



**RESOLUTION OF THE BOARD OF THE BRITISH COLUMBIA COLLEGE OF NURSES AND MIDWIVES  
PASSED THE 27<sup>th</sup> DAY OF APRIL, 2023**

**Proposed Bylaw Amendments: RN/RPN Certified Practice for Opioid Use Disorder**

**RESOLVED THAT** in accordance with the authority established in section 19(1) of the *Health Professions Act*, and subject to filing with the Minister of Health as required under section 19(3) of the *Health Professions Act*, the Board amends the bylaws of the British Columbia College of Nurses and Midwives, by repealing the current bylaws and substituting the attached new bylaws (a redline markup of the current bylaws showing the amendments (Appendix B)).

CERTIFIED A TRUE COPY

Cynthia Johansen  
Registrar and Chief Executive Officer



**RESOLUTION OF THE BOARD OF THE BRITISH COLUMBIA COLLEGE OF NURSES AND MIDWIVES  
PASSED THE 27<sup>th</sup> DAY OF APRIL, 2023**

**Proposed Bylaw Amendments: New Practical Nursing Education Program**

**WHEREAS** section 37 of the BCCNM Bylaws provides for the Education Program Review Committee (“EPRC”) to review education programs not yet recognized by BCCNM, and to report to the Board and make recommendations about recognition of such programs and any corresponding amendments to the relevant Schedules of the BCCNM Bylaws;

**AND WHEREAS** a Panel of the EPRC has recommended the Board grant initial recognition to the Access Practical Nursing Program to be offered by Vancouver Island University (Nanaimo) for 4 years until April 30, 2027 without terms and conditions, and has further recommended the Board amend Schedule B of the BCCNM Bylaws accordingly;

**AND WHEREAS** the Board has considered, and accepts the EPRC Panel’s recommendations;

**RESOLVED THAT** the Board grants initial recognition to the Access Practical Nursing Program to be offered by Vancouver Island University (Nanaimo) for 4 years until April 30, 2027 without terms and conditions;

**FURTHER RESOLVED THAT** in accordance with the authority established in section 19(1) of the Health Professions Act (the “Act”), and subject to filing with the minister as required by section 19(3) of the Act, the Board amends the bylaws of the British Columbia College of Nurses and Midwives, by repealing Schedule B and substituting the attached new Schedule B.

CERTIFIED A TRUE COPY

A handwritten signature in black ink, appearing to read 'Cynthia Johansen', is written over a horizontal line.

Cynthia Johansen  
Registrar and Chief Executive Officer



**RESOLUTION OF THE BOARD OF THE BRITISH COLUMBIA COLLEGE OF NURSES AND MIDWIVES  
PASSED THE 27<sup>th</sup> DAY OF APRIL, 2023**

**Proposed Bylaw Amendments: New Nurse Practitioner Education Program**

**WHEREAS** section 37 of the BCCNM Bylaws provides for the Education Program Review Committee (“EPRC”) to review education programs not yet recognized by BCCNM, and to report to the Board and make recommendations about recognition of such programs and any corresponding amendments to the relevant Schedules of the BCCNM Bylaws;

**AND WHEREAS** a Panel of the EPRC has recommended the Board grant initial recognition to the Nurse Practitioner (Family) Master’s Program to be offered by Thompson Rivers University for 5 years until June 30, 2028 without terms and conditions, and has further recommended the Board amend Schedule E of the BCCNM Bylaws accordingly;

**AND WHEREAS** the Board has considered and accepts the EPRC Panel’s recommendations;

**RESOLVED THAT** the Board grants initial recognition to the Nurse Practitioner (Family) Master’s Program to be offered by Thompson Rivers University for 5 years until June 30, 2028 without terms and conditions;

**FURTHER RESOLVED THAT** in accordance with the authority established in section 19 (1) of the *Health Professions Act* (the “Act”), and subject to filing with the minister as required by section 19(3) of the Act, the Board amends the bylaws of the British Columbia College of Nurses and Midwives, by repealing Schedule E and substituting the attached new Schedule E.

CERTIFIED A TRUE COPY

A handwritten signature in black ink, appearing to read 'C. Johansen', is written over a horizontal line.

Cynthia Johansen  
Registrar and Chief Executive Officer



**DRAFT OF PROPOSED BCCNM BYLAW CHANGES RE: OUD CERTIFIED PRACTICE FOR RNs AND RPNs (version January 20, 2023)**

CURRENT	PROPOSED	NOTES
<p><b>s. 1 Definitions</b></p> <p>In these bylaws:</p> <p>...</p> <p>“education programs” means programs or courses of academic or technical education offered as qualifying their graduates to meet a condition or requirement established in Part 5 [Registration] for</p> <p>(a) registration with the college to practice one or more of the designated health professions of practical nursing, psychiatric nursing, nursing or midwifery, or</p> <p>(b) in respect of the designated health profession of nursing, having a certified practice designation entered in the public register in relation to a registrant’s name;</p> <p>...</p>	<p>In these bylaws:</p> <p>...</p> <p>“certified practice designation” means a designation entered into the public register under section 151(4) [Certified practice designations] for a certified practice set out in column one of Table A or Table B of Schedule H;</p> <p>...</p> <p>“education programs” means programs or courses of academic or technical education offered as qualifying their graduates to meet a condition or requirement established in Part 5 [Registration] for</p> <p>(a) registration with the college to practice one or more of the designated health professions of practical nursing, psychiatric nursing, nursing or midwifery, or</p> <p>(b) in respect of the designated health professions of nursing and psychiatric nursing, having a certified practice designation entered in the public register in relation to a registrant’s name;</p>	<p>Add new definition of “certified practice designation”.</p> <p>Amend definition of “education programs”.</p>

CURRENT	PROPOSED	NOTES
	...	
<p><b>s. 151 Certified practice designations</b></p> <p>(1) In this Division, “eligible registrant” means a practising RN registrant or practising NP registrant.</p>	<p>(1) In this Division, “eligible registrant” means</p> <p>(a) in respect of the certified practice set out in column one of Table A of Schedule H, a practising RPN registrant, and</p> <p>(b) in respect of the certified practices set out in column one of Table B of Schedule H, a practising RN registrant or practising NP registrant.</p>	<p>Repeal and replace this subsection.</p>
n/a	<p>(1.1) For the purpose of section 7.1(2)(b)(i) of the Nurses (Registered Psychiatric) Regulation, B.C. Reg. 227/2015, the college recognizes the certified practice set out in column one of Table A of Schedule H.</p>	<p>Add new subsection.</p>
<p>(2) The college recognizes the certified practices set out in column one of Schedule H.</p>	<p>(2) For the purpose of section 8(2)(b)(ii) of the Nurses (Registered) and Nurse Practitioners Regulation, B.C. Reg. 284/2008, the college recognizes the certified practices set out in column one of Table B of Schedule H.</p>	<p>Repeal and replace this subsection.</p>
n/a	<p>(2.1) The board may establish policies to do the following:</p> <p>(a) specify aspects of practice included in a certified practice;</p> <p>(b) establish conditions, requirements, and certification processes for certified practices, including requirements for reinstatement and renewal of certification, and requirements for training or courses, testing and examinations, and clinical experiences.</p>	<p>Add new subsection.</p>
n/a	<p>(2.2) The registrar must maintain and publish on the college website a notice setting out, for each certified practice,</p>	<p>Add new subsection.</p>

CURRENT	PROPOSED	NOTES
	<p>(a) the information and items required under applicable board policies to be included in or with an application under subsection (3), and</p> <p>(b) the manner of delivery specified by the registrar for the purpose of subsection (4)(a).</p>	
<p>(3) An eligible registrant may apply to the registration committee to have a certified practice entered in the public register in relation to the eligible registrant’s name.</p>	<p>(3) An eligible registrant may apply to the registration committee to have a certified practice <b>designation</b> entered in the public register in relation to the eligible registrant’s name.</p>	<p>Amend this subsection.</p>
<p>(4) The registrar must enter in the public register a designation of the certified practice for which <b>the</b> eligible registrant applies, if the eligible registrant is in good standing and delivers, or causes to be delivered, to the college</p> <p>(a) an application for certified practice designation, in the manner specified by the registrar,</p> <p>(b) any applicable fee specified in Schedule G, and</p> <p>(c) evidence satisfactory to the registration committee of meeting the applicable requirements established in column two of Schedule H.</p>	<p>(4) The registrar must enter in the public register a designation of the certified practice for which <b>an</b> eligible registrant applies, if the eligible registrant is in good standing and delivers, or causes to be delivered, to the college</p> <p>(a) an application for <b>that</b> certified practice designation, in the manner specified by the registrar,</p> <p>(b) any applicable fee specified in Schedule G, and</p> <p>(c) evidence satisfactory to the registration committee of meeting the applicable <b>conditions and</b> requirements <b>for the certified practice designation</b> established in column two of the applicable table of Schedule H, <b>including any additional conditions and requirements set out in board policy for that certified practice designation.</b></p>	<p>Repeal and replace this subsection.</p>
<p>(5) The registrar must cancel a registrant’s certified practice designation in the public register if</p> <p>(a) that certified practice designation is not renewed in accordance this Division, or</p> <p>(b) the registrant ceases to be an eligible registrant.</p>	<p>(5) The registrar must cancel a registrant’s certified practice designation in the public register if</p> <p>(a) that certified practice designation is not renewed in accordance <b>with</b> this Division, or</p> <p>(b) the registrant ceases to be an eligible registrant.</p>	<p>Typo correction.</p>

CURRENT	PROPOSED	NOTES
(6) An eligible registrant who has a certified practice entered into the public register in respect of the eligible registrant’s practice may, in relation to that specialty, use the terms set out in column three of Schedule H that pertain to that certified practice.	(6) An eligible registrant who has a certified practice <b>designation</b> entered into the public register in respect of the eligible registrant’s practice may, in relation to that specialty, use the terms <b>and titles</b> set out in column three of <b>the applicable table of</b> Schedule H that pertain to that certified practice.	Repeal and replace this subsection.
n/a	<b>(6.1) A registrant who does not have a certified practice designation entered into the public register in respect of their practice must not use any term or title that expresses or implies that the registrant holds that certified practice designation.</b>	Add new subsection.
(7) If the registration committee refuses a registrant’s application for certified practice designation under this section, the registration committee must, within 30 days, notify the registrant of the decision and of the registrant’s right to apply for a review of the decision under section 154 [ <i>Review of certified practice designation decisions</i> ].		No change to this subsection.
(8) All <b>policies</b> of BCCNP respecting the requirements for certified practice designations, as referred to in column two of Schedule H of the former BCCNP bylaws and that were in effect immediately before the 2020 amalgamation date  (a) remain in effect on and after the 2020 amalgamation date, unless and until they are amended or repealed, or others are established in their place, and  (b) for greater certainty, are deemed to have been established by the board as <b>certified practice designation requirements of the college</b> for the purpose of column two of Schedule H of these bylaws.	(8) All <b>policies</b> of BCCNP respecting the requirements for certified practice designations, as referred to in column two of Schedule H of the former BCCNP bylaws and that were in effect immediately before the 2020 amalgamation date  (a) remain in effect on and after the 2020 amalgamation date, unless and until they are amended or repealed, or others are established in their place, and  (b) for greater certainty, are deemed to have been established by the board as <b>conditions or requirements for the applicable certified practice designation</b> for the purpose of column two of <b>Table B of</b> Schedule H of these bylaws.	Typo correction.  Repeal and replace paragraph (b) of this subsection.
<b>s. 152 Reinstatement of certified practice designations</b>		

CURRENT	PROPOSED	NOTES
<p>(2) Subject to subsection (3) and any other limits or conditions imposed on the applicant’s practice under the Act, the certified practice designation of an applicant under subsection (1) may be reinstated by the registration committee if the applicant delivers, or causes to be delivered, to the college</p> <p>(a) an application for reinstatement of certified practice designation, in the manner specified by the registrar,</p> <p>(b) any applicable fee specified in Schedule G</p> <p>(c) evidence satisfactory to the registration committee that the applicant has</p> <p>(i) engaged in certified practice, as determined in accordance with criteria established <b>by the board</b>, within the three-year period immediately preceding the date of application, or</p> <p>(ii) successfully completed <b>a certification program approved by the board</b>, within the three-year period immediately preceding the date of application, and</p> <p>(d) evidence satisfactory to the applicable the registration committee that the applicant</p> <p>(i) meets or continues to meet all applicable requirements established in column two of Schedule H, and</p> <p>(ii) meets all applicable continuing competence and quality assurance requirements under Part 6 <i>[Quality Assurance and Professional Responsibilities]</i>.</p>	<p>(2) Subject to subsection (3) and any other limits or conditions imposed on the applicant’s practice under the Act, the certified practice designation of an applicant under subsection (1) may be reinstated by the registration committee if the applicant delivers, or causes to be delivered, to the college</p> <p>(a) an application for reinstatement of <b>that</b> certified practice designation, in the manner specified by the registrar,</p> <p>(b) any applicable fee specified in Schedule G,</p> <p>(c) evidence satisfactory to the registration committee that the applicant has</p> <p>(i) engaged in <b>the applicable</b> certified practice, as determined in accordance with criteria established <b>by or under board policy</b>, within the three-year period immediately preceding the date of application, or</p> <p>(ii) successfully completed <b>an applicable certification program approved by or under board policy</b>, within the three-year period immediately preceding the date of application, and</p> <p>(d) evidence satisfactory to the applicable the registration committee that the applicant</p> <p>(i) meets or continues to meet all applicable <b>conditions and requirements</b> established in column two of <b>the applicable table of</b> Schedule H, and</p> <p>(ii) meets all applicable continuing competence and quality assurance requirements under Part 6 <i>[Quality Assurance and Professional Responsibilities]</i>.</p>	<p>Amend paragraph (a) of subsection (2).</p> <p>Typo correction.</p> <p>Repeal and replace paragraphs (c) and (d) of subsection (2).</p>



CURRENT	PROPOSED	NOTES
<p><b>s. 153 Validity and annual renewal of certified practice designations</b></p> <p>(2) An eligible registrant’s certified practice designation may be renewed by the registration committee if the eligible registrant delivers, or causes to be delivered, to the college, not later than 4:30 p.m. Vancouver local time on the date established under section 148(1) <i>[Annual renewal application due date]</i> for the year and for the class in which the eligible registrant is registered,</p> <p>(a) an application for renewal of certified practice designation, in the manner specified by the registrar,</p> <p>(b) any applicable fee specified in Schedule G, and</p> <p>(c) evidence satisfactory to the registration committee that the registrant</p> <p>(i) continues to meet all applicable requirements established in column two of Schedule H, and</p> <p>(ii) meets all applicable continuing competence and quality assurance requirements under Part 6 <i>[Quality Assurance and Professional Responsibilities]</i>.</p>	<p>(2) An eligible registrant’s certified practice designation may be renewed by the registration committee if the eligible registrant delivers, or causes to be delivered, to the college, not later than 4:30 p.m. Vancouver local time on the date established under section 148(1) <i>[Annual renewal application due date]</i> for the year and for the class in which the eligible registrant is registered,</p> <p>(a) an application for renewal of certified practice designation, in the manner specified by the registrar,</p> <p>(b) any applicable fee specified in Schedule G, and</p> <p>(c) evidence satisfactory to the registration committee that the registrant</p> <p>(i) continues to meet all applicable <b>conditions and requirements</b> established in column two of <b>the applicable table of</b> Schedule H, and</p> <p>(ii) meets all applicable continuing competence and quality assurance requirements under Part 6 <i>[Quality Assurance and Professional Responsibilities]</i>.</p>	<p>Repeal and replace subparagraph (i) of subsection (2)(c).</p>
<p><b>Schedule H – Certified Practices</b></p>	<p>See attached.</p>	<p>Repeal and replace Schedule H with the attached revised schedule.</p>

## SCHEDULE H – CERTIFIED PRACTICES

(Sections 151, 152, 153)

<b>TABLE A: RPN CERTIFIED PRACTICE</b>		
<i>Column 1: Certified Practice</i>	<i>Column 2: Conditions and Requirements</i>	<i>Column 3: Authorized Terms and Titles</i>
Opioid Use Disorder	<ul style="list-style-type: none"> <li>• Successful completion of a BCCNM-approved certified practice course.</li> <li>• Satisfaction of any additional conditions or requirements set out in board policy.</li> </ul>	<ul style="list-style-type: none"> <li>- Registered Psychiatric Nurse</li> <li>- Opioid Use Disorder Certified</li> <li>- Registered Psychiatric Nurse (Certified)</li> <li>- RPN(C)</li> </ul>

<b>TABLE B: RN CERTIFIED PRACTICES</b>		
<i>Column 1: Certified Practice</i>	<i>Column 2: Conditions and Requirements</i>	<i>Column 3: Authorized Terms and Titles</i>
Remote Practice	<ul style="list-style-type: none"> <li>• Successful completion of a BCCNM-approved certified practice course.</li> <li>• Satisfaction of any additional conditions or requirements set out in board policy.</li> </ul>	<ul style="list-style-type: none"> <li>- Registered Nurse</li> <li>- Remote Practice Certified</li> <li>- Registered Nurse (Certified)</li> <li>- RN(C)</li> </ul>
Reproductive Health	Same as above.	<ul style="list-style-type: none"> <li>- Registered Nurse</li> <li>- Reproductive Health (STI and/or CM) Certified</li> <li>- Registered Nurse (Certified)</li> <li>- RN(C)</li> </ul>
RN First Call	Same as above.	<ul style="list-style-type: none"> <li>- Registered Nurse</li> <li>- First Call Certified</li> <li>- Registered Nurse (Certified)</li> <li>- RN(C)</li> </ul>
Opioid Use Disorder	Same as above.	<ul style="list-style-type: none"> <li>- Registered Nurse</li> <li>- Opioid Use Disorder Certified</li> <li>- Registered Nurse (Certified)</li> <li>- RN(C)</li> </ul>

# Bylaws of the British Columbia College of Nurses and Midwives

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## Definitions

1 In these bylaws:

**“2018 amalgamation date”** means September 4, 2018, as set in section 7(2) of the Health Professions Designation and Amalgamation Regulation, B.C. Reg. 270/2008;

**“2020 amalgamation date”** means September 1, 2020, as set in section 9(2) of the Health Professions Designation and Amalgamation Regulation, B.C. Reg. 270/2008;

**“Act”** means, unless the context requires otherwise, the *Health Professions Act*;

**“appointed board member”** means

(a) a person, other than a registrant, who is appointed to the first board under section 17(2)(a) of the Act, or

(b) a person who is appointed to the board under section 17(3)(b) of the Act;

**“board”** means the board for the college under section 17(1) of the Act;

**“board chair”** means the board chair who is elected under section 12 [*Board chair and board vice-chair*];

**“board election”** means an election of registrants to the board under section 17(3)(a) of the Act;

**“board member”** means an appointed board member or an elected board member;

**“board vice-chair”** means the board vice-chair who is elected under section 12 [*Board chair and board vice-chair*];

**“British Columbia College of Nursing Professionals”** or **“BCCNP”** means the former amalgamated college for the designated health professions of nursing, practical nursing and psychiatric nursing, that resulted from the amalgamation of CRNBC, CLPNBC and CRNBC under section 7(1)(a) of the Health Professions Designation and Amalgamation Regulation, B.C. Reg. 270/2008, and specified in section 8(1)(b) of the Health Professions Designation and Amalgamation Regulation, B.C. Reg. 270/2008;

**“certified practice designation”** means a designation entered into the public register under [section 151\(4\) \[\*Certified practice designations\*\] for a certified practice set out in column one of Table A or Table B of Schedule H;](#)

**“class”** means a class of registrants established in these bylaws;

**“college”** means the amalgamated college named “British Columbia College of Nurses and Midwives”;

**“College of Licensed Practical Nurses of British Columbia” or “CLPNBC”** means the former college established under section 15(1) of the Act for the designated health profession of practical nursing and specified in section 7(1)(a) of the Health Professions Designation and Amalgamation Regulation, B.C. Reg. 270/2008;

**“College of Midwives of British Columbia” or “CMBC”** means the former college established under section 15(1) of the Act for the designated health profession of midwifery and specified in section 8(1)(a) of the Health Professions Designation and Amalgamation Regulation, B.C. Reg. 270/2008;

**“College of Registered Nurses of British Columbia” or “CRNBC”** means the former college established under section 15(1) of the Act for the designated health profession of nursing and specified in section 7(1)(b) of the Health Professions Designation and Amalgamation Regulation, B.C. Reg. 270/2008;

**“College of Registered Psychiatric Nurses of British Columbia” or “CRPNBC”** means the former college established under section 15(1) of the Act for the designated health profession of psychiatric nursing and specified in section 7(1)(c) of the Health Professions Designation and Amalgamation Regulation, B.C. Reg. 270/2008;

**“college website”** means the website established and maintained by or on behalf of the college under section 18(3) of the Act;

**“committee”** means a committee established in section 25 [*Committees established*];

**“continuity of care”** means the provision of midwifery services during the antepartum, intrapartum and postpartum periods, to a client by a registrant or small group of registrants known to the client, and includes twenty-four hour on-call availability of care from a midwife known to the woman;

**“deliver”**, with reference to a notice or other thing, includes

- (a) mail to or leave with a person,
- (b) deposit in a person’s mailbox or receptacle at the person’s residence or place of business or practice,
- (c) transmit to a person’s electronic mail address, or
- (d) otherwise send or make available to a person in electronic form;

**“deputy registrar”** means a deputy registrar who is appointed under section 21(1) of the Act for the college;

**“designated health profession”** means, unless the context requires otherwise, any of the following health professions designated under section 12(1) of the Act:

- (a) practical nursing;

(b) psychiatric nursing;

(c) nursing;

(d) midwifery;

**“discipline committee”** means, unless the context requires otherwise, the discipline committee established in section 25(c) [*Committees established*];

**“education programs”** means programs or courses of academic or technical education offered as qualifying their graduates to meet a condition or requirement established in Part 5 [*Registration*] for

(a) registration with the college to practice one or more of the designated health professions of practical nursing, psychiatric nursing, nursing or midwifery, or

(b) in respect of the designated health professions of nursing and psychiatric nursing, having a certified practice designation entered in the public register in relation to a registrant’s name;

**“education program review committee”** means the education program review committee established in section 25(e) [*Committees established*];

**“elected board member”** means

(a) an interim board member, except in sections 2 [*Board composition*], 3(9) [*Eligibility for election to the board*], 9 [*Elected board member terms of office*], 10 [*Removal from elected board member office*] and 11 [*Vacancy in elected board member office*], or

(b) a registrant who is elected to the board in a board election or appointed to the board under section 11 [*Vacancy in elected board member office*];

**“examination”** means a theoretical or practical examination or assessment or any combination of them, given by any method, for the purposes of assessing or measuring a person’s professional knowledge, skills or abilities or any aspect thereof;

**“former BCCNP bylaws”** means the former bylaws of the British Columbia College of Nursing Professionals, as they were in effect at any applicable time before the 2020 amalgamation date;

**“former CLPNBC bylaws”** means the former bylaws of the College of Licensed Practical Nurses of British Columbia, as they were in effect at any applicable time before the 2018 amalgamation date;

**“former CMBC bylaws”** means the former bylaws of the College of Midwives of British Columbia, as they were in effect at any applicable time before the 2020 amalgamation date;

**“former CRNBC bylaws”** means the former bylaws of the College of Registered Nurses of British Columbia, as they were in effect at any applicable time before the 2018 amalgamation date;

**“former CRPNBC bylaws”** means the former bylaws of the College of Registered Psychiatric Nurses of British Columbia, as they were in effect at any applicable time before the 2018 amalgamation date;

**“former registrant”** includes a person who is deemed to be a former registrant of the college under section 25.07(1)(a) of the Act;

**“general meeting”** means a general meeting of registrants;

**“governance committee”** means the governance committee established in section 25(i) [*Committees established*];

**“hospital”** has the same meaning as in section 1 of the *Hospital Act*;

**“Indigenous”** has the same meaning as in section 1 of the Midwives Regulation, B.C. Reg. 281/2008;

**“Indigenous midwifery”** has the same meaning as in section 1 of the Midwives Regulation, B.C. Reg. 281/2008;

**“in good standing”** means, in respect of a registrant, that

- (a) the registrant’s registration in any class is not suspended under the Act, and
- (b) no limits or conditions are imposed on the registrant’s practice as a registrant of the college in any class under section 20(2.1) or (3), 32.2, 32.3, 33, 35, 36, 37.1, 38, 39 or 39.1 of the Act;

**“inquiry committee”** means, unless the context requires otherwise, the inquiry committee established in section 25(b) [*Committees established*];

**“inspector”** means an inspector for the college under section 27 of the Act;

**“interim board member”** means a registrant who is appointed to the first board under section 17(2)(a) of the Act;

**“LGN”** means licensed graduate nurse;

**“LPN”** means licensed practical nurse;

**“midwifery services”** means services of midwifery as contemplated by the Midwives Regulation, B.C. Reg. 281/2008;

**“NP”** means nurse practitioner;

**“nurse practitioner examination committee”** means the nurse practitioner examination committee established in section 25(g) [*Committees established*];

**“nurses’ union”** means

- (a) a trade union as defined in section 1 of the *Labour Relations Code* (British Columbia),
- (b) a union as defined in section 1 of the *Public Service Labour Relations Act* (British Columbia),
- (c) a trade union as defined in section 3(1) of the *Canada Labour Code* (Canada),
- (d) an employee organization as defined in section 2(1) of the *Public Service Labour Relations Act* (Canada), or
- (e) a similar organization in another province of Canada or a foreign jurisdiction

that bargains collectively on behalf of a unit that includes registrants, or persons registered or licensed in another province of Canada or a foreign jurisdiction for the practice of a health profession corresponding to nursing, practical nursing or psychiatric nursing, employed in their professional capacity as nurses or the equivalent of nurses, and includes a nurses’ union’s national union and a national or international federation or association of nurses’ unions;

**“nursing services”** means services of nursing as contemplated by the Nurses (Registered) and Nurse Practitioners Regulation, B.C. Reg. 284/2008;

**“ordinary resolution”** means a resolution passed at a meeting by a majority of the votes cast by persons in attendance and eligible to vote at the meeting;

**“personal information”** has the same meaning as in Schedule 1 of *the Freedom of Information and Protection of Privacy Act*;

**“practical nursing services”** means services of practical nursing as contemplated by the Nurses (Licensed Practical) Regulation, B.C. Reg. 224/2015;

**“principal midwife”** means a midwife who, in her or his practice or as part of her or his midwifery education program, takes responsibility for and provides midwifery services as the primary care provider during the intrapartum period, in a hospital or out-of-hospital setting;

**“professional association”** means

- (a) a health profession association as defined in section 1 of the Act, or
- (b) a similar organization in Canada or a foreign jurisdiction, other than a nurses’ union,
  - (i) whose members include

(A) registrants, or

(B) persons registered or licensed in another province of Canada or a foreign jurisdiction for the practice of a health profession corresponding to practical nursing, psychiatric nursing, nursing or midwifery, and

(ii) whose purposes or objects include the promotion of the interests of its members,

and includes a national or international federation or association of professional associations;

**“professional practice and standards committee”** means the professional practice and standards committee established in section 25(f) [*Committees established*];

**“psychiatric nursing services”** means services of psychiatric nursing as contemplated by the Nurses (Registered Psychiatric) Regulation, B.C. Reg. 227/2015;

**“public register”** means the register maintained by the registrar under section 21(2) of the Act;

**“public representative”** means a person who is not a registrant or former registrant, and for greater certainty includes an appointed board member who is not a registrant or former registrant;

**“quality assurance committee”** means, unless the context requires otherwise, the quality assurance committee established in section 25(d) [*Committees established*];

**“record”** has the same meaning as in Schedule 1 of the *Freedom of Information and Protection of Privacy Act*;

**“registrant”** means a person who is

(a) granted registration in accordance with section 20 of the Act, or

(b) deemed to be a registrant of the college under section 25.07(1)(a) of the Act;

**“registrar”** means the registrar who is appointed under section 21(1) of the Act for the college;

**“registration”** means registration as a member of the college;

**“registration committee”** means, unless the context requires otherwise, the registration committee established in section 25(a) [*Committees established*];

**“regulations”** means the regulations under the Act;

**“respondent”** means a registrant or former registrant who is named in a citation issued under section 37 of the Act;

**“RN”** means registered nurse;

“RPN” means registered psychiatric nurse;

“second midwife” means a midwife who, in her or his practice or as a part of her or his midwifery education program, takes responsibility for assisting the principal midwife during the intrapartum period in an out-of-hospital setting;

“service provider” has the same meaning as in Schedule 1 of the *Freedom of Information and Protection of Privacy Act*;

“special resolution” means a resolution passed at a meeting by not less than two-thirds of the votes cast by persons in attendance and eligible to vote at the meeting;

“standards of practice” means standards, limits or conditions for the practice of a designated health profession by registrants, established in accordance with section 19(1)(k) or (1.1) of the Act;

“standards of professional ethics” means standards of professional ethics for registrants of a designated health profession, established in accordance with section 19(1)(l) or (1.1) of the Act;

“Vancouver local time” means Pacific Time, Pacific Standard time or Pacific Daylight Saving time, whichever is in effect in British Columbia.

## PART 1 – THE BOARD

### Board composition

2 (1) The board consists of five elected board members and the appointed board members.

(2) Of the five elected board members referred to in subsection (1),

(a) one must be a registrant in the class of practising LPN registrants, provisional LPN registrants or non-practising LPN registrants,

(b) one must be a registrant in the class of practising RPN registrants, provisional RPN registrants or non-practising RPN registrants,

(c) one must be a registrant in the class of practising RN registrants, provisional RN registrants or non-practising RN registrants,

(d) one must be a registrant in the class of practising NP registrants, provisional NP registrants or non-practising NP registrants, and

(e) one must be a registrant in the class of practising midwife registrants, provisional midwife registrants or non-practising midwife registrants.

(3) Despite subsections (1) and (2),

- (a) on and from the 2020 amalgamation date until January 1, 2023, the board consists of the interim board members and the appointed board members, and
  - (b) on and from January 1, 2023, until January 1, 2024, the board consists of two elected board members, the interim board members and the appointed board members.
- (4) A board election will not be held in 2020 or 2021.
- (5) A board election must be held in 2022 to elect the following:
- (a) one registrant in the class of practising RN registrants, provisional RN registrants or non-practising RN registrants;
  - (b) one registrant in the class of practising midwife registrants, provisional midwife registrants or non-practising midwife registrants.
- (6) A board election must be held in 2023 to elect the following:
- (a) one registrant in the class of practising LPN registrants, provisional LPN registrants or non-practising LPN registrants;
  - (b) one registrant in the class of practising RPN registrants, provisional RPN registrants or non-practising RPN registrants;
  - (c) one registrant in the class of practising NP registrants, provisional NP registrants or non-practising NP registrants.

### **Eligibility for election to the board**

- 3** (1) Subject to subsections (2) to (13), only registrants in the following classes of registrants are eligible to be elected in a board election:
- (a) practising LPN registrants;
  - (b) provisional LPN registrants;
  - (c) non-practising LPN registrants;
  - (d) practising RPN registrants;
  - (e) provisional RPN registrants;
  - (f) non-practising RPN registrants;
  - (g) practising RN registrants;
  - (h) provisional RN registrants



- (i) non-practising RN registrants;
- (j) practising NP registrants;
- (k) provisional NP registrants;
- (l) non-practising NP registrants;
- (m) practising midwife registrants;
- (n) provisional midwife registrants;
- (o) non-practising midwife registrants.

(2) A registrant is not eligible to be elected in a board election if any of the following apply on the date that nominations must be received by the registrar under section 6 [*Nomination procedure*] in respect of the board election:

- (a) the registrant is not registered in a class of registrants specified in subsection (1) that corresponds to the vacant or impending vacant elected board member office for which the registrant is seeking to be a candidate;
- (b) the registrant is not in good standing;
- (c) the registrant is not ordinarily resident in British Columbia;
- (d) the registrant is in default of payment of any fine, fee, debt or levy owing to the college under the Act;
- (e) the registrant is
  - (i) a respondent and the citation is unresolved, or
  - (ii) the subject, in British Columbia, another province or a foreign jurisdiction, of a pending hearing, or hearing underway, that could result in the registrant's entitlement to practise a profession in British Columbia or that other province or foreign jurisdiction being cancelled, revoked or suspended for any reason other than late payment or non-payment of fees;
- (f) the registrant is found by any court, in Canada or a foreign jurisdiction, to be incapable of managing the registrant's own affairs;
- (g) the registrant is an undischarged bankrupt.

(3) A registrant is not eligible to be elected in a board election if, at any time within the three-year period immediately preceding the date that nominations must be received by the registrar under section 6 [*Nomination procedure*] in respect of the board election, the registrant

(a) has been the subject of

(i) a determination under section 39(1)(a) to (e) of the Act, by the discipline committee established in section 25(c) [*Committees established*] or the discipline committee of another college under the Act, or

(ii) a finding, by a body in another province of Canada or a foreign jurisdiction that is the equivalent in that other province or foreign jurisdiction of a discipline committee referred to in subparagraph (i), that the registrant committed an act that, in the opinion of the governance committee, would likely constitute unprofessional conduct under the Act, or

(b) has been suspended or removed from office as

(i) an elected board member, or the equivalent of an elected board member of another college under the Act, or

(ii) a director or other similar governance position of

(A) any other body, in British Columbia, another province or a foreign jurisdiction, that regulates a profession in British Columbia or that other province or foreign jurisdiction, or

(B) any other public body in British Columbia, another province or a foreign jurisdiction,

for a reason that, in the opinion of the governance committee, would likely constitute grounds for suspension or removal from office as an elected board member.

(4) A registrant is not eligible to be elected in a board election if, at any time within the six-year period immediately preceding the date that nominations must be received by the registrar under section 6 [*Nomination procedure*] in respect of the board election,

(a) the registrant's entitlement to practise a profession has been cancelled, revoked or suspended in British Columbia, another province or a foreign jurisdiction, for any reason other than late payment or non-payment of fees,

(b) the registrant's entitlement to practise a profession has been voluntarily relinquished in British Columbia, another province or a foreign jurisdiction, with the effect of preventing the commencement or completion of an investigation, review or other proceeding that could have resulted in the registrant's entitlement to practise the profession in British Columbia or that other province or foreign jurisdiction being cancelled, revoked or suspended for any reason other than late payment or non-payment of fees, or

(c) the registrant has been convicted of an offence in British Columbia, another province or a foreign jurisdiction and the governance committee is satisfied that the nature of the offence or the circumstances under which it was committed give rise to reasonable

concerns about the registrant's competence or fitness to serve as an elected board member such that the registrant's disqualification is justified.

(5) Despite subsection (2)(b) and (e), (3) and (4), a registrant must not be disqualified under any of those provisions if

(a) the registrant delivers a request in accordance with section 6(4) [*Nomination procedure*], and

(b) the governance committee is satisfied, after giving the registrant an opportunity to be heard, that such disqualification would be a breach of the registrant's rights under section 14 of the *Human Rights Code*.

(6) The governance committee must conclude its deliberations in respect of a request under section 6(4) [*Nomination procedure*] not later than the date that election ballots must be delivered or made available under section 7(4) [*Election procedure*].

(7) A registrant is not eligible to be elected in a board election if the registrant

(a) is a director or officer of a professional association,

(b) is a director or officer of a nurses' union, or a member of a bargaining committee or similar group of individuals that conducts collective bargaining on behalf of a nurses' union,

(c) is a director or officer of a corporation or other entity that provides professional liability protection or insurance coverage against liability for negligence in the provision of services that constitute the practice of practical nursing, psychiatric nursing, nursing or midwifery, or a corresponding health profession in another province of Canada or a foreign jurisdiction,

(d) holds a position which would, in the opinion of the governance committee, cause the registrant, if elected, to have a conflict of interest by virtue of having competing fiduciary obligations to both the college and another organization, or

(e) has held a disqualifying position described in paragraph (a) to (d) at any time within the one-year period immediately preceding the date that nominations must be received by the registrar under section 6 [*Nomination procedure*] in respect of the board election.

(8) An elected board member is not eligible to be elected to another office as an elected board member with an overlapping term of office unless they resign from their existing office as an elected board member at the time their nomination for the other office is submitted, with such resignation to be effective on or before the date that nominations must be received by the registrar under section 6 [*Nomination procedure*] in respect of the board election.

(9) A registrant is not eligible to be elected to more than one vacant or impending vacant elected board member office to be filled in a board election.

(10) A registrant is not eligible to be elected in a board election if they are employed by the college, unless the registrar receives, on or before the date that nominations must be received by

the registrar under section 6 [*Nomination procedure*] in respect of the board election, the registrant's binding and irrevocable written agreement to resign their employment with the college if elected as an elected board member.

(11) A registrant who has held office as an elected board member for a consecutive period of six years or more is not again eligible to be elected in a board election until not fewer than three years have elapsed since the end of the member's most recent term of office as an elected board member.

(12) Time served in office as an elected board member by appointment under section 11 [*Vacancy in elected board member office*] must be excluded when calculating whether subsection (11) applies in respect of a registrant.

(13) A former elected board member who resigned from the board under section 10(2) [*Removal from elected board member office*] is not again eligible to be elected in a board election unless not fewer than three years have elapsed since the date that such resignation was effective.

### Eligibility to vote in elections

4 Only registrants in good standing in the following classes are eligible to vote in a board election:

- (a) practising LPN registrants;
- (b) provisional LPN registrants;
- (c) non-practising LPN registrants;
- (d) practising RPN registrants;
- (e) provisional RPN registrants;
- (f) non-practising RPN registrants;
- (g) practising RN registrants;
- (h) provisional RN registrants;
- (i) non-practising RN registrants;
- (j) practising LGN registrants;
- (k) provisional LGN registrants;
- (l) non-practising LGN registrants;
- (m) practising NP registrants;
- (n) provisional NP registrants;

- (o) non-practising NP registrants;
- (p) practising midwife registrants;
- (q) provisional midwife registrants;
- (r) non-practising midwife registrants.

### Notice of election

- 5 (1) Not later than September 1 in each year in which a board election is to be held, the registrar must deliver notice of a board election to every registrant registered in a class specified in section 4 [*Eligibility to vote in elections*].
- (2) A notice under subsection (1) must contain information about the nomination procedure and the election procedure.
- (3) The unintentional omission to deliver notice of a board election to, or the non-receipt of such a notice by, any person entitled to receive notice does not invalidate the board election, any proceedings in relation thereto, or the results thereof.

### Nomination procedure

- 6 (1) Subject to section 41 [*Powers and duties – governance committee*], the registrar must supervise and administer all nominations for election to vacant or impending vacant elected board member offices to be filled in board elections, and may establish additional nomination procedures, consistent with these bylaws, for that purpose.
- (2) A registrant seeking election to a vacant or impending vacant elected board member office to be filled in a board election must deliver a nomination application in a form and manner satisfactory to the registrar, which must be received by the registrar not later than October 1 in the year in which the board election is to be held and must be accompanied by
- (a) a declaration in writing by the registrant that the registrant will observe the provisions of the Act, the regulations and these bylaws, and the procedures related to the board election and the conduct of the board election, and
  - (b) a declaration in writing by the registrant certifying that the registrant seeks to stand for office as a practising LPN registrant, provisional LPN registrant, non-practising LPN registrant, practising RPN registrant, provisional RPN registrant, non-practising RPN registrant, practising RN registrant, provisional RN registrant, non-practising RN registrant, practising NP registrant, provisional NP registrant, non-practising NP registrant, practising midwife registrant, provisional midwife registrant, or non-practising midwife registrant, as the case may be.

(3) A nomination is not valid if the registrant is not eligible under section 3 [*Eligibility for election to the board*] for election to the applicable office.

(4) Despite subsection (3), a registrant may deliver with the registrant's nomination application under subsection (2) a written request to the governance committee that the registrant not be disqualified under section 3(2)(b) or (e), (3) or (4) [*Eligibility for election to the board*], as applicable, on the basis that such disqualification would be a breach of the registrant's rights under section 14 of the *Human Rights Code*.

(5) A registrant must not concurrently be nominated for election to more than one vacant or impending vacant elected board member office to be filled in a board election.

## Election procedure

7 (1) The registrar

(a) must supervise and administer all board elections, and for that purpose may establish additional board election procedures consistent with these bylaws, and

(b) may retain a professional accounting firm or other person as election trustee for the purposes of a board election.

(2) The registrar must establish additional procedures under subsection (1) enabling registrants to deliver completed election ballots to the registrar, or the person designated by the registrar, in a manner that ensures

(a) each ballot is submitted by a registrant eligible to vote in the board election,

(b) no registrant casts more than one ballot, and

(c) the anonymity of each registrant is preserved in the counting of the votes.

(3) The registrar must determine any dispute or irregularity with respect to a board election or ballot.

(4) Not later than November 1 in each year in which a board election is to be held, the registrar must deliver election ballots, or make such ballots available, to all registrants who are eligible to vote in the board election.

(5) Each registrant eligible to vote in a board election is entitled to one ballot for each vacant or impending vacant elected board member office to be filled by the board election and may vote in favour of one candidate to be elected on each ballot.

(6) A vote must not be counted unless the completed ballot is

(a) received by the registrar, or the person designated by the registrar, not later than the date and time determined by the registrar under subsection (1), and

(b) delivered to the registrar, or the person designated by the registrar, in accordance with the procedures referred to in subsection (2).

(7) The candidate for election to a vacant or impending vacant elected board member office who receives the most votes on the return of the ballots is elected to that office.

(8) In the case of a tie vote for a vacant or impending vacant elected board member office, the registrar must select the successful candidate for that office by random draw.

(9) If, as of the date that nominations must be received by the registrar under section 6 [*Nomination procedure*] in respect of the board election, only one candidate is nominated under that section for election to a vacant or impending vacant elected board member office, the candidate is elected to that office by acclamation and for greater certainty subsections (4) to (8) no longer apply in respect of the board election.

## Election results

**8** (1) Unless all the candidates in the board election are elected to office by acclamation or no recounts in respect of the board election are permitted under this section, the registrar must deliver to all the candidates, as soon as practicable following the initial counting of the votes in a board election, a notice of the preliminary results of the board election and the procedures for a recount.

(2) Subject to subsections (3) to (5), a recount in respect of an office to be filled in a board election may be requested by any candidate for election to the office, not more than three days after the date that notice under subsection (1), if any, is delivered to the candidates, and the registrar must conduct, or cause to be conducted, such a recount upon receiving the request.

(3) A recount referred to in subsection (2) must not be conducted in respect of an office to be filled in the board election unless, following the initial counting of the votes in the board election, the difference between the votes received by the top two leading candidates for election to the office is less than five percent of the total number of votes cast in respect of the office.

(4) Only one recount referred to in subsection (2) may be conducted in respect of an office to be filled in the board election, unless the registrar determines a further recount is necessary or appropriate in the interests of board election fairness and integrity.

(5) If, within the period specified in subsection (2), every recount permitted under subsection (2) in relation to the board election is declined in writing by each of the candidates entitled to request such recount, the registrar may act immediately under subsection (6).

(6) If all the candidates are elected to office by acclamation or no recount is to be conducted in respect of a board election, or following any recounts, the registrar must

(a) use the form set out in Schedule A to certify under section 17.1(1) of the Act each person who is elected as a member of the board, and

(b) deliver to each candidate, as soon as practicable, a notice of the final results of the board election and copies of the certificates of election completed under paragraph (a) in respect of the board election.

(7) As soon as practicable after each board election, the registrar must publish on the college website the following information:

- (a) the results of the board election, including any recounts conducted;
- (b) copies of the certificates of election completed under subsection (6)(a) respecting the board election;
- (c) biographies of the newly elected members of the board.

(8) The registrar must not authorize destruction of the ballots cast in a board election until not fewer than 30 days have elapsed since the date the candidates were notified under subsection (6)(b) of the final results of the board election.

### **Elected board member terms of office**

9 The term of office for an elected board member is three years, commencing on January 1 in the year immediately following the year in which they are elected.

### **Removal from elected board member office**

10 (1) An elected board member ceases to hold office as an elected board member if, before the expiry of their term of office, they

- (a) cease to be registered in a class specified in section 3(1) [*Eligibility for election to the board*] that corresponds to the elected board member office to which they were elected or appointed,
- (b) cease to be in good standing,
- (c) cease to be ordinarily resident in British Columbia,
- (d) become
  - (i) a respondent, or
  - (ii) the subject, in British Columbia, another province or a foreign jurisdiction, of a pending hearing, or hearing underway, that could result in their entitlement to practise a profession in British Columbia or that other province or foreign jurisdiction being cancelled, revoked or suspended for any reason other than late payment or non-payment of fees,



(e) become the subject of a finding by any court, in Canada or a foreign jurisdiction, that they are incapable of managing their own affairs,

(f) become a bankrupt,

(g) become elected or appointed to, or become employed in, a disqualifying position described in section 3(7)(a) to (d) [*Eligibility for election to the board*], or

(h) become an employee of the college,

(i) resign from office under subsection (2),

(j) are removed from office under section 17.11(5) of the Act or subsection (3), or

(k) die.

