



# **CARNA BYLAWS**

**February 2018**



# CARNA BYLAWS

## TABLE OF CONTENTS

### Part I - GENERAL

1. Definitions .....	1
2. Bylaws in Force .....	1
3. Enactment, Amendment and Repeal of Bylaws .....	1

### Part II - GOVERNANCE

4. Provincial Council .....	1
5. Provincial Executive Committee .....	3
6. Vacant Positions on Provincial Council .....	3
7. Termination of Membership on Provincial Council .....	5

### Part III – ELECTIONS

8. President-elect Election .....	6
9. Provincial Council Election .....	6
10. Election Process .....	7

### Part IV – MEMBERSHIP

11. Regulated Members .....	9
12. Non-Regulated Members .....	10
13. Registers and Records .....	12
14. Membership Meetings .....	14
15. Fees .....	14

### Part V – REGISTRATION

16. Registrar .....	15
17. Registration Committee .....	15
18. Registration Review Committee .....	17

### Part VI – CONTINUING COMPETENCE

19. Competence Committee .....	18
--------------------------------	----

## **Part VII – PROFESSIONAL CONDUCT**

20.	Complaints Director .....	20
21.	Hearings Director .....	20
22.	Appeals Committee .....	20
23.	Hearing Tribunal .....	21
24.	Complaint Review Committee .....	22
25.	Reinstatement Review Committee .....	23
26.	Delegation .....	25
27.	Notices .....	25
28.	Publication of Conduct Information .....	25
29.	Disclosure of an Investigation Report .....	25

## **Part VIII – NURSING EDUCATION PROGRAM APPROVAL BOARD (NEPAB)**

30.	NEPAB .....	25
-----	-------------	----

## **Part IX – ADMINISTRATION**

31.	Chief Executive Officer .....	28
32.	Forms and Documents .....	28
33.	Seal .....	28
34.	Use of Funds .....	28
35.	Fiscal and Membership Year .....	28
36.	Committees .....	29
37.	Process for Developing or Proposing the Adoption of a Code of Ethics and Standards of Practice .....	29
	Code of Ethics and Standards of Practice .....	29
38.	Specialty Practice Groups .....	29
39.	Parliamentary Authority.....	30

## Part I – GENERAL

### 1. Definitions

In these Bylaws:

- (a) "Act" means the *Health Professions Act* (RSA 2000);
- (b) "College" and "CARNA" mean the College and Association of Registered Nurses of Alberta;
- (c) "Chief Executive Officer" means the Chief Executive Officer of the College;
- (d) "Membership year" means the period of time from October 1 to the following September 30;
- (e) "NEPAB" means the Nursing Education Program Approval Board established by Motion No. 1 at the March 25, 1999 Provincial Council meeting;
- (f) "Provincial Council" means the Council of CARNA, established under Section 5 of the Act;
- (g) "Provincial Executive Committee" means the Provincial Executive Committee established under Part II of these Bylaws;
- (h) "Region" means a geographical division of the province, established by Provincial Council;
- (i) "Regulations" means regulations made under Section 131 of the Act.
- (j) "Health Authority Board" means the governing body of a health authority under Alberta's *Regional Health Authorities Act*.
- (k) "Health Professions Advisory Board" means an advisory board to the Minister, established under the *Health Professions Act*.

### 2. Bylaws in Force

These Bylaws come into force on the same day that the *Health Professions Act*, Schedule 24, is proclaimed in force.

### 3. Enactment, Amendment and Repeal of Bylaws

- (1) Notice of a proposed enactment, amendment or repeal of a Bylaw shall be posted on the CARNA website at least 60 days before the date of any meeting at which it is to be voted on.
- (2) The notice referred to in subsection (1) shall contain full particulars of the proposal.
- (3) The persons entitled to vote on a proposed enactment, amendment or repeal of a Bylaw are the members of Provincial Council.
- (4) No enactment, amendment or repeal of a Bylaw is effective unless at least two-thirds of those eligible to vote at a meeting vote in favour of the proposal.
- (5) Whenever amendments are made to Bylaws, consequential editorial changes may be made to the Bylaws as required.

## Part II – GOVERNANCE

### 4. Provincial Council

#### 4.1 Duties and Powers

The Provincial Council of the College will exercise all the powers and duties granted to a governing council under the Act.

#### 4.2 Composition

Provincial Council shall be composed of 13 Registered Nurse members, and 5 public representatives referred to in this subsection at (i) below, as follows:

- (a) three (3) members elected from the Edmonton/West Region;
- (b) three (3) members elected from the Calgary/West Region
- (c) one (1) member elected from the South Region;
- (d) one (1) member elected from the Northeast Region;
- (e) one (1) member elected from the Northwest Region;
- (f) two (2) members elected from the Central Region;

- (g) the President, who is a representative of the members of the College at large and shall not be considered a representative of any geographical division of the province for any purpose;
- (h) the President-elect, who is elected from and is a representative of the members of the College at large and shall not be considered a representative of any geographical division of the province for any purpose; and
- (i) five (5) public representatives appointed by the Lieutenant Governor in Council in accordance with the Act.
- (j) The Chief Executive Officer shall be a non-voting member of Provincial Council.

#### **4.3 Terms of Office**

- (1) Except when these Bylaws otherwise provide, the term of office of the President is two years.
- (2) Except when these Bylaws otherwise provide, the term of office of the President-elect is two years, after which time, subject to Article 6 of these Bylaws, the President-elect succeeds to the office of President.
- (3) Except when these Bylaws otherwise provide, the term of office of all other Registered Nurse members of Provincial Council is three years, with approximately one-third of the Registered Nurse members elected each year.
- (4) In accordance with Section 5(4) of the Act, a member of Provincial Council, other than the President and President-elect, continues to hold office after the expiry of that member's term until a successor is elected or appointed.
- (5) Provincial Council is empowered to increase or decrease the length of the term of office of Provincial Council members, including those already elected to a specific term of office, in order to maintain the one-third turnover rate in accordance with subsection (3) above.
- (6) The members of Provincial Council commence their terms of office on October 1 of the year in which they are elected.

#### **4.4 Provincial Council Meetings**

- (1) Provincial Council shall meet face-to-face at least three times a year.
- (2) The President may call any additional meetings of Provincial Council that the President considers necessary.
- (3) When deemed necessary for Provincial Council to consider a complaint regarding the President, the President-elect may call an additional meeting of Provincial Council.
- (4) Except when Provincial Council otherwise directs, Provincial Council meetings are open to the general membership and public.

#### **4.5 Quorum**

A quorum at Provincial Council decisions is a majority of the members of Provincial Council, which must include:

- (a) the President or President-elect, and
- (b) at least six Registered Nurse members of Provincial Council and
- (c) at least two Public Members of Provincial Council.

#### **4.6 Voting**

- (1) Voting on matters by Provincial Council may be conducted:
  - (a) at a face-to-face meeting of the Provincial Council; or
  - (b) with the authorization of the President, by a mail, e-mail, video or fax vote, or a vote conducted during a telephone conference.
- (2) Regardless of the voting method, quorum for decision-making shall be determined as specified in Bylaw 4.5, and a decision shall be made by a majority vote of the members.

#### **4.7 Conflicts of Interest**

Members of Provincial Council are subject to CARNA's Conflict of Interest Policy. All members of Provincial Council 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 such issues pending resolution of the conflict or potential conflict as prescribed by the Conflict of Interest Policy.

## **5. Provincial Executive Committee**

### **5.1 Duties and Powers**

- (1) The Provincial Executive Committee shall:
  - (a) administer affairs of the College between meetings of Provincial Council, as specified in these Bylaws and in accordance with Provincial Council policy;
  - (b) receive appeals of any decision made by the Nominations Committee by a candidate for election to CARNA, and respond to the appeal within seven calendar days;
  - (c) act on any other matters delegated to it by Provincial Council.
- (2) The Provincial Executive Committee shall not change any policy of the College nor authorize or incur any extraordinary expenditure.

### **5.2 Composition**

- (1) The Provincial Executive Committee shall be composed of the President, President-elect and two Provincial Council members appointed by Provincial Council.
- (2) The Chief Executive Officer shall be a non-voting member of the Provincial Executive Committee.

### **5.3 Provincial Executive Committee Meetings**

Provincial Executive Committee meetings shall be held at the request of the President.

