

# Bylaws 2024

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Effective: July 5, 2024



**RPNAS**

REGISTERED PSYCHIATRIC NURSES  
ASSOCIATION OF SASKATCHEWAN

The Registered Psychiatric Nurses Act, 1993 and the bylaws of RPNAS provide the regulatory framework to regulate the profession of psychiatric nursing in Saskatchewan. The bylaws further explain the provisions within the Act. Bylaws are approved by the Council under the Act.

Regulatory bylaws are then reviewed and approved by the Minister of Health and published in the Saskatchewan Gazette before coming into effect.

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

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## DEFINITIONS

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

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

## **ADMINISTRATIVE BYLAWS**

# **BYLAW I – COUNCIL**

## **Section 1 – Composition**

1. The affairs of the Association shall be managed by the Council.
2. Council members are appointed in accordance with the process outlined in Council policy, except for those appointed pursuant to section 8 of the Act.
3. Council consists of no less than 5 and no more than 10 members, of which two must be public representatives;
  - (a) pursuant to section 8(1) of the Act, up to 3 members of the public may be appointed by the Lieutenant Governor in Council;
  - (b) Council may appoint other public representatives to Council through various mechanisms available to it.
4. One of the appointed members shall be selected by members of Council as Council Vice-Chair in accordance with Council policy;
  - (a) the Vice-Chair shall ascend to the Chair role upon completion of the term of the Chair;
  - (b) duties and responsibilities of the Vice-Chair and Chair are outlined in Council policy.

## **Section 2 – Eligibility and Terms of Office**

1. A person who is not an employee of the Association and who has not been employed by the Association within the previous three years may be appointed as a member of the Council pursuant to section 7(2)(a) of the Act.
2. The term of office for Council members shall be two years.
3. The term of office of the public representative appointed by the Lieutenant Governor in Council, in accordance with section 8 of the Act, shall be three years.
4. Council members are eligible for reappointment for a second or third term in accordance with the process outlined in Council policy.
5. Where the Lieutenant Governor in Council appoints a person as a member of Council pursuant to the Act, the Council shall request the replacement or reappointment of a public representative prior to the end of their term of office.

## Section 3 – Powers and Functions

1. The Council shall govern, manage and regulate the affairs of the Association and without restricting the generality of the foregoing shall:
  - (a) establish policies necessary to further the Association’s mandate of protection of the public;
  - (b) establish policies governing examinations, registration and licensing, and the admission of members;
  - (c) establish policies governing the Professional Conduct and Discipline Committees of the Association;
  - (d) establish policies governing the financial affairs of the Association, including the management of surplus funds;
  - (e) approve the appropriation, investment and disbursement of Association funds;
  - (f) review for approval the proposed budget of the Association according to Association policies;
  - (g) recommend to the Association membership revisions to, or amendments of, the bylaws;
  - (h) enter into an agreement pursuant to which categories of members designated by Council have access to an adequate form of professional liability protection with a minimum limit of \$5,000,000 per claim and a minimum aggregate limit of \$10,000,000 per year;
  - (i) establish a mechanism for regularly evaluating the Association and Council effectiveness;
  - (j) submit to each annual meeting of the Association an audited financial statement of the operations of the Association for the past fiscal year of the Association;
  - (k) appoint the Chief Executive Officer of the Association;
  - (l) authorize the Association to enter into agreements or arrangements with any person, group, association, organization or body corporate having goals or objectives similar to those of the Association;
  - (m) approve criteria for the approval of the nursing education program(s) for psychiatric nurses;
  - (n) establish a committee of Council to annually review, in writing, the performance of the Chief Executive Officer;
  - (o) establish and monitor standards of practice to enhance the quality of practice and reduce incompetent, impaired or unethical practice amongst members;



- (p) establish and maintain a continuing education program to promote high practice standards amongst members; and
- (q) establish and monitor standards of professional ethics amongst members.

## **Section 4 – Removal from Office**

- 1.** Members of the Association appointed to Council and committees, whose conduct or activities are detrimental to or incompatible with the objectives and policies of the Association may be removed or suspended from office.
- 2.** Any matter raised under section 5(1) shall be dealt with by Council upon written notice or receipt of any form of information identifying a concern, in a fair and transparent manner.
- 3.** Notice of motion of removal or suspension of any member must be given to the member concerned and to all members of the particular Committee or group and all members of Council in a timely manner.
- 4.** The motion to remove or suspend must be passed by a 2/3 majority of the Council members present and voting at a Council meeting where a quorum is present.
- 5.** Members of the Association appointed to Council or a Committee ceases to hold office if, before the expiry of their term of office they:
  - (a) contravene a term of the Code of Conduct;
  - (b) negatively affect the reputation of the Association;
  - (c) cease to be registered as an RPN;
  - (d) cease to be a member in Good Standing;
  - (e) cease to reside in Saskatchewan;
  - (f) become a respondent in Saskatchewan, another province, or foreign jurisdiction in a professional conduct process; or
  - (g) become an employee of the Association.
- 6.** In the event of a vacancy in the members of the Council appointed pursuant to section 7(2)(a) of the Act, the Council may appoint another practicing member in Good Standing or public representative to fill the vacancy until:
  - (a) the expiry of the term of office of the Council member whose departure caused the vacancy.