(2) An elected board member may resign from office as an elected board member at any time before the expiry of their term of office by delivering a notice in writing to the registrar, and the resignation is effective

(a) on the effective date specified in the notice, unless withdrawn in writing by the elected board member before that date, or

(b) if no effective date is specified, on receipt by the registrar of the notice.

(3) In addition to the board's powers and duties under section 17.11(5) of the Act, the board may, by special resolution, remove an elected board member from office as an elected board member before the expiry of their term of office, after reasonable notice to the elected board member and giving him or her an opportunity to be heard, if the board is satisfied that the elected board member has contravened a term of the code of conduct approved by special resolution of the board for the purpose of this subsection.

(4) The operation of subsection (1)(b) or (d) is stayed pending a decision by the governance committee under subsection (5) if the registrar receives, not later than seven days after the date that the elected board member has notice of the precipitating event under subsection (1)(b) or (d), as applicable, and in any event not more than 14 days after the college has notice of such event, a written request from the elected board member that the elected board member not be removed from office under subsection (1)(b) or (d), as applicable, on the basis that such removal would be a breach of the elected board member's rights under section 14 of the *Human Rights Code*.

(5) Despite subsection (1)(b) and (d), an elected board member does not cease to hold office under either of those provisions if

(a) the elected board member delivers a request in accordance with subsection (4), and

(b) the governance committee is satisfied, after giving the elected board member an opportunity to be heard, that such removal would be a breach of the elected board member's rights under section 14 of the *Human Rights Code*.

### **Vacancy in elected board member office**

**11** (1) If an elected board member ceases to hold office under section 10 [*Removal from elected board member office*], the board may, by special resolution, fill the resulting vacancy on the board by appointing to that vacant office a registrant who is eligible to be elected to the office.

(2) Subject to section 17.11(1) to (4) of the Act, a registrant appointed under subsection (1) assumes the former board member's vacant office and, subject to these bylaws, holds that office as an elected board member for the remainder of the former board member's term of office.

(3) If an elected board member office becomes vacant for any reason other than as described in subsection (1), the board may, by special resolution, fill the vacancy on the board by

(a) appointing to that vacant office a registrant who is eligible to be elected to the office, and

(b) specifying the appointed registrant's term of office, which must preserve the staggering of elections and elected board member terms of office that is established by these bylaws.

(4) Subject to section 17.11(1) to (4) of the Act, a registrant appointed under subsection (3)(a) assumes the vacant office and, subject to these bylaws, holds that office as an elected board member for the term of office specified under subsection (3)(b).

### **Board chair and board vice-chair**

**12** (1) At the first board meeting in each year, the board members must elect a board chair and a board vice-chair from among the board members, by a majority vote of the board members in attendance.

(2) The board chair or board vice-chair ceases to hold office as board chair or board vice-chair

(a) upon the election of a new board chair or board vice-chair, as the case may be, under this section, or

(b) if the board chair or board vice-chair, as the case may be,

(i) ceases to hold office as a board member,

(ii) resigns from the office of board chair or board vice-chair, as the case may be, in writing delivered to the registrar, or

(iii) is removed from the office of board chair or board vice-chair, as the case may be, by a majority vote of the board members in attendance at a board meeting.

(3) If the board chair or board vice-chair ceases to hold office under subsection (2)(b), the board members must elect, as soon as is convenient, another board chair or board vice-chair from among the board members, by a majority vote of the board members in attendance at a board meeting, to fill the vacancy in the applicable office.

(4) Despite subsections (1) to (3), a majority vote described in any of those subsections has no effect unless the number of votes constituting that majority vote is equal to or greater than the number of board members constituting a quorum under section 21(1) [*Quorum at board meetings*].

### **Duties of board chair**

**13** The board chair must

- (a) preside at all general meetings of the college and all board meetings, and
- (b) act generally in accordance with the requirements of the office of board chair, for the proper carrying out of the duties of the board.

### **Absence of board chair or board vice-chair**

**14** (1) If the board chair is absent or unable to act for any reason, the board vice-chair may exercise the powers and must perform the duties of the board chair.

(2) If both the board chair and board vice-chair are absent or unable to act for any reason, the board may authorize another board member to exercise the powers and perform the duties of the board chair.

(3) The board may impose on an authorization under subsection (2) any terms, limits or conditions that the board considers necessary or appropriate in the circumstances.

### **Frequency of board meetings**

**15** The board must meet not fewer than four times in each calendar year.

### **How board may meet**

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

## Calling board meetings

17 A board meeting must be called by the registrar

- (a) at the request of the board chair, or
- (b) on receipt of a written request for a board meeting from a majority of the board members, setting out the matter or matters to be discussed or on which a decision will be sought at the board meeting.

## Notice of board meetings

18 (1) In calling a board meeting under section 17 [*Calling board meetings*], the registrar must provide reasonable notice of the board meeting to each board member and to registrants and the public.

(2) Notice under subsection (1) may be provided to registrants and the public by posting a notice on the college website.

(3) Despite subsection (1), the registrar may call a board meeting under section 17 [*Calling board meetings*] without providing notice to registrants or the public, if the purpose of the meeting is to conduct urgent business or business for which excluding registrants or members of the public from a board meeting is permitted under section 19(2) [*Openness of board meetings*].

(4) The unintentional omission to deliver notice of a board meeting to, or the non-receipt of such a notice by, any person entitled to receive notice does not invalidate proceedings of that board meeting.

(5) Subject to subsection (6), the registrar must provide the following to any person, on request:

- (a) details of the date, time and place of a board meeting;
- (b) a copy of the agenda for the board meeting;
- (c) a copy of the minutes of any previous board meeting.

(6) A copy of an agenda provided under subsection (5)(b) or minutes provided under subsection (5)(c) may be edited to remove information about any matter referred to in section 19(2) [*Openness of board meetings*], if the reasons for removing that information are noted in the edited agenda or minutes.

## Openness of board meetings

19 (1) Subject to subsection (2), board meetings must be open to registrants and to the public.

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

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

(b) information concerning an application by any individual for registration under section 20 of the Act or a certified practice designation under section 151 [*Certified practice designations*], or reinstatement or renewal thereof, the disclosure of which would be an unreasonable invasion of the applicant's personal privacy;

(c) information concerning a complaint against, or investigation of, any individual under Part 3 of the Act, the disclosure of which would be an unreasonable invasion of the individual's personal privacy;

(d) information concerning an assessment of the professional performance of a registrant under section 26.1 of the Act or the registrant's compliance with competency or quality assurance requirements established under Part 6 [*Quality Assurance and Professional Responsibilities*], the disclosure of which would be an unreasonable invasion of the individual's personal privacy;

(e) information the disclosure of which may prejudice the interests of any person involved in

(i) a proceeding under the Act, including a disciplinary proceeding under Part 3 of the Act or a review under Part 4.2 of the Act, or

(ii) any other criminal, civil or administrative proceeding;

(f) information described in section 75 [*Disclosure of education program review information*];

(g) personnel matters;

(h) property acquisitions;

(i) the contents of examinations;

(j) information concerning the scoring or results of examinations, a report of the registrar under section 87(6) [*Examinations*] or a request for approval to take an examination again under section 87(11) or (12) [*Examinations*], the disclosure of which would be an unreasonable invasion of any individual's personal privacy;

(k) communications with the Office of the Ombudsperson;

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

(m) information that the college would be required or authorized to refuse to disclose to an applicant making a request for records under Part 2 of *the Freedom of Information and Protection of Privacy Act*;

(n) information that the college is otherwise required by law to keep confidential.

### Minutes of board meetings

20 (1) The registrar must ensure that minutes are taken at each board meeting.

(2) If the board excludes any person from a board meeting or any part of a board meeting, it must have its reasons for doing so noted in the minutes of the board meeting.

(3) Subject to subsection (4), the registrar must publish the minutes of each board meeting on the college website.

(4) The registrar may edit minutes to be published on the college website under subsection (3) to remove information about any matter referred to in section 19(2) [*Openness of board meetings*], if the reasons for removing that information are noted in the edited minutes.

### Quorum at board meetings

21 (1) Subject to subsections (2) and (3), a majority of the board members constitutes a quorum at a board meeting, as long as not less than one appointed board member is in attendance.

(2) For the purposes of considering or voting on a proposed special resolution, not less than three-quarters of the board members constitutes a quorum at a board meeting, as long as not less than one appointed board member is in attendance.

(3) For the purposes of conducting a review under section 133 [*Review of NP examination results*] or 154 [*Review of certified practice designation decisions*], three board members constitute a quorum at a board meeting, provided that a majority of the board members in attendance are elected board members and not less than one-third of the board members in attendance are appointed board members.

### Voting at board meetings

22 (1) No resolution proposed at a board meeting need be seconded.

(2) The chair of a board meeting may move or propose a resolution.

(3) The chair of a board meeting is not required to vote, whether or not that vote would affect the outcome.

(4) In case of a tie vote, the chair of a board meeting does not have a second vote in addition to the vote they may cast as a board member, and the proposed resolution does not pass.

### Other board meeting procedures

**23** The board may, by special resolution, adopt or establish additional policies, procedures or rules of order, consistent with these bylaws, for the purpose of regulating the conduct of board meetings.

### Resolutions in writing

**24** (1) If necessary to conduct urgent business or business for which excluding registrants or members of the public from a board meeting would be permitted under section 19(2) [*Openness of board meetings*],

(a) a resolution approved by a majority of the board members in writing, including without limitation by mail, facsimile or e-mail, is valid and binding and of the same effect as if it were an ordinary resolution, and

(b) a resolution approved by not less than two-thirds of the board members in writing, including without limitation by mail, facsimile or e-mail, is valid and binding and of the same effect as if it were a special resolution.

(2) A report of any resolution approved under subsection (1) must be verified and made a part of the minutes of the next board meeting.

## PART 2 – COMMITTEES

### Committees established

**25** The following committees are established:

- (a) the registration committee;
- (b) the inquiry committee;
- (c) the discipline committee;
- (d) the quality assurance committee;
- (e) the education program review committee;
- (f) the professional practice and standards committee;
- (g) the nurse practitioner examination committee;

- (h) the finance and audit committee;
- (i) the governance committee;
- (j) the registrar oversight committee.

### Committee composition

26 (1) Each of the following committees consists of not fewer than 15 members:

- (a) the registration committee;
- (b) the inquiry committee;
- (c) the discipline committee;
- (d) the quality assurance committee;
- (e) the professional practice and standards committee.

(2) For each committee specified in subsection (1),

- (a) not fewer than 10 of the members must be registrants, of whom
  - (i) not fewer than two must be registrants in the class of practising LPN registrants or non-practising LPN registrants,
  - (ii) not fewer than two must be registrants in the class of practising RPN registrants or non-practising RPN registrants,
  - (iii) not fewer than two must be registrants in the class of practising RN registrants or non-practising RN registrants,
  - (iv) not fewer than two must be registrants in the class of practising NP registrants or non-practising NP registrants, and
  - (v) not fewer than two must be registrants in the class of practising midwife registrants or non-practising midwife registrants,
- (b) not less than one-half of the members must be registrants in one or more of the classes referred to in paragraph (a), and
- (c) not less than one-third of the members must be public representatives.

(3) Members of the professional practice and standards committee must be appointed as necessary to ensure that the requirement under section 31(8) [*Panels*] may be met.



- (4) The education program review committee consists of not fewer than nine members, of whom not less than one-third must be public representatives.
- (5) The nurse practitioner examination committee consists of 10 members, of whom
- (a) seven must be registrants in the class of practising NP registrants or non-practising NP registrants, of whom not less than four must be registrants in the class of practising NP registrants,
  - (b) two must be registrants of other colleges under the Act in a class of registrants for which successful completion of an objective structured clinical examination is a registration requirement, who must be confirmed by their respective colleges to be suitable for membership on the committee, and
  - (c) one must be a public representative.
- (6) The finance and audit committee consists of not fewer than three members, of whom
- (a) not less than one must be an appointed board member, and
  - (b) not less than one must be an elected board member.
- (7) The governance committee consists of not fewer than three members, of whom not less than one must be an appointed board member.
- (8) The registrar oversight committee consists of three members, of whom
- (a) not less than one must be the board chair or board vice-chair,
  - (b) not less than one must be an appointed board member, and
  - (c) not less than one must be an elected board member.

### **Committee appointment and removal**

- 27 (1) All members of a committee must be appointed by the board.
- (2) Every member of a committee must be appointed for a term of office specified by the board not exceeding three years.
- (3) A person may be appointed concurrently to more than one committee, if otherwise eligible to be a member of each committee to which the person is appointed.
- (4) A person cannot be a member of the inquiry committee while the person
- (a) is a member of the discipline committee, or

(b) continues to serve as a member of a panel of the discipline committee to complete work of the panel that began before the person ceased to hold office as a member of the discipline committee.

(5) A person cannot be a member of the discipline committee while the person

(a) is a board member or member of the inquiry committee, or

(b) continues to serve as a member of a panel of the inquiry committee to complete work of the panel that began before the person ceased to hold office as a member of the inquiry committee.

(6) Subject to subsections (7) and (9), the members and former members of a committee are eligible for reappointment to the committee at any time.

(7) For each committee, a person who

(a) completes six consecutive years of serving as a member of the committee, or

(b) ceases to hold office as a member of the committee under subsection (10)(a) or (b),

is not eligible to be reappointed to the committee until one year has elapsed since the date of the event referred to in paragraph (a) or (b).

(8) Time served in office as a member of the committee between the 2020 amalgamation date and January 31, 2021 must be excluded when calculating whether subsection (7)(a) applies in respect of a person.

(9) A registrant in the class of non-practising midwife registrants is not eligible to be appointed, or reappointed, to a committee specified in section 26 (1) [*Committee composition*] unless

(a) the registrant, at any time within the three-year period immediately preceding the date of such appointment or reappointment,

(i) was registered in

(A) the class of practising midwife registrants under these bylaws, or

(B) the general class of registrants under the former CMBC bylaws, or

(ii) held registration or licensure in another province of Canada as the equivalent of a practising midwife registrant, or

(b) the registrant holds registration or licensure in another province of Canada as the equivalent of a practising midwife registrant.

(10) A person ceases to hold office as a member of a committee if, before the expiry of their term of office as a member of the committee, the person

- (a) resigns from office as a member of the committee under subsection (11),
- (b) is removed from office as a member of the committee under subsection (12),
- (c) dies,
- (d) in the case of a member of the nurse practitioner examination committee, ceases to be a registrant of the college or another college under the Act as described in section 26(5)(a) or (b) [*Committee composition*] if appointed under one of those provisions, or ceases to be a public representative if appointed under section 26(5)(c) [*Committee composition*], or
- (e) in the case of a member of the registrar oversight committee, ceases to be a board member.

(11) A person may resign from office as a member of a committee, a member of a panel of the committee, or both, at any time before the expiry of their term or terms of office, as applicable, by delivering a notice in writing to the registrar, and the resignation is effective

- (a) on the effective date specified in the notice, unless withdrawn in writing by the person before that date, or
- (b) if no effective date is specified, on receipt by the registrar of the notice.

(12) Subject to subsection (13), the board may, by ordinary resolution, remove a person from office as a member of a committee.

(13) The board may remove a person from office as a member of the discipline committee only if the board is satisfied that, in all the circumstances, such removal would not be unduly prejudicial to the interests of any person affected by a hearing under section 38 or 39.1(2)(c) of the Act that has commenced, or that has been completed and for which an order under section 39 of the Act has not yet been made.

(14) Despite subsections (1) to (12), a person who ceases to hold office as a member of a committee or, as applicable, a member of a panel of the committee, may continue to serve as a member of the committee and, and as applicable, a member of the panel to complete work of the committee or panel that began before the person ceased to hold office as a member of the committee or panel.

### **Committee chairs and vice-chairs**

**28** (1) Each committee must have one chair of the committee and not less than one vice-chair of the committee, all of whom must be designated by the board from among the members of the committee.

(2) A person may be designated concurrently as chair or vice-chair of more than one committee, if otherwise eligible to hold each office in respect of which the person is designated.

(3) For each committee, the chair of the committee must

- (a) preside at all meetings of the committee, and
- (b) act generally in accordance with the requirements of the office of chair of the committee, for the proper exercise and performance of the powers and duties of the committee.

(4) If the chair of a committee is absent or unable to act, a vice-chair of the committee may exercise the powers and must perform the duties of the chair of the committee.

### Committee meetings

**29** (1) For each of the following committees, a majority of the members of the committee constitutes a quorum at meetings of the committee as long as not less than one-third of the members of the committee in attendance are public representatives:

- (a) the registration committee;
- (b) the inquiry committee;
- (c) the discipline committee;
- (d) the quality assurance committee.

(2) For each of the following committees, a majority of the members of the committee constitutes a quorum at meetings of the committee as long as not less than one of the members of the committee in attendance is a public representative:

- (a) the education program review committee;
- (b) the professional practice and standards committee;
- (c) the nurse practitioner examination committee;
- (d) the finance and audit committee;
- (e) the governance committee.

(3) All members of the registrar oversight committee constitute a quorum at meetings of the committee.

(4) Subject to section 69 [*Confidentiality of QA activities and records*],

(a) sections 16 [*How board may meet*], 20(1) [*Minutes of board meetings*] and 22 [*Voting at board meetings*] apply to each committee as if the committee were the board, with any necessary changes, and

(b) the chair of a committee may exclude any person who is not a member of the committee from any meeting of the committee if the person's attendance at the meeting is disruptive or if the chair of the committee is satisfied that one or more of the matters set out in section 19(2)(a) to (n) [*Openness of board meetings*] will be discussed.

(5) If necessary to conduct urgent business or business for which a meeting of the committee would be held in private under subsection (4)(b), a resolution approved by a majority of the members of the committee in writing, including without limitation by mail, facsimile or e-mail, is valid and binding and of the same effect as if it were an ordinary resolution.

(6) For greater certainty, this section does not apply in respect of a pre-hearing conference under section 208 [*Pre-hearing conferences*], a hearing under section 38 or 39.1(2)(c) of the Act, or any confidential deliberations in relation to such a pre-hearing conference or hearing.

### Committee annual reports

**30** Each committee must submit annually to the board, in a form satisfactory to the board, a report of the committee's activities including without limitation the activities of its panels if any.

### Panels

**31** (1) This section and sections 32 [*Panel chairs*] and 33 [*Panel meetings*] apply to the following committees only, as applicable:

- (a) the registration committee;
- (b) the inquiry committee;
- (c) the discipline committee;
- (d) the quality assurance committee;
- (e) the education program review committee;
- (f) the professional practice and standards committee;
- (g) the nurse practitioner examination committee.

(2) Subject to any relevant policies of general application established by the board and any applicable policies and procedures established by the committee under section 34(1) [*Powers and duties – all committees and panels*], the chair of a committee may

- (a) establish panels of the committee and may disestablish such panels, and
  - (b) issue terms of reference for each panel of the committee and may amend or rescind such terms of reference.
- (3) Each panel of a committee must consist of not fewer than three members, all of whom must be appointed by the chair of the committee from among the members of the committee.
- (4) For each of the following committees, not less than one-third of the members of a panel of the committee must be public representatives:
- (a) the registration committee;
  - (b) the inquiry committee;
  - (c) the discipline committee;
  - (d) the quality assurance committee.
- (5) For each of the following committees, not less than one of the members of a panel of the committee must be a public representative:
- (a) the education program review committee;
  - (b) the professional practice and standards committee;
  - (c) the nurse practitioner examination committee.
- (6) A member of a committee may be appointed concurrently to more than one panel of the committee, if otherwise eligible to be a member of each panel of the committee to which the member of the committee is appointed.
- (7) Despite subsection (2), the chair of the professional practice and standards committee must
- (a) establish and maintain, under subsection (2)(a), a panel of that committee to be known as the Indigenous midwifery panel, and
  - (b) issue and maintain, under subsection (2)(b), terms of reference for the Indigenous midwifery panel as necessary to authorize and enable that panel to exercise any power or perform any duty of that committee
    - (i) under section 34(1) or (2) [*Powers and duties – all committees and panels*] in relation to the powers and duties referred to in subparagraph (ii), or
    - (ii) section 38(1)(d) [*Powers and duties – professional practice and standards committee*].

(8) Not fewer than three members of the Indigenous midwifery panel must be Indigenous persons.

(9) If a panel of one of the following committees is to consider an issue or make a decision in the course of exercising or performing a power or duty of the committee under the Act in respect of a particular registrant, not less than one of the members of the panel must be a registrant in a class that is in the same registrant group as a class in which the particular registrant is registered:

- (a) the registration committee;
- (b) the inquiry committee;
- (c) the discipline committee;
- (d) the quality assurance committee.

(10) If a panel of the professional practice and standards committee is to consider a matter that requires the profession-specific expertise of a registrant in a class in a particular registrant group, not less than one of the members of the panel must be a registrant in a class in the particular registrant group.

(11) In subsections (9) and (10), “**registrant group**” means, as the case may be, the group of classes established in

- (a) section 90 [*Classes of LPN registrants*],
- (b) section 99 [*Classes of RPN registrants*],
- (c) section 109 [*Classes of RN registrants and LGN registrants*],
- (d) section 124 [*Classes of NP registrants*], or
- (e) section 134 [*Classes of midwife registrants*];

## Panel chairs

**32** (1) Each panel of a committee must have one chair of the panel, who must be designated by the chair of the committee from among the members of the panel.

(2) For each committee, a member of the committee may be designated concurrently as chair or vice-chair of the committee and chair of a panel of the committee, or as chair of more than one panel of the committee, or a combination thereof, if otherwise eligible to hold each office in respect of which the member of the committee is designated.

(3) For each panel of a committee, the chair of the panel must

- (a) preside at all meetings of the panel, and

(b) act generally in accordance with the requirements of the office of chair of the panel, for the proper exercise and performance of the powers and duties of the panel.

### Panel meetings

**33** (1) If a panel of a committee consists of three members, all members of the panel constitute a quorum at meetings of the panel.

(2) If a panel of one of the following committees consists of more than three members, a majority of the members of the panel constitutes a quorum at meetings of the panel as long as not less than one-third of the members of the panel in attendance are public representatives:

- (a) the registration committee;
- (b) the inquiry committee;
- (c) the discipline committee;
- (d) the quality assurance committee.

(3) If a panel of one of the following committees consists of more than three members, a majority of the members of the panel constitutes a quorum at meetings of the panel as long as not less than one of the members of the panel in attendance is a public representative:

- (a) the education program review committee;
- (b) the professional practice and standards committee;
- (c) the nurse practitioner examination committee.

(4) Section 29(5) and (6) [*Committee meetings*] applies to each panel of a committee as if the panel were the committee, with any necessary changes.

(5) For greater certainty, this section does not apply in respect of a pre-hearing conference under section 208 [*Pre-hearing conferences*], a hearing under section 38 or 39.1(2)(c) of the Act, or any confidential deliberations in relation to such a pre-hearing conference or hearing.

### Powers and duties – all committees and panels

**34** (1) Subject to the Act, this Part and any relevant policies of general application established by the board, each committee may establish policies to govern the activities of, and procedures to be followed by, the committee and may amend such policies and procedures.

(2) Subject to section 69 [*Confidentiality of QA activities and records*], each committee may consult as it considers necessary or appropriate with registrants or other persons who have



expertise relevant to a particular aspect of practice or any other matter considered by the committee.

(3) Subject to any applicable policies and procedures established by the committee under subsection (1) and any terms of reference issued by the chair of the committee under section 31(1)(b) [*Panels*], a panel of a committee may exercise any power and perform any duty of the committee under the Act.

### **Powers and duties – registration committee**

35 (1) In addition to its powers and duties set out in the Act and Part 5 [*Registration*], the registration committee must approve as it considers necessary or appropriate, the examinations that may be required to be taken under section 20(4.3)(b) of the Act or Part 5 [*Registration*].

(2) The registration committee, when exercising its powers or performing its duties under section 20(4.3) of the Act in respect of a specific individual, may

- (a) grant registration in a class of provisional registrants for a limited period specified for the registrant by the registration committee,
- (b) require the registrant to complete, within the period specified under paragraph (a), any examinations or upgrading of knowledge, skills or abilities the registration committee considers necessary for the registrant, and
- (c) impose limits or conditions on the practice of the designated health profession by the registrant, including without limitation conditions respecting the level of supervision required.

### **Powers and duties – quality assurance committee**

36 (1) In addition to its powers and duties set out in the Act, the quality assurance committee

- (a) must administer and maintain the college's continuing competence and quality assurance program in accordance with this Division and Part 6 [*Quality Assurance and Professional Responsibilities*],
- (b) may recommend new or revised continuing competency and quality assurance program requirements to the board,
- (c) may, in respect of RPN registrants, RN registrants, NP registrants and midwife registrants,
  - (i) monitor and review the prescribing of selected drugs or drug classes,
  - (ii) identify concerns, trends or issues related to selected drug or drug class prescribing practices, and

(iii) provide information on selected drug or drug class prescribing practices to

(A) the professional practice and standards committee for consideration in the development of standards of practice and standards of professional ethics for the practice of psychiatric nursing by RPN registrants, the practice of nursing by RN registrants or NP registrants, or the practice of midwifery by midwife registrants,

(B) the registrar for the purpose of commencing or conducting audits under section 156(1) [*Verification of QA activities*], or

(C) all, or selected groups of, RPN registrants, RN registrants, NP registrants and midwife registrants, for the purpose of promoting safe client care and high practice standards in relation to the prescribing of drugs, and

(d) may establish remedial procedures to assist midwife registrants in identifying and correcting deficiencies in their clinical abilities or places of practice.

(2) In this section, “**RPN registrants**” means registrants in classes established in section 99(1) [*Classes of RPN registrants*], “**RN registrants**” means registrants in classes established in section 109(1) [*Classes of RN registrants and LGN registrants*], “**NP registrants**” means registrants in classes established in section 124(1) [*Classes of NP registrants*], and “**midwife registrants**” means registrants in classes established in section 134(1) [*Classes of midwife registrants*].

### **Powers and duties – education program review committee**

**37** The education program review committee, subject to any directions given by the board, must do the following in accordance with this Division:

(a) conduct reviews of education programs that are not yet recognized by the college for the purpose of registration or certified practice designation, in accordance with any applicable policies established by the board respecting such reviews;

(b) conduct reviews of education programs that are recognized by the college for the purpose of registration or certified practice designation, as the committee considers necessary or appropriate but in accordance with any applicable policies established by the board respecting such reviews;

(c) report to the board and make recommendations respecting

(i) education programs that are not yet, or are, recognized by the college for the purpose of registration or certified practice designation,

(ii) any terms and conditions of such recognition that the committee considers necessary or appropriate, including without limitation the length of time for which

recognition or preliminary recognition, or any extension thereof, should be granted, and

(iii) any corresponding amendments to Schedules B, C, D, E or F of these bylaws;

(d) review and recommend to the board policies, or changes thereto, respecting the review and recognition by the college of education programs, as the committee considers necessary or appropriate,

(e) review the criteria, policies and procedures pertaining to certification programs for the performance of activities described in section 6(2) of the Midwives Regulation, B.C. Reg. 281/2008, and the competencies required for certification, and make recommendations to the board for approval, and

(f) review certification programs for the performance of activities described in section 6(2) of the Midwives Regulation B.C. Reg. 281/2008, in accordance with applicable criteria or policies established by the board and make recommendations to the board for approval.

### **Powers and duties – professional practice and standards committee**

**38** (1) The professional practice and standards committee, subject to any directions given by the board, and in accordance with this Division,

(a) may review the standards of practice or standards of professional ethics for one or more of the designated health professions and may recommend, for the approval of the board, any changes thereto that the committee considers necessary or appropriate,

(b) must review and recommend to the board standards of practice and standards of professional ethics for the practice of the designated health profession of nursing by NP registrants in accordance with section 9(3) of the Nurses (Registered) and Nurse Practitioners Regulation, B.C. Reg. 284/2008, and

(c) may, as necessary or appropriate, review and recommend to the board additional standards of practice or standards of professional ethics for the practice of nursing by NP registrants under any enactment of British Columbia or Canada,

(d) may make presentations or recommendations to the board respecting the regulation of Indigenous midwifery including, without limitation, presentations or recommendations on

(i) the establishment of one or more classes of Indigenous midwives, and the associated registration requirements and requirements for recognition of Indigenous midwifery education programs,

(ii) the standards of practice, standards of professional ethics, continuing competency and quality assurance requirements, or inquiry and discipline policies and procedures, that are or should be applicable to registrants who are Indigenous persons or who practise Indigenous midwifery,

(iii) goals, objectives and processes for consultation or relationship development with Indigenous peoples or Indigenous organizations, or

(iv) other measures the college could or should take to better align its regulation of Indigenous midwives and Indigenous midwifery with the purposes of the *Declaration on the Rights of Indigenous Peoples Act*, S.B.C. 2019, c. 44, as set out in section 2 of that Act,

(e) is responsible for advising the board or registrar, as and when requested by the board or registrar, on the development and administration of the college's client relations program in accordance with section 165 [*Client relations program*], and

(f) is responsible for

(i) reviewing and recommending to the board the drugs and substances that midwife registrants may prescribe, order, compound, dispense or administer consistent with the midwife registrant's scope of practice and Schedules A and B of the Midwives Regulation B.C. Reg. 281/2008,

(ii) reviewing and recommending to the board the standards of practice for midwife registrants' prescribing, ordering, compounding, dispensing or administering drugs,

(iii) reviewing and recommending to the board the screening and diagnostic tests that midwife registrants may order or interpret, and

(iv) reviewing and recommending to the board the standards of practice for midwife registrants' ordering or interpreting screening and diagnostic tests.

(2) In this section, "**NP registrants**" means registrants in classes established in section 124(1) [*Classes of NP registrants*], and "**midwife registrants**" means registrants in classes established in section 135(1) [*Classes of midwife registrants*].

### **Powers and duties – nurse practitioner examination committee**

**39** The nurse practitioner examination committee must oversee the development of the objective structured clinical examination and score the objective structured clinical examination required by the registration committee for registration in the practising NP registrant class.

### **Powers and duties – finance and audit committee**

**40** The finance and audit committee must

(a) advise the board on the needs of the college in regard to financial administration and the financial implications of board decisions,

- (b) advise the board on the application of legislative, regulatory and other financial requirements to the college,
- (c) recommend, for the approval of the board, financial policies essential to the financial administration of the college,
- (d) advise the board on financial risk management and audit issues related to the administration of the college,
- (e) review and report to the board on any financial administration, financial risk management or audit matter referred to it by the board, and
- (f) serve as a resource to the board in matters pertaining to college financial administration, financial risk management and audit.

### **Powers and duties – governance committee**

#### **41** The governance committee must

- (a) subject to any applicable directions given by the board,
  - (i) review and recommend to the board the competencies expected of persons who wish to be
    - (A) elected to the board,
    - (B) elected as board chair or board vice-chair, or
    - (C) appointed to each committee or designated as the chair or a vice-chair of each committee or its panels, as applicable,
  - (ii) oversee and report to the board on board, board member, committee and committee member evaluations,
  - (iii) oversee and report to the board on board member orientation and education,
  - (iv) ensure that board policies are reviewed, and appropriate revisions recommended to the board regularly and as required,
  - (v) review and report to the board on any college governance matter referred to it by the board, and
  - (vi) serve as a resource to the board in matters pertaining to college governance,
- (b) for each board election, and having regard to the board-approved competencies expected of persons who wish to be elected to the board,

- (i) identify the competencies needed in prospective candidates in the board election and, in collaboration with the registrar, ensure information about those needed competencies is disseminated to registrants during the board election process,
  - (ii) use reasonable efforts to identify and recruit prospective candidates who have the needed competencies and to obtain not less than one qualified nominee for each elected board member office to be filled in the board election,
  - (iii) review all nominations received under section 6 [*Nomination procedure*],
  - (iv) determine whether nominations received under section 6 [*Nomination procedure*] comply with all applicable eligibility requirements under section 3 [*Eligibility for election to the board*], and
  - (v) present to the board chair and the registrar a ticket of qualified nominees, and
- (c) for each committee, and having regard to the board-approved competencies expected of persons who wish to be appointed as members of each committee,
- (i) in consultation with each other committee as the governance committee considers necessary or appropriate, identify the competencies needed from time to time in prospective candidates for membership of each committee and, in collaboration with the registrar, ensure information about those needed competencies is disseminated to registrants, non-registrants and the public during committee membership recruitment processes,
  - (ii) use reasonable efforts to identify and recruit prospective candidates for membership on each committee who have the needed competencies,
  - (iii) determine whether expressions of interest received comply with all applicable eligibility requirements under these bylaws, and
  - (iv) to the extent the governance committee determines is possible, recommend to the board and registrar at least one candidate for each committee member office to be filled from time to time.

### **Powers and duties – registrar oversight committee**

**42** The registrar oversight committee, subject to any directions given by the board, must

- (a) oversee, facilitate and report to the board on registrar and CEO performance reviews,
- (b) oversee, facilitate and report to the board on registrar and CEO compensation reviews,
- (c) consider and make recommendations to the board on emergency and long-term registrar and CEO succession planning,

(d) review and report to the board on any registrar and CEO performance and oversight matter referred to it by the board, and

(e) serve as a resource to the board in matters pertaining to registrar and CEO performance and oversight.

### **Powers and duties in progress on amalgamation**

**43** (1) In this section, “**committee**” and “**officer**” have the same meanings as in Part 2.01 of the Act.

(2) For the purposes of section 25.06(4) of the Act, the following officers and committees are authorized to continue to exercise a power or to perform a duty that the officer or committee began to exercise or to perform, but did not complete, before the 2020 amalgamation date:

(a) the registration committee for CLPNBC;

(b) the registration committee for CRPNBC;

(c) the registration committee for CLPNBC;

(d) the registration committee for BCCNP;

(e) the registration committee for CMBC;

(f) an inspector for CLPNBC;

(g) an inspector for CRPNBC;

(h) an inspector for CRNBC;

(i) an inspector for BCCNP;

(j) an inspector for CMBC;

(k) the inquiry committee for CLPNBC;

(l) the inquiry committee for CRPNBC;

(m) the inquiry committee for CRNBC;

(n) the inquiry committee for BCCNP;

(o) the inquiry committee for CMBC;

(p) the discipline committee for CLPNBC;

- (q) the discipline committee for CRPNBC;
- (r) the discipline committee for CRNBC;
- (s) the discipline committee for BCCNP;
- (t) the discipline committee for CMBC;
- (u) an assessor appointed under section 26.1 of the Act for CLPNBC;
- (v) an assessor appointed under section 26.1 of the Act for CRPNBC;
- (w) an assessor appointed under section 26.1 of the Act for CRNBC;
- (x) an assessor appointed under section 26.1 of the Act for CMBC;
- (y) the quality assurance committee for CLPNBC;
- (z) the quality assurance committee for CRPNBC;
- (aa) the quality assurance committee for CRNBC;
- (ab) the quality assurance committee for BCCNP;
- (ac) the quality assurance committee for CMBC.

(3) The exercise of a power or performance of a duty by a committee referred to in subsection (2)(a) to (e) is subject to any limits or conditions imposed or directions given, by the registration committee for the college established under section 25(a) *[Committees established]* or a panel of that committee, for the purpose of facilitating completion of the exercise of the power or performance of the duty on or after the amalgamation date.

(4) The exercise of a power or performance of a duty by an officer or committee referred to in subsection (2)(f) to (o) is subject to any limits or conditions imposed or directions given, by the inquiry committee for the college established under section 25(b) *[Committees established]* or a panel of that committee, for the purpose of facilitating completion of the exercise of the power or performance of the duty after the amalgamation date.

(5) The exercise of a power or performance of a duty by an officer or committee referred to in subsection (2)(u) to (ac) is subject to any limits or conditions imposed or directions given, by the quality assurance committee for the college established under section 25(d) *[Committees established]* or a panel of that committee, for the purpose of facilitating completion of the exercise of the power or performance of the duty on or after the amalgamation date.



## PART 3 – COLLEGE ADMINISTRATION

### Registrar and chief executive officer

**44** (1) In addition to the registrar's powers and duties under the Act, the registrar is the chief executive officer of the college and holds final responsibility for all administrative and operational matters for the college.

(2) The registrar is authorized to establish, by bylaw, forms for the purposes of these bylaws, and to require the use of such forms by registrants.

(3) The registrar may designate an officer, employee or agent of the college to exercise any power or perform any duty of the registrar assigned by the registrar.

(4) An officer, employee or agent of the college referred to in subsection (3) has the same authority as the registrar when the officer, employee or agent is acting on behalf of the registrar.

(5) For the purposes of section 98 [*Temporary LPN (emergency) registration*], section 107 [*Temporary RPN (emergency) registration*], section 122 [*Temporary RN (emergency) registration*], section 132 [*Temporary NP (emergency) registration*] and section 142 [*Temporary midwife (emergency) registration*], the registrar may do any of the following:

- (a) declare an emergency situation;
- (b) set the period for which such declaration is to be in effect;
- (c) extend the effective period of the declaration any number of times;
- (d) rescind the declaration at any time.

### Deputy registrars

#### **45** A deputy registrar

(a) is authorized to perform all duties and exercise all powers of the registrar, subject to the direction of the registrar, and

(b) is authorized to perform all duties and exercise all powers of the registrar, if the registrar is absent or unable to act for any reason.

### Fiscal year

**46** The fiscal year of the college ends on December 31 in each year.

## Budgets and commitments

47 The board must do the following, no less frequently than once for each fiscal year:

- (a) approve an operating budget and a capital budget for the college for the fiscal year;
- (b) set any limits or conditions the board considers necessary or appropriate on the registrar's authority to make financial commitments on behalf of the college during the fiscal year.

## Board and committee member compensation

48 (1) All board members and all members of committees are equally entitled to be

- (a) remunerated for time spent on business of the college, in the amount approved by the board, and
- (b) reimbursed by the college for reasonable expenses necessarily incurred in connection with the business of the college.

## Collection of funds as agent

49 (1) In this section, “**association**” means a health profession association defined in section 1 of the Act or similar organization, whose members are registrants or persons registered or licensed for the practice of practical nursing, psychiatric nursing or nursing in another province of Canada.

(2) In each fiscal year, the college may collect from registrants an amount equivalent to the annual fees of an association, whether or not the registrant is a member of the association, provided that the board and the association execute a written agreement to this effect.

(3) Funds received by the registrar under subsection (2) are collected by the college as agent for the association and are held by the college on trust for the association.

(4) This section is repealed on January 1, 2022.

## Borrowing powers

50 The board may raise money or guarantee or secure the payment of money in the name of the college, in any manner determined by the board, in order to carry out the purposes of the college.

## Administrative fees

51 In addition to the fees required elsewhere in these bylaws and specified in Schedule G, a person must in any other circumstance specified in Schedule G pay the corresponding specified administrative fee.

### Advance payment of renewal fees

52 The registrar may allow registrants in the following classes to pay in advance installments any applicable fees required for renewal of registration or renewal of a certified practice designation:

- (a) practising LPN registrants;
- (b) provisional LPN registrants;
- (c) practising RPN registrants;
- (d) provisional RPN registrants;
- (e) employed student psychiatric nurse registrants;
- (f) practising RN registrants;
- (g) provisional RN registrants;
- (h) practising LGN registrants;
- (i) provisional LGN registrants;
- (j) employed student nurse registrants;
- (k) practising NP registrants;
- (l) provisional NP registrants;
- (m) practising midwife registrants;
- (n) provisional midwife registrants;
- (o) student midwife registrants.

### Investments

53 The board may invest funds of the college in accordance with the board's investment policy, which must be consistent with sections 15.1 and 15.2 of the *Trustee Act*.

### Auditor

54 (1) The board must appoint a chartered professional accountant to be the auditor for the college.

(2) For each fiscal year, an annual audit of the college's financial statements must be conducted by the auditor appointed under subsection (1).

(3) The registrar must submit the college's financial statements to the auditor not later than 60 days after the end of each fiscal year.

(4) A copy of the auditor's report must be included in the college's annual report under section 18(2) of the Act.

### Legal counsel

55 The registrar, the board, or a committee or panel of a committee, may retain legal counsel for the purposes of advising the college, committee or panel on any matter or assisting the board, committee, panel, registrar, or any officer, employee or agent of the college, in exercising any power or performing any duty under the Act.

### General meetings

56 (1) All general meetings must be held in British Columbia at a time and place determined by the board.

(2) Every general meeting, other than an annual general meeting, is a special general meeting.

(3) The first annual general meeting must be held in 2021, and thereafter an annual general meeting must be held once in every calendar year and not more than 20 months after the holding of the last preceding annual general meeting.

(4) The following matters must be considered at an annual general meeting:

- (a) the financial statements of the college;
- (b) the report of the board;
- (c) the auditor's report.

(5) The board may, by special resolution, call a special general meeting.

### Notice of general meetings

57 (1) The board must

- (a) deliver notice of a general meeting to registrants referred to in section 4 [*Eligibility to vote in elections*] and every board member and committee member, not fewer than 60 days before the date of the general meeting, and
- (b) provide reasonable notice of the general meeting to the public.

- (2) Notice of a general meeting must include
- (a) the date, time and place of the general meeting,
  - (b) the general nature of the business to be considered at the general meeting,
  - (c) any resolutions proposed by the board for consideration at the general meeting, and
  - (d) any resolutions proposed by registrants under section 58 [*Resolutions proposed by registrants*] and delivered to the registrar before the notice of the general meeting is issued.
- (3) At the discretion of the board, notice of a general meeting may specify that registrants, board members and committee members will be permitted to attend the general meeting by video, teleconference, web casting, or an equivalent medium, in accordance with instructions specified in the notice.
- (4) Notice of a general meeting may be delivered to registrants under subsection (1)(a) by
- (a) transmitting notice of the general meeting to every registrant referred to in section 4 [*Eligibility to vote in elections*] at the email address provided to the college by the registrant under section 79(2)(q) [*General conditions and requirements*] or section 135(2)(n) [*General conditions and requirements for midwife registrants*], and
  - (b) posting a notice on the college website.
- (5) Notice of a general meeting may be provided to the public under subsection (1)(b) by posting a notice on the college website.
- (6) The unintentional omission to deliver notice of a general meeting or resolution to, or the non-receipt of such a notice or resolution by, any person entitled to receive such notice or resolution does not invalidate proceedings at that general meeting.

### **Resolutions proposed by registrants**

- 58** (1) Any 10 registrants referred to in section 4 [*Eligibility to vote in elections*] may deliver a written notice to the registrar not fewer than 30 days before the date of a general meeting requesting the consideration of a resolution at the general meeting.
- (2) On receipt of a notice specified in subsection (1) and not fewer than 14 days before the date of the general meeting, the registrar must deliver a notice and a copy of the resolution to registrants referred to in section 4 [*Eligibility to vote in elections*].
- (3) Notice of a resolution may be delivered to registrants under subsection (2) by
- (a) transmitting notice of the resolution to every registrant referred to in section 4 [*Eligibility to vote in elections*] at the email address provided to the college by the registrant

under section 79(2)(q) [*General conditions and requirements*] or section 135(2)(n) [*General conditions and requirements for midwife registrants*], and

(b) posting a notice on the college website.

### **Proceedings at general meetings**

**59** (1) Any 45 registrants referred to in section 4 [*Eligibility to vote in elections*] attending in person or in accordance with subsection (2) constitute a quorum at a general meeting.

(2) If the notice of a general meeting specifies that registrants may attend the general meeting by video, teleconference, web casting, or an equivalent medium, registrants referred to in section 4 [*Eligibility to vote in elections*] may attend and participate in the general meeting by such medium, in accordance with the instructions specified in the notice, and any registrants so attending must be included in calculating whether there is a quorum in attendance.

(3) No business, other than the adjournment or termination of the general meeting, may be conducted at a general meeting at a time when a quorum is not in attendance.

(4) If at any time during a general meeting there ceases to be a quorum in attendance, business then in progress must be suspended until there is a quorum in attendance.

(5) If a quorum is not in attendance within 30 minutes from the time appointed for the commencement of a general meeting or from any time during a general meeting when there ceases to be a quorum in attendance, the general meeting must be adjourned.

(6) In the absence of both the board chair and the board vice-chair, an acting chair for a general meeting must be elected from among the board members attending in person, by a majority vote of the registrants referred to in section 4 [*Eligibility to vote in elections*] and board members in attendance.

(7) A general meeting may be adjourned from time to time and from place to place, but no business may be transacted at an adjourned general meeting other than the business left unfinished at the general meeting from which the adjournment took place.

(8) When a general meeting is adjourned in accordance with subsection (5) or by motion, notice of the rescheduled general meeting must be delivered in the same manner as notice of the original general meeting was delivered.

(9) Each registrant referred to in section 4 [*Eligibility to vote in election*] in attendance at a general meeting is entitled to cast one vote on every resolution considered at the meeting.

(10) In case of a tie vote, the proposed resolution does not pass.

(11) The board may, by special resolution, adopt or establish additional policies, procedures or rules of order, consistent with these bylaws, for the purpose of regulating the conduct of general meetings.

(12) A resolution considered at a general meeting, whether passed or defeated, does not and must not purport to

(a) invalidate any prior act of the board, any committee of the college, the registrar or any officer, employee or agent of the college, or

(b) bind the board, any committee of the college, the registrar or any officer, employee or agent of the college in the exercise of its or their powers or in the performance of its or their duties under the Act or any other enactment.