## **6. Vacant Positions on Provincial Council**

### **6.1 Regional Representatives**

- (1) If a Registered Nurse member of Provincial Council, other than the President and President-elect, is unable to complete their term of office, Provincial Council shall appoint the individual who was the runner-up in the last election for the position as a replacement, to serve the remainder of the term of office.
- (2) If the position cannot be filled according to sub-section (1) above:
  - (a) council can appoint an interim registered nurse member who meets the nomination requirements in Section 9.1(1) to the position until the next regularly scheduled CARNA election, and
  - (b) the term of the position will be adjusted to maintain the one-third turnover rate in accordance with Article 4.3.
- (3) If a vacancy occurs as a result of a lack of candidates for the position, and a Provincial Council member is unable to fulfill their commitment under Article 4.3 (4) of these Bylaws:
  - (a) council can appoint an interim registered nurse member who meets the nomination requirements in Section 9.1(1) to the position until the next regularly scheduled CARNA election, and
  - (b) the term of the position will be adjusted to maintain the one-third turnover rate in accordance with Article 4.3.

### **6.2 Change of Residence**

- (1) If a member of Provincial Council changes their Region of residence within Alberta during their term of office on Provincial Council, that member continues to represent the region in which they were elected until the end of their term of office.
- (2) If a member of Provincial Council ceases to be a resident of Alberta during their term of office, that member automatically resigns their position on Provincial Council.

### **6.3 Succession of President-elect to Fill Vacancy**

- (1) If the President-elect succeeds to the office of President during the first year of their term of office as President-elect, that individual:
  - (a) holds office as President for the remainder of their predecessor's term of office; and

- (b) continues in office thereafter as President for a one year term of office.
- (2) If the President-elect succeeds to the office of President during the second year of their term of office as President-elect, that individual:
  - (a) holds office as President for the remainder of their predecessor's term of office; and
  - (b) continues in office thereafter as President for a two year term of office.

#### **6.4 Vacancy of President-elect Position due to Succession**

- (1) If the President-elect succeeds to the office of President:
  - (a) between October 1 and December 31 in the first or second years of their term of office, Provincial Council shall elect a registered nurse member of Provincial Council to serve as President-elect until the immediately following September 30.
  - (b) between January 1 and September 30:
    - (i) in the first year of their term of office, or
    - (ii) during a year where there is no regularly scheduled election for President-elect, Provincial Council shall elect a registered nurse member of Provincial Council to serve as President-elect until the following September 30, and for one year thereafter.
  - (c) between January 1 and September 30:
    - (i) in the second year of their term of office, or
    - (ii) during a year where there is a regularly scheduled election for President-elect, Provincial Council shall elect a registered nurse member of Provincial Council to serve as President-elect until the following September 30.
- (2) The position of President-elect shall be placed on the slate for the next regularly scheduled election necessary to fill vacancies resulting from the expiry of the terms of office referred to in clauses (a), (b) or (c).

#### **6.5 Vacancy of President-elect Position not due to Succession**

If a vacancy occurs in the office of President-elect for a reason other than the succession of the President-elect to the position of President and:

- (a) the vacancy occurs between October 1 and December 31 in the President-elect's first year of office:
  - (i) Provincial Council shall elect a registered nurse member of Provincial Council to serve as President-elect until the immediately following September 30; and
  - (ii) the position of President-elect shall be placed on the slate for the next regularly scheduled election necessary to fill the vacancy resulting from the expiry of the terms of office referred to in sub-clause (i);
- (b) the vacancy occurs in the President-elect's first year of office and between January 1 and September 30, or in their second year of office, Provincial Council shall elect a registered nurse member of Provincial Council to serve as President-elect for the balance of their predecessor's term of office and thereafter to continue in office as President of the College.

#### **6.6 Alignment of Terms of Office**

If an election for President-elect is held following the expiration of a term of office referred to in Article 6.4 (1) (b) or Article 6.5 (a), the successful candidate holds office as President-elect for a one year term of office, unless they earlier succeed to the office of President.

#### **6.7 Absence or Inability to Act**

- (1) In the absence of the President or inability of the President to act, the President-elect shall assume the functions, duties, powers and responsibilities of the President.
- (2) In the absence or inability of the President and the President-elect to act, Provincial Council will determine who shall perform the functions, duties, powers, and responsibilities of the President.

## **6.8 Vacancy of President or President-elect Position: Other**

If no person is willing or able to serve as President or President-elect in accordance with these Bylaws or circumstances arise making it impossible to comply with these Bylaws, the remaining members of Provincial Council may make such appointments or arrangements as they considers necessary in the circumstances.

## **7. Termination of Membership on Provincial Council**

### **7.1 Automatic Termination**

A member of Provincial Council automatically ceases to be a member of Provincial Council if any of the following conditions exist. The member:

- (a) is suspended or ceases to be a Registered Nurse, or
- (b) has been found to be guilty of unprofessional conduct pursuant to the *Health Professions Act* (Alberta) or professional or occupational misconduct or conduct deserving of sanction pursuant to any similar statute.

### **7.2 Removal from Office of Provincial Council Member**

- (1) A person may make a written complaint regarding the conduct of a Provincial Council member to the Provincial Executive Committee if the member of Provincial Council:
  - (a) has been found to be guilty of an offense under the Criminal Code (Canada), or
  - (b) is or has been engaged in any conduct or activity that undermines the College or its objectives.
- (2) On receipt of a written complaint under subsection (1), the Provincial Executive Committee shall arrange for an investigation to be conducted in accordance with the process approved by Provincial Council.
- (3) If, following the investigation conducted under subsection (2), Provincial Executive Committee determines there are reasonable grounds to believe the Council Member who is the subject of the complaint acted contrary to CARNA policy, or engaged in conduct or activity that undermines the College or its objectives or otherwise acted inappropriately, then the Provincial Executive Committee shall ask the President to call a meeting of Provincial Council to review and discuss the results of the investigation.
- (4) Provincial Council shall consider the matter and vote on the following question: “Are you in favour of removing \_\_\_\_\_ as a member of Provincial Council?”
- (5) The member of Provincial council who is the subject of the complaint may attend any such meeting of Provincial Council and be heard; however, that member shall abstain from the vote on the issue and shall be absent during the vote on the issue.
- (6) If two-thirds or more of the members of Provincial Council present and voting vote in favour of the question in subsection (4) above, the member who is the subject of the complaint shall be removed from office effective immediately.
- (7) If two-thirds or more of the Provincial Council members present and voting do not vote in favour of the question in subsection (4) above, then the member who is the subject of the complaint shall not be removed from office and Council shall proceed to consider the seriousness of the issue and may take other action as deemed appropriate.

### **7.3 Removal of President from Office**

- (1) A person may make a written complaint regarding the conduct of the President to the Leadership Review Committee (LRC).
- (2) On receipt of a written complaint under subsection (1), the LRC shall arrange for an investigation to be conducted in accordance with the process approved by Provincial Council.
- (3) If, following the investigation conducted under subsection (2), LRC determines there are reasonable grounds to believe the President acted contrary to CARNA policy, or engaged in conduct or activity that undermines the College or its objectives or otherwise acted inappropriately, then the LRC shall ask the President-elect to call a meeting of Provincial Council to review and discuss the results of the investigation.

- (4) The President shall be absent during portions of meetings of the LRC at which the complaint concerning the President is addressed.
- (5) Provincial Council shall consider the matter and vote on the following question: "Are you in favour of removing \_\_\_\_\_ as President of Provincial Council?"
- (6) The President may attend any such meeting of Provincial Council and be heard, however the President shall abstain from the vote on the issue and shall be absent during the vote on the issue.
- (7) If two-thirds or more of the members of Provincial Council present and voting vote in favour of the question in subsection (4) above, the President shall be removed from office effective immediately and the President-elect will immediately succeed to the office of President.
- (8) If two-thirds or more of the Provincial Council members present and voting do not vote in favour of the question in section (4), then the President shall not be removed from office and Council shall proceed to consider the seriousness of the issue and may take any other action as deemed appropriate.

## **Part III - ELECTIONS**

### **8. President-elect Election**

#### **8.1 Eligibility for President-elect**

- (1) A person nominated as a candidate for President-elect shall be:
  - (a) a Registered Nurse; and
  - (b) a resident of Alberta
- (2) A member of Provincial Council, other than the current President, is eligible to stand as a candidate for President-elect, and is not required to resign from Provincial Council in order to stand as a candidate.
- (3) If a member of Provincial Council is elected as President-elect, that member ceases to represent the region from which they were elected on the date they take office as President-elect.
- (4) A person nominated as a candidate for President-elect is ineligible to be a candidate for and may not be elected to any other elected position.

#### **8.2 Nomination for President-elect**

Nomination of a candidate as President-elect requires:

- (a) The names and support of at least ten registered nurses.
- (b) Consent of the nomination from the candidate.

### **9. Provincial Council Election**

#### **9.1 Eligibility for Provincial Council**

- (1) A person nominated for membership on Provincial Council shall be:
  - (a) a Registered Nurse; and
  - (b) a resident of the region in which they are nominated.
- (2) A Provincial Council member is eligible to be nominated for no more than two consecutive terms.

#### **9.2 Nomination for Provincial Council**

Nomination of a member for election to Provincial Council requires:

- (a) The names and support of at least five registered nurses who are residents of the region.
- (b) Consent of the nomination from the candidate.

