (ii) the applicant is not the subject of a current proceeding, including any investigation, inquiry, review or appeal, that could result in the applicant's authority to practise the profession being revoked, suspended, limited, restricted, or subject to conditions in that jurisdiction, or specifying particulars of any such current proceeding, and
  - (iii) a proceeding was not commenced or completed because the applicant voluntarily relinquished their authority to practise a profession, or specifying particulars of any such proceeding;
- (g) a criminal record check authorization or, if permitted by the registrar, a criminal record check verification authorization, in the form required under the *Criminal Records Review Act*;
- (h) documentation in a form satisfactory to the college providing the results of a national police check or the equivalent for every jurisdiction in which the applicant resided during the five-year period immediately before the date of the application, unless it is not reasonably practicable to obtain such documentation for the applicable jurisdiction;

- (i) a declaration by the applicant, in a form acceptable to the college, that the applicant is not the subject of any charge, investigation, inquiry, review or other proceeding that must be reported under section 6-17, or specifying the particulars of any such charge, investigation, inquiry, review or other proceeding that has not been reported to the college previously and any new or changed information about such a previously reported charge, investigation, inquiry, review or other proceeding;
- (j) information satisfactory to the college confirming the applicant's English language proficiency;
- (k) payment of any outstanding amount owed or owing by the applicant to the college;
- (l) the applicable fees set out in Schedule <>;
- (m) information satisfactory to the college confirming the applicant's compliance with any applicable requirements for mandatory vaccinations against transmissible illnesses required by or under an enactment other than the bylaws;
- (n) information satisfactory to the college confirming that the applicant has, within the ten-year period immediately preceding the date of application, either
  - (i) completed an education program in any jurisdiction that is relevant to the applicable class of licence applied for, or
  - (ii) engaged in some, more than minimal, practice of the applicable designated health profession or the equivalent in any jurisdiction, unless the applicant provides other information that satisfies the registrar that the applicant has a reasonable prospect of demonstrating substantial equivalency of their knowledge, skills, ability and judgment through an equivalency determination under section 6-12;
- (o) a declaration by the applicant, in a form acceptable to the college, of the applicant's employment status and the particulars of all the applicant's employers, and all positions held and the total number of hours of professional practise engaged in by the applicant in each position, whether paid or unpaid, during a ten-year period, or a shorter period specified by the registrar, immediately preceding the date of application;
- (p) if applicable, the applicant's consent, in a form acceptable to the college, for information about the applicant to be disclosed to the college by any employer referred to in paragraph (o);
- (q) the applicant's consent, in a form acceptable to the college, for information about the applicant to be disclosed by the college to an examination administrator or provider inside or outside Canada for the purpose of enabling the applicant's participation in an examination required to be taken under the bylaws;
- (r) a declaration by the applicant, in a form acceptable to the college, of the particulars of all educational events, courses or programs relevant to a designated health profession, or a field related to a designated health profession, that the applicant completed during a ten-year period, or a

shorter period specified by the registrar, immediately preceding the date of application;

- (s) all information or records about the applicant, including without limitation notarized copies of government-issued records or other reliable, independent source records, that the registrar requires reasonably in the circumstances for the purpose of
    - (i) verifying the applicant's identity and legal name,
    - (ii) preventing misidentification of applicants, licensees or other persons, or
    - (iii) managing access to, or protecting the integrity and security of, the college's records, information systems and online services;
  - (t) the applicant's business contact information, including a mailing address and telephone number, and a valid email address for the purpose of receiving communications from the college to the applicant, and all other personal contact or emergency contact information for the applicant that the registrar requires reasonably in the circumstances;
  - (u) any supplementary or supporting information or records about the applicant, and relevant to other information or another item required under the bylaws to be included in, or with, an application for licensure, that the college requires to be submitted in, or with, registration applications, generally or by class, from time to time.
- (2) Unless otherwise specified in the bylaws, if an applicant for practising LPN licensure, practising RPN licensure or practising RN licensure
- (a) did not graduate from a Canadian college-level or university-level education program offered as preparation for entry to practice in practical nursing, psychiatric nursing or nursing, or a corresponding health profession in another province of Canada, and
  - (b) has never been licensed or registered, in a province of Canada, to practise practical nursing, psychiatric nursing or nursing, or a corresponding health profession in another province of Canada,
- the applicant must, in addition to providing the items required by subsection (1),
- (c) provide to the college the applicant's consent, in a form acceptable to the licence committee, for information about the applicant to be disclosed inside or outside Canada for the purpose of enabling an assessment of substantial equivalency of the applicant's knowledge, skills, ability and judgment as contemplated under the bylaws, and
  - (d) cause to be provided to the college from a credentialing agency, body or organization recognized by the licence committee for the purpose of this subsection an advisory report acceptable to the licence committee verifying the applicant's identity and educational credentials.
- (3) Subsection (1)(b) does not apply to a Canadian labour mobility applicant for practising licensure under section 6-5(1).

- (4) Subsections (1)(e) to (j) and (m) to (r) and (2) do not apply to a provisional licensee or multijurisdictional licensee who is an applicant for the corresponding class of practising licensure under section 6-19(4), 6-25(4), 6-32(4), 6-42(4) or 6-47(4).
- (5) Subsection (1)(j) does not apply to an applicant for reinstatement of practising licensure under section 6-20, 6-26, 6-33, 6-37, 6-43 or 6-48.
- (6) Subsection (1)(e), (f) and (m) to (r) do not apply to an applicant for reinstatement of practising licensure under section 6-20, 6-26, 6-33, 6-37, 6-43 or 6-48 who provides their application to the college within 60 days of ceasing to be licensed in the applicable class of practising licensees.
- (7) Subsection (1)(a), (j) and (n) to (r) do not apply to an applicant for multijurisdictional licensure under section 6-22, 6-28 or 6-35.
- (8) Subsection (1) applies to an applicant for reinstatement or renewal of temporary (emergency) licensure under section 6-23(4), 6-29(4), 6-39(4), 6-45(4), 6-50(4) or 6-71 only to the extent specified by the licence committee under those provisions.
- (9) This section does not apply
  - (a) to an applicant under section 6-56 to vary limits or conditions attached to their licence, except as provided in that section, or
  - (b) to an applicant for renewal of provisional licensure or employed student licensure under section 6-70 or 6-72, except as provided in those sections.
- (10) If section 54(3) of the Act applies to an applicant, including an applicant for reinstatement, who does not hold current licensure in any class of practising licensees, provisional licensees or multijurisdictional licensees,
  - (a) the applicant must provide, or cause to be provided, to the college information satisfactory to the college that granting licensure, including reinstatement of licensure, will not pose an undue risk to public health or safety or otherwise be contrary to the public interest, and
  - (b) the licence committee may, if relevant for that purpose, require the applicant to provide proof of successful completion of a competence assessment, capacity evaluation, or other examination.
- (11) For greater certainty, a requirement for an applicant to provide information under subsection (10) does not limit or restrict the discretion of the licence committee to make an adverse application decision based on an opinion referred to in section 54(4) of the Act.
- (12) If, with respect to the information and items required under the bylaws to be included in, or with, an application for licensure, a provision in this Part requires that an applicant must provide an item, or cause an item to be provided, to the college, the registrar may determine whether an applicant must provide the item or cause the item to be provided.

### Eligibility standards for Canadian labour mobility applicants

- 1-5 (1) Subject to section 3(4) of the *Labour Mobility Act*, section 54 of the Act and section 6-4(10), an applicant who is authorized in another Canadian jurisdiction to practise the profession for which they are seeking licensure may be granted a practising licence if the applicant
- (a) holds registration or licensure in the other Canadian jurisdiction as the equivalent of a practising licensee in good standing,
  - (b) is not subject to any practice limitations, restrictions or conditions in the other Canadian jurisdiction that are relevant to the practice of the profession in British Columbia,
  - (c) meets all applicable continuing competence or quality assurance requirements established by the regulatory body governing the applicable profession in the other Canadian jurisdiction,
  - (d) provides information satisfactory to the college confirming that the applicant meets the requirements in paragraphs (a) to (c), and
  - (e) meets the requirements established in section 6-4(1)(a) and (c) to (u).
- (2) Despite subsection (1)(e), section 6-4(1)(j) does not apply to an applicant under this section
- (a) for reinstatement of practising licensure, or
  - (b) who was required to establish their English language proficiency as a condition of registration or licensure in the other Canadian jurisdiction.
- (3) Nothing in this section prevents the licence committee from imposing any term, limit or condition authorized under section 3(4) of the *Labour Mobility Act*, including, for greater certainty, a condition precedent to licensure that is authorized under Article 705.4 of the Canadian Free Trade Agreement and that
- (a) is the same as, or substantially similar to, but no more onerous than the conditions imposed on applicants from British Columbia for initial licensure or reinstatement in the applicable class of practising licensees, and
  - (b) does not create disguised restriction on labour mobility.

### Recognition of education programs

- 1-6 (1) The education program review committee may, in accordance with this section and any applicable education program review committee policies or procedures under section 6-8, grant or renew recognition for education programs, including re-entry, refresher or bridging programs, offered by specific educational institutions for the purpose of
- (a) practising LPN licensure,
  - (b) practising RPN licensure,
  - (c) practising RN licensure,
  - (d) practising NP licensure, and

- (e) practising midwife licensure.
- (2) Subject to subsection (3) and any applicable education program review committee policies or procedures under section 6-8, an educational institution may apply to the college for recognition of a new education program, or for renewal of recognition of an established education program, by providing a completed application to the registrar in the form required by the college.
- (3) An educational institution is only eligible to apply under this section for recognition or renewal of recognition of an education program for the purpose of practising LPN licensure if the program follows the Practical Nursing Program Provincial Curriculum required by the Ministry of Post-Secondary Education and Future Skills.
- (4) An educational institution that applies for recognition of a new education program, or for renewal of recognition for an established education program, for the purpose of practising LPN licensure must provide a report to the registrar in the form required by the college, and any additional information required by the education program review committee or the registrar, to confirm that the education program
  - (a) will meet or continue to meet the education standards and indicators described in Schedule <>, and
  - (b) will prepare or continue to prepare its graduates
    - (i) to meet the entry-level competencies and eligibility standards required by the college for practising LPN licensure, and
    - (ii) to comply with the ethics standards and practice standards applicable to practising LPN licensees.
- (5) An educational institution that applies for recognition of a new education program, or for renewal of recognition for an established education program, for the purpose of practising RPN licensure must provide a report to the registrar in the form required by the college, and any additional information required by the education program review committee or the registrar, to confirm that the education program
  - (a) will meet or continue to meet the education standards and indicators described in Schedule <>, and
  - (b) will prepare or continue to prepare its graduates
    - (i) to meet the entry-level competencies and eligibility standards required by the college for practising RPN licensure, and
    - (ii) to comply with the ethics standards and practice standards applicable to practising RPN licensees.
- (6) An educational institution that applies for recognition of a new education program, or for renewal of recognition for an established education program, for the purpose of practising RN licensure must provide a report to the registrar in the form required by the college, and any additional information required by the education program review committee or the registrar, to confirm that the education program
  - (a) will meet or continue to meet the education standards and indicators described in Schedule <>, and

- (b) will prepare or continue to prepare its graduates
    - (i) to meet the entry-level competencies and eligibility standards required by the college for practising RN licensure, and
    - (ii) to comply with the ethics standards and practice standards applicable to practising RN licensees.
- (7) An educational institution that applies for recognition of a new education program, or for renewal of recognition for an established education program, for the purpose of practising NP licensure must provide a report to the registrar in the form required by the college, and any additional information required by the education program review committee or the registrar, to confirm that the education program
  - (a) will meet or continue to meet the education standards and indicators described in Schedule <>, and
  - (b) will prepare or continue to prepare its graduates
    - (i) to meet the entry-level competencies and eligibility standards required by the college for practising NP licensure, and
    - (ii) to comply with the ethics standards and practice standards applicable to practising NP licensees.
- (8) An educational institution that applies for recognition of a new education program, or for renewal of recognition for an established education program, for the purpose of practising midwife licensure must provide a report to the registrar in the form required by the college, and any additional information required by the education program review committee or the registrar, to confirm that the education program
  - (a) will meet or continue to meet the education standards and indicators described in Schedule <>, and
  - (b) will prepare or continue to prepare its graduates
    - (i) to meet the entry-level competencies and eligibility standards required by the college for practising midwife licensure, and
    - (ii) to comply with the ethics standards and practice standards applicable to practising midwife licensees.
- (9) In addition to the report and any other information provided by an educational institution under subsection (4), (5), (6), (7) or (8), the education program review committee or the registrar may require the educational institution to provide supplementary information or to undergo and cooperate with a site visit by one or more site visitors appointed by the registrar, to provide additional evidence to confirm that the educational institution's education program
  - (a) will meet or continue to meet the applicable education standards and indicators, and
  - (b) will prepare or continue to prepare its graduates
    - (i) to meet the entry-level competencies and eligibility standards required by the college for the applicable class of licensees, and



- (ii) to comply with the ethics standards and practice standards applicable to the applicable class of licensees.
- (10) Subject to subsections (11) to (13), the education program review committee may grant or renew recognition of an education program under subsection (1) for a specified period of time, subject to any terms or conditions specified by the committee, if the committee is satisfied that the education program
  - (a) will meet or continue to meet the applicable education standards and indicators,
  - (b) will prepare or continue to prepare its graduates
    - (i) to meet the entry-level competencies and eligibility standards required by the college for the applicable class of licensees, and
    - (ii) to comply with the ethics standards and practice standards applicable to the applicable class of licensees, and
  - (c) will satisfy any other terms or conditions previously imposed by the committee.
- (11) The period of recognition granted to a established education program whose recognition is renewed must not exceed
  - (a) five years, for an LPN program or an RPN diploma program, or
  - (b) seven years, for an RPN degree program or an RN, NP or midwifery program.
- (12) The period of recognition granted to a new education program must be shorter than the corresponding maximum period of recognition authorized for an established education program under subsection (11).
- (13) At the request of an educational institution applying for renewal of recognition of an established education program, the education program review committee or the registrar may extend the existing recognition of the education program on a provisional basis for a period of up to one year, subject to any terms or conditions that the committee considers necessary or appropriate to protect the public, if the committee is satisfied that, as a result of extenuating circumstances, it is in the public interest to grant that extension to give the educational institution additional time to provide information confirming that the education program will satisfy the requirements of subsection (10)(a), (b) and (c).
- (14) If an educational institution does not provide sufficient information to satisfy the education program review committee that an education program will satisfy the requirements of subsection (10)(a), (b) and (c), the committee
  - (a) must assess the risk to the public of granting or renewing recognition to the education program, and
  - (b) having regard to that risk assessment, may
    - (i) grant or renew recognition for the education program on a provisional basis, for a specified period of time that is shorter than the corresponding maximum period of recognition under subsection

- (11), subject to any terms or conditions that the committee considers necessary or appropriate to protect the public, or
  - (ii) deny recognition or renewal or recognition for the education program.
- (15) An educational institution that offers an education program granted recognition under this section
  - (a) must comply with any terms or conditions imposed by the education program review committee, and
  - (b) must notify the college in writing and provide any relevant information requested by the registrar before implementing any substantial change to the education program involving one or more of the following:
    - (i) how the curriculum addresses the entry-level competencies and eligibility standards required by the college for the applicable class of licensees;
    - (ii) how the curriculum addresses applicable ethics standards and practice standards;
    - (iii) campus location, including relocation of a campus, establishing a new campus or satellite campus;
    - (iv) a change to the name of the educational institution;
    - (v) an increase in the number of students beyond 10 percent of what the committee has currently recognized;
    - (vi) discontinuation of a program or closing of a campus;
    - (vii) any other significant change that may impact the educational institution's ability to prepare students to meet the entry-level competencies and eligibility standards required by the college for the applicable class of licensees.
- (16) The education program review committee may remove any term or condition previously imposed on the education program if the committee is satisfied that the term or condition is no longer necessary or appropriate.
- (17) If, having regard to any information provided by an educational institution under subsection (15), the education program review committee determines that a substantially changed education program may no longer satisfy the requirements of subsection (10)(a), (b) and (c), the committee may
  - (a) modify any existing terms or conditions imposed on the education program, or add additional terms or conditions that the committee considers necessary or appropriate, including a term or condition prohibiting the educational institution from making any substantial change to the education program, or
  - (b) reduce the existing period of recognition for the education program, with or without any changes to terms or conditions under paragraph (a).
- (18) An existing education program ceases to be recognized if

- (a) the period of recognition granted to the education program expires without being renewed or provisionally extended under this section, or
  - (b) the recognition of the education program is withdrawn under section 6-7.
- (19) The registrar must ensure that a list of recognized education programs for each class of practising licensure is published on the college website, which must specify the current period of recognition granted to each program, and any terms or conditions of recognition that the education program review committee has directed to be published on the website.

### **Withdrawal of education program recognition**

- 1-7
- (1) At any time, if the education program review committee determines that the continued recognition of an educational institution's education program granted recognition under section 6-6 poses a risk to the public, because of
    - (a) the educational institution's failure to comply with terms or conditions previously imposed by the committee,
    - (b) any substantial change to the education program, or
    - (c) any other deficiencies identified by the committee,the committee may issue a warning of withdrawal of education program recognition, notifying the educational institution that recognition of the education program may be withdrawn if terms and conditions specified in the warning are not met within the time specified in the warning.
  - (2) Before the education program review committee decides whether to withdraw recognition of an education program identified in a warning issued under subsection (1), the educational institution must be given a reasonable opportunity to provide information or submissions in response to any concerns identified in the warning for the committee's consideration, and to demonstrate satisfactory resolution of any deficiencies identified in the warning.
  - (3) After considering any information or submissions provided by the educational institution under subsection (2), the education program review committee may decide
    - (a) to continue the existing recognition of the education program without modification,
    - (b) to modify any existing terms or conditions imposed on the education program, or add additional terms or conditions that the committee considers necessary or appropriate,
    - (c) to reduce the existing period of recognition for the education program, with or without any changes to terms or conditions under paragraph (b), or
    - (d) to withdraw recognition of the education program on an effective date specified by the committee.
  - (4) If the education program review committee makes a decision under subsection (3)(a), (b) or (c), the committee must also decide whether to remove, continue or modify any pending warning issued under subsection (1).