## Section 5 – Council Meetings

1. Meetings of the Council shall be called by the Chair or as arranged at a previous meeting of the Council with not less than four meetings being held between annual meetings.
2. If the Chair is absent or unable to act, the Vice-Chair may call a meeting of the Council.
3. A simple majority of Council members constitutes a quorum at a Council meeting.
4. Council may meet and conduct business in person, or by video, telephone conference, web casting, or an equivalent method of telecommunication that allows all Council members in attendance to hear and interact with each other.
5. The Registrar must ensure that minutes are taken at each Council meeting and:
  - (a) the Registrar must publish the minutes of each Council meeting on the Association’s website;
  - (b) the Registrar may edit minutes to remove information about any matter if the reasons for removing that information are noted in the edited minutes.
6. In the case of an emergency, Council meetings of the Association may be postponed or cancelled upon a resolution by Council supported by a simple majority of Council members, one of which must be a public representative.
7. Council meetings must be open to members and the public and:
  - (a) Council may exclude any person who is not a Council member from any Council meeting or part of a Council meeting if the person’s attendance at the Council meeting is disruptive, or if Council is satisfied that one or more of the following matters will be discussed:
    - (i) Council effectiveness and performance assessment;
    - (ii) financial or personal or other matters of such a nature that the interest of any affected person, or the public interest in avoiding disclosure of those matters, outweighs the public interest in having the meeting open to the public;
    - (iii) personnel matters;
    - (iv) contents of examinations;
    - (v) information concerning the scoring or results of examinations, or any request for approval to rewrite an examination, or any report of a Registrar about improper conduct, the disclosure which would jeopardize an individual’s personal privacy;
    - (vi) instructions given to, or opinions received from legal counsel, or any other matter which is subject to solicitor-client privilege;

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

## **Section 6 – Chair**

1. The Chair shall:
  - (a) be a voting member of the Council;
  - (b) preside at all general and special meetings of the Association, and of the Council;
  - (c) perform all acts and deeds pertaining to this office;
  - (d) be accountable for the integrity of Council’s processes;
  - (e) represent the Council to stakeholders or third parties; and
2. If the Chair is absent or unable to act, the Vice-Chair shall exercise the powers and perform the duties of the Chair.

## **Section 7 – Vice-Chair**

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

## **Section 8 – Members of Council**

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

## **Section 9 – Chief Executive Officer**

- 1.** The Executive Director shall be appointed by, and responsible to, the Council, and is authorized to operate as the Chief Executive Officer of the RPNAS and shall:
  - (a) execute the strategic directives and initiatives established by the Council and report regularly to the Council on progress;
  - (b) ensure that complete and accurate financial records are maintained;
  - (c) ensure that a motion is presented at a Council meeting appointing a qualified public accountant to complete an annual audit of Association financial records;
  - (d) ensure the preparation and presentation of financial reports:
    - (i) to the Council as directed by the Council; and
    - (ii) to the membership at the annual meeting;
  - (e) maintain all records of the Association, in accordance with the Association’s records retention policy, including a record of all meetings of the Association and the Council;
  - (f) notify all members of all annual or special meetings of the Association, and circulate to members appropriate information and documentation prior to any special or annual meeting;

- (g) issue all notices required by statute, by these Bylaws, or by resolution of the Council;
- (h) be responsible for employment assignment and supervision of staff, and administration of salaries;
- (i) be a non-voting member of all Council Committees, and hold no membership status on Statutory Committees;
- (j) ensure that criteria and procedure for the approval of the psychiatric nursing education program(s) have been determined;
- (k) ensure that the approval process for education program(s) is carried out not less than once every five years;
- (l) act as the official spokesperson for the Association;
- (m) act as Registrar in the absence of such an appointment by Council;
- (n) have custody of the Association seal; and
- (o) monitor annually the trends affecting the Registered Psychiatric Nursing profession, the Association and its Committees, and report to Council regarding such trends.

## **Section 10 – Signing Authority**

1. Signing officers shall include one Council member, the Chief Executive Officer and two staff as required.
2. Cheques and electronic funds payments shall be co-signed/authorized by two signing officers of the Association.

## **Section 11 – Registrar**

1. If appointed by Council, the Registrar shall be a Registered Psychiatric Nurse and is responsible to the Chief Executive Officer.
2. The Registrar shall perform those duties and functions provided for by the Act and these Bylaws in respect to membership, licensing and registration of members of the Association and perform such other duties as are determined by Council.

# **BYLAW II – MEETINGS OF THE ASSOCIATION**

## **Section 1 – Annual Meeting**

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

## **Section 2 – Special Meetings**

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

## **Section 3 – Quorum**

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

## **BYLAW III – FEES**

### **Section 1 – Application Fee**

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

### **Section 2 – Annual Licensing Fee**

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

### **Section 3 – Graduate Psychiatric Nurse Licensing Fee**

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

## **Section 4 – Other Membership Fees**

- 1.** 1 Membership fees associated with all other categories of membership shall be:
  - (a) for student membership, an amount approved from time to time by Council;
  - (b) for emergency practicing membership, an amount approved from time to time by Council;
  - (c) for courtesy educator practicing membership, registration fee shall be the amount approved from time to time by Council.
  
