



Province of Alberta

HEALTH PROFESSIONS ACT

LICENSED PRACTICAL NURSES PROFESSION REGULATION

Alberta Regulation 81/2003

Extract

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ALBERTA REGULATION 81/2003

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LICENSED PRACTICAL NURSES PROFESSION REGULATION

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Definitions

1 In this Regulation,

- (a) “authorized practitioner” means a person who performs a restricted activity, within the meaning of Schedule 7.1 to the *Government Organization Act*, while providing health services pursuant to the *Health Professions Act* or another enactment but does not include a regulated member of the College;
- (b) “College” means the College of Licensed Practical Nurses of Alberta;
- (c) “Complaints Director” means the complaints director of the College;
- (d) “Council” means the council of the College;
- (e) “courtesy register” means the courtesy register category of the regulated members register;
- (f) “general register” means the general register category of the regulated members register;
- (g) “Hearing Tribunal” means the hearing tribunal of the College;
- (h) “Hearings Director” means the hearings director of the College;

- (i) “limited practice register” means the limited practice register category of the regulated members register;
- (j) “Registrar” means the registrar of the College;
- (k) “Registration Committee” means the registration committee of the College;
- (l) “Restricted Activities Schedule” means Schedule 7.1 to the *Government Organization Act*;
- (m) “specialized practice register” means the specialized practice register category of the regulated members register;
- (n) “temporary register” means the temporary register category of the regulated members register.

Register categories

2 The regulated members register established by the Council under section 33(1)(a) of the Act has the following categories:

- (a) general register;
- (b) specialized practice register;
- (c) limited practice register;
- (d) temporary register;
- (e) courtesy register.

Registration

General register education, exam requirements

3(1) An applicant for registration as a regulated member on the general register must

- (a) have a diploma or certificate in practical nursing from a program approved by the Council, and
- (b) have successfully completed a registration examination approved by the Council.

(2) An applicant under subsection (1) must

- (a) within the 4-year period immediately preceding the application, have completed the requirements set out in subsection (1),

- (b) have successfully completed a refresher program approved by the Council, or
- (c) have been actively engaged in the practice of practical nursing in accordance with criteria approved by the Council.

Specialized practice registration

4 An applicant for registration on the specialized practice register must

- (a) meet the requirements of section 3,
- (b) have successfully completed a specialized practice education or training program approved by the Council, and
- (c) demonstrate competence to the satisfaction of the Registrar or Registration Committee in the provision of specific specialized practice activities.

Limited practice

5(1) A registrant on the limited practice register must

- (a) have met the education requirements for registration that existed in 1998,
- (b) have been registered under the *Health Disciplines Act* in the designated health discipline of Licensed Practical Nurse since 1998, and
- (c) not otherwise be eligible for registration under this Regulation.

(2) A regulated member on the limited practice register may apply to renew a practice permit only if the regulated member holds a practice permit that has not expired.

Temporary registration

6(1) An applicant who has fulfilled the registration requirements of section 3 but has not successfully passed a registration examination approved by the Council may be registered on the temporary register.

(2) The applicant must successfully pass a registration examination approved by the Council within one year of registration on the temporary register, however, if on a third attempt, within the year,

the applicant fails to successfully pass the examination, the registration is cancelled immediately.

(3) A regulated member may be registered on the temporary register for a period of not more than one year.

(4) A registration on the temporary register expires after one year unless the requirements of subsection (2) are met.

(5) If a regulated member on the temporary register successfully completes a registration examination approved by the Council, the Registrar must remove the regulated member's name from the temporary register and enter it on the appropriate category of the register of regulated members.

(6) A person who is registered on the temporary register may practice only while supervised in a manner satisfactory to the Registrar or the Registration Committee.

Courtesy registration

7(1) A person who is registered as a practical nurse in good standing in another jurisdiction who requires registration in Alberta on a temporary basis for a specified purpose approved by the Registrar and who satisfies the Registrar of having competence to provide the services related to the specified purposes is eligible for registration on the courtesy register.

