

College of Registered Psychiatric Nurses of British Columbia Bylaws and Fee Structure

Bylaws and Rules

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Definitions

1. In these Bylaws:

- “**Advertisement**” means the use of space or time in a public medium, ~~(insert) on the website~~ or the use of a commercial publication such as a brochure or handbill, to communicate with the general public, or a segment thereof, for the purpose of promoting professional services or enhancing the image of the advertiser.
- “**Act**” means the Health Professions Act.
- “**Appointed Board Member**” means a member of the Board appointed under the Act and ~~(delete) Section 17(3)(b)~~ ~~(replace with) Section 1(b)~~ ~~(delete) of the Act~~ ~~(insert) of these Bylaws.~~
- “**Board**” means the Board of the College of Registered Psychiatric Nurses of British Columbia.
- “**Chair**” means the Chair of the Board elected under ~~(delete) Section 19(1)(e)~~ of the Act ~~(insert) and Section 9 of these Bylaws.~~
- “**College**” means the College of Registered Psychiatric Nurses of British Columbia established by Regulation.

- **“Competence”** means the ability of the practitioner to integrate and apply, in a manner consistent with the standards and scope of practice of the profession, the knowledge, skill, attitudes and judgement required to perform safely.
- **“Elected Board Member”** means a member of the Board elected under (delete) Section 17(3)(a) the Act (insert) and Section 1(a) of these Bylaws.
- **“Client”** means individuals, families and/or groups receiving care and/or services from and is synonymous with the term patient, resident or any similar term.
- **“Day”** means a calendar day and when calculating time expressed as “days”, the first day shall be excluded and the last day shall be included.
- **“Examination”** means theoretical examination, given orally or in writing, or by computer, or a practical examination, or any combination of these preparatory to registration.
- (Insert) **“LPGN”** means Licensed Graduate Psychiatric Nurse.
- (Insert) **“Minister”** means the Minister of the Government of British Columbia responsible for the administration of Health Professions and any other related Act.
- **“Personal Information”** means personal information as defined in Schedule 1 of the Freedom of Information/Protection of Privacy Act.
- (Insert) **“Proxy”** means the form, completed by a registrant, appointing in writing another registrant to vote in an election or to attend or act at a meeting on his/her behalf to the extent and power specified by the form or proxy.
- **“Public Representative”** means a person who is not a registrant or former registrant or who has no close family or business relationship with a registrant or former registrant and includes an appointed board member.
- **“Record”** means a record as defined in Schedule 1 of the Freedom of Information/Protection of Privacy Act.
- **“Regulation”** means the B.C. 115\99 Regulation.
- **“Respondent”** means a registrant named in a citation under (delete) Section 37 of the Health Professions Act.
- **“RPN”** means Registered Psychiatric Nurse.
- **“Vice-Chair”** means the vice-chair of the Board who is elected under Section (delete) 10 (replace with) 9 of these Bylaws.

Part I: College Board, Committees and Panels

Delete the following: **First Board**

- ~~1.1 (1) Despite Section 1, for the purpose of Part I of these Bylaws,~~
- ~~(a) “appointed board member” includes a person under Section 17(2)(a) of the Act, to Represent the public on the first board, and~~
- ~~(b) “elected board member includes a person appointed under Section 17(2)(a) of the Act to represent the health profession on the first board.~~
- ~~(2) This Section is repealed 90 days following the first election referred to in Section 17(2)(a) of the Act.~~

~~Composition of the Board~~

- ~~2. The Board consists of (6) elected board members and the appointed board members.~~

Replace with:

1. Composition of the Board

- (1) The Board consists of (6) elected board members and the (3) appointed board members.
- (a) “elected board member” is the registrant who receives the most votes in an election carried out under Sections 2,3,4 and 5 of the College of Registered Psychiatric Nurses of B.C. Bylaws and Rules.
- (b) “appointed board member” is a person appointed by the Minister. This person need not be a registrant or be eligible to become a registrant. The number of persons appointed must not be less than 1/3 of the total board membership and not more than the total number of persons elected. (Refer to the Health Professions Act.)

Change numbering to follow in proper sequence.

2. Notice of Election

- (1) The Registrar must notify every registrant of an election by delivering notice at least 120 days prior to the expiry of the term of office.
- (2) The notice must contain information about the nomination procedure and the election procedure.

Insert New Sections as follows:

- (3) A registrant is not eligible to be elected if, within the six (6) year period immediately prior to the date of the election:
- (a) his or her registration has at any time been suspended or cancelled for any reason other than non-payment of fees, or

- (b) his or her authorization to practice psychiatric nursing has at any time been otherwise restricted or limited by:
 - (i) any terms, limits or conditions of a consent or undertaking, an order under the Act, or a deemed order under the Act, or
 - (ii) any terms or conditions attached to the registration under the Act.
- (4) A registrant who has served as an elected board member for the maximum number of consecutive terms allowed under Sections 5(1) and 5(2) is not again eligible to be elected until a period of at least two (2) years has elapsed since the expiry of his or her most recent term of office as an elected board member.

3. Nomination Procedure

- (1) Any registrant may nominate for office a maximum of 2 registrants (delete) ~~in good standing~~ (replace with) eligible under Sections 2(3) and 2(4) for each vacant position by delivering such nomination (delete) ~~and election~~ to the Registrar, together with a letter of consent from the person nominated, at least ninety (90) days prior to the expiry of the term of office.
- (2) A person nominated under Subsection (1) must declare in writing that he or she will observe the provisions of the Act, the regulations and these Bylaws and the procedures related to the election and the conduct of the election.

4. Election Procedure

- (1) The Registrar must prepare and deliver to each registrant an election ballot not less than sixty (60) days prior to the expiry of the term of office.

Insert new Section (2) & (3) and change numbers to follow in proper sequence.

- (2) The notice must contain information about the nomination and election procedure.
- (3) The accidental omission to deliver notice of an election to, or the non-receipt of such a notice by any registrant, board member, or committee member entitled to receive notice does not invalidate the election, any proceedings in relation thereto, or results thereof.
- (4) Each registrant will be entitled to one ballot and may vote in favour of one candidate for each vacant position to be elected on such ballot.
- (5) The Registrar must not count a ballot unless it is received by the Registrar at least (30) days prior to the expiry of the term of office and is contained in an envelope on which the registrant's name and signature appears.
- (6) The person or persons receiving the most votes on the return of the ballots is elected.
- (7) In the case of a tie vote, the Registrar must select the successful candidate by random draw.

- (8) The Registrar must supervise and administer all board elections and may establish procedures consistent with these Bylaws for that purpose.
- (9) The Registrar may (delete) ~~determine~~ (replace with) **resolve** any dispute or irregularity with respect to any nomination, ballot or election (insert) **and this resolution shall be final and binding.**
- (10) Where the number of persons nominated under Section (delete) 4 (insert) 3(2) is less than or equal to the number of positions at the close of nominations, the nominees are elected by acclamation.

Insert New: (11)

- (11) **The Registrar will certify newly elected board members and specify the dates the member's term of office begins and ends on the certificate.**

5. Terms of Office

- (1) The term of office for an elected board member is two (2) years.
- (2) An elected board member may serve a maximum of three (3) consecutive terms.
- (3) An elected board member may resign at any time by delivering a notice in writing to the Registrar and the resignation is effective upon receipt by the Registrar.

6. Removal of an Elected Board Member

- (1) An elected board member may be removed by a special resolution of the Board or a registrant at a general meeting in accordance with the provisions of Section (delete) 31 (replace with) 29.

Insert New:

- (2) **An elected board member ceases to hold office if he or she ceases to be a registrant in good standing.**

Delete Section 7.1 as follows:

~~**7.1 Election Date**~~

- ~~(1) The first election of elected board members will be held on or before July 1, 2000 and the successful candidates will assume their positions at the first board meeting following the first elections.~~
- ~~(2) Despite Section 6, the first term of office of the first elected board member is~~
 - ~~(1) 3 years for (3) designated positions,~~
 - ~~(2) 2 years for (3) designated positions,~~

~~(3) This Section is repealed 4 years after the 2000 election.~~

7. Vacancy

- (1) Any vacancy of an elected board position may be filled (delete) ~~by a registrant selected by the board~~ for the remainder of the term for that position by **(insert) a registrant selected by** a special resolution of the Board.