### Notice to public representatives

60 Every notice or mailing provided to registrants generally, except a notice or mailing relating solely to renewal of registration under Part 5 [*Registration*], must also be provided to each public representative serving on the board or a committee.

## PART 4 – COLLEGE RECORDS

### Administration of *FIPPA*

61 (1) The registrar is the “head” of the college for the purposes of the *Freedom of Information and Protection of Privacy Act*.

(2) The registrar may authorize a deputy registrar or another officer, employee, agent or contractor of the college to exercise any power or perform any duty of the registrar under the *Freedom of Information and Protection of Privacy Act*.

(3) The board must ensure that the registrar performs the registrar’s duties under the *Freedom of Information and Protection of Privacy Act*.

(4) The registrar must report annually to the board regarding the steps that the registrar has taken to perform the registrar’s duties under the *Freedom of Information and Protection of Privacy Act*.

### Access request fees

62 Subject to section 75 of the *Freedom of Information and Protection of Privacy Act*, an applicant who requests access to a college record under section 5 of the *Freedom of Information and Protection of Privacy Act* must pay the applicable fees set out in the “Schedule of Maximum Fees” established in the Freedom of Information and Protection of Privacy Regulation, B.C. Reg. 155/2012.

## Protection of personal information

**63** (1) The registrar must take reasonable measures to ensure that the collection, use, and disclosure of personal information by the college complies with the *Freedom of Information and Protection of Privacy Act*.

(2) The registrar must take reasonable measures to ensure that, if personal information is sent to any person or service provider for processing, storage or destruction, a contract is made with that person or service provider which includes an undertaking by the person or service provider that the confidentiality of that personal information will be maintained.

## Disposal of records containing personal information

**64** The registrar must ensure that a college record containing personal information is disposed of only by

- (a) effectively destroying a physical record by utilizing a shredder or by complete burning,
- (b) erasing information recorded or stored by any electronic method including without limitation on tapes, cassettes, floppy or hard disk drives, USB flash drives, optical discs, or equipment that includes an electronic system in which data is maintained, managed and backed up remotely and made available to users over a network, in a manner that ensures that the information cannot be reconstructed,
- (c) transferring the record to the person to whom the information pertains, or
- (d) transferring the record to the registrant who compiled the information.

## Additional information required in public register

**65**(1) For every person granted registration under the Act, the following information must be entered and maintained on the public register for the purpose of section 21(2)(f) of the Act:

- (a) a statement that the person is or is not authorized to practise as a nurse or midwife in British Columbia, as the case may be;
- (b) if the person is a registrant and the person's business address and business telephone number are that of an employer of the person, the name of the employer;
- (c) effective on and after the date specified by ordinary resolution of the board for the purpose of this paragraph, a unique identification number assigned to the person by the college;
- (d) the date on which the person was first granted registration, regardless of whether it occurred before, on or after the amalgamation date;



(e) a notation of each certified practice designation granted or cancelled under section 151 [*Certified practice designations*], section 289 of the former BCCNP bylaws or section 4.18 of the former CRNBC bylaws, and the periods for which it is or was valid;

(f) if the person is a registrant in the class of practising NP registrants or provisional NP registrants, a notation

(i) of the person's NP category, which must be stated as being family, adult or pediatric, as applicable, and

(ii) indicating whether or not the person is

(A) assigned a Medical Services Plan practitioner number and is authorized to independently make referrals for medical or diagnostic services in accordance with the standards of practice for nursing as a nurse practitioner, and

(B) authorized to independently prescribe drugs specified in Schedule I or IA of the Drug Schedules Regulation, B.C. Reg. 9/98, as contemplated by section 9(1)(g) of the Nurses (Registered) and Nurse Practitioners Regulation, B.C. Reg. 284/2008;

(g) if the person is a registrant in the class of practising midwife registrants or provisional midwife registrants, a notation of each hospital for which the person holds a valid permit, issued by the hospital's board, to practice in the hospital;

(g.1) if the person is a registrant in the class of provisional NP registrants and

(i) is granted such registration under section 129 [*Provisional NP registration*] through meeting the requirements established in section 129(1.1) [*Provisional NP registration*],

(ii) was granted such registration under section 275(1) of the former BCCNP bylaws through meeting the requirements established in section 275(1)(b) of those former bylaws, or

(iii) was granted such registration under section 4.11(4) of the former CRNBC bylaws through meeting the requirements established in section 4.11(4)(b)(ii) of those former bylaws,

a notation indicating that the registrant is a provisional neonatal NP;

(h) if the person is a registrant, the start date and expiry date of the person's registration in each class in which the person is registered, including registration that is effective on a future start date;

(i) if the person is a registrant, any limit or condition on, or suspension of, the registrant's practice of a designated health profession resulting from an undertaking described in section 72(2)(d) *[Disclosure of complaints and investigations]*;

(j) a notation of any unresolved citation under section 37 of the Act that names the person as a respondent, and information about the matter that is included in a notice under section 73 *[Disclosure of citations]*;

(k) a notation of any review or appeal underway under section 20(4.1), 33(3), 35(5) or 40 of the Act respecting the person, until the final disposition of the matter.

(1.1) On January 1, 2025, subsection (1)(g.1) and this subsection are repealed.

### **Retention of board records**

**66** (1) The minutes of each board meeting, along with all supporting records submitted to the board for each board meeting, must be retained permanently in the college records.

(2) A copy of each annual report under section 18(2) of the Act must be retained permanently in the college records.

### **Retention of inquiry and discipline records**

**67** (1) Except as otherwise required by law, all records related to the activities of inspectors, the inquiry committee and its panels, or persons acting on behalf of the inquiry committee or its panels, must be retained in the college records for not fewer than 16 years following

(a) the date an investigation is concluded, or

(b) the date the complainant or other materially affected third party in the matter, if any, reaches 19 years of age,

whichever is later.

(2) Except as otherwise required by law, all records related to the activities of the discipline committee and its panels, or persons acting on behalf of the discipline committee or its panels, must be retained in the college records for not fewer than 16 years following

(a) the date a decision is rendered, or

(b) the date the complainant or other materially affected third party in the matter, if any, reaches 19 years of age,

whichever is later.

(3) Despite subsections (1) and (2), all records documenting decisions and reasons for decision of the inquiry committee, the discipline committee and panels of each of those committees,

including without limitation the minutes of meetings of those committees and panels, must be retained permanently in the college records.

### Availability of annual report

**68** The registrar must make each annual report under section 18(2) of the Act available electronically and free of charge on the college website and must notify registrants when each annual report becomes available.

### Confidentiality of QA activities and records

**69** (1) Subject to sections 26.2 and 53 of the Act and section 36(1)(b)(iii)(B) [*Powers and duties – quality assurance committee*],

- (a) the quality assurance committee or a panel of that committee must meet in private,
- (b) the activities of the quality assurance committee and its panels, and assessors appointed by, or persons acting on behalf of, the committee or panels, and all records of such activities, must be maintained in confidence,
- (c) the quality assurance committee or a panel of that committee, or an assessor appointed by, or a person acting on behalf of, the committee or panel must not disclose or provide to another committee or person any record of, or information about, the activities referred to in paragraph (b), and
- (d) the college must maintain the confidentiality of information obtained through the continuing competence and quality assurance program, and may only use that information for the purposes of the continuing competence and quality assurance program including without limitation the following purposes:
  - (i) monitoring registrant compliance with the continuing competence and quality assurance program requirements;
  - (ii) evaluating the effectiveness and efficiency of the continuing competence and quality assurance program;
  - (iii) conducting activities described in section 36(1)(b) [*Powers and duties – quality assurance committee*].

(2) For greater certainty, and subject to sections 26.2 and 53 of the Act, nothing in subsection (1) prevents

- (a) the quality assurance committee and its panels, and assessors appointed by, or persons acting on behalf of, the committee or panels, from acting in accordance with section 34(2) [*Powers and duties – all committees and panels*] or section 36(1)(b)(iii)(A) or (C) [*Powers and duties – quality assurance committee*], provided that they do so without disclosing the names or personal health information of registrants or clients, or their families, or

information which might otherwise enable the identity of registrants or clients, or their families, to be established, except with the consent of the person affected,

(b) the quality assurance committee and its panels, and assessors appointed by, or persons acting on behalf of, the committee or panels, from disclosing to the registration committee information about a registrant and the registrant's compliance with the requirements of Part 6 [*Quality Assurance and Professional Responsibilities*] that are applicable to renewal or reinstatement of the registrant's registration, but only to the extent necessary to enable the registration committee to exercise its powers or perform its duties under Part 5 [*Registration*], or

(c) the college from acting in accordance with section 70 [*Disclosure of aggregate QA information*].

### **Disclosure of aggregate QA information**

**70** The college may compile, use, and disclose to the Ministry of Health, health care employers, registrants, other interested stakeholders or the public aggregate information or data obtained through the college's continuing competence and quality assurance programs relating to registrants' learning needs, strengths, drug prescribing practices and perceptions of their practice environment, provided that such aggregate information or data does not include personally identifiable information concerning any particular registrant, client or other identifiable individual.

### **Disclosure of registration status and contact information**

**71 (1)** If the college receives an inquiry about the registration status of a person, the registrar must disclose

(a) whether or not the person is a registrant or a former registrant, and

(b) any other information respecting the person that is set out in the public register as of the date the inquiry is made, if the person is a registrant or a former registrant, unless access to that information is refused under section 22(2) of the Act.

(3) The registrar may disclose, to a corporation or other entity that provides professional liability protection or insurance coverage against liability for negligence in the provision of nursing services, practical nursing services or psychiatric nursing services, any of the following information to enable a person who is a registrant or former registrant to be contacted by the corporation or entity:

(a) any information that would be disclosed under subsection (1) if an inquiry were made about the registration status of the person;

(b) any former names of the person and any names by which the person was previously known, as recorded in the college records;

(c) any unique identification numbers assigned to the person, as recorded in the college records;

(d) the most recent telephone number or fax number for the person that is recorded in the college records, if different from the person's business telephone number;

(e) the most recent physical address or mailing address for the person that is recorded in the college records, if different from the person's business address;

(f) the most recent email address for the person that is recorded in the college records for the purpose of receiving communications from the college.

(3) Subject to section 39.3 of the Act, the registrar must not release the names of complainants, clients, or their families, or information which might otherwise enable a person inquiring about the registration status of a person to establish the identity of complainants, clients, or their families, except with the consent of the person affected.

## Disclosure of complaints and investigations

**72** (1) This section applies to information and records that form part of the assessment or investigation of

(a) a complaint under section 32 of the Act,

(b) a report under section 32.2 to 32.4 of the Act, or

(c) a matter under section 33(2) or (4) of the Act.

(2) The registrar may do any of the following in respect of information or a record to which this section applies:

(a) disclose the information or record to any person or body or the public, with the consent of the registrant or former registrant who is the subject of the complaint, report or matter;

(b) disclose the information or record to

(i) another college under the Act, or

(ii) any other body, in British Columbia, another province or a foreign jurisdiction, that regulates a health profession in British Columbia or that other province or foreign jurisdiction;

(c) if the complaint, report or matter has become known to the public, disclose to any person or the public

(i) the existence of the assessment or investigation,

- (ii) a brief, summary description of the nature of the complaint, report or matter,
- (iii) the status of the complaint, report or matter, including, if it is closed, the general basis on which it was closed, and
- (iv) any additional information necessary to correct material inaccuracies in information that has become known to the public;

(d) if a registrant has given to the registrar or inquiry committee an undertaking by which the registrant agrees to a limit or condition on, or a suspension of, the registrant's practice of a designated health profession during an assessment or investigation or pending a hearing of the discipline committee, disclose to any person or the public the fact that the undertaking has been given and its effect on the registrant's practice.

(3) If the inquiry committee or the discipline committee, as the case may be, believes reasonably that information or a record to which this section applies might be evidence of an offence under the laws of any jurisdiction, the inquiry committee or the discipline committee may direct the registrar to disclose the information or record to an appropriate law enforcement agency.

(4) The registrar's disclosure of information or a record in accordance with a direction of the inquiry committee or discipline committee under subsection (3) is authorized as being in the public interest.

### Disclosure of citations

**73** (1) If a citation has been issued in accordance with section 37(1) of the Act, the registrar must disclose in a notice to the public, not fewer than 14 days before the date of the hearing,

- (a) the date the citation was issued,
- (b) the name of the respondent,
- (c) a brief, summary description of the nature of the complaint or other matter which is to be the subject of a hearing, and
- (d) the date, time and place of the hearing.

(2) Information about the date, time, place and subject matter of a hearing must be provided to any person on request.

(3) Once a citation has been delivered to the respondent in accordance with section 37(2) of the Act, the registrar may disclose to the public the citation and its status including without limitation whether it has been cancelled or dismissed.

(4) Disclosure under subsection (1) or (3) may be made by means of posting on the college website.

(5) Despite subsections (1) to (4), the registrar must not disclose under this section the names or personal health information of complainants, clients or witnesses, or their families, or information which might otherwise enable the identity of complainants, clients or witnesses, or their families, to be established, except with the consent of the person affected.

### Disclosure of disciplinary actions

**74** (1) In addition to any notification required under section 39.3 of the Act with respect to any of the actions referred to in section 39.3(1)(a) to (e) of the Act, the registrar

(a) must notify

(i) all registrants, and

(ii) all bodies, in other provinces of Canada, that regulate the health professions corresponding to, respectively, practical nursing, psychiatric nursing and nursing in those other provinces, and

(iii) all bodies, in other provinces of Canada, that regulate the health profession corresponding to midwifery in those other provinces, and

(b) may notify

(i) any current or prospective employer, partner or associate, or granter of privileges, of or to the person respecting whom the action was taken, or

(ii) any other body, in British Columbia, another province or a foreign jurisdiction, that regulates a profession in British Columbia or that other province or foreign jurisdiction.

(2) Notification provided under subsection (1)(a)(i)

(a) must include all information included in the public notification under section 39.3 of the Act, and

(b) unless otherwise directed by the inquiry committee or the discipline committee, or a panel of one of those committees, as the case may be, must exclude any information withheld from the public notification under section 39.3(3) or (4) of the Act.

(3) Unless otherwise directed by the inquiry committee or the discipline committee, or a panel of one of those committees, as the case may be, notification provided under subsection (1)(a)(ii) or (iii) or (b) may include information that is not releasable to the public under section 71 [*Disclosure of registration status and contact information*] or that has otherwise been withheld from the public notification under section 39.3(3) or (4) of the Act.

## Disclosure of education program information

75 If the registrar considers it necessary for the exercise of the powers or the performance of the duties of a minister, officer or employee of a ministry of the government of British Columbia in relation to the approval, certification, licensing, registration, recognition or regulation of, or consent for, education programs or post-secondary institutions offering education programs, the registrar may disclose to the minister, officer or employee any record or information that

(a) is or has been collected, created, developed or received by or for, or on behalf of,

(i) the college or the education program review committee in connection with or relevant to the exercise of the powers or the performance of the duties of that committee, or

(ii) the college or the board in connection with or relevant to a determination by the board of whether to recognize or extend the recognition of an education program under these bylaws, and

(b) relates to an identifiable education program or post-secondary institution, including without limitation any record or information prepared or provided by the program or institution in connection with the seeking of education program recognition or preliminary recognition, or any extension thereof, under these bylaws,

including without limitation any similar or equivalent record or information about the program or institution that was in the possession of or under the control of CLPNBC, CRNBC, CRPNBC, BCCNP or CMBC, or any of their respective committees or boards, arising from the education program recognition activities of any of those bodies before the 2018 amalgamation date or the 2020 amalgamation date, as the case may be.

## Disclosure of NP or midwife information to Health Canada

76 (1) In this section:

(a) **“conduct of an activity”, “Federal Minister”, “listed substance”, “midwife” and “nurse practitioner”** have the same meanings as in section 214 [*Health Canada notice requests*];

(b) **“request to consult”** means an inquiry by the Federal Minister under section 79(5)(a) of the *Benzodiazepines and Other Targeted Substances Regulations (Canada)*, section G.04.004.2(5)(a) of the *Food and Drug Regulations (Canada)* or section 59(5)(a) of the *Narcotic Control Regulations (Canada)*.

(2) The registrar may disclose to the Federal Minister, in response to a request to consult, information or records relating to a nurse practitioner’s or midwife’s conduct of an activity with a listed substance.



## PART 5 – REGISTRATION

### Division 1 – General Matters

#### Definition for Part

77 In this Part, except in section 87(1), (6), (7) and (13), [*Examinations*], “**registration committee**” has the same meaning as in section 20(6) of the Act.

#### Applications

78 (1) For the purpose of section 20(2)(a) of the Act, every person seeking registration, including reinstatement or renewal of registration, must deliver a registration application to the college in the manner specified by the registrar for the class in which the person is seeking registration.

(2) For each class, the registrar must specify the manner of delivery for the purpose of subsection (1) and may modify the manner of delivery from time to time as the registrar considers necessary or advisable.

#### General conditions and requirements

79 (1) The provisions of subsections (2) to (4) do not operate, except as made applicable by another provision of this Part to an applicant for registration, including reinstatement or renewal of registration.

(2) For the purpose of section 20(2)(b) of the Act, an applicant must deliver, or cause to be delivered, to the college the following:

(a) evidence satisfactory to the registration committee that the applicant is of good character;

(b) evidence satisfactory to the registration committee that the applicant is fit to engage in the practice of the designated health profession for which the applicant is seeking registration;

(c) evidence satisfactory to the registration committee that the applicant meets, or will meet if the registration applied for is granted, the applicable requirements of section 89(1) to (12) [*Professional liability protection*];

(d) any outstanding fine, fee, debt, levy or other amount owed or owing by the applicant to the college, including without limitation any fine, fee, debt, levy or amount accrued or accruing before the amalgamation date;

- (e) a declaration by the applicant, in a form acceptable to the registration committee, attesting to
  - (i) the truthfulness and completeness of the information submitted by the applicant in or with their registration application, and
  - (ii) the applicant's understanding of the consequences that may result from submitting false or incomplete information in or with a registration application;
- (f) a criminal record check authorization or, if permitted by the registration committee, a criminal record check verification authorization, in the form required under the *Criminal Records Review Act*;
- (g) a declaration by the applicant, in a form acceptable to the registration committee, that the applicant is not the subject of any charge, investigation, inquiry or review that must be reported under section 84 [*Duty to report criminal charges and disciplinary proceedings*], or specifying the particulars of any such charge, investigation, inquiry or review that has not been reported to the college previously and any new or changed information about such a previously reported charge, investigation, inquiry or review;
- (h) a declaration by the applicant, in a form acceptable to the registration committee,
  - (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;
- (i) a certificate, letter, or other evidence in a form satisfactory to the registration committee, dated within 60 days of the date of application, from each applicable regulatory or licensing authority in every jurisdiction where the applicant is or was, at any time, entitled to practise a profession, certifying that
  - (i) the applicant's entitlement to practise the profession has not been cancelled, revoked, suspended, limited, restricted, or made subject to conditions in the applicable jurisdiction at any time, or specifying particulars of any such cancellation, suspension, limitation, restriction, or conditions,
  - (ii) there is no investigation, review, or other proceeding underway in the applicable jurisdiction that could result in the applicant's entitlement to practise the profession being cancelled, revoked, suspended, limited, restricted, or made subject to conditions, or specifying particulars of any such investigation, review, or other proceeding, and
  - (iii) the applicant's entitlement to practise the profession has not been voluntarily relinquished in the applicable jurisdiction with the effect of preventing the

commencement or completion of an investigation, review, or other proceeding that could have resulted in the applicant's entitlement to practise the profession in the applicable jurisdiction being cancelled, revoked, suspended, limited, restricted, or made subject to conditions, or specifying particulars of any such relinquishment;

(j) a declaration by the applicant, in a form acceptable to the registration committee, 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 specified period immediately preceding the date of application, such period to be specified by the registrar for the class being sought and not to exceed one year in cases of renewal of registration or 10 years otherwise;

(k) the applicant's consent, in a form acceptable to the registration committee, for information about the applicant to be disclosed to the college by an employer referred to in paragraph (j);

(l) the applicant's consent, in a form acceptable to the registration committee, 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 these bylaws;

(m) a declaration by the applicant, in a form acceptable to the registration committee, 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 specified period immediately preceding the date of application, such period to be specified by the registrar for the class being sought and not to exceed one year in cases of renewal of registration or 10 years otherwise;

(n) evidence satisfactory to the registration committee of the applicant's English language proficiency;

(o) if the applicant is a person described in subsection (3),

(i) the applicant's National Nursing Assessment Service identification and application numbers, or equivalent information from another similar body or organization recognized by the registration committee for the purpose of that subsection, and

(ii) the applicant's consent, in a form acceptable to the registration 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 or abilities as contemplated under these bylaws;

(p) 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,
- (ii) preventing misidentification of applicants, registrants or other persons, or
- (iii) managing access to, or protecting the integrity and security of, the college's records, information systems and online services;

(q) a valid email address for the purpose of receiving communications from the college to the applicant, and without limitation all other personal contact, business contact or emergency contact information for the applicant that the registration committee requires reasonably in the circumstances;

(r) all information within the control of the registrant that is required under the Act to be set out in the public register, to the extent that such information is not required to be delivered to the college under another provision of these bylaws;

(s) any supplementary or supporting information or records about the applicant, and relevant to other information or another item required under these bylaws to be included in or with a registration application, that the registration committee or the registrar requires to be submitted in or with registration applications, generally or by class, from time to time.

(3) If a person seeking registration

(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 person must cause to be delivered to the college from the National Nursing Assessment Service, or another similar body or organization recognized by the registration committee for the purpose of this subsection, an advisory report acceptable to the registration committee respecting

(c) verification of the person's identity and educational credentials, and

(d) an evaluation of the person's educational attainment in reference to Canadian standards, and based on a comparison to current Canadian requirements, for licensure or registration to practise practical nursing, psychiatric nursing or nursing, other than nursing as a nurse practitioner, or a corresponding health profession in another province of Canada, as applicable.

(4) An applicant who is not a registrant in any class and

(a) whose entitlement to practice a profession was at any time cancelled, suspended or revoked under

(i) section 32.2, 32.3, 33, 35, 36, 37.1, 38, 39 or 39.1 of the Act,

(ii) section 8 of the *Nurses (Licensed Practical) Act*, R.S.B.C. 1979, c. 300,

(iii) section 7 of the *Nurses (Registered Psychiatric) Act*, R.S.B.C. 1979, c. 301, or section 11 of the *Nurses (Registered Psychiatric) Act*, R.S.B.C. 1996, c. 336,

(iv) section 27 of the *Nurses (Registered) Act*, R.S.B.C. 1979, c. 302, or section 43 of the *Nurses (Registered) Act*, R.S.B.C. 1996, c. 335, or

(v) equivalent or similar provisions of another enactment or former enactment or in another province of Canada or a foreign jurisdiction, or

(b) who at any time voluntarily relinquished their entitlement to practise a profession under another enactment or former enactment or in another province of Canada or a foreign jurisdiction, in circumstances as described in section 20(2.1)(b.1) of the Act,

must deliver, or cause to be delivered, to the college evidence acceptable to the registration committee showing, to the satisfaction of the registration committee, that granting registration, including reinstatement of registration, to the applicant will not pose an undue risk to public health or safety or otherwise be contrary to the public interest.

(5) For greater certainty, an application for reinstatement of registration under this Part is subject to section 20(2.1) to (3) of the Act and any applicable agreement or order made under section 32.2, 32.3, 33, 35, 36, 37.1, 38, 39 or 39.1 of the Act.

(6) If, with respect to the information and items required under these bylaws to be included in or with a registration application, a provision in this Part requires that an applicant must deliver an item, or cause an item to be delivered, to the college, the registration committee may determine whether an applicant must deliver the item or cause the item to be delivered.

## Registration fees

**80** For the purpose of section 20(2)(c) of the Act, every applicant for registration, including reinstatement or renewal of registration, must deliver to the college the full amount of all applicable application, examination, registration, reinstatement or renewal fees specified in Schedule G.

## Publication of registration requirements

**81** The registrar must maintain and publish on the college website a notice setting out, for each class,

- (a) the manner of delivery specified by the registrar for the purpose of section 78 *[Applications]*,
- (b) the information and items required under these bylaws to be included in or with a registration application, and
- (c) the fees for application, examination, registration, reinstatement and renewal that are payable under these bylaws.

### **Electronic delivery of application information**

**82** If authorized by the registrar, a requirement under this Part for a person to deliver information or an item to the registrar may be satisfied by the person

- (a) providing that information electronically or completing an equivalent electronic form on the website, or
- (b) making other suitable arrangements for the delivery of that information or item to the registrar.

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

**83** (1) This section applies to registrants and applicants for registration, including reinstatement of registration.

(2) A person must immediately notify the registrar of any change in information about the person provided previously to the college, including without limitation the person's name, telephone number, mailing address and email address, and matters referred to in section 84 *[Duty to report criminal charges and disciplinary proceedings]*.

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

**84** (1) This section applies to registrants and applicants for registration, including reinstatement of registration.

(2) A person who is charged with an offence under a federal or provincial statute in British Columbia or in another province, or an equivalent offence in a foreign jurisdiction, must immediately provide to the registrar a written notice specifying particulars of the charge.

(3) Despite subsection (2), no notification is required under that subsection if a person is issued or served with a ticket as defined in the *Contraventions Act* (Canada) or a violation ticket as defined in the *Offence Act*.

(4) A person who becomes the subject of an investigation, inquiry, review or other proceeding in British Columbia, another province or a foreign jurisdiction that could result in the person's entitlement to practise a profession being cancelled, revoked, suspended, limited, restricted or

made subject to limits or conditions, must immediately on becoming aware of the proceeding provide to the registrar a written notice specifying particulars of the proceeding.

### Duty to maintain practice hours records

**85** (1) Every registrant must maintain, during each calendar year, adequate supporting records to document their compliance with applicable practice hours requirements under this Part in the calendar year.

(2) Every registrant must retain the records described in subsection (1) for not less than five years after the end of each calendar year.

### Verification of practice hours

**86** (1) The registrar, on behalf of the registration committee, may cause audits of samples of registrants to be conducted as the registrar considers necessary or appropriate to verify their compliance with applicable practice hours requirements under this Part.

(2) The registration committee may require a registrant to submit information

(a) necessary to determine whether the registrant has met any applicable practice hours requirements under this Part, or

(b) as part of an audit under subsection (1).

### Examinations

**87** (1) All examinations required to be taken under section 20(4.3)(b) of the Act or this Part must be approved for that purpose by the registration committee.

(2) Except for the Canadian Midwifery Registration Examination administered by the Canadian Midwifery Regulators Council, all examinations required to be taken under Division 6 [*Midwife Registrants Group*] must be prepared by or under the direction of the registration committee.

(3) In subsections (4) to (8), “**required examination**” means an examination that is

(a) approved under subsection (1), and

(b) required to be taken under section 20(4.3)(b) of the Act or this Part.

(4) An applicant for registration in a class who, to the satisfaction of the registration committee, meets all other applicable conditions and requirements for registration in the class is eligible to take any applicable required examination.

(5) An applicant described in subsection (4) 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.

(6) If there is reason to believe that an applicant has engaged in improper conduct during the course of a required examination, the registrar must make a report to the registration committee and may recommend that the registration 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 registration committee considers appropriate in the circumstances.

(7) After considering a report made under subsection (6), the registration committee may take one or more of the actions described in that subsection.

(8) An applicant in respect of whom an action described in subsection (6)(b) to (e) is taken under subsection (7) must be given written reasons for the action.

(9) In subsections (10) to (12), “**required examination**” means an examination that is

- (a) approved as described in subsection (1),
- (b) required to be taken under section 20(4.3)(b) of the Act or this Part, and
- (c) provided or administered by the college,

and for greater certainty excludes any examination that is neither provided nor administered by the college.

(10) The registration committee must notify an applicant, in writing and as soon as is practicable, of the result of each attempt of a required examination taken by the applicant.

(11) An applicant who on the first attempt fails a required examination

- (a) may take the required examination a second time, and
- (b) if the applicant fails the required examination again on the applicant’s second attempt, may take the required examination a third time.



(12) An applicant who fails a required examination three or more times is not eligible to take the examination again, unless the registration committee is satisfied that special circumstances exist in relation to the applicant that warrant another attempt.

(13) The registration committee may establish additional examination procedures consistent with these bylaws.

### Recognized education programs

**88** (1) The practical nursing education programs recognized by the college for the purpose of registration in the class of practising LPN registrants are specified in Schedule B.

(2) The psychiatric nursing education programs recognized by the college for the purpose of registration in the class of practising RPN registrants are specified in Schedule C.

(3) The nursing education programs recognized by the college for the purpose of registration in the class of practising RN registrants are specified in Schedule D.

(4) The nurse practitioner education programs recognized by the college for the purpose of registration in the class of practising NP registrants are specified in Schedule E.

(5) The midwifery education programs recognized by the college for the purpose of registration in the class of practising midwife registrants are specified in Schedule F.

(6) All education program review standards, policies or criteria of, respectively, BCCNP for the designated health professions of practical nursing, psychiatric nursing and nursing and CMBC for the designated health profession of midwifery that were in effect immediately before the 2020 amalgamation date

(a) remain in effect for that designated health profession on and after the 2020 amalgamation date, unless and until they are amended or repealed, or others are established in their place, and

(b) for greater certainty, are deemed to have been established by the board as the education program review standards and policies of the college.

(7) Table A in each of the following schedules is effective from September 1, 2020 to October 15, 2020:

(a) Schedule B;

(b) Schedule C;

(c) Schedule D.

(8) On October 16, 2020, Table A in each of the following schedules is repealed and Table B in each of the following schedules is effective:

- (a) Schedule B;
- (b) Schedule C;
- (c) Schedule D.

### Professional liability protection

**89** (1) All registrants in the following classes 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 the designated health profession of practical nursing under the Nurses (Licensed Practical) Regulation, B.C. Reg. 224/2015, and any applicable standards of practice or standards of professional ethics, in an amount of not less than \$1,000,000 per claim or per occurrence in a form satisfactory to the college:

- (a) practising LPN registrants;
- (b) provisional LPN registrants;
- (c) temporary LPN (emergency) registrants.

(2) All RPN registrants 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 designated health profession of psychiatric nursing under the Nurses (Registered Psychiatric) Regulation, B.C. Reg. 227/2015 and any applicable standards of practice or standards of professional ethics, 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 registrant is ineligible for the Canadian Nurses Protective Society's professional liability protection.

(3) In subsection (2), **"RPN registrants"** means registrants in the following classes:

- (a) practising RPN registrants;
- (b) provisional RPN registrants;
- (c) temporary RPN (emergency) registrants;
- (d) employed student psychiatric nurse registrants.

(4) All RN registrants 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 the designated health profession of nursing under the Nurses (Registered) and Nurse

Practitioners Regulation, B.C. Reg. 284/2008, and any applicable standards of practice or standards of professional ethics, 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 registrant is ineligible for the Canadian Nurses Protective Society's professional liability protection.

(5) In subsection (4), **“RN registrants”** means registrants in the following classes:

- (a) practising RN registrants;
- (b) provisional RN registrants;
- (c) practising LGN registrants;
- (d) provisional LGN registrants;
- (e) temporary RN (emergency) registrants;
- (f) employed student nurse registrants.

(6) All NP registrants 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 under the Nurses (Registered) and Nurse Practitioners Regulation, B.C. Reg. 284/2008 and any applicable standards of practice or standards of professional ethics, 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 registrant is ineligible for the Canadian Nurses Protective Society's professional liability protection.

(7) In subsection (6), **“NP registrants”** means registrants in the following classes:

- (a) practising NP registrants;
- (b) provisional NP registrants;
- (c) temporary NP (emergency) registrants.

(8) A registrant to whom subsection (1), (2), (4) or (6) applies 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.

(9) All registrants in the class of practising midwife registrants, provisional midwife registrants or temporary (emergency) midwife registrants must obtain and at all times maintain professional liability protection or insurance coverage with a limit of liability not less than \$15,000,000 per occurrence protecting or insuring against liability arising from an error, omission or negligent act of the registrant.

(10) All registrants in the class of student midwife registrants must obtain and at all times maintain professional liability protection or insurance coverage with a limit of liability not less than \$5,000,000 per occurrence protecting or insuring against liability arising from an error, omission or negligent act of the registrant.

(11) A registrant who ceases to be protected or insured as required under subsection (9) or (10), as applicable, must

(a) cease the practice of midwifery immediately, and

(b) not more than seven days after ceasing to be protected or insured, notify the registrar and

(i) apply for registration in the class of non-practising midwife registrants, if eligible to apply for such registration, or

(ii) request or give consent for the cancellation of their registration as a member of the college.

(12) The registration of a registrant to whom subsection (9) or (10) applies is cancelled if they fail to comply with subsection (11)(b).

(13) Subject to subsection (14) and the provisions of any applicable laws, the college must indemnify and save harmless

(a) its board members, officers and employees, and

(b) the directors, officers and employees of any subsidiary,

from and against any and all liability, fines, damages, costs, charges, and expenses whatsoever that they, or any of them, may sustain or incur in any way relating to or arising out of any claim against any of them by reason of their being or having been a board member, director, officer or employee of the college or of any subsidiary.

(14) The college will not indemnify or save harmless any person referred to in subsection (13)(a) or (b)

- (a) for costs, charges or expenses that were not actually and reasonably incurred by that person,
- (b) if, in relation to the applicable claim, that person did not act honestly and in good faith with a view to the best interests of the college or the subsidiary, as the case may be,
- (c) if, in relation to a claim other than a civil proceeding, that person did not have reasonable grounds for believing that the person's conduct was lawful,
- (d) if that person makes an admission of liability or guilt or enters into a settlement of the claim without the college's consent, such consent not to be unreasonably withheld, to the extent that any liability, fines, damages, costs, charges, or expenses are incurred as a result of that admission or settlement,
- (e) for any amount of a claim that is otherwise covered by liability protection or insurance, or
- (f) for any amount for which the college or the subsidiary is prohibited from providing indemnification or payment under the *Business Corporations Act*, or section 15(4) of the Act and section 2 of Order in Council No. 477/2005, or other applicable law.

(15) In this section, “**subsidiary**” means any subsidiary of the college that is or was previously registered as a captive insurance company under the *Insurance (Captive Company) Act* for the purpose of providing liability insurance coverage for registrants under subsection (4) to (7), section 361 (2) to (7) of the former BCCNP bylaws or section 8.02 of the former CRNBC bylaws.

## Division 2 – Licensed Practical Nurse Registrant Group

### Classes of LPN registrants

90 (1) The following classes of registrants are established:

- (a) practising LPN registrants;
- (b) provisional LPN registrants for the purposes of section 20(4.3) of the Act;
- (c) non-practising LPN registrants;
- (d) temporary LPN (emergency) registrants.

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

## Practising LPN registration

**91** (1) For the purpose of section 20(2)(b) of the Act, the conditions and requirements for registration in the class of practising LPN registrants are established in subsections (3) to (7) and section 95 [*Canadian labour mobility for practising LPNs*].

(2) Despite subsection (1), a person described in section 92(2) [*Reinstatement of practising LPN registration*] is not eligible for registration under this section.

(3) An applicant must

(a) have successfully completed

(i) a practical nursing education program specified in Schedule B, or

(ii) an education program, in another province of Canada, that is recognized for the purpose of registration as the equivalent of a practising LPN registrant, by the body that regulates the health profession corresponding to practical nursing in the other province,

(b) have successfully completed the examinations required by the registration committee for the purpose of registration in the class of practising LPN registrants, and

(c) deliver, or cause to be delivered, to the college

(i) an original transcript, or other evidence satisfactory to the registration committee, reflecting the applicant's diploma or certificate from a program described in paragraph (a), and evidence satisfactory to the registration committee that the applicant is the person named therein,

(ii) evidence satisfactory to the registration committee that the applicant has successfully completed the examinations described in paragraph (b), and

(iii) evidence satisfactory to the registration committee that the applicant is competent to practise as a practising LPN registrant.

(4) The registration committee has discretion, in satisfying itself under section 20 of the Act that an applicant under subsection (3) meets the conditions and requirements for registration in the class of practising LPN registrants, to consider whether the applicant's knowledge, skills and abilities are substantially equivalent to the standards of academic or technical achievement and the competencies or other qualifications established in subsection (3)(a) and (c)(iii), and to grant registration in the class on that basis, if the applicant delivers, or causes to be delivered to, the college

(a) original transcripts, or other evidence satisfactory to the registration committee, reflecting the applicant's degrees, diplomas or certificates, and evidence satisfactory to the registration committee that the applicant is the person named therein,

(b) evidence satisfactory to the registration committee that the applicant has successfully completed the examinations described in subsection (3)(b), and

(c) evidence satisfactory to the registration committee reflecting the applicant's knowledge, skills and abilities.

(5) Section 79(2) to (4) [*General conditions and requirements*] applies to an applicant under subsection (3).

(6) Despite subsections (3) to (5), an applicant who is registered in the class of provisional LPN registrants, and who was granted such registration under section 94(1) [*Provisional LPN registration*], may be granted registration in the class of practising LPN registrants if the applicant

(a) is not subject to any incomplete audit under section 156(1) [*Verification of QA activities*], assessment under section 161 [*Assessment of professional performance*] or personal practice review under section 162 [*Personal practice review*], and

(b) delivers, or causes to be delivered, to the college evidence satisfactory to the registration committee that the registrant has successfully completed the examinations described in subsection (3)(b) and any other examinations or upgrading of knowledge, skills or abilities required under section 20(4.3)(b) of the Act.

(7) Section 79(2)(a) to (e) and (p) to (s) [*General conditions and requirements*] applies to an applicant under subsection (6).

(8) If a person was, immediately before the 2020 amalgamation date, a registrant in the class of practising LPN registrants under the former BCCNP bylaws, the person is deemed to be a registrant in the class of practising LPN registrants under these bylaws.

(9) If a person was, immediately before the 2020 amalgamation date, a registrant in the class of temporary LPN (special event) registrants under the former BCCNP bylaws,

(a) the person is deemed to be a registrant in the class of practising LPN registrants under these bylaws, and

(b) despite Division 7 [*Renewal*], the period of registration granted to the person under those former bylaws is valid from the time it is effective until not later than the expiry date specified at the time such registration was granted under those former bylaws.

(10) A person who applied, before the 2020 amalgamation date, to be a registrant in the class of practising LPN registrants under the former BCCNP bylaws, including a person who applied for reinstatement of such registration, but whose application has not, as of that date, been granted or refused is deemed to have applied to be a registrant in the class of practising LPN registrants under these bylaws.

(11) A person who applied, before the 2020 amalgamation date, to be a registrant in the class of temporary LPN (special event) registrants under the former BCCNP bylaws, but whose application

has not, as of that date, been granted or refused is deemed to have applied to be a registrant in the class of practising LPN registrants under these bylaws.

### Reinstatement of practising LPN registration

92 (1) For the purpose of section 20(2)(b) of the Act, the conditions and requirements for reinstatement of registration in the class of practising LPN registrants are established in subsections (2) to (9) and section 95 [*Canadian labour mobility for practising LPNs*].

(2) An applicant must be a registrant or former registrant who was

- (a) a registrant in the class of practising LPN registrants under these bylaws at any time on or after the 2020 amalgamation date,
- (b) a registrant in the class of practising LPN registrants under the former BCCNP bylaws at any time on or after the 2018 amalgamation date, or
- (c) a registrant in the full registration or licensed practical nurse registration class of registrants under the former CLPNBC bylaws at any time before the 2018 amalgamation date.

(3) An applicant who is a registrant must be in good standing.

(4) An applicant

(a) must deliver, or cause to be delivered, to the college evidence satisfactory to the registration committee that the applicant meets all applicable continuing competence and quality assurance requirements under section 159 [*QA requirements for reinstatement of practising registration*], and

(b) must

- (i) undergo any assessment of knowledge, skills or abilities that the registration committee considers necessary for the applicant to be considered for reinstatement as a practising LPN registrant,
- (ii) deliver, or cause to be delivered, to the college evidence satisfactory to the registration committee of successful completion of any examinations or upgrading of knowledge, skills or abilities that the registration committee considers necessary for the applicant to be reinstated as a practising LPN registrant, and
- (iii) deliver, or cause to be delivered, to the college any other information required by and acceptable to the registration committee showing, to the satisfaction of the registration committee, that the applicant has maintained knowledge, skills and abilities that are substantially equivalent to the standards of academic or technical achievement and the competencies or other qualifications established for applicants



for registration in the class of practising LPN registrants under section 91 (2)(a) and (c)(iii) [*Practising LPN registration*].

(5) An applicant under subsection (4) must satisfy the practice hours requirement under section 93 [*LPN practice hours requirement*], unless the applicant meets the requirements, if any, of subsection (4)(b).

(6) Section 79(2)(a) to (g) and (p) to (s) and (4) [*General conditions and requirements*] applies to an applicant under subsection (4), if the completed application is delivered to the registrar not later than 60 days after ceasing to be a registrant in the class.

(7) Section 79(2)(a) to (g), (i) to (k) and (p) to (s) and (4) [*General conditions and requirements*] applies to an applicant under subsection (4), if the completed application is delivered to the registrar more than 60 days after ceasing to be a registrant in the class.

(8) Despite subsections (4) to (7), an applicant who is registered in the class of provisional LPN registrants, and who was granted such registration under section 94(2) or (3) [*Provisional LPN registration*], may be granted reinstatement of registration in the class of practising LPN registrants if the applicant

(a) is not subject to any incomplete audit under section 156(1) [*Verification of QA activities*], assessment under section 161 [*Assessment of professional performance*] or personal practice review under section 162 [*Personal practice review*], and

(b) delivers, or causes to be delivered, to the college evidence satisfactory to the registration committee that the applicant has successfully completed any examinations or upgrading of knowledge, skills or abilities required under section 20(4.3)(b) of the Act.

(9) Section 79(2)(a) to (e) and (p) to (s) [*General conditions and requirements*] applies to an applicant under subsection (8).

### **LPN practice hours requirement**

**93** To satisfy the practice hours requirement, an applicant must deliver, or cause to be delivered, to the college evidence satisfactory to the registration committee of having done not less than one of the following within the five-year period immediately preceding the date of application:

(a) engaged in the practice of practical nursing for a cumulative total of not fewer than 1,125 hours, as determined in accordance with criteria established by the board;

(b) successfully completed

(i) a practical nursing education program specified in Schedule B,

(ii) an education program, in another province of Canada, that is recognized for the purpose of registration as the equivalent of a practising LPN registrant, by the body

that regulates the health profession corresponding to practical nursing in the other province, or

(iii) an education program determined by the registration committee to be equivalent to a practical nursing education program specified in Schedule B;

(c) successfully completed a practical nursing re-entry program specified in Schedule B, or other re-entry program determined by the registration committee to be equivalent to a practical nursing re-entry program specified in Schedule B;

(d) successfully completed a practical nursing practice experience under the guidance and supervision of a preceptor, if the preceptor and design of the practical nursing practice experience were approved in advance by the registration committee in accordance with any criteria established by the board for this purpose;

(e) completed a competency assessment recognized by the registration committee for the purpose of assessing the substantial equivalency of an applicant's knowledge, skills and abilities to the conditions and requirements for registration in the class of practising LPN registrants under section 91(4) [*Practising LPN registration*], and successfully completed any subsequent supplementary education required by the registration committee.

### Provisional LPN registration

**94 (1)** An applicant under section 91(2) [*Practising LPN registration*] may be granted registration in the class of provisional LPN registrants if the applicant

(a) delivers, or causes to be delivered, to the college

(i) original transcripts, or other evidence satisfactory to the registration committee, reflecting the applicant's degrees, diplomas or certificates, and evidence satisfactory to the registration committee that the applicant is the person named therein, and

(ii) evidence satisfactory to the registration committee that the applicant's knowledge, skills and abilities are such that the applicant is competent to practise as if the applicant were a practising LPN registrant, subject to any limits or conditions that may be imposed under section 20(4.3)(c) of the Act, and

(b) meets all the conditions and requirements under section 91(3) [*Practising LPN registration*].

**(2)** An applicant under section 92(3) [*Reinstatement of practising LPN registration*] may be granted registration in the class of provisional LPN registrants if the applicant

(a) meets all applicable conditions and requirements in section 92 [*Reinstatement of practising LPN registration*] except the requirement that the applicant

(i) deliver, or cause to be delivered, to the college evidence satisfactory to the registration committee that the applicant meets all applicable continuing competence and quality assurance requirements under section 159 [*QA requirements for reinstatement of practising registration*],

(ii) deliver, or cause to be delivered, to the college evidence satisfactory to the registration committee of successful completion of any examinations or upgrading of knowledge, skills or abilities and provide any other evidence satisfactory to the registration committee showing maintenance of knowledge, skills and abilities as described in that section, or

(iii) satisfy the practice hours requirement under section 93 [*LPN practice hours requirement*], if the applicant is in the process of completing a practical nursing practice experience approved under section 93(d) [*LPN practice hours requirement*], and

(b) delivers, or causes to be delivered, to the college evidence satisfactory to the registration committee that the applicant has a combination of knowledge, skills or abilities such that the applicant is competent to practise as if the applicant were a practising LPN registrant, subject to any limits or conditions that may be imposed by the registration committee under section 20(4.3)(c) of the Act.