### **Education program recognition policies**

- 1-8 The education program review committee may establish additional policies and procedures respecting the recognition and withdrawal of recognition of education programs under sections 6-6 and 6-7, including but not limited to policies or procedures
- (a) specifying additional prerequisites or eligibility requirements for an educational institution to apply for recognition of a new education program or type of education program, or
  - (b) modifying or varying the education program review process for new or established education programs for specified educational institutions or a category of educational institutions.

### **Delegation of authority of education program review committee**

- 1-9 Subject to any terms of reference set for the education program review committee under section 3-1(2) and any applicable education program review committee policies or procedures under section 6-8, the education program review committee may delegate the exercise of any of its powers or the performance of any its duties under sections 6-6 and 6-7 to
- (a) the registrar or a deputy registrar, or
  - (b) another officer, employee or agent of the college designated by the registrar or a deputy registrar for that purpose under section 4-1(2).

### **Equivalency of other recognized Canadian education programs**

- 1-10 An education program in another Canadian jurisdiction outside British Columbia that is recognized for the purpose of registration or licensure as the equivalent of a practising LPN licensee, a practising RPN licensee, a practising RN licensee, a practising NP licensee or a practising midwife licensee by the regulatory body governing the applicable profession in that other Canadian jurisdiction is deemed to be equivalent to an education program recognized by the education program review committee under section 6-6 for the purpose of licensure in the corresponding class of licensees.

### **Equivalency evaluators**

- 1-11 The licence committee must appoint evaluators for the purpose of conducting equivalency determinations and making recommendations to the committee under section 6-12.

### **Equivalency determinations**

- 1-12 (1) The registrar or the licence committee may require an applicant to undergo an equivalency determination under this section
- (a) if the applicant is not entitled to licensure under section 6-5 and does not otherwise meet applicable eligibility standards because
    - (i) the applicant completed an education program outside Canada that is not recognized under section 6-6, or
    - (ii) the applicant is applying to the college for initial licensure as a practising LPN licensee, a practising RPN licensee or a practising

- RN licensee more than five years after their completion of an education program recognized for that purpose under section 6-6 or deemed to be equivalent under section 6-10, or
- (iii) the applicant is applying to the college for initial licensure as a practising NP licensee or a practising midwife licensee more than three years after their completion of an education program recognized for that purpose under section 6-6 or deemed to be equivalent under section 6-10, or
  - (b) if the applicant is applying to the college for reinstatement of practising licensure, in accordance with section 6-20(6), 6-26(6), 6-33(6), 6-37(6), 6-43(6) or 6-48(6).
- (2) For greater certainty, an applicant who has not satisfied the requirement in section 6-4(1)(n) is not entitled to an equivalency determination under this section.
  - (3) An applicant who is required to undergo an equivalency determination must provide any information and records requested or ordered by the registrar to enable an evaluator to determine if the applicant's knowledge, skills, ability and judgment are substantially equivalent to those expected of a new graduate of an education program recognized under section 6-6, having regard to the entry-level competencies and eligibility standards required by the college for the applicable class of licensees.
  - (4) When undertaking an equivalency determination, an evaluator
    - (a) must consider the applicant's credentials collectively and cumulatively, including
      - (i) any extrajurisdictional credentials held by the applicant,
      - (ii) the applicant's past or current licensure or registration to practise the profession in any jurisdiction, including any limitations or conditions imposed on the applicant's authorization to practise in any jurisdiction, and
      - (iii) any relevant evidence provided or caused to be provided by the applicant of professional experience acquired inside or outside Canada, including evidence of the nature, scope and currency of that professional experience and any gaps in practice, and
    - (b) may require the applicant to do any of the following:
      - (i) to undergo an assessment of their knowledge, skills, ability and judgment by Inspire Global Assessments or another similar body or organization recognized by the licence committee for the purpose of this section;
      - (ii) to participate in an interview to assess the extent and currency of the applicant's credentials, experience, knowledge, clinical skills, abilities and judgment;
      - (iii) to complete other testing to assess the applicant's knowledge and clinical skills;

- (iv) to provide, or cause to be provided, any other information or records relevant to evaluating the substantial equivalency of the applicant's knowledge, skills, ability and judgment under subsection (3).
- (5) For greater certainty, for the purposes of subsection (4)(a)(i), an evaluator may consider any relevant information relating to an education program completed by an applicant outside Canada, including
  - (a) whether the education program is recognized for the purpose of registration or licensure by a regulatory body governing the applicable profession in another Canadian jurisdiction,
  - (b) whether the expressed purpose of the education program is to educate and train students in the applicable profession,
  - (c) whether the education program provides publicly available criteria for admission and outcome data describing key information about program graduates,
  - (d) whether the education program includes clinical experience with supervision,
  - (e) whether there is sufficient evidence to satisfy the evaluator that
    - (i) the education program provides broad training in the practise of the profession, including the entry-level competencies required by the college,
    - (ii) the education program meets the applicable education standards and indicators of the college, and
    - (iii) graduates of the education program are adequately prepared to safely, ethically and competently practise the profession in a Canadian health care setting.
- (6) An evaluator who conducts an equivalency determination of an applicant's knowledge, skills, ability and judgment must notify the applicant of the outcome of the equivalency determination, including
  - (a) the evaluator's reasons, if the evaluator concludes that the applicant has failed to establish that their knowledge, skills, ability and judgment are substantially equivalent to those expected of a new graduate of an education program recognized under section 6-6, and
  - (b) any transitional education or experience that the evaluator recommends that the applicant be required to complete to address any apparent deficiencies or gaps in the applicant's knowledge, skills, ability and judgment.
- (7) If an evaluator concludes that an applicant has failed to establish that their knowledge, skills, ability and judgment are substantially equivalent to those expected of a new graduate of an education program recognized under section 6-6, the applicant must elect either
  - (a) to accept the outcome of the equivalency determination completed by the evaluator under this section, including any transitional education or experience recommended by the evaluator, or

- (b) to request that the licence committee reconsider the applicant's equivalency determination.
- (8) A request for reconsideration of an equivalency determination under subsection (7)(b) must be made by providing a completed application to the registrar, in the specified form, accompanied by the applicable reconsideration fee specified in Schedule <>.
- (9) If applicant applies under subsection (8) for reconsideration of their equivalency determination, the licence committee
  - (a) must give the applicant an opportunity to be heard under section 53(1) of the Act by inviting them to provide written submissions under section 380(2)(a) of the Act, and
  - (b) may accept, reject or vary the outcome of the equivalency determination, including any transitional education or experience recommended by the evaluator, based on the committee's review of
    - (i) the information and records considered by the evaluator under this section,
    - (ii) any reasons provided by the evaluator under subsection (6)(a), and
    - (iii) any written submissions provided by the applicant under paragraph (a).

#### **Periodic review of measures imposed on extrajurisdictional applicants**

- 1-13
- (1) The licence committee must periodically review eligibility standards, policies and procedures, to identify any prohibitions, requirements, limits and conditions imposed on extrajurisdictional applicants that do not substantially lower the risk of harm to the public.
  - (2) The licence committee may retain experts and engage in consultation with stakeholders in conducting its review.
  - (3) In conducting its review, the licence committee must consider whether the general types of prohibitions, requirements, limits and conditions imposed on extrajurisdictional applicants
    - (a) are rationally connected to the objective of protecting the public from harm,
    - (b) are proportionate to the objective of protecting the public from harm,
    - (c) have beneficial effects in terms of minimizing risk to the public that outweigh the impact on extrajurisdictional applicants, and
    - (d) support and enable extrajurisdictional applicants to practise in accordance with the guiding principles of the Act, particularly with respect to Indigenous-specific racism and anti-racism, and with respect to non- and anti-discriminatory practice more generally.

## Examinations

- 1-14 (1) All examinations required to be taken under this Part must be approved for that purpose by the licence committee.
- (2) An applicant for licensure in a class who, to the satisfaction of the licence committee, meets all other applicable eligibility standards is eligible to take any applicable required examination.
- (3) An applicant described in subsection (2) must also meet any conditions or requirements for eligibility to take the required examination that are imposed by a third-party administrator or provider of the required examination, if the college is not solely responsible for establishing the eligibility of applicants to take the required examination.
- (4) If there is reason to believe that an applicant has engaged in improper conduct during a required examination, the registrar must make a report to the licence committee and may recommend that the licence committee take one or more of the following actions:
- (a) pass the applicant;
  - (b) fail the applicant;
  - (c) require the applicant to re-take the required examination;
  - (d) disqualify the applicant, for a period of time, from participating in any required examination;
  - (e) take any other action respecting the applicant, or require the applicant to take any other action, that the licence committee considers appropriate in the circumstances.
- (5) After considering a report made under subsection (4), the licence committee may take one or more of the actions described in that subsection.
- (6) An applicant in respect of whom an action described in subsection (4)(b) to (e) is taken under subsection (5) must be given written reasons for the action.
- (7) If a required examination is provided or administered by the college,
- (a) the licence committee must notify each applicant who takes the examination, in writing and as soon as is practicable, of their examination result,
  - (b) an applicant who fails the examination on their first attempt may take it a second time, and if they fail again on their second attempt, they may take it a third time, and
  - (c) an applicant who fails a required examination three or more times is not eligible to take it again, unless the licence committee is satisfied that there are special circumstances warranting another attempt.
- (8) The licence committee may establish additional examination procedures consistent with the bylaws.



### **Professional liability protection or insurance**

- 1-15 (1) All LPN licensees must obtain, and at all times maintain, professional liability protection or insurance coverage against liability for negligence in the provision of services that constitute the practice of practical nursing in an amount not less than \$1,000,000 per claim or per occurrence in a form satisfactory to the college.
- (2) All RPN licensees must obtain, and at all times maintain, professional liability protection or insurance coverage against liability for negligence in the provision of services that constitute the practice of psychiatric nursing in an amount of not less than \$5,000,000 per claim or per occurrence with a minimum aggregate amount for each year of \$5,000,000
- (a) as a beneficiary of the Canadian Nurses Protective Society, or
  - (b) under a policy of professional liability protection or insurance coverage of a type approved by the board, if the Canadian Nurses Protective Society is unable to provide the protection or the licensee is ineligible for the Canadian Nurses Protective Society's professional liability protection.
- (3) All RN licensees and LGN licensees must obtain, and at all times maintain, professional liability protection or insurance coverage against liability for negligence in the provision of services that constitute the practice of nursing in an amount of not less than \$5,000,000 per claim or per occurrence with a minimum aggregate amount for each year of \$5,000,000
- (a) as a beneficiary of the Canadian Nurses Protective Society, or
  - (b) under a policy of professional liability protection or insurance coverage of a type approved by the board, if the Canadian Nurses Protective Society is unable to provide the protection or the licensee is ineligible for the Canadian Nurses Protective Society's professional liability protection.
- (4) All NP licensees must obtain, and at all times maintain, professional liability protection or insurance coverage against liability for negligence in the provision of services that constitute the practice of nursing as a nurse practitioner in an amount of not less than \$10,000,000 per claim or per occurrence with a minimum aggregate amount for each year of \$10,000,000
- (a) as a beneficiary of the Canadian Nurses Protective Society, or
  - (b) under a policy of professional liability protection or insurance coverage of a type approved by the board, if the Canadian Nurses Protective Society is unable to provide the protection or the licensee is ineligible for the Canadian Nurses Protective Society's professional liability protection.
- (5) A midwife licensee must obtain, and at all times maintain, professional liability protection or insurance coverage against liability for negligence in the provision of services that constitute the practice of midwifery in an amount not less than \$15,000,000 per claim or per occurrence in a form satisfactory to the college.
- (6) An LPN licensee or midwife licensee must immediately notify the registrar if they are no longer covered by professional liability protection or insurance as required by this section.

- (7) An RPN licensee, RN licensee, LGN licensee or NP licensee must immediately notify the registrar if they are no longer eligible for the Canadian Nurses Protective Society's professional liability protection or otherwise covered by professional liability protection or insurance as required by this section.
- (8) A licensee who ceases to be covered by professional liability protection or insurance as required by this section must immediately cease practising their designated health profession.

### **Duty to report changes in personal and contact information**

- 1-16 A licensee or applicant for licensure, including an applicant for reinstatement, must immediately notify the registrar of any change in the personal and contact information that they previously provided to the college including, without limitation, changes to their name, to any mailing address, telephone number or email address, or to their employer, as well as matters referred to in section 6-17.

### **Duty to report criminal charges and disciplinary proceedings**

- 1-17 (1) A licensee or applicant for licensure, including an applicant for reinstatement, who is charged with an offence under a federal, provincial or territorial statute anywhere in Canada, or an equivalent offence in a foreign jurisdiction, must immediately provide a written notice to the registrar specifying particulars of the charge.
- (2) Despite subsection (1), no notification is required under that subsection in respect of a ticket under the *Contraventions Act* (Canada), a violation ticket under the *Offence Act*, or the equivalent in a jurisdiction outside British Columbia.
- (3) A licensee or applicant for licensure, including an applicant for reinstatement, who becomes the subject of an investigation, inquiry, review or other proceeding in British Columbia or any other Canadian or foreign jurisdiction that could result in their authority to practise a profession being revoked, suspended, limited, restricted or made subject to limits or conditions must immediately, on becoming aware of the proceeding, provide a written notice to the registrar specifying particulars of the proceeding.

## **Division 3 – Licensed Practical Nurse Licensee Group**

### **Classes of LPN licensees**

- 1-18 (1) The following classes of licensees are established:
- (a) practising LPN licensees;
  - (b) provisional LPN licensees;
  - (c) multijurisdictional LPN licensees;
  - (d) temporary LPN (emergency) licensees.
- (2) A person must not be licensed concurrently in more than one of the classes established in subsection (1).

### **Eligibility standards for practising LPN licensure**

- 1-19 (1) In addition to the applicable general eligibility standards in section 6-4, the class-specific eligibility standards for practising LPN licensure are
- (a) successful completion of an LPN education program that is recognized by the education program review committee for the purpose of practising LPN licensure under section 6-6 or deemed to be equivalent under section 6-10, within the five-year period immediately preceding the date of their application,
  - (b) successful completion of the required entry to practice examination approved by the licence committee under section 6-14 for the purpose of practising LPN licensure, and
  - (c) provision to the college of the items specified in subsection (2).
- (2) An applicant for practising LPN licensure must provide, or cause to be provided, to the college,
- (a) an original transcript, or other evidence satisfactory to the college, reflecting the applicant's degree, diploma, certificate or other credential from an education program described in subsection (1)(a), and confirming that the applicant is the person named therein,
  - (b) information satisfactory to the college confirming that the applicant has successfully completed the examination described in subsection (1)(b), and
  - (c) information satisfactory to the college confirming that the applicant is competent to practise as a practising LPN licensee.
- (3) Despite subsections (1)(a) and (2)(a), an applicant who has not completed an education program described in subsection (1)(a) is eligible for practising LPN licensure if
- (a) an evaluator or the licence committee determines under section 6-12 that the applicant's knowledge, skills, ability and judgment are substantially equivalent to those expected of a new graduate of an education program that is recognized by the education program review committee for the purpose of practising LPN licensure under section 6-6, and
  - (b) the applicant meets all other applicable eligibility standards.
- (4) Despite subsections (1) and (2), an applicant who is a provisional LPN licensee is eligible for practising LPN licensure if
- (a) the applicant's knowledge, skills, ability and judgment are determined to be substantially equivalent to those expected of a new graduate of an education program recognized under section 6-6 for the purpose of practising LPN licensure, following completion of an equivalency determination under section 6-21(2)(a),
  - (b) the applicant is not subject to any incomplete audit under section 11-6 or quality assurance assessment, and

- (c) the applicant provides, or causes to be provided, to the college information confirming their successful completion of
  - (i) the examination described in subsection (1)(b),
  - (ii) any other requirements imposed under section 6-21(7), including any other examinations, transitional education, clinical experience or other upgrading of knowledge, skills, ability and judgment required under section 6-21(7)(b), and
  - (iii) any other applicable requirements under section 6-21(5) or (6).
- (5) If a person was, immediately before the HPOA effective date, a registrant in the class of practising LPN registrants who satisfied the requirements for annual renewal of their registration under the former bylaws, the person is deemed to be a licensee in the class of practising LPN licensees under these bylaws.

### **Reinstatement of practising LPN licensure**

- 1-20 (1) In this section, “**former practising LPN licensee**” includes a person who was previously registered as the equivalent of a practising LPN licensee under the former Act.
- (2) A former practising LPN licensee is eligible for reinstatement of practising LPN licensure
- (a) if they provide a completed application for reinstatement to the registrar, and meet the requirements in subsections (3) to (6), or
  - (b) if they currently hold a provisional LPN licence and are eligible for practising LPN licensure under section 6-19(4).
- (3) An applicant for reinstatement under this section who currently holds a licence in another class of licensees must be in good standing.
- (4) In addition to meeting the applicable general eligibility standards in section 6-4, an applicant for reinstatement under this section must provide, or cause to be provided, information satisfactory to the college confirming
- (a) the applicant’s compliance with the LPN currency requirement or an alternative requirement under section 6-59, unless the applicant undergoes an equivalency determination and satisfies the requirement in subsection (5),
  - (b) the applicant’s completion of, or satisfactory cooperation with, an audit under section 11-6, if the applicant, while holding licensure, was selected for an audit under that section,
  - (c) the applicant’s completion of, or satisfactory cooperation with, a quality assurance assessment, if the applicant, while holding licensure was selected for a quality assurance assessment under section 99(1) of the Act or section 11-7,
  - (d) the applicant’s satisfaction of the personal practice review requirement under section 11-9, and

- (e) the applicant's completion of any examinations, transitional education, clinical experience or other upgrading of knowledge, skills, ability and judgment that the licence committee considers necessary for the applicant to be reinstated as a practising LPN licensee.
- (5) If an applicant for reinstatement is required under subsection (6) to undergo an equivalency determination, the applicant is only eligible for reinstatement under this section if an evaluator or the licence committee determines under section 6-12 that the applicant's knowledge, skills, ability and judgment are substantially equivalent to those expected of a new graduate of an education program that is recognized by the education program review committee for the purpose of practising LPN licensure under section 6-6.
- (6) The registrar or the licence committee
  - (a) may require an applicant for reinstatement under this section to undergo an equivalency determination under section 6-12 if the registrar or the licence committee considers it necessary to establish that the applicant has maintained knowledge, skills, ability and judgment that are substantially equivalent to those expected of a new graduate of an education program that is recognized by the education program review committee for the purpose of practising LPN licensure under section 6-6, and
  - (b) must require an applicant for reinstatement under this section to undergo an equivalency determination under section 6-12 if the applicant does not satisfy the LPN currency requirement or an alternative requirement under section 6-59 but meets all other applicable eligibility standards for reinstatement under this section.