- 2.** Former members applying for practicing membership are required to pay the reinstatement fee as approved from time to time by Council.



# **BYLAW IV – NONSTATUTORY COUNCIL COMMITTEES**

## **Section 1 – Council Committees**

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

## **Section 2 - Legislative Committee**

- 1.** The membership of the Legislative Committee shall be:
  - (a) the Vice-Chair who shall be the chairperson;
  - (b) two practicing members; and
  - (c) at least one public representative or member of the public.
- 2.** The duties of the Committee shall be:
  - (a) to monitor federal, provincial and municipal legislation affecting the public and the psychiatric nursing profession, and to make recommendations to Council for Association action;
  - (b) to review the Act and Bylaws of the Association and to make recommendations to Council regarding necessary changes; and
  - (c) upon the direction of Council, to consider and propose changes in the Act and Bylaws.

## **Section 3 – Finance Committee**

- 1.** The membership of the Finance Committee shall be:
  - (a) the Vice-Chair;
  - (b) a minimum of one practicing member; and
  - (c) a minimum of one public representative or member of the public who is independent of the Association and financially literate and who has a financial designation or relevant financial management expertise.
- 2.** The duties of the Committee shall be:
  - (a) review and recommend the financial information that will be provided to Council and the membership, and ensure that this information accurately represents the financial situation of the Association;
  - (b) review and report to the Council on any financial administration, financial risk management or audit matter referred to it by the Council;
  - (c) review the financial policies and internal controls established by the Chief Executive Officer and Council to:
    - (i) ensure the Association’s sound financial performance;

- (ii) ensure that the Association's internal controls have integrity and will lead to the production of accurate financial statements and performance reports;
  - (iii) ensure the Chief Executive Officer has appropriate systems in place to identify and manage risk and prevent financial mismanagement; and
  - (iv) recommend to Council any necessary changes to the financial policies and internal controls;
- (d) oversee the preparation of the Association's financial statements;
  - (e) recommend the appointment and compensation of the external auditor;
  - (f) work with the auditor to review audit results; and
  - (g) recommend amounts for the application fees, annual licensing fees, and any other fees as directed by Council.

# **BYLAW V – REMUNERATION AND REIMBURSEMENT**

## **Section 1 – Council**

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

## **Section 2 – Committees**

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

## **Section 3 – Members of the Association and the Public**

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

## **REGULATORY BYLAWS**

# **BYLAW VI – MEMBERSHIP**

## **Section 1 – Categories of Membership**

1. Membership in the Association shall consist of the following categories:
  - (a) practicing membership;
  - (b) graduate psychiatric nurse membership;
  - (c) student membership;
  - (d) emergency practicing membership; and
  - (e) courtesy educator practicing membership.

## **Section 2 – Practicing Membership**

1. Practicing membership in the Association may be granted upon completion of the prescribed application form, submission of required documentation and payment of the fees set by the Association in the method prescribed by the Association.
2. Subject to the Act and these Bylaws, a practicing member is entitled to the following privileges:
  - (a) to practice psychiatric nursing;
  - (b) to use the title “registered psychiatric nurse”, the abbreviation “RPN”, “PN” or any word, title or designation, abbreviated or otherwise to show that the person is a registered psychiatric nurse, subject to subsection 22(1) of the Act;
  - (c) to have beneficiary status with the Canadian Nurses Protective Society;
  - (d) to hold office;
  - (e) to participate in the annual and special meetings of the Association;
  - (f) to be appointed to Committees;
  - (g) to use the consulting services of the Association; and
  - (h) to receive a copy of Association member communications, documents, guidelines and any other form of regulatory information designed for distribution to practicing members.

- 3.** Practicing membership carries obligations including but not limited to the following:
- (a) to adhere to the Association’s code of ethics;
  - (b) to adhere to the Association’s psychiatric nursing standards;
  - (c) to adhere to the Association’s continuing education requirements as determined by Council;
  - (d) to have professional liability protection acceptable to Council with a minimum limit of \$5 million per claim and a minimum aggregate limit of \$10 million per year. Beneficiary status with the Canadian Nurses Protective Society in accordance with subsection 2(2)(c) satisfies this requirement;
  - (e) to immediately notify the Association:
    - (i) if they have been charged with any criminal offence under the Criminal Code (Canada), the Controlled Drugs and Substances Act (Canada) or any similar legislation in any province, territory, state or country or any offence in relation to the practice of psychiatric nursing or another profession in any jurisdiction; and
    - (ii) if they have been convicted of any criminal offence under the Criminal Code (Canada), the Controlled Drugs and Substances Act (Canada) or any similar legislation in any province, territory, state or country, or any offence in relation to the practice of psychiatric nursing or another profession in any jurisdiction; and
  - (f) to ensure the Association has all of the member’s updated information pertaining to any change of name, address, telephone number(s), electronic mail address, or any registration information previously provided to the Registrar, within 30 days of the change.