8. Remuneration of Board Members

- (1) A board or committee member is entitled to be reimbursed by the College for reasonable expenses necessarily incurred in connection with the business of the College. (Delete) ~~Please see CRPNBC Expense Guidelines Schedule E.~~

9. Chair and Vice Chair

- (1) The members of the Board must elect a Chair and a Vice-Chair by a majority vote for a one (1) year term.
- (2) The Chair or Vice-Chair must:
 - (a) preside at all meetings of the College and Board and is an ex-officio member of all committees,
 - (b) sign all certificates (delete) ~~, diplomas~~ **(replace with) of registration** and other instruments executed on behalf of the College as required,
 - (c) sign the minutes of each meeting after they are approved by the Board, and
 - (d) act in accordance with the requirements of his or her office for the proper (delete) ~~carrying out~~ **(replace with) execution** of the duties of the Board.
- (3) The Vice-Chair will perform the duties of the Chair in the absence of the Chair.
- (4) In the absence of both the Chair and Vice-Chair, an Acting Chair (delete) ~~for the board meeting~~ must be elected **(insert) for the board meeting** by a majority vote of the board members present.

10. Board Meetings

- (1) The Board must meet at least four (4) times in each fiscal year and must provide reasonable notice of board meetings to registrants.

Insert new (2) below and renumber in proper sequence.

- (2) **The accidental omission to deliver notice of a board meeting or the non-receipt of a notice by any registrant or board members entitled to receive notice does not invalidate proceedings at that meeting.**

- (3) Meetings of the Board must be called by the Registrar at the request of either the Chair or any three (3) board members.
- (4) The Registrar must provide the following to members of the public on request:
 - (a) details of the time and place of a board meeting,
 - (b) a copy of the agenda, and
 - (c) a copy of the minutes of any preceding meeting.
- (5) Subject to Subsection (delete) ~~(5)~~ **(replace with) (6)**, meetings of the Board must be open to registrants and to the public.
- (6) The Board may exclude any person from any part of a meeting if it is satisfied that:
 - (a) financial or personal or other matters may be disclosed of such a nature that the desirability of avoiding public disclosure of them in the interest of any person affected or in the public interest outweighs the desirability of adhering to the principle that meetings be open to the public,
 - (b) a person involved in a criminal proceeding or civil suit or proceeding may be prejudiced,
 - (c) personnel matters (delete) ~~or~~ property acquisitions **(insert) or anything that may present a conflict of interest** will be discussed.
 - (d) the contents of examinations will be discussed.
 - (e) communications with the Office of the Ombudsman will be discussed, (delete) ~~or~~
 - (f) instructions will be given to or opinions received from legal counsel for the College, the board or committees, **(insert) or**

Insert new (g)

- (g) the person is acting in such a way as to prevent the Board from conducting the meeting.**
- (7) If the Board excludes any person from a part of a meeting, it must have its reasons for doing so noted in the minutes of the meeting.
- (8) The (delete) ~~Registrar~~ **(replace with) Board** must ensure that minutes are taken at each meeting and retained on file.
- (9) A majority of the Board constitutes a quorum.
- (10) No resolution proposed at a meeting need be seconded and the Chair of a meeting may move or propose a resolution.

- (11) In case of an equality of votes, the Chair shall not have a casting or second vote in addition to the vote to which he or she is entitled as a board member and the proposed resolution shall not pass.
- (12) The Board may meet and conduct business using video-conference or teleconference connections when some or all board members are unable to meet in person.
- (13) Except as otherwise provided in the Act, the regulations, or these Bylaws, the most recent edition of Robert's Rules of Order governs the procedures at meetings of the Board.

11. Extraordinary Board Meetings

- (1) A written resolution signed by all board members is valid and binding and of the same effect as if such resolution had been duly passed at a meeting of the Board.
- (2) (Delete) ~~Despite~~ **(Replace with) Notwithstanding** Section (delete) ~~11~~ **(replace with) 10** (1), the Registrar or the Chair may call a meeting of the Board without providing notice to the registrants where necessary to conduct urgent business.

12. Committees

- (1) (Delete) ~~The~~ Committee membership shall be approved by the Board and will include at least one board member and one public representative.
- (2) A committee may conduct meetings **(insert) on line**, by mail, facsimile, telephone, video conference or regular meeting.
- (3) Each committee must prepare and submit an annual report of its activities to the Board.
- (4) A committee member may be removed by a majority vote of the Board of Directors.

13. Registration Committee

- (1) The Committee is established consisting of a minimum of 4 members appointed by the Board.

Insert new Sections (2)(a)(b)(c) and (3)

- (2) **The committee is responsible for:**
 - (a) **advising the Board and the Registrar with regard to the registration examinations**
 - (b) **acting as a consulting body to the Board and the Registrar in the appropriate testing of the knowledge and skills of applicants for registration, and**
 - (c) **exercising the powers and performing the functions and duties of the examination committee specified in the Act.**

- (3) The registration committee may recommend to the Board that a specified psychiatric nursing education program be added to or removed from Schedule D.

14. Inquiry Committee

- (1) The inquiry Committee is established consisting of a minimum of four (4) members appointed by the Board (insert) with all the powers, duties and responsibilities as defined by the Act.

15. Discipline Committee

- (1) The Discipline Committee is established consisting of a minimum of four (4) members appointed by the Board (insert) with all the powers, duties and responsibilities as defined by the Act.

16. Patient Relations (insert) and Professional Practice Committee

- (1) The Patient Relations (insert) and Professional Practice Committee is established consisting of a minimum of four (4) members appointed by the Board. (delete) and is responsible for making recommendations to the Board and implementing the board approved Patient Relations Program which includes professional misconduct of a sexual nature.

Delete the following:

Description of the Committee:

~~The committee is established under Section 16 of the Health Professions Act and under regulations of the College of Registered Psychiatric Nurses of British Columbia. This also includes the prevention of all types of abuse and neglect. The committee has responsibility to establish a patient relations program to seek to prevent professional misconduct of a sexual nature.~~

Purpose of the Committee:

- ~~1. To make recommendations to the Board on matters concerning education to prevent professional misconduct.~~
- ~~2. To make recommendations to the Board on matters relating to psychiatric nursing practice.~~
- ~~3. To make recommendations to the Registration Committee concerning basic, post basic and continuing education for RPNs.~~

Insert New Section (2)(a)(b)(c)

- (2) The committee is responsible for:
- (a) making recommendation to the Board on matters:

- (i) concerning education to prevent professional misconduct, and
- (ii) relating to psychiatric nursing practice;
- (b) making recommendations to the Registration Committee concerning basic, post basic and continuing education for Registered Psychiatric Nurses, and
- (c) establishing and implementing the Board approved Patient Relations Program, to seek to prevent all types of abuse, neglect and professional misconduct of a sexual nature.

17. Quality Assurance Committee

- (1) The Quality Assurance Committee (insert) (QAC) is established consisting of (delete) a ~~minimum~~ (insert) at least (delete) 4 members (insert) 3 persons appointed by the Board, (delete) and is responsible for establishing, implementing, enforcing and evaluating: (insert) one third ($\frac{1}{3}$) of who must be public members. The chair person, who must be a Board Director and vice-chair person shall be elected by the members of the QAC.

Delete (a)(b) below:

- ~~(a) the Standards of Practice Program of the College including the Standards of Professional Ethics; and~~
- ~~(b) the Continuing Competence Program of the College in accordance with board policy.~~

Replace with:

- (2) The Quality Assurance Committee:
- (a) is responsible for developing and implementing an effective continuous quality assurance and improvement framework for the CRPNBC and to provide safe, competent and ethical practice in accordance with all governing legislation,
 - (b) utilizes evidence-based, accessible, administratively fair and transparent processes to promote public confidence in the CRPNBC and its professional self-governance, and
 - (c) in fulfilling its responsibilities may collaborate with and may make recommendations at the request of the Board, to the following committees and programs: Registration, Inquiry, Discipline, Patient Relations and Professional Practice, Continuing Competency and any additional committees, programs or persons the Board considers appropriate.

Part II College Administration

18. Seal

- (1) A seal for the College must be approved by the Board.

19. Registrar/Executive Director

- (1) The Registrar shall also be known as the Executive Director.
- (2) The Registrar must:
 - (a) be responsible for the funds of the College and establish and maintain such accounts with a chartered bank, trust company or credit union as the Board determines necessary from time to time,
 - (b) be at each meeting of the Board and **(insert) in conjunction with the Boards' Financial Officer,** submit a report of all revenues and expenditures since the last meeting unless otherwise directed by the Board,
 - (c) submit an annual report to the annual meeting of the College,
 - (d) submit a financial statement to the auditor within 30 days of the end of the fiscal year,
 - (e) keep the records and the Seal of the College and perform such other duties **(insert) as required** (delete) ~~of them~~ by the Act, and the Bylaws. (delete) ~~and such other duties as required by the Board.~~
- (3) When the financial statement for the College has been certified by the auditor in writing, the Registrar must mail a copy thereof to each registrant not later than 120 days following the end of the fiscal year.