(2) The term of the registration of a person registered on the courtesy register is for 3 months or less, as specified by the Registrar.

(3) A person who is registered on the courtesy register must remain registered in the jurisdiction in which the person was registered at the time of the person's application for registration on the courtesy register.

Equivalent jurisdiction

8 A person currently registered in good standing in another jurisdiction recognized by the Council under section 28(2)(b) of the Act as having substantially equivalent registration requirements may be registered on the general register or specialized register, as determined by the Registrar to be appropriate.

Equivalent competence

9(1) An applicant who does not meet the requirements under section 3, 4 or 6 but whose qualifications have been determined by the Registrar to be substantially equivalent to the competence

requirements set out in section 3, 4 or 6 may be registered on the appropriate category of the regulated members register.

(2) In determining whether or not an applicant's qualifications are substantially equivalent under subsection (1), the Registrar may require the applicant to undergo an examination, testing or assessment activity to assist with the determination.

(3) The Registrar may direct the applicant to undergo any education or training activities the Registrar considers necessary in order for the applicant to be registered.

(4) The Registrar may request any further information and evidence that the Registrar considers necessary.

Good character, reputation

10 All applicants for registration as regulated members must provide evidence of having good character and reputation by submitting any of the following on the request of the Registrar:

- (a) written reference from colleagues and, where applicable, from another jurisdiction in which the applicant is currently registered;
- (b) a statement by the applicant as to whether the applicant is currently undergoing an unprofessional conduct process or has previously been disciplined by another regulatory body responsible for the regulation of practical nursing or of another profession that provides a professional service;
- (c) the results of the applicant's criminal records check.

English language requirements

11(1) An applicant for registration as a regulated member must be sufficiently proficient in the English language to be able to provide professional services in English.

(2) An applicant may be required by the Registrar to demonstrate proficiency in the English language in accordance with the standards approved by the Council.

Titles and Abbreviations

Authorization to use titles, etc.

12(1) All regulated members may use the titles licensed practical nurse, practical nurse and nursing assistant and the abbreviations L.P.N. and R.N.A.

(2) All regulated members may use the word registered with any of the titles set out in subsection (1).

Restricted Activities

Authorized activities

13(1) Regulated members are authorized, in accordance with this section, to perform the restricted activity of administering anything by an invasive procedure on body tissue below the dermis for the purposes of administering subcutaneous injections.

(2) Only regulated members who received their diploma or certificate after June 1, 2001 from a program approved by the Council or who have successfully completed a post basic education program in administration of intramuscular injections approved by the Council may perform the restricted activity referred to in subsection (1) for the purposes of administration of intramuscular injections.

(3) Only regulated members who have completed advanced training approved by the Council are authorized to perform the restricted activity referred to in subsection (1) for the purposes of performing intradermal injections and insertion of an apparatus for supplying medications or fluids.

(4) Only regulated members who have completed advanced training in immunizations approved by the Council are authorized to perform the restricted activity of administering vaccines for the purpose of providing immunizations under the following conditions:

- (a) the recipient of the immunization is 5 years of age or older;
- (b) the employer of the regulated member has in place protocols respecting immunization;
- (c) an authorized practitioner is available for consultation while the restricted activity is being performed.

(5) Only regulated members on the specialized practice register and who are specifically authorized by the Registrar may perform the restricted activity of cutting a body tissue, administering anything by an invasive procedure on body tissues or performing surgical or other invasive procedures on body tissue below the dermis for the purposes of performing the following activities:

- (a) removing a corn or callus as part of the provision of foot care;

- (b) performing activities under the direction of an authorized practitioner who is performing surgery.

Authorized activities

14 Regulated members may provide the restricted activity of inserting into the ear canal a liquid under pressure for the purposes of removing wax from ears if the regulated member has been specifically authorized to perform the restricted activity by the person who is authorized to perform that restricted activity and the regulated member only performs the restricted activity when a person who is authorized to perform the restricted activity is available to provide assistance.