#### **Eligibility standards for provisional LPN licensure**

- 1-21 (1) The licence committee may issue a provisional LPN licence to an applicant for practising LPN licensure under section 6-19, before or after completion of an equivalency determination, for a purpose described in subsection (2), if the applicant, in addition to meeting the applicable general eligibility standards in section 6-4, provides, or causes to be provided, to the college
- (a) an original transcript, or other evidence satisfactory to the college, reflecting the applicant's degrees, diplomas, certificates or other credentials, and confirming that the applicant is the person named therein, and
  - (b) evidence satisfactory to the licence committee that the applicant is competent and fit to engage in the practice of practical nursing subject to any limits or conditions imposed under subsection (7).
- (2) An applicant described in subsection (1) may be issued a provisional LPN licence to temporarily allow the applicant to practise pending one or more of the following:
- (a) the college's completion of an equivalency determination of the applicant's knowledge, skills, ability and judgment;
  - (b) the applicant's successful completion of the examination required under section 6-19(1)(b);

- (c) the applicant's completion of any other examinations, transitional education, clinical experience or other upgrading of knowledge, skills, ability and judgment required under subsection (7)(b).
- (3) The licence committee may issue a provisional LPN licence to an applicant for reinstatement of practising LPN licensure under section 6-20, before or after completion of an equivalency determination, for a purpose described in subsection (4), if the applicant, in addition to meeting the applicable general eligibility standards in section 6-4, provides, or causes to be provided, to the college evidence satisfactory to the licence committee that the applicant is competent and fit to engage in the practice of practical nursing subject to any limits or conditions imposed under subsection (7).
- (4) An applicant described in subsection (3) may be issued a provisional LPN licence to temporarily allow the applicant to practise pending one or both of the following:
  - (a) the college's completion of an equivalency determination of the applicant's knowledge, skills, ability and judgment;
  - (b) the applicant's completion of any examinations, transitional education, clinical experience or other upgrading of knowledge, skills, ability and judgment required under subsection (7)(b).
- (5) The licence committee may issue a provisional LPN licence to a practising LPN licensee whose licence expires under section 6-64(3) as a result of their failure to provide information required by section 6-58(6)(g)(ii) or (iii), to temporarily allow the licensee to continue to practise practical nursing, subject to any limits or conditions imposed under subsection (7), pending their completion of the required audit or quality assurance assessment for which they were selected.
- (6) The licence committee may issue a provisional LPN licence to a practising LPN licensee whose licence expires under section 6-64(1)(a) as a result of their failure to satisfy the LPN currency requirement or an alternative requirement under section 6-59, if the licensee has been approved for a supervised practice experience, to temporarily allow the licensee to continue to practise practical nursing, subject to any limits or conditions imposed under subsection (7), pending completion of their supervised practice experience.
- (7) The licence committee may impose limits, conditions or requirements on a provisional LPN licensee, including but not limited to one or more of the following:
  - (a) limits or conditions
    - (i) restricting the scope of services that may be provided by the provisional LPN licensee,
    - (ii) restricting the locations or practice settings where the provisional LPN licensee may practise, or
    - (iii) requiring the provisional LPN licensee to be supervised by, or to practise under the direction of, a practising licensee approved by the college;

- (b) requirements for the provisional LPN licensee to complete, within the time required by the licence committee, any or all of the following to demonstrate their eligibility for practising LPN licensure:
  - (i) further examinations in addition to the examination required under section 6-19(1)(b);
  - (ii) specified transitional education or clinical experience;
  - (iii) other upgrading of knowledge, skills, ability and judgment specified by the committee.
- (8) If a person was, immediately before the HPOA effective date, a registrant in the class of provisional LPN registrants who satisfied the requirements for annual renewal of their registration under the former bylaws,
  - (a) the person is deemed to be a licensee in the class of provisional LPN licensees under these bylaws, and
  - (b) all limits and conditions imposed on the person's practice immediately before the HPOA effective date under section 20(4.3)(c) of the former Act and all requirements imposed on the person immediately before the HOPA effective date under section 20(4.3)(b) of the former Act are deemed to be imposed under subsection (7).
- (9) A provisional LPN licence issued, or deemed to be issued, under this section is valid until
  - (a) the following March 31, or
  - (b) such earlier date as may be specified by the licence committee.

#### **Eligibility standards for multijurisdictional LPN licensure**

- 1-22
- (1) In addition to the applicable general eligibility standards in section 6-4, the class specific eligibility standards for multijurisdictional LPN licensure are established in subsections (2) to (4).
  - (2) Subject to subsection (4), an applicant must
    - (a) hold registration or licensure in another Canadian jurisdiction as the equivalent of a practising LPN licensee in good standing,
    - (b) not be subject to any practice limitations, restrictions or conditions in that other Canadian jurisdiction that are relevant to the practice of practical nursing in British Columbia,
    - (c) meet all applicable continuing competence or quality assurance requirements established by the regulatory body governing the profession corresponding to practical nursing in that other Canadian jurisdiction, and
    - (d) provide information satisfactory to the college confirming that the applicant meets the requirements in paragraphs (a) to (c).
  - (3) The other Canadian jurisdiction referred to in subsection (2)(a) to (c) must be specified by ordinary resolution of the board for the purpose of this section.

- (4) If an applicant holds registration or licensure as described in subsection (2)(a) in more than one other Canadian jurisdiction, the applicant must select, in accordance with any applicable criteria specified in licence committee policy, only one of those jurisdictions to be the “other Canadian jurisdiction” for the purposes of subsection (2) and the application of these bylaws to licensure, including reinstatement of licensure, in the class of multijurisdictional LPN licensees.
- (5) If a person was, immediately before the HPOA effective date, a registrant in the class of multijurisdictional LPN registrants under the former bylaws, the person is deemed to be a licensee in the class of multijurisdictional LPN licensees under these bylaws.

### **Eligibility standards for temporary LPN (emergency) licensure**

- 1-23
- (1) A temporary LPN (emergency) licence may be issued to an applicant to provide short-term services in the event of an emergency under the *Public Health Act*, or a declaration of an emergency situation by the registrar under section 4-1(6), if the applicant
    - (a) authorizes their current and former employers to provide information regarding their current practical nursing practice, or is a member of the armed forces of Canada,
    - (b) signs a declaration confirming that they are applying for a temporary LPN (emergency) licence solely for the purpose of providing assistance during the emergency event, and
    - (c) meets the requirements in subsection (2), (3) or (4).
  - (2) An applicant who meets the requirements in subsection (1)(a) and (b) is eligible for a temporary LPN (emergency) licence if the applicant
    - (a) holds registration or licensure in another Canadian jurisdiction as the equivalent of a practising LPN licensee in good standing,
    - (b) is not subject to any practice limitations, restrictions or conditions in that other jurisdiction that are relevant to the practice of practical nursing in British Columbia,
    - (c) satisfies either the LPN currency requirement or section 6-59(1)(a)(i), and
    - (d) provides information satisfactory to the college confirming that the applicant meets the requirements in paragraphs (a) to (c).
  - (3) A former practising LPN licensee who meets the requirements in subsection (1)(a) and (b) is eligible for a temporary LPN (emergency) licence if the applicant provides, or causes to be provided, to the college information confirming their entitlement to reinstatement of practising LPN licensure under section 6-20 including all applicable items under section 6-4(1).
  - (4) An applicant who meets the requirements in subsection (1)(a) and (b) and who held a temporary LPN (emergency) licence at any time during the previous 180 days is eligible for reinstatement of that licence if they provide, or cause to be provided, to the college any applicable items under section 6-4(1) that may be specified by the licence committee.



- (5) If a person was, immediately before the HPOA effective date, a registrant in the class of temporary LPN (emergency) registrants under the former bylaws, the person is deemed to be a licensee in the class of temporary LPN (emergency) licensees under these bylaws.
- (6) A temporary LPN (emergency) licence issued, or deemed to be issued, under this section is valid until
  - (a) the end of the emergency described in subsection (1), or
  - (b) such earlier date as may be specified by the licence committee, not more than one year after the date of issuance of the licence.

#### **Division 4 – Registered Psychiatric Nurse Licensee Group**

##### **Classes of RPN licensees**

- 1-24 (1) The following classes of licensees are established:
- (a) practising RPN licensees;
  - (b) provisional RPN licensees;
  - (c) multijurisdictional RPN licensees;
  - (d) temporary RPN (emergency) licensees;
  - (e) employed student psychiatric nurse licensees.
- (2) A person must not be licensed concurrently in more than one of the classes established in subsection (1).

##### **Eligibility standards for practising RPN licensure**

- 1-25 (1) In addition to the applicable general eligibility standards in section 6-4, the class-specific eligibility standards for practising RPN licensure are
- (a) successful completion of an RPN education program that is recognized by the education program review committee for the purpose of practising RPN licensure under section 6-6 or deemed to be equivalent under section 6-10, within the five-year period immediately preceding the date of their application,
  - (b) successful completion of the required entry to practice examination approved by the licence committee under section 6-14 for the purpose of practising RPN licensure, and
  - (c) provision to the college of the items specified in subsection (2).
- (2) An applicant for practising RPN licensure must provide, or cause to be provided, to the college,
- (a) an original transcript, or other evidence satisfactory to the college, reflecting the applicant's degree, diploma, certificate or other credential from an education program described in subsection (1)(a), and confirming that the applicant is the person named therein,

- (b) information satisfactory to the college confirming that the applicant has successfully completed the examination described in subsection (1)(b), and
  - (c) information satisfactory to the college confirming that the applicant is competent to practise as a practising RPN licensee.
- (3) Despite subsections (1)(a) and (2)(a), an applicant who has not completed an education program described in subsection (1)(a) is eligible for practising RPN licensure if
  - (a) an evaluator or the licence committee determines under section 6-12 that the applicant's knowledge, skills, ability and judgment are substantially equivalent to those expected of a new graduate of an education program that is recognized by the education program review committee for the purpose of practising RPN licensure under section 6-6, and
  - (b) the applicant meets all other applicable eligibility standards.
- (4) Despite subsections (1) and (2), an applicant who is a provisional RPN licensee is eligible for practising RPN licensure if
  - (a) the applicant's knowledge, skills, ability and judgment are determined to be substantially equivalent to those expected of a new graduate of an education program recognized under section 6-6 for the purpose of practising RPN licensure, following completion of an equivalency determination under section 6-27(2)(a),
  - (b) the applicant is not subject to any incomplete audit under section 11-6 or quality assurance assessment, and
  - (c) the applicant provides, or causes to be provided, to the college information confirming their successful completion of
    - (i) the examination described in subsection (1)(b),
    - (ii) any other requirements imposed under section 6-27(7), including any other examinations, transitional education, clinical experience or other upgrading of knowledge, skills, ability and judgment required under section 6-27(7)(b), and
    - (iii) any other applicable requirements under section 6-27(5) or (6).
- (5) If a person was, immediately before the HPOA effective date, a registrant in the class of practising RPN registrants who satisfied the requirements for annual renewal of their registration under the former bylaws, the person is deemed to be a licensee in the class of practising RPN licensees under these bylaws.

### **Reinstatement of practising RPN licensure**

- 1-26
- (1) In this section, “**former practising RPN licensee**” includes a person who was previously registered as the equivalent of a practising RPN licensee under the former Act.
  - (2) A former practising RPN licensee is eligible for reinstatement of practising RPN licensure

- (a) if they provide a completed application for reinstatement to the registrar, and meet the requirements in subsections (3) to (6), or
  - (b) if they currently hold a provisional RPN licence and are eligible for practising RPN licensure under section 6-25(4).
- (3) An applicant for reinstatement under this section who currently holds a licence in another class of licensees must be in good standing.
- (4) In addition to meeting the applicable general eligibility standards in section 6-4, an applicant for reinstatement under this section must provide, or cause to be provided, information satisfactory to the college confirming
  - (a) the applicant's compliance with the RPN currency requirement or an alternative requirement under section 6-60, unless the applicant undergoes an equivalency determination and satisfies the requirement in subsection (5),
  - (b) the applicant completion of, or satisfactory cooperation with, an audit under section 11-6, if the applicant, while holding licensure, was selected for an audit under that section,
  - (c) the applicant's completion of, or satisfactory cooperation with, a quality assurance assessment, if the applicant, while holding licensure, was selected for a quality assurance assessment under section 99(1) of the Act or section 11-7,
  - (d) the applicant's satisfaction of the personal practice review requirement under section 11-9, and
  - (e) the applicant's completion of any examinations, transitional education, clinical experience or other upgrading of knowledge, skills, ability and judgment that the licence committee considers necessary for the applicant to be reinstated as a practising RPN licensee.
- (5) If an applicant for reinstatement is required under subsection (6) to undergo an equivalency determination, the applicant is only eligible for reinstatement under this section if an evaluator or the licence committee determines under section 6-12 that the applicant's knowledge, skills, ability and judgment are substantially equivalent to those expected of a new graduate of an education program that is recognized by the education program review committee for the purpose of practising RPN licensure under section 6-6.
- (6) The registrar or the licence committee
  - (a) may require an applicant for reinstatement under this section to undergo an equivalency determination under section 6-12 if the registrar or the licence committee considers it necessary to establish that the applicant has maintained knowledge, skills, ability and judgment that are substantially equivalent to those expected of a new graduate of an education program that is recognized by the education program review committee for the purpose of practising RPN licensure under section 6-6, and
  - (b) must require an applicant for reinstatement under this section to undergo an equivalency determination under section 6-12 if the applicant does not

satisfy the RPN currency requirement or an alternative requirement under section 6-60 but meets all other applicable eligibility standards for reinstatement under this section.

### **Eligibility standards for provisional RPN licensure**

- 1-27 (1) The licence committee may issue a provisional RPN licence to an applicant for practising RPN licensure under section 6-25, before or after completion of an equivalency determination, for a purpose described in subsection (2), if the applicant, in addition to meeting the applicable general eligibility standards in section 6-4, provides, or causes to be provided, to the college
- (a) an original transcript, or other evidence satisfactory to the college, reflecting the applicant's degrees, diplomas, certificates or other credentials, and confirming that the applicant is the person named therein, and
  - (b) evidence satisfactory to the licence committee that the applicant is competent and fit to engage in the practice of psychiatric nursing subject to any limits or conditions imposed under subsection (7).
- (2) An applicant described in subsection (1) may be issued a provisional RPN licence to temporarily allow the applicant to practise pending one or more of the following:
- (a) the college's completion of an equivalency determination of the applicant's knowledge, skills, ability and judgment;
  - (b) the applicant's successful completion of the examination required under section 6-25(1)(b);
  - (c) the applicant's completion of any other examinations, transitional education, clinical experience or other upgrading of knowledge, skills, ability and judgment required under subsection (7)(b).
- (3) The licence committee may issue a provisional RPN licence to an applicant for reinstatement of practising RPN licensure under section 6-26, before or after completion of an equivalency determination, for a purpose described in subsection (4), if the applicant, in addition to meeting the applicable general eligibility standards in section 6-4, provides, or causes to be provided, to the college evidence satisfactory to the licence committee that the applicant is competent and fit to engage in the practice of psychiatric nursing subject to any limits or conditions imposed under subsection (7).
- (4) An applicant described in subsection (3) may be issued a provisional RPN licence to temporarily allow the applicant to practise pending one or both of the following:
- (a) the college's completion of an equivalency determination of the applicant's knowledge, skills, ability and judgment;
  - (b) the applicant's completion of any examinations, transitional education, clinical experience or other upgrading of knowledge, skills, ability and judgment required under subsection (7)(b).
- (5) The licence committee may issue a provisional RPN licence to a practising RPN licensee whose licence expires under section 6-64(3) as a result of their failure to

provide information required by section 6-58(6)(g)(ii) or (iii), to temporarily allow the licensee to continue to practise psychiatric nursing, subject to any limits or conditions imposed under subsection (7), pending their completion of the required audit or quality assurance assessment for which they were selected.

- (6) The licence committee may issue a provisional RPN licence to a practising RPN licensee whose licence expires under section 6-64(1)(a) as a result of their failure to satisfy the RPN currency requirement or an alternative requirement under section 6-60, if the licensee has been approved for a supervised practice experience, to temporarily allow the licensee to continue to practise psychiatric nursing, subject to any limits or conditions imposed under subsection (7), pending completion of their supervised practice experience.
- (7) The licence committee may impose limits, conditions or requirements on a provisional RPN licensee, including but not limited to one or more of the following:
  - (a) limits or conditions
    - (i) restricting the scope of services that may be provided by the provisional RPN licensee,
    - (ii) restricting the locations or practice settings where the provisional RPN licensee may practise, or
    - (iii) requiring the provisional RPN licensee to be supervised by, or to practise under the direction of, a practising licensee approved by the college;
  - (b) requirements for the provisional RPN licensee to complete, within the time required by the licence committee, any or all of the following to demonstrate their eligibility for practising RPN licensure:
    - (i) further examinations in addition to the examination required under section 6-25(1)(b);
    - (ii) specified transitional education or clinical experience;
    - (iii) other upgrading of knowledge, skills, ability and judgment specified by the committee.
- (8) If a person was, immediately before the HPOA effective date, a registrant in the class of provisional RPN registrants who satisfied the requirements for annual renewal of their registration under the former bylaws,
  - (a) the person is deemed to be a licensee in the class of provisional RPN licensees under these bylaws, and
  - (b) all limits and conditions imposed on the person's practice immediately before the HPOA effective date under section 20(4.3)(c) of the former Act and all requirements imposed on the person immediately before the HOPA effective date under section 20(4.3)(b) of the former Act are deemed to be imposed under subsection (7).
- (9) A provisional RPN licence issued, or deemed to be issued, under this section is valid until
  - (a) the following March 31, or

- (b) such earlier date as may be specified by the licence committee.