Delete: (4) below:

- ~~(4) The Registrar is an ex-officio non-voting member of every committee of the Board.~~

(5) Below becomes (4):

- (4) In the event of the office of the Registrar (delete) ~~being~~ **(replace with) becomes** vacant, the Board shall make a temporary appointment until (delete) ~~a successor is appointed by the Board~~ **(replace with) it can appoint a successor.**

20. Deputy Registrar

- (1) The Registrar may appoint one or more Deputy Registrars who are directly responsible to the Registrar.

- (2) The Deputy Registrar(s) shall have the same authority as the Registrar under these Bylaws where the Deputy Registrar(s) is performing the duties of the Registrar.

21. Fiscal Year

- (1) The fiscal year of the College must commence on the first day of March and must end on the last day of February of the current year.

22. Financial Commitments

- (1) The Board must not purchase personal or real property or enter into contracts for services in excess of \$100,000.00 without a special resolution approved by the registrants of the College at a general meeting.

23. Borrowing Powers

- (1) The Board may raise funds or borrow money in the name of the College, in any manner determined by the Board, in order to carry out the purposes of the College.
- (2) The Board must not enter into any security obligation in excess of \$50,000 without a special resolution approved by the registrants of the College.
- (3) The registrants may, by special resolution, restrict the borrowing powers of the Board.

24. Investments

- (1) The Board may invest (delete) funds of the College ~~(replace with) the College's funds~~ in any investments authorized under (delete) Section 15 of the Trustee Act and (delete) in the name of the College may manage those investments ~~(insert) in the name of the College.~~

25. Auditor

- (1) The Board must annually appoint a chartered accountant or a certified general accountant to be the auditor.
- (2) The Registrar must submit the financial statement to the auditor within 30 days of the end of the fiscal year.
- (3) A copy of the auditor's report must be included in the annual report.

26. Legal Counsel

- (1) The Board (delete) or with the approval of the Board, a committee or panel, may retain legal counsel for the purpose of assisting the Board, ~~(insert) a committee or a panel~~ in carrying out any power or duty under the Act, the regulations or these Bylaws.

27. General Meetings

- (1) A general meeting of the registrants must be held in British Columbia at a time and place determined by the Board.

Delete: (2)

- ~~(2) The first annual general meeting of the registrants must be held not more than 15 months after the date the Bylaws are approved by the Lieutenant Governor in Council and after that an annual general meeting must be held at least once in every calendar year and not more than 15 months after the holding of the last preceding annual general meeting.~~

Replace with:

- (2) An annual general meeting must be held at least once in every calendar year and not more than 15 months after the holding of the last preceding annual general meeting.

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

- (a) financial statements,
- (b) the report of the Board, (delete) and
- (c) the report of the auditor, (insert) and

Insert new (d)

- (d) reports from each Committee established by these Bylaws.

- (4) Every general meeting, other than an annual general meeting, is an extraordinary general meeting.

- (5) The Board:

- (a) may convene an extraordinary general meeting by resolution of the Board, and
- (b) must convene an extraordinary general meeting within 60 days after receipt by the Registrar of a request for such a meeting signed by at least 5% of all registrants on issues that are within the College mandate.

28. Notice of General Meeting

- (1) The (delete) Board (replace with) Registrar must deliver notice of an annual or extraordinary general meeting to every registrant at least 45 days prior to the meeting.

- (2) Notice of a general meeting must include:

- (a) the place, day and time of the meeting,
- (b) the general nature of the business to be considered at the meeting,

- (c) any resolutions proposed by the Board, and
 - (d) any resolutions proposed by the registrants under Section (delete) 30-(replace with) 29 and delivered to the Registrar prior to the mailing of the notice.
- (3) The accidental omission to deliver notice of a meeting to, or the non-receipt of a notice by, any registrant or board member entitled to receive notice does not invalidate proceedings at that meeting.

29. Resolutions Proposed By Registrants

- (1) Any 10 registrants may deliver a written notice to the Registrar requesting the introduction of a resolution at least 30 days prior to the date of an annual or extraordinary general meeting.
- (2) On receipt of a notice specified in Subsection (1) and at least 14 days prior to the date of that meeting, the Registrar must deliver a notice and a copy of the resolution to each registrant.
- (3) A registrant may propose a resolution at a general meeting from the floor and any such resolution will be noted by the chair of the meeting and placed at the end of the agenda to be debated if time permits.

30. Proceedings at General Meeting (add)s

- (1) In the absence of both the chair and the vice-chair of the Board, an acting chair for a meeting must be elected from among the board members present by a majority vote of the Board.
- (2) A quorum is 25 practicing registrants.
- (3) No business, other than the adjournment or termination of the meeting, may be conducted at a general meeting at a time when a quorum is not present.
- (4) A general meeting may be adjourned from time to time and from place to place, but no business may be transacted at an adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.

Add New Section (5)(6)(a)(b) & (7) as follows:

- (5) If at any time during a general meeting there ceases to be a quorum present, business then in progress must be suspended until there is a quorum present.
- (6) The meeting must be adjourned if a quorum is not present within thirty (30) minutes:
 - (a) from the time appointed for the commencement of a general meeting, or
 - (b) from any time during a general meeting when a quorum ceases to be present.

(7) General meetings must be open to all registrants and to the public.

31. Voting by Proxy

(1) A proxy:

- (a) may only be used to vote on resolutions that have been circulated in advance of a meeting.
- (b) ceases to be valid following the general meeting specified in the proxy, and
- (c) may be revoked by the voting registrant in writing.

(2) Voting registrants who are unable to be present at a meeting may vote on a resolution by proxy if:

- (a) the proxy is in writing and on the form prescribed by the Board, (insert) including the date and signatures of the registrant and proxy holder.
- (b) the proxy is received by the Registrar not less than 5 days before the annual or special general meeting, and
- (c) the person acting as proxy is a voting registrant when the signed proxy is received by the Registrar.

(3) A voting registrant must not carry more than 5 proxy votes for a single resolution.

32. Notice to Public Representatives

(1) A notice or mailing provided to the general membership of the College must also be provided to a public representative serving on the Board or a committee.

Part III College Records

33. Body Responsible for Administering the Freedom of Information and Protection of Privacy Act

- (1) The Registrar is the “head” of the College for the purposes of the Freedom of Information and Protection of Privacy Act.
- (2) The Registrar may authorize a Deputy Registrar to perform any duty or exercise any function of the Registrar that arises under the Freedom of Information and Protection of Privacy Act.
- (3) The Board is responsible for ensuring that the Registrar fulfils his/her duties under the Freedom of Information and Protection of Privacy Act.
- (4) The Registrar must report annually to the Board regarding the steps (delete) ~~it~~ **(replace with) he/she** has taken to fulfil (delete) ~~its~~ **(replace with) his/her** duties under the Freedom of Information and Protection of Privacy Act.

34. Fees for Information Requests

- (1) Subject to (delete) ~~Section 75~~ the Freedom of Information and Protection of Privacy Act, an applicant who requests access to a College record under the Freedom of Information and Protection of Privacy Act must pay the fees set out in Schedule (delete) ~~A~~ **(replace with) C** for services required to comply with the information request.

35. Protection of Personal Information

- (1) The Board must take all reasonable measures to ensure that the collection, use and disclosure of personal information occur in accordance with the Freedom of Information and Protection of Privacy Act.
- (2) The Board must take reasonable measures to ensure that, where personal information is sent to any person or service organization for processing, storage or destruction, a contract is made with that person or organization which includes an undertaking by the person or organization that confidentiality will be maintained.