#### **9.3 Ineligibility for Provincial Council**

A Registered Nurse is not eligible to be nominated for membership on Provincial Council or as President or President-elect of Provincial Council, or must resign from Provincial Council, if he or she:

- (a) is elected to federal or provincial public office;
- (b) occupies a senior position (Assistant Deputy Minister or higher) with the Government of Alberta;
- (c) is a member or officer of a Health Authority Board;
- (d) is a member or officer of the Health Professions Advisory Board;

- (e) as their primary responsibility in the course of their employment represents a health authority or any other nursing employer in collective bargaining or in proceedings under a collective bargaining agreement with regulated Registered Nurses;
- (f) as their primary responsibility in the course of their employment represents regulated Registered Nurses in collective bargaining or in proceedings under a collective bargaining agreement with a health authority or any other nursing employer, or who negotiates or sets fees charged by regulated Registered Nurses for professional services or guidelines on fees charged by regulated Registered Nurses for professional services on behalf of regulated Registered Nurses;
- (g) is employed by the College.

## **10. Election Process**

### **10.1 Campaign and Election Rules**

- (1) Provincial Council may establish rules for the campaigning and financing of campaigns, and for the reporting of campaign fund revenue and expenditures, or delegate that authority to the Nominations Committee, subject to such conditions as Provincial Council prescribes.
- (2) Provincial Council may establish rules for:
  - (a) the conduct of elections;
  - (b) the appointment and conduct of Tellers;
  - (c) the resolution of disputes arising from the election.

### **10.2 Receipt of Nominations**

Completed nomination forms must be received by the CARNA Provincial Office on or before June 1 or, if June 1 falls on a Saturday, Sunday or statutory holiday, on the first CARNA office business day following June 1.

CARNA will officially announce the names of candidates once the nomination deadline has passed.

### **10.3 Withdrawal**

A candidate may withdraw from the campaign by notifying the Nominations Committee or CARNA office in writing or via email.

### **10.4 Preparation of Ballot**

- (1) Voting shall be by electronic ballot with voting numbers gathered through a third party company.
- (2) The electronic ballot shall have the names of the candidates listed in alphabetical order of surnames.
- (3) Promotion of the election will coincide with the start of renewal through various CARNA communication platforms.
- (4) All practising members in regions holding an election will be eligible to vote until 11:59 p.m. on August 31.
- (5) If there is a disruption or technological malfunction of the electronic ballots which made or could make voting impossible, the Nominations Committee may make any rules for the distribution, casting and receipt of ballots that are considered necessary in the circumstances.

## **10.5 Voting Results**

- (1) The voting results will be made available to the candidates on the first business day following the voting deadline.
- (2) An Election Trustee will oversee the tabulation of the ballots.
- (3) The candidate receiving the most votes is the successful candidate.
- (4) Candidates shall have the right to verify any online vote tabulation results within three business days of the day that the candidates are notified of the election results.
- (5) If there is an equal number of votes for two or more candidates for first place, there will be another election for that region.

## **10.6 Retention and Destruction of Ballots**

Electronic ballots shall be destroyed one (1) year following the election in which they were cast.

## **10.7 Reporting of Election Results**

- (1) The next business day after the voting deadline, the Election Trustee will report results of the electronic vote tabulation to the CARNA President and the Nominations Committee Chair.
- (2) The President or their delegate will contact all candidates on the day the results are available, share details of the report and provide them with a copy of the report if they wish.
- (3) Once all the candidates have been notified, CARNA will officially announce the election results through its various communication platforms. The results may include the names of the elected representatives and voter turnout numbers.
- (4) All information pertaining to election results shall be explicitly available to any CARNA member on request.

# **Part IV - MEMBERSHIP**

## **11. Regulated Members**

### **11.1 Register of Regulated Members**

The College will maintain one register with the following categories:

- (1) Registered Nurse (RN)
- (2) Nurse Practitioner (NP)
- (3) Certified Graduate Nurse (CGN)
- (4) Temporary
- (5) Courtesy

### **11.2 Registered Nurse Members**

- (1) Every Registered Nurse is a member of the College in the "Registered Nurse" category of the Register.
- (2) In addition to the rights, duties and responsibilities a Registered Nurse has under the Act and Regulations, Registered Nurse members:
  - (a) are entitled to nominate and be nominated for office including Provincial Council, and for the position of President-elect;
  - (b) are entitled to vote in elections for membership on Provincial Council, and for the position of President-elect;
  - (c) are entitled to attend annual general meetings of the College, make motions, debate, and vote on matters coming before the annual general meeting, and are eligible to serve on committees and boards of the College;
  - (d) are members of the Canadian Nurses Association, which in turn is a member of the International Council of Nurses;
  - (e) are entitled to receive College publications;
  - (f) may receive such other benefits as Provincial Council from time to time determines.

### **11.3 Nurse Practitioner Members**

- (1) Every Nurse Practitioner is a member of the College in the "Nurse Practitioner" category of the Register.

- (2) In addition to the rights, duties and responsibilities a Nurses Practitioner has under the Act and Regulations, Nurse Practitioner members:
  - (a) are entitled to nominate and be nominated for office including Provincial Council, and for the position of President-elect;
  - (b) are entitled to vote in elections for membership on Provincial Council, and for the position of President-elect;
  - (c) are entitled to attend annual general meetings of the College, make motions, debate, and vote on matters coming before the annual general meeting, and are eligible to serve on committees and boards of the College;
  - (d) are members of the Canadian Nurses Association, which in turn is a member of the International Council of Nurses;
  - (e) are entitled to receive College publications;
  - (f) may receive such other benefits as Provincial Council from time to time determines.

#### **11.4 Certified Graduate Nurse Members**

- (1) Every Certified Graduate Nurse is a member of the College in the “Certified Graduate Nurse” category of the Register.
- (2) In addition to the rights, duties and responsibilities a Certified Graduate Nurse member has under the Act and Regulations, Certified Graduate Nurse members:
  - (a) are entitled to vote in elections for membership on Provincial Council and for the President-elect;
  - (b) are entitled to attend annual general meetings of the College, make motions, debate, and vote on matters coming before the annual general meeting, and are eligible to serve on committees and boards of the College;
  - (c) are entitled to receive the College publication;
  - (d) may receive such other benefits as Provincial Council from time to time determines.

#### **11.5 Temporary Registered Member**

- (1) Every individual on the temporary register is a regulated member of the College.
- (2) In addition to the rights, duties and responsibilities related to temporary registration under the Act and Regulations, individuals on the temporary register:
  - (a) are entitled to attend annual general meetings of the College, make motions, debate, and vote on matters coming before the annual general meeting;
  - (b) are members of the Canadian Nurses Association, which in turn is a member of the international Council of Nurses;
  - (c) are entitled to receive College publications;
  - (d) may receive such other benefits as Provincial Council from time to time determines.

#### **11.6 Courtesy Register Members**

- (1) Every individual on the courtesy register is a regulated member of the College for the duration of their registration with the College, but must maintain active registration in the jurisdiction in which they hold primary registration.
- (2) Courtesy members may attend meetings of Provincial Council, but are not entitled to attend annual general meetings of the College or vote in elections for Provincial Council.

### **12. Non-Regulated Members**

#### **12.1 Additional Categories Established**

- (1) The College will maintain one register with the following categories of non-regulated members:
  - (a) Associate member;
  - (b) Nursing Student member;
  - (c) Retired member;
  - (d) Initial Non-Practicing member;
  - (e) Honourary member.

- (2) An individual registered on the register or roster for any of the above categories under the Nursing Profession Act is deemed to be a non-regulated member of the College.

### **12.2 Associate Members Category**

- (1) The Associate Members Category shall contain, with respect to each person:
  - (a) name, date of birth, address and telephone number (if provided);
  - (b) initial date of registration as a Registered Nurse and date the individual ceased to be a Registered Nurse;
  - (c) employment status;
  - (d) education, including the school of nursing attended;
  - (e) historical information relevant to the person;
  - (f) such other information as Provincial Council may prescribe.

### **12.3 Associate Members**

- (1) A person who was formerly a Registered Nurse, Certified Graduate Nurse or Nurse Practitioner in good standing in Alberta may apply to the Registrar for membership in the College as an Associate member.
- (2) An Associate member is entitled to:
  - (a) attend annual general meetings of the College, make motions and debate, but shall not have the right to vote on matters coming before the annual general meeting;
  - (b) receive College publications;
  - (c) serve on committees and boards of the College as a non-voting member.
- (3) No Registered Nurse or Certified Graduate Nurse may be an Associate member.