Authorized activities

15(1) All regulated members may, in the provision of nursing services, provide the restricted activities of inserting or removing instruments, devices, fingers or hands beyond the pharynx, beyond the opening of the urethra, beyond the labia majora, beyond the anal verge or into an artificial opening into the body and beyond the point in the nasal passages where they normally narrow.

(2) Despite subsection (1) only a regulated member on the specialized practice register who is specifically authorized by the Registrar may perform the restricted activity of inserting or removing instruments, devices, fingers or hands into an artificial opening into the body for the purposes of performing dialysis.

Authorized activities

16 Only a regulated member on the specialized practice register who is specifically authorized by the Registrar and who has verbal or written direction from an authorized practitioner who is on site and available to assist, may perform the restricted activity of setting or resetting a fracture of a bone for the purposes of inserting and removing orthopaedic devices and applying casts.

Authorized activities

17 All regulated members may provide the restricted activity of administering diagnostic imaging contrast agents with written or verbal direction from an authorized practitioner who is on site and available to assist.

Authorized activities

18 All regulated members may provide the restricted activity of administering nitrous oxide for the purposes of anaesthesia or

sedation if a person who is authorized to provide that restricted activity is on site and immediately available to assist.

Authorized activities

19 All regulated members may provide the restricted activity of psychosocial intervention as a member of a multi-disciplinary team and while under the direction of an authorized practitioner.

Restriction

20 Despite any of the authorizations to provide restricted activities, regulated members must restrict themselves in performing restricted activities to those activities that the member is competent to perform and to those that are appropriate to the member's area of practice and the procedures being performed.

Learning a restricted activity

21(1) A regulated member who is enrolled in a specialized practice program approved by the Council and who is receiving training in providing a restricted activity may perform the restricted activity under the supervision of a regulated member or an authorized practitioner who is authorized to perform the specific restricted activity being learned and who is available to provide assistance.

(2) A student who is enrolled in a nursing program approved by the Council and who is receiving training in providing a restricted activity may perform the restricted activity under the supervision of a regulated member who is authorized to perform the specific restricted activity being learned and who is available to provide assistance.

(3) A regulated member other than a regulated member on the temporary register may supervise a person not otherwise authorized to perform restricted activities of inserting and removing instruments, devices, fingers or hands beyond the opening of the labia majora or anal verge if the regulated member

- (a) is available for consultation while the person performs the restricted activity, and
- (b) complies with the guidelines established by the Council on supervision of restricted activities.

Continuing Competence

Program

22(1) As part of the continuing competence program, regulated members must complete, on an annual basis, the following in a form satisfactory to the Registrar or Registration Committee and submit a review of their competence profile:

- (a) a self-assessment based on the competence profile indicating the areas where continuing competence activities are to be undertaken for the next registration year;
- (b) a learning plan that states the continuing competence goals for the next registration year and the continuing competence activities to be undertaken during that year to achieve the continuing competence goals;
- (c) a list of continuing competence activities undertaken during the past registration year.

(2) A regulated member must, on the request of the Registrar or Registration Committee, submit anything referred to in subsection (1) to the Registrar or Registration Committee.

(3) A regulated member must each year

- (a) complete the requirements of subsection (1), and
- (b) complete the continuing competence activities stated in the learning plan.

Review, evaluation

23(1) The Registrar or Registration Committee must periodically select regulated members in accordance with criteria established by the Council for a review and evaluation of all or part of the regulated member's continuing competence program.

(2) A regulated member who is selected for a review of the member's continuing competence program must

- (a) submit documentation respecting the member's continuing competence program;
- (b) answer questions from the Registrar or Registration Committee regarding the regulated member's continuing competence program;
- (c) undertake additional continuing competence activities as directed by the Council.

Practice Permit Renewal

Renewal requirements

24 Regulated members applying for renewal of their practice permit must

- (a) state whether the member has been convicted of a criminal offence since the member's initial registration, and
- (b) submit the documentation required under section 22 or 23.

Alternative Complaint Resolution

Process conductor

25 When a complainant and an investigated person have agreed to enter into an alternative complaint resolution process, the Complaints Director must appoint an individual to conduct the alternative complaint resolution process.

