

PART 8 - PROFESSIONAL RESPONSIBILITIES

Division 1 – Standards and Ethics

Ethics standards and practice standards

- 8-1 All licensees must comply with all ethics standards and practice standards established by the board that are applicable to the practice of their designated health profession.

Establishment of ethics standards and practice standards

- 8-2 (1) Without limiting section 70 of the Act, the board
- (a) must, by bylaw, establish ethics standards respecting all of the matters specified in section 70(2) of the Act, and
 - (b) may establish ethics standards respecting any other matters relating to licensees' practice of their designated health profession in a manner that is ethical.
- (2) Without limiting section 72 of the Act, the board
- (a) must, by bylaw, establish practice standards respecting all of the matters specified in section 72(3) of the Act and in sections 7-2(4), 10-1 and 10-2, and
 - (b) may establish practice standards respecting any other matters relating to the safe and competent practice by licensees of their designated health profession, including the establishment of standards, limits or conditions for the practice of the designated health profession by licensees.
- (3) For the purposes of satisfying its duty under section 361 of the Act, the board may seek advice from a panel of the professional standards advisory committee appointed in accordance with section 3-15(10) before establishing, amending or repealing an ethics standard or practice standard.
- (4) A bylaw establishing an ethics standard or practice standard may be included in these *BCCNM General Bylaws*, or may be adopted as a separate free-standing bylaw.
- (5) Subject to section 538 of the Act,
- (a) any standards of professional ethics that were established by bylaw under section 19(1)(l) of the former Act immediately before the HPOA effective date are deemed to be ethics standards established by the board under section 70 of the Act, and they continue to apply to licensees, with any necessary changes and so far as applicable, until they are amended, repealed or replaced by the board, and
 - (b) any standards, limits or conditions on the practice of a designated health profession governed by the college that were established by bylaw under section 19(1)(k) of the former Act immediately before the HPOA effective date are deemed to be practice standards established by the board under section 72 of the Act, and they continue to apply to licensees, with any

necessary changes and so far as applicable, until they are amended, repealed or replaced by the board.

- (6) The registrar must
 - (a) maintain a record of all ethics standards and practice standards established under sections 70 and 72 of the Act in respect of the designated health professions governed by the college, and
 - (b) ensure that all ethics standards and practice standards described in paragraph (a) are published on the college website.

Generally accepted professional standards

- 8-3 (1) Without limiting the applicability of any ethics standards and practice standards established under sections 70 and 72 of the Act, a licensee must not provide health care services in a manner that exposes to a client to harm or a risk of harm if, in the circumstances, no reasonable and competent licensee would provide health care services in that manner having regard to relevant standards.
- (2) Relevant standards under subsection (1) include uncodified standards that are generally accepted with the licensee's designated health profession and that are not superseded by any ethics standard or practice standard.

Division 2 – Use of Titles

General restriction on use of titles

- 8-4 (1) A licensee whose licence is not suspended may use a title that is reserved by the NMR for the exclusive use of licensees only if the licensee
 - (a) is in a class of licensure that is authorized by the NMR and this Division to use the title, and
 - (b) uses the title in a manner authorized by the bylaws.
- (2) A licensee must not use any title that expresses or implies that they hold a licence in a class of licensure for which they do not hold a licence.

LPN licensee group

- 8-5 (1) A practising LPN licensee or multijurisdictional LPN licensee may use
 - (a) the title "nurse", "licensed practical nurse" or "practical nurse", or
 - (b) the abbreviation "LPN".
- (2) A provisional LPN licensee may use
 - (a) the title "licensed practical nurse (provisional)", "provisional LPN" or "provisional nurse", or
 - (b) the abbreviation "LPN(P)".

- (3) A temporary LPN (emergency) licensee may use
 - (a) the title “temporary licensed practical nurse”, “temporary LPN” or “temporary nurse” or
 - (b) the abbreviation “LPN(T)”.