### **12.4 Nursing Student Members Category**

- (1) The Nursing Student Category shall contain, with respect to each person:
  - (a) name, date of birth, address and telephone number (if provided);
  - (b) date of enrollment as a nursing student in an education program in Alberta approved by the Nursing Education Program Approval Board (NEPAB).
  - (c) historical information relevant to the person;
  - (d) such other information as Provincial Council may prescribe.

### **12.5 Nursing Student Members**

- (1) A person who is enrolled in an education program approved by NEPAB may apply to the Registrar for membership in the College as a Nursing Student member.
- (2) A Nursing Student member is entitled to:
  - (a) attend Provincial Council meetings and annual general meetings of the College, but shall not have the right to vote in Provincial Council elections or on matters coming before the annual general meeting;
  - (b) receive College publications;
  - (c) serve on committees and boards of the College as a non-voting member.

### **12.6 Retired Members Category**

- (1) The Retired Members Category shall contain, with respect to each person:
  - (a) name, date of birth, address and telephone number (if provided);
  - (b) initial date of registration as a Registered Nurse or Certified Graduate Nurse and date the individual ceased to be a Registered Nurse or Certified Graduate Nurse;
  - (c) employment status;
  - (d) education, including the school of nursing attended;
  - (e) historical information relevant to the person;
  - (f) such other information as Provincial Council may prescribe.

### **12.7 Retired Members**

- (1) A person who was formerly Registered Nurse, Certified Graduate Nurse, or Nurse Practitioner in good standing in Alberta may apply to the Registrar for membership in the College as a Retired member.
- (2) A Retired member is entitled to:
  - (a) attend annual general meetings of the College, make motions and debate, but shall not have the right to vote on matters coming before the annual general meeting;
  - (b) receive College publications;
  - (c) serve on committees and boards of the College as a non-voting member.

### **12.8 Initial Non-Practicing Members Category**

- (1) The Initial Non-Practicing Members Category shall contain with respect to each person:
  - (a) name, date of birth, address and telephone number (if provided);
  - (b) date of initial registration;

- (c) education including school of nursing attended;
- (d) information as to registration in any other province, state or country, if applicable;
- (e) historical information relevant to the person;
- (f) any note of reprimand, suspension, or sanction;
- (g) such other matters as Provincial Council may prescribe.

### **12.9 Initial Non-Practicing Members**

- (1) A person who has met all the Alberta educational requirements for registration under the Act as a Registered Nurse, but who does not intend to practice in Alberta, may apply for membership in the College as an Initial Non-Practicing member.
- (2) An initial non-practicing member is entitled to attend annual general meetings of the College, make motions and debate, but shall not have the right to vote on matters coming before the annual general meeting.

### **12.10 Honourary Members Category**

The Honourary Members Category, shall contain, with respect to each person:

- (a) name, address, and telephone number (if provided);
- (b) a summary of the service provided to the profession resulting in their election as an honorary member;
- (c) date of entry on the Register;
- (d) such other information as Provincial Council may prescribe.

### **12.11 Honourary Members**

- (1) Honourary members are those upon whom the designation has been conferred by Provincial Council.
- (2) Except as otherwise provided, Honourary members are not required to pay fees, dues or levies and have all the privileges of membership in the College which shall include the right to attend annual general meetings of the College but shall not have the right to make motions, debate, nor vote on matters coming before the annual general meeting; and shall not be eligible to hold office in the College.
- (3) If an individual on whom honorary membership has been conferred is a Registered Nurse or Associate member and wishes to continue membership in that category or, not being a member, is eligible for membership, may, in accordance with the Act, Regulations, and these Bylaws retain their category of membership or become a member, as the case may be, with all the rights and privileges to which a member in good standing in that category of membership is entitled.

## **13. Registers and Records**

### **13.1 Historical Record**

The Registrar shall continue the historical record of every person registered as a Registered Nurse containing such information as the Registrar considers appropriate. In addition, the College shall maintain a historical archive containing such information as the College deems appropriate.

### **13.2 Changes to Information**

- (1) The Registrar may add to or remove information from any register of the College.
- (2) Upon the direction of the Council, a Hearing Tribunal, a Registration Committee, a Complaint Review Committee or a Competence Committee, the Registrar may correct or remove any entry made in error in a register of the College.
- (3) No registration or practice permit shall be cancelled except in accordance with the HPA.

### **13.3 Written and Computer Records**

The Registers established by the Act and these Bylaws may be maintained in a written record or by means of a computer record, or both.

#### **13.4 Access to Personal Information**

- (1) A member of the College may request access to the information on their record through the College's Privacy Officer.
- (2) In accordance with the Act, a member of the public may request information on the register respecting a named regulated member, and the College must provide the following information:
  - (a) the full name of the regulated member;
  - (b) the regulated member's registration number;
  - (c) whether the regulated member's registration is restricted to a period of time and, if so, the period of time;
  - (d) any conditions on the regulated member's practice permit;
  - (e) the status of the regulated member's practice permit, including whether it is suspended or cancelled;
  - (f) the regulated member's practice specialization recognized by the College;
  - (g) whether the member is authorized to provide a restricted activity not normally provided by regulated members of the College;
  - (h) whether the member is not authorized to provide a restricted activity that is normally provided by regulated members of the College;
  - (i) whether the regulated member has been directed to cease providing professional services by the Complaints Director.
- (3) No other information recorded on any College register may be disclosed without the individual's consent to the disclosure in writing, except where required by the Act, Regulations, or other legislation.

#### **13.5 Determination of Residence**

- (1) When it is necessary to determine the residence of a member for any purpose under the Act, Regulations or these Bylaws, the residence of the member shall be considered for all purposes to be the address of the member recorded in the Register unless otherwise provided in these Bylaws.
- (2) If the member resides out of province, the member is deemed to be a member of the Region of their choice as indicated by the member upon registration, or, failing such indication, the member shall be deemed to be a member of the Edmonton/West Region.

#### **13.6 Application Date for Renewal of Annual Practice Permit**

- (1) An annual practice permit expires on September 30th each year, unless otherwise provided for in the Act.
- (2) Each regulated member must submit a complete application including all information required by the Registrar under section 40(1) of the Act and section 21 of the Regulations, by September 1st of each year. The application must indicate whether the member is applying for a practice permit or for non-practicing membership.
- (3) An application for renewal of an annual practice permit will not be assessed until it is complete as defined in (2) above.
- (4) A late fee will be charged on any application for renewal of an annual practice permit received after September 1st .
- (5) A regulated member whose complete application as defined in 13.6 (2) above, is not received by September 30th, will have their practice permit suspended until they have met all outstanding requirements, and may have their registration cancelled pursuant to the Act.

#### **13.7 Reissuing of Practice Permit, Reinstatement of Registration**

- (1) A regulated member whose practice permit and registration are cancelled only for non-payment of fees may have the practice permit reissued and registration reinstated upon payment of any outstanding fees.
- (2) A regulated member whose practice permit is suspended under HPA Section 40(2)(c) may apply for the practice permit to be reissued (within the same practice year) by submitting to the Registrar a written application for reissuing of a practice permit, including a complete application as defined in

Bylaw 13.6 (2) above and evidence of meeting outstanding conditions on the preceding practice permit. The member's practice permit may be subject to conditions, upon being reissued.

- (3) A regulated member whose practice permit and /or registration are cancelled under Section 43(4) of the Act, may apply for the practice permit to be reissued and registration to be reinstated by submitting a complete application as defined in 13.6(2) above, and a written application for reinstatement to the Registrar. The member's practice permit may be subject to conditions, upon being reissued/reinstated.
- (4) A person who continues to provide nursing services as defined by the Act while their registration or practice permit is suspended, cancelled or expired, is in contravention of legislation and may be referred to the Complaints Director or be subject to penalty according to the HPA. If the registration is reinstated and/or a practice permit reissued, the registration and practice permit may be subject to conditions, and the contravention may be reported to the Complaints Director.

## **14. Membership Meetings**

### **14.1 Annual General Meeting**

- (1) The Annual General Meeting of the College shall be held at such date, time and place as is determined by Provincial Council.
- (2) The purposes of the annual general meeting are:
  - (a) to provide through the submission of resolutions:
    - (i) a forum through which regulated members are able to raise issues of importance; and
    - (ii) proposals for policy direction for College activities;
  - (b) to report and provide information to the members on the actions taken by Provincial Council and the activities in which the College is involved;
  - (c) to provide an opportunity for members to comment on College direction and priorities;
  - (d) to address any other matters properly brought before the annual general meeting.
- (3) Provincial Council may prescribe rules for the presentation of resolutions and the manner in which they are dealt with at the annual meeting.
- (4) Provincial Council shall consider all resolutions submitted at the Annual General Meeting which receive a majority vote of members, and shall determine whether such resolutions merit amendment of Provincial Council policy, whether they are inherent in directions already delegated to the Chief Executive Officer, or whether there are compelling reasons not to implement the resolutions.
- (5) Provincial Council shall ensure that the membership receives a report annually on the disposition of resolutions.
- (6) Provincial Council shall promote member attendance, interaction and participation at annual meetings.