36. Disclosure of Annual Report

- (1) The College must (delete) ~~deliver~~ **(replace with) make** a copy of the annual report (delete) ~~to every registrant and to a person on request~~ **(insert) available for inspection upon request from any registrant or member of the public.**

37. Disclosure of Registration Status

- (1) Where an inquiry about the registration status of a person is received by the Board or the Registrar, the Registrar (delete) ~~must disclose~~ **(insert) may disclose as appropriate:**

- (a) whether or not the person is a registrant, (delete) ~~or a former registrant~~ (insert) **the class of registration, a former registrant or eligible for registration,**
- (b) whether or not the discipline committee has ever issued an order relating to the person under (delete) ~~Section 39 of the Act and the details of the order,~~
- (c) whether or not the person (delete) ~~has ever signed a consent order~~ (insert) **is the subject of an undertaking or a consent order** which changes the person's registration status or which restricts their practice of psychiatric nursing (insert) **and the nature of the restriction.**

Delete (d) as follows:

- ~~(d) — the details of a consent order pertaining to a change in the person's registration status or a restriction on the practice of the profession of the registrant.~~
- (2) Except with the consent of the person affected, the Registrar must not release the names of complainants, patients, or their families or information which might otherwise enable a person inquiring about the status of a registrant to establish the identity of complainants, patients or their families.

38. Manner of Disposal of College Records Containing Personal Information

- (1) The Board must ensure that a College record containing personal information is disposed of only by:
 - (a) effectively destroying a physical record by utilizing a shredder or by complete burning,
 - (b) erasing information recorded or stored by electronic methods, (delete) ~~on tapes, disks or cassettes in a manner that ensures that the information cannot be reconstructed,~~
 - (c) returning the record to the person the information pertains to, or
 - (d) returning the record to the registrant who compiled the information.

Part IV: Registration

39. ~~(Delete) Classes of Registrants~~ **(Insert) Reserved Titles**

- (1) The following ~~(delete) classes~~ **(insert) titles** are ~~(delete) established~~ **(insert) reserved for nurses registered with the College of Registered Psychiatric Nurses of British Columbia:**

~~(Delete the following (a)(b)(c)(d)(e))~~

- ~~(a) — practicing registration for those registrants actively engaged in providing the services of the profession of psychiatric nursing specified in the regulation~~
- ~~(b) — limited registration for those registrants who practice is limited to the category of Licensed Graduate Psychiatric Nurse (LGPN) or Mental Deficiency Nurse (MDN)~~
- ~~(c) — non practicing registration for registrants who have qualified for registration but who are not providing the services of the profession of psychiatric nursing specified in the regulation~~
- ~~(d) — interim registration for those registrants granted registration subject to certain terms and/or conditions~~
- ~~(e) — student registration registered in an Approved Psychiatric Nursing Education Program.~~

Replace with (a)(b)(c) &(2)(3):

- (a) Licensed Graduate Psychiatric Nurse (LGPN),**
 - (b) Registered Psychiatric Nurse (RPN),**
 - (c) Any abbreviations of these titles.**
- (2) No person other than a registrant may use the title “nurse”, “licensed Graduate Psychiatric Nurse” or “Registered Psychiatric Nurse.”**
- (3) This Section does not prevent a person from using the title “nurse” in a manner authorized by another regulation under the Act.**

40. ~~(Delete) Practicing Registration~~ **(Insert) Classes of Registrants**

~~Delete the following: (1)(a)(b)(c)(d)(e)(f), (2)(a)(b)(c)(d)~~

- ~~(1) — A person is eligible for practicing registration if they fulfil the following criteria:~~

- ~~(a) — graduate of diploma program in psychiatric/mental health nursing, undergraduate or graduate degree in psychiatric/mental health nursing, or~~

- ~~(b) — graduate of diploma program in general nursing, and certificate or advanced diploma in psychiatric/mental health nursing, or undergraduate or graduate degree in psychiatric/mental health nursing~~
 - ~~(c) — payment of the appropriate fees, as per Schedule E and~~
 - ~~(d) — acceptable proof of successful completion of the required registration examination in British Columbia, Alberta, Saskatchewan or Manitoba according to the Registered Psychiatric Nurses Endorsement Agreement, May 10, 1998. Please see Schedule G~~
 - ~~(e) — evidence satisfactory to the Registration Committee of the good character of the person consistent with the responsibilities of a registrant and the standards expected of a registrant, and~~
 - ~~(f) — receipt by the Registrar of documents required by the College.~~
- ~~(2) — An applicant who does not meet the requirements established in Subsection (1) may be granted practicing registration where the applicant~~
- ~~(a) — has a combination of knowledge, skills and abilities which are, in the opinion of the Registration Committee, substantially equivalent to the requirements established in Subsection (1)(a) and (b), and~~
 - ~~(b) — has successfully completed the examinations and any upgrading programs required by the Registration Committee and~~
 - ~~(c) — meets the requirements set out in Subsection (1)(c) and (d), and~~
 - ~~(d) — provides evidence of satisfactory psychiatric nursing practice within previous five years.~~

Replace with the following: (1)(a)(b)(c)

- (1) The following classes of registrants are established:
 - (a) practicing registration for those registrants actively engaged in providing the services of the profession of psychiatric nurses specified in the regulation,
 - (b) non-practicing registration for registrants who have qualified for registration but who are not providing the services of the profession of psychiatric nursing specified in the regulation,
 - (c) interim registration for those registrants granted registration subject to certain terms and/or conditions.

41. (Delete): Limited Registration Replace with: Practicing Registration

Delete (1)(2) as follows:

- ~~(1) Limited registration is for those persons previously accepted for registration as Licensed Graduate Psychiatric Nurses (LGPN) and those persons whose registration was previously restricted as a Mental Deficiency Nurse (MDN)~~
- ~~(2) Registrants whose registration is restricted as MDN are limited to practice with mentally handicapped clients.~~

Replace with (1)(a)(b)(c)(d)(e)&(2)(a)(b)(c)(d) as follows:

- (1) A person is eligible for practicing registration if they fulfil the following criteria:
 - (a) graduate of a diploma program in psychiatric/mental health nursing, undergraduate or graduate degree in psychiatric mental health nursing, or
 - (b) graduate of a diploma program in general nursing, and certificate or advanced diploma in psychiatric/mental health nursing, or
 - (c) acceptable proof of successful completion of the required registration examination in British Columbia, Alberta, Saskatchewan or Manitoba according to the Registered Psychiatric Nurses Endorsement Agreement, outlined in Schedule G.
 - (d) evidence satisfactory to the Registration Committee of the good character of the person consistent with the responsibilities of a registrant and the standards expected of a registrant, and
 - (e) receipt by the Registrar of all documents required by the Act, B.C. Government and the College, and payment of the appropriate fees.
- (2) An applicant who does not meet the requirements established in Subsection (1) may be granted practicing registration where the applicant:
 - (a) has a combination of knowledge, skills and abilities which are, in the opinion of the Registration Committee, substantially equivalent to the requirements established in Subsection (1)(a) and (b), and
 - (b) has successfully completed the examinations and any upgrading programs required by the Registration Committee and
 - (c) meets the requirements set out in Subsection (1)(d) and (e) and
 - (d) provides evidence of satisfactory psychiatric nursing practice within previous five years.

42. Non-Practicing Registration

- (1) A person is eligible for non-practicing registration if they fulfil the following:

- (a) graduate of a diploma program in psychiatric/mental health nursing, or
- (b) graduate of a diploma program in psychiatric/mental health nursing, and **(insert) an advanced diploma in psychiatric/mental health nursing, or undergraduate or graduate degree in psychiatric mental health nursing, or**
- (c) graduate of diploma program in general nursing, and certificate or advanced diploma in psychiatric/mental health nursing, or undergraduate or graduate degree in psychiatric mental health nursing
- (d) statutory declaration that he/she will not provide the services of the profession of psychiatric nursing specified in the regulation, and
- (e) ~~(delete) payment of the appropriate fees, and~~ **(insert) acceptable proof of successful completion of the required registration, and**
- (f) ~~(delete) acceptable proof of successful completion of the required registration examination, and~~ **(insert) evidence satisfactory to the Registration Committee of the good character of the person consistent with the responsibilities of a registrant and the standards expected of a registrant, and**
- (g) ~~(delete) evidence satisfactory to the Registration Committee of the good character of the person consistent with the responsibilities of a registrant and the standards expected of a registrant, and~~ **(insert) receipt by the Registrar of all documents required by the College, and**
- (h) ~~(delete) receipt by the Registrar of documents required by the College~~ **(insert) payment of the appropriate fees.**

43. Interim Registration

- (1) Interim registration may be issued to an applicant for initial registration or renewal of registration ~~(delete) further to~~ **(replace with) pending** a decision of the Registration Committee.

Delete (2):

- ~~(2) — The interim registration must clearly state the terms or conditions under which that registration was issued.~~

Replace with (2)(3)(4)

- (2) An interim registrant may practice psychiatric nursing as if he or she were a full registrant, subject to any terms or conditions imposed by the Registration Committee.**
- (3) The interim registration permit must clearly state the terms or conditions and duration for which that registration was issued.**

- (4) The Registration Committee may extend an interim permit, in the event of extenuating circumstances.