(3) Subject to subsection (4), an applicant under Division 7 [*Renewal*] for annual renewal of registration in the class of practising LPN registrants may be granted registration in the class of provisional LPN registrants if the applicant

(a) meets all applicable conditions and requirements under section 146 [*Annual renewal conditions and requirements*] except the requirement that the applicant

(i) complete an audit under section 156(1) [*Verification of QA activities*], if the applicant has been selected for an audit under that section,

(ii) comply with the requirements for an assessment of the applicant's professional performance under section 161 [*Assessment of professional performance*], if the applicant has been selected for an assessment under that section, or

(iii) satisfy the practice hours requirement under section 93 [*LPN practice hours requirement*], and

(b) delivers, or causes to be delivered, to the college evidence satisfactory to the registration committee that the applicant has a combination of knowledge, skills or abilities such that the applicant is competent to practise as if the applicant were a practising LPN registrant, subject to any limits or conditions that may be imposed by the registration committee under section 20(4.3)(c) of the Act.

(4) An applicant described in subsection (3) may be granted provisional registration under that subsection only for the purpose of allowing the applicant to complete

- (a) any incomplete audit under section 156(1) [*Verification of QA activities*] or assessment under section 161 [*Assessment of professional performance*], and
  - (b) any examinations or upgrading of knowledge, skills or abilities required under section 20(4.3)(b) of the Act.
- (5) If a person was, immediately before the 2020 amalgamation date, a registrant in the class of provisional LPN registrants under the former BCCNP bylaws,
- (a) the person is deemed to be a registrant in the class of provisional LPN registrants under these bylaws,
  - (b) a requirement imposed by the registration committee under section 20(4.3)(b) of the Act in respect of the person continues to apply until removed or varied in accordance with the Act, and
  - (c) a limit or condition imposed by the registration committee under section 20(4.3)(c) of the Act in respect of the person continues to apply until removed or varied in accordance with the Act.

### Canadian labour mobility for practising LPNs

**95** (1) Despite sections 91 [*Practising LPN registration*] and 92 [*Reinstatement of practising LPN registration*], an applicant may be granted registration, including reinstatement of registration, in the class of practising LPN registrants if the applicant

- (a) holds registration or licensure in another province of Canada as the equivalent of a practising LPN registrant, which is not subject to any practice limitations, restrictions or conditions that do not apply generally to practising LPN registrants in British Columbia, and
  - (b) delivers, or causes to be delivered, to the college evidence satisfactory to the registration committee
    - (i) of the applicant's registration or licensure in the other province as described in paragraph (a), and that the applicant is the person named therein, and
    - (ii) that the applicant meets all applicable continuing competence or quality assurance requirements established by the body that regulates the health profession corresponding to practical nursing in the other province.
- (2) Section 79(2), except paragraph (o), and (4) [*General conditions and requirements*] applies to an applicant under subsection (1).
- (3) Despite subsection (2), section 79(2)(n) [*General conditions and requirements*] does not apply to an applicant for reinstatement of registration under subsection (1).

## Non-practising LPN registration

96 (1) For the purpose of section 20(2)(b) of the Act, the conditions and requirements for registration in the class of non-practising LPN registrants are established in subsections (3) to (6).

(2) Despite subsection (1), a person described in section 97(2) [*Reinstatement of non-practising LPN registration*] is not eligible for registration under this section.

(3) An applicant must

(a) be a registrant in the class of practising LPN registrants,

(b) deliver, or cause to be delivered, to the college evidence satisfactory to the registration committee that the applicant is entitled to registration or reinstatement of registration in the class of practising LPN registrants under section 91 [*Practising LPN registration*], section 92 [*Reinstatement of practising LPN registration*] or section 95 [*Canadian labour mobility for practising LPNs*], as applicable, or

(c) be a registrant in the class of provisional LPN registrants who is granted such registration under section 94(2) or (3) [*Provisional LPN registration*].

(4) An applicant must deliver to the college an undertaking by the applicant that the applicant, while registered in the class of non-practising LPN registrants, will not, in British Columbia,

(a) practise the designated health profession of practical nursing, or provide practical nursing services, except as authorized through concurrent registration in another class, or

(b) use the title “nurse”, “licensed practical nurse”, “practical nurse” or a variation of any of those titles, or the abbreviation “LPN”, except in conjunction with the term “non-practising” or as authorized through concurrent registration in another class.

(5) Section 79(2)(e) and (p) to (s) [*General conditions and requirements*] applies to an applicant described in subsection (3)(a) or (c).

(6) For greater certainty, section 79(2) to (4) applies to an applicant described in subsection (3)(b) to the extent it would apply to an applicant under section 91 [*Practising LPN registration*], section 92 [*Reinstatement of practising LPN registration*] or section 95 [*Canadian labour mobility for practising LPNs*], as the case may be.

(7) For greater certainty, if registration in the class of non-practising LPN registrants is granted to an applicant described in subsection (3)(c), any application for reinstatement of the applicant’s registration in the class of practising LPN registrants is ended for all purposes.

(8) If a person was, immediately before the 2020 amalgamation date, a registrant in the class of non-practising LPN registrants under the former BCCNP bylaws, the person is deemed to be a registrant in the class of non-practising LPN registrants under these bylaws.

(9) a person who applied, before the 2020 amalgamation date, to be a registrant in the class of non-practising LPN registrants under the former BCCNP bylaws, including a person who applied for reinstatement of such registration, but whose application has not, as of that date, been granted or refused is deemed to have applied to be a registrant in the class of non-practising LPN registrants under these bylaws.

### Reinstatement of non-practising LPN registration

**97** (1) For the purpose of section 20(2)(b) of the Act, the conditions and requirements for reinstatement of registration in the class of non-practising LPN registrants are established in subsections (2) to (5).

(2) An applicant must be a registrant or former registrant who was

(a) a registrant in the class of non-practising LPN registrants under these bylaws at any time on or after the 2020 amalgamation date,

(b) a registrant in the class of non-practising LPN registrants under the former BCCNP bylaws at any time on or after the 2018 amalgamation date, or

(c) a registrant in the non-practising class of registrants under the former CLPNBC bylaws at any time before the 2018 amalgamation date.

(3) Section 96(4) [*Non-practising LPN registration*] applies to an applicant.

(4) Section 79(2) (e) and (p) to (s) [*General conditions and requirements*] applies to an applicant who is a registrant.

(5) Section 79(2)(a), (d) to (f), (i) and (p) to (s) and (4) [*General conditions and requirements*] applies to an applicant who is a former registrant.

### Temporary LPN (emergency) registration

**98** (1) The provisions of this section do not operate unless a declaration of an emergency situation is made by the registrar under section 44(5) [*Registrar and chief executive officer*].

(2) For the purpose of section 20(2)(b) of the Act, the conditions and requirements for registration, including reinstatement of registration, in the class of temporary LPN (emergency) registrants are established in subsections (3) to (6).

(3) An applicant must

(a) hold registration or licensure in another jurisdiction in Canada or the United States of America as the equivalent of a practising LPN registrant, which is not subject to any practice limitations, restrictions or conditions in that jurisdiction that do not apply generally to practising LPN registrants in British Columbia, and deliver, or cause to be delivered, to the

college evidence satisfactory to the registration committee of the applicant's registration or licensure, and that the applicant is the person named therein, or

(b) deliver, or cause to be delivered, to the college evidence satisfactory to the registration committee that the applicant is entitled to reinstatement of registration in the class of practising LPN registrants under section 92 [*Reinstatement of practising LPN registration*], including all applicable items under section 79(2) to (4) [*General conditions and requirements*], unless the applicant

(i) is seeking reinstatement of registration under this section, and

(ii) their most recent registration under this section has been cancelled for not more than 180 days, in which case they must deliver, or cause to be delivered, to the college the applicable items under section 79(2) to (4) [*General conditions and requirements*] that may be specified by the registration committee.

(4) An applicant must

(a) be a member of the armed forces of Canada or the United States of America, and provide evidence thereof satisfactory to the registration committee, or

(b) authorize the applicant's current and former employers to provide information regarding the applicant's current practical nursing practice.

(5) An applicant who is a registrant must be in good standing.

(6) An applicant must sign a declaration confirming that the applicant is applying for registration in the class of temporary LPN (emergency) registrants solely for the purpose of providing assistance during the emergency situation.

(7) If a person was, immediately before the 2020 amalgamation date, a registrant in the class of temporary LPN (emergency) registrants under the former BCCNP bylaws, the person is deemed to be a registrant in the class of temporary LPN (emergency) registrants under these bylaws.

(8) A person who applied, before the 2020 amalgamation date, to be a registrant in the class of temporary LPN (emergency) registrants under the former BCCNP bylaws but whose application has not, as of that date, been granted or refused is deemed to have applied to be a registrant in the class of temporary LPN (emergency) registrants under these bylaws.

## **Division 3 – Registered Psychiatric Nurse Registrant Group**

### **Classes of RPN registrants**

99 (1) The following classes of registrants are established:

(a) practising RPN registrants;

- (b) provisional RPN registrants for the purposes of section 20(4.3) of the Act;
- (c) non-practising RPN registrants;
- (d) temporary RPN (emergency) registrants;
- (e) employed student psychiatric nurse registrants.

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

### Practising RPN registration

**100** (1) For the purpose of section 20(2)(b) of the Act, the conditions and requirements for registration in the class of practising RPN registrants are established in subsections (3) to (7) and section 104 [*Canadian labour mobility for practising RPNs*].

(2) Despite subsection (1), a person described in section 101(2) [*Reinstatement of practising RPN registration*] is not eligible for registration under this section.

(3) An applicant must

(a) have successfully completed

(i) a psychiatric nursing education program specified in Schedule C, or

(ii) an education program, in another province of Canada, that is recognized for the purpose of registration as the equivalent of a practising RPN registrant, by the body that regulates the health profession corresponding to psychiatric nursing in the other province,

(b) have successfully completed the examinations required by the registration committee for the purpose of registration in the class of practising RPN registrants, and

(c) deliver, or cause to be delivered, to the college

(i) an original transcript, or other evidence satisfactory to the registration committee, reflecting the applicant's degree, diploma or certificate from a program described in paragraph (a), and evidence satisfactory to the registration committee that the applicant is the person named therein,

(ii) evidence satisfactory to the registration committee that the applicant has successfully completed the examinations described in paragraph (b), and

(iii) evidence satisfactory to the registration committee that the applicant is competent to practise as a practising RPN registrant.



(4) The registration committee has discretion, in satisfying itself under section 20 of the Act that an applicant under subsection (3) meets the conditions and requirements for registration in the class of practising RPN registrants, to consider whether the applicant's knowledge, skills and abilities are substantially equivalent to the standards of academic or technical achievement and the competencies or other qualifications established in subsection (3)(a) and (c)(iii), and to grant registration in the class on that basis, if the applicant delivers, or causes to be delivered, to the college

- (a) original transcripts, or other evidence satisfactory to the registration committee, reflecting the applicant's degrees, diplomas or certificates, and evidence satisfactory to the registration committee that the applicant is the person named therein,
- (b) evidence satisfactory to the registration committee that the applicant has successfully completed the examinations described in subsection (3)(b), and
- (c) evidence satisfactory to the registration committee reflecting the applicant's knowledge, skills and abilities.

(5) Section 79(2) to (4) [*General conditions and requirements*] applies to an applicant under subsection (3).

(6) Despite subsections (3) to (5), an applicant who is registered in the class of provisional RPN registrants, and who was granted such registration under section 103(1) [*Provisional RPN registration*], may be granted registration in the class of practising RPN registrants if the applicant

- (a) is not subject to any incomplete audit under section 156(1) [*Verification of QA activities*], assessment under section 161 [*Assessment of professional performance*] or personal practice review under section 162 [*Personal practice review*], and
- (b) delivers, or causes to be delivered, to the college evidence satisfactory to the registration committee that the registrant has successfully completed the examinations described in subsection (3)(b) and any other examinations or upgrading of knowledge, skills or abilities required under section 20(4.3)(b) of the Act.

(7) Section 79(2)(a) to (e) and (p) to (s) [*General conditions and requirements*] applies to an applicant under subsection (6).

(8) If a person was, immediately before the 2020 amalgamation date, a registrant in the class of practising RPN registrants under the former BCCNP bylaws, the person is deemed to be a registrant in the class of practising RPN registrants under these bylaws.

(9) If a person was, immediately before the 2020 amalgamation date, a registrant in the class of temporary RPN (special event) registrants under the former BCCNP bylaws,

- (a) the person is deemed to be a registrant in the class of practising RPN registrants under these bylaws, and

(b) despite Division 7 [Renewal], the period of registration granted to the person under those former bylaws is valid from the time it is effective until not later than the expiry date specified at the time such registration was granted under those former bylaws.

(10) A person who applied, before the 2020 amalgamation date, to be a registrant in the class of practising RPN registrants under the former BCCNP bylaws, including a person who applied for reinstatement of such registration, but whose application has not, as of that date, been granted or refused is deemed to have applied to be a registrant in the class of practising RPN registrants under these bylaws.

(11) A person who applied, before the 2020 amalgamation date, to be a registrant in the class of temporary RPN (special event)registrants under the former BCCNP bylaws, but whose application has not, as of that date, been granted or refused is deemed to have applied to be a registrant in the class of practising RPN registrants under these bylaws.

### Reinstatement of practising RPN registration

**101** (1) For the purpose of section 20(2)(b) of the Act, the conditions and requirements for reinstatement of registration in the class of practising RPN registrants are established in subsections (2) to (9) and section 104 [*Canadian labour mobility for practising RPNs*].

(2) An applicant must be a registrant or former registrant who was

(a) a registrant in the class of practising RPN registrants under these bylaws at any time on or after the 2020 amalgamation date,

(b) a registrant in the class of practising RPN registrants under the former BCCNP bylaws at any time on or after the 2018 amalgamation date, or

(c) a registrant in the practising registration class of registrants under the former CRPNBC bylaws at any time before the 2018 amalgamation date.

(3) An applicant who is a registrant must be in good standing.

(4) An applicant

(a) must deliver, or cause to be delivered, to the college evidence satisfactory to the registration committee that the applicant meets all applicable continuing competence and quality assurance requirements under section 159 [*QA requirements for reinstatement of practising registration*], and

(b) must

(i) undergo any assessment of knowledge, skills or abilities that the registration committee considers necessary for the applicant to be considered for reinstatement as a practising RPN registrant,

(ii) deliver, or cause to be delivered, to the college evidence satisfactory to the registration committee of successful completion of any examinations or upgrading of knowledge, skills or abilities that the registration committee considers necessary for the applicant to be reinstated as a practising RPN registrant, and

(iii) deliver, or cause to be delivered, to the college any other information required by and acceptable to the registration committee showing, to the satisfaction of the registration committee, that the applicant has maintained knowledge, skills and abilities that are substantially equivalent to the standards of academic or technical achievement and the competencies or other qualifications established for applicants for registration in the class of practising RPN registrants under section 100(2)(a) and (c)(iii) [*Practising RPN registration*].

(5) An applicant under subsection (4) must satisfy the practice hours requirement under section 102 [*RPN practice hours requirement*], unless the applicant meets the requirements, if any, of subsection (4)(b).

(6) Section 79(2) (a) to (g) and (p) to (s) and (4) [*General conditions and requirements*] applies to an applicant under subsection (4), if the completed application is delivered to the registrar not later than 60 days after ceasing to be a registrant in the class.

(7) Section 79(2)(a) to (g), (i) to (k) and (p) to (s) and (4) [*General conditions and requirements*] applies to an applicant under subsection (4), if the completed application is delivered to the registrar more than 60 days after ceasing to be a registrant in the class.

(8) Despite subsections (4) to (7), an applicant who is registered in the class of provisional RPN registrants, and who was granted such registration under section 103(2) or (3) [*Provisional RPN registration*], may be granted reinstatement of registration in the class of practising RPN registrants if the applicant

(a) is not subject to any incomplete audit under section 156(1) [*Verification of QA activities*], assessment under section 161 [*Assessment of professional performance*] or personal practice review under section 162 [*Personal practice review*], and

(b) delivers, or causes to be delivered, to the college evidence satisfactory to the registration committee that the applicant has successfully completed any examinations or upgrading of knowledge, skills or abilities required under section 20(4.3)(b) of the Act.

(9) Section 79(2)(a) to (e) and (p) to (s) [*General conditions and requirements*] applies to an applicant under subsection (8).

## **RPN practice hours requirement**

**102** To satisfy the practice hours requirement, an applicant must deliver, or cause to be delivered, to the college evidence satisfactory to the registration committee of either

(a) having done not less than one of the following within the five-year period immediately preceding the date of application:

(i) engaged in the practice of psychiatric nursing for a cumulative total of not fewer than 1,400 hours, as determined in accordance with criteria established by the board;

(ii) successfully completed

(A) a psychiatric nursing education program specified in Schedule C,

(B) an education program, in another province of Canada, that is recognized for the purpose of registration as the equivalent of a practising RPN registrant, by the body that regulates the health profession corresponding to psychiatric nursing in the other province, or

(C) an education program determined by the registration committee to be equivalent to a psychiatric nursing education program specified in Schedule C;

(iii) successfully completed a psychiatric nursing refresher program specified in Schedule C, or other refresher program determined by the registration committee to be equivalent to psychiatric nursing refresher program specified in Schedule C;

(iv) successfully completed a psychiatric nursing practice experience under the guidance and supervision of a preceptor, if the preceptor and design of the psychiatric nursing practice experience were approved in advance by the registration committee in accordance with any criteria established by the board for this purpose;

(v) successfully completed a post-basic program leading to a baccalaureate, masters or doctoral degree in psychiatric nursing or mental health nursing that is determined by the registration committee to be satisfactory to fulfill the practice hours requirement;

(vi) completed a competency assessment recognized by the registration committee for the purpose of assessing the substantial equivalency of an applicant's knowledge, skills and abilities to the conditions and requirements for registration in the class of practising RPN registrants under section 100(4) [*Practising RPN registration*], and successfully completed any subsequent supplementary education required by the registration committee, or

(b) current enrollment in a post-basic program described in paragraph (a)(v).

### Provisional RPN registration

**103** (1) An applicant under section 100(2) [*Practising RPN registration*] may be granted registration in the class of provisional RPN registrants if the applicant

(a) delivers, or causes to be delivered, to the college

(i) an original transcript, or other evidence satisfactory to the registration committee, reflecting the applicant's degree, diploma or certificate, and evidence satisfactory to the registration committee that the applicant is the person named therein, and

(ii) evidence satisfactory to the registration committee that the applicant's knowledge, skills and abilities are such that the applicant is competent to practise as if the applicant were a practising RPN registrant, subject to any limits or conditions that may be imposed under section 20(4.3)(c) of the Act, and

(b) meets all the conditions and requirements under section 100(3) [*Practising RPN registration*].

(2) An applicant under section 101(3) [*Reinstatement of practising RPN registration*] may be granted registration in the class of provisional RPN registrants if the applicant

(a) meets all applicable conditions and requirements in section 101 [*Reinstatement of practising RPN registration*] except the requirement that the applicant

(i) deliver, or cause to be delivered, to the college evidence satisfactory to the registration committee that the applicant meets all applicable continuing competence and quality assurance requirements under section 159 [*QA requirements for reinstatement of practising registration*],

(ii) deliver, or cause to be delivered, to the college evidence satisfactory to the registration committee of successful completion of any examinations or upgrading of knowledge, skills or abilities and provide any other evidence satisfactory to the registration committee showing maintenance of knowledge, skills and abilities as described in that section, or

(iii) satisfy the practice hours requirement under section 102 [*RPN practice hours requirement*], if the applicant is in the process of completing a psychiatric nursing practice experience approved under section 102(a)(iv) [*RPN practice hours requirement*], and

(b) delivers, or causes to be delivered, to the college evidence satisfactory to the registration committee that the applicant has a combination of knowledge, skills or abilities such that the applicant is competent to practise as if the applicant were a practising RPN registrant, subject to any limits or conditions that may be imposed by the registration committee under section 20(4.3)(c) of the Act.

(3) Subject to subsection (4), an applicant under Division 7 [*Renewal*] for annual renewal of registration in the class of practising RPN registrants may be granted registration in the class of provisional RPN registrants if the applicant

(a) meets all applicable conditions and requirements under section 146 [*Annual renewal conditions and requirements*] except the requirement that the applicant

(i) complete an audit under section 156(1) [*Verification of QA activities*], if the applicant has been selected for an audit under that section,

(ii) comply with the requirements for an assessment of the applicant's professional performance under section 161 [*Assessment of professional performance*], if the applicant has been selected for an assessment under that section, or

(iii) satisfy the practice hours requirement under section 102 [*RPN practice hours requirement*], and

(b) delivers, or causes to be delivered, to the college evidence satisfactory to the registration committee that the applicant has a combination of knowledge, skills or abilities such that the applicant is competent to practise as if the applicant were a practising RPN registrant, subject to any limits or conditions that may be imposed by the registration committee under section 20(4.3)(c) of the Act.

(4) An applicant described in subsection (3) may be granted provisional registration under that subsection only for the purpose of allowing the applicant to complete

(a) any incomplete audit under section 156(1) [*Verification of QA activities*] or assessment under section 162 [*Assessment of professional performance*], and

(b) any examinations or upgrading of knowledge, skills or abilities required under section 20(4.3)(b) of the Act.

(5) If a person was, immediately before the 2020 amalgamation date, a registrant in the class of provisional RPN registrants under the former BCCNP bylaws,

(a) the person is deemed to be a registrant in the class of provisional RPN registrants under these bylaws,

(b) a requirement imposed by the registration committee under section 20(4.3)(b) of the Act in respect of the person continues to apply until removed or varied in accordance with the Act, and

(c) a limit or condition imposed by the registration committee under section 20(4.3)(c) of the Act in respect of the person continues to apply until removed or varied in accordance with the Act.

## Canadian labour mobility for practising RPNs

**104** (1) Despite sections 100 [*Practising RPN registration*] and 101 [*Reinstatement of practising RPN registration*], an applicant may be granted registration, including reinstatement of registration, in the class of practising RPN registrants if the applicant

(a) holds registration or licensure in another province of Canada as the equivalent of a practising RPN registrant, which is not subject to any practice limitations, restrictions or conditions that do not apply generally to practising RPN registrants in British Columbia, and

(b) delivers, or causes to be delivered, to the college evidence satisfactory to the registration committee

(i) of the applicant's registration or licensure in the other province as described in paragraph (a), and that the applicant is the person named therein, and

(ii) that the applicant meets all applicable continuing competence or quality assurance requirements established by the body that regulates the health profession corresponding to psychiatric nursing in the other province.

(2) Section 79(2), except paragraph (o), and (4) [*General conditions and requirements*] applies to an applicant under subsection (1).

(3) Despite subsection (2), section 79(2)(n) [*General conditions and requirements*] does not apply to an applicant for reinstatement of registration under subsection (1).

## Non-practising RPN registration

**105** (1) For the purpose of section 20(2)(b) of the Act, the conditions and requirements for registration in the class of non-practising RPN registrants are established in subsections (3) to (6).

(2) Despite subsection (1), a person described in section 106(2) [*Reinstatement of non-practising RPN registration*] is not eligible for registration under this section.

(3) An applicant must

(a) be a registrant in the class of practising RPN registrants,

(b) deliver, or cause to be delivered, to the college evidence satisfactory to the registration committee that the applicant is entitled to registration or reinstatement of registration in the class of practising RPN registrants under section 100 [*Practising RPN registration*], section 101 [*Reinstatement of practising RPN registration*] or section 104 [*Canadian labour mobility for practising RPN registrants*], as applicable, or

(c) be a registrant in the class of provisional RPN registrants who is granted such registration under section 103(2) or (3) [*Provisional RPN registration*].

(4) An applicant must deliver to the college an undertaking by the applicant that the applicant, while registered in the class of non-practising RPN registrants, will not, in British Columbia,

(a) practise the designated health profession of psychiatric nursing, or provide psychiatric nursing services, except as authorized through concurrent registration in another class, or

(b) use the title “nurse”, “registered psychiatric nurse”, “psychiatric nurse” or a variation of any of those titles, or the abbreviation “RPN”, except in conjunction with the term “non-practising” or as authorized through concurrent registration in another class.

(5) Section 79(2)(e) and (p) to (s) [*General conditions and requirements*] applies to an applicant described in subsection (3)(a) or (c).

(6) For greater certainty, section 79(2) to (4) applies to an applicant described in subsection (3)(b) to the extent it would apply to an applicant under section 100 [*Practising RPN registration*], section 101 [*Reinstatement of practising RPN registration*] or section 104 [*Canadian labour mobility for practising RPNs*], as the case may be.

(7) For greater certainty, if registration in the class of non-practising RPN registrants is granted to an applicant described in subsection (3)(c), any application for reinstatement of the applicant’s registration in the class of practising RPN registrants is ended for all purposes.

(8) If a person was, immediately before the 2020 amalgamation date, a registrant in the class of non-practising RPN registrants under the former BCCNP bylaws, the person is deemed to be a registrant in the class of non-practising RPN registrants under these bylaws.

(9) A person who applied, before the 2020 amalgamation date, to be a registrant in the class of non-practising RPN registrants under the former BCCNP bylaws, including a person who applied for reinstatement of such registration, but whose application has not, as of that date, been granted or refused is deemed to have applied to be a registrant in the class of non-practising RPN registrants under these bylaws.

### **Reinstatement of non-practising RPN registration**

**106** (1) For the purpose of section 20(2)(b) of the Act, the conditions and requirements for reinstatement of registration in the class of non-practising RPN registrants are established in subsections (2) to (5).

(2) An applicant must be a registrant or former registrant who was

(a) a registrant in the class of non-practising RPN registrants under these bylaws at any time on or after the 2020 amalgamation date,

(b) a registrant in the class of non-practising RPN registrants under the former BCCNP bylaws at any time on or after the 2018 amalgamation date, or



(c) a registrant in the non-practising registration class of registrants under the former CRPNBC bylaws at any time before the 2018 amalgamation date.

(3) Section 105(4) [*Non-practising RPN registration*] applies to an applicant.

(4) Section 79(2)(e) and (p) to (s) [*General conditions and requirements*] applies to an applicant who is a registrant.

(5) Section 79(2)(a), (d) to (f), (i) and (p) to (s) and (4) [*General conditions and requirements*] applies to an applicant who is a former registrant.

### Temporary RPN (emergency) registration

**107** (1) The provisions of this section do not operate unless a declaration of an emergency situation is made by the registrar under section 44(5) [*Registrar and chief executive officer*].

(2) For the purpose of section 20(2)(b) of the Act, the conditions and requirements for registration, including reinstatement of registration, in the class of temporary RPN (emergency) registrants are established in subsections (3) to (6).

(3) An applicant must

(a) hold registration or licensure in another jurisdiction in Canada or the United States of America as the equivalent of a practising RPN registrant, which is not subject to any practice limitations, restrictions or conditions in that jurisdiction that do not apply generally to practising RPN registrants in British Columbia, and deliver, or cause to be delivered, to the college evidence satisfactory to the registration committee of the applicant's registration or licensure, and that the applicant is the person named therein, or

(b) deliver, or cause to be delivered, to the college evidence satisfactory to the registration committee that the applicant is entitled to reinstatement of registration in the class of practising RPN registrants under section 101 [*Reinstatement of practising RPN registration*], including all applicable items under section 79(2) to (4) [*General conditions and requirements*], unless the applicant

(i) is seeking reinstatement of registration under this section, and

(ii) their most recent registration under this section has been cancelled for not more than 180 days, in which case they must deliver, or cause to be delivered, to the college the applicable items under section 79(2) to (4) [*General conditions and requirements*] that may be specified by the registration committee.

(4) An applicant must

(a) be a member of the armed forces of Canada or the United States of America, and provide evidence thereof satisfactory to the registration committee, or

(b) authorize the applicant's current and former employers to provide information regarding the applicant's current psychiatric nursing practice.

(5) An applicant who is a registrant must be in good standing.

(6) An applicant must sign a declaration confirming that the applicant is applying for registration in the class of temporary RPN (emergency) registrants solely for the purpose of providing assistance during the emergency situation.

(7) If a person was, immediately before the 2020 amalgamation date, a registrant in the class of temporary RPN (emergency) registrants under the former BCCNP bylaws, the person is deemed to be a registrant in the class of temporary RPN (emergency) registrants under these bylaws.

(8) A person who applied, before the 2020 amalgamation date, to be a registrant in the class of temporary RPN (emergency) registrants under the former BCCNP bylaws but whose application has not, as of that date, been granted or refused is deemed to have applied to be a registrant in the class of temporary RPN (emergency) registrants under these bylaws.

### Employed student psychiatric nurse registration

**108** (1) For the purpose of section 20(2)(b) of the Act, the conditions and requirements for registration in the class of employed student psychiatric nurse registrants are established in subsections (2) and (3).

(2) An applicant must

(a) be enrolled as a student in

(i) a psychiatric nursing education program specified in Schedule C, or

(ii) an education program, in another province of Canada, that is recognized for the purpose of registration as the equivalent of a practising RPN registrant, by the body that regulates the health profession corresponding to psychiatric nursing in the other province,

(b) deliver, or cause to be delivered, to the college evidence satisfactory to the registration committee of an offer to be employed as a student psychiatric nurse in a health care setting in British Columbia during or between terms of the applicant's education program described in paragraph (a), and

(c) deliver, or cause to be delivered, to the college evidence satisfactory to the registration committee of the applicant's enrollment in an education program described in paragraph (a), and that the applicant is the person named therein.

(3) Section 79(2), except paragraph (o), and (4) [*General conditions and requirements*] applies to an applicant.

(4) If a registrant in the class of employed student psychiatric nurse registrants ceases to be enrolled as a student in an education program described in subsection (2)(a), the registrant must deliver a written notice of that fact to the registrar not later than the date that is seven days after the date the registrant ceases to be enrolled.

(5) If a registrant in the class of employed student psychiatric nurse registrants ceases to be employed as described in subsection (2)(b), the registrant must deliver a written notice of that fact to the registrar not later than

(a) the date that is seven days after the date the registrant ceases to be employed, if the registrant is terminated for cause, or

(b) the date that is 30 days after the date the registrant ceases to be employed, in any other case.

(6) Despite section 144(2) [*Validity of annual registration*], the registrar may cancel a registrant's registration in the class of employed student psychiatric nurse registrants

(a) on receipt of a notice under subsection (4) or (5), or

(b) if the registrar otherwise learns that the registrant has ceased to be enrolled as a student in an education program described in subsection (2)(a) or employed as described in subsection (2)(b).

(7) If a person was, immediately before the 2020 amalgamation date, a registrant in the class of employed student psychiatric nurse registrants under the former BCCNP bylaws, the person is deemed to be a registrant in the class of employed student psychiatric nurse registrants under these bylaws.

(8) A person who applied, before the 2020 amalgamation date, to be a registrant in the class of employed student psychiatric nurse registrants under the former BCCNP bylaws but whose application has not, as of that date, been granted or refused is deemed to have applied to be a registrant in the class of employed student psychiatric nurse registrants under these bylaws.

## Division 4 – Registered Nurse Registrant Group

### Classes of RN registrants and LGN registrants

109 (1) The following classes of registrants are established:

(a) practising RN registrants;

(b) provisional RN registrants for the purposes of section 20(4.3) of the Act;

- (c) non-practising RN registrants;
- (d) practising LGN registrants;
- (e) provisional LGN registrants for the purposes of section 20(4.3) of the Act;
- (f) non-practising LGN registrants;
- (g) temporary RN (emergency) registrants;
- (h) employed student nurse registrants.

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

### Practising RN registration

**110** (1) For the purpose of section 20(2)(b) of the Act, the conditions and requirements for registration in the class of practising RN registrants are established in subsections (3) to (7) and section 114 [*Canadian labour mobility for practising RNs*].

(2) Despite subsection (1), a person described in section 111(2) [*Reinstatement of practising RN registration*] is not eligible for registration under this section.

(3) An applicant must

- (a) have successfully completed
  - (i) a nursing education program specified in Schedule D, or
  - (ii) an education program, in another province of Canada, that is recognized for the purpose of registration as the equivalent of a practising RN registrant, by the body that regulates the health profession corresponding to nursing in the other province,
- (b) have successfully completed the examinations required by the registration committee for the purpose of registration in the class of practising RN registrants, and
- (c) deliver, or cause to be delivered, to the college
  - (i) an original transcript, or other evidence satisfactory to the registration committee, reflecting the applicant's degree, diploma or certificate from a program described in paragraph (a), and evidence satisfactory to the registration committee that the applicant is the person named therein,
  - (ii) evidence satisfactory to the registration committee that the applicant has successfully completed the examinations described in paragraph (b), and

(iii) evidence satisfactory to the registration committee that the applicant is competent to practise as a practising RN registrant.

(4) The registration committee has discretion, in satisfying itself under section 20 of the Act that an applicant under subsection (3) meets the conditions and requirements for registration in the class of practising RN registrants, to consider whether the applicant's knowledge, skills and abilities are substantially equivalent to the standards of academic or technical achievement and the competencies or other qualifications established in subsection (3)(a) and (c)(iii), and to grant registration in the class on that basis, if the applicant delivers, or causes to be delivered, to the college

(a) original transcripts, or other evidence satisfactory to the registration committee, reflecting the applicant's degrees, diplomas or certificates, and evidence satisfactory to the registration committee that the applicant is the person named therein,

(b) evidence satisfactory to the registration committee that the applicant has successfully completed the examinations described in subsection (3)(b), and

(c) evidence satisfactory to the registration committee reflecting the applicant's knowledge, skills and abilities.

(5) Section 79(2) to (4) [*General conditions and requirements*] applies to an applicant under subsection (3).

(6) Despite subsections (3) to (5), an applicant who is registered in the class of provisional RN registrants, and who was granted such registration under section 113(1) [*Provisional RN registration*], may be granted registration in the class of practising RN registrants if the applicant

(a) is not subject to any incomplete audit under section 156(1) [*Verification of QA activities*], assessment under section 161 [*Assessment of professional performance*] or personal practice review under section 162 [*Personal practice review*], and

(b) delivers, or causes to be delivered, to the college evidence satisfactory to the registration committee that the registrant has successfully completed the examinations described in subsection (3)(b) and any other examinations or upgrading of knowledge, skills or abilities required under section 20(4.3)(b) of the Act.

(7) Section 79(2)(a) to (e) and (p) to (s) [*General conditions and requirements*] applies to an applicant under subsection (6).

(8) If a person was, immediately before the 2020 amalgamation date, a registrant in the class of practising RN registrants under the former BCCNP bylaws, the person is deemed to be a registrant in the class of practising RN registrants under these bylaws.

(9) If a person was, immediately before the 2020 amalgamation date, a registrant in the class of temporary RN (special event) registrants under the former BCCNP bylaws,

(a) the person is deemed to be a registrant in the class of practising RN registrants under these bylaws, and

(b) despite Division 7 [*Renewal*], the period of registration granted to the person under those former bylaws is valid from the time it is effective until not later than the expiry date specified at the time such registration was granted under those former bylaws.

(10) A person who applied, before the 2020 amalgamation date, to be a registrant in the class of practising RN registrants under the former BCCNP bylaws, including a person who applied for reinstatement of such registration, but whose application has not, as of that date, been granted or refused is deemed to have applied to be a registrant in the class of practising RN registrants under these bylaws.

(11) A person who applied, before the 2020 amalgamation date, to be a registrant in the class of temporary RN (special event)registrants under the former BCCNP bylaws, but whose application has not, as of that date, been granted or refused is deemed to have applied to be a registrant in the class of practising RN registrants under these bylaws.

### Reinstatement of practising RN registration

**111** (1) For the purpose of section 20(2)(b) of the Act, the conditions and requirements for reinstatement of registration in the class of practising RN registrants are established in subsections (2) to (9) and section 114 [*Canadian labour mobility for practising RNs*].

(2) An applicant must be a registrant or former registrant who was

(a) a registrant in the class of practising RN registrants under these bylaws at any time on or after the 2020 amalgamation date,

(b) a registrant in the class of practising RN registrants under the former BCCNP bylaws at any time on or after the 2018 amalgamation date, or

(c) a registrant in the registered nurse registration class of registrants under the former CRNBC bylaws at any time before the 2018 amalgamation date.

(3) An applicant who is a registrant must be in good standing.

(4) An applicant

(a) must deliver, or cause to be delivered, to the college evidence satisfactory to the registration committee that the applicant meets all applicable continuing competence and quality assurance requirements under section 159 [*QA requirements for reinstatement of practising registration*], and

(b) must

(i) undergo any assessment of knowledge, skills or abilities that the registration committee considers necessary for the applicant to be considered for reinstatement as a practising RN registrant,

(ii) deliver, or cause to be delivered, to the college evidence satisfactory to the registration committee of successful completion of any examinations or upgrading of knowledge, skills or abilities that the registration committee considers necessary for the applicant to be reinstated as a practising RN registrant, and

(iii) deliver, or cause to be delivered, to the college any other information required by and acceptable to the registration committee showing, to the satisfaction of the registration committee, that the applicant has maintained knowledge, skills and abilities that are substantially equivalent to the standards of academic or technical achievement and the competencies or other qualifications established for applicants for registration in the class of practising RN registrants under section 110 (2)(a) and (c)(iii) [*Practising RN registration*].

(5) An applicant under subsection (4) must satisfy the practice hours requirement under section 112 [*RN practice hours requirement*], unless the applicant meets the requirements, if any, of subsection (4)(b).

(6) Section 79(2) (a) to (g) and (p) to (s) and (4) [*General conditions and requirements*] applies to an applicant under subsection (4), if the completed application is delivered to the registrar not later than 60 days after ceasing to be a registrant in the class.

(7) Section 79(2) (a) to (g), (i) to (k) and (p) to (s) and (4) [*General conditions and requirements*] applies to an applicant under subsection (4), if the completed application is delivered to the registrar more than 60 days after ceasing to be a registrant in the class.

(8) Despite subsections (4) to (7), an applicant who is registered in the class of provisional RN registrants, and who was granted such registration under section 113(2) or (3) [*Provisional RN registration*], may be granted reinstatement of registration in the class of practising RN registrants if the applicant

(a) is not subject to any incomplete audit under section 156(1) [*Verification of QA activities*], assessment under section 161 [*Assessment of professional performance*] or personal practice review under section 162 [*Personal practice review*], and

(b) delivers, or causes to be delivered, to the college evidence satisfactory to the registration committee that the applicant has successfully completed any examinations or upgrading of knowledge, skills or abilities required under section 20(4.3)(b) of the Act.

(9) Section 79(2)(a) to (e) and (p) to (s) [*General conditions and requirements*] applies to an applicant under subsection (8).

## RN practice hours requirement

**112** To satisfy the practice hours requirement, an applicant must deliver, or cause to be delivered, to the college evidence satisfactory to the registration committee of either

(a) having done not less than one of the following within the five-year period immediately preceding the date of application:

(i) engaged in the practice of nursing for a cumulative total of not fewer than 1,125 hours, as determined in accordance with criteria established by the board;

(ii) successfully completed

(A) a nursing education program specified in Schedule D,

(B) an education program, in another province of Canada, that is recognized for the purpose of registration as the equivalent of a practising RN registrant, by the body that regulates the health profession corresponding to nursing in the other province, or

(C) an education program determined by the registration committee to be equivalent to a nursing education program specified in Schedule D;

(iii) successfully completed a nursing re-entry program specified in Schedule D, or other re-entry program determined by the registration committee to be equivalent to a nursing re-entry program specified in Schedule D;

(iv) successfully completed a nursing practice experience under the guidance and supervision of a preceptor, if the preceptor and design of the nursing practice experience were approved in advance by the registration committee in accordance with any criteria established by the board for this purpose;

(v) successfully completed 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 registration committee to be satisfactory to fulfill the practice hours requirement;

(vi) completed a competency assessment recognized by the registration committee for the purpose of assessing the substantial equivalency of an applicant's knowledge, skills and abilities to the conditions and requirements for registration in the practising RN registrant class under section 110(4) [*Practising RN registration*], and successfully completed any subsequent supplementary education required by the registration committee, or

(b) current enrollment in a post-basic program described in paragraph (a)(v).



## Provisional RN registration

**113** (1) An applicant under section 110(2) [*Practising RN registration*] may be granted registration in the class of provisional RN registrants if the applicant

(a) delivers, or causes to be delivered, to the college

(i) original transcripts, or other evidence satisfactory to the registration committee, reflecting the applicant's degrees, diplomas or certificates, and evidence satisfactory to the registration committee that the applicant is the person named therein, and

(ii) evidence satisfactory to the registration committee that the applicant's knowledge, skills and abilities are such that the applicant is competent to practise as if the applicant were a practising RN registrant, subject to any limits or conditions that may be imposed under section 20(4.3)(c) of the Act, and

(b) meets all the conditions and requirements under section 110(3) [*Practising RN registration*].

(2) An applicant under section 111(3) [*Reinstatement of practising RN registration*] may be granted registration in the class of provisional RN registrants if the applicant

(a) meets all applicable conditions and requirements in section 111 [*Reinstatement of practising RN registration*] except the requirement that the applicant

(i) deliver, or cause to be delivered, to the college evidence satisfactory to the registration committee that the applicant meets all applicable continuing competence and quality assurance requirements under section 159 [*QA requirements for reinstatement of practising registration*],

(ii) deliver, or cause to be delivered, to the college evidence satisfactory to the registration committee of successful completion of any examinations or upgrading of knowledge, skills or abilities and provide any other evidence satisfactory to the registration committee showing maintenance of knowledge, skills and abilities as described in that section, or

(iii) satisfy the practice hours requirement under section 112 [*RN practice hours requirement*], if the applicant is in the process of completing a nursing practice experience approved under section 112(a)(iv) [*RN practice hours requirement*], and

(b) delivers, or causes to be delivered, to the college evidence satisfactory to the registration committee that the applicant has a combination of knowledge, skills or abilities such that the applicant is competent to practise as if the applicant were a practising RN registrant, subject to any limits or conditions that may be imposed by the registration committee under section 20(4.3)(c) of the Act.

(3) Subject to subsection (4), an applicant under Division 7 [*Renewal*] for annual renewal of registration in the class of practising RN registrants may be granted registration in the class of provisional RN registrants if the applicant

(a) meets all applicable conditions and requirements under section 146 [*Annual renewal conditions and requirements*] except the requirement that the applicant

(i) complete an audit under section 156(1) [*Verification of QA activities*], if the applicant has been selected for an audit under that section,

(ii) comply with the requirements for an assessment of the applicant's professional performance under section 161 [*Assessment of professional performance*], if the applicant has been selected for an assessment under that section, or

(iii) satisfy the practice hours requirement under section 112 [*RN practice hours requirement*], and

(b) delivers, or causes to be delivered, to the college evidence satisfactory to the registration committee that the applicant has a combination of knowledge, skills or abilities such that the applicant is competent to practise as if the applicant were a practising RN registrant, subject to any limits or conditions that may be imposed by the registration committee under section 20(4.3)(c) of the Act.

(4) An applicant described in subsection (3) may be granted provisional registration under that subsection only for the purpose of allowing the applicant to complete

(a) any incomplete audit under section 156(1) [*Verification of QA activities*] or assessment under section 161 [*Assessment of professional performance*], and

(b) any examinations or upgrading of knowledge, skills or abilities required under section 20(4.3)(b) of the Act.

(5) If a person was, immediately before the 2020 amalgamation date, a registrant in the class of provisional RN registrants under the former BCCNP bylaws,

(a) the person is deemed to be a registrant in the class of provisional RN registrants under these bylaws,

(b) a requirement imposed by the registration committee under section 20(4.3)(b) of the Act in respect of the person continues to apply until removed or varied in accordance with the Act, and

(c) a limit or condition imposed by the registration committee under section 20(4.3)(c) of the Act in respect of the person continues to apply until removed or varied in accordance with the Act.

## Canadian labour mobility for practising RNs

**114** (1) Despite section 110 [*Practising RN registration*] and section 111 [*Reinstatement of practising RN registration*], an applicant may be granted registration, including reinstatement of registration, in the class of practising RN registrants if the applicant

(a) holds registration or licensure in another province of Canada as the equivalent of a practising RN registrant, which is not subject to any practice limitations, restrictions or conditions that do not apply generally to practising RN registrants in British Columbia, and

(b) delivers, or causes to be delivered, to the college evidence satisfactory to the registration committee

(i) of the applicant's registration or licensure in the other province as described in paragraph (a), and that the applicant is the person named therein, and

(ii) that the applicant meets all applicable continuing competence or quality assurance requirements established by the body that regulates the health profession corresponding to nursing in the other province.

(2) Section 79(2), except paragraph (o), and (4) [*General conditions and requirements*] applies to an applicant under subsection (1).

(3) Despite subsection (2), section 79(2)(n) [*General conditions and requirements*] does not apply to an applicant for reinstatement of registration under subsection (1).

## Non-practising RN registration

**115** (1) For the purpose of section 20(2)(b) of the Act, the conditions and requirements for registration in the class of non-practising RN registrants are established in subsections (3) to (6).