Agreement

26 The person conducting the alternative complaint resolution process must, in consultation with the complainant and the investigated person, establish the procedures for and objectives of the alternative complaint resolution process, which must be set out in writing and signed by the complainant, the investigated person and the representative of the College.

Confidentiality

27 The complainant and the investigated person must, subject to section 59 of the Act, agree to treat all information shared during the process as confidential unless otherwise agreed to by the complainants and the investigated person.

Leaving the process

28 The College, the complainant and the investigated person may withdraw from the alternative complaint resolution process at any time.

Reinstatement

Application

29(1) A person whose registration and practice permit have been cancelled under Part 4 of the Act may apply in writing to the Registrar to have the registration and practice permit reinstated.

(2) An application under subsection (1) may not be made earlier than

- (a) 5 years after the cancellation, or
- (b) one year after the refusal of an application under clause (a).

(3) An applicant under subsection (1) must provide evidence to the Registration Committee of qualifications for registration.

Review process

30(1) An application under section 29 must be reviewed by the Registration Committee in accordance with the application for registration process set out in sections 28 to 30 of the Act.

(2) On reviewing an application in accordance with subsection (1), the Registration Committee must

- (a) consider
 - (i) the record of the hearing at which the applicant's registration and practice permit were cancelled, and
 - (ii) the evidence presented at the hearing,

and

- (b) be satisfied that
 - (i) the applicant meets the current requirements for registration,
 - (ii) any conditions imposed at the time the applicant's permit and registration were cancelled have been met, and
 - (iii) the applicant is fit to practice practical nursing and does not pose a risk to public safety.

(3) The Registration Committee on reviewing an application may make one or more of the following orders:

- (a) an order denying the application;
- (b) an order directing the Registrar to reinstate the person's registration and practice permit;
- (c) an order directing the Registrar to impose specified terms and conditions on the person's practice permit.

Review of decision

31 An applicant whose application is denied or on whose practice permit terms and conditions have been imposed under section 30(3)(c) may apply to the Council for a review of the decision of the Registration Committee in accordance with the process set out in sections 31 and 32 of the Act.

Access to decision

32(1) The Council and Registration Committee may order that its decision be publicized in a manner it considers appropriate.

(2) The College must make the decision of the Registration Committee available for 5 years to the public on request.

Information

Providing information

33(1) A regulated member must provide the following information in addition to that required under section 33(3) of the Act when there is a change to the information or at the request of the Registrar:

- (a) home and business mailing address, e-mail address, phone numbers and fax numbers;
- (b) full name and previous names as applicable;
- (c) year of registration;
- (d) date of birth and gender;
- (e) employer's name;
- (f) job title and position description;
- (g) employment status and hours worked;
- (h) areas of practice or specialization;
- (i) date of commencement of employment;
- (j) any other colleges of a profession that provides health services in which the member is registered and whether the member is a practising member of that college;
- (k) information that the College collects for the purpose of federal, provincial or territorial workforce planning initiatives.

(2) Subject to section 34(1) of the Act, the College may release the information collected under subsection (1) only

- (a) with the consent of the regulated member whose information it is,
- (b) in a summarized or statistical form so that it is not possible to relate the information to any particular identifiable person, or
- (c) if it was required for the purpose of federal, provincial or territorial workforce planning initiatives.

Correcting information

34 The Registrar may correct or remove any information in the register if the Registrar determines it is incorrect or inaccurate.

Section 119 information

35 The Council must provide the information referred to in section 119 of the Act for 5 years following the date that the information was filed in the record.

Transitional Provisions, Repeal and Coming into Force

Transitional provisions

36 On the coming into force of this Regulation, a registered member described in section 6 of Schedule 10 to the Act is deemed to be entered on the regulated member register in the category that the Registrar considers appropriate.

Repeal

37 The *Licensed Practical Nurses Regulation* (AR 103/97) is repealed.

Coming into force

38 This Regulation comes into force on the coming into force of Schedule 10 to the *Health Professions Act*.



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