Delete the following Section 45 and change subsequent numbers to follow in proper sequence:

45. Student Registration

- ~~(1) A person must be registered as a student if the person:~~
- ~~(a) Is enrolled, or was enrolled during the 6 months previous to making an application under paragraph (b), as a student in educational programs approved by the Board.~~
 - ~~(b) applies to the Registrar for student registration, and~~
 - ~~(c) satisfies the Registration Committee concerning:~~
 - ~~(i) the accuracy of the person's statement of date of birth, name and educational standing, and~~
 - ~~(ii) the good character of the person consistent with the responsibilities of a registrant and the standards expected of a registrant~~
- ~~(2) A person to whom Subsection (1) applies must be registered under this Section before commencing a period of practical formal experience.~~
- ~~(3) A registrant under this Section is eligible to convert to practicing status when they have successfully completed the Psychiatric Nursing Program and registration exam.~~
- ~~(4) A student registrant must not serve on the Board or a committee or vote.~~

44. Referral and Review

- (1) Notwithstanding Sections 41 and (delete) 43 (insert) 42 where, after giving the applicant an opportunity to be heard, an application will be referred to the Registration Committee if the Registrar determines that:
- (a) the applicant does not fulfil the criteria for registration in Section 41 or (delete) 43 (replace with) 42, or
 - (b) the applicant's license to practice has been suspended, cancelled or limited in (delete) this (insert) British Columbia or any other jurisdiction, or
 - (c) at the time of this application an investigation, inquiry, review or proceeding is taking place in (delete) this (insert) British Columbia or any other jurisdiction which could result in the suspension, limitation or cancellation of the applicant's license to practice, or

- (d) the applicant has contravened the Act, regulations or the Bylaws, or
 - (e) the applicant has been convicted in Canada or elsewhere of any offence which would be an act of professional misconduct.
- (2) The Registration Committee may, after reviewing the referred application:
- (a) grant registration, and/or
 - (b) grant registration subject to certain terms or conditions, and/or
 - (c) request that the Registrar refer the application to the Inquiry Committee, (insert) or
 - (d) refuse to grant registration.
- (3) An applicant review under Subsection (2) must be provided with written reasons for the decision of the Registration Committee
- (4) An applicant whose registration has been refused or whose registration is subject to certain terms or conditions may request reconsideration of (delete) such (insert) this decision to (delete) the Supreme Court or an ad-hoc review committee (delete) by giving written notice to the Registrar of the College no later than 60 days from the date on which notice of the decision was released to the applicant (insert) of the CRPNBC. (Delete) The request shall specify the reasons why the applicant believes that the decision is incorrect. Add the following: To apply for the latter, written notice must be given to the Registrar of the College no later than 60 days from the date on which notice of the decision was released to the applicant. The request must specify any evidence or special circumstances that warrant the committee's reconsideration including the reasons why the applicant believes that the decision is incorrect. If the ad-hoc committee decides to hear evidence that is not part of the record they must direct the Registrar to make appropriate arrangements to receive that evidence. The ad-hoc committee must provide both the applicant and Registration Committee with written reasons for their decision.

45. Annual Registration Card

- (1) The Registrar must issue a registration card to any person who is granted practicing, non-practicing or limited registration. The card must specify the limits that apply to that category of registrants.
- (2) A registration card is valid until no later than the last day of February of that renewal year unless registration has been surrendered, or suspended or cancelled as a result of disciplinary action.

Delete: (3)

- ~~(3) A student registration card is valid until completion of the Psychiatric Nursing Education Program.~~

46. Examinations

(1) All examinations required to be taken under these Bylaws must be approved by the Registration Committee and the Board and be recognized by the Registered Psychiatric Nurses Endorsement Agreement. (Delete) See Schedule F. (Insert) As outlined in Schedule G.

(2) The Registration Committee must:

(a) develop and administer the policies and procedures related to the examination, and

Delete (b):

~~(b) review the results of the examination or re-examination for each applicant and make a determination as to that applicant's qualification for registration, and~~

Replace with (b):

(b) determine the time and place for the holding of an examination, designate invigilators and determine the procedures for the conduct of the examination,

Delete (c):

~~(c) notify the applicant of the results of the examination or re-examination as soon as is practical.~~

Replace with (c)(d):

(c) review the results of the examination or re-examination for each applicant and make a determination as to that applicant's qualification for registration, and

(d) notify the applicant of the results of the examination or re-examination as soon as is practical.

Delete (3):

~~(3) An applicant who fails the initial examination is entitled to two opportunities to repeat the examination in accordance with established policies and procedures of the College.~~

Replace with (3)(a)(b)(c)(d)

(3) Where the invigilator has reason to believe that an applicant has engaged in improper conduct during the course of an examination, the invigilator must make report to the Registrar and may recommend that one or more of the following actions be taken:

(a) fail the applicant,

(b) pass the applicant,

- (c) require the applicant to rewrite the examination, or
- (d) disqualify the applicant from participating in any examination for a period of time.

Delete (4)(a)(b)(c)(d):

~~(4) — Where the invigilator has reason to believe that an applicant has engaged in improper conduct during the course of an examination, the invigilator must make report to the Registrar and may recommend that one or more of the following actions be taken:~~

- ~~(a) — fail the applicant, or~~
- ~~(b) — pass the applicant, or~~
- ~~(c) — require the applicant to rewrite the examination, or~~
- ~~(d) — disqualify the applicant from participating in any examination for a period of time.~~

Replace with (4):

- (4) After considering a report made under Subsection (3), the Registrar may take one or more of the recommended courses of action.

Delete (5):

~~(5) — After considering a report made under Subsection (4), the Registrar may take one or more of the recommended courses of action.~~

Replace with (5):

- (5) An applicant disqualified under Subsection (3)(d) must be provided with written reasons for the disqualification.

Delete (6)

~~(6) — An applicant disqualified under Subsection 4(d) must be provided with written reasons for the disqualification.~~

Replace with (6)(a)(b)(c):

- (6) An applicant:
 - (a) who fails the examination on his/her first attempt, is entitled to re-sit the examination on a maximum of two further occasions.

- (b) is not entitled to attempt or re-attempt the examination if they have failed on three occasions whether or not those failed attempts occurred in a jurisdiction or jurisdictions other than British Columbia, and
- (c) who has failed the examination on three occasions may only re-attempt the exam if the Registration Committee has deemed it appropriate in the circumstances and given prior written approval.

47. Registration Renewal

- (1) To be eligible for a renewal of registration, a registrant must:
 - (a) submit a completed registration renewal form to the Registrar, and
 - (b) pay the registration renewal fee, and
 - (c) pay any other outstanding fee, debt, fine or levy owed to the College, and
 - (d) attest that he or she is in compliance with the Act, the regulations and these Bylaws and is compliant with any limits or conditions imposed under (delete) ~~Sections 39(1) of the Act~~, and
 - (e) provide proof of having met the continuing competency requirements of the College as required under Section (delete) ~~50~~ (replace with) 48.
- (2) Notice of the fees must be delivered to each registrant no later than four weeks prior to the end of the renewal year and must describe the consequence of the late payment and non payment of fees.
- (3) Each registrant must submit a registration renewal form and the registration renewal fee on or before the last day of February and which must be received at the College office no later than the last working day in February.
- (4) On payment of the registration renewal fee and any arrears, and the acceptance of the registration renewal form, the Registrar must issue to the registrant an official receipt and registration card stating that the registrant is, subject to his or her compliance with the Act, regulations and the Bylaws, entitled to practice the profession of registered psychiatric nursing in the province of British Columbia as a registrant of the College.
- (5) Where a registrant fails to submit a registration renewal form and pay the registration renewal fee to the College office on or before the last day of February, (delete) ~~and which is not received at the College office within the time specified in (3)~~ he or she ceases to be registered.