### **Section 3 – Graduate Psychiatric Nurse Membership**

- 1.** Graduate psychiatric nurse membership in the Association may be granted upon completion of the prescribed application form, required documentation and payment of the fees set by the Association.
- 2.** Subject to the Act and these Bylaws, a graduate psychiatric nurse is entitled to the following privileges:
- (a) to practice psychiatric nursing under the supervision of a registered psychiatric nurse or registered nurse in accordance with Association policies and for the period specified in a graduate psychiatric nurse license;
  - (b) to have beneficiary status with the Canadian Nurses Protective Society;
  - (c) to participate in the annual and special meetings of the Association;

- (d) to use the consulting services of the Association; and
  - (e) to receive a copy of Association member communications, documents, guidelines and any other form of regulatory information designed for distribution to practicing members.
- 3.** Graduate psychiatric nurse membership carries obligations including but not limited to the following:
- (a) to adhere to the Association's code of ethics;
  - (b) to adhere to the Association's psychiatric nursing standards;
  - (c) to adhere to the Association's continuing education requirements as determined by Council;
  - (d) to immediately notify the Association:
    - (i) if they have been charged with any criminal offence under the Criminal Code (Canada), the Controlled Drugs and Substances Act (Canada) or any similar legislation in any province, territory, state, or country, or any offence in relation to the practice of psychiatric nursing or another profession in any jurisdiction; and
    - (ii) if they have been convicted of any criminal offence under the Criminal Code (Canada), the Controlled Drugs and Substances Act (Canada) or any similar legislation in any province, territory, state, or country, or any offence in relation to the practice of nursing or another profession in any jurisdiction;
  - (e) to have professional liability protection acceptable to Council with a minimum limit of \$5 million per claim and a minimum aggregate limit of \$10 million per year. Beneficiary status with the Canadian Nurses Protective Society in accordance with subsection 3(2)(b) satisfies this requirement; and
  - (f) to ensure the Association has all updated information pertaining to any change of name, address, telephone number(s), electronic mail address, or any registration information previously provided to the Registrar, within 30 days of the change.
- 4.** In the event of an emergency, the Registrar has the ability to extend a graduate psychiatric nurse license under any time limits, terms, restrictions, or conditions that the Registrar considers appropriate.



## **Section 4 – Student Membership**

- 1.** Student membership in the Association may be granted upon completion of the prescribed application form and payment of the fees set by the Association.
- 2.** A person may be eligible for student membership if they are:
  - (a) currently a student, either full time or part time, in an approved psychiatric nursing education program in Saskatchewan; and
  - (b) their enrolment is verified by the Registrar of the program.
- 3.** Subject to the Act and these Bylaws, a student member is entitled to the following privileges:
  - (a) to have voice, but no vote, at annual and special meetings of the Association; and
  - (b) to receive a copy of Association member communications, documents, guidelines and any form of regulatory information designed for distribution to practicing members.

## **Section 5 – Emergency Practicing Membership**

- 1.** In the event of an emergency in all or part of the province, and if the Registrar determines that the services of Registered Psychiatric Nurses from outside the province are required, then emergency practicing membership may be granted to an applicant who:
  - (a) holds a practicing registration as an RPN from another jurisdiction in Canada for the duration of the emergency practicing membership that is acceptable to the Registrar; and
  - (b) provides proof of identity satisfactory to the Association that they are the person named therein.
- 2.** Where the emergency continues beyond 90 days, an emergency practicing membership may be extended by the Registrar under any terms or conditions that the Registrar considers appropriate.
- 3.** Notwithstanding any other provision of these Bylaws, in the event of a public health emergency within the meaning of The Public Health Act (Saskatchewan), if the Registrar determines that additional psychiatric nurses are needed to provide care, the Registrar may register as a member and issue an emergency practicing membership to:
  - (a) a member holding any category of membership in the Association; or
  - (b) a person who is currently or has been previously licensed to practice as a registered psychiatric nurse in Canada;

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

4. An Emergency Practicing member must have professional liability protection acceptable to Council with a minimum limit of \$5 million per claim and a minimum aggregate limit of \$10 million per year. Beneficiary status with the Canadian Nurses Protective Society in accordance with subsection 2(2)(c) satisfies this requirement.
5. Subject to the Act and these Bylaws, an emergency practicing member is entitled to the following privileges:
  - (a) to practice psychiatric nursing; and
  - (b) to use the title "registered Psychiatric nurse", the abbreviation "RPN", "PN" or any word, title or designation, abbreviated or otherwise to show that the person is a registered psychiatric nurse, subject to subsection 22(1) of the Act.
6. An emergency practicing membership carries obligations including, but not limited to the following:
  - (a) to adhere to the Association's code of ethics;
  - (b) to adhere to the Association's psychiatric nursing standards;
  - (c) to immediately notify the Association:
    - (i) if they have been charged with any criminal offence under the Criminal Code (Canada), the Controlled Drugs and Substances Act (Canada) or any similar legislation in any province, territory, state, or country, or any offence in relation to the practice of psychiatric nursing or another profession in any jurisdiction; and
    - (ii) if they have been convicted of any criminal offence under the Criminal Code (Canada), the Controlled Drugs and Substances Act (Canada) or any similar legislation in any province, territory, state, or country, or any offence in relation to the practice of nursing or another profession in any jurisdiction; and
  - (d) to ensure the Association has all updated information pertaining to any change of name, address, telephone number(s), electronic mail address, or any registration information previously provided to the Registrar, within 30 days of the change.