### **14.2 Special Membership Meetings**

- (1) Special meetings of members may be called by Provincial Council.
- (2) The President shall appoint the presiding officer, who may be themselves, for special meetings of the members.
- (3) The purpose of a special meeting of the members is to:
  - (a) provide an opportunity for discussion of extraordinary issues before the College and to seek direction and input from the general membership;
  - (b) provide the members with an opportunity to bring extraordinary issues to the attention of Provincial Council.

## **15. Fees**

### **15.1 Setting of Fees**

- (1) Provincial Council shall establish fees for the following:
  - (a) initial registration and registration renewals for each membership category;
  - (b) initial practice permits and practice permit renewals for regulated members;
  - (c) registration reviews under sections 31 or 41 of the Act.

- (2) Provincial Council may determine such other fees, dues or levies as are required under the Act, Regulations or these Bylaws or for anything it considers necessary for services provided to a member or any other person.
- (3) Provincial Council may establish policies that give direction to the Chief Executive Officer in the setting of fees for recuperation of the costs and expenses associated with nursing education program approval.

#### **15.2 Fee Changes**

If Provincial Council proposes to change any of the fees set out in 15.1 above, it shall give at least sixty days' notice of its intention to do so by notice in the College publication.

#### **15.3 Special Levy**

If special circumstances arise requiring additional funding for the College, Provincial Council may impose a special levy against the members or a category of membership.

#### **15.4 Notice of Fees, Dues and Levies**

When fees, dues or levies are payable, notice of the fees, dues or levies payable shall be sent to those members or persons required to pay them.

### **Part V - REGISTRATION**

#### **16. Registrar**

##### **16.1 Duties and Powers**

- (1) The Registrar appointed under Section 8 of the Act may:
  - (a) consider applications for registration and applications for a practice permit,
  - (b) undertake any other power or duty given to the Registrar under the Act, the regulations or these bylaws, and
  - (c) subject to sections 19 and 20 of the Act, execute any powers and duties delegated by Provincial Council.
- (2) If the practice permit or registration, or both, of a regulated member has been cancelled, the registration and practice permit are not to be reinstated except by order of the Registrar, who may refer the matter to the Registration Committee.
- (3) The Registrar may in their sole discretion decide to refer any application for registration or practice permit to the Registration Committee or the Competence Committee for their determination.
- (4) The Registrar may delegate in writing all or any of their duties and responsibilities to another staff member, with or without conditions.

#### **17. Registration Committee**

##### **17.1 Duties and Powers**

The Registration Committee established under Section 9 of the Act may:

- (a) consider and decide on an application for registration or an application for practice permit, if so referred by the Registrar,
- (b) cancel a practice permit if satisfied that the applicant has not met the conditions imposed when the practice permit was issued, and
- (c) undertake any other power or duty given to it under the Act, the Regulations, or the Bylaws.

##### **17.2 Delegation**

The Registration Committee is authorized to delegate any of its powers or duties to the Registrar, with or without conditions.

### **17.3 Composition**

- (1) The Registration Committee shall be composed of not less than seven regulated members of the College, appointed by Provincial Council.
- (2) The Chairman of the Registration Committee shall be selected each year by and from members of the Committee.
- (3) The Registrar, or designate, shall attend meetings of the Registration Committee.

### **17.4 Prohibition of Membership**

No member of the Registration Committee shall be a member of Provincial Council, a Hearing Tribunal, the Complaint Review Committee, Reinstatement Review Committee, Registration Review Committee, Competence Committee or NEPAB.

### **17.5 Term of Office**

- (1) The term of office of each member of the Registration Committee is four years with one or more members being replaced annually to maintain continuity of membership.
- (2) An appointment to the Registration Committee may be extended for up to two additional years.
- (3) A member of the Registration Committee continues to hold office after the expiry of the member's term until the member is reappointed or a successor is appointed.
- (4) If a vacancy occurs on the Registration Committee, Provincial Council may:
  - (a) appoint another Registered Nurse as a member of the Committee; or
  - (b) leave the vacancy unfilled, unless the membership would be reduced below three, in which case another Registered Nurse shall be appointed as a member of the Registration Committee.
- (5) Pending the appointment of a Registered Nurse by Provincial Council under subsection (3), the Provincial Executive Committee may make a temporary appointment.

### **17.6 Quorum**

- (1) A quorum of the Registration Committee is three members of the committee. A member of the Registration Committee who does not participate at a meeting due to a conflict of interest or bias, shall still be included in determining the quorum for that hearing or meeting.
- (2) A decision of the Registration Committee shall be by a vote of a majority of the members present and voting at a meeting.

### **17.7 Conduct of Meetings**

Subject to the Act, the Registration Committee may determine its own rules respecting the calling of and conduct at its meetings. Meetings of the committee are held in camera unless otherwise determined by the committee.

### **17.8 Confidentiality**

- (1) Information respecting applications under the Act, the Regulations or these Bylaws that is received by a member of the Registration Committee shall be kept confidential by that member.
- (2) Information given to the Registration Committee shall be disclosed only in accordance with the Act, the Regulations, these Bylaws or as otherwise required by law.
- (3) The Registrar:
  - (a) may disclose the status of an application under consideration by their or the Registration Committee to the applicant or an employer or prospective employer;
  - (b) shall not disclose any other information respecting an application unless it is required to be disclosed for the purpose of the Act, the Regulations or these Bylaws or otherwise required by law.
- (4) The Registration Committee may authorize the disclosure of information for statistical use when the information cannot be attributed to a particular individual or facility.

### **17.9 Publication of Information**

- (1) If it is satisfied that it is in the public interest to do so, the Registration Committee may authorize:
  - (a) the publication of information surrounding the discovery of a person acting as a Registered Nurse, Nurse Practitioner or Certified Graduate Nurse who does not hold a practice permit;
  - (b) the publication of any fraudulent or false information received in respect of an application under the Act or the Regulations, including the name of the person concerned and their employer, if any.
- (2) For the purpose of preventing impostors from engaging in the practice of nursing, the Registration Committee may authorize the issue of notices or warnings to employers or other persons in such form and manner as the committee considers appropriate.

### **17.10 Termination**

Provincial Council appoints regulated members to and removes regulated members from the Registration Committee.

This will be done in accordance with the Provincial Council policy “Termination of Membership and/or Performance Management of Members of Regulatory Committees”.

## **18. Registration Review Committee**

### **18.1 Duties and Powers**

There is hereby established a Registration Review Committee, which shall carry out the duties and powers of Provincial Council under Section 31, Section 32 and Section 41 of the Act.

### **18.2 Composition**

- (1) The Registration Review Committee shall be composed of not more than seven persons appointed by Provincial Council at least five of whom shall be Registered Nurses.
- (2) The Chairman of the Registration Review Committee shall be selected each year from the Registered Nurse members of the committee by the members of the committee.

### **18.3 Prohibition on Membership**

No member of the Registration Review Committee shall be a member of Provincial Council, a Hearing Tribunal, the Complaint Review Committee, Reinstatement Review Committee, Registration Committee, Competence Committee or NEPAB.

### **18.4 Term of Office**

- (1) The term of office of each member of the Registration Review Committee is three years with one or more members being replaced annually to maintain continuity of membership.
- (2) An appointment to the Registration Review Committee may be extended for one additional year.
- (3) If a vacancy occurs on the Registration Review Committee, Provincial Council may:
  - (a) appoint another Registered Nurse as a member of the Committee; or
  - (b) leave the vacancy unfilled, unless the membership would be reduced below three, in which case another Registered Nurse shall be appointed as a member of the Registration Review Committee.
- (4) Pending the appointment of a Registered Nurse by Provincial Council under subsection (3), the Provincial Executive Committee may make a temporary appointment.

### **18.5 Quorum**

- (1) At least three members of the Registration Review Committee shall hear and decide on an application for review under the Act. A member of the Registration Review Committee who does not participate at a meeting or hearing due to a conflict of interest or bias, shall still be included in determining the quorum for that hearing or meeting.
- (2) A decision of the Registration Review Committee shall be by a vote of a majority of the members present and voting at a meeting.

## **18.6 Conduct of Meetings**

The Registration Review Committee shall, subject to the Act, determine its own rules of procedure, calling of meetings, conduct of hearings, and matters related to them. Meetings of the committee are held in camera unless otherwise determined by the committee.