48. Continuing Competence

- (1) A registrant must (delete) ~~complete~~ **(replace with) fulfill** all requirements of the continuing competence program as approved and required by the Board. (Delete) ~~Please see Schedule C.~~

49. Reinstatement Following Non Payment of Fees (Add) or Fines

- (1) A former registrant who ceased to be registered (delete) ~~under Section 49(5) by reason only of a~~ **(insert) for** failure to (delete) ~~renew~~ **(replace with) submit** his or her (delete) ~~registration~~ **(insert) renewal form and payment before the last day of February under Section 47(5)** is eligible for reinstatement where they:

- (a) apply for reinstatement in the form required by the Registration Committee not later than 90 days following the expiry of their registration, and

Delete (b):

- ~~(b) are not in contravention of the Act the regulation or these Bylaws, and~~

Replace with (b)(i)(ii)(iii)(iv)&(v)

- (b) supply a written statement confirming that he/she is:
- (i) not in contravention of the Act, the Regulations, these Bylaws and standards,
 - (ii) without any misconduct or incompetence,
 - (iii) not suffering from a physical or mental ailment, emotional disturbance or addiction,
 - (iv) in compliance with all applicable standards of practice, including those regarding emergency equipment and training, and
 - (v) not under investigation, or convicted of an indictable offence, has already had their registration cancelled or suspended, has been reprimanded, and
- (c) pay the registration renewal fee and any other outstanding fee, debt, fine or levy owed to the College, and
- (d) pay a reinstatement fee in an amount equal to 20 per cent of the registrant's annual registration fee.
- (2) A former registrant who ceased to be registered under Section (delete) ~~49~~ **(replace with) 47(5)** by reason only of a failure to renew his or her registration and who applies for reinstatement more than 90 days following the expiry of their registration, and who has continued to practice the profession of psychiatric nursing will have their application for reinstatement referred to the Registration Committee further to Section (delete) ~~44~~

(replace with) 43. If the Registration Committee grants reinstatement of registration, the former registrant must:

- (a) pay the registration renewal fee and any other outstanding fee, debt, fine or levy owed to the College, and
- (b) pay a reinstatement fee in an amount equal to 35 percent of the registrant's annual registration fee, and

Delete the following (3):

~~(3) — Despite Subsection (1) and (2), the Registration Committee may reinstate a former registrant without charging any reinstatement fee where the person is able to demonstrate that he or she was unable to comply with Section 49 for reasons of undue hardship.~~

Replace with the following (c)(i)(ii)(iii)(iv)(v) & (3):

- (c) supply a written statement confirming that he/she is:
 - (i) not in contravention of the Act, the regulations, or these Bylaws and standards,
 - (ii) without any misconduct or incompetence,
 - (iii) not suffering from a physical or mental ailment, emotional disturbance or addiction,
 - (iv) in compliance with all applicable standards of practice, including those regarding emergency equipment and training, and
 - (v) not under investigation, convicted of an indictable offence, already had their registration cancelled or suspended, or has been reprimanded.
- (3) Notwithstanding Subsections (1) and (2), the Registration Committee may reinstate a former registrant without charging any reinstatement fee where the person is able to demonstrate that he or she was unable to comply with Section 47 for reasons of undue hardship.

50. Conversion of Registration Status

- (1) A former registrant or a non-practicing registrant whose registration is not suspended or cancelled under (delete) Sections 35 or 39 of the Act and who has not practiced the profession of psychiatric nursing for less than 5 years may be restored to practicing registration where the former registrant or non-practicing registrant:
 - (a) provides proof of having met the requirements of competency as required under Section (delete) 50 (replace with) 48, and
 - (b) is not in contravention of the Act, the regulation or these Bylaws, and

- (c) pays the registration renewal fee and any other outstanding fee, debt, fine or levy owed to the College, and
 - (d) (delete) as appropriate **(replace with) if required**, pays a reinstatement fee in an amount equal to 20 percent of the registrant's annual registration fee, and
 - (e) provides evidence satisfactory to the Registration Committee of the good character of the person consistent with the responsibilities of a registrant and the standards expected of a registrant, and
 - (f) delivers to the Registrar **(insert) all** documents required by the College.
- (2) A former registrant or non-practicing registrant whose registration is not suspended or cancelled under (delete) ~~Sections 35 or 39~~ of the Act and who has not practiced the profession of psychiatric nursing for more than 5 years may be granted practicing registration where the former registrant or non-practicing registrant:
- (a) provides proof of successful completion of an approved psychiatric nursing refresher course and/or proof of having met continuing competence requirements under Section (delete) ~~50~~ **(replace with) 48**, and
 - (b) Is not in contravention of the Act, the regulation or these Bylaws, and
 - (c) pays the registration renewal fee and any other outstanding fee, debt, fine or levy owed to the College, and
 - (d) provides evidence satisfactory to the Registration Committee of the good character of the person consistent with the responsibilities of a registrant and the standards expected of a registrant, and
 - (e) delivers to the Registrar documents required by the College.

Insert new Section 51(1),(a)(b)(c)(d)(i)(ii)(2)(a)(b)(i)(ii) and continue numbering in proper sequence:

51. Reinstatement Following Disciplinary Action

- (1) A former registrant whose registration has been suspended or cancelled under the Act for:
 - (a) being under investigation, or convicted of an indictable offence, or who has already had their registration cancelled or suspended,
 - (b) being subject to an extraordinary action to protect the public,
 - (c) being under a reprimand, being in violation of the Act, regulations, Bylaws or Standards, any misconduct, incompetence or is suffering from a physical or mental ailment, emotional disturbance or addiction,

- (d) may be reinstated by Registration Committee if she/he meets the applicable criteria as set out by the terms of the suspension, cancellation or these Bylaws and the Registration Committee is satisfied that reinstatement of his or her registration will not:
 - (i) pose an undue risk to public health or safety, or
 - (ii) otherwise be against the public interest for any reason.
- (2) A former registrant whose registration has been cancelled or suspended, as of the date of their application for a period of three (3) years or more may be reinstated as a registrant by the Registration Committee if:
 - (a) he or she meets all the requirements established in Schedule H, and
 - (b) the Registration Committee is satisfied that reinstatement of his or her registration will not:
 - (i) pose an undue risk to public health or safety, or
 - (ii) otherwise be against the public interest for any reason.

52. Notification of Change of Registration Information

Delete as follows:

~~A registrant must immediately notify the Registrar of any change of address, name employer or any other registration information previously provided to the Registrar.~~

Replace with:

- (1) A registrant must immediately notify the Registrar of any change of name, address, phone number (business and home), email address, employer or any other registration information previously provided to the Registrar.

Add new Section 53 and continue numbering in proper sequence:

53. Liability Insurance

- (1) Each practicing registrant must obtain and at all times maintain professional liability insurance with a limit of liability not less than \$2,000,000 per occurrence insuring against liability arising from an error, omission or negligent act of the registrant or employee of the registrant.

Part V: Inspections, Inquiries and Discipline

Delete 54 as below and renumber in proper sequence. See Consent Orders under Section 60.

Definitions:

~~54.~~ **Consent Orders**

~~(1) — Consent orders mean the record of an undertaking or a consent given under Section 36 of the Act for the purposes of resolving a complaint.~~

54. Professional Misconduct

(1) Professional misconduct includes the following conduct of a registrant who has:

- (a) been found guilty of an offence that is relevant to the registrant's competency to practice,
- (b) been found by another regulatory body to have committed an act, that would, in the opinion of the Discipline Committee, be an act of professional misconduct as defined in Subsections (c) to ~~(delete) (q)~~ **(insert) (p)**.

Delete the following ~~54(c)(d)(e)(f)(g)(h),(i)(ii)(iii)(i),(j)(k)(l)(m)(n)(o)(p)(q)~~

- ~~(c) — committed an offence of sexual misconduct~~
- ~~(d) — contravened a term, condition or limitation imposed on a registrant's certificate of registration~~
- ~~(e) — contravened a standard of practice or a provision of the code of ethics~~
- ~~(f) — contravened the Act, regulation, Bylaws or consent order~~
- ~~(g) — abused a client (physically, verbally, psychologically, financially or otherwise)~~
- ~~(h) — taken unfair advantage of the confidence and trust within the client relationship~~
- ~~(i) — practiced the profession while their ability to do so was impaired by a physical or mental ailment, emotional disturbance or impairment due to substance abuse~~
- ~~(j) — failed to obtain consent, where consent is required by law~~
- ~~(k) — discontinued psychiatric nursing services that are needed unless:
 - ~~(i) — the client requests the discontinuation;~~
 - ~~(ii) — alternative services are arranged; or~~
 - ~~(iii) — the client is given a reasonable opportunity to arrange alternative services~~~~