## Section 6 – Courtesy Educator Practicing Membership

1. A person who is a registered psychiatric nurse in another jurisdiction in Canada may apply for courtesy educator practicing membership to work as an educator in an RPN program approved by Council to develop curriculum or provide theory courses in on-line programming or distance delivery.
2. The applicant must sign a declaration confirming that they are applying for courtesy educator practicing membership solely for the purpose of performing or providing the specific services approved by the Association.
3. The courtesy educator practicing membership is valid for the registration year and must be renewed annually.
4. It is a condition of registration that the person maintain a license and provide evidence of current registration in the jurisdiction where the person currently practices and indicate they are not subject to unresolved allegations of professional misconduct or professional incompetence, or of professional discipline sanctions in the jurisdiction(s) where they are licensed at the time of granting the courtesy educator practicing membership. If the registration in the other jurisdiction is suspended or cancelled, the courtesy educator practicing registration is also cancelled with the RPNAS.
5. A courtesy educator practicing member must have professional liability protection acceptable to Council with a minimum limit of \$5 million per claim and a minimum aggregate limit of \$10 million per year. Beneficiary status with the Canadian Nurses Protective Society in accordance with subsection 2(2)(c) satisfies this requirement.
6. Subject to the Act and these Bylaws, a courtesy educator practicing member is entitled to the following privileges:
  - (a) to practice psychiatric nursing; and
  - (b) to use the title “registered Psychiatric nurse”, the abbreviation “RPN”, “PN” or any word, title or designation, abbreviated or otherwise to show that the person is a registered psychiatric nurse, subject to subsection 22(1) of the Act.
7. A courtesy educator practicing membership carries obligations including, but not limited to the following:
  - (a) to adhere to the Association’s code of ethics;
  - (b) to adhere to the Association’s psychiatric nursing standards;
  - (c) to immediately notify the Association:
    - (i) if they have been charged with any criminal offence under the Criminal Code (Canada), the Controlled Drugs and Substances Act (Canada) or any similar legislation in any province, territory, state, or country, or any offence in relation to the practice of psychiatric nursing or another profession in any jurisdiction; and

- (ii) if they have been convicted of any criminal offence under the Criminal Code (Canada), the Controlled Drugs and Substances Act (Canada) or any similar legislation in any province, territory, state, or country, or any offence in relation to the practice of psychiatric nursing or another profession in any jurisdiction; and
- (d) to ensure the Association has all updated information pertaining to any change of name, address, telephone number(s), electronic mail address, or any registration information previously provided to the Registrar, within 30 days of the change.

## **Section 7 – Change of Status**

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

## **Section 8 – Reinstatement Following Expulsion**

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

# **BYLAW VII – REGISTRATION**

## **Section 1 – Registrar**

- 1.** The Registrar shall:
  - (a) keep a register containing the following information for each psychiatric nurse registered:
    - (i) registration number;
    - (ii) name and address;
    - (iii) category of practice;
    - (iv) license issued;
    - (v) encumbrances, conditions or restrictions on the license; and
    - (vi) such other information as may be required;
  - (b) record the existence of all Association discipline orders, orders of suspension, alternative dispute resolution agreements, undertakings and mediation agreements on the register, in accordance with Council policy;
  - (c) where applicable, collect the fee determined by Council for provision of a certified extract of the register, in accordance with Association policy; and
  - (d) grant or deny applications for membership in the Association and issue licenses to members with or without limits, conditions, or restrictions on the practice of a member as the Registrar deems appropriate in their sole discretion, which power is delegated to the Registrar by Council pursuant to the Act.