(2) Despite subsection (1), a person described in section 116(2) [*Reinstatement of non-practising RN registration*] is not eligible for registration under this section.

(3) An applicant must

(a) be a registrant in the class of practising RN registrants or practising NP registrants,

(b) deliver, or cause to be delivered, to the college evidence satisfactory to the registration committee that the applicant is entitled to registration or reinstatement of registration in the class of practising RN registrants under section 110 [*Practising RN registration*], section 111 [*Reinstatement of practising RN registration*] or section 114 [*Canadian labour mobility for practising RNs*], as applicable, or

(c) be a registrant in the class of provisional RN registrants or provisional NP registrants who is granted such registration under section 113(2) or (3) [*Provisional RN registration*] or section 129(2) or (3) [*Provisional NP registration*].

(4) An applicant must deliver to the college an undertaking by the applicant that the applicant, while registered in the class of non-practising RN registrants, will not, in British Columbia,

(a) practise the designated health profession of nursing, or provide nursing services, except as authorized through concurrent registration in another class, or

(b) use the title “nurse” or “registered nurse” or a variation of either of those titles, or the abbreviation “RN”, except in conjunction with the term “non-practising” or as authorized through concurrent registration in another class.

(5) Section 79(2)(e) and (p) to (s) [*General conditions and requirements*] applies to an applicant described in subsection (3)(a) or (c).

(6) For greater certainty, section 79(2) to (4) applies to an applicant described in subsection (3)(b) to the extent it would apply to an applicant under section 110 [*Practising RN registration*], section 111 [*Reinstatement of practising RN registration*] or section 114 [*Canadian labour mobility for practising RNs*], as the case may be.

(7) For greater certainty, if registration in the class of non-practising RN registrants is granted to an applicant described in subsection (3)(c), any application for reinstatement of the applicant’s registration in the class of practising RN registrants or practising NP registrants is ended for all purposes.

(8) If a person was, immediately before the 2020 amalgamation date, a registrant in the class of non-practising RN registrants under the former BCCNP bylaws, the person is deemed to be a registrant in the class of non-practising RN registrants under these bylaws.

(9) A person who applied, before the 2020 amalgamation date, to be a registrant in the class of non-practising RN registrants under the former BCCNP bylaws, including a person who applied for reinstatement of such registration, but whose application has not, as of that date, been granted or refused is deemed to have applied to be a registrant in the class of non-practising RN registrants under these bylaws.

### **Reinstatement of non-practising RN registration**

**116 (1)** For the purpose of section 20(2)(b) of the Act, the conditions and requirements for reinstatement of registration in the class of non-practising RN registrants are established in subsections (2) to (5).

(2) An applicant must be a registrant or former registrant who was

- (a) a registrant in the class of non-practising RN registrants under these bylaws at any time on or after the 2020 amalgamation date,
  - (b) a registrant in the class of non-practising RN registrants under the former BCCNP bylaws at any time on or after the 2018 amalgamation date, or
  - (c) a registrant in the non-practising registration class of registrants and was granted such registration on the basis of qualification for registered nurse registration or nurse practitioner registration, under the former CRNBC bylaws at any time before the 2018 amalgamation date.
- (3) Section 115(4) [*Non-practising RN registration*] applies to an applicant.
- (4) Section 79(2) (e) and (p) to (s) [*General conditions and requirements*] applies to an applicant who is a registrant.
- (5) Section 79(2) (a), (d) to (f), (i) and (p) to (s) and (4) [*General conditions and requirements*] applies to an applicant who is a former registrant.

### Practising LGN registration

- 117** (1) If a person was, immediately before the 2020 amalgamation date, a registrant in the class of practising LGN registrants under the former BCCNP bylaws, the person is deemed to be a registrant in the class of practising LGN registrants under these bylaws.
- (2) A person who applied, before the 2020 amalgamation date, to be a registrant in the class of practising LGN registrants under the former BCCNP bylaws, including a person who applied for reinstatement of such registration, but whose application has not, as of that date, been granted or refused is deemed to have applied to be a registrant in the class of practising LGN registrants under these bylaws.
- (3) Despite section 118 [*Reinstatement of practising LGN registration*], an applicant may be granted registration, including reinstatement of registration, in the class of practising LGN registrants if the applicant
- (a) holds registration or licensure in another province of Canada as the equivalent of a practising LGN registrant, which is not subject to any practice limitations, restrictions or conditions that do not apply generally to practising LGN registrants in British Columbia, and
  - (b) delivers, or causes to be delivered, to the college evidence satisfactory to the registration committee
    - (i) of the applicant's registration or licensure in the other province as described in paragraph (a), and that the applicant is the person named therein, and

(ii) that the applicant meets all applicable continuing competence or quality assurance requirements established by the body that regulates the health profession corresponding to nursing in the other province.

(4) Section 79(2), except paragraph (o), and (4) [*General conditions and requirements*] applies to an applicant under subsection (3).

(5) Despite subsection (4), section 79(2)(n) [*General conditions and requirements*] does not apply to an applicant for reinstatement of registration under subsection (3).

### Reinstatement of practising LGN registration

**118** (1) For the purpose of section 20(2)(b) of the Act, the conditions and requirements for reinstatement of registration in the class of practising LGN registrants are established in subsections (2) to (9) and section 117(3) to (5) [*Practising LGN registration*].

(2) An applicant must be a registrant or former registrant who was

(a) a registrant in the class of practising LGN registrants under these bylaws at any time on or after the 2020 amalgamation date,

(b) a registrant in the class of practising LGN registrants under the former BCCNP bylaws at any time on or after the 2018 amalgamation date, or

(c) a registrant in the licensed graduate nurse registration class of registrants under the former CRNBC bylaws at any time before the 2018 amalgamation date.

(3) An applicant who is a registrant must be in good standing.

(4) An applicant

(a) must deliver, or cause to be delivered, to the college evidence satisfactory to the registration committee that the applicant meets all applicable continuing competence and quality assurance requirements under section 159 [*QA requirements for reinstatement of practising registration*], and

(b) must

(i) undergo any assessment of knowledge, skills or abilities that the registration committee considers necessary for the applicant to be considered for reinstatement as a practising LGN registrant,

(ii) deliver, or cause to be delivered, to the college evidence satisfactory to the registration committee of successful completion of any examinations or upgrading of knowledge, skills or abilities that the registration committee considers necessary for the applicant to be reinstated as a practising LGN registrant, and

(iii) deliver, or cause to be delivered, to the college any other information required by and acceptable to the registration committee showing, to the satisfaction of the registration committee, that the applicant has maintained knowledge, skills and abilities that are substantially equivalent to the standards of academic or technical achievement and the competencies or other qualifications established for applicants for registration in the practising RN registrant class under section 110(2)(a) and (c)(iii) *[Practising RN registration]*.

(5) An applicant under subsection (4) must satisfy the practice hours requirement under section 112 *[RN practice hours requirement]*, unless the applicant meets the requirements, if any, of subsection (4)(b).

(6) Section 79(2)(a) to (g) and (p) to (s) and (4) *[General conditions and requirements]* applies to an applicant under subsection (4), if the completed application is delivered to the registrar not later than 60 days after ceasing to be a registrant in the class.

(7) Section 79(2)(a) to (g), (i) to (k) and (p) to (s) and (4) *[General conditions and requirements]* applies to an applicant under subsection (4), if the completed application is delivered to the registrar more than 60 days after ceasing to be a registrant in the class.

(8) Despite subsections (4) to (7), an applicant who is registered in the class of provisional LGN registrants, and who was granted such registration under section 119(1) or (2) *[Provisional LGN registration]*, may be granted reinstatement of registration in the class of practising LGN registrants if the applicant

(a) is not subject to any incomplete audit under section 156(1) *[Verification of QA activities]*, assessment under section 161 *[Assessment of professional performance]* or personal practice review under section 162 *Personal practice review]*, and

(b) delivers, or causes to be delivered, to the college evidence satisfactory to the registration committee that the applicant has successfully completed any examinations or upgrading of knowledge, skills or abilities required under section 20(4.3)(b) of the Act.

(9) Section 79(2)(a) to (e) and (p) to (s) *[General conditions and requirements]* applies to an applicant under subsection (8).

### **Provisional LGN registration**

**119 (1)** An applicant under section 118(3) *[Reinstatement of practising LGN registration]* may be granted registration in the class of provisional LGN registrants if the applicant

(a) meets all applicable conditions and requirements in section 118 *[Reinstatement of practising LGN registration]* except the requirement that the applicant

(i) deliver, or cause to be delivered, to the college evidence satisfactory to the registration committee that the applicant meets all applicable continuing

competence and quality assurance requirements under section 159 *[QA requirements for reinstatement of practising registration]*,

(ii) deliver, or cause to be delivered, to the college evidence satisfactory to the registration committee of successful completion of any examinations or upgrading of knowledge, skills or abilities and provide any other evidence satisfactory to the registration committee showing maintenance of knowledge, skills and abilities as described in that section, or

(iii) satisfy the practice hours requirement under section 112 *[RN practice hours requirement]*, and

(b) delivers, or causes to be delivered, to the college evidence satisfactory to the registration committee that the applicant has a combination of knowledge, skills or abilities such that the applicant is competent to practise as if the applicant were a practising LGN registrant, subject to any limits or conditions that may be imposed by the registration committee under section 20(4.3)(c) of the Act.

(2) Subject to subsection (3), an applicant under Division 7 *[Renewal]* for annual renewal of registration in the class of practising LGN registrants may be granted registration in the class of provisional LGN registrants if the applicant

(a) meets all applicable conditions and requirements under section 146 *[Annual renewal conditions and requirements]* except the requirement that the applicant

(i) complete an audit under section 156(1) *[Verification of QA activities]*, if the applicant has been selected for an audit under that section,

(ii) comply with the requirements for an assessment of the applicant's professional performance under section 161 *[Assessment of professional performance]*, if the applicant has been selected for an assessment under that section, or

(iii) satisfy the practice hours requirement under section 112 *[RN practice hours requirement]*, if the applicant is in the process of completing a nursing practice experience approved under section 112(a)(iv) *[RN practice hours requirement]*, and

(b) delivers, or causes to be delivered, to the college evidence satisfactory to the registration committee that the applicant has a combination of knowledge, skills or abilities such that the applicant is competent to practise as if the applicant were a practising LGN registrant, subject to any limits or conditions that may be imposed by the registration committee under section 20(4.3)(c) of the Act.

(3) An applicant described in subsection (2) may be granted provisional registration under that subsection only for the purpose of allowing the applicant to complete

(a) any incomplete audit under section 156(1) *[Verification of QA activities]* or assessment under section 161 *[Assessment of professional performance]*, and



(b) any examinations or upgrading of knowledge, skills or abilities required under section 20(4.3)(b) of the Act.

(4) If a person was, immediately before the 2020 amalgamation date, a registrant in the class of provisional LGN registrants under the former BCCNP bylaws,

(a) the person is deemed to be a registrant in the class of provisional LGN registrants under these bylaws,

(b) a requirement imposed by the registration committee under section 20(4.3)(b) of the Act in respect of the person continues to apply until removed or varied in accordance with the Act, and

(c) a limit or condition imposed by the registration committee under section 20(4.3)(c) of the Act in respect of the person continues to apply until removed or varied in accordance with the Act.

### Non-practising LGN registration

**120** (1) For the purpose of section 20(2)(b) of the Act, the conditions and requirements for registration in the class of non-practising LGN registrants are established in subsections (3) to (6).

(2) For greater certainty, an applicant must not be a person described in section 121(2) [*Reinstatement of non-practising LGN registration*].

(3) An applicant must

(a) be a registrant in the class of practising LGN registrants,

(b) deliver, or cause to be delivered, to the college evidence satisfactory to the registration committee that the applicant is entitled to registration or reinstatement of registration in the class of practising LGN registrants under section 117(3) [*Practising LGN registration*] or 118 [*Reinstatement of practising LGN registration*], as applicable, or

(c) be a registrant in the class of provisional LGN registrants who is granted such registration under section 119(1) or (2) [*Provisional LGN registration*].

(4) An applicant must deliver to the college an undertaking by the applicant that the applicant, while registered in the class of non-practising LGN registrants, will not, in British Columbia,

(a) practise the designated health profession of nursing, or provide nursing services, except as authorized through concurrent registration in another class, or

(b) use the title “nurse” or licensed graduate nurse” or a variation of either of those titles, or the abbreviation “LGN”, except in conjunction with the term “non-practising” or as authorized through concurrent registration in another class, and

(5) Section 79(2)(e) and (p) to (s) [*General conditions and requirements*] applies to an applicant described in subsection (3)(a) or (c).

(6) For greater certainty, section 79(2) to (4) applies to an applicant described in subsection (3)(b) to the extent it would apply to an applicant under section 117(3) [*Practising LGN registration*] or 118 [*Reinstatement of practising LGN registration*], as the case may be.

(7) For greater certainty, if registration in the class of non-practising LGN registrants is granted to an applicant described in subsection (3)(c), any application for reinstatement of the applicant's registration in the class of practising LGN registrants is ended for all purposes.

(8) If a person was, immediately before the 2020 amalgamation date, a registrant in the class of non-practising LGN registrants under the former BCCNP bylaws, the person is deemed to be a registrant in the class of non-practising LGN registrants under these bylaws.

(9) A person who applied, before the 2020 amalgamation date, to be a registrant in the class of non-practising LGN registrants under the former BCCNP bylaws, including a person who applied for reinstatement of such registration, but whose application has not, as of that date, been granted or refused is deemed to have applied to be a registrant in the class of non-practising LGN registrants under these bylaws.

### **Reinstatement of non-practising LGN registration**

**121** (1) For the purpose of section 20(2)(b) of the Act, the conditions and requirements for reinstatement of registration in the class of non-practising LGN registrants are established in subsections (2) to (5).

(2) An applicant must be a registrant or former registrant who was

(a) a registrant in the class of non-practising LGN registrants under these bylaws at any time on or after the 2020 amalgamation date,

(b) a registrant in the class of non-practising LGN registrants under the former BCCNP bylaws at any time on or after the 2018 amalgamation date, or

(c) a registrant in the non-practising registration class of registrants and was granted such registration on the basis of qualification for licensed graduate nurse registration, under the former CRNBC bylaws at any time before the 2018 amalgamation date.

(3) Section 120(4) [*Non-practising LGN registration*] applies to an applicant.

(4) Section 79(2)(e) and (p) to (s) [*General conditions and requirements*] applies to an applicant who is a registrant.

(5) Section 79(2)(a), (d) to (f), (i) and (p) to (s) and (4) [*General conditions and requirements*] applies to an applicant who is a former registrant.

## Temporary RN (emergency) registration

**122** (1) The provisions of this section do not operate unless a declaration of an emergency situation is made by the registrar under section 44(5) [*Registrar and chief executive officer*].

(2) For the purpose of section 20(2)(b) of the Act, the conditions and requirements for registration, including reinstatement of registration, in the class of temporary RN (emergency) registrants are established in subsections (3) to (6).

(3) An applicant must

(a) hold registration or licensure in another jurisdiction in Canada or the United States of America as the equivalent of a practising RN registrant, which is not subject to any practice limitations, restrictions or conditions in that jurisdiction that do not apply generally to practising RN registrants in British Columbia, and deliver, or cause to be delivered, to the college evidence satisfactory to the registration committee of the applicant's registration or licensure, and that the applicant is the person named therein, or

(b) deliver, or cause to be delivered, to the college evidence satisfactory to the registration committee that the applicant is entitled to reinstatement of registration in the class of practising RN registrants under section 111 [*Reinstatement of practising RN registration*], including all applicable items under section 79(2) to (4) [*General conditions and requirements*], unless the applicant

(i) is seeking reinstatement of registration under this section, and

(ii) their most recent registration under this section has been cancelled for not more than 180 days, in which case they must deliver, or cause to be delivered, to the college the applicable items under section 79(2) to (4) [*General conditions and requirements*] that may be specified by the registration committee.

(4) An applicant must

(a) be a member of the armed forces of Canada or the United States of America, and provide evidence thereof satisfactory to the registration committee, or

(b) authorize the applicant's current and former employers to provide information regarding the applicant's current nursing practice.

(5) An applicant who is a registrant must be in good standing.

(6) An applicant must sign a declaration confirming that the applicant is applying for registration in the class of temporary RN (emergency) registrants solely for the purpose of providing assistance during the emergency situation.

(7) If a person was, immediately before the 2020 amalgamation date, a registrant in the class of temporary RN (emergency) registrants under the former BCCNP bylaws, the person is deemed to be a registrant in the class of temporary RN (emergency) registrants under these bylaws.

(8) A person who applied, before the 2020 amalgamation date, to be a registrant in the class of temporary RN (emergency) registrants under the former BCCNP bylaws but whose application has not, as of that date, been granted or refused is deemed to have applied to be a registrant in the class of temporary RN (emergency) registrants under these bylaws.

### Employed student nurse registration

**123** (1) For the purpose of section 20(2)(b) of the Act, the conditions and requirements for registration in the class of employed student nurse registrants are established in subsections (2) and (3).

(2) An applicant must

(a) be enrolled as a student in

(i) a nursing education program specified in Schedule D, or

(ii) an education program, in another province of Canada, that is recognized for the purpose of registration as the equivalent of a practising RN registrant, by the body that regulates the health profession corresponding to nursing in the other province,

(b) deliver, or cause to be delivered, to the college evidence satisfactory to the registration committee of an offer to be employed as a student nurse in a health care setting in British Columbia during or between terms of the applicant's education program described in paragraph (a), and

(c) deliver, or cause to be delivered, to the college evidence satisfactory to the registration committee of the applicant's enrollment in an education program described in paragraph (a), and that the applicant is the person named therein.

(3) Section 79(2), except paragraph (o), and (4) [*General conditions and requirements*] applies to an applicant.

(4) If a registrant in the class of employed student nurse registrants ceases to be enrolled as a student in an education program described in subsection (2)(a), the registrant must deliver a written notice of that fact to the registrar not later than the date that is seven days after the date the registrant ceases to be enrolled.

(5) If a registrant in the class of employed student nurse registrants ceases to be employed as described in subsection (2)(b), the registrant must deliver a written notice of that fact to the registrar not later than

(a) the date that is seven days after the date the registrant ceases to be employed, if the registrant is terminated for cause, or

(b) the date that is 30 days after the date the registrant ceases to be employed, in any other case.

(6) Despite section 144(2) [*Validity of annual registration*], the registrar may cancel a registrant's registration in the class of employed student nurse registrants

(a) on receipt of a notice under subsection (4) or (5), or

(b) if the registrar otherwise learns that the registrant has ceased to be enrolled as a student in a program described in subsection (2)(a) or employed as described in subsection (2)(b).

(7) If a person was, immediately before the 2020 amalgamation date, a registrant in the class of employed student nurse registrants under the former BCCNP bylaws, the person is deemed to be a registrant in the class of employed student nurse registrants under these bylaws.

(8) A person who applied, before the 2020 amalgamation date, to be a registrant in the class of employed student nurse registrants under the former BCCNP bylaws but whose application has not, as of that date, been granted or refused is deemed to have applied to be a registrant in the class of employed student nurse registrants under these bylaws.

## Division 5 – Nurse Practitioner Registrant Group

### Classes of NP registrants

124 (1) The following classes of registrants are established:

(a) practising NP registrants;

(b) provisional NP registrants for the purposes of section 20(4.3) of the Act;

(c) non-practising NP registrants;

(d) temporary NP (emergency) registrants.

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

### Practising NP registration

125 (1) For the purpose of section 20(2)(b) of the Act, the conditions and requirements for registration in the class of practising NP registrants are established in subsections (3) to (7).

(2) Despite subsection (1), a person described in section 126(2) [*Reinstatement of practising NP registration*] is not eligible for registration under this section.

(3) An applicant must

(a) be a registrant in the class of practising RN registrants, or deliver, or cause to be delivered, to the college evidence satisfactory to the registration committee that the applicant is entitled to registration or reinstatement of registration in the class of practising RN registrants under section 110 [*Practising RN registration*] or section 111 [*Reinstatement of practising RN registration*], including all applicable items under section 79(2) to (4) [*General conditions and requirements*],

(b) have successfully completed a nurse practitioner education program specified in Schedule E, or other education program determined by the registration committee to be equivalent to a nurse practitioner education program specified in Schedule E,

(c) have successfully completed the examinations required by the registration committee for the purpose of registration in the class of practising NP registrants, and

(d) deliver, or cause to be delivered, to the college

(i) an original transcript, or other evidence satisfactory to the registration committee, reflecting the applicant's degree from a program referred to in paragraph (b), and evidence satisfactory to the registration committee that the applicant is the person named therein,

(ii) evidence satisfactory to the registration committee that the applicant has successfully completed the examinations described in paragraph (c), and

(iii) evidence satisfactory to the registration committee that the applicant is competent to practise as a practising NP registrant.

(4) The registration committee has discretion, in satisfying itself under section 20 of the Act that an applicant under subsection (3) meets the conditions and requirements for registration in the class of practising NP registrants, to consider whether the applicant's knowledge, skills and abilities are substantially equivalent to the standards of academic or technical achievement and the competencies or other qualifications established in subsection (3)(b) and (d)(iii), and to grant registration in the class on that basis, if the applicant

(a) meets all the conditions and requirements under subsection (3)(a), and

(b) delivers, or causes to be delivered, to the college

(i) original transcripts, or other evidence satisfactory to the registration committee, reflecting the applicant's degrees, diplomas or certificates, and evidence satisfactory to the registration committee that the applicant is the person named therein,

(ii) evidence satisfactory to the registration committee that the applicant has successfully completed the examinations described in subsection (3)(c), and

(iii) evidence satisfactory to the registration committee reflecting the applicant's knowledge, skills and abilities.

(5) Section 79(2) to (4) [*General conditions and requirements*] applies to an applicant under subsection (3).

(6) Despite subsections (3) to (5), an applicant who is registered in the class of provisional NP registrants, and who was granted such registration under section 129(1) [*Provisional NP registration*], may be granted registration in the class of practising NP registrants if the applicant

(a) is not subject to any incomplete audit under section 156(1) [*Verification of QA activities*], assessment under section 161 [*Assessment of professional performance*] or personal practice review under section 162 [*Personal practice review*], and

(b) delivers, or causes to be delivered, to the college evidence satisfactory to the registration committee that the registrant has successfully completed the examinations described in subsection (3)(c) and any other examinations or upgrading of knowledge, skills or abilities required under section 20(4.3)(b) of the Act.

(7) Section 79(2)(a) to (e) and (p) to (s) [*General conditions and requirements*] applies to an applicant under subsection (6).

(8) If a person was, immediately before the 2020 amalgamation date, a registrant in the class of practising NP registrants under the former BCCNP bylaws, the person is deemed to be a registrant in the class of practising NP registrants under these bylaws.

(9) If a person was, immediately before the 2020 amalgamation date, a registrant in the class of temporary NP (special event) registrants under the former BCCNP bylaws,

(a) the person is deemed to be a registrant in the class of practising NP registrants under these bylaws, and

(b) despite Division 7 [*Renewal*], the period of registration granted to the person under those former bylaws is valid from the time it is effective until not later than the expiry date specified at the time such registration was granted under those former bylaws.

(10) A person who applied, before the 2020 amalgamation date, to be a registrant in the class of practising NP registrants under the former BCCNP bylaws, including a person who applied for reinstatement of such registration, but whose application has not, as of that date, been granted or refused is deemed to have applied to be a registrant in the class of practising NP registrants under these bylaws.

(11) A person who applied, before the 2020 amalgamation date, to be a registrant in the class of temporary NP (special event) registrants under the former BCCNP bylaws, but whose application

has not, as of that date, been granted or refused is deemed to have applied to be a registrant in the class of practising NP registrants under these bylaws.

### Reinstatement of practising NP registration

**126** (1) For the purpose of section 20(2)(b) of the Act, the conditions and requirements for reinstatement of registration in the class of practising NP registrants are established in subsections (2) to (9).

(2) An applicant must be a registrant or former registrant who was

(a) a registrant in the class of practising NP registrants under these bylaws at any time on or after the 2020 amalgamation date,

(b) a registrant in the class of practising NP registrants under the former BCCNP bylaws at any time on or after the 2018 amalgamation date, or

(c) a registrant in the nurse practitioner registration class of registrants under the former CRNBC bylaws at any time before the 2018 amalgamation date.

(3) Despite subsection (2), an applicant must not be a person who

(a) under section 4.08(4.1) of the former CRNBC bylaws, ceased to hold nurse practitioner registration, or

(b) under that provision, would have ceased to hold such registration if they had held it immediately before July 24, 2012,

unless, on or after July 24, 2012, the person

(c) requalified for nurse practitioner registration under section 4.08(1), (2) or (3) of the former CRNBC bylaws,

(d) qualified for registration in the class of practising NP registrants under section 273 of the former BCCNP bylaws, or

(e) qualifies for registration in the class of practising NP registrants under section 125 [*Practising NP registration*] of these bylaws.

(4) An applicant who is a registrant must be in good standing.

(5) An applicant

(a) must deliver, or cause to be delivered, to the college evidence satisfactory to the registration committee that the applicant meets all applicable continuing competence and quality assurance requirements under section 159 [*QA requirements for reinstatement of practising registration*], and



(b) must

(i) undergo any assessment of knowledge, skills or abilities that the registration committee considers necessary for the applicant to be considered for reinstatement as a practising NP registrant,

(ii) deliver, or cause to be delivered, to the college evidence satisfactory to the registration committee of successful completion of any examinations or upgrading of knowledge, skills or abilities that the registration committee considers necessary for the applicant to be reinstated as a practising NP registrant, and

(iii) deliver, or cause to be delivered, to the college any other information required by and acceptable to the registration committee showing, to the satisfaction of the registration committee, that the applicant has maintained knowledge, skills and abilities that are substantially equivalent to the standards of academic or technical achievement and the competencies or other qualifications established for applicants for registration in the class of practising NP registrants under section 125(2)(b) and (d)(iii) [*Practising NP registration*].

(6) An applicant under subsection (5) must satisfy the basic practice hours requirement under section 127 [*Basic practice hours requirement*] and the nurse practitioner practice hours requirement under section 128 [*NP practice hours requirement*], unless the applicant meets the requirements, if any, of subsection (5)(b).

(7) Section 79(2) (a) to (g) and (p) to (s) and (4) [*General conditions and requirements*] applies to an applicant under subsection (5), if the completed application is delivered to the registrar not later than 60 days after ceasing to be a registrant in the class.

(8) Section 79(2) (a) to (g), (i) to (k) and (p) to (s) and (4) [*General conditions and requirements*] applies to an applicant under subsection (5), if the completed application is delivered to the registrar more than 60 days after ceasing to be a registrant in the class.

(9) Despite subsections (5) to (8), an applicant who is registered in the class of provisional NP registrants, and who was granted such registration under section 129(2) or (3) [*Provisional NP registration*], may be granted reinstatement of registration in the class of practising NP registrants if the applicant

(a) is not subject to any incomplete audit under section 156(1) [*Verification of QA activities*], assessment under section 161 [*Assessment of professional performance*] or personal practice review under section 162 [*Personal practice review*], and

(b) the applicant delivers, or causes to be delivered, to the college evidence satisfactory to the registration committee that the applicant has successfully completed any examinations or upgrading of knowledge, skills or abilities required under section 20(4.3)(b) of the Act, and

(10) Section 79(2)(a) to (e) and (p) to (s) [*General conditions and requirements*] applies to an applicant under subsection (9).

### Basic practice hours requirement

**127** To satisfy the basic practice hours requirement, an applicant must deliver, or cause to be delivered, to the college evidence satisfactory to the registration committee of having satisfied the practice hours requirement for practising RN registrants under section 112 [*RN practice hours requirement*].

### NP practice hours requirement

**128** To satisfy the nurse practitioner practice hours requirement, an applicant must, in addition to satisfying the basic practice hours requirement under section 127 [*Basic practice hours*], deliver, or cause to be delivered, to the college evidence satisfactory to the registration committee of either

(a) having done at least one of the following within the three-year period immediately preceding the date of application:

(i) engaged in the practice of nursing as a nurse practitioner for a cumulative total of 900 hours, excluding any hours of nursing practice counted towards satisfaction of the basic practice hours requirement, in accordance with criteria established by the board;

(ii) engaged in the practice of nursing as a nurse practitioner for a cumulative total of 400 hours, excluding any hours of nursing practice counted towards satisfaction of the basic practice hours requirement, in accordance with criteria established by the board, and provided written evidence in a form acceptable to the registration committee which establishes the applicant's satisfactory performance as a nurse practitioner in such practice to the satisfaction of the registration committee, or

(b) having done at least one of the following within the time frame required by the registration committee:

(i) successfully completed a nurse practitioner education program specified in Schedule E, or other education program determined by the registration committee to be equivalent to a nurse practitioner education program specified in Schedule E;

(ii) successfully completed a nurse practitioner re-entry program specified in Schedule E, or other re-entry program determined by the registration committee to be equivalent to a nurse practitioner re-entry program specified in Schedule E;

(iii) successfully completed a nurse practitioner practice experience under the guidance and supervision of a preceptor, if the preceptor and design of the nurse practitioner practice experience were approved in advance by the registration committee in accordance with any criteria established by the board for this purpose.

## Provisional NP registration

**129** (1) An applicant under section 125(2) [*Practising NP registration*] may be granted registration in the class of provisional NP registrants if the applicant

(a) meets all the conditions and requirements under section 125(2)(a) and (3) [*Practising NP registration*],

(b) has successfully completed a nurse practitioner education program specified in Schedule E, or other education program determined by the registration committee to be equivalent to a nurse practitioner education program specified in Schedule E, and

(c) delivers, or causes to be delivered, to the college

(i) an original transcript, or other evidence satisfactory to the registration committee, reflecting the applicant's degree, and evidence satisfactory to the registration committee that the applicant is the person named therein, and

(ii) evidence satisfactory to the registration committee that the applicant's knowledge, skills and abilities are such that the applicant is competent to practise as if the applicant were a practising NP registrant, subject to any limits or conditions that may be imposed under section 20(4.3)(c) of the Act.

(1.1) Despite subsection (1), an applicant referred to in that subsection may be granted registration in the class of provisional NP registrants if the applicant

(a) meets all the conditions and requirements under that subsection except the condition or requirement under subsection (1)(b), and

(b) meets all the following conditions and requirements, as applicable:

(i) successful completion of an education program at the master's or doctoral degree level that is accepted, by a regulatory or licensing authority in a jurisdiction in Canada or the United States of America which registers, licences or recognizes the distinct class, category or specialty of neonatal nurse practitioner, as meeting the education requirement for registration, licensure or recognition in such class, category or specialty;

(ii) has delivered, or caused to be delivered, to the college evidence satisfactory to the registration committee of having engaged in the practice of nursing as a neonatal nurse practitioner for a minimum of 900 hours over the three-year period immediately preceding the date of application under this subsection, if the applicant did not within that period successfully complete the education program described in subparagraph (i);

(iii) successful completion of either the neonatal nurse practitioner certification examination offered by the National Certification Corporation and leading to the Neonatal Nurse Practitioner - Board Certified (NNP- BC) credential, or the neonatal

oral and objective structured clinical examinations offered by the Ordre des Infirmières et Infirmiers du Québec.

(1.2) On January 1, 2025, subsection (1.1) and this subsection are repealed and the registration of a provisional registrant who is granted registration through meeting the requirements set out in subsection (1.1) is cancelled.

(2) An applicant under section 126(4) [*Reinstatement of practising NP registration*] may be granted registration in the class of provisional NP registrants if the applicant

(a) meets all applicable conditions and requirements in section 126 [*Reinstatement of practising NP registration*] except the requirement that the applicant

(i) deliver, or cause to be delivered, to the college evidence satisfactory to the registration committee that the applicant meets all applicable continuing competence and quality assurance requirements under section 159 [*QA requirements for reinstatement of practising registration*],

(ii) deliver, or cause to be delivered, to the college evidence satisfactory to the registration committee of successful completion of any examinations or upgrading of knowledge, skills or abilities and provide any other evidence satisfactory to the registration committee showing maintenance of knowledge, skills and abilities as described in that section, or

(iii) satisfy the basic practice hours requirement under section 127 [*Basic practice hours requirement*], and the nurse practitioner practice hours requirement under section 128 [*NP Practice hours requirement*] if the applicant is in the process of completing a nurse practitioner practice experience approved under section 128(b)(iii) [*NP practice hours requirement*], and

(b) delivers, or causes to be delivered, to the college evidence satisfactory to the registration committee that the applicant has a combination of knowledge, skills or abilities such that the applicant is competent to practise as if the applicant were a practising NP registrant, subject to any limits or conditions that may be imposed by the registration committee under section 20(4.3)(c) of the Act.

(3) Subject to subsection (4), an applicant under Division 7 [*Renewal*] for annual renewal of registration in the class of practising NP registrants may be granted registration in the class of provisional NP registrants if the applicant

(a) meets all applicable conditions and requirements under section 146 [*Annual renewal conditions and requirements*] except the requirement that the applicant

(i) complete an audit under section 156(1) [*Verification of QA activities*], if the applicant has been selected for an audit under that section,

(ii) comply with the requirements for an assessment of the applicant's professional performance under section 161 [*Assessment of professional performance*], if the applicant has been selected for an assessment under that section, or

(iii) satisfy the basic practice hours requirement under section 127 [*Basic practice hours requirement*] and the nurse practitioner practice hours requirement under section 128 [*NP practice hours requirement*], and

(b) delivers, or causes to be delivered, to the college evidence satisfactory to the registration committee that the applicant has a combination of knowledge, skills or abilities such that the applicant is competent to practise as if the applicant were a practising NP registrant, subject to any limits or conditions that may be imposed by the registration committee under section 20(4.3)(c) of the Act.

(4) An applicant described in subsection (3) may be granted provisional registration under that subsection only for the purpose of allowing the applicant to complete

(a) any incomplete audit under section 156(1) [*Verification of QA activities*] or assessment under section 162 [*Assessment of professional performance*], and

(b) any examinations or upgrading of knowledge, skills or abilities required under section 20(4.3)(b) of the Act.

(5) If a person was, immediately before the 2020 amalgamation date, a registrant in the class of provisional NP registrants under the former BCCNP bylaws,

(a) the person is deemed to be a registrant in the class of provisional NP registrants under these bylaws,

(b) a requirement imposed by the registration committee under section 20(4.3)(b) of the Act in respect of the person continues to apply until removed or varied in accordance with the Act, and

(c) a limit or condition imposed by the registration committee under section 20(4.3)(c) of the Act in respect of the person continues to apply until removed or varied in accordance with the Act.

### **Non-practising NP registration**

**130** (1) For the purpose of section 20(2)(b) of the Act, the conditions and requirements for registration in the class of non-practising NP registrants are established in subsections (3) to (6).

(2) Despite subsection (1), a person described in section 131(2) [*Reinstatement of non-practising NP registration*] is not eligible for registration under this section.

(3) An applicant must

- (a) be a registrant in the class of practising NP registrants,
  - (b) deliver, or cause to be delivered, to the college evidence satisfactory to the registration committee that the applicant is entitled to registration or reinstatement of registration in the class of practising NP registrants under section 125 [*Practising NP registration*] or section 126 [*Reinstatement of practising NP registration*], as applicable, or
  - (c) be a registrant in the class of provisional NP registrants who is granted such registration under section 129(2) or (3) [*Provisional NP registration*].
- (4) An applicant must deliver to the college an undertaking by the applicant that the applicant, while registered in the class of non-practising NP registrants, will not, in British Columbia,
- (a) practise the designated health profession of nursing, or provide nursing services, except as authorized through concurrent registration in another class, or
  - (b) use the title “nurse practitioner”, “registered nurse practitioner”, “nurse” or “registered nurse” or a variation of any of those titles, or the abbreviation “NP”, “RN” or “RN-NP”, except in conjunction with the term “non-practising” or as authorized through concurrent registration in another class.
- (5) Section 79(2)(e) and (p) to (s) [*General conditions and requirements*] applies to an applicant described in subsection (3)(a) or (c).
- (6) For greater certainty, section 79(2) to (4) applies to an applicant described in subsection (3)(b) to the extent it would apply to an applicant under section 125 [*Practising NP registration*] or section 126 [*Reinstatement of practising NP registration*], as the case may be.
- (7) For greater certainty, if registration in the class of non-practising NP registrants is granted to an applicant described in subsection (3)(c), any application for reinstatement of the applicant’s registration in the class of practising NP registrants is ended for all purposes.
- (8) A person who was, immediately before the 2020 amalgamation date, a registrant in the class of non-practising NP registrants under the former BCCNP bylaws is deemed to be a registrant in the class of non-practising NP registrants under these bylaws.
- (9) A person who applied, before the 2020 amalgamation date, to be a registrant in the class of non-practising NP registrants under the former BCCNP bylaws, including a person who applied for reinstatement of such registration, but whose application has not, as of that date, been granted or refused is deemed to have applied to be a registrant in the class of non-practising NP registrants under these bylaws.

## Reinstatement of non-practising NP registration

**131** (1) For the purpose of section 20(2)(b) of the Act, the conditions and requirements for reinstatement of registration in the class of non-practising NP registrants are established in subsections (2) to (6).

(2) An applicant must be a registrant or former registrant who was

(a) a registrant in the class of non-practising NP registrants under these bylaws at any time on or after the 2020 amalgamation date,

(b) a registrant in the class of non-practising NP registrants under the former BCCNP bylaws at any time on or after the 2018 amalgamation date, or

(c) a registrant in the non-practising registration class of registrants and was granted such registration on the basis of qualification for nurse practitioner registration, under the former CRNBC bylaws at any time before the 2018 amalgamation date.

(3) Despite subsection (2), an applicant must not be

(a) a person who, under the former CRNBC bylaws,

(i) was granted nurse practitioner registration on or after September 30, 2011, and before July 24, 2012,

(ii) would have been entitled to grandparented nurse practitioner registration on July 24, 2012, if they had been registered as a nurse practitioner registrant immediately before that date,

(iii) while holding nurse practitioner registration as described in subparagraph (i), was granted non-practising registration on the basis of prior qualification for nurse practitioner registration, and

(iv) immediately before July 24, 2012,

(A) held non-practising registration as described in subparagraph (iii), or

(B) was not a registrant of CRNBC, or

(b) a person who, under the former CRNBC bylaws,

(i) held grandparented nurse practitioner registration on or after July 24, 2012,

(ii) while holding grandparented nurse practitioner registration as described in subparagraph (i), was granted non-practising registration on the basis of prior qualification for nurse practitioner registration, and

(iii) immediately before the 2018 amalgamation date,

(A) held non-practising registration as described in subparagraph (ii), or

(B) was not a registrant of CRNBC,

unless, after July 24, 2012, the person

(c) requalified for nurse practitioner registration under section 4.08(1), (2) or (3) of the former CRNBC bylaws,

(d) qualified for registration in the class of practising NP registrants under section 273 of the former BCCNP bylaws, or

(e) qualifies for registration in the class of practising NP registrants under section 125 [*Practising NP registration*] of these bylaws.

(4) Section 130(4) [*Non-practising NP registration*] applies to an applicant.

(5) Section 79(2)(e) and (p) to (s) [*General conditions and requirements*] applies to an applicant who is a registrant.

(6) Section 79(2)(a), (d) to (f), (i) and (p) to (s) and (4) [*General conditions and requirements*] applies to an applicant who is a former registrant.

### Temporary NP (emergency) registration

**132** (1) The provisions of this section do not operate unless a declaration of an emergency situation is made by the registrar under section 44(5) [*Registrar and chief executive officer*].

(2) For the purpose of section 20(2)(b) of the Act, the conditions and requirements for registration, including reinstatement of registration, in the class of temporary NP (emergency) registrants are established in subsections (3) to (6).

(3) An applicant must

(a) hold registration or licensure in another jurisdiction in Canada or the United States of America as the equivalent of a practising NP registrant, which is not subject to any practice limitations, restrictions or conditions in that jurisdiction that do not apply generally to practising NP registrants in British Columbia, and deliver, or cause to be delivered, to the college evidence satisfactory to the registration committee of the applicant's registration or licensure, and that the applicant is the person named therein, or

(b) deliver, or cause to be delivered, to the college evidence satisfactory to the registration committee that the applicant is entitled to reinstatement of registration in the class of practising NP registrants under section 126 [*Reinstatement of practising NP registration*],



including all applicable items under section 79(2) to (4) [*General conditions and requirements*], unless the applicant

(i) is seeking reinstatement of registration under this section, and

(ii) their most recent registration under this section has been cancelled for not more than 180 days, in which case they must deliver, or cause to be delivered, to the college the applicable items under section 79(2) to (4) [*General conditions and requirements*] that may be specified by the registration committee.

(4) An applicant must

(a) be a member of the armed forces of Canada or the United States of America, and provide evidence thereof satisfactory to the registration committee, or

(b) authorize the applicant's current and former employers to provide information regarding the applicant's current nursing practice.

(5) An applicant who is a registrant must be in good standing.

(6) An applicant must sign a declaration confirming that the applicant is applying for registration in the class of temporary NP (emergency) registrants solely for the purpose of providing assistance during the emergency situation.

(7) If a person was, immediately before the 2020 amalgamation date, a registrant in the class of temporary NP (emergency) registrants under the former BCCNP bylaws, the person is deemed to be a registrant in the class of temporary NP (emergency) registrants under these bylaws.

(8) A person who applied, before the 2020 amalgamation date, to be a registrant in the class of temporary NP (emergency) registrants under the former BCCNP bylaws but whose application has not, as of that date, been granted or refused is deemed to have applied to be a registrant in the class of temporary NP (emergency) registrants under these bylaws.

## Review of NP examination results

**133** (1) An applicant for registration in the class of practising NP registrants may apply in writing to the board for a review of a determination by the nurse practitioner examination committee of the applicant's score on an objective structured clinical examination.

(2) An application for a review under subsection (1) must be delivered to the registrar not later than 30 days after the day on which the applicant received notice of the nurse practitioner examination committee's determination.

(3) Subject to subsections (4) and (5), on receipt of an application under subsection (1), the board must conduct a review on the record.

(4) If an applicant under subsection (1) wishes the board to consider evidence that is not part of the record, the applicant must, at the time the application is delivered to the registrar,

- (a) specify what evidence the applicant requests the board to consider, and
- (b) identify any exceptional circumstances that warrant the board's consideration of that evidence.

(5) If, in the opinion of the board, exceptional circumstances exist that warrant its consideration of evidence that is not part of the record, the registrar must make arrangements for the board to receive that evidence, either in writing or in person, as directed by the board.

(6) After a review under this section, the board may

- (a) confirm the nurse practitioner examination committee's determination of the applicant's score on the examination,
- (b) change the applicant's score on the examination, or
- (c) send the matter back to the nurse practitioner examination committee for reconsideration with directions.

(7) The board must notify the applicant and the nurse practitioner examination committee of its decision under subsection (6).

(8) The registrar may establish additional procedures consistent with these bylaws for reviews under this section.

## Division 6 – Midwife Registrant Group

### Classes of midwife registrants

**134** (1) The following classes of registrants are established:

- (a) practising midwife registrants;
- (b) provisional midwife registrants for the purposes of section 20(4.3) of the Act;
- (c) non-practising midwife registrants;
- (d) temporary midwife (emergency) registrants;
- (e) student midwife registrants.

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

## General conditions and requirements for midwife registrants

**135** (1) The provisions of subsection (2) do not operate, except as made applicable by another provision of this Part to an applicant for registration, including reinstatement or renewal of registration, in a class established in section 134 [*Classes of midwife registrants*].