- ~~(l) — given information about a client to a person other than the client or their representative except with the consent of the client or their authorized representatives, or as required by law~~
- ~~(m) — falsified a record relating to the registrant's practice~~
- ~~(n) — practiced the profession while in a conflict of interest~~
- ~~(o) — failed to provide a client access to their health care records as required by Section 73(f)~~
- ~~(p) — signed, or issued, in the registrant's professional capacity, a document the registrant knows contains false or misleading statements~~
- ~~(q) — engaged in conduct or performing an act, in the course of practicing the profession, that having regard to all the circumstances would reasonably be regarded by registrants as disgraceful, dishonourable or unprofessional.~~

Replace with the following 54(c)(d)(e)(f)(g)(h)(i)(j),(i)(ii)(iii),(k)(l)(m)(n)(o)(p):

- (c) contravened a term, condition or limitation imposed on a registrant's certificate of registration,
- (d) contravened a standard of practice or a provision of the code of ethics,
- (e) contravened the Act, regulation, Bylaws or consent order,
- (f) abused a client physically, verbally, sexually, psychologically, financially or otherwise,
- (g) taken unfair advantage of the confidence and trust within the client relationship,
- (h) practiced the profession while their ability to do so was impaired by a physical or mental ailment, emotional disturbance or impairment due to substance abuse,
- (i) failed to obtain consent, where consent is required by law,
- (j) discontinued psychiatric nursing services that are needed unless:
 - (i) the client requests the discontinuation,
 - (ii) alternative services are arranged, or
 - (iii) the client is given a reasonable opportunity to arrange alternative services,
- (k) given information about a client to a person other than the client or their representative except with the consent of the client or their authorized representatives, or as required by law,

- (l) falsified a record relating to the registrant's practice,
- (m) practiced the profession while in a conflict of interest,
- (n) failed to provide a client access to their health care records as required by Section 71(f).
- (o) signed, or issued, in the registrant's professional capacity, a document the registrant knows contains false or misleading statements, and
- (p) engaged in conduct or performing an act, in the course of practicing the profession, that having regard to all the circumstances would reasonably be regarded by registrants as disgraceful, dishonourable or unprofessional.

55. Sexual Misconduct

- (1) Sexual misconduct by a registrant includes:
 - (a) sexual intercourse or other forms of physical sexual relations between the registrant and the client,
 - (b) inappropriate touching of a sexual nature of the client by the registrant,
 - (c) inappropriate behaviour or remarks of a sexual nature by the registrant toward the client, (insert) and
 - (d) for the purposes of Subsection (b) and (c) 'sexual nature' does not include touching, behaviour or remarks of a clinical nature appropriate to the service being provided.

Add new Section (2):

- (2) Sexual misconduct is professional misconduct.

56. Duty To Report

- (1) A registrant has a duty to report to the Registrar if the registrant has reasonable grounds to believe that another registrant of the same College:
 - (a) has abused a client (sexually, physically, verbally, psychologically, financially or otherwise) or,
 - (b) is practicing in an unsafe manner in a way that constitutes a danger to the public, or
 - (c) is exhibiting conduct that suggests a physical or mental ailment, emotional disturbance or impairment due to substance abuse that may affect his or her ability to practice and may constitute a danger to the public, or

- (d) has delegated components of care to another caregiver without due concern regarding the competence of that individual, or
 - (e) is practicing in contravention to the Standards of Practice and Code of Ethics for Registered Psychiatric Nurses in B.C.
- (2) A registrant has a duty to report to the Registrar of another health profession when the registrant has reasonable grounds to believe that a registrant of a different professional body:
- (a) has abused a client (sexually, physically, verbally, psychologically, financially or otherwise), or
 - (b) is exhibiting conduct that suggests a physical or mental ailment, emotional disturbance or impairment due to substance abuse that may affect his or her ability to practice and may constitute a danger to the public (insert), or

Add new (c):

- (c) is practicing in contravention to the Standards of Practice and Code of Ethics for Registered Psychiatric Nurses in B.C. raising a concern about their competence.

57. Complaints

Delete (1) as follows:

- ~~(1) — The registrar shall make every reasonable effort to facilitate receipt in writing of a complaint if delivery in writing by the complainant is not practical due to special circumstances.~~

Replace (1) with the following:

- (1) The Registrar must make every reasonable effort to ensure the complaint is received in writing from the complainant, unless it is not practical due to special circumstances.

Delete old Section 58, as follows and continue numbering in proper sequence.

58. — Inspections

~~An inspector must not observe a registrant while the registrant is providing a service to a client except where:~~

- ~~(a) — the consent of the client being treated has been obtained in advance, or~~
- ~~(b) — the service is being provided in a public setting~~

58. Investigations by Inquiry Committee

- (1) The Inquiry Committee must notify a registrant who is the subject of an investigation and any complainant of the disposition of the investigation and any action taken under ~~(delete) Section 33(4) of the Act.~~

Delete the following (2):

- ~~(2) Before agreeing to accept an undertaking or consent under Section 36 of the Act, the Inquiry Committee may review all previous complaints and disciplinary matters involving the registrant to be satisfied that the proposed undertaking or consent is appropriate in the circumstances.~~

Replace with the following (2)(3)

- (2) No member of the Inquiry Committee may be involved in an investigation or assessment of a matter in which he/she has had any prior involvement.
- (3) Before agreeing to accept an undertaking or consent order under the Act, the Inquiry Committee may review all previous complaints and disciplinary matters involving the registrant to be satisfied that the proposed undertaking or consent is appropriate in the circumstances.

Insert **59 Inspections** (1)(2) as follows:

59. Inspections

- (1) An inspector appointed by the Inquiry Committee has the duties and powers as set out in the Act.
- (2) An inspector must not observe a registrant while the registrant is providing a service to a client except where:
 - (a) the consent of the client being treated has been obtained in advance, or
 - (b) the service is being provided in a public setting.

Delete 61(a)(b)(c)(d)(e) (see below)

61. ~~Consent Orders~~

- ~~(a) include any consent to a reprimand or to any other action made by the registrant under Section 36 of the Act,~~
- ~~(b) include any undertaking made by the registrant under Section 36 of the Act,~~
- ~~(c) specify the length of time that an undertaking specified in paragraph (b) is binding on the registrant,~~

~~(d) — specify the procedure that the registrant may follow to be released from an undertaking specified in paragraph (b), and~~

~~(e) — specify which terms of the consent order may be disclosed to the public.~~

Insert new renumbered **Section 60** to read as follows:

60. Consent Orders

(1) Consent orders mean the record of an undertaking or a consent given under the Act for the purpose of resolving a complaint.

(2) Consent orders must include:

(a) any consent to a reprimand or to any other action made by the registrant under the Act,

(b) any undertaking made by the registrant under the Act,

(c) the length of time that an undertaking specified in paragraph (b) is binding on the registrant,

(d) the procedure that the registrant may follow to be released from an undertaking specified in paragraph (b), and

(e) which terms of the consent order may be disclosed to the public.

61. Alternative Dispute Resolution

(1) The Inquiry Committee may recommend under (delete) ~~Section 33(6)(b)~~ (insert) the Act that a complaint be referred to alternative dispute resolution where:

(a) the Inquiry Committee determines that it is appropriate;

(b) the complainant and the registrant agree to the referral.

(2) Alternative dispute resolution may include but is not limited to:

(a) negotiation,

(b) mediation

Delete (c)

~~(c) — arbitration~~

(3) The Inquiry Committee may approve the agreement reached through alternative dispute resolution.

- (4) If a complaint cannot be resolved through alternative dispute resolution it must be referred back to the Inquiry Committee.
- (5) Participation in alternative dispute resolution will be in accordance with policies and procedures established by the College.

Add New (6):

- (6) **By agreement of the parties a dispute may go to arbitration and the decision is binding and final.**

62. Citation for Disciplinary Hearing

- (1) On the direction of the Inquiry Committee or Board, the Registrar may join one or more complaints or other matters which are to be the subject of a discipline hearing in one citation as appropriate in the circumstances.
- (2) On the direction of the Inquiry Committee or Board, the Registrar may sever one or more complaints or other matters which are to be the subject of a discipline hearing as appropriate in the circumstances.
- (3) On the direction of the Inquiry Committee or Board, the Registrar may amend a citation issued under (delete) ~~Section 37~~ of the Act.

63. Pre-Hearing Meeting

- (1) On the direction of the Inquiry Committee, the Registrar may include, with a citation, a request for the registrant to participate in a pre-hearing meeting to discuss:
 - (a) jurisdiction and other procedural issues,
 - (b) agreed statement of facts,
 - (c) disclosure of information,
 - (d) number of witnesses,
 - (e) estimation of time to complete the disciplinary hearing, **(insert) and**
 - (f) discussion of possible disciplinary sanctions.
- (2) Matters discussed at a pre-hearing meeting are not to be disclosed at a discipline hearing unless agreed to by all parties.
- (3) Participation in a pre-hearing meeting will be in accordance with policies and procedures established by the College.