### **Eligibility standards for multijurisdictional RPN licensure**

- 1-28 (1) In addition to the applicable general eligibility standards in section 6-4, the class specific eligibility standards for multijurisdictional RPN licensure are established in subsections (2) to (4).
- (2) Subject to subsection (4), an applicant must
- (a) hold registration or licensure in another Canadian jurisdiction as the equivalent of a practising RPN licensee in good standing,
  - (b) not be subject to any practice limitations, restrictions or conditions in that other Canadian jurisdiction that are relevant to the practice of psychiatric nursing in British Columbia,
  - (c) meet all applicable continuing competence or quality assurance requirements established by the regulatory body governing the profession corresponding to psychiatric nursing in that other Canadian jurisdiction, and
  - (d) provide information satisfactory to the college confirming that the applicant meets the requirements in paragraphs (a) to (c).
- (3) The other Canadian jurisdiction referred to in subsection (2)(a) to (c) must be specified by ordinary resolution of the board for the purpose of this section.
- (4) If an applicant holds registration or licensure as described in subsection (2)(a) in more than one other Canadian jurisdiction, the applicant must select, in accordance with any applicable criteria specified in licence committee policy, only one of those jurisdictions to be the “other Canadian jurisdiction” for the purposes of subsection (2) and the application of these bylaws to licensure, including reinstatement of licensure, in the class of multijurisdictional RPN licensees.
- (5) If a person was, immediately before the HPOA effective date, a registrant in the class of multijurisdictional RPN registrants under the former bylaws, the person is deemed to be a licensee in the class of multijurisdictional RPN licensees under these bylaws.

### **Eligibility standards for temporary RPN (emergency) licensure**

- 1-29 (1) A temporary RPN (emergency) licence may be issued to an applicant to provide short-term services in the event of an emergency under the *Public Health Act*, or a declaration of an emergency situation by the registrar under section 4-1(6), if the applicant
- (a) authorizes their current and former employers to provide information regarding their current psychiatric nursing practice, or is a member of the armed forces of Canada,
  - (b) signs a declaration confirming that they are applying for a temporary RPN (emergency) licence solely for the purpose of providing assistance during the emergency event, and

- (c) meets the requirements in subsection (2), (3) or (4).
- (2) An applicant who meets the requirements in subsection (1)(a) and (b) is eligible for a temporary RPN (emergency) licence if the applicant
  - (a) holds registration or licensure in another Canadian jurisdiction as the equivalent of a practising RPN licensee in good standing,
  - (b) is not subject to any practice limitations, restrictions or conditions in that other jurisdiction that are relevant to the practice of psychiatric nursing in British Columbia
  - (c) satisfies either the RPN currency requirement or section 6-60(1)(a)(i)(A) or (C) or (b), and
  - (d) provides information satisfactory to the college confirming that the applicant meets the requirements in paragraphs (a) to (c).
- (3) A former practising RPN licensee who meets the requirements in subsection (1)(a) and (b) is eligible for a temporary RPN (emergency) licence if the applicant provides, or causes to be provided, to the college information confirming their entitlement to reinstatement of practising RPN licensure under section 6-26 including all applicable items under section 6-4(1).
- (4) An applicant who meets the requirements in subsection (1)(a) and (b) and who held a temporary RPN (emergency) licence at any time during the previous 180 days is eligible for reinstatement of that licence if they provide, or cause to be provided, to the college any applicable items under section 6-4(1) that may be specified by the licence committee.
- (5) If a person was, immediately before the HPOA effective date, a registrant in the class of temporary RPN (emergency) registrants under the former bylaws, the person is deemed to be a licensee in the class of temporary RPN (emergency) licensees under these bylaws.
- (6) A temporary RPN (emergency) licence issued, or deemed to be issued, under this section is valid until
  - (a) the end of the emergency described in subsection (1), or
  - (b) such earlier date as may be specified by the licence committee, not more than one year after the date of issuance of the licence.

### **Eligibility standards for employed student psychiatric nurse licensure**

- 1-30 (1) In addition to the applicable general eligibility standards in section 6-4, the class-specific eligibility standards for employed student psychiatric nurse licensure are
- (a) current enrollment as a student in an RPN education program that is recognized by the education program review committee for the purposes of practising RPN licensure under section 6-6 or deemed to be equivalent under section 6-10, and

- (b) an offer of employment for the applicant to work as a student psychiatric nurse in a health care setting in British Columbia during or between terms of the applicant's RPN education program described in paragraph (a).
- (2) An applicant for employed student psychiatric nurse licensure must provide, or cause to be provided, to the college, information satisfactory to the college confirming the applicant's enrollment and offer of employment described in subsection (1), and confirming that the applicant is the person named therein.
- (3) If a person was, immediately before the HPOA effective date, a registrant in the class of employed student psychiatric nurse registrants who satisfied the requirements for annual renewal of their registration under the former bylaws, the person is deemed to be a licensee in the class of employed student psychiatric nurse licensees under these bylaws.
- (4) An employed student psychiatric nurse licensee must notify the college within seven days
  - (a) if they cease to be enrolled as a student in an education program described in section (1)(a), or
  - (b) if they ceases to be employed as described in section (1)(b), or their offer of employment is declined or withdrawn.
- (5) Subject to section 6-68(2), an employed student psychiatric nurse licence issued, or deemed to be issued, under this section is valid until
  - (a) the following March 31, or
  - (b) such earlier date that is six days after the earlier of
    - (i) the date the licensee ceases to be enrolled as a student in an education program described in section (1)(a), and
    - (ii) the date the licensee ceases to be employed as described in section (1)(b), or, if applicable, the date that the licensee's offer of employment is declined or withdrawn.

### **Division 5 – Registered Nurse Licensee Group**

#### **Classes of RN licensees and LGN licensees**

- 1-31 (1) The following classes of licensees are established:
- (a) practising RN licensees;
  - (b) provisional RN licensees;
  - (c) multijurisdictional RN licensees;
  - (d) practising LGN licensees;
  - (e) provisional LGN licensees;
  - (f) temporary RN (emergency) licensees;
  - (g) employed student nurse licensees.



- (2) A person must not be licensed concurrently in more than one of the classes established in subsection (1).

**Eligibility standards for practising RN licensure**

- 1-32 (1) In addition to the applicable general eligibility standards in section 6-4, the class-specific eligibility standards for practising RN licensure are
  - (a) successful completion of an RN education program that is recognized by the education program review committee for the purpose of practising RN licensure under section 6-6 or deemed to be equivalent under section 6-10, within the five-year period immediately preceding the date of their application,
  - (b) successful completion of the required entry to practice examination approved by the licence committee under section 6-14 for the purpose of practising RN licensure, and
  - (c) provision to the college of the items specified in subsection (2).
- (2) An applicant for practising RN licensure must provide, or cause to be provided, to the college,
  - (a) an original transcript, or other evidence satisfactory to the college, reflecting the applicant's degree, diploma, certificate or other credential from an education program described in subsection (1)(a), and confirming that the applicant is the person named therein,
  - (b) information satisfactory to the college confirming that the applicant has successfully completed the examination described in subsection (1)(b), and
  - (c) information satisfactory to the college confirming that the applicant is competent to practise as a practising RN licensee.
- (3) Despite subsections (1)(a) and (2)(a), an applicant who has not completed an education program described in subsection (1)(a) is eligible for practising RN licensure if
  - (a) an evaluator or the licence committee determines under section 6-12 that the applicant's knowledge, skills, ability and judgment are substantially equivalent to those expected of a new graduate of an education program that is recognized by the education program review committee for the purpose of practising RN licensure under section 6-6, and
  - (b) the applicant meets all other applicable eligibility standards.
- (4) Despite subsections (1) and (2), an applicant who is a provisional RN licensee is eligible for practising RN licensure if
  - (a) the applicant's knowledge, skills, ability and judgment are determined to be substantially equivalent to those expected of a new graduate of an education program recognized under section 6-6 for the purpose of practising RN licensure, following completion of an equivalency determination under section 6-34(2)(a),

- (b) the applicant is not subject to any incomplete audit under section 11-6 or quality assurance assessment, and
- (c) the applicant provides, or causes to be provided, to the college information confirming their successful completion of
  - (i) the examination described in subsection (1)(b),
  - (ii) any other requirements imposed under section 6-34(7), including any other examinations, transitional education, clinical experience or other upgrading of knowledge, skills, ability and judgment required under section 6-34(7)(b), and
  - (iii) any other applicable requirements under section 6-34(5) or (6).
- (5) If a person was, immediately before the HPOA effective date, a registrant in the class of practising RN registrants who satisfied the requirements for annual renewal of their registration under the former bylaws, the person is deemed to be a licensee in the class of practising RN licensees under these bylaws.

### **Reinstatement of practising RN licensure**

- 1-33 (1) In this section, “**former practising RN licensee**” includes a person who was previously registered as the equivalent of a practising RN licensee under the former Act.
- (2) A former practising RN licensee is eligible for reinstatement of practising RN licensure
- (a) if they provide a completed application for reinstatement to the registrar, and meet the requirements in subsections (3) to (6), or
  - (b) if they currently hold a provisional RN licence and are eligible for practising RN licensure under section 6-32(4).
- (3) An applicant for reinstatement under this section who currently holds a licence in another class of licensees must be in good standing.
- (4) In addition to meeting the applicable general eligibility standards in section 6-4, an applicant for reinstatement under this section must provide, or cause to be provided, information satisfactory to the college confirming
- (a) the applicant’s compliance with the RN currency requirement or an alternative requirement under section 6-61, unless the applicant undergoes an equivalency determination and satisfies the requirement in subsection (5),
  - (b) the applicant’s completion of, or satisfactory cooperation with, an audit under section 11-6, if the applicant, while holding licensure, was selected for an audit under that section,
  - (c) the applicant’s completion of, or satisfactory cooperation with, a quality assurance assessment, if the applicant, while holding licensure was selected for a quality assurance assessment under section 99(1) of the Act or section 11-7,

- (d) the applicant's satisfaction of the personal practice review requirement under section 11-9, and
  - (e) the applicant's completion of any examinations, transitional education, clinical experience or other upgrading of knowledge, skills, ability and judgment that the licence committee considers necessary for the applicant to be reinstated as a practising RN licensee.
- (5) If an applicant for reinstatement is required under subsection (6) to undergo an equivalency determination, the applicant is only eligible for reinstatement under this section if an evaluator or the licence committee determines under section 6-12 that the applicant's knowledge, skills, ability and judgment are substantially equivalent to those expected of a new graduate of an education program that is recognized by the education program review committee for the purpose of practising RN licensure under section 6-6.
- (6) The registrar or the licence committee
- (a) may require an applicant for reinstatement under this section to undergo an equivalency determination under section 6-12 if the registrar or the licence committee considers it necessary to establish that the applicant has maintained knowledge, skills, ability and judgment that are substantially equivalent to those expected of a new graduate of an education program that is recognized by the education program review committee for the purpose of practising RN licensure under section 6-6, and
  - (b) must require an applicant for reinstatement under this section to undergo an equivalency determination under section 6-12 if the applicant does not satisfy the RN currency requirement or an alternative requirement under section 6-61 but meets all other applicable eligibility standards for reinstatement under this section.

#### **Eligibility standards for provisional RN licensure**

- 1-34 (1) The licence committee may issue a provisional RN licence to an applicant for practising RN licensure under section 6-32, before or after completion of an equivalency determination, for a purpose described in subsection (2), if the applicant, in addition to meeting the applicable general eligibility standards in section 6-4, provides, or causes to be provided, to the college
- (a) an original transcript, or other evidence satisfactory to the college, reflecting the applicant's degrees, diplomas, certificates or other credentials, and confirming that the applicant is the person named therein, and
  - (b) evidence satisfactory to the licence committee that the applicant is competent and fit to engage in the practice of nursing subject to any limits or conditions imposed under subsection (7).
- (2) An applicant described in subsection (1) may be issued a provisional RN licence to temporarily allow the applicant to practise pending one or more of the following:
- (a) the college's completion of an equivalency determination of the applicant's knowledge, skills, ability and judgment;

- (b) the applicant's successful completion of the examination required under section 6-32(1)(b);
  - (c) the applicant's completion of any other examinations, transitional education, clinical experience or other upgrading of knowledge, skills, ability and judgment required under subsection (7)(b).
- (3) The licence committee may issue a provisional RN licence to an applicant for reinstatement of practising RN licensure under section 6-33, before or after completion of an equivalency determination, for a purpose described in subsection (4), if the applicant, in addition to meeting the applicable general eligibility standards in section 6-4, provides, or causes to be provided, to the college evidence satisfactory to the licence committee that the applicant is competent and fit to engage in the practice of nursing subject to any limits or conditions imposed under subsection (7).
- (4) An applicant described in subsection (3) may be issued a provisional RN licence to temporarily allow the applicant to practise pending one or both of the following:
  - (a) the college's completion of an equivalency determination of the applicant's knowledge, skills, ability and judgment;
  - (b) the applicant's completion of any examinations, transitional education, clinical experience or other upgrading of knowledge, skills, ability and judgment required under subsection (7)(b).
- (5) The licence committee may issue a provisional RN licence to a practising RN licensee whose licence expires under section 6-64(3) as a result of their failure to provide information required by section 6-58(6)(g)(ii) or (iii), to temporarily allow the licensee to continue to practise nursing, subject to any limits or conditions imposed under subsection (7), pending their completion of the required audit or quality assurance assessment for which they were selected.
- (6) The licence committee may issue a provisional RN licence to a practising RN licensee whose licence expires under section 6-64(1)(a) as a result of their failure to satisfy the RN currency requirement or an alternative requirement under section 6-61, if the licensee has been approved for a supervised practice experience, to temporarily allow the licensee to continue to practise nursing, subject to any limits or conditions imposed under subsection (7), pending completion of their supervised practice experience.
- (7) The licence committee may impose limits, conditions or requirements on a provisional RN licensee, including but not limited to one or more of the following:
  - (a) limits or conditions
    - (i) restricting the scope of services that may be provided by the provisional RN licensee,
    - (ii) restricting the locations or practice settings where the provisional RN licensee may practise, or
    - (iii) requiring the provisional RN licensee to be supervised by, or to practise under the direction of, a practising licensee approved by the college;

- (b) requirements for the provisional RN licensee to complete, within the time required by the licence committee, any or all of the following to demonstrate their eligibility for practising RN licensure:
  - (i) further examinations in addition to the examination required under section 6-32(1)(b);
  - (ii) specified transitional education or clinical experience;
  - (iii) other upgrading of knowledge, skills, ability and judgment specified by the committee.
- (8) If a person was, immediately before the HPOA effective date, a registrant in the class of provisional RN registrants who satisfied the requirements for annual renewal of their registration under the former bylaws,
  - (a) the person is deemed to be a licensee in the class of provisional RN licensees under these bylaws, and
  - (b) all limits and conditions imposed on the person's practice immediately before the HPOA effective date under section 20(4.3)(c) of the former Act and all requirements imposed on the person immediately before the HOPA effective date under section 20(4.3)(b) of the former Act are deemed to be imposed under subsection (7).
- (9) A provisional RN licence issued, or deemed to be issued, under this section is valid until
  - (a) the following March 31, or
  - (b) such earlier date as may be specified by the licence committee.

#### **Eligibility standards for multijurisdictional RN licensure**

- 1-35
- (1) In addition to the applicable general eligibility standards in section 6-4, the class specific eligibility standards for multijurisdictional RN licensure are established in subsections (2) to (4).
  - (2) Subject to subsection (4), an applicant must
    - (a) hold registration or licensure in another Canadian jurisdiction as the equivalent of a practising RN licensee in good standing,
    - (b) not be subject to any practice limitations, restrictions or conditions in that other Canadian jurisdiction that are relevant to the practice of nursing in British Columbia,
    - (c) meet all applicable continuing competence or quality assurance requirements established by the regulatory body governing the profession corresponding to nursing in that other Canadian jurisdiction, and
    - (d) provide information satisfactory to the college confirming that the applicant meets the requirements in paragraphs (a) to (c).
  - (3) The other Canadian jurisdiction referred to in subsection (2)(a) to (c) must be specified by ordinary resolution of the board for the purpose of this section.

- (4) If an applicant holds registration or licensure as described in subsection (2)(a) in more than one other Canadian jurisdiction, the applicant must select, in accordance with any applicable criteria specified in licence committee policy, only one of those jurisdictions to be the “other Canadian jurisdiction” for the purposes of subsection (2) and the application of these bylaws to licensure, including reinstatement of licensure, in the class of multijurisdictional RN licensees.
- (5) If a person was, immediately before the HPOA effective date, a registrant in the class of multijurisdictional RN registrants under the former bylaws, the person is deemed to be a licensee in the class of multijurisdictional RN licensees under these bylaws.

### **Practising LGN licensure**

- 1-36 If a person was, immediately before the HPOA effective date, a registrant in the class of practising LGN registrants who satisfied the requirements for annual renewal of their registration under the former bylaws, the person is deemed to be a licensee in the class of practising LGN licensees under these bylaws.