(2) For the purpose of section 20(2)(b) of the Act, an applicant must deliver, or cause to be delivered, to the college the following:

- (a) evidence satisfactory to the registration committee of the applicant's good character consistent with the responsibilities of a registrant;
- (b) evidence satisfactory to the registration committee of the applicant's compliance with the standards of practice and standards of professional ethics for midwifery;
- (c) proof of professional liability protection or insurance coverage as required under section 89 [*Professional liability protection*];
- (d) any outstanding fine, fee, debt, levy or other amount owed or owing by the applicant to the college, including without limitation any fine, fee, debt, levy or amount accrued or accruing before the 2020 amalgamation date;
- (e) a declaration by the applicant, in a form acceptable to the registration committee, that the applicant is or will be compliant with the Act, the Regulation and these bylaws;
- (f) a criminal record check authorization or, if permitted by the registration committee, a criminal record check verification authorization, in the form required under the *Criminal Records Review Act*;
- (g) in the case of an applicant who is practising or has practised a health profession corresponding to midwifery, or another health profession, in another jurisdiction within the five-year period immediately preceding the date of application, an authorization for a criminal record check in that other jurisdiction;
- (h) a declaration by the applicant, in a form acceptable to the registration committee, specifying the particulars of any of the following matters respecting the applicant's practice of midwifery or a health profession corresponding to midwifery in another jurisdiction:
  - (i) a finding of professional misconduct, incompetence or incapacity by a regulatory authority;
  - (ii) an investigation in progress by a regulatory authority;
  - (iii) a reprimand or imposition of conditions or educational requirements by a regulatory authority as a result of a complaint;
  - (iv) an agreement to an undertaking made by consent with a regulatory authority;

- (v) a dismissal for cause by an employer;
  - (vi) a denial of registration by a regulatory authority;
  - (vii) a voluntary resignation of registration on the request or advice of a regulatory authority;
  - (viii) any verdict and recommendations of a coroner's investigation, inquiry or inquest;
  - (ix) a coroner's investigation, inquiry or inquest in progress;
  - (x) a denial, suspension, restriction or modification of hospital admitting privileges or a permit to practice;
  - (xi) a voluntary resignation of hospital privileges on the request or advice of a hospital or health authority administration;
  - (xii) a professional liability insurance claim;
  - (xiii) any pending civil or criminal action, notice of claim or settlement or judgement in any civil or criminal proceeding to which the applicant is a party;
  - (xiv) a conviction for any federal or provincial offence;
  - (xv) a physical or mental ailment, an emotional disturbance or an addiction to alcohol or drugs that impairs the applicant's ability to practice midwifery;
- (i) evidence satisfactory to the registration committee that any deficiency in the applicant's practice or ethics revealed by the matters disclosed under paragraph (h) has been remedied and there is no undue risk to public health and safety;
- (j) a letter or certificate, in a form satisfactory to the registration committee, from each body responsible for the regulation of midwifery or another health profession in a jurisdiction where the applicant is, or has been, authorized to practice midwifery or another health profession, specifying particulars of any cancellation, suspension, limitation or conditions on the applicant's entitlement to practice, or any investigation, review or proceeding which could lead to cancellation, suspension, limitation or conditions on the applicant's entitlement to practice;
- (k) evidence satisfactory to the registration committee of the applicant's English language proficiency;
- (l) a notarized copy, or other evidence satisfactory to the registration committee, of the applicant's
- (i) Canadian citizenship, or

(ii) authorization to reside and work in Canada, or in the case of an applicant for registration in the class of student midwife registrants, to reside and study in Canada;

(m) 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,

(ii) preventing misidentification of applicants, registrants or other persons, or

(iii) managing access to, or protecting the integrity and security of, the college's records, information systems and online services;

(n) a valid email address for the purpose of receiving communications from the college to the applicant, and without limitation all other personal contact, business contact or emergency contact information for the applicant that the registration committee requires reasonably in the circumstances;

(o) all information within the control of the registrant that is required under the Act to be set out in the public register, to the extent that such information is not required to be delivered to the college under another provision of these bylaws;

(p) any supplementary or supporting information or records about the applicant, and relevant to other information or another item required under these bylaws to be included in or with a registration application, that the registration committee or the registrar requires to be submitted in or with registration applications, generally or by class, from time to time.

(3) In subsection (2)(h), "**regulatory authority**" means a regulatory college, professional association or governmental body that regulates a profession.

### Practising midwife registration

**136** (1) For the purpose of section 20(2)(b) of the Act, the conditions and requirements for registration in the class of practising midwife registrants are established in subsections (3) to (9) and section 139 [*Canadian labour mobility for practising midwives*].

(2) Despite subsection (1), a person described in section 137(2) [*Reinstatement of practising midwife registration*] is not eligible for registration under this section.

(3) An applicant must

(a) have successfully completed a midwifery education program specified in Schedule F,

(b) have attended as a midwife, in a jurisdiction where midwifery is recognized by law, at a minimum of sixty births within the five-year period immediately preceding the date of application, of which

(i) at least thirty births were conducted in accordance with the principles of continuity of care, and

(ii) at least forty births were attended as the principal midwife, of which

(A) at least five births were in a hospital setting, and

(B) at least five births were in a non-hospital setting,

(c) have successfully completed, not more than three years prior to the date of application, the examinations required by the registration committee for the purpose of registration in the class of practising midwife registrants,

(d) have current certification in fetal health surveillance, neonatal resuscitation, cardiopulmonary resuscitation, and emergency skills, from programs that are acceptable to the registration committee,

(e) have demonstrated education and certification, through successful completion of a midwifery education program specified in Schedule F or as otherwise approved by the registration committee, in the prescribing of drugs specified in Schedule I or IA of the Drug Schedules Regulation, B.C. Reg. 9/98, and

(f) deliver, or cause to be delivered, to the college

(i) a notarized, certified or other copy acceptable to the registration committee of the applicant's educational degrees, diplomas or certificates from programs referred to in paragraph (a), and evidence satisfactory to the registration committee that the applicant is the person named therein,

(ii) evidence satisfactory to the registration committee that the applicant has the attended the minimum number of births as described in paragraph (b),

(iii) evidence satisfactory to the registration committee that the applicant has successfully completed the examinations described in paragraph (c), and

(iv) a notarized, certified or other copy acceptable to the registration committee of the applicant's certifications as described in paragraph (d) and (e), as applicable, and evidence satisfactory to the registration committee that the applicant is the person named therein.

(4) The registration committee has discretion, in satisfying itself under section 20 of the Act that an applicant under subsection (3) meets the conditions and requirements for registration in the class of practising midwife registrants, to consider whether the applicant's knowledge, skills and

abilities are substantially equivalent to the standards of academic or technical achievement and the competencies or other qualifications established in subsection (3)(a) and (b), and to grant registration in the class on that basis, if the applicant delivers, or causes to be delivered to, the college

(a) a notarized, certified or other copy acceptable to the registration committee of the applicant's educational degrees, diplomas or certificates, and evidence satisfactory to the registration committee that the applicant is the person named therein,

(b) evidence satisfactory to the registration committee reflecting the applicant's knowledge, skills and abilities,

(c) evidence satisfactory to the registration committee that the applicant has successfully completed the examinations described in subsection (3)(c), and

(d) a notarized, certified or other copy acceptable to the registration committee of the applicant's certifications as described in subsection (3)(d) and (e), and evidence satisfactory to the registration committee that the applicant is the person named therein.

(5) Section 135(2) [*General conditions and requirements for midwife registrants*] and section 79(4) [*General conditions and requirements*] apply to an applicant under subsection (3).

(6) Despite subsections (3) to (5), an applicant may be granted registration in the class of practising midwife registrants if the applicant

(a) is appointed to the full-time faculty of a midwifery education program specified in Schedule F,

(b) has successfully completed

(i) a midwifery education program specified in Schedule F, or

(ii) an education program, in another jurisdiction, that is recognized for the purpose of registration as the equivalent of a practising midwife registrant, by the body that regulates the health profession corresponding to midwifery in the other jurisdiction,

(c) has attended as a midwife, in a jurisdiction where midwifery is recognized by law, at a minimum of two hundred births,

(d) has attended as a midwife, in a jurisdiction where midwifery is recognized by law, at a minimum of twenty-five births within the five-year period immediately preceding the date of application, of which

(i) at least fifteen births were conducted in accordance with the principles of continuity of care,

(ii) at least twenty births were attended as the principal midwife, of which at least five births were in a hospital setting, and

(iii) at least five births were in a non-hospital setting and were attended as the principal midwife or second midwife,

(e) delivers, or causes to be delivered to, the college

(i) a notarized, certified or other copy acceptable to the registration committee of the applicant's educational degrees, diplomas or certificates from programs referred to in paragraph (b), and evidence satisfactory to the registration committee that the applicant is the person named therein,

(ii) evidence satisfactory to the registration committee that the applicant has the attended the minimum number of births as described in paragraphs (c) and (d), and

(f) meets all the conditions and requirements under subsection (3)(c) to (e) and (f)(iii) and (iv).

(7) Section 135(2) [*General conditions and requirements for midwife registrants*] and section 79(4) [*General conditions and requirements*] apply to an applicant under subsection (6).

(8) Despite subsections (3) to (7), an applicant who is registered in the class of provisional midwife registrants, and who was granted such registration under section 138(1) [*Provisional midwife registration*], may be granted registration in the class of practising midwife registrants if the applicant

(a) is not subject to any incomplete audit under section 156(1) [*Verification of QA activities*], or assessment under section 161 [*Assessment of professional performance*], and

(b) delivers, or causes to be delivered, to the college evidence satisfactory to the registration committee that the registrant has successfully completed the examinations described in subsection (3)(c) and any other examinations or upgrading of knowledge, skills or abilities required under section 20(4.3)(b) of the Act.

(9) Section 135(2)(a) to (e) and (l) to (p) [*General conditions and requirements for midwife registrants*] applies to an applicant under subsection (8).

(10) If a person was, immediately before the 2020 amalgamation date, a registrant in the general class of registrants under the former CMBC bylaws, the person is deemed to be a registrant in the class of practising midwife registrants.

(11) If a person was, immediately before the 2020 amalgamation date, a registrant in the temporary class of registrants under the former CMBC bylaws and was granted such registration under section 51(1)(b) to (h) of those former bylaws,

(a) the person is deemed to be a registrant in the class of practising midwife registrants, and

(b) despite Division 7 [*Renewal*], the period of registration granted to the person under section 51(2)(b) or (4)(b) of those former bylaws is valid from the time it is effective until



not later than the expiry date specified at the time such registration, or any renewal of it, was granted under those former bylaws.

(12) If a person was, immediately before the 2020 amalgamation date, a registrant in the temporary (limited scope) class of registrants under the former CMBC bylaws,

(a) the person is deemed to be a registrant in the class of practising midwife registrants, and

(b) despite Division 7 *[Renewal]*, the period of registration granted to the person under section 52(2) or (3) of those former bylaws is valid from the time it is effective until not later than the expiry date specified at the time such registration, or any renewal of it, was granted under those former bylaws, or March 31, 2021, whichever is earlier, unless it is renewed in accordance with Division 7 *[Renewal]*.

(13) If a person was, immediately before the 2020 amalgamation date, a registrant in the conditional (remedial) class of registrants under the former CMBC bylaws and, immediately before becoming such a registrant, was a registrant in

(a) the general class of registrants under those former bylaws,

(b) the temporary class of registrants under those former bylaws and was granted such registration under section 51(1)(b) to (h) of those former bylaws, or

(c) the temporary (limited scope) class of registrants under those former bylaws,

the person is deemed to be a registrant in the class of practising midwife registrants, and

(d) the suspension of the person's registration, or the limits or conditions on the person's practice of midwifery, that was or were in effect immediately before the 2020 amalgamation date continues or continue to apply until removed or varied in accordance with this Act and any applicable agreement or order made under section 32.2, 32.3, 33, 35, 36, 37.1, 38, 39 or 39.1 of the Act, and

(e) as applicable, and despite Division 7 *[Renewal]*, the period of registration in the class specified in paragraph (b) or (c) granted to the person under the former CMBC bylaws is valid from the time it is effective until not later than the expiry date specified at the time such registration, or any renewal of it, was granted under those former bylaws, or March 31, 2021, whichever is earlier, unless it is renewed in accordance with Division 7 *[Renewal]*.

(14) A person who applied, before the 2020 amalgamation date, to be a registrant in the general class of registrants under section 47(1) of the former CMBC bylaws but whose application has not, as of that date, been granted or refused is deemed to have applied to be a registrant in the class of practising midwife registrants under subsection (3).

(15) A person who applied, before the 2020 amalgamation date, to be a registrant in the general class of registrants under section 47(2) of the former CMBC bylaws but whose application has not, as of that date, been granted or refused is deemed to have applied to be a registrant in the class

of practising midwife registrants under section 139 [*Canadian labour mobility for practising midwives*].

(16) A person who applied, before the 2020 amalgamation date, to be a registrant in the general class of registrants under section 47(4) of the former CMBC bylaws but whose application has not, as of that date, been granted or refused is deemed to have applied to be a registrant in the class of practising midwife registrants under subsection (6).

(17) A person who applied, before the 2020 amalgamation date, to be a registrant in the general class of registrants under section 47(5)(a) or (b) of the former CMBC bylaws but whose application has not, as of that date, been granted or refused is deemed to have applied to be a registrant in the class of practising midwife registrants under subsection (8).

(18) All applications made before the 2020 amalgamation date for registration in the general class of registrants under section 47(5)(c) or (d) of the former CMBC bylaws that have not, as of that date, been granted or refused are ended for all purposes on that date.

(19) A person who applied, before the 2020 amalgamation date, to be a registrant in the conditional class of registrants under the former CMBC bylaws, but whose application has not, as of that date, been granted or refused is deemed to have applied to be a registrant in the class of practising midwife registrants under subsection(3) or (6) or section 139 [*Canadian labour mobility for practising midwives*], as applicable.

(20) All applications made before the 2020 amalgamation date for registration in the conditional (return to practice) class of registrants under section 50(1)(a)(i) or (ii) of the former CMBC bylaws that have not, as of that date, been granted or refused are ended for all purposes on that date.

(21) A person who applied, before the 2020 amalgamation date, to be a registrant in the conditional (return to practice) class of registrants under section 50(1)(a)(iii) or (iv) of the former CMBC bylaws, but whose application has not, as of that date, been granted or refused is deemed to have applied to be a registrant in the class of practising midwife registrants under section 137(4) [*Reinstatement of practising midwife registration*].

(22) A person who applied, before the 2020 amalgamation date, to be a registrant in the temporary class of registrants under section 51(1)(a) of the former CMBC bylaws but whose application has not, as of that date, been granted or refused is deemed to have applied to be a registrant in the class of practising midwife registrants under subsection (3).

(23) A person who applied, before the 2020 amalgamation date, to be a registrant in the temporary class of registrants under section 51(1)(b) of the former CMBC bylaws but whose application has not, as of that date, been granted or refused is deemed to have applied to be a registrant in the class of practising midwife registrants under section 139 [*Canadian labour mobility for practising midwives*].

(24) A person who applied, before the 2020 amalgamation date, to be a registrant in the temporary class of registrants under section 51(1)(c) or (d) of the former CMBC bylaws but whose application has not, as of that date, been granted or refused is deemed to have applied to be a

registrant in the class of practising midwife registrants under section 137(4) [*Reinstatement of practising midwife registration*].

(25) A person who applied, before the 2020 amalgamation date, to be a registrant in the temporary class of registrants under section 51(1)(e) or (f) of the former CMBC bylaws but whose application has not, as of that date, been granted or refused is deemed to have applied to be a registrant in the class of practising midwife registrants under subsection (8).

(26) All applications made before the 2020 amalgamation date for registration in the temporary class of registrants under section 51(1)(g) or (h) of the former CMBC bylaws that have not, as of that date, been granted or refused are ended for all purposes on that date.

(27) A person who applied, before the 2020 amalgamation date, to be a registrant in the temporary (limited scope) class of registrants under section 52(1)(a) or (b) of the former CMBC bylaws but whose application has not, as of that date, been granted or refused is deemed to have applied to be a registrant in the class of practising midwife registrants under section 137(4) [*Reinstatement of practising midwife registration*].

(28) All applications made before the 2020 amalgamation date for registration in the temporary (limited scope) class of registrants under section 52(1)(c) or (d) of the former CMBC bylaws that have not, as of that date, been granted or refused are ended for all purposes on that date.

(29) A person who applied, before the 2020 amalgamation date, to be a registrant in the temporary (limited scope) class of registrants under section 52(1)(e) of the former CMBC bylaws but whose application has not, as of that date, been granted or refused is deemed to have applied to be a registrant in the class of practising midwife registrants under section 139 [*Canadian labour mobility for practising midwives*].

### **Reinstatement of practising midwife registration**

**137** (1) For the purpose of section 20(2)(b) of the Act, the conditions and requirements for reinstatement of registration in the class of practising midwife registrants are established in subsections (2) to (9) and section 139 [*Canadian labour mobility for practising midwives*].

(2) An applicant must be a registrant or former registrant who was

(a) a registrant in the class of practising midwife registrants at any time on or after the 2020 amalgamation date, or

(b) a registrant in the general class of registrants under the former CMBC bylaws at any time before the 2020 amalgamation date.

(3) An applicant who is a registrant must be in good standing.

(4) An applicant

(a) must deliver, or cause to be delivered, to the college evidence satisfactory to the registration committee that the applicant meets all applicable continuing competence and quality assurance requirements under section 159 [*QA requirements for reinstatement of practising registration*], and

(b) must

(i) undergo any assessment of knowledge, skills or abilities that the registration committee considers necessary for the applicant to be considered for reinstatement as a practising midwife registrant,

(ii) deliver, or cause to be delivered, to the college evidence satisfactory to the registration committee of successful completion of any examinations or upgrading of knowledge, skills or abilities that the registration committee considers necessary for the applicant to be reinstated as a practising midwife registrant, and

(iii) deliver, or cause to be delivered, to the college any other information required by and acceptable to the registration committee showing, to the satisfaction of the registration committee, that the applicant has maintained knowledge, skills and abilities that are substantially equivalent to the standards of academic or technical achievement and the competencies or other qualifications established for applicants for registration in the class of practising midwife registrants under section 136(3)(a) and (b) [*Practising midwife registration*], and

(5) An applicant must meet all the conditions and requirements under section 136(3)(d), (e) and (f)(iv) [*Practising midwife registration*].

(6) Section 135(2)(c), (e) and (h) [*General conditions and requirements for midwife registrants*] applies to an applicant under subsection (4) who is a registrant.

(7) Section 135(2) [*General conditions and requirements for midwife registrants*] and section 79(4) [*General conditions and requirements*] apply to an applicant under subsection (4) who is a former registrant.

(8) Despite subsections (4) to (7), an applicant who is registered in the class of provisional midwife registrants, and who was granted such registration under section 138(2) or (3) [*Provisional midwife registration*], may be granted reinstatement of registration in the class of practising midwife registrants if the applicant

(a) is not subject to any incomplete audit under section 156(1) [*Verification of QA activities*], or assessment under section 161 [*Assessment of professional performance*], and

(b) delivers, or causes to be delivered, to the college evidence satisfactory to the registration committee that the applicant has successfully completed any examinations or upgrading of knowledge, skills or abilities required under section 20(4.3)(b) of the Act.

(9) Section 135(2)(a) to (e) and (l) to (p) [*General conditions and requirements for midwife registrants*] applies to an applicant under subsection (8).

### Provisional midwife registration

**138** (1) An applicant under section 136(3) or (6) [*Practising midwife registration*] may be granted registration in the class of provisional midwife registrants if the applicant

(a) delivers, or causes to be delivered, to the college

(i) a notarized, certified or other copy acceptable to the registration committee of the applicant's educational degrees, diplomas or certificates, and evidence satisfactory to the registration committee that the applicant is the person named therein, and

(ii) evidence satisfactory to the registration committee that the applicant's knowledge, skills and abilities are such that the applicant is competent to practise as if the applicant were a practising midwife registrant, subject to any limits or conditions that may be imposed under section 20(4.3)(c) of the Act, and

(b) meets all the conditions and requirements under section 136(5) [*Practising midwife registration*].

(2) An applicant under section 137(4) [*Reinstatement of practising midwife registration*] may be granted registration in the class of provisional midwife registrants if the applicant

(a) meets all applicable conditions and requirements in section 137 [*Reinstatement of practising midwife registration*] except the requirement that the applicant

(i) deliver, or cause to be delivered, to the college evidence satisfactory to the registration committee that the applicant meets all applicable continuing competence and quality assurance requirements under section 159 [*QA requirements for reinstatement of practising registration*], or

(ii) deliver, or cause to be delivered, to the college evidence satisfactory to the registration committee of successful completion of any examinations or upgrading of knowledge, skills or abilities and provide any other evidence satisfactory to the registration committee showing maintenance of knowledge, skills and abilities as described in that section, and

(b) delivers, or causes to be delivered, to the college evidence satisfactory to the registration committee that the applicant's knowledge, skills and abilities are such that the applicant is competent to practise as if the applicant were a practising midwife registrant, subject to any limits or conditions that may be imposed by the registration committee under section 20(4.3)(c) of the Act.

(3) Subject to subsection (4), an applicant under Division 7 [*Renewal*] for annual renewal of registration in the class of practising midwife registrants may be granted registration in the class of provisional midwife registrants if the applicant

(a) meets all applicable conditions and requirements under section 146 [*Annual renewal conditions and requirements*] except the requirement that the applicant

(i) complete an audit under section 156 [*Verification of QA activities*], if the applicant has been selected for an audit under that section, or

(ii) comply with the requirements for an assessment of the applicant's professional performance under section 161 [*Assessment of professional performance*], if the applicant has been selected for an assessment under that section, and

(b) delivers, or causes to be delivered, to the college evidence satisfactory to the registration committee that the applicant's knowledge, skills and abilities are such that the applicant is competent to practise as if the applicant were a practising midwife registrant, subject to any limits or conditions that may be imposed by the registration committee under section 20(4.3)(c) of the Act.

(4) An applicant described in subsection (3) may be granted provisional registration under that subsection only for the purpose of allowing the applicant to complete

(a) any incomplete audit under section 156(1) [*Verification of QA activities*] or assessment under section 161 [*Assessment of professional performance*], and

(b) any examinations or upgrading of knowledge, skills or abilities required under section 20(4.3)(b) of the Act.

(5) If a person was, immediately before the 2020 amalgamation date, a registrant in the conditional class of registrants under the former CMBC bylaws,

(a) the person is deemed to be a registrant in the class of provisional midwife registrants who has applied for registration in the class of practicing midwife registrants under section 136(3) or (6) [*Practising midwife registration*], as applicable,

(b) the period of registration granted to the person under section 48(3) or (5) of those former bylaws is deemed to be a limited period of registration specified by the registration committee under section 20(4.3)(a) of the Act,

(c) the condition or requirement imposed under sections 47(5)(a) and 48(6) of those former bylaws for that person to prove successful completion of the educational upgrading courses or practice requirements specified by the registration committee is deemed to be a requirement imposed by the registration committee under section 20(4.3)(b) of the Act, and

(d) any limits or conditions on provision of midwifery services by that person imposed under section 48(6) of those former bylaws are deemed to be limits or conditions imposed by the registration committee under section 20(4.3)(c) of the Act.

(6) If a person was, immediately before the 2020 amalgamation date, a registrant in the conditional (return to practice) class of registrants under the former CMBC bylaws,

(a) the person is deemed to be a registrant in the class of provisional midwife registrants who has applied for reinstatement of registration in the class of practicing midwife registrants under section 137(4) [*Reinstatement of practising midwife registration*],

(b) the period of registration granted to the person under section 50(2) or (4) of those former bylaws is deemed to be a limited period of registration specified by the registration committee under section 20(4.3)(a) of the Act,

(c) the condition or requirement imposed under sections 47(5)(b) and 50(5) of those former bylaws for that person to prove successful completion of the educational upgrading courses or practice requirements specified by the registration committee is deemed to be a requirement imposed by the registration committee under section 20(4.3)(b) of the Act, and

(d) any limits or conditions on provision of midwifery services by that person imposed under section 50(5) of those former bylaws are deemed to be limits or conditions imposed by the registration committee under section 20(4.3)(c) of the Act.

(7) If a person was, immediately before the 2020 amalgamation date, a registrant in the temporary class of registrants under the former CMBC bylaws, and was granted such registration under section 51(1)(a) of those former bylaws,

(a) the person is deemed to be a registrant in the class of provisional midwife registrants who has applied for registration in the class of practicing midwife registrants under section 136(3) [*Practising midwife registration*],

(b) the period of registration granted to the person under section 51(2)(a) or (4) of those former bylaws is deemed to be a limited period specified by the registration committee under section 20(4.3)(a) of the Act,

(c) the condition or requirement imposed under

(i) section 47(5)(c) of those former bylaws for that person to prove successful completion of an examination as required under section 47(1)(c) of those former bylaws, or

(ii) section 47(1)(d) of those former bylaws, and any related undertakings given by that person, for that person to prove successful completion of a jurisprudence examination,

is deemed to be a requirement imposed by the registration committee under section 20(4.3)(b) of the Act, and

(d) any limits or conditions on provision of midwifery services by that person imposed under those former bylaws are deemed to be limits or conditions imposed by the registration committee under section 20(4.3)(c) of the Act.

(8) If a person was, immediately before the 2020 amalgamation date, a registrant in the conditional (remedial) class of registrants under the former CMBC bylaws and, immediately before becoming such a registrant, was

(a) a registrant in the conditional class of registrants under those former bylaws,

(b) a registrant in the conditional (return to practice) class of registrants under those former bylaws, or

(c) a registrant in the temporary class of registrants under those former bylaws, and was granted such registration under section 51(1)(a) of those former bylaws,

the person is deemed to be a registrant in the class of provisional midwife registrants, and

(d) subsection (5) applies to a person referred to in paragraph (a),

(e) subsection (6) applies to a person referred to in paragraph (b), and

(f) subsection (7) applies to a person referred to in paragraph (c),

and the suspension of the person's registration, or the limits or conditions on the person's practice of midwifery, that was or were in effect immediately before the 2020 amalgamation date continues or continue to apply until removed or varied in accordance with this Act and any applicable agreement or order made under section 32.2, 32.3, 33, 35, 36, 37.1, 38, 39 or 39.1 of the Act.

### Canadian labour mobility for practising midwives

**139** (1) Despite section 136 [*Practising midwife registration*] and section 137 [*Reinstatement of practising midwife registration*], an applicant may be granted registration, including reinstatement of registration, in the class of practising midwife registrants if the applicant

(a) holds registration or licensure in another province of Canada as the equivalent of a practising midwife registrant, which is not subject to any practice limitations, restrictions or conditions that do not apply generally to practising midwife registrants in British Columbia,

(b) delivers, or causes to be delivered, to the college evidence satisfactory to the registration committee



(i) of the applicant's registration or licensure in the other province as described in paragraph (a), and that the applicant is the person named therein,

(ii) that the applicant meets all applicable continuing competence or quality assurance requirements established by the body that regulates the health profession corresponding to midwifery in the other province, and

(iii) that the applicant has successfully completed the jurisprudence examination required by the registration committee for the purpose of registration in the class of practising midwife registrants, and

(c) meets all the conditions and requirements under section 136(3)(d), (e) and (f)(iv) [*Practising midwife registration*].

(2) Section 135(2) [*General conditions and requirements for midwife registrants*] and section 79(4) [*General conditions and requirements*] apply to an applicant under subsection (1).

(3) Despite subsection (2), section 135(2)(k) [*General conditions and requirements for midwife registrants*] does not apply to an applicant for reinstatement of registration under subsection (1).

### Non-practising midwife registration

**140** (1) For the purpose of section 20(2)(b) of the Act, the conditions and requirements for registration in the class of non-practising midwife registrants are established in subsections (3) to (6).

(2) Despite subsection (1), a person described in section 141(2) [*Reinstatement of non-practising midwife registration*] is not eligible for registration under this section.

(3) An applicant must

(a) be a registrant in the class of practising midwife registrants,

(b) deliver, or cause to be delivered, to the college evidence satisfactory to the registration committee that the applicant is entitled to registration or reinstatement of registration in the class of practising midwife registrants under section 136 [*Practising midwife registration*], section 137 [*Reinstatement of practising midwife registration*] or section 139 [*Canadian labour mobility for practising midwives*], as applicable, or

(c) be a registrant in the class of provisional midwife registrants who is granted such registration under section 138(2) or (3) [*Provisional midwife registration*].

(4) An applicant must deliver to the college an undertaking by the applicant that the applicant, while registered in the class of non-practising midwife registrants, will not, in British Columbia,

(a) practise the designated health profession of midwifery, or provide midwifery services, except as authorized through concurrent registration in another class, or

(b) use the title “midwife”, “registered midwife”, “sage-femme”, “sage-femme autorisée”, “Indigenous midwife” or “sage-femme autochtone” or a variation of any of those titles, or the abbreviation “RM” or “sfa”, except in conjunction with the term “non-practising”.

(5) Section 135(2)(e) and (m) to (p) [*General conditions and requirements for midwife registrants*] applies to an applicant described in subsection (3)(a) or (c).

(6) For greater certainty, section 135(2) [*General conditions and requirements for midwife registrants*] and section 79(4) [*General conditions and requirements*] apply to an applicant described in subsection (3)(b) to the extent they would apply to an applicant under section 136 [*Practising midwife registration*], section 137 [*Reinstatement of practising midwife registration*] or section 139 [*Canadian labour mobility for practising midwives*], as the case may be.

(7) For greater certainty, if registration in the class of non-practising midwife registrants is granted to an applicant described in subsection (3)(c), any application for reinstatement of the applicant’s registration in the class of practising midwife registrants is ended for all purposes.

(8) If a person was, immediately before the 2020 amalgamation date, a registrant in the non-practising class of registrants under the former CMBC bylaws, the person is deemed to be a registrant in the class of non-practising midwife registrants.

(9) If a person was, immediately before the 2020 amalgamation date, a registrant in the conditional (remedial) class of registrants under the former CMBC bylaws and, immediately before becoming such a registrant, was a registrant in the non-practising class of registrants under those former bylaws,

(a) the person is deemed to be a registrant in the class of non-practising midwife registrants, and

(b) the suspension of the person’s registration, or the limits or conditions on the person’s practice of midwifery, that was or were in effect immediately before the 2020 amalgamation date continues or continue to apply until removed or varied in accordance with this Act and any applicable agreement or order made under section 32.2, 32.3, 33, 35, 36, 37.1, 38, 39 or 39.1 of the Act.

(10) A person who applied, before the 2020 amalgamation date, to be a registrant in the non-practising class of registrants under the former CMBC bylaws, but whose application has not, as of the 2020 amalgamation date, been granted or refused is deemed to have applied to be a registrant in the class of non-practising midwife registrants.

## **Reinstatement of non-practising midwife registration**

**141** (1) For the purpose of section 20(2)(b) of the Act, the conditions and requirements for reinstatement of registration in the class of non-practising midwife registrants are established in subsections (2) to (5).

- (2) An applicant must be a registrant or former registrant who was
- (a) a registrant in the class of non-practising midwife registrants at any time on or after the 2020 amalgamation date, or
  - (b) a registrant in the non-practising class of registrants under the former CMBC bylaws at any time before the 2020 amalgamation date.
- (3) Section 140(4) [*Non-practising midwife registration*] applies to an applicant.
- (4) Section 135(2)(e) and (m) to (p) [*General conditions and requirements for midwife registrants*] applies to an applicant who is a registrant.
- (5) Section 135(2)(a), (d) to (f), (j) and (m) to (p) [*General conditions and requirements for midwife registrants*] and section 79(4) [*General conditions and requirements*] apply to an applicant who is a former registrant.

### Temporary midwife (emergency) registration

- 142** (1) The provisions of this section do not operate unless a declaration of an emergency situation is made by the registrar under section 44(5) [*Registrar and chief executive officer*].
- (2) For the purpose of section 20(2)(b) of the Act, the conditions and requirements for registration, including reinstatement of registration, in the class of temporary midwife (emergency) registrants are established in subsections (3) to (6).
- (3) An applicant must
- (a) meet all the requirements under section 139(1)(a), (b)(i) and (ii) and (c) [*Canadian labour mobility for practising midwives*],
  - (b) be a registrant in the class of non-practising midwife registrants who meets all the conditions and requirements under section 136(3)(d), (e) and (f)(iv) [*Practising midwife registration*] and section 159(2) [*QA requirements for reinstatement of practising registration*], or
  - (c) be a former registrant
    - (i) whose most recent previous registration was as a registrant in
      - (A) the class of practising midwife registrants, non-practising midwife registrants or temporary midwife (emergency) registrants, or
      - (B) the general, temporary, temporary (emergency) or non-practising class of registrants under the former CMBC bylaws,

(ii) whose registration referred to in paragraph (a) was not cancelled under Part 3 of the Act and who was in good standing at the time of cancellation, and

(iii) who meets all the conditions and requirements under section 136(3)(d), (e) and (f)(iv) [*Practising midwife registration*].

(4) An applicant who is a registrant must be in good standing.

(5) An applicant must sign a declaration confirming that the applicant is applying for registration in the class of temporary midwife (emergency) registrants solely for the purpose of providing assistance during the emergency situation.

(6) Section 135(2)(l) [*General conditions and requirements for midwife registrants*] applies to an applicant under this section.

(7) Section 135(2) [*General conditions and requirements for midwife registrants*] applies to an applicant under subsection (3)(c).

(8) If a person was, immediately before the 2020 amalgamation date, a registrant in the temporary (emergency) class of registrants under the former CMBC bylaws, the person is deemed to be a registrant in the class of temporary midwife (emergency) registrants, and subsection (9)(c) applies to the person.

(9) If a person was, immediately before the 2020 amalgamation date, a registrant in the conditional (remedial) class of registrants under the former CMBC bylaws and, immediately before becoming such a registrant, was a registrant in the temporary (emergency) class of registrants under those former bylaws,

(a) the person is deemed to be a registrant in the class of temporary midwife (emergency) registrants,

(b) the suspension of the person's registration, or the limits or conditions on the person's practice of midwifery, that was or were in effect immediately before the 2020 amalgamation date continues or continue to apply until removed or varied in accordance with this Act and any applicable agreement or order made under section 32.2, 32.3, 33, 35, 36, 37.1, 38, 39 or 39.1 of the Act, and

(c) the period of registration in the temporary (emergency) class of registrants granted to the person under those former bylaws is valid from the time it was effective until not later than the expiry date specified at the time such registration, or any renewal of it, was granted under those former bylaws, unless it is renewed in accordance with section 150 [*Validity and renewal of emergency registration*].

(10) A person who applied, before the 2020 amalgamation date, to be a registrant in the temporary (emergency) class of registrants under the former CMBC bylaws but whose application has not, as of that date, been granted or refused is deemed to have applied to be a registrant in the class of temporary midwife (emergency) registrants.

## Student midwife registration

**143** (1) For the purpose of section 20(2)(b) of the Act, the conditions and requirements for registration in the class of student midwife registrants are established in subsections (2) and (3).

(2) An applicant must

(a) be enrolled as a student in a midwifery education program specified in Schedule F, and

(b) deliver, or cause to be delivered, to the college evidence satisfactory to the registration committee of the applicant's enrollment in a program referred to in paragraph (a), and that the applicant is the person named therein

(3) Section 135(2) [*General conditions and requirements for midwife registrants*], except section 135(2)(c), and section 79(4) [*General conditions and requirements*] apply to an applicant.

(4) If a registrant in the class of student midwife registrants ceases to be enrolled as a student in a program referred to in subsection (2)(a), the registrant must deliver a written notice of that fact to the registrar not later than the date that is seven days after the date the registrant ceases to be enrolled.

(5) Despite section 144(3) [*Validity of annual registration*], the registrar may cancel a registrant's registration in the class of student midwife registrants

(a) on receipt of a notice under subsection (4), or

(b) if the registrar otherwise learns that the registrant has ceased to be enrolled as a student in a program referred to in subsection (2)(a).

(6) A person who was, immediately before the 2020 amalgamation date, a registrant in the student class of registrants under the former CMBC bylaws is deemed to be a registrant in the class of student midwife registrants, and subsection (7)(c) applies to the person.

(7) If a person was, immediately before the 2020 amalgamation date, a registrant in the conditional (remedial) class of registrants under the former CMBC bylaws and, immediately before becoming such a registrant, was a registrant in the student class of registrants under those former bylaws,

(a) the person is deemed to be a registrant in the class of student midwife registrants,

(b) the suspension of the person's registration, or the limits or conditions on the person's practice of midwifery, that was or were in effect immediately before the 2020 amalgamation date continues or continue to apply until removed or varied in accordance with this Act and any applicable agreement or order made under section 32.2, 32.3, 33, 35, 36, 37.1, 38, 39 or 39.1 of the Act, and

(c) despite Division 7 [*Renewal*], the period of registration in the student class of registrants granted to the person under those former bylaws is valid from the time it is effective until not later than the expiry date specified at the time such registration, or any renewal of it, was granted under those former bylaws, or March 31, 2021, whichever is earlier, unless it is renewed in accordance with Division 7 [*Renewal*].

(8) A person who applied, before the 2020 amalgamation date, to be a registrant in the student class of registrants under the former CMBC bylaws but whose application has not, as of that date, been granted or refused is deemed to have applied to be a registrant in the class of student midwife registrants.

## Division 7 – Renewal

### Validity of annual registration

**144** (1) Unless it is renewed in accordance with this Division, a registrant's registration in any of the following classes, and any renewal of it, is valid from the time it is effective until not later than the following March 31:

- (a) practising LPN registrants;
- (b) non-practising LPN registrants;
- (c) practising RPN registrants;
- (d) non-practising RPN registrants;
- (e) practising RN registrants;
- (f) non-practising RN registrants;
- (g) practising LGN registrants;
- (h) non-practising LGN registrants;
- (i) practising NP registrants;
- (j) non-practising NP registrants;
- (k) practising midwife registrants;
- (l) non-practising midwife registrants.

(2) Unless it is renewed in accordance with this Division, a registrant's registration in the class of employed student psychiatric nurse registrants or employed student nurse registrants, and any renewal of it, is valid from the time it is effective until not later than the earlier of

(a) the following March 31, and

(b) the date that is 30 days after the earlier of

(i) the date the registrant ceases to be enrolled as a student in an education program described in section 108(2)(a) [*Employed student psychiatric nurse registration*] or section 123(2)(a) [*Employed student nurse registration*], as the case may be, and

(ii) the date the registrant ceases to be employed as described in section 108(2)(b) [*Employed student psychiatric nurse registration*] or section 123(2)(b) [*Employed student nurse registration*], as the case may be.

(3) Unless it is renewed in accordance with this Division, a registrant's registration in the class of student midwife registrants, and any renewal of it, is valid from the time it is effective until not later than the earlier of

(a) the following August 31, and

(b) the date that is 30 days after the date the registrant ceases to be enrolled as a student in an education program described in section 143(2)(a) [*Student midwife registration*].

(4) Despite subsection (1) and section 145 [*Annual renewal required*], but subject to subsection (2), if a registrant's registration in a class specified in section 145(1)(a) to (l) [*Annual renewal required*], including for greater certainty the registration of a registrant who is deemed under these bylaws to be a registrant in that class as of the 2020 amalgamation date,

(a) was renewed under the former BCCNP bylaws

(i) in 2019, in the case of a registrant in the class of practising LPN registrants or non-practising LPN registrants, or

(ii) in 2020, in any other case,

(b) was granted initially or reinstated under the former BCCNP bylaws in 2020, or

(c) is granted initially or reinstated under these bylaws before March 1, 2021,

the registrant's registration in the class

(d) is valid from the time it is effective until not later than February 28, 2021, unless it is renewed in accordance with this Division,

(e) is subject to renewal, in accordance with this Division, before March 1, 2021, and

(f) if it is renewed in accordance with this Division before March 1, 2021, is valid on and from that date.

(5) If a registrant's registration in the class of practising midwife registrants or non-practising midwife registrants, including for greater certainty the registration of a registrant who is deemed under these bylaws to be a registrant in that class as of the 2020 amalgamation date,

- (a) was renewed under the former CMBC bylaws in 2020,
- (b) was granted initially or reinstated under the former CMBC bylaws in 2020, or
- (c) is granted initially or reinstated under these bylaws before March 31, 2021,

the registrant's registration in the class

- (d) is valid from the time it is effective until not later than March 31, 2021, unless it is renewed in accordance with this Division,
- (e) is subject to renewal, in accordance with this Division, before April 1, 2021, and
- (f) if it is renewed in accordance with this Division before April 1, 2021, is valid on and from that date.

(6) Subject to subsection (3), if a registrant's registration in the class of student midwife registrants, including for greater certainty the registration of a registrant who is deemed under these bylaws to be a registrant in that class as of the 2020 amalgamation date,

- (a) was renewed under the former CMBC bylaws in 2020,
- (b) was granted initially or reinstated under the former CMBC bylaws in 2020, or
- (c) is granted initially or reinstated under these bylaws before August 31, 2021,

the registrant's registration in the class

- (d) is valid from the time it is effective until not later than August 31, 2021, unless it is renewed in accordance with this Division,
- (e) is subject to renewal, in accordance with this Division, before September 1, 2021, and
- (f) if it is renewed in accordance with this Division before September 1, 2021, is valid on and from that date.

### **Annual renewal required**

**145 (1)** A registrant's registration in any of the following classes is subject to renewal by the registration committee in accordance with this Division before April 1 in each year:

- (a) practising LPN registrants;



- (b) non-practising LPN registrants;
- (c) practising RPN registrants;
- (d) non-practising RPN registrants;
- (e) employed student psychiatric nurse registrants;
- (f) practising RN registrants;
- (g) non-practising RN registrants;
- (h) practising LGN registrants;
- (i) non-practising LGN registrants;
- (j) employed student nurse registrants;
- (k) practising NP registrants;
- (l) non-practising NP registrants;
- (m) practising midwife registrants;
- (n) non-practising midwife registrants.

(2) A registrant's registration in the class of student midwife registrants is subject to renewal by the registration committee in accordance with this Division before September 1 in each year.

### Annual renewal conditions and requirements

**146** (1) For the purpose of section 20(2)(b) of the Act, a registrant in a class specified in section 145(1) or (2) [*Annual renewal required*] seeking renewal of registration in the class must

- (a) deliver, or cause to be delivered, to the college
  - (i) a declaration by the registrant, in a form acceptable to the registration committee, attesting to the registrant's compliance with the Act, the regulations and these bylaws, and any limits or conditions imposed under section 20, 32.2, 32.3, 33, 35, 36, 37.1, 38, 39 or 39.1 of the Act, and
  - (ii) evidence satisfactory to the registration committee of meeting all continuing competence and quality assurance requirements under section 160 [*QA requirements for renewal of practising or provisional registration*], as applicable, and
- (b) satisfy the practice hours requirement under the following sections, as applicable:

- (i) section 93 [*LPN practice hours requirement*];
- (ii) section 102 [*RPN practice hours requirement*];
- (iii) section 112 [*RN practice hours requirement*];
- (iv) section 127 [*Basic practice hours requirement*];
- (v) section 128 [*NP practice hours requirement*].

(2) Section 79(2)(c) to (e) and (p) to (s) [*General conditions and requirements*] applies to a registrant in a class specified in section 145(1) or (2) [*Annual renewal required*] seeking renewal of registration in the class.

(3) For the purpose of section 20(2)(b) of the Act, in addition to the applicable conditions and requirements under subsections (1) and (2), a registrant seeking renewal of registration in the class of employed student psychiatric nurse registrants, employed student nurse registrants or student midwife registrants must

(a) continue to be enrolled as a student in an education program described in section 108(2)(a) [*Employed student psychiatric nurse registration*], section 123(2)(a) [*Employed student nurse registration*] or section 143(2)(a) [*Student midwife registration*], as the case may be,

(b) continue to be employed as described in section 108(2)(b) [*Employed student psychiatric nurse registration*] or section 123(2)(b) [*Employed student nurse registration*], as the case may be, and

(c) deliver, or cause to be delivered, to the college evidence satisfactory to the registration committee of such continuing enrollment and employment.

### **Notice of annual renewal fees**

**147** (1) Notice of the annual renewal fees required under section 80 [*Registration fees*] must be delivered to each registrant in a class specified in section 145(1) [*Annual renewal required*] not later than January 15 in each year, and such notice must describe the consequences of late payment or non-payment of those annual registration renewal fees.

(2) Notice of the annual renewal fees required under section 80 [*Registration fees*] must be delivered to each registrant in the class of student midwife registrants not later than June 15 in each year, and such notice must describe the consequences of late payment or non-payment of those annual registration renewal fees.

## Annual renewal application due date

**148** (1) A registrant seeking renewal of registration in a class specified in section 145(1) or (2) *[Annual renewal required]* must deliver or cause to be delivered, as applicable, to the college, not later than 4:30 p.m. Vancouver local time on a date established by the registrar for the purpose of this subsection in each year, all the following:

- (a) the completed application required under section 78 *[Applications]*;
- (b) the applicable annual renewal fees required under section 80 *[Registration fees]*;
- (c) the items required under section 146 *[Annual renewal conditions and requirements]*.

(2) For the purpose of subsection (1), different dates may be established for different classes and from year to year, except that the date established by the registrar for a class in each year must not be

- (a) earlier than March 15 or later than the last day in March that the college is open for business, in the case of a class specified in section 145(1) *[Annual renewal required]*, or
- (b) earlier than August 15 or later than the last day in August that the college is open for business, in the case of the class of student midwife registrants.

(3) If a registrant seeking renewal of registration in a class specified in section 145(1) or (2) *[Annual renewal required]* meets the requirement in subsection (1) in a particular year, the registrant's registration in the class may be renewed by the registration committee.

(4) If a registrant's registration in a class specified in section 145(1) *[Annual renewal required]* is not renewed in accordance with this Division in a particular year, the registrant's registration in the class is cancelled on April 1 in the year.

(5) If a registrant's registration in the class of student midwife registrants is not renewed in accordance with this Division in a particular year, the registrant's registration in the class is cancelled on September 1 in the year.

(6) Despite subsections (1) and (2), a registrant seeking renewal of registration in a class specified in section 145(a) to (l) *[Annual renewal required]* and to whom section 144(4) *[Validity of annual registration]* applies must deliver or cause to be delivered, as applicable, to the college, not later than 4:30 p.m. Vancouver local time on February 26, 2021, all the items specified in subsection (1)(a) to (c).

(7) Despite subsection (3), if a registrant described in subsection (6) meets the requirement in that subsection, the registrant's registration in the class may be renewed by the registration committee.