## **18.7 Confidentiality**

- (1) Except as otherwise provided in this Article, all proceedings of the Registration Review Committee are confidential.
- (2) Each member of the Registration Review Committee shall keep information received by them as a member of the committee confidential.
- (3) Information given to the Registration Review Committee shall be disclosed only in accordance with the Act, the Regulations, and these Bylaws, or as otherwise required by law.
- (4) The Registration Review Committee may authorize the disclosure of information for statistical use when the information cannot be attributed to a particular individual or facility.
- (5) The Registrar shall not disclose any information respecting a matter before the Registration Review Committee unless the information is required to be disclosed for the purpose of the Act, the Regulations or these Bylaws or as otherwise required by law.

## **18.8 Termination**

Provincial Council appoints regulated members to and removes regulated members from the Registration Review Committee.

This will be done in accordance with the Provincial Council policy “Termination of Membership and/or Performance Management of Members of Regulatory Committees”.

## **PART VI – CONTINUING COMPETENCE**

### **19. Competence Committee**

#### **19.1 Duties and Powers**

The Competence Committee is hereby established. The Competence Committee may:

- (a) make recommendations on continuing competence requirements and the assessment of those requirements;
- (b) review continuing competence requirements on the registration application and renewal of practice permit applications, to determine if continuing competence requirements are met;
- (c) refer a practice permit to the Registrar for cancellation if the committee is satisfied that the applicant has not met the conditions imposed when the practice permit was issued, and
- (d) undertake any other power or duty given to it under the Act, the Regulations or the Bylaws.

#### **19.2 Delegation**

The Competence Committee is authorized to delegate any of its powers or duties to the Continuing Competence staff resource, with or without conditions.

#### **19.3 Composition**

- (1) The Competence Committee shall be composed of not less than seven persons appointed by Provincial Council.
- (2) The Chairman of the Competence Committee shall be selected each year from the Registered Nurse members of the committee by the members of the committee.

#### **19.4 Prohibition on Membership**

No member of the Competence Committee shall be a member of Provincial Council, a Hearing Tribunal, the Complaint Review Committee, Reinstatement Review Committee, Registration Committee, Registration Review Committee or NEPAB.

### **19.5 Term of Office**

- (1) The term of office of each member of the Competence Committee is four years with one or more members being replaced annually to maintain continuity of membership.
- (2) An appointment to the Competence Committee may be extended for up to two additional years.
- (3) A member of the Competence Committee continues to hold office after the expiry of the member's term until the member is reappointed or a successor is appointed.
- (4) If a vacancy occurs on the Competence Committee, Provincial Council may:
  - (a) appoint another Registered Nurse as a member of the Committee; or
  - (b) leave the vacancy unfilled, unless the membership would be reduced below three, in which case another Registered Nurse shall be appointed as a member of the Competence Committee.
- (5) Pending the appointment of a Registered Nurse by Provincial Council under subsection (4), the Provincial Executive Committee may make a temporary appointment.

### **19.6 Quorum**

- (1) A quorum on the Competence Committee is a majority of the members of the committee attending a meeting. A member of the Competence Committee who does not participate at a meeting or hearing due to a conflict of interest or bias, shall still be included in determining the quorum for that meeting.
- (2) A decision of the Competence Committee shall be by a vote of a majority of the members present and voting at a meeting.

### **19.7 Conduct of Meetings**

The Competence Committee shall, subject to the Act, determine its own rules of procedure, calling of meetings, and matters related to them. Meetings of the committee are held in camera unless otherwise determined by the committee.

### **19.8 Confidentiality**

- (1) In accordance with Section 52 of the Act, information related to participation in a continuing competence program is confidential, and any person who has access to or comes into possession of such information shall not publish, release or disclose the information in any manner except as is necessary for:
  - (a) the Competence Committee to give to the Complaints Director the name of a regulated member and the grounds for a referral under Section 51.1 of the Act, or
  - (b) release or disclosure to the counsel of the regulated member in connection with proceedings under part 2, 3 or 4 of the Act.
- (2) Information respecting continuing competence under the Act, the Regulations or these Bylaws that is received by a member of the Competence Committee shall be kept confidential by that member.
- (3) Information given to the Competence Committee shall be disclosed only in accordance with the Act, the Regulations, these Bylaws or as otherwise required by law.
- (4) The Competence Committee may authorize the disclosure of information for statistical use when the information cannot be attributed to a particular individual or facility.

### **19.9 Termination**

Provincial Council appoints regulated members to and removes regulated members from the Competence Committee.

This will be done in accordance with the Provincial Council policy "Termination of Membership and/or Performance Management of Members of Regulatory Committees".

## **PART VII – PROFESSIONAL CONDUCT**

### **20. Complaints Director**

#### **20.1 Duties and Powers**

- (1) The Complaints Director appointed under Section 14 of the Act may:
  - (a) undertake any power or duty given to the Complaints Director under the Act, the Regulations or these Bylaws.
- (2) The Complaints Director may delegate some or all of their duties to an employee of CARNA, with the exception of the Hearings Director.
- (3) The Complaints Director shall not disclose any information regarding a complaint or disciplinary proceeding unless the information is required to be disclosed for the purpose of the Act, the Regulations, these Bylaws or otherwise required by law.

### **21. Hearings Director**

#### **21.1 Duties and Powers**

- (1) The Hearings Director appointed under Section 14 of the Act may:
  - (a) undertake any power or duty given to the Hearings Director under the Act, the Regulations or these Bylaws.
- (2) The Hearings Director may delegate some or all of their duties to an employee of CARNA, with the exception of the Complaints Director.
- (3) The Hearings Director shall not disclose any information regarding a complaint or disciplinary proceeding or a hearing or matter before the Hearing Tribunal unless the information is required to be disclosed for the purpose of the Act, the Regulations, these Bylaws or otherwise required by law.

### **22. Appeals Committee**

#### **22.1 Establishment of Appeals Committee**

There is hereby established an Appeals Committee from which panels of Provincial Council will be selected.

#### **22.2 Duties and Powers**

A panel of Provincial Council from the Appeals Committee shall:

- (a) carry out the duties and powers of Provincial Council under sections 87 through 89 inclusive of the Act to the Appeals Committee.
- (b) carry out the duties and powers of Provincial Council under section 93 of the Act.
- (c) carry out the duties and powers of Provincial Council under section 118 (6) to 118 (8) of the Act.
- (d) exercise any other authority specifically delegated to it in the Regulations or these Bylaws.

#### **22.3 Composition**

- (1) The Appeals Committee shall consist of five members of Provincial Council, appointed by Provincial Council, two of whom shall be public representatives and three of whom shall be Registered Nurses, subject to 22.4(2).
- (2) Each panel of Provincial Council drawn from the Appeals Committee shall consist of a minimum of three members of the Appeals Committee, one of whom shall be a public representative and two of whom shall be Registered Nurses.
- (3) Provincial Council designates the Hearings Director to select the members of the Appeals Committee who will sit on particular panels, and select the Chair of each panel.

#### **22.4 Term of Office**

- (1) The term of office of Appeals Committee members shall be one year, unless, at the time of appointment, Provincial Council specifies a different term.
- (2) Members of Provincial Council appointed to the Appeals Committee shall continue to hold office after the expiry of the member's term for the sole purpose of concluding appeal hearings that have commenced but not been completed.

- (3) Vacancies on the Appeals Committee shall be filled on or before the expiry of their term. However, a newly appointed member of the Appeals Committee shall not participate in a hearing that was commenced prior to their appointment.

### **22.5 Quorum**

A quorum of the Appeals Committee is three members, two of whom must be Registered Nurses and one of whom must be a public representative.

### **22.6 Confidentiality**

- (1) Each member of the Appeals Committee shall keep information received as a member of the committee confidential.
- (2) Information regarding a matter before the Appeals Committee shall be published or otherwise released only in accordance with the Act, the Regulations, these Bylaws, or as otherwise required by law.
- (3) The Appeals Committee may authorize the disclosure of information for statistical use when the information cannot be attributed to a particular individual or facility.

### **22.7 College Expenses for Section 93 HPA Application**

The Panel of Council may direct the investigated person to pay, within the time set by the panel of council, all or part of the expenses of, costs of and fees related to the section 93 HPA application, including:

- (a) Legal expenses and legal fees for legal services provided to the college, complaints director and panel of council;
- (b) Travelling expenses and a daily allowance, as determined by the council, for the members of the panel of council who are not public members,
- (c) The costs of creating a record of the proceedings and transcripts and of serving documents, and
- (d) Any other expenses of the college directly attributable to the application.

## **23. Hearing Tribunal**

### **23.1 Duties and Powers**

A Hearing Tribunal established under Section 16 of the Act may:

- (a) conduct hearings under Part 4 of the Act, and
- (b) undertake any other power or duty given to it under the Act, the Regulations, or these Bylaws.

### **23.2 Composition**

- (1) The Hearings Director shall establish a Hearing Tribunal from the members appointed by Provincial Council to the membership list established in Section 15 of the Act.
- (2) A Hearing Tribunal shall be composed of no fewer than two Registered Nurses appointed by Provincial Council to the membership list established in Section 15 of the Act, and one public representative.
- (3) The Hearings Director shall designate a Registered Nurse member of the Hearing Tribunal as Chair.