RPN licensee group

- 8-6 (1) A practising RPN licensee or multijurisdictional RPN licensee may use
 - (a) the title “nurse”, “registered psychiatric nurse” or “psychiatric nurse”, or
 - (b) the abbreviation “RPN”.
- (2) A provisional RPN licensee may use
 - (a) the title “registered psychiatric nurse (provisional)”, “provisional RPN” or “provisional nurse”, or
 - (b) the abbreviation “RPN(P)”.
- (3) A temporary RPN (emergency) licensee may use
 - (a) the title “temporary registered psychiatric nurse”, “temporary RPN” or “temporary nurse”, or
 - (b) the abbreviation “RPN(T)”.
- (4) An employed student psychiatric nurse licensee may use
 - (a) the title “employed student psychiatric nurse”, or
 - (b) the abbreviation “ESPN”.

RN licensee group

- 8-7 (1) A practising RN licensee or multijurisdictional RN licensee may use
 - (a) the title “nurse” or “registered nurse”, or
 - (b) the abbreviation “RN”.
- (2) A provisional RN licensee may use
 - (a) the title “registered nurse (provisional)”, “provisional RN” or “provisional nurse”, or
 - (b) the abbreviation “RN(P)”.
- (3) A practising LGN licensee may use
 - (a) the title “nurse” or “licensed graduate nurse”, or
 - (b) the abbreviation “LGN”.
- (4) A provisional LGN licensee may use
 - (a) the title “licensed graduate nurse (provisional)”, “provisional LGN” or “provisional nurse”, or

- (b) the abbreviation "LGN(P)".
- (5) A temporary RN (emergency) licensee may use
 - (a) the title "temporary registered nurse", "temporary RN" or "temporary nurse", or
 - (b) the abbreviation "RN(T)".
- (6) An employed student nurse licensee may use
 - (a) the title "employed student nurse", or
 - (b) the abbreviation "ESN".

NP licensee group

- 8-8 (1) A practising NP licensee may use
 - (a) the title "nurse practitioner", "registered nurse practitioner", "nurse" or "registered nurse", or
 - (b) the abbreviation "NP", "RN" or "RN-NP".
- (2) A provisional NP licensee may use
 - (a) the title "nurse practitioner (provisional)", "registered nurse practitioner (provisional)", "provisional NP", "nurse" or "registered nurse", or
 - (b) the abbreviation "NP(P)", "RN" or "RN-NP(P)".
- (3) A temporary NP (emergency) licensee may use
 - (a) the title "temporary nurse practitioner", "temporary NP" or "temporary nurse", or
 - (b) the abbreviation "NP(T)".

Midwife licensee group

- 8-9 (1) A practising midwife licensee may use
 - (a) the title "midwife", "registered midwife", "sage-femme" or "sage-femme autorisée", or
 - (b) the abbreviation "RM" or "sfa".
- (2) A practising midwife licensee who is an Indigenous person may use the title "Indigenous midwife" or "sage-femme autochtone".
- (3) A provisional midwife licensee may use
 - (a) the title "midwife (provisional)", "registered midwife (provisional)" or "provisional midwife", or
 - (b) the abbreviation "RM(P)".

- (4) A temporary midwife (emergency) licensee may use
 - (a) the title “temporary midwife (emergency)” or “temporary registered midwife (emergency)”, or
 - (b) the abbreviation “RM(T)”.

Certified licensees

- 8-10 (1) A practising RN licensee or multijurisdictional RN licensee who holds certification in a certification program established under section 7-2(1) may use
 - (a) the title “registered nurse (certified)”,
 - (b) the abbreviation “RN(C)”, or
 - (c) another term or title authorized under Schedule <> for the applicable certification program.
- (2) A practising RPN licensee or multijurisdictional RPN licensee who holds certification in the certification program established under section 7-2(2) may use
 - (a) the title “registered psychiatric nurse (certified)”,
 - (b) the abbreviation “RPN(C)”, or
 - (c) another term or title authorized under Schedule <> for that certification program.
- (3) A practising midwife licensee who holds certification in a certification program established under section 7-2(3) may use
 - (a) the title “midwife (certified)”, “registered midwife (certified)”, “sage-femme (certifiée)” or “sage-femme autorisée (certifiée)”,
 - (b) the abbreviation “RM(C)” or “sfa(c)”, or
 - (c) another term or title authorized under Schedule <> for the applicable certification program.
- (4) A licensee who does not hold certification in a certification program established under section 7-2 must not use any term or title that expresses or implies that they hold such certification.