(8) Despite subsection (4), if the registration of a registrant described in subsection (6) is not renewed in accordance with this Division, the registrant's registration in the class is cancelled on March 1, 2021.

(9) Despite subsections (1) and (2), a registrant seeking renewal of registration in the class of practising midwife registrants or non-practising midwife registrants and to whom section 144(5) [*Validity of annual registration*] applies must deliver or cause to be delivered, as applicable, to the college, not later than 4:30 p.m. Vancouver local time on March 31, 2021, all the items specified in subsection (1)(a) to (c).

(10) Despite subsection (3), if a registrant described in subsection (9) meets the requirement in that subsection, the registrant's registration in the class may be renewed by the registration committee.

(11) For greater certainty, if the registration of a registrant described in subsection (9) is not renewed in accordance with this Division, the registrant's registration in the class is cancelled on April 1, 2021.

(12) Despite subsections (1) and (2), a registrant seeking renewal of registration in the class of student midwife registrants and to whom section 144(6) [*Validity of annual registration*] applies must deliver or cause to be delivered, as applicable, to the college, not later than 4:30 p.m. Vancouver local time on August 31, 2021, all the items specified in subsection (1)(a) to (c).

(13) Despite subsection (3), if a registrant described in subsection (12) meets the requirement in that subsection, the registrant's registration in the class may be renewed by the registration committee.

(14) For greater certainty, if the registration of a registrant described in subsection (12) is not renewed in accordance with this Division, the registrant's registration in the class is cancelled on September 1, 2021.

### Validity and renewal of provisional registration

**149** (1) In this section, "**provisional registration**" means registration in one of the following classes:

- (a) provisional LPN registrants;
- (b) provisional RPN registrants;
- (c) provisional RN registrants;
- (d) provisional LGN registrants;
- (e) provisional NP registrants;
- (f) provisional midwife registrants.

(2) A registrant's provisional registration, and any renewal of it, is valid from the time it is effective until not later than the expiry date specified by the registration committee at the time it is granted, unless it is renewed in accordance with this section.

(3) A registrant's provisional registration is subject to renewal in accordance with this section on or before the expiry date specified by the registration committee at the time it, or any renewal of it, is granted.

(4) For the purpose of section 20(2)(b) of the Act, a registrant seeking renewal of provisional registration must deliver, or cause to be delivered, to the college

(a) a declaration by the registrant, in a form acceptable to the registration committee, attesting to the registrant's compliance with the Act, the regulations and these bylaws, and any limits or conditions imposed under section 20, 32.2, 32.3, 33, 35, 36, 38, 37.1, 38, 39 or 39.1 of the Act, and

(b) evidence satisfactory to the registration committee of meeting all applicable continuing competence and quality assurance requirements under section 160 [*QA requirements for renewal of practising or provisional registration*];

(5) Section 79(2)(c) to (e) and (p) to (s) [*General conditions and requirements*] applies to a registrant seeking renewal of provisional registration.

(6) Despite subsection (4)(b), a registrant who fails to provide satisfactory evidence of meeting all applicable continuing competence and quality assurance requirements under section 160 [*QA requirements for renewal of practising or provisional registration*] may be granted renewal of provisional registration, but only for the purpose of allowing the registrant to complete

(a) any incomplete audit under section 156(1) [*Verification of QA activities*], or any incomplete assessment under section 161 [*Assessment of professional performance*], and

(b) any examinations or upgrading of knowledge, skills or abilities required under section 20(4.3)(b) of the Act.

(7) Despite subsections (3) to (6), if a registrant's provisional registration has been renewed under subsection (6) one or more times and the registrant fails again to complete the requirements referred to in subsection (6)(a) and (b), the registrant's provisional registration must not be renewed again unless, in the opinion of the registration committee, exceptional circumstances exist to justify the granting of such renewal despite the registrant's failure to complete those requirements.

(8) A registrant seeking renewal of provisional registration must deliver or cause to be delivered, as applicable, to the college, not later than 4:30 p.m. Vancouver local time on the date that is 16 days before the expiry date specified by the registration committee at the time such registration, or any renewal of it, is granted, all the following:

(a) the completed application required under section 78 [*Applications*];

(b) the applicable fees required under section 80 *[Registration fees]*;

(c) the items specified in subsection (4) and (5) and, if applicable, evidence satisfactory to the registration committee of exceptional circumstances as described in subsection (7).

(9) If the time for delivery of items under subsection (8) falls on a holiday, or another day when the college is not open for business, those items must be delivered by that time on the closest earlier day that is not a holiday and that the college is open for business.

(10) If a registrant seeking renewal of provisional registration meets the requirement in subsection (8), the registrant's registration may be renewed by the registration committee on or before the expiry date specified by the registration committee at the time such registration, or any renewal of it, is granted.

(11) A registrant's provisional registration is cancelled when it expires unless it is renewed in accordance with this section.

### Validity and renewal of emergency registration

150 (1) In this section:

**"emergency declaration"** means a declaration of an emergency situation made by the registrar under section 44(5) *[Registrar and chief executive officer]*;

**"emergency registration"** means registration in one of the following classes:

- (a) temporary LPN (emergency) registrants;
- (b) temporary RPN (emergency) registrants;
- (c) temporary RN (emergency) registrants;
- (d) temporary NP (emergency) registrants;
- (e) temporary midwife (emergency) registrants.

(2) An applicant may be granted emergency registration for a period specified by the registration committee of not more than 180 days.

(3) A registrant's emergency registration, and any renewal of it, is valid from the time it is effective until not later than the expiry date specified by the registration committee at the time it is granted, unless it is renewed in accordance with this section.

(4) A registrant's emergency registration is subject to renewal in accordance with this section on or before the expiry date specified by the registration committee at the time it, or any renewal of it, is granted.

(5) For the purpose of section 20(2)(b) of the Act, a registrant seeking renewal of emergency registration must

(a) be in good standing, and

(b) meet the requirement in section 142(6) [*Temporary midwife (emergency) registration*] if their emergency registration was granted under that section.

(6) If a registrant seeking renewal of emergency registration meets the applicable requirements in subsection (5), the registrant's emergency registration may be renewed by the registration committee, on or before the expiry date specified by the registration committee at the time such registration, or any renewal of it, is granted, for a period specified by the registration committee of not more than 180 days, if an emergency declaration is in effect at the time of renewal.

(7) A registrant's emergency registration may be renewed in accordance with this section any number of times.

(8) A registrant's emergency registration is cancelled when it expires unless it is renewed in accordance with this section.

(9) Despite subsections (2) to (8), a registrant's emergency registration is cancelled on the date that is 15 days after the date on which an emergency declaration ceases to be in effect, whether or not such registration otherwise would have expired on a date that is earlier or later.

## Division 8 – Certified Practice

### Certified practice designations

**151** (1) In this Division, "eligible registrant" means ~~a practising RN registrant or practising NP registrant.~~

~~(a) in respect of the certified practice set out in column one of Table A of Schedule H, a practising RPN registrant, and~~

~~(b) in respect of the certified practices set out in column one of Table B of Schedule H, a practising RN registrant or practising NP registrant.~~

~~(1.1) For the purpose of section 7.1(2)(b)(i) of the Nurses (Registered Psychiatric) Regulation, B.C. Reg. 227/2015, the college recognizes the certified practice set out in column one of Table A of Schedule H.~~

~~(2) For the purpose of section 8(2)(b)(ii) of the Nurses (Registered) and Nurse Practitioners Regulation, B.C. Reg. 284/2008, The the college recognizes the certified practices set out in column one of Table B of Schedule H.~~

~~(2.1) The board may establish policies to do the following:~~

(a) specify aspects of practice included in a certified practice;

(b) establish conditions, requirements, and certification processes for certified practices, including requirements for reinstatement and renewal of certification, and requirements for training or courses, testing and examinations, and clinical experiences.

(2.2) The registrar must maintain and publish on the college website a notice setting out, for each certified practice,

(a) the information and items required under applicable board policies to be included in or with an application under subsection (3), and

(b) the manner of delivery specified by the registrar for the purpose of subsection (4)(a).

(3) An eligible registrant may apply to the registration committee to have a certified practice designation entered in the public register in relation to the eligible registrant's name.

(4) The registrar must enter in the public register a designation of the certified practice for which ~~the an~~ eligible registrant applies, if the eligible registrant is in good standing and delivers, or causes to be delivered, to the college

(a) an application for that certified practice designation, in the manner specified by the registrar,

(b) any applicable fee specified in Schedule G, and

(c) evidence satisfactory to the registration committee of meeting the applicable conditions and requirements for the certified practice designation established in column two of the applicable table of Schedule H, including any additional conditions and requirements set out in board policy for that certified practice designation.

(5) The registrar must cancel a registrant's certified practice designation in the public register if

(a) that certified practice designation is not renewed in accordance with this Division, or

(b) the registrant ceases to be an eligible registrant.

(6) An eligible registrant who has a certified practice designation entered into the public register in respect of the eligible registrant's practice may, in relation to that specialty, use the terms and titles set out in column three of the applicable table of Schedule H that pertain to that certified practice.

(6.1) A registrant who does not have a certified practice designation entered into the public register in respect of their practice must not use any term or title that expresses or implies that the registrant holds that certified practice designation.

(7) If the registration committee refuses a registrant's application for certified practice designation under this section, the registration committee must, within 30 days, notify the registrant of the



decision and of the registrant's right to apply for a review of the decision under section 154 [*Review of certified practice designation decisions*].

(8) All ~~policies~~ policies of BCCNP respecting the requirements for certified practice designations, as referred to in column two of Schedule H of the former BCCNP bylaws and that were in effect immediately before the 2020 amalgamation date

(a) remain in effect on and after the 2020 amalgamation date, unless and until they are amended or repealed, or others are established in their place, and

(b) for greater certainty, are deemed to have been established by the board as conditions or requirements for the applicable certified practice designation ~~requirements of the college~~ for the purpose of column two of Table B of Schedule H of these bylaws.

### Reinstatement of certified practice designations

**152** (1) An eligible registrant with respect to whom a certified practice designation was previously entered in the public register under section 151 [*Certified practice designations*] may apply to the registration committee for reinstatement of that certified practice designation.

(2) Subject to subsection (3) and any other limits or conditions imposed on the applicant's practice under the Act, the certified practice designation of an applicant under subsection (1) may be reinstated by the registration committee if the applicant delivers, or causes to be delivered, to the college

(a) an application for reinstatement of that certified practice designation, in the manner specified by the registrar,

(b) any applicable fee specified in Schedule G<sub>2</sub>,

(c) evidence satisfactory to the registration committee that the applicant has

(i) engaged in the applicable certified practice, as determined in accordance with criteria established by ~~the or under~~ board policy, within the three-year period immediately preceding the date of application, or

(ii) successfully completed ~~a~~ an applicable certification program approved by ~~the or under~~ board policy, within the three-year period immediately preceding the date of application, and

(d) evidence satisfactory to the applicable the registration committee that the applicant

(i) meets or continues to meet all applicable conditions and requirements established in column two of the applicable table of Schedule H, and

(ii) meets all applicable continuing competence and quality assurance requirements under Part 6 [*Quality Assurance and Professional Responsibilities*].

(3) If the certified practice designation of an applicant under subsection (1) was cancelled or suspended under section 32.2, 32.3, 33, 35, 36, 37.1, 38, 39 or 39.1 of the Act, or voluntarily relinquished by the applicant in circumstances as described in section 20(2.1)(b.1) of the Act, the applicant's certified practice designation may be reinstated only if, in addition to meeting the requirements of subsection (2) and any conditions or requirements imposed under section 37.1, 39 or 39.1 of the Act, the applicant delivers, or causes to be delivered, to the college evidence satisfactory to the registration committee that reinstatement of the applicant's certified practice designation will not pose an undue risk to public health or safety or otherwise be contrary to the public interest.

(4) If the registration committee refuses to reinstate a registrant's certified practice designation under this section, the registration committee must, within 30 days, notify the registrant of that decision and of the registrant's right to apply for a review of the decision under section 154 [*Review of certified practice designation decisions*].

### Validity and annual renewal of certified practice designations

**153** (1) A registrant's certified practice designation, and any reinstatement or renewal thereof, is

(a) valid from the time it is entered into the public register until not later than the following March 31, unless renewed in accordance with this section, and

(b) subject to renewal in accordance with this section before April 1 in each year.

(2) An eligible registrant's certified practice designation may be renewed by the registration committee if the eligible registrant delivers, or causes to be delivered, to the college, not later than 4:30 p.m. Vancouver local time on the date established under section 148(1) [*Annual renewal application due date*] for the year and for the class in which the eligible registrant is registered,

(a) an application for renewal of certified practice designation, in the manner specified by the registrar,

(b) any applicable fee specified in Schedule G, and

(c) evidence satisfactory to the registration committee that the registrant

(i) continues to meet all applicable conditions and requirements established in column two of the applicable table of Schedule H, and

(ii) meets all applicable continuing competence and quality assurance requirements under Part 6 [*Quality Assurance and Professional Responsibilities*].

(3) If the registration committee refuses to renew a registrant's certified practice designation under this section, the registration committee must, within 30 days, notify the registrant of that decision and of the registrant's right to apply for a review of the decision under section 154 [*Review of certified practice designation decisions*].

(4) Despite subsection (1), if a registrant's certified practice designation

(a) was granted initially, renewed or reinstated under the former BCCNP bylaws in 2020, or

(b) is granted initially or reinstated under these bylaws before March 1, 2021,

the registrant's certified practice designation

(c) is valid from the time it is entered into the public register until not later than February 28, 2021, unless it is renewed in accordance with this section.

(d) is subject to renewal, in accordance with this section, before March 1, 2021, and

(e) if it is renewed in accordance with this section before March 1, 2021, is valid on and from that date.

(5) Despite subsection (2), the certified practice designation of an eligible registrant to whom subsection (4) applies may be renewed by the registration committee if the eligible registrant delivers or causes to be delivered, as applicable, to the college, not later than 4:30 p.m. Vancouver local time February 26, 2021, the items described in subsection (2)(a) to (c).

## Review of certified practice designation decisions

**154** (1) A registrant referred to in section 151(7) [*Certified practice designations*], 152(4) [*Reinstatement of certified practice designations*] or 153(3) [*Validity and annual renewal of certified practice designations*] may apply in writing to the board for a review of the registration committee's decision refusing the registrant's application for certified practice designation or reinstatement or renewal thereof.

(2) An application for a review under subsection (1) must be delivered to the college within 30 days of the day on which the applicant received notice of the registration committee's decision.

(3) Subject to subsections (4) and (5), on receipt of an application under subsection (1), the board must conduct a review on the record.

(4) If an applicant under subsection (1) wishes the board to consider evidence that is not part of the record, the applicant must, at the time the application is delivered to the college,

(a) specify what evidence the applicant requests the board to consider, and

(b) identify any exceptional circumstances that warrant the board's consideration of that evidence.

(5) If, in the opinion of the board, exceptional circumstances exist that warrant its consideration of evidence that is not part of the record, the registrar must make arrangements for the board to receive that evidence, either in writing or in person, as directed by the board.

- (6) After a review under this section, the board may
- (a) confirm the registration committee's decision,
  - (b) direct the registration committee to make a decision that could have been made by the registration committee in the matter, or
  - (c) send the matter back to the registration committee for reconsideration with directions.
- (7) The board must notify the applicant and the registration committee of its decision under subsection (6).
- (8) The registrar may establish additional procedures consistent with these bylaws for reviews under this section.

## **PART 6 – QUALITY ASSURANCE AND PROFESSIONAL RESPONSIBILITIES**

### **Division 1 – Quality Assurance**

#### **Duty to maintain QA activity records**

- 155** (1) Every registrant must maintain, during each calendar year, adequate supporting records to document their compliance with applicable continuing competence and quality assurance requirements under this Part in the calendar year.
- (2) Every registrant must retain the records described in subsection (1) for not less than three years after the end of each calendar year.

#### **Verification of QA activities**

- 156** (1) The registrar, on behalf of the quality assurance committee, may cause audits of samples of registrants to be conducted as the registrar considers necessary or appropriate to verify their compliance with applicable continuing competence and quality assurance requirements under this Part.
- (2) The quality assurance committee may require a registrant to submit information
- (a) necessary to determine whether the registrant has met any applicable continuing competence and quality assurance requirements under this Part, or

(b) as part of an audit under subsection (1).

### Notice to inquiry committee

**157** If it is determined that the quality assurance committee must notify the inquiry committee, under section 26.2(3) of the Act, of a matter respecting a registrant, the quality assurance committee must deliver notice in writing to the registrar.

### QA requirements for reinstatement or renewal of certified practice designations

**158** In addition to any other applicable continuing competence or quality assurance requirements under this Part, an applicant for renewal or reinstatement of a certified practice designation must, unless section 152(2)(c)(ii) [*Reinstatement of certified practice designations*] applies to the applicant, have included, within the one-year period immediately preceding the date of application, not less than one example relating to the applicant's certified practice in

- (a) a self-assessment under section 162(1)(a) [*Personal practice review*], and
- (b) a professional development plan developed and implemented by the applicant under section 162(1)(b) [*Personal practice review*].

### QA requirements for reinstatement of practising registration

**159** (1) An applicant under

- (a) section 92 [*Reinstatement of practising LPN registration*],
- (b) section 101 [*Reinstatement of practising RPN registration*],
- (c) section 111 [*Reinstatement of practising RN registration*],
- (d) section 118 [*Reinstatement of practising LGN registration*], or
- (e) section 131 [*Reinstatement of practising NP registration*],

as applicable, must

- (f) have completed an audit under section 156(1) [*Verification of QA activities*], if the applicant is a registrant and is selected for an audit under that section,
- (g) have completed an assessment of the applicant's professional performance under section 161 [*Assessment of professional performance*], if the applicant is a registrant and is selected for an assessment under that section, and
- (h) satisfy the personal practice review requirement under section 162 [*Personal practice review*].

(2) An applicant under section 137 [*Reinstatement of practising midwife registration*] who is a registrant must provide proof acceptable to the quality assurance committee of meeting all applicable conditions and requirements established to ensure continuing competence and currency of skills as recommended by the quality assurance committee and approved by the board.

## QA requirements for renewal of practising registration or provisional registration

160 (1) An applicant under

(a) Division 7 [*Renewal*] of Part 5 [*Registration*] for annual renewal of registration in the class of

- (i) practising LPN registrants,
- (ii) practising RPN registrants,
- (iii) practising RN registrants,
- (iv) practising LGN registrants, or
- (v) practising NP registrants, or

(b) section 149 [*Validity and renewal of provisional registration*] for renewal of registration in the class of

- (i) provisional LPN registrants,
- (ii) provisional RPN registrants,
- (iii) provisional RN registrants,
- (iv) provisional LGN registrants, or
- (v) provisional NP registrants,

as applicable, must

(c) have completed an audit under section 156(1) [*Verification of QA activities*], if the applicant is selected for an audit under that section,

(d) have completed an assessment of the applicant's professional performance under section 161 [*Assessment of professional performance*], if the applicant is selected for an assessment under that section, and

(e) satisfy the personal practice review requirement under section 162 [*Personal practice review*].

(2) An applicant under

- (a) Division 7 *[Renewal]* of Part 5 *[Registration]* for annual renewal of registration in the class of practising midwife registrants, or
- (b) section 149 *[Validity and renewal of provisional registration]* for renewal of registration on the class of provisional midwife registrants,

as applicable, must provide proof acceptable to the quality assurance committee of meeting all applicable conditions and requirements established to ensure continuing competence and currency of skills as recommended by the quality assurance committee and approved by the board.

### **Assessment of professional performance**

**161** (1) This section applies to registrants in the following classes only:

- (a) practising LPN registrants;
- (b) provisional LPN registrants;
- (c) practising RPN registrants;
- (d) provisional RPN registrants.
- (e) practising RN registrants;
- (f) provisional RN registrants;
- (g) practising LGN registrants;
- (h) provisional LGN registrants.
- (i) practising NP registrants;
- (j) provisional NP registrants;
- (k) practising midwife registrants;
- (l) provisional midwife registrants.

(2) The quality assurance committee, or an assessor appointed by that committee under section 26.1 of the Act, may assess the professional performance of a registrant in accordance with this section and any applicable policies or procedures established under, or referred to, in section 34(1) *[Powers and duties – all committees and panels]*.

(3) The registrar, on behalf of the quality assurance committee, must ensure that the professional performance of each registrant is assessed under subsection (2) periodically, at intervals set by the quality assurance committee.

(4) An assessment of professional performance under subsection (2) may include one or more of the following:

- (a) conducting an on-site visit to the registrant's place of practice;
- (b) contacting the registrant's peers, co-workers, or clients, or family members of the registrant's clients, for the purpose of obtaining, in confidence, their feedback about the registrant's practice of practical nursing, psychiatric nursing, nursing, nursing as a nurse practitioner, or midwifery, as applicable, and professional performance, including without limitation their knowledge or opinions related to the registrant's employment, occupational or educational history and their personal recommendations or evaluations about the registrant;
- (c) collecting information from individuals referred to in paragraph (b), with the consent of such individuals, for the purpose described in paragraph (b);
- (d) reviewing the registrant's patterns and processes of assessment, diagnosis, and clinical treatment including without limitation, as applicable, drug prescribing, ordering of diagnostic tests, and consultations described in section 6 (1) of the Midwives Regulation B.C. Reg. 281/2008;
- (e) requiring the registrant to
  - (i) engage in structured reflection,
  - (ii) conduct a critical chart review, or
  - (iii) complete one or more elements of a personal practice review under section 162 [*Personal practice review*],

and engage in facilitated discussion with an assessor referred to in subsection (2);

(f) requiring the registrant to attend for an interview with the quality assurance committee or an assessor referred to in subsection (2);

(g) any other method of assessment approved by the quality assurance committee for the purpose of this section.

(5) An assessor referred to in subsection (2), or other person acting on behalf of the quality assurance committee, must not observe a registrant while the registrant is providing a service to a client unless

- (a) the consent of the client being treated is obtained in advance, or



(b) the service is being provided in a public setting.

(6) A registrant selected for an assessment under this section must

(a) complete an assessment of the applicant's professional performance as directed by the quality assurance committee or an assessor referred to in subsection (2),

(b) comply with the requirements for such assessments established by the quality assurance committee, which may include without limitation requirements respecting

(i) use of the standards of practice and standards of professional ethics for practical nursing, psychiatric nursing, nursing, nursing as a nurse practitioner, or midwifery, as applicable, and any other documents or materials authorized or required for the purpose of an assessment,

(ii) the form or manner authorized or required for the purpose of completing an assessment or aspects of an assessment, and

(iii) the date or dates by which an assessment or aspects of an assessment must be completed, and

(c) if requested by the quality assurance committee or an assessor referred to in subsection (2), provide contact information for selected individuals, if any, referred to in subsection (4)(b) who are willing to provide feedback under subsection (4)(c), in accordance with criteria established for such feedback by the quality assurance committee.

### **Personal practice review**

**162 (1)** To satisfy the personal practice review requirement, an applicant must

(a) complete a confidential self-assessment of their practice of practical nursing, psychiatric nursing, nursing, or nursing as a nurse practitioner, as applicable, at the time of application,

(b) have done all of the following within the one-year period immediately preceding the date of application, if the applicant is seeking renewal of registration and completed a confidential self-assessment of their practice of practical nursing, psychiatric nursing, nursing, or nursing as a nurse practitioner, as applicable, when their registration was most recently reinstated or renewed:

(i) sought and received peer feedback on their practice of practical nursing, psychiatric nursing, nursing, or practice nursing as a nurse practitioner, as applicable;

(ii) developed and implemented a professional development plan based on

(A) that previous self-assessment, and

(B) peer feedback on their practice of practical nursing, psychiatric nursing, nursing, or nursing as a nurse practitioner, as applicable;

(iii) evaluated the impact of their professional development plan on their practical nursing, psychiatric nursing, nursing practice, or nursing as a nurse practitioner, as applicable, and

(c) meet any other requirement imposed by the quality assurance committee for the purpose of this subsection.

(2) An applicant must do the things required under subsection (1)

(a) using the standards of practice and standards of professional ethics for practical nursing, psychiatric nursing, nursing, or nursing as a nurse practitioner, as applicable, and any other documents or materials authorized or required for those purposes by the quality assurance committee,

(b) in a form or manner authorized or required for those purposes by the quality assurance committee, and

(c) not later than the date or dates established for those purposes by the quality assurance committee, if any.

(3) Despite subsections (1) and (2), the quality assurance committee, an assessor appointed by that committee under section 26.1 of the Act or a person acting on that committee's behalf may exempt an applicant or a group of applicants from one or more requirements under those subsections, or impose modified requirements on the applicant or group of applicants, in accordance with policies or procedures established by the quality assurance committee under, or referred to, in section 34(1) [*Powers and duties – all committees and panels*].

### **QA policies in effect on amalgamation**

**163** (1) All continuing competence and quality assurance program standards, policies or criteria of, respectively, BCCNP for the designated health professions of practical nursing, psychiatric nursing and nursing and CMBC for the designated health profession of midwifery that were in effect immediately before the 2020 amalgamation date

(a) remain in effect for that designated health profession on and after the 2020 amalgamation date, unless and until they are amended or repealed, or others are established in their place, and

(b) for greater certainty, are deemed to have been established by the board as the continuing competence and quality assurance program standards, policies or criteria of the college.

## Division 2 – Standards and Ethics

### Standards of practice and professional ethics

**164** (1) Registrants must conduct themselves in accordance with the standards of practice and the standards of professional ethics.

(2) All standards of practice and all standards of professional ethics of, respectively, BCCNP for the designated health professions of practical nursing, psychiatric nursing and nursing and CMBC for the designated health profession of midwifery that were in effect immediately before the 2020 amalgamation date

(a) remain in effect for that designated health profession on and after the 2020 amalgamation date, unless and until they are amended or repealed, or others are established in their place, and

(b) for greater certainty, are deemed to have been established by the board as the standards of practice and standards of professional ethics of the college.

### Client relations program

**165** (1) The college must establish a patient relations program to seek to prevent professional misconduct of a sexual nature, to be known as the client relations program.

(2) For the purpose of the client relations program referred to in subsection (1), the board must

(a) establish and maintain procedures by which the college deals with complaints of misconduct of a sexual nature,

(b) monitor and periodically evaluate the operation of procedures established under paragraph (a), and

(c) develop guidelines for the conduct of registrants with their clients,

(3) The registrar must provide information to the public regarding the college's complaint, investigation and discipline processes.

(4) In this section, "**professional misconduct of a sexual nature**" means professional misconduct involving

(a) sexual intercourse or other forms of physical sexual relations between a registrant and a client,

(b) touching, of a sexual nature, of a client by a registrant, or

(c) behaviour or remarks of a sexual nature by a registrant towards a client,

but does not include touching, behaviour and remarks by a registrant towards a client that are of a clinical nature appropriate to the service being provided.

## Marketing

166 (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 registrant or advertiser if other than the registrant;

**“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 registrant.

(2) Any marketing undertaken or authorized by a registrant in respect of the registrant’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 registrant can perform or provide or results which the registrant can achieve,

- (c) implies that the registrant can obtain results
  - (i) not achievable by other registrants,
  - (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 registrant with those provided by
  - (i) another registrant,
  - (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 registrant, or announces or holds out that the registrant has special qualifications that are not possessed by the registrant, or
- (f) is for the purpose of marketing a product and
  - (i) the primary purpose of the registrant'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 registrant,
  - (iii) the registrant's practice is based on the use of a particular product which the client must purchase in order to use the registrant's professional services, or
  - (iv) the sale of the product results in financial or other profit for the registrant selling the product or any other individual, corporation or other entity, including the registrant's employer.

(4) A registrant 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 registrant with those charged by another registrant of the college or a registrant or registrants of another college under the Act.

(5) Unless authorized by the board or otherwise under the Act, a registrant

- (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 registrant by another person, of the term “specialist”, “certified” or any similar designation suggesting a recognized special status or certification in any marketing.
- (6) A registrant must verify statements made in any of the marketing by, or on behalf of, or respecting the registrant when asked by the inquiry committee, the discipline committee or the college to do so.
- (7) Registrants 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 practice is restricted.
- (8) A registrant must retain for one year after the date of publication or broadcast of any advertisement or brochure, and must provide to the college 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 registrant must not
- (a) state publicly that the registrant speaks 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 registrant, 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.

## Division 3 – Practice Limits and Conditions

### LPN registrant group

**167 (1)** A practising LPN registrant may practise only the designated health profession of practical nursing, except as authorized through concurrent registration in another class.

(2) A non-practising LPN registrant must not, in British Columbia, practise the designated health profession of practical nursing or provide practical nursing services, except as authorized through concurrent registration in another class.

(3) Subject to any limits or conditions imposed under section 20(4.3)(c) of the Act, a provisional LPN registrant may provide practical nursing services as if the registrant were a practising LPN registrant.

(4) A temporary LPN (emergency) registrant may provide practical nursing services as if the registrant were a practising LPN registrant.

### **RPN registrant group**

**168** (1) A practising RPN registrant may practise only the designated health profession of psychiatric nursing, except as authorized through concurrent registration in another class.

(2) A non-practising RPN registrant must not, in British Columbia, practise the designated health profession of psychiatric nursing or provide psychiatric nursing services, except as authorized through concurrent registration in another class.

(3) Subject to any limits or conditions imposed under section 20(4.3)(c) of the Act, a provisional RPN registrant may provide psychiatric nursing services as if the registrant were a practising RPN registrant.

(4) A temporary RPN (emergency) registrant may provide psychiatric nursing services as if the registrant were a practising RPN registrant.

(5) An employed student psychiatric nurse registrant may provide psychiatric nursing services only, and only under the supervision of a practising RPN registrant, practising RN registrant or practising NP registrant,

(a) in the course of the employed student psychiatric nurse registrant's employment as described in section 108(1)(b) [*Employed student psychiatric nurse registration*], or

(b) while fulfilling the conditions or requirements for registration as a practising RPN registrant.

### **RN registrant group**

**169** (1) A practising RN registrant may practise only the designated health profession of nursing, except as authorized through concurrent registration in another class.

- (2) A non-practising RN registrant must not, in British Columbia, practise the designated health profession of nursing or provide nursing services, except as authorized through concurrent registration in another class.
- (3) Subject to any limits or conditions imposed under section 20(4.3)(c) of the Act, a provisional RN registrant may provide nursing services as if the registrant were a practising RN registrant.
- (4) A practising LGN registrant may practise only the designated health profession of nursing, except as authorized through concurrent registration in another class.
- (5) A non-practising LGN registrant must not, in British Columbia, practise the designated health profession of nursing or provide nursing services, except as authorized through concurrent registration in another class.
- (6) Subject to any limits or conditions imposed under section 20(4.3)(c) of the Act, a provisional LGN registrant may provide nursing services as if the registrant were a practising LGN registrant.
- (7) A temporary RN (emergency) registrant may provide nursing services as if the registrant were a practising RN registrant.
- (8) An employed student nurse registrant may provide nursing services only, and only under the supervision of a practising RPN registrant, practising RN registrant or practising NP registrant,
- (a) in the course of the employed student nurse registrant's employment as described in section 123(1)(b) [*Employed student nurse registration*], or
  - (b) while fulfilling the conditions or requirements for registration as a practising RN registrant.

### NP registrant group

- 170** (1) For the purposes of the *Interpretation Act*, a practising NP registrant is authorized to practise nursing as a nurse practitioner.
- (2) A practising NP registrant may practise only the designated health profession of nursing, except as authorized through concurrent registration in another class.
- (3) A non-practising NP registrant must not, in British Columbia, practise the designated health profession of nursing or provide nursing services, except as authorized through concurrent registration in another class.
- (4) Subject to any limits or conditions imposed under section 20(4.3)(c) of the Act, a provisional NP registrant may provide nursing services as if the registrant were a practising NP registrant.
- (5) A temporary NP (emergency) registrant may provide nursing services as if the registrant were a practising NP registrant.



## Midwife registrant group

**171** (1) A practising midwife registrant may practise only the designated health profession of midwifery, except as authorized through concurrent registration in another class.

(2) Despite subsection (1), but subject to subsection (3), if a practising midwife registrant does not hold a valid permit to practise in at least one hospital, the registrant may, in British Columbia, provide only the following midwifery services:

(a) antepartum care;

(b) postpartum care;

(c) intrapartum care as a second midwife, if the registrant has current certification in neonatal resuscitation and cardiopulmonary resuscitation, from programs that are acceptable to the registration committee.

(3) A practising midwife registrant who does not hold a valid permit to practise in a hospital 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 registrant's clients throughout the prenatal, intrapartum and postpartum periods.

(4) A non-practising midwife registrant must not, in British Columbia, practise the designated health profession of midwifery or provide midwifery services, except as authorized through concurrent registration in another class.

(5) Subject to any limits or conditions imposed under section 20(4.3)(c) of the Act, a provisional midwife registrant may provide midwifery services as if the registrant were a practising midwife registrant.

(6) A temporary midwife (emergency) registrant may provide midwifery services as if the registrant were a practising midwife registrant.

(7) Despite subsection (6), a temporary midwife (emergency) registrant must not attend a birth

(a) as the principal midwife, unless the registrant has current certification in fetal health surveillance, neonatal resuscitation, cardiopulmonary resuscitation, and emergency skills, from programs that are acceptable to the registration committee, or

(b) as a second midwife, unless the registrant has current certification in neonatal resuscitation and cardiopulmonary resuscitation, from programs that are acceptable to the registration committee.

(8) A student midwife registrant may provide midwifery services only, and only in connection with fulfilling the conditions and requirements of the midwifery education program in which they are enrolled.

## Division 4 – Use of Titles

### General restriction on use of reserved titles

**172** (1) In this section, “**title**” means a title reserved by the regulations for the exclusive use of registrants.

(2) A registrant may use a title only if the registrant

(a) is a registrant in a class authorized by the regulations and these bylaws to use the title, and

(b) uses the title in the manner authorized by these bylaws.

### LPN registrant group

**173** (1) A practising LPN registrant, in the course of practising practical nursing, may use

(a) the title “nurse”, “licensed practical nurse” or “practical nurse”, or

(b) the abbreviation “LPN”.

(2) A non-practising LPN registrant must not, in British Columbia, use the title “nurse”, “licensed practical nurse”, “practical nurse” or a variation of any of those titles, or the abbreviation “LPN”, except in conjunction with the term “non-practising” or as authorized through concurrent registration in another class.

(3) A provisional LPN registrant, in the course of practising practical nursing, may use

(a) the title “licensed practical nurse (provisional)”, “provisional LPN” or “provisional nurse”, or

(b) the abbreviation “LPN(P)”.

(4) A temporary LPN (emergency) registrant, in the course of practising practical nursing, may use

(a) the title “temporary licensed practical nurse”, “temporary LPN” or “temporary nurse”, or

(b) the abbreviation “LPN(T)”.

### RPN registrant group

**174** (1) A practising RPN registrant, in the course of practising psychiatric nursing, may use

(a) the title “nurse”, “registered psychiatric nurse” or “psychiatric nurse”, or

(b) the abbreviation “RPN”.

(2) A non-practising RPN registrant must not, in British Columbia, use the title “nurse”, “registered psychiatric nurse”, “psychiatric nurse” or a variation of any of those titles, or the abbreviation “RPN”, except in conjunction with the term “non-practising” or as authorized through concurrent registration in another class.

(3) A provisional RPN registrant, in the course of practising psychiatric nursing, may use

(a) the title “registered psychiatric nurse (provisional)”, “provisional RPN” or “provisional nurse”, or

(b) the abbreviation “RPN(P)”.

(4) A temporary RPN (emergency) registrant, in the course of practising psychiatric nursing, may use

(a) the title “temporary registered psychiatric nurse”, “temporary RPN” or “temporary nurse”, or

(b) the abbreviation “RPN(T)”.

(5) An employed student psychiatric nurse registrant, in the course of practising psychiatric nursing, may use

(a) the title “employed student psychiatric nurse”, or

(b) the abbreviation “ESPN”.

## **RN registrant group**

**175** (1) A practising RN registrant, in the course of practising nursing, may use

(a) the title “nurse” or “registered nurse”, or

(b) the abbreviation “RN”.

(2) A non-practising RN registrant must not, in British Columbia, use the title “nurse” or “registered nurse” or a variation of either of those titles, or the abbreviation “RN”, except in conjunction with the term “non-practising” or as authorized through concurrent registration in another class.

(3) A provisional RN registrant, in the course of practising nursing, may use

(a) the title “registered nurse (provisional)”, “provisional RN” or “provisional nurse”, or

(b) the abbreviation “RN(P)”.

- (4) A practising LGN registrant, in the course of practising nursing, may use
- (a) the title “nurse” or “licensed graduate nurse”, or
  - (b) the abbreviation “LGN”.
- (5) A non-practising LGN registrant must not, in British Columbia, use the title “nurse” or “licensed graduate nurse” or a variation of either of those titles, or the abbreviation “LGN”, except in conjunction with the term “non-practising” or as authorized through concurrent registration in another class.
- (6) A provisional LGN registrant, in the course of practising nursing, may use
- (a) the title “licensed graduate nurse (provisional)”, “provisional LGN” or “provisional nurse”, or
  - (b) the abbreviation “LGN(P)”.
- (7) A temporary RN (emergency) registrant, in the course of practising nursing, may use
- (a) the title “temporary registered nurse”, “temporary RN” or “temporary nurse”, or
  - (b) the abbreviation “RN(T)”.
- (8) An employed student nurse registrant, in the course of practising nursing, may use
- (a) the title “employed student nurse”, or
  - (b) the abbreviation “ESN”.

### NP registrant group

- 176** (1) A practising NP registrant, in the course of practising nursing as a nurse practitioner, 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 non-practising NP registrant must not, in British Columbia, use the title “nurse practitioner”, “registered nurse practitioner”, “nurse” or “registered nurse” or a variation of any of those titles, or the abbreviation “NP”, “RN” or “RN-NP”, except in conjunction with the term “non-practising” or as authorized through concurrent registration in another class.
- (3) A provisional NP registrant, in the course of practising nursing as a nurse practitioner, 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)”.

(3.1) Subsection (3) does not apply to a registrant to whom subsection (3.2) applies.

(3.2) A provisional NP registrant, in the course of practising nursing as a nurse practitioner, may use

(a) the title “neonatal nurse practitioner (provisional)”, “registered neonatal nurse practitioner (provisional)”, “provisional NNP”, “nurse”, or “registered nurse”, or

(b) the abbreviation “NNP(P)”, “RN” or “RN-NNP(P)”,

if the registrant is granted registration under section 129 [*Provisional NP registration*] through meeting the requirements established in section 129(1.1), or was granted registration under section 275(1) of the former BCCNP bylaws through meeting the requirements established in section 275(1)(b) of those former bylaws or under section 4.11(4) of the former CRNBC bylaws through meeting the requirements established in section 4.11(4)(b)(ii) of those former bylaws.

(3.3) On January 1, 2025, subsections (3.1) and (3.2) and this subsection are repealed.

(4) A temporary NP (emergency) registrant, in the course of practising nursing as a nurse practitioner, may use

(a) the title “temporary nurse practitioner”, “temporary NP” or “temporary nurse”, or

(b) the abbreviation “NP(T)”.

## Midwife registrant group

177 (1) A practising midwife registrant, in the course of practising midwifery, may use

(a) the title “midwife”, “registered midwife”, “sage-femme”, “sage-femme autorisée”, “Indigenous midwife” or “sage-femme autochtone”, or

(b) the abbreviation “RM” or “sfa”.

(2) A non-practising midwife registrant must not, in British Columbia, use the title “midwife”, “registered midwife”, “sage-femme”, “sage-femme autorisée”, “Indigenous midwife” or “sage-femme autochtone” or a variation of any of those titles, or the abbreviation “RM” or “sfa”, except in conjunction with the term “non-practising”.

(3) A provisional midwife registrant, in the course of practising midwifery, may use

- (a) the title “midwife (provisional)”, “registered midwife (provisional)” or “provisional midwife”, or
  - (b) the abbreviation “RM(P)”.
- (4) A temporary midwife (emergency) registrant, in the course of practising midwifery, may use
- (a) the title “temporary midwife (emergency)” or “temporary registered midwife (emergency)”, or
  - (b) the abbreviation “RM(T)”.
- (5) A student midwife registrant, in the course of practising midwifery, may use
- (a) the title “student midwife”, or
  - (b) the abbreviation “SM”.

## Division 5 – Client Care Records (Nurses)

### Definition and application

**178** (1) In this Division, “**client’s representative**” means

- (a) a “committee of the patient” under the *Patients Property Act*,
  - (b) the parent or guardian of a client who has not reached 19 years of age,
  - (c) a representative authorized by a representation agreement under the *Representation Agreement Act* to make or help in making decisions on behalf of a client,
  - (d) a decision maker or guardian appointed under section 10 of the *Adult Guardianship Act*,
  - (e) a temporary substitute decision maker chosen under section 16 of the *Health Care (Consent) and Care Facility (Admission) Act*, or
  - (f) a substitute decision maker chosen under section 22 of the *Health Care (Consent) and Care Facility (Admission) Act*.
- (2) This Division does not apply to registrants in classes established in section 134(1) [*Classes of midwife registrants*].

### Purpose for collecting client personal information

**179** No registrant in the course of practising a designated health profession in British Columbia may collect personal information about a client without the client’s consent unless

- (a) the personal information relates directly to, and is necessary for, providing health care services to or for the client or for related administrative purposes, or
- (b) the collection of the personal information is expressly authorized by or under an enactment.

### Source of client personal information

**180** (1) Subject to subsection (2), a registrant must collect personal information about a client directly from the client.

(2) A registrant may collect personal information about a client from a source other than the client if the registrant has reasonable grounds to believe that

- (a) the client has been made aware of the matters set out in section 181 [*Collection of client personal information*] and has authorized collection of the personal information from another source,
- (b) the client is unable to give their consent and the registrant, having made the client's representative aware of the matters set out in section 181 [*Collection of client personal information*], collects the information from the client's representative or the client's representative authorizes collection from another source,
- (c) compliance with subsection (1) would
  - (i) prejudice the best interests of the client,
  - (ii) defeat the purpose or prejudice the use for which the information is collected, or
  - (iii) prejudice the safety of any person,
- (d) compliance with subsection (1) is not reasonably practicable in the circumstances of the particular case,
- (e) the collection is for the purpose of assembling a family or genetic history of a person and is collected directly from that person,
- (f) the information is publicly available information,
- (g) the information
  - (i) will not be used in a form in which the client is identified, or
  - (ii) will be used for statistical or research purposes and will not be published in a form that could reasonably be expected to identify the client, or

(h) the collection of personal information from a source other than the client is authorized under section 12 of the *Personal Information Protection Act* or section 27 of the *Freedom of Information and Protection of Privacy Act*, as the case may be, or otherwise by law.

### Collection of client personal information

**181** (1) If a registrant collects personal information directly from a client, or from the client's representative, the registrant must take such steps as are, in the circumstances, reasonable to ensure that the client or client's representative is aware of

- (a) the fact that the personal information is being collected,
- (b) the purpose for which the personal information is being collected,
- (c) the intended recipients of the personal information, and
- (d) whether or not the supply of the personal information is voluntary or mandatory and, if mandatory, the legal authority for collecting the personal information, and
- (e) the consequences, if any, for the client if all or any part of the requested personal information is not provided.

(2) The steps referred to in subsection (1) must be taken before the personal information is collected or, if that is not practicable, as soon as practicable after the personal information is collected.

(3) A registrant is not required to take the steps referred to in subsection (1) in relation to the collection of personal information from a client, or the client's representative, if the registrant has taken those steps in relation to the collection, from the client or client's representative, of the same information or information of the same kind for the same or a related purpose, on a recent previous occasion.

(4) Despite subsection (1), a registrant is not required to comply with subsection (1) if the registrant believes on reasonable grounds that

- (a) non-compliance is authorized by the client,
- (b) compliance would
  - (i) prejudice the interests of the client, or
  - (ii) defeat the purpose or prejudice the use for which the information is collected,
- (c) compliance is not reasonably practicable in the circumstances of the particular case, or
- (d) the information is about law enforcement or anything referred to in sections 15(1) or (2) of the *Freedom of Information and Protection of Privacy Act*.



## Use of client personal information

**182** A registrant may use personal information about a client only

- (a) for the purpose of providing health care services to or for the client, or for a related administrative purpose,
- (b) for a use or disclosure consistent with a purpose specified in paragraph (a),
- (c) if the client has consented to the use,
- (d) for a purpose for which that information may be disclosed by the registrant under section 183 [*Disclosure of client personal information*], or otherwise under the Act, or
- (e) for a use that is authorized under section 14 or 15 of the *Personal Information Protection Act* or section 32 of the *Freedom of Information and Protection of Privacy Act*, as the case may be, or otherwise by law.