### **23.3 Prohibition on Membership**

No member of a Hearing Tribunal shall be a member of Provincial Council, the Complaint Review Committee, Registration Committee, Registration Review Committee, Competence Committee or NEPAB.

### **23.4 Term of Office**

- (1) The term of office of Registered Nurse members on the membership list established under Section 15 of the Act is four years.
- (2) The term of office of Registered Nurse members may be extended for up to two additional years.

- (3) A member of a Hearing Tribunal continues to hold office after the expiry of the member's term until the member is reappointed or a successor is appointed.

### **23.5 Quorum**

- (1) A quorum for a Hearing Tribunal is three members of the Hearing Tribunal, at least two of whom must be Registered Nurses.
- (2) A decision of a Hearing Tribunal shall be by a majority vote.

### **23.6 Conduct of Meetings**

Subject to the Act, Regulations and these Bylaws, a Hearing Tribunal may determine its own rules respecting the calling of and conduct of its hearings, meetings, or the handling of matters within its jurisdiction.

### **23.7 Confidentiality**

- (1) Each member of a Hearing Tribunal shall keep information received by her/him as a member of the Hearing Tribunal confidential.
- (2) Information given to the Hearing Tribunal shall be disclosed only in accordance with the Act, the Regulations, these Bylaws or as otherwise required by law.
- (3) The Hearing Tribunal may authorize the disclosure of information for statistical use when the information cannot be attributed to a particular individual or facility.

### **23.8 Termination**

Provincial Council appoints regulated members to and removes regulated members from the Hearing Tribunal list.

This will be done in accordance with the Provincial Council policy "Termination of Membership and/or Performance Management of Members of Regulatory Committees".

## **24. Complaint Review Committee**

### **24.1 Duties and Powers**

The Complaint Review Committee established under Section 16 of the Act may:

- (a) review and ratify settlements under Section 60 of the Act;
- (b) conduct reviews under Section 68 of the Act; and
- (c) undertake any other power or duty given to it under the Act, the Regulations, or these Bylaws.

### **24.2 Composition**

- (1) The Hearings Director shall establish a Complaint Review Committee from the members appointed by Provincial Council to the membership list established in Section 15 of the Act.
- (2) A Complaint Review Committee shall be composed of no fewer than two Registered Nurses appointed by Provincial Council to the membership list established in Section 15 of the Act, and one public representative.
- (3) The Hearings Director shall designate a Registered Nurse member of the Complaint Review Committee as Chair.

### **24.3 Prohibition on Membership**

No member of the Complaint Review Committee shall be a member of Provincial Council, a Hearing Tribunal, the Reinstatement Review Committee, Registration Committee, Registration Review Committee, Competence Committee or NEPAB.

### **24.4 Term of Office**

- (1) The term of office of Registered Nurse members on the membership list established under Section 15 of the Act is four years.
- (2) The term of office of Registered Nurse members may be extended for up to two additional years.

- (3) A member of a Complaint Review Committee continues to hold office after the expiry of the member's term until the member is reappointed or a successor is appointed.

#### **24.5 Quorum**

- (1) A quorum of the Complaint Review Committee is three members, at least two of whom must be Registered Nurse members.
- (2) A decision of the Complaint Review Committee shall be by a majority vote.

#### **24.6 Conduct of Meetings**

Subject to the Act, the Complaint Review Committee shall determine its own rules of procedure, calling of meetings, and matters related to them. Meetings of the committee are held *in camera* unless otherwise determined by the committee.

#### **24.7 Confidentiality**

- (1) Each member of the Complaint Review Committee shall keep information received by her/him as a member of the Complaint Review Committee confidential.
- (2) Information given to the Complaint Review Committee shall be disclosed only in accordance with the Act, the Regulations, these Bylaws or as otherwise required by law.
- (3) The Complaint Review Committee may authorize the disclosure of information for statistical use when the information cannot be attributed to a particular individual or facility.

#### **24.8 Termination**

Provincial Council appoints regulated members to and removes regulated members from the Complaint Review Committee list.

This will be done in accordance with the Provincial Council policy "Termination of Membership and/or Performance Management of Members of Regulatory Committees".

#### **24.9 College Costs for Section 68 Complainant Review**

If the Complaint Review Committee (CRC) is of the opinion that the original complaint was trivial or vexatious, or the request for the review was trivial or vexatious, the CRC may direct the complainant to pay, within the time set by the CRC, all or part of the expenses of, costs of and fees related to the section 68 HPA review, including:

- (a) Legal expenses and legal fees for legal services provided to the college, complaints director and CRC;
- (b) Travelling expenses, if any, and a daily allowance, as determined by CARNA policy; for the members of the CRC who are not public members;
- (c) The costs of creating a record, if any; costs of photocopying and of sending or serving documents, and
- (d) Any other expenses of the college directly attributable to the application.

### **25. Reinstatement Review Committee**

#### **25.1 Duties and Powers**

A Reinstatement Review Committee established under the regulations may:

- (a) conduct reviews and make decisions on requests for reinstatement of registration submitted under section 45(2) of the Act, and
- (b) undertake any other power or duty given to it under the Act, the Regulations or these Bylaws.

#### **25.2 Composition**

- (1) A Reinstatement Review Committee shall be formed of regulated members on the membership list for a Hearing Tribunal established in Section 15 of the Act.
- (2) A Reinstatement Review Committee shall be composed of no fewer than five Registered Nurses appointed by Provincial Council to the membership list established in Section 15 of the Act.
- (3) The Hearings Director shall designate a Registered Nurse member of the Hearing Tribunal as chair.

### **25.3 Prohibition on Membership**

No member of a Reinstatement Review Committee shall be a member of Provincial Council, the Complaint Review Committee, Registration Committee, Registration Review Committee, Competence Committee or NEPAB.

### **25.4 Term of Office**

- (1) The term of office of Registered Nurse members on the membership list established under Section 15 of the Act is four years.
- (2) The term of office of Registered Nurse members may be extended for up to two additional years.
- (3) A member of a Reinstatement Review Committee continues to hold office after the expiry of the member's term until the member is reappointed or a successor is appointed.

### **25.5 Quorum**

- (1) A quorum for a Reinstatement Review Committee is three members of the committee.
- (2) A decision of a Reinstatement Review Committee shall be by a majority vote.

### **25.6 Conduct of Meetings**

Subject to the Act, Regulations and these Bylaws, a Reinstatement Review Committee may determine its own rules respecting the calling of and conduct of its hearings, meetings or the handling of matters within its jurisdiction.

### **25.7 Confidentiality**

- (1) Each member of a Reinstatement Review Committee shall keep information received by her/him as a member of the committee confidential.
- (2) Information given to the Reinstatement Review Committee shall be disclosed only in accordance with the Act, the Regulations, these Bylaws or as otherwise required by law.

### **25.8 Termination of Membership**

A Registered Nurse member of a Reinstatement Review Committee automatically ceases to be a member of a Reinstatement Review Committee if any of the following conditions exist. The member:

- (a) is suspended or ceases to be a Registered Nurse;
- (b) has been found to be guilty of unprofessional conduct; or
- (c) is disciplined for failure to comply with the requirements for confidentiality required by the Act or these Bylaws.

### **25.9 College Expenses**

The Reinstatement Review Committee may make an Order directing the applicant to pay a portion or all of the expenses of the College incurred in respect of the reinstatement application as follows:

- (a) Travel (transportation, hotel, meals, salary replacement or per diem and other expenses actually paid by CARNA pursuant to CARNA policy for the RN members of the Reinstatement Review Committee and CARNA witnesses to attend the hearing;
- (b) Legal costs incurred by CARNA for the legal counsel to the Reinstatement Review Committee;
- (c) Legal costs incurred by CARNA for legal counsel (other than CARNA staff) to the Complaints Director;
- (d) Cost of the Court Reporter to attend and provide a transcript;
- (e) Costs incurred in service of documents on the applicant;
- (f) Costs of reproducing documents provided to the applicant or their representative and costs of reproducing any documents required for the reinstatement hearing;
- (g) Any other expenses of CARNA directly attributable to the reinstatement application or hearing.

## **26. Delegation**

- (1) Provincial Council designates the individual who is in the most senior position responsible for Registration Services (excluding the Chief Executive Officer) as the individual to carry out the duties under Section 65 of the Act.
- (2) Provincial Council designates the individual who is the most senior position responsible for Registration Services (excluding the Chief Executive Officer) as the individual to carry out the duties under Section 86 of the Act.