### **Reinstatement of practising LGN licensure**

- 1-37 (1) In this section, “**former practising LGN licensee**” includes a person who was previously registered as the equivalent of a practising LGN licensee under the former Act.
- (2) A former practising LGN licensee is eligible for reinstatement of practising LGN licensure
- (a) if they provide a completed application for reinstatement to the registrar, and meet the requirements in subsections (3) to (6), or
  - (b) if they currently hold a provisional LGN licence and meet the same eligibility requirements as a provisional RN licensee for reinstatement of practising RN licensure under section 6-32(4).
- (3) An applicant for reinstatement under this section who currently holds a licence in another class of licensees must be in good standing.
- (4) In addition to meeting the applicable general eligibility standards in section 6-4, an applicant for reinstatement under this section must provide, or cause to be provided, information satisfactory to the college confirming
- (a) the applicant's compliance with the RN currency requirement or an alternative requirement under section 6-61, unless the applicant undergoes an equivalency determination and satisfies the requirement in subsection (5),
  - (b) the applicant's completion of, or satisfactory cooperation with, an audit under section 11-6, if the applicant, while holding licensure, was selected for an audit under that section,
  - (c) the applicant's completion of, or satisfactory cooperation with, a quality assurance assessment, if the applicant, while holding licensure was

selected for a quality assurance assessment under section 99(1) of the Act or section 11-7,

- (d) the applicant's satisfaction of the personal practice review requirement under section 11-9, and
  - (e) the applicant's completion of any examinations, transitional education, clinical experience or other upgrading of knowledge, skills, ability and judgment that the licence committee considers necessary for the applicant to be reinstated as a practising LGN licensee.
- (5) If an applicant for reinstatement is required under subsection (6) to undergo an equivalency determination, the applicant is only eligible for reinstatement under this section if an evaluator or the licence committee determines under section 6-12 that the applicant's knowledge, skills, ability and judgment are substantially equivalent to those expected of a new graduate of an education program that is recognized by the education program review committee for the purpose of practising RN licensure under section 6-6.
- (6) The registrar or the licence committee
- (a) may require an applicant for reinstatement under this section to undergo an equivalency determination under section 6-12 if the registrar or the licence committee considers it necessary to establish that the applicant has maintained knowledge, skills, ability and judgment that are substantially equivalent to those expected of a new graduate of an education program that is recognized by the education program review committee for the purpose of practising RN licensure under section 6-6, and
  - (b) must require an applicant for reinstatement under this section to undergo an equivalency determination under section 6-12 if the applicant does not satisfy the RN currency requirement or an alternative requirement under section 6-61 but meets all other applicable eligibility standards for reinstatement under this section.

#### **Eligibility standards for provisional LGN licensure**

- 1-38 (1) The licence committee may issue a provisional LGN licence to an applicant for reinstatement of practising LGN licensure under section 6-37, before or after completion of an equivalency determination, for a purpose described in subsection (2), if the applicant, in addition to meeting the applicable general eligibility standards in section 6-4, provides, or causes to be provided, to the college evidence satisfactory to the licence committee that the applicant is competent and fit to engage in the practice of nursing subject to any limits or conditions imposed under subsection (5).
- (2) An applicant described in subsection (1) may be issued a provisional LGN licence to temporarily allow the applicant to practise pending one or both of the following:
- (a) the college's completion of an equivalency determination of the applicant's knowledge, skills, ability and judgment;

- (b) the applicant's completion of any examinations, transitional education, clinical experience or other upgrading of knowledge, skills, ability and judgment required under subsection (5)(b).
- (3) The licence committee may issue a provisional LGN licence to a practising LGN licensee whose licence expires under section 6-64(3) as a result of their failure to provide information required by section 6-58(6)(g)(ii) or (iii), to temporarily allow the licensee to continue to practise nursing, subject to any limits or conditions imposed under subsection (5), pending their completion of the required audit or quality assurance assessment for which they were selected.
- (4) The licence committee may issue a provisional LGN licence to a practising LGN licensee whose licence expires under section 6-64(1)(a) as a result of their failure to satisfy the RN currency requirement or an alternative requirement under section 6-61, if the licensee has been approved for a supervised practice experience, to temporarily allow the licensee to continue to practise nursing, subject to any limits or conditions imposed under subsection (5), pending completion of their supervised practice experience.
- (5) The licence committee may impose limits, conditions or requirements on a provisional LGN licensee, including but not limited to one or more of the following:
  - (a) limits or conditions
    - (i) restricting the scope of services that may be provided by the provisional LGN licensee,
    - (ii) restricting the locations or practice settings where the provisional LGN licensee may practise, or
    - (iii) requiring the provisional LGN licensee to be supervised by, or to practise under the direction of, a practising licensee approved by the college;
  - (b) requirements for the provisional LGN licensee to complete, within the time required by the licence committee, any or all of the following to demonstrate their eligibility for practising LGN licensure:
    - (i) the required entry to practice examination approved by the licence committee under section 6-14 for the purpose of practising RN licensure, or any other examinations;
    - (ii) specified transitional education or clinical experience;
    - (iii) other upgrading of knowledge, skills, ability and judgment specified by the committee.
- (6) If a person was, immediately before the HPOA effective date, a registrant in the class of provisional LGN registrants who satisfied the requirements for annual renewal of their registration under the former bylaws,
  - (a) the person is deemed to be a licensee in the class of provisional LGN licensees under these bylaws, and
  - (b) all limits and conditions imposed on the person's practice immediately before the HPOA effective date under section 20(4.3)(c) of the former Act



and all requirements imposed on the person immediately before the HOPA effective date under section 20(4.3)(b) of the former Act are deemed to be imposed under subsection (5).

- (7) A provisional LGN licence issued, or deemed to be issued, under this section is valid until
  - (a) the following March 31, or
  - (b) such earlier date as may be specified by the licence committee.

### **Eligibility standards for temporary RN (emergency) licensure**

- 1-39 (1) A temporary RN (emergency) licence may be issued to an applicant to provide short-term services in the event of an emergency under the *Public Health Act*, or a declaration of an emergency situation by the registrar under section 4-1(6), if the applicant
- (a) authorizes their current and former employers to provide information regarding their current nursing practice, or is a member of the armed forces of Canada or the United States,
  - (b) signs a declaration confirming that they are applying for a temporary RN (emergency) licence solely for the purpose of providing assistance during the emergency event, and
  - (c) meets the requirements in subsection (2), (3) or (4).
- (2) An applicant who meets the requirements in subsection (1)(a) and (b) is eligible for a temporary RN (emergency) licence if the applicant
- (a) holds registration or licensure in another jurisdiction in Canada or the United States as the equivalent of a practising RN licensee in good standing,
  - (b) is not subject to any practice limitations, restrictions or conditions in that other jurisdiction that are relevant to the practice of nursing in British Columbia,
  - (c) satisfies either the RN currency requirement or section 6-61(1)(a)(i)(A) or (C) or (b), and
  - (d) provides information satisfactory to the college confirming that the applicant meets the requirements in paragraphs (a) to (c).
- (3) A former practising RN licensee who meets the requirements in subsection (1)(a) and (b) is eligible for a temporary RN (emergency) licence if the applicant provides, or causes to be provided, to the college information confirming their entitlement to reinstatement of practising RN licensure under section 6-33 including all applicable items under section 6-4(1).
- (4) An applicant who meets the requirements in subsection (1)(a) and (b) and who held a temporary RN (emergency) licence at any time during the previous 180 days is eligible for reinstatement of that licence if they provide, or cause to be provided, to the college any applicable items under section 6-4(1) that may be specified by the licence committee.

- (5) If a person was, immediately before the HPOA effective date, a registrant in the class of temporary RN (emergency) registrants under the former bylaws, the person is deemed to be a licensee in the class of temporary RN (emergency) licensees under these bylaws.
- (6) A temporary RN (emergency) licence issued, or deemed to be issued, under this section is valid until
  - (a) the end of the emergency described in subsection (1), or
  - (b) such earlier date as may be specified by the licence committee, not more than one year after the date of issuance of the licence.

### **Eligibility standards for employed student nurse licensure**

- 1-40 (1) In addition to the applicable general eligibility standards in section 6-4, the class-specific eligibility standards for employed student nurse licensure are
- (a) current enrollment as a student in an RN education program that is recognized by the education program review committee for the purposes of practising RN licensure under section 6-6 or deemed to be equivalent under section 6-10, and
  - (b) an offer of employment for the applicant to work as a student nurse in a health care setting in British Columbia during or between terms of the applicant's RN education program described in paragraph (a).
- (2) An applicant for employed student nurse licensure must provide, or cause to be provided, to the college, information satisfactory to the college confirming the applicant's enrollment and offer of employment described in subsection (1), and confirming that the applicant is the person named therein.
- (3) If a person was, immediately before the HPOA effective date, a registrant in the class of employed student nurse registrants who satisfied the requirements for annual renewal of their registration under the former bylaws, the person is deemed to be a licensee in the class of employed student nurse licensees under these bylaws.
- (4) An employed student nurse licensee must notify the college within seven days
- (a) if they cease to be enrolled as a student in an education program described in section (1)(a), or
  - (b) if they cease to be employed as described in section (1)(b), or their offer of employment is declined or withdrawn.
- (5) Subject to section 6-68(2), an employed student psychiatric nurse licence issued, or deemed to be issued, under this section is valid until
- (a) the following March 31, or
  - (b) such earlier date that is six days after the earlier of
    - (i) the date the licensee ceases to be enrolled as a student in an education program described in section (1)(a), and

- (ii) the date the licensee ceases to be employed as described in section (1)(b), or, if applicable, the date that the licensee's offer of employment is declined or withdrawn.

### **Division 6 – Nurse Practitioner Licensee Group**

#### **Classes of NP licensees**

- 1-41 (1) The following classes of licensees are established:
- (a) practising NP licensees;
  - (b) provisional NP licensees;
  - (c) temporary NP (emergency) licensees.
- (2) A person must not be licensed concurrently in more than one of the classes established in subsection (1).

#### **Eligibility standards for practising NP licensure**

- 1-42 (1) In addition to the applicable general eligibility standards in section 6-4, the class-specific eligibility standards for practising NP licensure are
- (a) current licensure or eligibility for licensure as a practising RN licensee,
  - (b) successful completion of an NP education program that is recognized by the education program review committee for the purpose of practising NP licensure under section 6-6 or deemed to be equivalent under section 6-10, within the three-year period immediately preceding the date of their application,
  - (c) successful completion of the required entry to practice examination approved by the licence committee under section 6-14 for the purpose of practising NP licensure, and
  - (d) provision to the college of the items specified in subsection (2).
- (2) An applicant for practising NP licensure must provide, or cause to be provided, to the college,
- (a) an original transcript, or other evidence satisfactory to the college, reflecting the applicant's degree, diploma, certificate or other credential from an education program described in subsection (1)(b), and confirming that the applicant is the person named therein,
  - (b) information satisfactory to the college confirming that the applicant has successfully completed the examination described in subsection (1)(c), and
  - (c) information satisfactory to the college confirming that the applicant is competent to practise as a practising NP licensee.
- (3) Despite subsections (1)(b) and (2)(a), an applicant who has not completed an education program described in subsection (1)(b) is eligible for practising NP licensure if

- (a) an evaluator or the licence committee determines under section 6-12 that the applicant's knowledge, skills, ability and judgment are substantially equivalent to those expected of a new graduate of an education program that is recognized by the education program review committee for the purpose of practising NP licensure under section 6-6, and
  - (b) the applicant meets all other applicable eligibility standards.
- (4) Despite subsections (1) and (2), an applicant who is a provisional NP licensee is eligible for practising NP licensure if
  - (a) the applicant's knowledge, skills, ability and judgment are determined to be substantially equivalent to those expected of a new graduate of an education program recognized under section 6-6 for the purpose of practising NP licensure, following completion of an equivalency determination under section 6-44(2)(a),
  - (b) the applicant is not subject to any incomplete audit under section 11-6 or quality assurance assessment, and
  - (c) the applicant provides, or causes to be provided, to the college information confirming their successful completion of
    - (i) the examination described in subsection (1)(c),
    - (ii) any other requirements imposed under section 6-44(7), including any other examinations, transitional education, clinical experience or other upgrading of knowledge, skills, ability and judgment required under section 6-44(7)(b), and
    - (iii) any other applicable requirements under section 6-44(5) or (6).
- (5) If a person was, immediately before the HPOA effective date, a registrant in the class of practising NP registrants who satisfied the requirements for annual renewal of their registration under the former bylaws, the person is deemed to be a licensee in the class of practising NP licensees under these bylaws.

#### **Reinstatement of practising NP licensure**

- 1-43
- (1) In this section, **"former practising NP licensee"** includes a person who was previously registered as the equivalent of a practising NP licensee under the former Act.
  - (2) A former practising NP licensee is eligible for reinstatement of practising NP licensure
    - (a) if they provide a completed application for reinstatement to the registrar, and meet the requirements in subsections (3) to (6), or
    - (b) if they currently hold a provisional NP licence and are eligible for practising NP licensure under section 6-42(4).
  - (3) An applicant for reinstatement under this section who currently holds a licence in another class of licensees must be in good standing.

- (4) In addition to meeting the applicable general eligibility standards in section 6-4, an applicant for reinstatement under this section must provide, or cause to be provided, information satisfactory to the college confirming
  - (a) the applicant's compliance with the RN currency requirement and NP currency requirement or an alternative requirement or requirements under section 6-61 or 6-62, unless the applicant undergoes an equivalency determination and satisfies the requirement in subsection (5),
  - (b) the applicant's completion of, or satisfactory cooperation with, an audit under section 11-6, if the applicant, while holding licensure, was selected for an audit under that section,
  - (c) the applicant's completion of, or satisfactory cooperation with, a quality assurance assessment, if the applicant, while holding licensure was selected for a quality assurance assessment under section 99(1) of the Act or section 11-7,
  - (d) the applicant's satisfaction of the personal practice review requirement under section 11-9, and
  - (e) the applicant's completion of any examinations, transitional education, clinical experience or other upgrading of knowledge, skills, ability and judgment that the licence committee considers necessary for the applicant to be reinstated as a practising NP licensee.
- (5) If an applicant for reinstatement is required under subsection (6) to undergo an equivalency determination, the applicant is only eligible for reinstatement under this section if an evaluator or the licence committee determines under section 6-12 that the applicant's knowledge, skills, ability and judgment are substantially equivalent to those expected of a new graduate of an education program that is recognized by the education program review committee for the purpose of practising NP licensure under section 6-6.
- (6) The registrar or the licence committee
  - (a) may require an applicant for reinstatement under this section to undergo an equivalency determination under section 6-12 if the registrar or the licence committee considers it necessary to establish that the applicant has maintained knowledge, skills, ability and judgment that are substantially equivalent to those expected of a new graduate of an education program that is recognized by the education program review committee for the purpose of practising NP licensure under section 6-6, and
  - (b) must require an applicant for reinstatement under this section to undergo an equivalency determination under section 6-12 if the applicant does not satisfy the RN currency requirement and NP currency requirement or an alternative requirement under section 6-62 but meets all other applicable eligibility standards for reinstatement under this section.

#### **Eligibility standards for provisional NP licensure**

- 1-44 (1) The licence committee may issue a provisional NP licence to an applicant for practising NP licensure under section 6-42, before or after completion of an equivalency determination, for a purpose described in subsection (2), if the

applicant, in addition to meeting the applicable general eligibility standards in section 6-4, provides, or causes to be provided, to the college

- (a) an original transcript, or other evidence satisfactory to the college, reflecting the applicant's degrees, diplomas, certificates or other credentials, and confirming that the applicant is the person named therein, and
  - (b) evidence satisfactory to the licence committee that the applicant is competent and fit to engage in the practice of nursing as a nurse practitioner subject to any limits or conditions imposed under subsection (7).
- (2) An applicant described in subsection (1) may be issued a provisional NP licence to temporarily allow the applicant to practise pending one or more of the following:
  - (a) the college's completion of an equivalency determination of the applicant's knowledge, skills, ability and judgment;
  - (b) the applicant's successful completion of the examination required under section 6-42(1)(c);
  - (c) the applicant's completion of any other examinations, transitional education, clinical experience or other upgrading of knowledge, skills, ability and judgment required under subsection (7)(b).
- (3) The licence committee may issue a provisional NP licence to an applicant for reinstatement of practising NP licensure under section 6-43, before or after completion of an equivalency determination, for a purpose described in subsection (4), if the applicant, in addition to meeting the applicable general eligibility standards in section 6-4, provides, or causes to be provided, to the college evidence satisfactory to the licence committee that the applicant is competent and fit to engage in the practice of nursing as a nurse practitioner subject to any limits or conditions imposed under subsection (7).
- (4) An applicant described in subsection (3) may be issued a provisional NP licence to temporarily allow the applicant to practise pending one or both of the following:
  - (a) the college's completion of an equivalency determination of the applicant's knowledge, skills, ability and judgment;
  - (b) the applicant's completion of any examinations, transitional education, clinical experience or other upgrading of knowledge, skills, ability and judgment required under subsection (7)(b).
- (5) The licence committee may issue a provisional NP licence to a practising NP licensee whose licence expires under section 6-64 as a result of their failure to provide information required by section 6-58(6)(g)(ii) or (iii), to temporarily allow the licensee to continue to practise nursing as a nurse practitioner, subject to any limits or conditions imposed under subsection (7), pending their completion of the required audit or quality assurance assessment for which they were selected.
- (6) The licence committee may issue a provisional NP licence to a practising NP licensee whose licence expires under section 6-64(1)(a) as a result of their failure to satisfy the RN currency requirement and NP currency requirement or an

alternative requirement under section 6-62, if the licensee has been approved for a supervised practice experience, to temporarily allow the licensee to continue to practise nursing as a nurse practitioner, subject to any limits or conditions imposed under subsection (7), pending completion of their supervised practice experience.

- (7) The licence committee may impose limits, conditions or requirements on a provisional NP licensee, including but not limited to one or more of the following:
  - (a) limits or conditions
    - (i) restricting the scope of services that may be provided by the provisional NP licensee,
    - (ii) restricting the locations or practice settings where the provisional NP licensee may practise, or
    - (iii) requiring the provisional NP licensee to be supervised by, or to practise under the direction of, a practising licensee approved by the college;
  - (b) requirements for the provisional NP licensee to complete, within the time required by the licence committee, any or all of the following to demonstrate their eligibility for practising NP licensure:
    - (i) further examinations in addition to the examination required under section 6-42(1)(c);
    - (ii) specified transitional education or clinical experience;
    - (iii) other upgrading of knowledge, skills, ability and judgment specified by the committee.
- (8) If a person was, immediately before the HPOA effective date, a registrant in the class of provisional NP registrants who satisfied the requirements for annual renewal of their registration under the former bylaws,
  - (a) the person is deemed to be a licensee in the class of provisional NP licensees under these bylaws, and
  - (b) all limits and conditions imposed on the person's practice immediately before the HPOA effective date under section 20(4.3)(c) of the former Act and all requirements imposed on the person immediately before the HOPA effective date under section 20(4.3)(b) of the former Act are deemed to be imposed under subsection (7).
- (9) A provisional NP licence issued, or deemed to be issued, under this section is valid until
  - (a) the following March 31, or
  - (b) such earlier date as may be specified by the licence committee.