## **Section 1.1 – Deputy Registrar**

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

## Section 2 – Registration as a Practicing Member

1. All persons applying for registration as practicing members of the Association must:
  - (a) meet the requirements for registration defined in the Act;
  - (b) complete the prescribed application forms and pay the prescribed fees;
  - (c) provide references as described in the application forms;
  - (d) provide a criminal record and vulnerable sector check (VSC) pursuant to the Criminal Records Act (Canada) conducted by the local Canadian police service where the applicant lives or by an authorized body. The criminal record and VSC must have been obtained within the six months immediately preceding the filing of the application;
  - (e) disclose any past resolved or unresolved investigation, review or allegations of professional misconduct or professional incompetence, or past complete or incomplete professional sanctions in relation to the profession of psychiatric nursing and/or any other profession in any province, territory, state or country;
  - (f) meet the English language requirements set by Council;
  - (g) provide written confirmation dated not more than 60 days before the date of application from the regulatory or licensing authority in the jurisdiction where the applicant is or was most recently entitled to practice a nursing, and/or other health/non-health related profession, indicating whether the applicant was the subject of any investigations, practice limitations, restrictions, conditions, suspensions or cancellations at any time;
  - (h) provide acceptable evidence verifying the applicant's identity; and
  - (i) fulfil any other requirements as determined by the Registrar.
2. A person who has satisfactorily completed a psychiatric nursing education program in Saskatchewan which has been approved by Council must, in addition to meeting the requirements of subsection 2(1):
  - (a) provide documentation indicating successful completion of the program within the four-year period immediately preceding the date of application for registration; and
  - (b) meet the examination requirement for registration as set by Council.
3. A person applying for registration as a practicing member, where the person holds registration and a license to practice in another Canadian province or territory equivalent to that of a practicing member, which is not subject to any practice limitations, restrictions or conditions must, in addition to meeting the requirements of subsection 2(1):

- (a) provide evidence of registration and Good Standing in that jurisdiction;
  - (b) provide proof of having worked in psychiatric nursing activities approved by the Association for at least 1400 hours in the five-year period immediately preceding the date of application for the year in which licensure is sought; and
  - (c) hold a practicing membership with a regulatory body recognized by Council while working in approved registered psychiatric nursing activities for these hours to contribute to eligibility for registration.
- 4.** A person who has satisfactorily completed a basic psychiatric nursing education program outside of Canada must, in addition to meeting the requirements of subsections 2(1) and 3(1):
- (a) arrange to have forwarded by an organization approved by the Council:
    - (i) a certified copy of records outlining the theory and clinical content of the program, and the applicant's National Nursing Assessment Service identification and application numbers, or equivalent information from another similar body or organization recognized by the Council; and
  - (b) meet the examination requirement for registration.
- 5.** A license to practice psychiatric nursing as a registered psychiatric nurse may be issued to persons who meet the requirements of Bylaw VII, subsections 2(1) along with either 2(2) or 2(3) or 2(4).

### **Section 3 - Maintaining Eligibility as a Practicing Member**

- 1.** To maintain eligibility as a practicing member, a psychiatric nurse must:
- (a) work in psychiatric nursing activities approved by the Association for at least 1400 hours in the five-year period immediately preceding the date of application for the year in which licensure is sought; or
  - (b) have worked in psychiatric nursing activities approved by the Association for at least 560 hours in the two-year period immediately preceding the date of application for the year in which licensure is sought;
  - (c) hold a practicing membership with the Association, or a regulatory body recognized by the Association, while working in approved psychiatric nursing activities for these hours to contribute to eligibility for licensure;

- (d) immediately disclose any criminal charges under the Criminal Code of Canada, the Controlled Drugs and Substances Act (Canada), any outstanding allegations or findings of professional incompetence and/or misconduct in relation to the profession of psychiatric nursing and/or any other profession in any province, territory, state or country;
  - (e) complete the prescribed forms and submit with the annual licensing fee and other fees prescribed by Council; and
  - (f) meet the Association's continuing education requirements as determined by Council.
- 2.** A person who has not maintained eligibility for registration in accordance with subsections 3(1)(a) or 3(1)(b), and 3(1)(c) must:
- (a) complete a re-entry program approved by Council in the five-year period immediately preceding the date of application for the year in which licensure is sought; or
  - (b) have completed an approved competence assessment;
    - (i) any required course work identified must be completed in the two-year period immediately preceding the registration year; or
  - (c) have completed an approved supervised practice experience in the two-year period immediately preceding the registration year;
  - (d) arrange to have forwarded by the Director of the program to the Registrar a statement indicating successful completion of the re-entry program, or results from the competence assessment or outcomes of the supervised practice experience;
  - (e) provide references as described in the application forms;
  - (f) where a person has not held an active practicing license in the ten-year period immediately preceding the date of application in which licensure is sought, meet the examination requirements for registration; and
  - (g) complete the prescribed application forms, other required documentation, and submit fees as prescribed by Council.



## **Section 4 – Registration as a Graduate Psychiatric Nurse**

- 1.** Persons applying for registration as a graduate psychiatric nurse member of the Association must:
  - (a) meet the requirements for registration as defined in the Act;
  - (b) complete the prescribed application forms and pay the fees set by the Association;  
and
  - (c) meet the requirements in Bylaw VII, subsections 2(1) and 2(2)(a) and (b).
- 2.** A graduate psychiatric nurse license may be issued for a four-month period to persons who meet the requirements of Bylaw VII, subsections 4(1) and (2).
- 3.** A graduate psychiatric nurse license may be renewed for a maximum of two further four-month periods, with the total time for licensure not to exceed twelve (12) months, and the person must:
  - (a) provide satisfactory references from the current nursing employer(s);
  - (b) demonstrate that effort has been made to meet requirements for registration as a practicing member; and
  - (c) fulfils any other requirements deemed appropriate by the Registrar.
- 4.** Council may place conditions or restrictions on a graduate psychiatric nurse license, taking into account the need to protect the public, the particular circumstances of the graduate psychiatric nurse and the context of practice including client population, type of care, service delivery model and staffing.