## Disclosure of client personal information

**183** A registrant must maintain confidentiality of personal information about a client, and may disclose personal information about a client only

- (a) for the purpose of providing health care services to or for the client, or for a related administrative purpose,
- (b) for a use or disclosure consistent with a purpose specified in paragraph (a),
- (c) if the client has consented to the use,
- (d) for the purpose of complying with an enactment of, or an arrangement or agreement made under an enactment of, British Columbia or Canada,
- (e) for the purpose of complying with a subpoena, warrant or order issued or made by a court, person or body with jurisdiction to compel the production of information,
- (f) to an employee of, or contractor providing services to, the registrant, if the information is necessary for the performance of the duties of, or for the protection of the health or safety of, the employee or contractor,
- (g) to a lawyer acting for the registrant, for use in civil or criminal proceedings involving the registrant,
- (h) to an auditor, the college or any other person or body authorized by law, for audit purposes, including without limitation an audit under section 156(1) [*Verification of QA activities*],

- (i) for the purpose of a submission required by the quality assurance committee under section 156(2) [*Verification of QA activities*],
- (j) for the purpose of an assessment under section 26.1 of the Act and section 161 [*Assessment of professional performance*],
- (k) for the purpose of responding to a complaint or other matter investigated by the inquiry committee under Part 3 of the Act, or an application to the Health Professions Review Board under Part 4.2 of the Act,
- (l) if the registrant believes on reasonable grounds that there is a risk of significant harm to the health or safety of any person and that the use or disclosure of the information would reduce that risk,
- (m) for the purpose of making a report to a regulatory body, government agency or officer to which the registrant has a duty to report under the laws of British Columbia or another jurisdiction,
- (n) so that the next of kin or a friend of an injured, ill or deceased individual may be contacted,
- (o) if the disclosure is required or authorized under the Act,
- (p) if the disclosure is authorized under sections 17 to 22 of the *Personal Information Protection Act* or sections 33 to 36 of the *Freedom of Information and Protection of Privacy Act*, as the case may be, or
- (q) if the disclosure is otherwise required or authorized by law.

### Definition of consistent purpose

**184** A use or disclosure of personal information about a client is consistent with the purposes of providing health care services to or for the client, or a related administrative purpose, under section 182 [*Use of client personal information*] or 183 [*Disclosure of client personal information*] if the use or disclosure has a reasonable and direct connection to any of those purposes.

### Retention of client care records

**185** (1) Except as otherwise required by law, a registrant must ensure that all records in the registrant's custody or control containing information describing the care provided to a client are retained for not fewer than 16 years following

- (a) the date of last entry, or
- (b) the date the client reaches 19 years of age,

whichever is later.

(2) A registrant who receives records containing information describing the care provided to a client that are transferred in accordance with section 186(d) [*Disposal of records containing client personal information*] or section 187(3) [*Registrant ceasing to practise*] must retain those records in accordance with subsection (1).

### Disposal of records containing client personal information

**186 (1)** A registrant must ensure that records in the registrant's custody and control containing personal information about a client are disposed of only by

- (a) transferring the record safely and securely
  - (i) to another registrant, other than a registrant in a class established in section 134 [*Classes of midwife registrants*],
  - (ii) with the consent of the client, to another health care practitioner or a health care agency,
  - (iii) to a person or organization retained by the transferring registrant to act on that registrant's behalf to store records in a manner that is secure and provides reasonable access for the duration of the time set in section 185(1) [*Retention of client care records*], or
  - (iv) to the client,
- (b) effectively destroying a physical record by utilizing a shredder or by complete burning, or
- (c) erasing information recorded or stored by any electronic method including without limitation on tapes, cassettes, floppy or hard disk drives, USB flash drives, optical discs, or equipment that includes an electronic system in which data is maintained, managed and backed up remotely and made available to users over a network, in a manner that ensures that the information cannot be reconstructed.

(2) A registrant must ensure that, where personal information is transferred to a person for processing, storage or disposal, a contract is made with that person which includes an undertaking by the recipient that legal access, confidentiality and physical security will be maintained.

### Registrant ceasing to practise

**187 (1)** A registrant who ceases to practise for any reason must ensure that records in the registrant's custody and control containing personal information about clients are disposed of in

accordance with this Division, notify the college, and provide the college with a written summary of the steps the registrant has taken to dispose of those records.

(2) Despite subsection (1), if records described in that subsection are subject to continued retention in accordance with section 185 [*Retention of client care records*] at the time the registrant ceases to practise, those records must be disposed of in accordance with section 186(a) [*Disposal of records containing client personal information*] only.

(3) A registrant must make appropriate arrangements to ensure that, in the event that the registrant dies or becomes unable to practise for any reason and is unable to dispose of records described in subsection (1), those records will be transferred safely and securely to another registrant, other than a registrant in a class established in section 134 [*Classes of midwife registrants*].

### Notice to clients

**188** A registrant who receives records containing personal information about a client transferred in accordance with section 186(d) [*Disposal of records containing client personal information*] or section 187(3) [*Registrant ceasing to practise*] must notify the client concerned of the transfer.

## Division 6 – Client Care Records (Midwives)

### Definition and application

**189** This Division applies only to registrants in classes established in section 134(1) [*Classes of midwife registrants*].

### Privacy requirement

**190** A registrant must take all reasonable measures to ensure that the purpose, source, collection, use, protection, disclosure, access and disposal of a client's personal information occurs in accordance with all enactments of British Columbia or Canada applicable to the practice of midwifery or the provision of midwifery services, including without limitation the following;

- (a) the *Personal Information Protection Act* (British Columbia);
- (b) the *Personal Information Protection and Electronic Document Act* (Canada);
- (c) the *Privacy Act* (British Columbia);
- (d) the *Access to Information Act* (Canada);
- (e) the *E-Health (Personal Health Information Access and Protection of Privacy) Act* (British Columbia).

### Storage and retention of personal information

**191** (1) Except as otherwise required by law, a registrant must ensure that all records of midwifery care are retained for not fewer than 16 years following

- (a) the date of last entry, or
- (b) the date the client reaches 19 years of age,

whichever is later.

(2) A registrant must ensure the safe and secure storage of all records of midwifery care.

### **Transfer, destruction or disposition of client care records**

**192** A registrant must dispose of a record of midwifery care only by

- (a) transferring the record safely and securely
  - (i) to another registrant in a class established in section 134 [*Classes of midwife registrants*],
  - (ii) with the consent of the client, to another health care practitioner or a health care agency, or
  - (iii) to a person retained by the transferring registrant to act on that registrant's behalf to store records in a manner that is secure and provides reasonable access for the duration of the time set in section 191(1) [*Storage and retention of personal information*],
- (b) effectively destroying a physical record by shredding or incinerating in a controlled environment, or
- (c) erasing information recorded or stored by electronic methods in a manner that ensures all traces of the original data are destroyed and that the information cannot be reconstructed.

### **Registrant ceasing to practise**

**193** (1) A registrant who ceases to practise for any reason must dispose of personal information in accordance with section 192(a) [*Transfer, destruction or disposition of client care records*], notify the college, and provide the college with a written summary of the steps he or she has taken to dispose of the personal information.

(2) A registrant must make appropriate arrangements to ensure that, in the event that the registrant dies or becomes unable to practise for any reason and is unable to dispose of the personal information, the personal information will be safely and securely transferred to another registrant in a class established in section 134 [*Classes of midwife registrants*].

(3) A registrant who receives personal information transferred in accordance with subsection (2) or section 192(a) [*Transfer, destruction or disposition of client care records*] must make a reasonable attempt to notify the client concerned of the transfer.

### **Contracts for handling personal information**

**194** A registrant must ensure that, where personal information is transferred to a person for processing, storage or disposal, a contract is made with that person which includes an undertaking by the recipient that legal access, confidentiality and physical security will be maintained.

### **Remedying a breach of security**

**195** A registrant must take appropriate measures to remedy any unauthorized access, use, disclosure or disposal of personal information under this Division as soon as possible after the breach is discovered, including without limitation the following:

- (a) taking steps to recover the personal information or to ensure its disposal if it cannot be recovered;
- (b) taking steps to ensure that any remaining personal information is secured;
- (c) notifying
  - (i) anyone affected by the unauthorized action including without limitation clients and other health care practitioners,
  - (ii) the college, and
  - (iii) law enforcement officials, where criminal action may have contributed to the unauthorized action, and
- (d) modifying existing security arrangements to prevent a re-occurrence of the unauthorized action.

## **PART 7 – INQUIRY AND DISCIPLINE**

### **Disposition of complaints by registrar**

**196** The registrar is authorized to act under section 32(3) of the Act.

### **Additional powers and duties of inspectors**

**197** In addition to the powers and duties of inspectors under section 28 of the Act, an inspector may do one or more of the following in the course of assessing a complaint under section 32(2) of the Act or investigating a matter under section 33 of the Act:

- (a) require the registrant to produce, for inspection, examination or copying,
  - (i) the equipment or materials used by a registrant to practise a designated health profession, or
  - (ii) records of the registrant relating to the registrant's practice of a designated health profession;
- (b) require the registrant to
  - (i) attend for interview by an inspector or the inquiry committee,
  - (ii) answer questions and provide information relating to the matter under assessment or investigation, or
  - (iii) cause an employee or agent of the registrant to answer questions and provide information relating to the matter under assessment or investigation;
- (c) do anything described in section 28(1)(a) to (c) of the Act during the regular business hours in effect at a particular premises or, by agreement with the registrant, at a time outside of those regular business hours;
- (d) require the registrant to provide the identity and contact information of the registrant's current employers or supervisors, if any, and consent to those employers or supervisors being contacted by an inspector for the purpose of ascertaining the registrant's current practice setting, unit assignments or job duties, if any.

### **Limits on inspector observing registrant**

**198** An inspector must not observe a registrant while the registrant is providing a service to a client

- (a) unless and until the consent of the client being treated has been obtained in advance, or
- (b) unless the service is being provided in a public setting.

### **Disposal of unrelated information or records**

**199 (1)** If an inspector, in the course of exercising a power or performing a duty under the Act, receives information or a record that the inspector

- (a) determines is not related or relevant to a complaint under section 32(2) of the Act, a report under section 32.2 to 32.4 of the Act or an investigation under section 33 of the Act,

(b) has reasonable grounds to believe belongs to or is intended for a party adverse to the college or a third party in a matter referred to in paragraph (a) and was not intended for the inspector or college to see, or

(c) has reasonable grounds to believe was obtained by a party to litigation or other proceedings of a judicial nature, and that it may have been disclosed by that party in breach of an express or implied undertaking of confidentiality,

the inspector may

(d) omit or remove the information or record from the college's records on the matter, and

(e) dispose of the omitted or removed information or record as the inspector determines is appropriate, subject to section 27.1 of the *Freedom of Information and Protection of Privacy Act* and section 64 [*Disposal of records containing personal information*].

(2) Despite subsection (1), if paragraph (b) or (c) of that subsection applies in respect of a record, the inspector must

(a) in the case of a paper record, return it unread and uncopied to the party who provided it to the inspector or the college, or to the party to whom it belongs or appears to belong or be intended for,

(b) in the case of an electronic record, delete it unread and uncopied and advise the party who provided it to the inspector or the college, or to the party to whom it belongs or appears to belong or be intended for, that that was done, or

(c) if the inspector reads part or all the record before realizing that it was not intended for the inspector or the college, cease reading the record and promptly return it or delete it, uncopied, to the party who provided it to the inspector or the college, or to the party to whom it belongs or appears to belong or be intended for, advising that party

(i) of the extent to which the inspector or college is aware of the contents, and

(ii) what use the inspector or college intends to make of the contents of the record.

## Employer as complainant

**200** (1) In this section, “**employer**” means, in relation to a registrant, any corporation or partnership that provides midwifery services, practical nursing services, psychiatric nursing services or nursing services through the registrant, or arranges for or causes the registrant to provide any such services in connection with the business or other activities of the corporation or partnership, whether or not such services are provided for or in the expectation of a fee, gain or reward, direct or indirect, from any person.



(2) If a complaint against a registrant under section 32 of the Act or a report about a registrant under section 32.2 of the Act is made by an individual who is confirmed to be acting on behalf of an employer of the registrant,

(a) the inquiry committee may order that the employer is the complainant in the matter, and

(b) if the inquiry committee orders that the employer is the complainant in the matter, any individual duly authorized by the employer from time to time may be considered as acting on behalf of the employer in respect of the matter.

(3) For greater certainty, nothing in this section affects, modifies or diminishes the application to any registrant of the Act, the regulations and these bylaws, including without limitation a registrant's duty to make a report under section 32.2 or 32.4 of the Act.

### Protecting identity of complainant

**201** The inquiry committee may order that the identity of a complainant, or information which might enable the identity of a complainant to be established, not be disclosed to a registrant or other person, if the inquiry committee is satisfied that such disclosure would place the complainant at undue risk of harm.

### Delivery of complaint to registrant

**202** (1) If a complaint is delivered to the inquiry committee by the registrar under section 32(2) of the Act, the registrar must deliver a copy or summary of the complaint to the registrant who is the subject of the complaint, subject to any applicable policies and procedures established by the inquiry committee under section 34(1) [*Powers and duties – all committees and panels*], and any written direction of the inquiry committee, regarding the timing or other details of such delivery.

(2) If a complaint is, or might be, disposed of by the registrar under section 32(3) of the Act, the registrar may deliver a copy or summary of the complaint to the registrant who is the subject of the complaint, subject to any applicable policies and procedures established by the inquiry committee under section 34(1) [*Powers and duties – all committees and panels*] and any written direction of the inquiry committee.

### Duty to co-operate

**203** (1) A registrant who is the subject of a complaint being assessed under section 32(2) of the Act or a matter being investigated under section 33 of the Act must co-operate fully in the assessment or investigation including, without limitation, by responding fully and substantively, in the form and manner acceptable to the inquiry committee,

(a) to the complaint, if any, once the complaint or a summary of it is delivered to the registrant, and

(b) to all requests made or requirements imposed by an inspector or the inquiry committee in the course of the assessment or investigation.

(2) A registrant who is required or requested to do anything under section 197 [*Additional powers and duties of inspectors*] or subsection (1) must comply with the requirement or request

(a) in the case of information or a record, even if the information or record is confidential, and

(b) as soon as practicable and, in any event, by the date and time set by an inspector or the inquiry committee.

(3) For greater certainty, nothing in section 197 [*Additional powers and duties of inspectors*] or this section requires disclosure of information or a record to an inspector or the inquiry committee if

(a) the information or record is subject to solicitor-client privilege, or

(b) disclosure of the information or record to an inspector or the inquiry committee is prohibited by law.

### **Delivery of registrant's response to complainant**

**204** (1) The registrar may deliver to the complainant in the matter, if any, a copy or summary of the response received from the registrant under section 203(1) [*Duty to cooperate*], subject to any applicable policies and procedures established under section 34(1) [*Powers and duties – all committees and panels*], and any written direction of the inquiry committee.

(2) Before acting under subsection (1), the registrar may require the complainant to give to the college a written undertaking to the effect that the complainant, and any representative or agent of the complainant,

(a) will preserve confidentiality with respect to all information or records disclosed under subsection (1),

(b) will not disclose to any other person any information or record disclosed under subsection (1), except to legal counsel for the purpose of obtaining legal advice or to a representative or agent of the complainant for the purpose of representing the complainant in pursuing the matter with the college, and

(c) will use any information or record disclosed under subsection (1) solely for the purpose of pursuing the matter with the college and not for any other purpose.

### **Consents and undertakings**

**205** The record of an undertaking or consent given under section 36 of the Act, a consent order under section 37.1 of the Act, or an agreement under section 32.2(4)(b) or 32.3(3)(b) of the Act must

- (a) include any consent to a reprimand or to any other action made by the registrant under section 32.2(4)(b), 32.3(3)(b), 36 or 37.1 of the Act,
- (b) include any undertaking made by the registrant under section 36 of the Act,
- (c) specify the period of time, whether fixed or indeterminate, that an undertaking referred to in paragraph (b) is binding on the registrant,
- (d) specify the procedure, if any, that the registrant may follow to be released from an undertaking referred to in paragraph (b), and
- (e) subject to sections 22 and 39.3 of the Act and sections 71 [*Disclosure of registration status and contact information*] and 74 [*Disclosure of disciplinary actions*], specify what notification and disclosure of the terms, limits or conditions of the undertaking or consent may be given to others, including members of the public.

## Citations

**206** (1) Before the issuance of any citation under section 37 of the Act in respect of a complaint or other matter, on the direction of a panel of the inquiry committee, the registrar must join one or more complaints or other matters which are to be the subject of a hearing in one citation as the panel considers appropriate in the circumstances.

(2) After the issuance of a citation or citations under section 37 of the Act, on the direction of a panel of the discipline committee, the registrar must, as the panel considers appropriate in the circumstances,

- (a) join one or more complaints or other matters which are to be the subject of a hearing,
- (b) sever one or more complaints or other matters which are to be the subject of a hearing, or
- (c) amend a citation.

(3) If a citation is amended under subsection (2)(c) before the hearing commences, the registrar must have the amended citation either delivered to the respondent by personal service or sent by registered mail to the respondent at the last address for the respondent recorded in the public register, not fewer than 14 days before the date of the hearing.

(4) If a citation is amended under subsection (2)(c) before the hearing commences, and the amended citation changes the date, time or place of the hearing, the registrar must notify any complainant in writing of the amendment, not fewer than 14 days before the date of the hearing.

## Pre-hearing meetings

**207** (1) The registrar may deliver to a respondent, with a citation or subsequently, an invitation for the respondent to participate in a pre-hearing meeting with the college to discuss one or more of the following in relation to the hearing:

- (a) jurisdictional or procedural issues;
- (b) admissions or agreed statement of facts;
- (c) disclosure of information or records;
- (d) witnesses;
- (e) estimated length of time required for the hearing;
- (f) possible consent orders under section 37.1 of the Act;
- (g) possible disciplinary actions under section 39(2) of the Act.

(2) A pre-hearing meeting under this section must be held in private unless the parties agree otherwise.

## Pre-hearing conferences

**208** (1) At any time before the commencement of a hearing in respect of a citation, either the respondent or the college may deliver to the discipline committee a request that a pre-hearing conference be held.

(2) A pre-hearing conference must be presided over by a pre-hearing panel of the discipline committee, which panel may, but need not, be the same as the panel that may preside at the hearing.

(3) At the discretion of the pre-hearing panel, a pre-hearing conference may be conducted by telephone or other mode of remote communication that permits all participants to hear and speak to each other.

(4) A pre-hearing conference under this section must be held in private unless the pre-hearing panel orders otherwise.

(5) A pre-hearing conference under this section may proceed in the absence of a party, other than the requesting party, if reasonable notice of the pre-hearing conference was delivered to the absent party.

(6) At a pre-hearing conference, the pre-hearing panel may make an order

- (a) fixing or changing the date, time and place for the hearing,
- (b) for the discovery and production of information or records relevant to the citation,
- (c) respecting applications for joinder or severance of one or more complaints or other matters which are to be the subject of a hearing, or
- (d) respecting any other matters that may aid in the disposition of the citation.

## Hearings

**209** (1) A member of the discipline committee cannot sit on a panel of the discipline committee that is hearing a matter in which that member

- (a) was involved as a member of the inquiry committee, or
- (b) has had any other prior involvement.

(2) The discipline committee must provide notice by registered mail or by personal service to a person who is required to attend a hearing under section 38(6) of the Act.

(3) All hearings must be transcribed, or audio-recorded electronically, and the transcript or audio record must be considered to be correct and to constitute part of the record of the hearing.

(4) If, by a mechanical or human failure or other accident, the transcript or audio record of a hearing is destroyed, interrupted or incomplete, the validity of the hearing is not affected.

## Obligations of suspended registrants

**210** (1) During any period of suspension of a registrant's registration, the registrant must

- (a) not engage in the practice of the designated health profession in respect of which the registrant's registration is suspended, including without limitation the provision of midwifery services, nursing services, practical nursing services or psychiatric nursing services, as applicable, and not hold themselves out as a registrant authorized to practise that designated health profession, except to the extent permitted expressly by an applicable order or agreement made under the Act,
- (b) not hold office in the college as a board member, a member of a committee established in these bylaws, an inspector, or an assessor appointed under section 26.1 of the Act,
- (c) not make appointments for clients or prospective clients,
- (d) not contact or communicate with clients or prospective clients, except for the purpose of

- (i) advising a client or prospective client of the fact and duration of the suspension,
  - (ii) advising a client or prospective client that another registrant or appropriate health professional will continue to act or provide services in the suspended registrant's place, or
  - (iii) referring a client or prospective client to another registrant or appropriate health professional,
- (e) remove the registrant's name and any sign relating to the registrant's practice of the designated health profession in respect of which the registrant's registration is suspended from any premises where the registrant practised that designated health profession, and any building in which any such premises are located,
- (f) prominently display, if required by an order under section 35, 37.1, 38, 39 or 39.1 of the Act, an agreement under section 32.2(4)(b) or 32.3(3)(b) of the Act, or other action taken under section 33(2) of the Act, a notice of suspension in a form and in an area approved by the registrar, which states the duration and reasons for the suspension, and
- (g) pay any fee required by the college when due in order to remain a registrant, and any other outstanding fine, fee, debt or levy owed to the college.

(2) No registrant or former registrant is entitled to any refund of any fine, fee, debt or levy paid to the college solely on the basis that it was paid during or in relation to a period of suspension.

(3) During the period of suspension, a suspended registrant may permit another registrant in good standing to practise midwifery, nursing, practical nursing or psychiatric nursing, as applicable, within premises where the registrant practised the designated health profession, provided that the suspended registrant complies with the provisions of subsection (1).

(4) Any communication under subsection (1)(d) may be made in writing in a form approved in advance by the registrar, or by employing office staff, an answering service, or other method of telecommunication specifically for that purpose.

## Maximum fine

**211** The maximum amount of a fine that may be ordered by the discipline committee under section 39(2)(f) of the Act is \$50,000.

## Investigation and hearing costs

**212** (1) The tariff of costs set out in Schedule I, to partially indemnify the college for investigations under section 33 of the Act, is established under section 19(1)(v.1) of the Act.

(2) The tariff of costs set out in Schedule J, to partially indemnify parties for their expenses incurred in the preparation for and conduct of hearings under section 38 of the Act, is established under section 19(1)(w.1) of the Act.

(3) Any costs awarded by the inquiry committee under section 33(7) of the Act or in accordance with a proposal under section 37.1 of the Act, or by the discipline committee under section 39(4) or (5) of the Act, must be assessed by the applicable committee in accordance with Schedules H and I and the applicable tariff of costs set out therein.

### Health Canada notice requests

**213** (1) If a nurse practitioner or midwife admits to a failure to comply with a relevant standard, the inquiry committee or the discipline committee may direct the registrar to deliver a written request to the Federal Minister for issuance of a notice in respect of the nurse practitioner or midwife.

(2) If the discipline committee determines under section 39(1)(b) of the Act that a nurse practitioner or midwife has failed to comply with a relevant standard, the discipline committee may direct the registrar to deliver a written request to the Federal Minister for issuance of a notice in respect of the nurse practitioner or midwife.

(3) The inquiry committee may authorize the registrar to provide a consent to retraction of a notice, other than a notice that was requested at the direction of the discipline committee, if

(a) the inquiry committee is satisfied that the consent to retraction is not contrary to the public interest, and

(b) the consent to retraction is not inconsistent with any other limits or conditions imposed on the nurse practitioner's or midwife's practice under the Act.

(4) The discipline committee may authorize the registrar to provide a consent to retraction of a notice that was requested at the direction of the discipline committee, if

(a) the discipline committee is satisfied that the consent to retraction is not contrary to the public interest, and

(b) the consent to retraction is not inconsistent with any other limits or conditions imposed on the nurse practitioner's or midwife's practice under the Act.

(5) The registrar must not issue a consent to retraction except in accordance with subsection (3) or (4).

(6) In this section:

**"conduct of an activity"**, with reference to a listed substance, includes

(a) use, possession, compounding, dispensing, administration or prescription of the listed substance, and

(b) issuance of an order to compound, dispense or administer the listed substance;

**“consent to retraction”** means, in respect of a notice, a letter under section 80(b)(ii) of the *Benzodiazepines and Other Targeted Substances Regulations* (Canada), section G.04.004.3(b)(ii) of the *Food and Drug Regulations* (Canada) or section 60(b)(ii) of the *Narcotic Control Regulations* (Canada) signifying the college’s consent to retraction of the notice;

**“Federal Minister”** means the Minister of Health of Canada, and includes an agent authorized to act on behalf of that Minister;

**“listed substance”** means a “listed substance” as defined in section 1 of the *New Classes of Practitioners Regulations* (Canada);

**“midwife”** means a registrant in the class of practising midwife registrants, non-practising midwife registrants, provisional midwife registrants, or temporary midwife (emergency) registrants, or any former such registrant or any former registrant who was registered in an equivalent or similar class under the former CMBC bylaws at any time before the 2020 amalgamation date;

**“notice”** means a notice under section 79(1) of the *Benzodiazepines and Other Targeted Substances Regulations* (Canada), section G.04.004.2(1) of the *Food and Drug Regulations* (Canada) or section 59(1) of the *Narcotic Control Regulations* (Canada);

**“nurse practitioner”** means a registrant in the class of practising NP registrants, non-practising NP registrants, provisional NP registrants, or temporary NP (emergency) registrants, or any former such registrant or any former registrant who was registered in an equivalent or similar class under the former CRNBC bylaws at any time before the 2018 amalgamation date or the former BCCNP bylaws at any time before the 2020 amalgamation date, as applicable;

**“relevant standard”** means a standard, limit or condition established under the standards of practice or the standards of professional ethics, or otherwise imposed under the Act, that is relevant to a nurse practitioner’s or midwife’s conduct of an activity with a listed substance.



**SCHEDULE A – CERTIFICATE OF ELECTION**

(Section 8)

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**BRITISH COLUMBIA COLLEGE OF NURSES AND MIDWIVES**

**CERTIFICATE OF ELECTION TO THE BOARD**

Pursuant to section 17.1 (1) of the *Health Professions Act*, R.S.B.C. 1996, c. 183, I hereby certify that

\_\_\_\_\_  
*{Name of person being certified}*

of

\_\_\_\_\_  
*{Their city or town of residence}*

in the Province of British Columbia has been elected as a member of the board for the British Columbia College of Nurses and Midwives in accordance with the *Health Professions Act* and the bylaws of the College made under that Act, for a term of office beginning on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, and ending on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

ISSUED at Vancouver, British Columbia, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
*{Signature of registrar}*

[Name of registrar]  
Registrar of the College

**Proposed New Schedule B (redline)**

SCHEDULE B – RECOGNIZED PRACTICAL NURSING EDUCATION PROGRAMS  
(Sections 88, 91, 93)

TABLE A: [Table A repealed October 16, 2020]

TABLE B: EFFECTIVE ON OCTOBER 16, 2020

<i>Educational Institution</i>	<i>Campus</i>	<i>Program Type</i>
Camosun College	Victoria	Generic
CDI College	Richmond	Generic
CDI College	Surrey	Generic
Coast Mountain College	Terrace	Access
College of New Caledonia	Prince George	Generic
College of the Rockies	Cranbrook	Generic
Discovery Community College	Campbell River	Generic & Access
Discovery Community College	Nanaimo	Generic & Access
Nicola Valley Institute of Technology	Merritt	Access
North Island College	Campbell River	Generic
North Island College	Port Alberni	Generic
North Island College	Comox	Generic
North Island College	Courtenay	Access
Northern Lights College	Dawson Creek	Access & Generic
Okanagan College	Kelowna	Access & Generic
Okanagan College	Penticton	Access & Generic

<i>Educational Institution</i>	<i>Campus</i>	<i>Program Type</i>
Okanagan College	Salmon Arm	Access & Generic
Okanagan College	Vernon	Access & Generic
Selkirk College	Trail	Generic
Sprott Shaw College	Abbotsford	Generic
Sprott Shaw College	Downtown Vancouver	Generic & Access
Sprott Shaw College	East Vancouver	Generic & Access
Sprott Shaw College	Kamloops	Generic & Access
Sprott Shaw College	Kelowna	Generic & Access
Sprott Shaw College	New Westminster	Generic & Access
Sprott Shaw College	Penticton	Generic & Access
Sprott Shaw College	Surrey	Generic
Sprott Shaw College	Victoria	Generic
Stenberg College	Surrey	Generic
Thompson Rivers University	Williams Lake	Generic
University of the Fraser Valley	Chilliwack	Generic
Vancouver Career College	Abbotsford	Generic
Vancouver Career College	Burnaby	Generic
Vancouver Community College	Vancouver (Broadway)	Generic & Access
Vancouver Island University	Cowichan	Generic
<a href="#"><u>Vancouver Island University</u></a>	<a href="#"><u>Nanaimo</u></a>	<a href="#"><u>Access</u></a>
Vancouver Island University	Nanaimo	Generic

**SCHEDULE C – RECOGNIZED PSYCHIATRIC NURSING EDUCATION PROGRAMS**

(Sections 88, 100, 102, 108)

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**TABLE A:** [Table A repealed October 16, 2020]

**TABLE B: EFFECTIVE ON OCTOBER 16, 2020**

<i>Educational Institution</i>	<i>Psychiatric Nursing Education Program</i>
Douglas College	Bachelor of Science in Psychiatric Nursing
Douglas College	Psychiatric Nursing Refresher Certificate
Kwantlen Polytechnic University	Bachelor of Psychiatric Nursing
Stenberg College	Regional Diploma in Psychiatric Nursing

**SCHEDULE D – RECOGNIZED NURSING EDUCATION PROGRAMS**

(Sections 88, 110, 112, 123)

**TABLE A:** [Table A repealed October 16, 2020]**TABLE B: EFFECTIVE ON OCTOBER 16, 2020**

<i>Educational Institution</i>	<i>Nursing Education Program</i>
British Columbia Institute of Technology	Baccalaureate Registered Nurse Program
Camosun College with University of Victoria	Baccalaureate Registered Nurse Program
Coast Mountain College with University of Northern British Columbia	Baccalaureate Registered Nurse Program
College of New Caledonia with University of Northern British Columbia	Baccalaureate Registered Nurse Program
College of the Rockies with University of Victoria	Baccalaureate Registered Nurse Program
Douglas College	Baccalaureate Registered Nurse Program
Kwantlen Polytechnic University	Baccalaureate Registered Nurse Program
Kwantlen Polytechnic University	Baccalaureate Registered Nurse Program - Second Degree
Kwantlen Polytechnic University	Registered Nurse Re-entry Program for Internationally Educated Nurses
Langara College	Baccalaureate Registered Nurse Program
Langara College	Registered Nurse Re-entry Program for Internationally Educated Nurses
North Island College with Vancouver Island University	Baccalaureate Registered Nurse Program
Okanagan College with University of British Columbia – Okanagan	Baccalaureate Registered Nurse Program

<i>Educational Institution</i>	<i>Nursing Education Program</i>
Selkirk College with University of Victoria	Baccalaureate Registered Nurse Program
Thompson Rivers University	Baccalaureate Registered Nurse Program
Thompson Rivers University — Open Learning	Registered Nurse Re-entry Program
Trinity Western University	Baccalaureate Registered Nurse Program
University of British Columbia	Baccalaureate Registered Nurse Program
University of British Columbia – Okanagan	Baccalaureate Registered Nurse Program
University of British Columbia – Okanagan with Okanagan College	Baccalaureate Registered Nurse Program
University of Northern British Columbia in Fort St. John	Baccalaureate Registered Nurse Program
University of Northern British Columbia with Coast Mountain College	Baccalaureate Registered Nurse Program
University of Northern British Columbia with College of New Caledonia	Baccalaureate Registered Nurse Program
University of the Fraser Valley	Baccalaureate Registered Nurse Program
University of Victoria with Camosun College	Baccalaureate Registered Nurse Program
University of Victoria with College of the Rockies	Baccalaureate Registered Nurse Program
University of Victoria with Selkirk College	Baccalaureate Registered Nurse Program
Vancouver Community College	Baccalaureate Registered Nurse Program
Vancouver Island University	Baccalaureate Registered Nurse Program
Vancouver Island University with North Island College	Baccalaureate Registered Nurse Program

Proposed New Schedule E (redline)

SCHEDULE E – RECOGNIZED NURSE PRACTITIONER EDUCATION PROGRAMS  
(Sections 88, 125, 128, 129)

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<i>Educational Institution</i>	<i>Nurse Practitioner Education Program</i>
<u>Thompson Rivers University</u>	<u>Nurse Practitioner (Family) Master's Program</u>
University of British Columbia	Nurse Practitioner (Family) Master's Program
University of Northern British Columbia	Nurse Practitioner (Family) Master's Program
University of Victoria	Nurse Practitioner (Family) Master's Program

**SCHEDULE F – RECOGNIZED MIDWIFERY EDUCATION PROGRAMS**

(Sections 88, 136, 143)

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<i>Educational Institution</i>	<i>Midwifery Education Program</i>
Laurentian University	Baccalaureate Midwifery Program
McMaster University	Baccalaureate Midwifery Program
Mount Royal University	Baccalaureate Midwifery Program
Ryerson University	Baccalaureate Midwifery Program
Ryerson University	Internationally Educated Midwives Bridging Program
University of British Columbia	Baccalaureate Midwifery Program
University of British Columbia	Internationally Educated Midwives Bridging Program



**SCHEDULE G – FEES**

(Sections 51, 80, 151, 152, 153)

<b>TABLE A: REGISTRATION APPLICATION FEES</b>		
<ul style="list-style-type: none"> <li>• <i>GST will be added</i></li> <li>• <i>Application fees are non-refundable</i></li> </ul>		
<b>Practising Registration</b>		
Initial application for any of the following classes: <ul style="list-style-type: none"> <li>• practising LPN registrants</li> <li>• practising RPN registrants</li> <li>• practising RN registrants</li> <li>• practising NP registrants</li> </ul>	International applicant	\$600.00
	Canadian applicant	\$300.00
	BC applicant	\$230.00
Initial application for the class of practising midwife registrants (all applicants)		\$230.00
Reinstatement application for any of the following classes (all applicants): <ul style="list-style-type: none"> <li>• practising LPN registrants</li> <li>• practising RPN registrants</li> <li>• practising RN registrants</li> <li>• practising LGN registrants</li> <li>• practising NP registrants</li> <li>• practising midwife registrants</li> </ul>		\$230.00
Reinstatement surcharge (unregistered practice) – may apply to any application for reinstatement of practising registration		\$325.00
<b>Non-Practising Registration</b>		
Initial application for any of the following classes (except applicants currently registered in the corresponding class of practising registrants): <ul style="list-style-type: none"> <li>• non-practising LPN registrants</li> <li>• non-practising RPN registrants</li> <li>• non-practising RN registrants</li> <li>• non-practising NP registrants</li> </ul>	International applicant	\$600.00
	Canadian applicant	\$300.00
	BC applicant	\$230.00
Initial application for the class of non-practising midwife registrants (all applicants except those currently registered in the class of practising midwife registrants)		\$230.00
Initial application for any of the following classes (applicants currently registered in the corresponding class of practising registrants only): <ul style="list-style-type: none"> <li>• non-practising LPN</li> <li>• non-practising RPN</li> <li>• non-practising RN</li> <li>• non-practising LGN</li> <li>• non-practising NP</li> <li>• non-practising midwife</li> </ul>		\$100.00

Reinstatement application for any of the following classes (all applicants): <ul style="list-style-type: none"> <li>• non-practising LPN registrants</li> <li>• non-practising RPN registrants</li> <li>• non-practising RN registrants</li> <li>• non-practising LGN registrants</li> <li>• non-practising NP registrants</li> <li>• non-practising midwife registrants</li> </ul>	\$100.00
Reinstatement surcharge (unregistered practice) – may apply to any application for reinstatement of non-practising registration	\$325.00
<b>Student Registration</b>	
Application for any of the following classes (all applicants): <ul style="list-style-type: none"> <li>• employed student psychiatric nurse registrants</li> <li>• employed student nurse registrants</li> <li>• student midwife registrants</li> </ul>	\$150.00
<b>Certified Practice Designation</b>	
Application for certified practice designation (initial or reinstatement only) <i>(per designation)</i>	\$100.00

<b>TABLE B: REGISTRATION EXAMINATION FEES</b>	
<ul style="list-style-type: none"> <li>• <i>GST will not be added</i></li> <li>• <i>Examination fees are non-refundable except as indicated below</i></li> </ul>	
Registered Psychiatric Nurses of Canada Examination (RPNCE) <i>(per take or retake)</i>	\$661.50
RPNCE retakes <i>(in addition to the RPNCE fee)</i>	\$100.00
RPNCE rescheduling <i>(per rescheduling)</i>	\$100.00
RPNCE rescoring <i>(per rescore)</i>	\$50.00
Nurse Practitioner Objective Structured Clinical Examination (OSCE) <i>(per take or retake; refundable subject to BCCNM policy)</i>	\$2,200.00
Nurse Practitioner OSCE re-scores	\$220.00

<b>TABLE C: ANNUAL REGISTRATION FEES (INITIAL, RENEWAL OR REINSTATEMENT)</b>		
<ul style="list-style-type: none"> <li>• <i>GST will not be added</i></li> <li>• <i>Annual fees are refundable subject to BCCNM policy</i></li> </ul>		
<b>Nurse Registrant Classes</b>	Payable for the period of Mar. 1, 2021 - Mar. 31, 2022	Payable for the period of Apr. 1, 2022 - Mar. 31, 2023
<ul style="list-style-type: none"> <li>• practising LPN registrants</li> <li>• provisional LPN registrants</li> </ul>	\$514.80	\$521.95
<ul style="list-style-type: none"> <li>• practising RPN registrants</li> <li>• practising RN registrants</li> <li>• practising LGN registrants</li> <li>• provisional RPN registrants</li> <li>• provisional RN registrants</li> <li>• provisional LGN registrants</li> </ul>	\$558.36	\$521.95
<ul style="list-style-type: none"> <li>• practising NP registrants</li> <li>• provisional NP registrants</li> </ul>	\$803.88	\$751.90
<ul style="list-style-type: none"> <li>• non-practising LPN registrants</li> <li>• non-practising RPN registrants</li> <li>• non-practising RN registrants</li> <li>• non-practising LGN registrants</li> <li>• non-practising NP registrants</li> </ul>	\$102.96	\$94.90
<ul style="list-style-type: none"> <li>• employed student psychiatric nurse registrants</li> <li>• employed student nurse registrants</li> </ul>	\$225.72	\$208.05
<b>Midwife Registrant Classes</b>	Payable for the period of Apr. 1, 2021 - Mar. 31, 2022	Payable for the period of Apr. 1, 2022 - Mar. 31, 2023
<ul style="list-style-type: none"> <li>• practising midwife registrants</li> <li>• provisional midwife registrants</li> </ul>	\$740.95	\$751.90
<ul style="list-style-type: none"> <li>• non-practising midwife registrants</li> </ul>	\$94.90	\$94.90
	Payable for the period of Sep. 1, 2021 - Aug. 31, 2022	Payable for the period of Sep. 1, 2022 - Aug. 31, 2023
<ul style="list-style-type: none"> <li>• student midwife registrants</li> </ul>	\$208.05	\$208.05

<b>TABLE D: ADMINISTRATIVE FEES</b> <ul style="list-style-type: none"> <li>• <i>GST will not be added except as indicated below</i></li> <li>• <i>Administrative fees are non-refundable</i></li> </ul>	
Verification of registration, certificate of professional conduct, or letter of good standing <i>(GST will be added)</i>	\$50.00
Not sufficient funds for cheques / pre-authorized payments <i>(GST will not be added)</i>	\$50.00
Refund processing when registrant requests or gives written consent to cancellation of registration (subject to BCCNM policy) <i>(GST will be added)</i>	\$75.00

## SCHEDULE H – CERTIFIED PRACTICES

(Sections 151, 152, 153)

<b>TABLE A: RPN CERTIFIED PRACTICE</b>		
<i>Column 1: Certified Practice</i>	<i>Column 2: Conditions and Requirements</i>	<i>Column 3: Authorized Terms and Titles</i>
<u>Opioid Use Disorder</u>	<ul style="list-style-type: none"> <li>• <u>Successful completion of a BCCNM-approved certified practice course.</u></li> <li>• <u>Satisfaction of any additional conditions or requirements set out in board policy.</u></li> </ul>	<ul style="list-style-type: none"> <li>- <u>Registered Psychiatric Nurse</u></li> <li>- <u>Opioid Use Disorder Certified</u></li> <li>- <u>Registered Psychiatric Nurse (Certified)</u></li> <li>- <u>RPN(C)</u></li> </ul>

<b>TABLE B: RN CERTIFIED PRACTICES</b>		
<i>Column 1: Certified Practice</i>	<i>Column 2: Conditions and Requirements</i>	<i>Column 3: Authorized Terms and Titles</i>
Remote Practice	<ul style="list-style-type: none"> <li>• <u>Successful completion of a BCCNM-approved certified practice course.</u></li> <li>• <u>Satisfaction of any additional conditions or requirements set out in board policy.</u></li> </ul> <p><del>Successful completion of a certified practice course; or</del>  <del>Meet requirements set out in board policy.</del></p>	<ul style="list-style-type: none"> <li>- Registered Nurse</li> <li>- Remote Practice Certified</li> <li>- Registered Nurse (Certified)</li> <li>- RN(C)</li> </ul>
Reproductive Health	Same as above.	<ul style="list-style-type: none"> <li>- Registered Nurse</li> <li>- Reproductive Health (STI and/or CM) Certified</li> <li>- Registered Nurse (Certified)</li> <li>- RN(C)</li> </ul>
RN First Call	Same as above.	<ul style="list-style-type: none"> <li>- Registered Nurse</li> <li>- First Call Certified</li> <li>- Registered Nurse (Certified)</li> <li>- RN(C)</li> </ul>
<u>Opioid Use Disorder</u>	<u>Same as above.</u>	<ul style="list-style-type: none"> <li>- <u>Registered Nurse</u></li> <li>- <u>Opioid Use Disorder Certified</u></li> <li>- <u>Registered Nurse (Certified)</u></li> <li>- <u>RN(C)</u></li> </ul>



## SCHEDULE I – TARIFF OF COSTS (INVESTIGATIONS)

(Section 212)

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For the purpose of assessing costs under this Tariff, qualifying expenses incurred by the college from the time

(a) the registrar receives a complaint in writing under section 32(1) of the Act, or

(b) the inquiry committee initiates an investigation of a matter on its own motion under section 33(4) of the Act,

until the time the inquiry committee directs the registrar to issue a citation or otherwise disposes of the complaint or matter under section 33(6) of the Act are deemed to be expenses incurred for the investigation of the complaint or matter.

<i>Expense</i>	<i>Rate of Indemnity</i>
Legal representation for the purposes of the investigation.	Up to 50% of actual legal fees.
Other reasonable and necessary professional services engaged for the purposes of the investigation.	100% of actual fees.
Other reasonable and necessary disbursements incurred for the purposes of the investigation (including disbursements incurred by legal counsel).	100% of actual disbursements.

## SCHEDULE J – TARIFF OF COSTS (DISCIPLINE COMMITTEE HEARINGS)

(Section 212)

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### Qualifying Expenses

1. For the purpose of assessing costs under this Tariff, qualifying expenses incurred from the time the inquiry committee directs the registrar to issue a citation under section 33(6)(d) of the Act until the time

(a) the inquiry committee accepts a written proposal for a consent order under section 37.1(2) or (5) of the Act,

(b) the discipline committee dismisses the matter under section 39(1) of the Act, or

(c) the discipline committee issues an order under section 39(2) of the Act,

are deemed to be expenses incurred in the preparation for and conduct of the hearing.

### Value of Units

2. (1) The value for each unit allowed on an assessment of costs is \$120.

(2) Where maximum and minimum numbers of units are provided for in an Item in the Tariff, the discipline committee has the discretion to allow a number within that range of units.

(3) In assessing costs where the Tariff indicates a range of units, the discipline committee must have regard to the following principles:

(a) one unit is for matters upon which little time should ordinarily have been spent;

(b) the maximum number of units is for matters upon which a great deal of time should ordinarily have been spent.

TARIFF		
Item	Description	Units
1.	Initiating Process in Respect of Citation All process for which provision is not made elsewhere in this tariff for commencing a proceeding.	Minimum 1 Maximum 5
2.	Disclosure All processes associated with obtaining or providing disclosure of evidence, including documents.	Minimum 1 Maximum 10



3.	Experts All processes and correspondence associated with retaining and consulting all experts for the purposes of obtaining opinions for use in the discipline hearing	Minimum 1 Maximum 5
4.	Witnesses All process and correspondence associated with contacting, interviewing, and preparing summons to all witnesses	Minimum 1 Maximum 10
5.	Pre-Hearing Conferences Preparation for attendance at a pre-hearing conference for each day of attendance	Minimum 1 Maximum 3
6.	Attendance at Pre-Hearing Conference for each day.	Minimum 1 Maximum 5
7.	Discipline Committee Hearing Preparation for each day of hearing.	8
8.	Attendance at discipline committee hearing for each day.	10
9.	Process for making admission of fact	Minimum 1 Maximum 10
10.	Preparation of closing submission for the discipline committee	Minimum 1 Maximum 10
11.	Attendance at the hearing where party is ready to proceed and when hearing not commenced.	3
12.	Settlement of Costs	Minimum 1 Maximum 5
13.	Settlement of Order	Minimum 1 Maximum 3

### Disbursements

3. In addition to the Tariff, actual reasonable disbursements are recoverable.