#### **Eligibility standards for temporary NP (emergency) licensure**

- 1-45 (1) A temporary NP (emergency) licence may be issued to an applicant to provide short-term services in the event of an emergency under the *Public Health Act*, or

a declaration of an emergency situation by the registrar under section 4-1(6), if the applicant

- (a) authorizes their current and former employers to provide information regarding their current practical nursing practice, or is a member of the armed forces of Canada,
  - (b) signs a declaration confirming that they are applying for a temporary NP (emergency) licence solely for the purpose of providing assistance during the emergency event, and
  - (c) meets the requirements in subsection (2), (3) or (4).
- (2) An applicant who meets the requirements in subsection (1)(a) and (b) is eligible for a temporary NP (emergency) licence if the applicant
  - (a) holds registration or licensure in another Canadian jurisdiction as the equivalent of a practising NP licensee in good standing,
  - (b) is not subject to any practice limitations, restrictions or conditions in that other jurisdiction that are relevant to the practice of nursing as a nurse practitioner in British Columbia,
  - (c) satisfies the RN currency requirement and NP currency requirement or applicable alternative requirements under sections 6-61(1)(a)(i)(A) or (C) or (b) and 6-62(1)(a)(i), and
  - (d) provides information satisfactory to the college confirming that the applicant meets the requirements in paragraphs (a) to (c).
- (3) A former practising NP licensee who meets the requirements in subsection (1)(a) and (b) is eligible for a temporary NP (emergency) licence if the applicant provides, or causes to be provided, to the college information confirming their entitlement to reinstatement of practising NP licensure under section 6-43 including all applicable items under section 6-4(1).
- (4) An applicant who meets the requirements in subsection (1)(a) and (b) and who held a temporary NP (emergency) licence at any time during the previous 180 days is eligible for reinstatement of that licence if they provide, or cause to be provided, to the college any applicable items under section 6-4(1) that may be specified by the licence committee.
- (5) If a person was, immediately before the HPOA effective date, a registrant in the class of temporary NP (emergency) registrants under the former bylaws, the person is deemed to be a licensee in the class of temporary NP (emergency) licensees under these bylaws.
- (6) A temporary NP (emergency) licence issued, or deemed to be issued, under this section is valid until
  - (a) the end of the emergency described in subsection (1), or
  - (b) such earlier date as may be specified by the licence committee, not more than one year after the date of issuance of the licence.



## **Division 7 – Midwife Licensee Group**

### **Classes of midwife licensees**

- 1-46 (1) The following classes of licensees are established:
- (a) practising midwife licensees;
  - (b) provisional midwife licensees;
  - (c) temporary midwife (emergency) licensees.
- (2) A person must not be licensed concurrently in more than one of the classes established in subsection (1).

### **Eligibility standards for practising midwife licensure**

- 1-47 (1) In addition to the applicable general eligibility standards in section 6-4, the class-specific eligibility standards for practising midwife licensure are
- (a) successful completion of a midwifery education program that is recognized by the education program review committee for the purpose of practising midwife licensure under section 6-6 or deemed to be equivalent under section 6-10, within the three-year period immediately preceding the date of their application,
  - (b) successful completion of the required entry to practice examination approved by the licence committee under section 6-14 for the purpose of practising midwife licensure,
  - (c) current certification from programs satisfactory to the college in fetal health surveillance, neonatal resuscitation, cardiopulmonary resuscitation and emergency skills, and
  - (d) provision to the college of the items specified in subsection (2).
- (2) An applicant for practising midwife licensure must provide, or cause to be provided, to the college,
- (a) an original transcript, or other evidence satisfactory to the college, reflecting the applicant's degree, diploma, certificate or other credential from an education program described in subsection (1)(a), and confirming that the applicant is the person named therein,
  - (b) information satisfactory to the college confirming that the applicant has successfully completed the examination described in subsection (1)(b),
  - (c) information satisfactory to the college confirming the applicant's current certification described in subsection (1)(c),
  - (d) a declaration by the applicant, in a form acceptable to the college, in addition to the declarations required under section 6-4(1), specifying particulars of any of the following matters, if applicable, respecting the applicant's practice of midwifery or a health profession corresponding to midwifery in any jurisdiction:
    - (i) a dismissal for cause by an employer;

- (ii) any verdict and recommendations of a coroner's investigation, inquiry or inquest;
    - (iii) a coroner's investigation, inquiry or inquest in progress;
    - (iv) a denial, suspension, restriction or modification of hospital admitting privileges or a permit to practise;
    - (v) a voluntary resignation of hospital privileges on the request or advice of a hospital or health authority administration;
    - (vi) a professional liability insurance claim;
    - (vii) any pending civil or criminal action, notice of claim or settlement or judgment in any civil or criminal proceeding to which the applicant is a party, and
  - (e) information satisfactory to the college confirming that the applicant is competent to practise as a practising midwife licensee.
- (3) Despite subsections (1)(a) and (2)(a), an applicant who has not completed an education program described in subsection (1)(a) is eligible for practising midwife licensure if
- (a) an evaluator or the licence committee determines under section 6-12 that the applicant's knowledge, skills, ability and judgment are substantially equivalent to those expected of a new graduate of an education program that is recognized by the education program review committee for the purpose of practising midwife licensure under section 6-6, and
  - (b) the applicant meets all other applicable eligibility standards.
- (4) Despite subsections (1) and (2), an applicant who is a provisional midwife licensee is eligible for practising midwife licensure if
- (a) the applicant's knowledge, skills, ability and judgment are determined to be substantially equivalent to those expected of a new graduate of an education program recognized under section 6-6 for the purpose of practising midwife licensure, following completion of an equivalency determination under section 6-49(2)(a),
  - (b) the applicant is not subject to any incomplete audit under section 11-6 or quality assurance assessment, and
  - (c) the applicant provides, or causes to be provided, to the college information confirming their successful completion of
    - (i) the examination described in subsection (1)(b),
    - (ii) any other requirements imposed under section 6-49(7), including any other examinations, transitional education, clinical experience or other upgrading of knowledge, skills, ability and judgment required under section 6-49(7)(b), and
    - (iii) any other applicable requirements under section 6-49(5) or (6).

- (5) If a person was, immediately before the HPOA effective date, a registrant in the class of practising midwife registrants who satisfied the requirements for annual renewal of their registration under the former bylaws,
  - (a) the person is deemed to be a licensee in the class of practising midwife licensees under these bylaws, and
  - (b) if the person's practice of midwifery was subject to an alternative practice arrangement with the college immediately before the HPOA effective date, any applicable limits and conditions on the person's practice under that alternative practice arrangement are continued, and are deemed to have been imposed on the person's licence under section 52(2) of the Act, unless the registrar directs otherwise.

### **Reinstatement of practising midwife licensure**

- 1-48
- (1) In this section, **"former practising midwife licensee"** includes a person who was previously registered as the equivalent of a practising midwife licensee under the former Act.
  - (2) A former practising midwife licensee is eligible for reinstatement of practising midwife licensure
    - (a) if they provide a completed application for reinstatement to the registrar, and meet the requirements in subsections (3) to (6), or
    - (b) if they currently hold a provisional midwife licence and are eligible for practising midwife licensure under section 6-47(4).
  - (3) An applicant for reinstatement under this section who currently holds a licence in another class of licensees must be in good standing.
  - (4) In addition to meeting the applicable general eligibility standards in section 6-4, an applicant for reinstatement under this section must provide, or cause to be provided, information satisfactory to the college confirming
    - (a) the applicant's compliance with the midwife currency requirement or an alternative requirement under section 6-63, unless the applicant undergoes an equivalency determination and satisfies the requirement in subsection (5),
    - (b) the applicant's completion of, or satisfactory cooperation with, an audit under section 11-6, if the applicant, while holding licensure, was selected for an audit under that section,
    - (c) the applicant's completion of, or satisfactory cooperation with, a quality assurance assessment, if the applicant, while holding licensure was selected for a quality assurance assessment under section 99(1) of the Act or section 11-7,
    - (d) the applicant's satisfaction of the personal practice review requirement under section 11-9, and
    - (e) the applicant's completion of any examinations, transitional education, clinical experience or other upgrading of knowledge, skills, ability and

judgment that the licence committee considers necessary for the applicant to be reinstated as a practising midwife licensee.

- (5) If an applicant for reinstatement is required under subsection (6) to undergo an equivalency determination, the applicant is only eligible for reinstatement under this section if an evaluator or the licence committee determines under section 6-12 that the applicant's knowledge, skills, ability and judgment are substantially equivalent to those expected of a new graduate of an education program that is recognized by the education program review committee for the purpose of practising midwife licensure under section 6-6.
- (6) The registrar or the licence committee
  - (a) may require an applicant for reinstatement under this section to undergo an equivalency determination under section 6-12 if the registrar or the licence committee considers it necessary to establish that the applicant has maintained knowledge, skills, ability and judgment that are substantially equivalent to those expected of a new graduate of an education program that is recognized by the education program review committee for the purpose of practising midwife licensure under section 6-6, and
  - (b) must require an applicant for reinstatement under this section to undergo an equivalency determination under section 6-12 if the applicant does not satisfy the midwife currency requirement or an alternative requirement under section 6-63 but meets all other applicable eligibility standards for reinstatement under this section.

#### **Eligibility standards for provisional midwife licensure**

- 1-49 (1) The licence committee may issue a provisional midwife licence to an applicant for practising midwife licensure under section 6-47, before or after completion of an equivalency determination, for a purpose described in subsection (2), if the applicant, in addition to meeting the applicable general eligibility standards in section 6-4, provides, or causes to be provided, to the college
- (a) an original transcript, or other evidence satisfactory to the college, reflecting the applicant's degrees, diplomas, certificates or other credentials, and confirming that the applicant is the person named therein, and
  - (b) evidence satisfactory to the licence committee that the applicant is competent and fit to engage in the practice of midwifery subject to any limits or conditions imposed under subsection (7).
- (2) An applicant described in subsection (1) may be issued a provisional midwife licence to temporarily allow the applicant to practise pending one or more of the following:
- (a) the college's completion of an equivalency determination of the applicant's knowledge, skills, ability and judgment;
  - (b) the applicant's successful completion of the examination required under section 6-47(1)(b);

- (c) the applicant's completion of any other examinations, transitional education, clinical experience or other upgrading of knowledge, skills, ability and judgment required under subsection (7)(b).
- (3) The licence committee may issue a provisional midwife licence to an applicant for reinstatement of practising midwife licensure under section 6-48, before or after completion of an equivalency determination, for a purpose described in subsection (4), if the applicant, in addition to meeting the applicable general eligibility standards in section 6-4, provides, or causes to be provided, to the college evidence satisfactory to the licence committee that the applicant is competent and fit to engage in the practice of midwifery subject to any limits or conditions imposed under subsection (7).
- (4) An applicant described in subsection (3) may be issued a provisional midwife licence to temporarily allow the applicant to practise pending one or both of the following:
  - (a) the college's completion of an equivalency determination of the applicant's knowledge, skills, ability and judgment;
  - (b) the applicant's completion of any examinations, transitional education, clinical experience or other upgrading of knowledge, skills, ability and judgment required under subsection (7)(b).
- (5) The licence committee may issue a provisional midwife licence to a practising midwife licensee whose licence expires under section 6-64(3) as a result of their failure to provide information required by section 6-58(6)(g)(ii) or (iii), to temporarily allow the licensee to continue to practise midwifery, subject to any limits or conditions imposed under subsection (7), pending their completion of the required audit or quality assurance assessment for which they were selected.
- (6) The licence committee may issue a provisional midwife licence to a practising midwife licensee whose licence expires under section 6-64(1)(a) as a result of their failure to satisfy the midwife currency requirement or an alternative requirement under section 6-63, if the licensee has been approved for a supervised practice experience, to temporarily allow the licensee to continue to practise midwifery, subject to any limits or conditions imposed under subsection (7), pending completion of their supervised practice experience.
- (7) The licence committee may impose limits, conditions or requirements on a provisional midwife licensee, including but not limited to one or more of the following:
  - (a) limits or conditions
    - (i) restricting the scope of services that may be provided by the provisional midwife licensee,
    - (ii) restricting the locations or practice settings where the provisional midwife licensee may practise, or
    - (iii) requiring the provisional midwife licensee to be supervised by, or to practise under the direction of, a practising licensee approved by the college;

- (b) requirements for the provisional midwife licensee to complete, within the time required by the licence committee, any or all of the following to demonstrate their eligibility for practising midwife licensure:
  - (i) further examinations in addition to the examination required under section 6-47(1)(b);
  - (ii) specified transitional education or clinical experience;
  - (iii) other upgrading of knowledge, skills, ability and judgment specified by the committee.
- (8) If a person was, immediately before the HPOA effective date, a registrant in the class of provisional midwife registrants who satisfied the requirements for annual renewal of their registration under the former bylaws,
  - (a) the person is deemed to be a licensee in the class of provisional midwife licensees under these bylaws,
  - (b) all limits and conditions imposed on the person's practice immediately before the HPOA effective date under section 20(4.3)(c) of the former Act and all requirements imposed on the person immediately before the HOPA effective date under section 20(4.3)(b) of the former Act are deemed to be imposed under subsection (7), and
  - (c) if the person's practice of midwifery was subject to an alternative practice arrangement with the college immediately before the HPOA effective date, any applicable limits and conditions on the person's practice under that alternative practice arrangement are continued, and are deemed to have been imposed on the person's licence under section 52(2) of the Act, unless the registrar otherwise directs.
- (9) A provisional midwife licence issued, or deemed to be issued, under this section is valid until
  - (a) the following March 31, or
  - (b) such earlier date as may be specified by the licence committee.

#### **Eligibility standards for temporary midwife (emergency) licensure**

- 1-50 (1) A temporary midwife (emergency) licence may be issued to an applicant to provide short-term services in the event of an emergency under the *Public Health Act*, or a declaration of an emergency situation by the registrar under section 4-1(6), if the applicant
- (a) authorizes their current and former employers to provide information regarding their current midwifery practice, or is a member of the armed forces of Canada,
  - (b) signs a declaration confirming that they are applying for a temporary midwife (emergency) licence solely for the purpose of providing assistance during the emergency event, and
  - (c) meets the requirements in subsection (2), (3) or (4).

- (2) An applicant who meets the requirements in subsection (1)(a) and (b) is eligible for a temporary midwife (emergency) licence if the applicant
  - (a) holds registration or licensure in another Canadian jurisdiction as the equivalent of a practising midwife licensee in good standing,
  - (b) is not subject to any practice limitations, restrictions or conditions in that other jurisdiction that are relevant to the practice of midwifery in British Columbia
  - (c) satisfies either the midwife currency requirement or section 6-63(1)(a)(i), and
  - (d) provides information satisfactory to the college confirming that the applicant meets the requirements in paragraphs (a) to (c).
- (3) A former practising midwife licensee who meets the requirements in subsection (1)(a) and (b) is eligible for a temporary midwife (emergency) licence if the applicant provides, or causes to be provided, to the college information confirming their entitlement to reinstatement of practising midwife licensure under section 6-48 including all applicable items under section 6-4(1).
- (4) An applicant who meets the requirements in subsection (1)(a) and (b) and who held a temporary midwife (emergency) licence at any time during the previous 180 days is eligible for reinstatement of that licence if they provide, or cause to be provided, to the college any applicable items under section 6-4(1) that may be specified by the licence committee.
- (5) If a person was, immediately before the HPOA effective date, a registrant in the class of temporary midwife (emergency) registrants under the former bylaws, the person is deemed to be a licensee in the class of temporary midwife (emergency) licensees under these bylaws.
- (6) A temporary midwife (emergency) licence issued, or deemed to be issued, under this section is valid until
  - (a) the end of the emergency described in subsection (1), or
  - (b) such earlier date as may be specified by the licence committee, not more than one year after the date of issuance of the licence.

## **Division 8 – Limitations on Class of Licence**

### **LPN licensee group**

- 1-51 (1) A practising LPN licensee or multijurisdictional LPN licensee
- (a) may practise only the designated health profession of practical nursing, except as authorized through concurrent licensure in another class,
  - (b) may perform restricted activities only that a licensed practical nurse is authorized to perform under the regulations, subject to any applicable limits or conditions under the regulations, except as authorized through concurrent licensure in another class, and
  - (c) may only engage in aspects of practice that they are competent to perform.

- (2) Subject to any limits or conditions imposed on their practice under section 6-21(7), a provisional LPN licensee may provide practical nursing services as if the licensee were a practising LPN licensee.
- (3) A temporary LPN (emergency) licensee may provide practical nursing services solely for the purpose authorized by their declaration under section 6-23(1)(b) as if the licensee were a practising LPN licensee.

#### **RPN licensee group**

- 1-52 (1) A practising RPN licensee or multijurisdictional RPN licensee
- (a) may practise only the designated health profession of psychiatric nursing, except as authorized through concurrent licensure in another class,
  - (b) may perform restricted activities only that a registered psychiatric nurse is authorized to perform under the regulations, subject to any applicable limits or conditions under the regulations, except as authorized through concurrent licensure in another class, and
  - (c) may only engage in aspects of practice that they are competent to perform.
- (2) Subject to any limits or conditions imposed on their practice under section 6-27(7), a provisional RPN licensee may provide psychiatric nursing services as if the licensee were a practising RPN licensee.
- (3) A temporary RPN (emergency) licensee may provide psychiatric nursing services solely for the purpose authorized by their declaration under section 6-29(1)(b) as if the licensee were a practising RPN licensee.
- (4) An employed student psychiatric nurse licensee may provide psychiatric nursing services only, and only under the supervision of a practising RPN licensee, practising RN licensee or practising NP licensee,
- (a) in the course of the employed student psychiatric nurse licensee's employment as described in section 6-30(1)(b), or
  - (b) while in the process of meeting the requirements and conditions for licensure as a practising RPN licensee.