## **Section 5 – Registration Reviews**

- 1.** An applicant whose application has been refused, or approved subject to limits, terms, conditions, or restrictions may apply to the Council for a review of the decision.
- 2.** An application for review must be filed with the Association within 30 days of receiving the registration decision.

## **Section 6 – Resignation on Medical or Other Grounds**

- 1.** The Council may, on the recommendation of the Registrar, accept the resignation of a member who wishes to resign their membership for medical or other reasons acceptable to the Council.
- 2.** Where the resignation of a member is accepted by the Council, the Registrar shall note in the register the reasons for which the member has resigned.
- 3.** Subject to Bylaw VII, section 3, a member whose resignation is accepted by the Council may apply to be reinstated as a member and shall, in addition to meeting all other requirements for registration as a member pursuant to the Act and these Bylaws, demonstrate to the satisfaction of the Council that the reasons that resulted in the resignation no longer exist.

# **BYLAW VIII – EXAMINATIONS**

## **Section 1 – Examinations**

- 1.** The Council shall prescribe the examinations required for registration and shall:
  - (a) determine the fees and conditions governing the administration of the examinations;  
and
  - (b) set the requirements for eligibility to write the exam.
- 2.** To meet the examination requirements for registration, a candidate must:
  - (a) complete the prescribed application forms, provide the required documentation and pay the prescribed examination fees; and
  - (b) pass the registration examinations approved by Council.
- 3.** Candidates are allowed a total of three attempts to pass the examination within two years of their graduation date.
- 4.** A person who does not pass the examination within two years of completion of the psychiatric nursing program, or who has failed the examination for the third time is not eligible to rewrite the exam until such time the person satisfactorily completes a one-time opportunity to complete an approved or recognized psychiatric nursing re-entry program. Upon successful completion of the re-entry program, the person will be allowed three more attempts to pass the examination:
  - (a) a person participating in the re-entry program will not be allowed to hold a graduate psychiatric nurse license during this time;
  - (b) a person successfully completing a re-entry program will have two years within which to write the three exam attempts;
  - (c) upon successful completion of the re-entry program and upon application to write the exam, the candidate may be eligible for a graduate psychiatric nurse license;  
and
  - (d) a person who does not pass the registration examination within the subsequent three attempts is no longer eligible for licensure, until such time that they have completed another basic program in psychiatric nursing.
- 5.** A graduate psychiatric nursing license is cancelled immediately upon notice the member has failed the required examination for the third time.

# **BYLAW IX – STATUTORY COMMITTEES**

## **Section 1 – Professional Conduct Committee**

- 1.** The Professional Conduct Committee shall notify, in writing, the member who is the subject of a complaint alleging professional misconduct or professional incompetence that a complaint has been received.
- 2.** The Professional Conduct Committee chair will request a comprehensive written response from the member to the complaint, and the member shall also be advised that their written response will be submitted to the Professional Conduct Committee for review and may be provided to the complainant for comment.
- 3.** The Professional Conduct Committee shall notify, in writing, the person who made the complaint that the complaint has been received;
  - (a) a complaint must include the name of the complainant in order to be accepted by the Professional Conduct Committee.
- 4.** The Professional Conduct Committee may, pursuant to section 22.3 of the Act, take appropriate action to address the concerns of a member's ability to practice in the profession, that constitutes a danger to the public, including, but not limited to, the following:
  - (a) the Professional Conduct Committee shall, pursuant to subsection 22.3(2) or subsection 22.3(4) of the Act, provide a member an opportunity to be heard or respond in writing only;
  - (b) the Professional Conduct Committee shall, pursuant to subsection 22.3(1) or 22.3(3) of the Act, provide written notice of its decision with written reasons to the member after making its decision; and
  - (c) in its written decision shall include notice of a member's ability to appeal the decision to the court.
- 5.** The Professional Conduct Committee shall, pursuant to subsection 24(1) of the Act, take appropriate action to address the complaint, including, but not limited to, the following:
  - (a) review the complaints; and
  - (b) investigate the complaints by taking any steps it considers necessary pursuant to section 24.1 of the Act.
- 6.** The Professional Conduct Committee shall keep in confidence all documentation and information received.