## **27. Notices**

In the event a notice or document that is required to be served under Part 4 of the Act cannot be served by personal service to that person or by certified or registered mail at that person's address last shown on the Register or record of the Registrar, service shall be sufficient if notification to contact the College immediately with a brief reason is published at least twice, not more than a week apart, in a local newspaper circulating at or near the address last shown for that person in the records of the College.

## **28. Publication of Conduct Information**

- (1) The College shall publish or distribute information with respect to professional conduct matters of an individual only as permitted by the Act, Regulations or these Bylaws, or as otherwise required by law, or on the direction of the Hearing Tribunal or Appeals Committee.
- (2) The Hearing Tribunal or panel of Council hearing an appeal can order information to be published in any way deemed appropriate.
- (3) When the Alternative Complaint Resolution process results in a ratified settlement between the parties, the College may publish information respecting the complaint and the ratified settlement, and may reveal the identity of the complainant and/or the investigated member, if authorized to do so pursuant to the ratified settlement.

## **29. Disclosure of an Investigation Report**

The investigation report may be released to the investigated member for the purposes of a hearing before a Hearing Tribunal.

## **Part VIII – Nursing Education Program Approval Board (NEPAB)**

### **30. NEPAB**

#### **30.1 Duties and Powers**

NEPAB is hereby established as permitted by section 3(1)(f) of the Act.

NEPAB may:

- (a) approve an entry to practice program of study, as an “approved nursing program” leading to initial entry to practice as a Registered Nurse, or as a Nurse Practitioner; or re-entry to practice as a Registered Nurse; in accordance with nursing education standards and criteria approved by Council and after consulting with and considering the comments of the Minister of Health and the Minister of Enterprise and Advanced Education;
- (b) remove approval from an “approved nursing program” in accordance with nursing education standards and criteria approved by Council and after consulting with and considering the comments of the Minister of Health and the Minister of Enterprise and Advanced Education;
- (c) undertake any other power or duty given to it under the Act, the Regulation, or these bylaws;
- (d) subject to sections 19 and 20 of the Act, execute any powers and duties delegated by Provincial Council.
- (e) assess a nursing education course or program of study as requested by the Registrar;
- (f) establish the minimum nursing education standards and criteria required to obtain and maintain the designation of an approved nursing education program, which must be ratified by Provincial Council before they become effective;

- (g) maintain a continuing review of compliance with nursing education standards and criteria;
- (h) continue a collaborative process to serve the interests of the public and the nursing profession in the delivery of nursing education;
- (i) maintain effective links among stakeholders having an interest in the development, delivery, and evaluation of nursing education programs in Alberta.

### **30.2 Composition**

- (1) NEPAB is composed of persons appointed as follows:
  - (a) three persons appointed by Provincial Council as provided by the educational institutions delivering nursing education programs leading to entry to practice as a Registered Nurse;
  - (b) two persons appointed by Provincial Council as provided by employers of Registered Nurses, excluding CARNA;
  - (c) one member of the public appointed from Provincial Council;
  - (d) two Registered Nurses appointed by Provincial Council; and
  - (e) one Nurse Practitioner appointed by Provincial Council.
- (2) The chair of NEPAB shall be selected from and by the members of NEPAB, who will determine the manner in which the chair is to be selected, and the term of office of the chair at the time of selection.

### **30.3 Prohibition on Membership**

No member of NEPAB shall be a member of a Hearing Tribunal, the Complaint Review Committee, Reinstatement Review Committee, Registration Committee, Registration Review Committee or Competence Committee.

### **30.4 Term of Office**

- (1) With the exception of the public representative, members of NEPAB hold office for a five-year term;
- (2) The public member of NEPAB holds office for a three-year term;
- (3) An appointment to NEPAB may be extended for up to two additional years;
- (4) If a member of NEPAB ceases to hold office before their term expires, Provincial Council shall appoint a person as a member of NEPAB for the balance of the unexpired term in accordance with the composition requirements of section 30.3(2);
- (5) The term of office of a member of NEPAB who has been part of a decision regarding an application for approval, re-approval and/or assessment shall continue until the decision regarding that application has been made, unless the member has been terminated from office by Provincial Council under section 30.8.

### **30.5 Quorum**

- (1) A majority of the persons who are appointed as members of NEPAB constitute a quorum.
- (2) A decision of NEPAB shall be by a vote of majority of the members present and voting at a meeting.

### **30.6 Conduct of Meetings**

Subject to the Act, Regulations and these Bylaws, NEPAB may determine its own rules respecting the calling of and conduct of its meetings, or the handling of matters related to them. NEPAB meetings are held in private unless otherwise determined by NEPAB.

### **30.7 Confidentiality**

- (1) Each member of NEPAB shall keep information received by him/her as a member of NEPAB confidential.
- (2) Information given to NEPAB shall be disclosed only in accordance with the Act, Regulation, or as otherwise required by law.
- (3) NEPAB may authorize the disclosure of information for statistical use when the information cannot be attributed to a particular individual or education institution.

### **30.8 Termination**

Provincial Council appoints persons to and removes persons from the NEPAB list.

## **Part IX - ADMINISTRATION**

### **31. Chief Executive Officer**

- (1) Provincial Council shall appoint a Registered Nurse as Chief Executive Officer of the College.
- (2) The Chief Executive Officer is responsible for the operation of and overseeing the administration of the College as directed by the Provincial Council from time to time and in accordance with these Bylaws. The Chief Executive Officer reports to the Provincial Council.
- (3) The Chief Executive Officer may delegate in writing any of their duties and responsibilities to another person with or without conditions.

### **32. Forms and Documents**

The Chief Executive Officer or designate is authorized to prescribe such forms, certificates, permits or other documents that may be required for the purposes of the Act, the Regulations or these Bylaws.

### **33. Seal**

- (1) The College shall have a Seal which shall consist of the words "College and Association of Registered Nurses of Alberta, Incorporated 1916".
- (2) The President and the Chief Executive Officer of the College and such other person or persons as may be authorized by Provincial Council shall each have authority to affix the Seal of the College to any document requiring the Seal to be affixed.

### **34. Use of Funds**

- (1) The College is entitled to make use of all revenues received from membership fees and other sources of income to carry out the objectives of the College.
- (2) Financial policy pertaining to the College shall be determined by Provincial Council and the College shall publish annually a copy of its audited financial statement.

### **35. Fiscal and Membership Year**

The fiscal and membership year of the College shall be from October 1 to the following September 30.

## **36. Committees**

### **36.1 Regulatory Committees**

- (1) Regulatory committees shall each establish criteria for membership on their respective committees.
- (2) In making appointments to a regulatory committee, Provincial Council shall apply the criteria established by the committee to which the appointment is being made.
- (3) Provincial Council shall set out a process in policy for the appointment and removal of members of Regulatory Committees.
- (4) Regulatory committees shall, each year, prepare and submit to Provincial Council, via the Chief Executive Officer, a report on their activities for the preceding twelve (12) months.

### **36.2 Standing and Special Committees**

Provincial Council may establish such committees as it considers necessary to assist it in governing the College.

### **36.3 Costs and Expenses**

The College shall reimburse travel expenses and such other costs and expenses for all members of committees and boards under the Act, the Regulations and Bylaws in accordance with policies made by Provincial Council.

### **36.4 Ex-Officio Committee Members**

Individuals sitting as ex-officio members of committees shall not vote.

### **36.5 Conflicts of Interest**

Members of CARNA Committees are subject to CARNA's Conflict of Interest Policy. All members of Committees 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 such issues pending resolution of the conflict or potential conflict as prescribed in the Conflict of Interest Policy.

## **37. Process for Developing or Proposing the Adoption of a Code of Ethics and Standards of Practice**

Provincial Council may adopt a Code of Ethics and Standards of Practice or amend these documents by following a consultation process as outlined in Section 133 of the Act.

## **38. Specialty Practice Groups**

### **38.1 Definition**

A Specialty Practice Group (SPG) shall be defined as a group of members of the College from one or more CARNA Regions

- (a) with a common interest in a defined area of nursing or a common interest in a social concern directly or indirectly affecting the practice of nursing, and
- (b) whose interests are not already represented by an SPG affiliated with the College.

### **38.2 Policies**

The policies of the College shall provide for the affiliation of appropriate SPGs.

### **38.3 Removal of Recognition as Specialty Practice Group**

SPG affiliation with CARNA will be removed by Provincial Council in the event that:

- (a) activities of the group are contrary to the legislation, regulations or Bylaws under which CARNA operates, or
- (b) contrary to the objectives, vision, mission, values or positions of CARNA, or
- (c) the group does not fulfil the requirements it agreed upon when first affiliated, or
- (d) the group wishes to disaffiliate or dissolve.

**39. Parliamentary Authority**

Any rules adopted by the College shall govern the College in all cases to which they are applicable and in which they are not inconsistent with these bylaws. On those matters not covered by College rules of order, Robert's Rules of Order shall apply.