Division 3 – Marketing

Marketing

- 8-11 (1) In this section:

“**advertisement**” means the use of space or time in a public medium, or the use of a commercial publication such as a brochure or handbill, to communicate with the general public, or a segment thereof, for the purpose of promoting professional services or products or enhancing the image of the licensee or advertiser if other than the licensee;

“marketing” includes

- (a) an advertisement,
 - (b) any publication or communication in any medium with any client, prospective client or the public generally in the nature of an advertisement, promotional activity or material, a listing in a directory, a public appearance, or any other means by which the professional services of a designated health profession are promoted, and
 - (c) contact with a prospective client initiated by or under the direction of a licensee.
- (2) Any marketing undertaken or authorized by a licensee respect of the licensee’s professional services must not be
- (a) false,
 - (b) inaccurate,
 - (c) likely to mislead the public or the recipient or intended recipient,
 - (d) unverifiable,
 - (e) contrary to the public interest in the practice of a designated health profession, or
 - (f) in bad taste, offensive, self-laudatory, or otherwise contrary to the honour and dignity of a designated health profession or maintenance of a high standard of professionalism.
- (3) Marketing violates subsection (2) if it
- (a) is calculated or likely to mislead or take advantage of the weakened state, either physical, mental or emotional, of the recipient or intended recipient,
 - (b) is likely to create in the mind of the recipient or intended recipient an unjustified expectation about the services the licensee can perform or provide or results which the licensee can achieve,
 - (c) implies that the licensee can obtain results
 - (i) not achievable by other licensees,
 - (ii) by improperly influencing a public body or official or any corporation, agency or person having an interest in the welfare of the recipient or intended recipient, or
 - (iii) by any other improper means,
 - (d) compares the quality of services provided by the licensee with those provided by
 - (i) another licensee, or
 - (ii) a person authorized to provide health care services under another enactment, or
 - (iii) practitioners of another health profession,

- (e) makes claims of special skills that are not supported by the education and experience of the licensee, or announces or holds out that the licensee has special qualifications that they do not possess, or
- (f) is for the purpose of marketing a product and
 - (i) the primary purpose of the licensee's activity is the sale of the product,
 - (ii) the product being sold is not used in the provision of professional services of a designated health profession practised by the licensee,
 - (iii) the licensee's practice is based on the use of a particular product which the client must purchase in order to use the licensee's professional services, or
 - (iv) the sale of the product results in financial or other profit for the licensee selling the product or any other individual, corporation or other entity, including the licensee's employer.
- (4) A licensee who, in any advertisement, includes a statement of fees for a specific service
 - (a) must ensure that the statement sufficiently describes the fees and services so as to enable the recipient or intended recipient to understand the nature and extent of the services to be performed or provided and the cost to the client, and
 - (b) must not in the advertisement compare the fees charged by the licensee with those charged by another licensee of the college or a licensee or licensees of another regulatory college under the Act.
- (5) Unless authorized by the board or otherwise under the Act or these bylaws, including Part 7 and section 8-10, a licensee
 - (a) must not use the term "specialist", "certified" or any similar designation suggesting a recognized special status or certification on any letterhead or business card or in any other marketing, and
 - (b) must take all reasonable steps to discourage the use, in relation to the licensee by another person, of the term "specialist", "certified" or any similar designation suggesting a recognized special status or certification in any marketing.
- (6) A licensee must verify statements made in any of the marketing by, or on behalf of, or respecting the licensee when asked to do so by the college or an investigator.
- (7) Licensees who limit their practices to certain aspects or areas of a designated health profession may state in any marketing the aspect or area to which their practice is restricted.
- (8) A licensee must retain for one year after the date of publication or broadcast of any advertisement or brochure, and must provide to the college or an investigator upon request

- (a) a copy of any such publication, including without limitation a publication made by use of email, the internet or any other electronic media,
 - (b) a recording or videotaping of any such broadcast made by use of radio, television or any other electronic media, and
 - (c) a written record of when and where the publication or broadcast was made.
- (9) A licensee must not
- (a) state publicly that they speak on behalf of the college unless they are expressly authorized by the board to state the official position of the college, or
 - (b) endorse or lend their name as a licensee, nurse or midwife, whether for reward or not, to the advertisement of any property, product, investment or service for sale to the public whatever its merits.