- 7.** At the conclusion of its investigation, the Professional Conduct Committee shall determine the appropriate action pursuant to subsection 24(3) of the Act:
  - (a) if the Professional Conduct Committee determines a caution pursuant to clause 24(3)(d) of the Act is appropriate, a caution may be provided in writing to a member as a letter of guidance;
  - (b) if the Professional Conduct Committee determines that education, remediation, a voluntary surrender or undertaking is appropriate pursuant to clauses 24(3)(e) – (g) of the Act, it may be facilitated through an alternate dispute resolution agreement;
  - (c) in determining whether a caution or an alternate dispute resolution agreement is appropriate, the Professional Conduct Committee shall consider:
    - (i) whether the member who is the subject of the complaint may have engaged in professional misconduct and/or professional incompetence; and
    - (ii) the best interest of the public.
- 8.** When the Professional Conduct Committee recommends that no further action be taken on a complaint, the Professional Conduct Committee may issue a letter of guidance to the member who is the subject of the complaint and provide a copy of the letter of guidance, or a summary of the letter of guidance, to the person who made the complaint.
- 9.** When the Professional Conduct Committee recommends that an alternate dispute resolution agreement be offered to a member, and the alternate dispute resolution agreement is accepted by the member, a copy of the alternate dispute resolution agreement, a summary of the alternate dispute resolution agreement or notice of the alternate dispute resolution agreement may be provided to the person who made the complaint.
- 10.** The Chief Executive Officer may publish letters of guidance and alternate dispute resolution agreements.
- 11.** The Professional Conduct Committee may, with or without notice to the member subject to the complaint, disclose information to the appropriate law enforcement agency pursuant to section 30 of the Act.
- 12.** For the purposes of subsection 23(4) of the Act, a panel of the Professional Conduct Committee shall be formed by three or more members of the Professional Conduct Committee, of which one must be a public representative.

## **Section 2 – Discipline Committee**

- 1.** Council shall designate the chair of the Discipline Committee.
- 2.** The Discipline Committee shall hold all hearings in Regina unless otherwise directed by the Chief Executive Officer;
  - (a) the Discipline Committee may hold hearings virtually.
- 3.** The Registrar or Discipline Committee who determine that a member's license should be suspended or a member's ability to practice in the profession should be limited or restricted pursuant to subsection 24.2(1) of the Act:
  - (a) may make their decision, with or without notice, to the member subject to the complaint;
  - (b) shall provide written notice of its decision with written reasons to the member after making its decision; and
  - (c) in its written decision shall include notice of a member's ability to appeal the decision to the court.
- 4.** Pursuant to subsection 26(11) of the Act, the person(s) who made the complaint:
  - (a) shall be advised by the Chief Executive Officer of the date, time and place of the hearing; and
  - (b) is entitled to attend the hearing.
- 5.** The discipline hearing shall be open to the public.
- 6.** The Discipline Committee may exclude any member of the public including the complainant from any part of the hearing, when the Committee is of the opinion that the evidence brought in the presence of the persons to be excluded will unduly jeopardize the privacy of a person other than the member whose conduct is the subject of the hearing.
- 7.** The Discipline Committee shall issue a written decision with reasons and provide a copy of its decision to the member who is the subject of the complaint and to the person who made the complaint.
- 8.** The identities of the person who made the complaint and persons other than the member who is the subject of the complaint may be redacted or replaced with initials in the Discipline Committee's written decision.

- 9.** Pursuant to subsections 28(1) and (2) of the Act, the Committee may find a registered psychiatric nurse guilty of professional misconduct and/or professional incompetence if the member, engaged in any of the following listed actions, which is not exhaustive:
- (a) abused a client physically, sexually, verbally or psychologically;
  - (b) misappropriated a client's personal property;
  - (c) inappropriately used the psychiatric nurse's professional status for personal gain;
  - (d) influenced a client to change the client's last will and testament;
  - (e) wrongfully abandoned a client;
  - (f) misappropriated drugs;
  - (g) misappropriated property belonging to a psychiatric nurse's employer or fellow employee;
  - (h) disclosed confidential information about a client without authorization;
  - (i) failed to maintain or falsified a record with respect to the observation, rehabilitation or treatment of a client;
  - (j) failed to inform an employer of the psychiatric nurse's inability to accept specific responsibility in areas where special training is required or where the psychiatric nurse does not feel competent to function without supervision;
  - (k) failed to report the professional misconduct or professional incompetence of a colleague whose actions may endanger the safety of a client or of the public;
  - (l) failed to comply with the code of ethics and/or standards of practice of the Association;
  - (m) failed without reasonable cause to respond to inquiries from the Association regarding alleged professional misconduct and/or professional incompetence;
  - (n) conspired to participate in any act of misconduct or counselled a person to participate in any act of misconduct;
  - (o) obtained registration by misrepresentation or fraud; and/or
  - (p) contravened any provision of this Act or Bylaws.
- 10.** The Chief Executive Officer may publish decisions of the Discipline Committee and of the Council finding professional misconduct, professional incompetence and imposing disciplinary orders.

## **BYLAW X – CODE OF ETHICS**

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



## **BYLAW XI – STANDARDS OF PRACTICE**

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

## **BYLAW XII – ADVERTISING BY MEMBERS**

### **Section 1 – Advertising**

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

# **BYLAW XIII – CONFLICT OF INTEREST**

## **Section 1 – Conflict of Interest**

- 1.** Members of Council and Committees of the Association acting in an official capacity are subject to RPNAS Conflict of Interest policy and must:
  - (a) refrain from attempting to exert influence in connection with issues for which they are in conflict or potential conflict of interest; and
  - (b) abstain from participating in any hearings, discussions, or voting on issues for which they are in conflict or potential conflict pending resolution of the conflict or potential conflict as prescribed by the Conflict of Interest policy, except where allowable in the Act.

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