#### **RN licensee group**

- 1-53 (1) A practising RN licensee, multijurisdictional RN licensee or practising LGN licensee
- (a) may practice only the designated profession of nursing, except as authorized through concurrent licensure in another class,
  - (b) may perform restricted activities only that a registered nurse is authorized to perform under the regulations, subject to any applicable limits or conditions under the regulations, except as authorized through concurrent licensure in another class, and
  - (c) may only engage in aspects of practice that they are competent to perform.



- (2) Subject to any limits or conditions imposed on their practice under section 6-34(7), a provisional RN licensee may provide nursing services as if the licensee were a practising RN licensee.
- (3) Subject to any limits or conditions imposed on their practice under section 6-38(5), a provisional LGN licensee may provide nursing services as if the licensee were a practising LGN licensee.
- (4) A temporary RN (emergency) licensee may provide nursing services solely for the purpose authorized by their declaration under section 6-39(1)(b) as if the licensee were a practising RN licensee.
- (5) An employed student nurse licensee may provide nursing services only, and only under the supervision of a practising RPN licensee, practising RN licensee or practising NP licensee,
  - (a) in the course of the employed student nurse licensee's employment as described in section 6-40(1)(b), or
  - (b) while in the process of meeting the requirements and conditions for licensure as a practising RN licensee.

#### **NP licensee group**

- 1-54 (1) A practising NP licensee
- (a) may practice only the designated profession of nursing, except as authorized through concurrent licensure in another class,
  - (b) may perform restricted activities only that a nurse practitioner is authorized to perform under the regulations, subject to any applicable limits or conditions under the regulations, except as authorized through concurrent licensure in another class, and
  - (c) may only engage in aspects of practice that they are competent to perform.
- (2) Subject to any limits or conditions imposed on their practice under section 6-44(7), a provisional NP licensee may provide nursing services as if the licensee were a practising NP licensee.
- (3) A temporary NP (emergency) licensee may provide nursing services solely for the purpose authorized by their declaration under section 6-45(1)(b) as if the licensee were a practising NP licensee.

#### **Midwife licensee group**

- 1-55 (1) Subject to subsections (2) and (3), a practising midwife licensee
- (a) may practice only the designated profession of midwifery, except as authorized through concurrent licensure in another class,
  - (b) may perform restricted activities only that a midwife is authorized to perform under the regulations, subject to any applicable limits or conditions under the regulations, except as authorized through concurrent licensure in another class, and

- (c) may only engage in aspects of practice that they are competent to perform.
- (2) A practising midwife licensee who does not hold a valid permit to practise in a hospital must, in British Columbia, limit their practice of midwifery to
  - (a) providing antepartum and postpartum care, and
  - (b) assisting another midwife licensee acting as a client's primary care provider with the provision of intrapartum care in an out-of-hospital setting.
- (3) A practising midwife licensee who provides midwifery services to a client who is admitted to a hospital where the licensee does not hold a valid permit to practise must practise collaboratively with at least one other perinatal health care practitioner who holds a valid permit to practise in the hospital and who can be on call for the practising midwife licensee's client throughout the antenatal, intrapartum and postpartum periods.
- (4) Subject to any limits or conditions imposed on their practice under section 6-49(7), a provisional midwife licensee may provide midwifery services as if the licensee were a practising midwife licensee.
- (5) A temporary midwife (emergency) licensee may provide midwifery services solely for the purpose authorized by their declaration under section 6-50(1)(b) as if the licensee were a practising midwife licensee.

#### **Division 9 – Variance of Licence**

##### **Application to vary limits or conditions on licence**

- 1-56
- (1) A licensee may apply to vary limits or conditions attached to their licence by providing to the college
    - (a) a completed application to the registrar in the specified form,
    - (b) payment of any outstanding amount owed or owing by the applicant to the college, and
    - (c) the applicable fees set out in Schedule <>.
  - (2) An applicant under subsection (1) must provide, or cause to be provided, to the college any relevant information or records the college directs them to provide in support of their request.

#### **Division 10 – Annual Maintenance Requirements**

##### **Notice of annual fees and declaration process**

- 1-57
- (1) The college must deliver notice to each practising licensee by January 15 of each year, of
    - (a) the annual fees payable by the licensee under Schedule <>,
    - (b) the process for providing the annual declaration and accompanying information required under section 6-58, and

- (c) the consequences that may result from late payment or non-payment of annual fees or from failure to provide the annual declaration and accompanying information required under section 6-58.
- (2) The college must deliver notice of the matters described in subsection (1)(a), (b) and (c) to each provisional licensee by January 15 of each year, unless the licensee's licence is scheduled to expire before March 31 under section 6-65(a)(ii).
- (3) The college must deliver notice of the matters described in subsection (1)(a), (b) and (c) to each multijurisdictional licensee at least 30 days before the applicable deadline for the licensee's payment of annual fees and provision of their completed annual declaration under section 6-58(3).
- (4) The college must deliver notice of the matters described in subsection (1)(a), (b) and (c) to each employed student licensee by January 15 of each year, unless the licensee has notified the college that they will cease to be
  - (a) enrolled as a student in an education program described in section 6-30(1)(a) or 6-40(1)(a), as the case may be, or
  - (b) employed as described in section 6-30(1)(b) or 6-40(1)(b), as the case may be,on or before March 31.

#### **Annual declaration**

- 1-58
- (1) Every practising licensee must provide to the college, by March 31 of each year, a completed annual declaration in the specified form, attesting to
    - (a) the licensee's compliance with the Act, the regulations and the bylaws, and any limits, conditions or requirements attached to their licence or otherwise imposed on the licensee under the Act,
    - (b) the truthfulness and completeness of the information submitted by the licensee in, or with, their annual declaration, and
    - (c) the licensee's understanding of the consequences that may result from submitting false or incomplete information in, or with, an annual declaration.
  - (2) Every provisional licensee applying for renewal of their licensure under section 6-70 must provide to the college, as part of their application for renewal under section 6-70(1)(a), a completed annual declaration attesting to the matters described in subsection (1)(a), (b) and (c).
  - (3) Every multijurisdictional licensee must provide to the college a completed annual declaration in the specified form attesting to the matters described in subsection (1)(a), (b) and (c) by the applicable deadline specified by the registrar.
  - (4) For the purpose of subsection (3), the registrar may specify different deadlines for
    - (a) different classes of multijurisdictional licensees,
    - (b) different groups of multijurisdictional licensees who hold registration or licensure in other Canadian jurisdictions, or

- (c) different groups of multijurisdictional licensees who hold registration or licensure with regulatory bodies in other Canadian jurisdictions.
- (5) Every employed student licensee applying for renewal of their licensure under section 6-72 must provide to the college, as part of their application for renewal under section 6-72(1)(a), a completed annual declaration attesting to the matters described in subsection (1)(a), (b) and (c).
- (6) A licensee's annual declaration under subsection (1), (2), (3) or (5) must be accompanied by all of the following:
  - (a) payment of the applicable annual fees set out in Schedule <>;
  - (b) payment of any outstanding amount owed or owing by the licensee to the college;
  - (c) information satisfactory to the college confirming the licensee's ongoing compliance with the applicable requirements for professional liability protection or liability insurance;
  - (d) an updated criminal record check authorization or, if permitted by the registrar, criminal record check verification authorization, in the form required under the *Criminal Records Review Act*, if the licensee's most recent criminal record check authorization or criminal record check verification authorization was provided to the college more than five years earlier;
  - (e) updated documentation in a form satisfactory to the college providing the results of a national police check or the equivalent for any jurisdiction in which the applicant resided during the five-year period immediately before the date of the annual declaration, if the licensee
    - (i) has not previously provided such documentation to the college for the applicable jurisdiction, or
    - (ii) most recently provided such documentation to the college for the applicable jurisdiction more than five years earlier,unless it is not reasonably practicable to obtain such documentation for the applicable jurisdiction,
  - (f) information satisfactory to the college confirming the licensee's compliance with any applicable requirements for mandatory vaccinations against transmissible illnesses required by or under an enactment other than the bylaws,
  - (g) information satisfactory to the college confirming
    - (i) the licensee's compliance with any applicable currency requirement or requirements under sections 11-12 to 11-16, or an applicable alternative requirement or requirements under sections 6-59 to 6-63, as the case may be,
    - (ii) the licensee's completion of, or satisfactory cooperation with, an audit under section 11-6, if they were selected for an audit under that section,

- (iii) the licensee's completion of, or satisfactory cooperation with, a quality assurance assessment, if they were selected for a quality assurance assessment under section 99(1) of the Act or section 11-7, and
    - (iv) for a practising licensee, the licensee's satisfaction of the personal practice review requirement under section 11-9;
  - (h) any information the licensee is required to provide under section 6-16 or 6-17 that they have not previously provided to the college;
  - (i) any additional information required by subsection (7).
- (7) In addition to the items described in subsection (6)(a) to (h),
- (a) a midwife licensee's annual declaration under subsection (1) or (2) must be accompanied by information satisfactory to the college confirming that the licensee continues to hold current certification from programs satisfactory to the college in fetal health surveillance, neonatal resuscitation, cardiopulmonary resuscitation and emergency skills,
  - (b) a multijurisdictional licensee's annual declaration under subsection (3) must be accompanied by information satisfactory to the college confirming that the licensee continues to meet the applicable class specific eligibility standards described in section 6-22, 6-28 or 6-35, and
  - (c) an employed student licensee's annual declaration under subsection (5) must be accompanied by information satisfactory to the college confirming that the licensee continues to be
    - (i) enrolled as a student in an education program described in section 6-30(1)(a) or 6-40(1)(a), as the case may be, and
    - (ii) employed as described in section 6-30(1)(b) or 6-40(1)(b), as the case may be.

#### **Alternatives to LPN currency requirement**

- 1-59 (1) For the purposes of sections 6-20(4)(a), 6-23(2)(c) or 6-58(6)(g)(i), an LPN licensee or applicant is not required to satisfy the LPN currency requirement if, within the five-year period immediately preceding the date of their annual declaration or application,
- (a) they successfully completed
    - (i) an LPN education program that is recognized by the education program review committee for the purpose of practising LPN licensure under section 6-6 or deemed to be equivalent under section 6-10, or
    - (ii) a practical nursing practice experience under the guidance and supervision of a preceptor, for which the preceptor and design of the practical nursing practice experience were approved in advance by the registrar in accordance with any criteria established by the board for that purpose, or
  - (b) following the completion of an equivalency determination,

- (i) an evaluator or the licence committee determined that the knowledge, skills, ability and judgment of the licensee or applicant were substantially equivalent to those expected of a new graduate of an education program recognized under section 6-6 for the purpose of practising LPN licensure, or
  - (ii) the licensee or applicant successfully completed any transitional education or experience recommended by the evaluator or the licence committee to address any apparent deficiencies or gaps in their knowledge, skills, ability and judgment.
- (2) Without limiting subsection (1), for the purposes of section 6-58(6)(g)(i), a provisional LPN licensee is not required to satisfy the LPN currency requirement if they are in the process of completing any requirements imposed under section 6-21(7)(b) to demonstrate their eligibility for practising LPN licensure, and they are in compliance with any applicable deadlines to complete those requirements.

#### **Alternatives to RPN currency requirement**

- 1-60 (1) For the purposes of sections 6-26(4)(a), 6-29(2)(c) or 6-58(6)(g)(i), an RPN licensee or applicant is not required to satisfy the RPN currency requirement if
- (a) within the five-year period immediately preceding the date of their annual declaration or application,
    - (i) they successfully completed
      - (A) an RPN education program that is recognized by the education program review committee for the purpose of practising RPN licensure under section 6-6 or deemed to be equivalent under section 6-10,
      - (B) a psychiatric nursing practice experience under the guidance and supervision of a preceptor, for which the preceptor and design of the psychiatric nursing practice experience were approved in advance by the registrar in accordance with any criteria established by the board for that purpose, or
      - (C) a post-basic program leading to a baccalaureate, masters or doctoral degree in psychiatric nursing or mental health nursing that is determined by the licence committee to be satisfactory to exempt the licensee or applicant from the RPN currency requirement, or
    - (ii) following the completion of an equivalency determination,
      - (A) an evaluator or the licence committee determined that the knowledge, skills, ability and judgment of the licensee or applicant were substantially equivalent to those expected of a new graduate of an education program recognized under section 6-6 for the purpose of practising RPN licensure, or
      - (B) the licensee or applicant successfully completed any transitional education or experience recommended by the evaluator or the licence committee to address any apparent

deficiencies or gaps in their knowledge, skills, ability and judgment, or

- (b) they are currently enrolled in a post-basic program described in paragraph (a)(i)(C).
- (2) Without limiting subsection (1), for the purposes of section 6-58(6)(g)(i), a provisional RPN licensee is not required to satisfy the RPN currency requirement if they are in the process of completing any requirements imposed under section 6-27(7)(b) to demonstrate their eligibility for practising RPN licensure, and they are in compliance with any applicable deadlines to complete those requirements.

#### **Alternatives to RN currency requirement**

- 1-61 (1) For the purposes of sections 6-33(4)(a), 6-37(4)(a), 6-39(2)(c), 6-43(4)(a), 6-45(2)(c) or 6-58(6)(g)(i), an RN licensee, LGN licensee, NP licensee or applicant is not required to satisfy the RN currency requirement if
- (a) within the five-year period immediately preceding the date of their annual declaration or application,
    - (i) they successfully completed
      - (A) an RN education program that is recognized by the education program review committee for the purpose of practising RN licensure under section 6-6 or deemed to be equivalent under section 6-10,
      - (B) a nursing practice experience under the guidance and supervision of a preceptor, for which the preceptor and design of the nursing practice experience were approved in advance by the registrar in accordance with any criteria established by the board for that purpose,
      - (C) a post-basic program leading to a baccalaureate, masters or doctoral degree in nursing or a field related to nursing that is determined by the licence committee to be satisfactory to exempt the licensee or applicant from the RN currency requirement, or
    - (ii) following the completion of an equivalency determination,
      - (A) an evaluator or the licence committee determined that the knowledge, skills, ability and judgment of the licensee or applicant were substantially equivalent to those expected of a new graduate of an education program recognized under section 6-6 for the purpose of practising RN licensure, or
      - (B) the licensee or applicant successfully completed any transitional education or experience recommended by the evaluator or the licence committee to address any apparent deficiencies or gaps in their knowledge, skills, ability and judgment, or
  - (b) they are currently enrolled in a post-basic program described in paragraph (a)(i)(C).

- (2) Without limiting subsection (1), for the purposes of section 6-58(6)(g)(i), a provisional RN licensee or provisional LGN licensee is not required to satisfy the RN currency requirement if they are in the process of completing any requirements imposed under section 6-34(7)(b) or 6-38(5)(b) to demonstrate their eligibility for practising RN licensure or practising LGN licensure, and they are in compliance with any applicable deadlines to complete those requirements.

#### **Alternatives to NP currency requirement**

- 1-62 (1) For the purposes of sections 6-43(4)(a), 6-45(2)(c) or 6-58(6)(g)(i), an NP licensee or applicant is not required to satisfy the RN currency requirement and NP currency requirement if, within the three-year period immediately preceding the date of their annual declaration or application,
- (a) they successfully completed
    - (i) an NP education program that is recognized by the education program review committee for the purpose of practising NP licensure under section 6-6 or deemed to be equivalent under section 6-10, or
    - (ii) a nurse practitioner practice experience under the guidance and supervision of a preceptor, for which the preceptor and design of the nurse practitioner practice experience were approved in advance by the registrar in accordance with any criteria established by the board for that purpose, or
  - (b) following the completion of an equivalency determination,
    - (i) an evaluator or the licence committee determined that the knowledge, skills, ability and judgment of the licensee or applicant were substantially equivalent to those expected of a new graduate of an education program recognized under section 6-6 for the purpose of practising NP licensure, or
    - (ii) the licensee or applicant successfully completed any transitional education or experience recommended by the evaluator or the licence committee to address any apparent deficiencies or gaps in their knowledge, skills, ability and judgment.
- (2) Without limiting subsection (1), for the purposes of section 6-58(6)(g)(i), a provisional NP licensee is not required to satisfy the RN currency requirement and NP currency requirement if they are in the process of completing any requirements imposed under section 6-44(7)(b) to demonstrate their eligibility for practising NP licensure, and they are in compliance with any applicable deadlines to complete those requirements.

#### **Alternatives to midwife currency requirement**

- 1-63 (1) For the purposes of sections 6-48(4)(a), 6-50(2)(c) or 6-58(6)(g)(i), a midwife licensee or applicant is not required to satisfy the midwife currency requirement if, within the three-year period immediately preceding the date of their annual declaration or application,
- (a) they successfully completed



- (i) an midwife education program that is recognized by the education program review committee for the purpose of practising midwife licensure under section 6-6 or deemed to be equivalent under section 6-10, or
  - (ii) a midwifery practice experience under the guidance and supervision of a preceptor, for which the preceptor and design of the midwifery practice experience were approved in advance by the registrar in accordance with any criteria established by the board for that purpose, or
- (b) following the completion of an equivalency determination,
  - (i) an evaluator or the licence committee determined that the knowledge, skills, ability and judgment of the licensee or applicant were substantially equivalent to those expected of a new graduate of an education program recognized under section 6-6 for the purpose of practising midwife licensure, or
  - (ii) the licensee or applicant successfully completed any transitional education or experience recommended by the evaluator or the licence committee to address any apparent deficiencies or gaps in their knowledge, skills, ability and judgment.
- (2) Without limiting subsection (1), for the purposes of section 6-58(6)(g)(i), a provisional midwife licensee is not required to satisfy the midwife currency requirement if they are in the process of completing any requirements imposed under section 6-49(7)(b) to demonstrate their eligibility for practising midwife licensure, and they are in compliance with any applicable deadlines to complete those requirements.

## **Division 11 – Expiry of Licences**

### **Expiry of practising licence**

- 1-64 (1) Subject to subsection (4), if a practising licensee fails to provide to the college their annual declaration under section 6-58(1) accompanied by all of the items required under section 6-58(6) by the March 31 deadline to do so,
- (a) the licensee's practising licence expires effective April 1, if the licensee has failed to provide the information required by section 6-58(6)(c) or (g)(i), or
  - (b) the registrar must deliver a notice of non-compliance to the licensee under subsection (2), if paragraph (a) does not apply.
- (2) A notice of non-compliance under this section must
- (a) notify the licensee of their failure to provide a completed annual declaration accompanied by all of the items required under section 6-58(6) by March 31,
  - (b) specify which required items under section 6-58(6) remain outstanding,
  - (c) require the licensee to provide a completed annual declaration accompanied by the outstanding items specified under paragraph (b) by an

extended deadline specified in the notice, which must be at least 30 days after the date of the notice, and

- (d) notify the licensee of the consequences that may result from their failure to provide the items required under paragraph (c) by the specified extended deadline.
- (3) If a practising licensee fails to provide to the college a completed annual declaration accompanied by all outstanding items required by a notice of non-compliance under subsection (2) by the extended deadline specified in the notice, their practising licence expires on the first day after that extended deadline.
- (4) The licence committee may issue a provisional licence to a licensee whose practising licence expires under subsection (1)(a) if authorized to do so under section 6-21(5) or (6), 6-27(5) or (6), 6-34(5) or (6), 6-38(3) or (4), 6-44(5) or (6) or 6-49(5) or (6).
- (5) Nothing in this section limits or restricts the authority of the registrar to take any other action authorized under sections 108 and 109 of the Act as a result of a practising licensee's failure to provide a completed annual declaration or any other item required under section 6-58.

#### **Expiry of provisional licence**

1-65 A provisional licence expires

- (a) on the first day after
  - (i) any applicable deadline for the licensee to complete any requirement imposed under section 6-21(7)(b), 6-27(7)(b), 6-34(7)(b), 6-38(5)(b), 6-44(7)(b) or 6-49(7)(b), as the case may be, if the licensee fails to complete that requirement by the specified deadline and the committee does not extend the deadline, or
  - (ii) any applicable date specified by the licence committee under section 6-21(9)(b), 6-27(9)(b), 6-34(9)(b), 6-38(7)(b), 6-44(9)(b), 6-49(9)(b) or 6-70(5)(b)(ii) as the case may be, or
- (b) on April 1, unless the licence committee renews the provisional licence under section 6-70.

#### **Expiry of multijurisdictional licence**

- 1-66 (1) A multijurisdictional licence expires immediately if the multijurisdictional licensee ceases to hold registration or licensure in the applicable other Canadian jurisdiction under section 6-22(2)(a), 6-28(2)(a) or 6-35(2)(a).
- (2) If a multijurisdictional licensee fails to provide to the college their annual declaration under section 6-58(3) accompanied by all of the items required under section 6-58(6) and (7) by the applicable deadline specified under section 6-58(3), the licensee's multijurisdictional licence expires on the first day after the applicable deadline specified under section 6-58(3).

### **Expiry of temporary (emergency) licence**

- 1-67 A temporary (emergency) licence expires on the first day after
- (a) the date specified by the licence committee under section 6-23(6)(b), 6-29(6)(b), 6-39(6)(b), 6-45(6)(b), 6-50(6)(b) or 6-71(2)(b), as the case may be, unless the licence committee renews the temporary (emergency) licence under section 6-71, or
  - (b) the end of the applicable emergency described in section 6-23(1), 6-29(1), 6-40(1), 6-47(1) and 6-53(1).

### **Expiry of employed student licence**

- 1-68 (1) Subject to subsection (2), an employed student licence expires
- (a) on the date that is seven days after the earlier of
    - (i) the date the licensee ceases to be enrolled as a student in an education program described in section 6-30(1)(a) or 6-40(1)(a), as the case may be, and
    - (ii) the date that the licensee ceases to be employed as described in section 6-30(1)(b) or 6-40(1)(b), as the case may be, or, if applicable, the date that the licensee's offer of employment is declined or withdrawn, or
  - (b) on April 1, unless the licence committee renews the employed student licence under section 6-72.
- (2) An employed student licence expires immediately if the licensee's employment described in section 6-30(1)(b) or 6-40(1)(b) is terminated for cause.

## **Division 12 – Renewal**

### **Notice of annual renewal process**

- 1-69 (1) Subject to subsection (2), the college must deliver notice to each provisional licensee and employed student licensee, by January 15 of each year, of the process for annual renewal of their licence and the consequences of failing to renew.
- (2) The college is not required to deliver a notice under subsection (1) to
- (a) a provisional licensee whose licence is scheduled to expire before March 31 under section 6-65(a)(ii), or
  - (b) an employed student licensee who has notified the college that they will cease to be
    - (i) enrolled as a student in an education program described in section 6-30(1)(a) or 6-40(1)(a), as the case may be, or
    - (ii) employed as described in section 6-30(1)(b) or 6-40(1)(b), as the case may be,
- on or before March 31.

### Eligibility standards for renewal of provisional licence

- 1-70 (1) Subject to subsection (2), the licence committee may renew the licence of a provisional licensee who provides to the college, by any applicable deadline specified by the registrar,
- (a) a completed application for renewal in the specified form, including a completed annual declaration as required under section 6-58(2), and
  - (b) all applicable items required under section 6-58(6).
- (2) A provisional licensee is not eligible for renewal of their licence if their licence expires under section 6-65(a).
- (3) Despite subsection (1)(b), the licence committee may renew the provisional licence of an applicant under subsection (1) who fails to provide information satisfactory to the college confirming their compliance with applicable quality assurance requirements described in section 6-58(6)(g)(ii) and (iii) to temporarily allow the applicant to continue to practise the applicable designated health profession, subject to any limits or conditions imposed under subsection (5)(a), pending their completion of those quality assurance requirements and any additional requirements imposed under subsection (5)(a).
- (4) Despite subsections (1) and (3), if the provisional licence of an applicant under subsection (1) has previously been renewed one or more times under this section without satisfying the applicable eligibility requirements for practising licensure under section 6-19(4), 6-25(4), 6-32(4), 6-42(4) or 6-47(4), the applicant is not eligible for a further renewal of their provisional licence unless
- (a) the applicant's only outstanding eligibility requirement for practising licensure is completion of the applicable entry to practice examination required under section 6-19(1)(b), 6-25(1)(b), 6-32(1)(b), 6-42(1)(c) or 6-47(1)(b), the applicable deadline for the applicant to complete that examination has not expired, and the applicant has not already attempted twice to pass that examination, or
  - (b) in the opinion of the licence committee, exceptional circumstances exist to justify the further renewal of the applicant's provisional licence despite their failure to satisfy other outstanding eligibility requirements for practising licensure.
- (5) A provisional licence renewed under this section
- (a) is subject to the same limits, conditions and requirements imposed under section 6-21(7), 6-27(7), 6-34(7), 6-38(5), 6-44(7) or 6-49(7), as the case may be, unless those limits, conditions and requirements are varied by the licence committee, and
  - (b) is valid until
    - (i) the following March 31, or
    - (ii) such earlier date as may be specified by the licence committee.

### **Eligibility standards for renewal of temporary (emergency) licence**

- 1-71 (1) The licence committee may renew the licence of a temporary (emergency) licensee in good standing who provides to the college
- (a) a completed application for renewal in the specified form,
  - (b) the applicable fees set out in Schedule <>,
  - (c) information satisfactory to the college confirming that the licensee continues to meet the applicable class specific eligibility standards described in section 6-23, 6-29, 6-39, 6-45 and 6-50, and
  - (d) any applicable items under section 6-4(1) that may be specified by the licence committee.
- (2) A temporary (emergency) licence renewed under this section is valid until
- (a) the end of the emergency described in section 6-23(1), 6-29(1), 6-39(1), 6-45(1) and 6-50(1), or
  - (b) such earlier date as may be specified by the licence committee, not more than one year after the date of renewal of the licence.

### **Eligibility standards for renewal of employed student licence**

- 1-72 (1) The licence committee may renew the licence of an employed student licensee who provides to the college, by any applicable deadline specified by the registrar,
- (a) a completed application for renewal in the specified form, including a completed annual declaration as required under section 6-58(5), and
  - (b) all applicable items required under section 6-58(6) and (7)(c).
- (2) Subject to section 6-68(2), an employed student licence renewed under this section is valid until
- (a) the following March 31, or
  - (b) such earlier date that is six days after the earlier of
    - (i) the date the licensee ceases to be enrolled as a student in an education program described in section 6-30(1)(a) or 6-40(1)(a), as the case may be, and
    - (ii) the date that the licensee ceases to be employed as described in section 6-30(1)(b) or 6-40(1)(b), as the case may be.

## **Division 13 – Decisions by Registrar**

### **Registrar authorized to act**

- 1-73 (1) The registrar is authorized to act under section 43 of the Act.
- (2) For greater certainty,
- (a) if the licence committee has the power under the bylaws to issue, vary, renew or reinstate a licence, with or without conditions, the registrar may

issue, vary, renew or reinstate the licence under section 43 of the Act, and may exercise any incidental powers of the registrar under the bylaws, subject to any applicable limitations on the registrar's authority under section 43(2), (4) and (5) of the Act, and

- (b) this section does not limit or restrict the authority of the registrar to act under section 44 of the Act.

### **Authority of registrar to investigate before decision**

1-74 The registrar may investigate matters relevant to a licence application before making a decision under section 43 or 44 of the Act.

### **Notice of administrative refusal**

1-75 When the registrar makes an adverse application decision under section 44(1) of the Act, the written notice and reasons required by section 44(2) of the Act

- (a) must be provided to the applicant within 60 days of the date of the decision, and
- (b) must inform the applicant of their right to apply for a reconsideration under sections 45 and 381 of the Act and section 6-76.

### **Reconsideration hearing process**

- 1-76
- (1) An applicant may apply for reconsideration of an adverse application decision under section 44(1) of the Act, within 30 days of their receipt of written notice of the decision under section 44(2) of the Act, by providing a completed application in the specified form accompanied by the applicable reconsideration fee specified in Schedule <>.
  - (2) Upon receipt of an application for reconsideration, the registrar must give the applicant an opportunity to be heard by inviting them to provide written submissions under section 380(2)(a) of the Act before making a decision on the application.
  - (3) The registrar must deliver a written reconsideration decision with reasons to the applicant as soon as practicable.

## **Division 14 – Decisions by Licence Committee**

### **Authority of licence committee to investigate before decision**

- 1-77
- (1) The licence committee may investigate, or may direct the registrar to investigate, matters relevant to a licence application before making a decision with respect to the application.
  - (2) The applicant must demonstrate that they meet all applicable eligibility standards and requirements for licensure under the Act, the regulations and the bylaws.

### **Hearing process for adverse application decision by licence committee**

- 1-78 (1) Subject to subsection (2), before the licence committee makes an adverse application decision under section 53 of the Act, the registrar, on behalf of the licence committee, must provide
- (a) written notice to the applicant, and
  - (b) an opportunity to be heard by inviting the applicant to provide written submissions under section 380(2)(a) of the Act.
- (2) Subsection (1) does not apply to an adverse application decision
- (a) that the licence committee is authorized to make without notice or a hearing under section 53(2) or 54 of the Act, or
  - (b) that reflects the outcome of an equivalency determination under section 6-12 if
    - (i) the applicant has accepted the outcome of that equivalency determination under section 6-12(7)(a), or
    - (ii) the licence committee has already given the applicant an opportunity to be heard under section 6-12(9).

### **Notice of adverse application decision by licence committee**

- 1-79 When the licence committee makes an adverse application decision under section 53 of the Act, the written notice and reasons required by section 53(4) of the Act must be provided to the applicant within 60 days of the date of the decision.

## **Division 15 – Limits or Conditions**

### **Imposition of limits or conditions by registrar or licence committee**

- 1-80 (1) Subject to the bylaws and the terms of any applicable disciplinary order, the registrar or licence committee may impose limits or conditions on a licence under section 43(3) or 52(2) of the Act for any reason, including lack of currency in practice, when issuing, varying, renewing or reinstating a licence, including but not limited to one or more of the following:
- (a) a requirement to practise under the supervision or direction of a practising licensee approved by the college, subject to any further specified terms, limits or conditions governing the supervision or direction of the licensee's practice;
  - (b) a limitation restricting the aspects of professional health care services that the licensee may provide;
  - (c) a requirement to complete examinations, education, training or other upgrading of knowledge, skills, ability and judgment respecting
    - (i) the prevention and avoidance of any form of discrimination described in section 9 of the Act,
    - (ii) the promotion and awareness of cultural safety, humility and Indigenous-specific and other anti-racism, and

- (iii) any other matters relevant to the safe, competent and ethical practice of the applicable designated health profession;
  - (d) a requirement for the applicant to limit or restrict their practice until they have successfully completed measures required under paragraph (c);
  - (e) a requirement for periodic or random practice audits on terms specified by the college and to take further remedial steps if the practice audit results are not satisfactory to the college.
- (2) Subject to subsection (4), the registrar or licence committee must provide
  - (a) written notice to an applicant or licensee of a proposed limit or condition under subsection (1) other than as requested by the applicant or licensee, and
  - (b) an opportunity to be heard by inviting the applicant or licensee to provide written submissions under section 380(2)(a) of the Act before the registrar or licence committee decides whether to impose the proposed limit or condition.
- (3) For greater certainty, subsection (2) does not prevent the registrar or licence committee from varying a proposed limit or condition set out in a written notice under subsection (2)(a)
  - (a) in response to the applicant or licensee's written submissions under subsection (2)(b), or
  - (b) if the written notice under subsection (2)(a) provided the applicant or licensee with adequate notice of the possibility of the registrar or licensee considering such a variation of the proposed limit or condition.
- (4) Subsection (2) does not apply to a limit or condition that the registrar or licence committee is authorized to impose without notice or a hearing under section 44(1), 53(2) or 54 of the Act.
- (5) Every licence is deemed to include a condition that the registrar or the licence committee may vary, suspend or revoke the licence if they determine, after giving the licensee an opportunity to be heard, that the licensee made a misrepresentation or omission in their application, or in information provided to the college in support of their application, that was material to the previous decision to issue, vary, renew or reinstate the licensee's licence, having regard to
  - (a) the nature of the information misrepresented or omitted, including the likely impact of the misrepresentation or omission on the previous decision to issue, vary, renew or reinstate the licensee's licence,
  - (b) whether or to what extent the licensee knew or should have known at the time of their application that they were misrepresenting or omitting a material fact,
  - (c) whether the misrepresentation or omission is evidence of that the licensee does not meet the good character and fitness to practise requirements in section 6-4(1)(a), or any other applicable eligibility standard, and



- (d) any other circumstances the registrar or the licence committee considers relevant.
- (6) Every practising licence and multijurisdictional licence is deemed to include a condition that the registrar or the licence committee may vary, suspend or revoke the licence if they determine, after giving the licensee an opportunity to be heard, that the licensee has made a misrepresentation or omission in the information submitted in or with an annual declaration provided to the college under section 6-58, having regard to
  - (a) the nature of the information misrepresented or omitted, including whether the licensee's licence would have expired by operation of section 6-64(1)(a) or 6-66(2) or whether the registrar would likely have delivered a notice of non-compliance to the licensee under section 6-64(1)(b) if not for the misrepresentation or omission,
  - (b) whether or to what extent the licensee knew or should have known at the time of submitting their annual declaration that they were misrepresenting or omitting a material fact, and
  - (c) any other circumstances the registrar or the licence committee considers relevant.

#### **Division 16 – Revocation of Licence**

##### **Revocation of licence due to misrepresentation or omission, or breach of specified condition**

- 1-81 (1) The registrar or the licence committee may vary, suspend or revoke a licensee's licence
- (a) in accordance with section 6-80(5), if the registrar or the licence committee determines, after giving the licensee an opportunity to be heard, that the licensee made a misrepresentation or omission in their application, or in information provided to the college in support of their application, that was material to the previous decision to issue, vary, renew or reinstate the licensee's licence, having regard to the factors described in section 6-80(5)(a) to (d),
  - (b) in accordance with section 6-80(6), if the registrar or the licence committee determines, after giving the licensee an opportunity to be heard, that the licensee has made a misrepresentation or omission in information submitted in or with an annual declaration under 6-58 that was material to the non-application of section 6-64(1) or 6-66(2), having regard to the factors described in section 6-80(6)(a) to (c), or
  - (c) if the licensee's licence includes a condition authorizing the registrar or the licence committee to vary, suspend or revoke the licence if the licensee breaches or fails to satisfy another specified condition of the licence, and the registrar or the licence committee determines, after giving the licensee an opportunity to be heard, that the licensee has breached or failed to satisfy that specified condition.

- (2) Before making a decision under subsection (1), the registrar or the licence committee must provide
  - (a) written notice to the licensee, and
  - (b) an opportunity to be heard by inviting the licensee to provide written submissions under section 380(2)(a) of the Act.
- (3) If the registrar decides to vary, suspend or revoke a licensee's licence under subsection (1), the licensee may apply to the licence committee for a review of that decision within 14 days of their receipt of written notice of the decision, by providing a completed application in the specified form accompanied by
  - (a) the applicable review fee specified in Schedule <>, and
  - (b) any additional written submissions that the licensee would like the licence committee to consider.
- (4) If a licensee applies under subsection (3) for review of a decision of the registrar under subsection (1), the licence committee must consider any written submissions provided by the licensee under subsections (2)(b) and (3)(b) before making a decision to confirm, vary or set aside the registrar's decision.
- (5) A decision by the registrar under subsection (1) is not effective until
  - (a) the expiry of the deadline for the licensee to apply for a review of the decision under subsection (3), if the licensee does not provide a completed application for a review by that deadline, or
  - (b) the registrar delivers written notice to the licensee of a decision by the licence committee confirming the registrar's decision under subsection (4).
- (6) A decision by the licence committee under subsection (1) or (4) is effective immediately upon the registrar delivering written notice of the decision to the licensee.