64. Hearings of the Discipline Committee

- (1) No person may sit on the Discipline Committee while he or she is a member of the Inquiry Committee.
- (2) No member of the Discipline Committee may sit on the panel, hearing a matter in which he or she:
 - (a) was involved as a member of the Inquiry Committee or
 - (b) has had any prior involvement in the matter under review.
- (3) Information about the date, time and subject matter of the hearing must be provided to any person on request unless otherwise directed by the Discipline Committee.
- (4) The Discipline Committee must provide notice by registered mail or by personal service to a person who is required to attend a hearing under (delete) Section 37(6) of the Act.
- (5) All discipline hearings shall be recorded and any person may obtain, at his or her expense, a transcript of any part of the hearing which he or she was entitled to attend.
- (6) In determining the penalty to be imposed on a registrant under (delete) Section 39(1) of the Act, the Discipline Committee must, after making a determination on the facts, consider (delete) a (insert) any previous relevant disciplinary decision (delete) regarding the registrant or an (insert) and any undertaking or consent to a reprimand (delete) given by the registrant under Section 36(1) of (insert) regarding the registrant under the Act.

Delete the following old heading:

~~**66. Hearings Of The Discipline Committee**~~

Replace with new heading and new consecutive number.

65. Notice of the Decision(s) of a Discipline Committee Hearing

- (1) At the conclusion of a disciplinary proceeding, where there was a finding of fault, the Registrar must, within a reasonable time, advise every registrant of:
 - (a) the name of the member charged,
 - (b) (Delete) the facts (insert) a summary of the facts of the case,
 - (c) the disposition of the case, including the nature of any limitation or suspension, and the date (insert)s it is in effect, and
 - (d) the reasons for the decisions.
- (2) Where disciplinary proceedings result in the limitation, suspension or termination of a registrant's license to practice, the Registrar must notify:

- (a) the College or Association responsible for the regulation of the profession of nursing in every Canadian jurisdiction,
- (b) the registrant's employer(s),
- (c) on request, any other College or Association in a jurisdiction inside or outside Canada, and
- (d) any other individual/organization as directed by Board policy.

Add the following new (3):

- (3) In addition to Subsection (1) and (2) the Act requires:
 - (a) public notification of specific actions taken by the Inquiry or Discipline Committee, and
 - (b) provides the direction for its implementation.

66. Retention of Discipline and Inquiry Committee Records

- (1) Records of the Inquiry Committee and Discipline Committee must be retained for a period in accordance with College record retention policies and Freedom of Information and Protection of Privacy Act following the conclusion of an investigation.
- (2) Decisions and Reasons documents of the Discipline and Inquiry Committees must be kept on permanent record at the College.
- (3) All documents pertaining to a matter in which the Inquiry Committee determines that no further action is to be taken are to be disposed of in accordance with College record retention policies.

67. Registrant Under Suspension

Delete the following:

~~A registrant while under suspension must not practice the profession of registered psychiatric nursing and must not hold him or herself out as entitled to practice during that time.~~

Replace with the following:

- (1) During any period of suspension, a registrant must:
 - (a) not engage in the practice of psychiatric nursing or to represent himself/herself as being a registrant entitled to practice,
 - (b) not hold office in the College,
 - (c) not make appointments for patients or prospective patients,

- (d) not contact or communicate with patients or prospective patients, except for the following purposes:
 - (i) to advise patients or prospective patients of the fact and duration of the suspension,
 - (ii) to advise a patient or prospective patient that another registrant will continue to operate in the suspended registrant's place, or
 - (iii) to refer the patient to another registrant in good standing.
 - (e) immediately surrender to the Registrar his or her certificate of registration and registration card,
 - (f) pay any fee or special assessment required by the College when due in order to remain a registrant, and
 - (g) not be entitled to a refund of the registration or registration renewal fee in respect of the period of suspension or of any special fee that the registrant has paid.
- (2) Any communication under Subsection (1)(d) may be made in writing in a form approved in advance by the Registrar, or by employing office staff, and answering service or other telephone device specifically for this purpose.
- (3) During the period of suspension a suspended registrant may permit another full registrant in good standing to practice within the suspended registrant's office provided that the suspended registrant complies with the provisions of Subsection (1).

68. Fines (add) and Costs

- (1) The maximum amount of a fine that may be ordered by the Discipline Committee under (delete) Section 39 of the Act is (delete) \$35,000.00 (replace with) \$100,000.00.

Part VI: Registrant Records for Self-Employed Registrants

69. Definitions

- (1) For the purposes of Part 6 of these Bylaws, “patient representative” means:
 - (a) a “committee of the patient” under the Patient’s Property Act,
 - (b) the parent or guardian of a patient who is under 19 years of age,
 - (c) ~~(delete) under the Representation Agreement Act,~~ a representative authorized by a representation agreement registered under the Representation Agreement Act to make or help in making decisions on behalf of a patient,
 - (d) ~~(delete) under the Representation Agreement Act,~~ a monitor named in a representation agreement registered under the Representation Agreement Act to ensure that the representatives fulfils the duties described in ~~(delete) Section 16 of~~ that Act,

Delete (e)(f) as follows:

- ~~(e) — under the Adult Guardianship Act, a decision maker or guardian appointed under Section 10 of the Adult Guardianship Act, and~~
- ~~(f) — under the Health Care (Consent) and Care Facility (Admission) Act, a temporary substitute decision maker chosen under Section 16 of the Health Care (Consent) and Care Facility (Admission) Act.~~

Replace with the following (e)(f):

- (e) a decision maker or guardian appointed under the Adult Guardianship Act, and
- (f) a temporary substitute decision maker chosen under the Health Care (Consent) and Care Facility (Admission) Act.

70. Purpose for Which Personal Information May Be Collected

- (1) No registrant may collect personal information regarding a patient unless:
 - (a) the information relates directly to and is necessary for providing health care services to the patient or for related administrative purposes, or
 - (b) the collection of that information is expressly authorized by or under an enactment.

71. Source of Personal Information

- (1) A registrant must collect personal information about a patient directly from the patient.

- (2) (Delete) ~~Despite~~ **(replace with) Notwithstanding** Subsection (1) a registrant may collect personal information from another person if the registrant has reasonable grounds to believe:
- (a) that the patient has been made aware of the matters set out in Sections (delete) ~~79 & 81~~ **(replace with) 78 & 80** and has authorized collection of the personal information from another person,
 - (b) that the patient is unable to give his or her authority and the registrant, having made the patient's representative aware of the matters set out in Section (delete) ~~73~~ **(replace with) 72**(1), collects the information from the representative or the representative authorizes collection from another person,
 - (c) that compliance with Subsection (1) would:
 - (i) prejudice the best interest of the patient,
 - (ii) defeat the purpose or prejudice the use for which the information is collected, or
 - (iii) prejudice the safety of any person;
 - (d) that compliance with Subsection (1) is not reasonable practicable in the circumstances of the particular case,
 - (e) that the collection is for the purpose of assembling a family or genetic history of a person and is collected directly from that person,
 - (f) that the information is publicly available information,
 - (g) that the information:
 - (i) will not be used in a form in which the patient concerned is identified, or
 - (ii) will be used for statistical or research purposes and will not be published in a form that could reasonably be expected to identify the patient, or
 - (h) that non-compliance with Subsection 1 is necessary where the information is about law enforcement or anything referred to in (delete) ~~Sections (15) or (2)~~ of the Freedom of Information and Protection of Privacy Act.

72. Collection of Personal Information

- (1) Where a registrant collects personal information directly from the patient, or from the patient's representative, the registrant must take such steps as are, in the circumstances, reasonable to ensure that the patient or patient's representative is aware of:
- (a) the fact that the personal information is being collected,

- (b) the purpose for which the personal information is being collected,
 - (c) the intended recipients of the personal information,
 - (d) whether or not the supply of the personal information is voluntary or mandatory and, if mandatory, the legal authority for collecting the personal information,
 - (e) the consequences, if any, for that patient if all or any part of the requested personal information is not provided, **(insert) and**
 - (f) the rights of access to personal information provided in Section ~~(delete) 88~~ **(replace with) 87**.
- (2) The steps referred to in Subsection (1) must be taken before the personal information is collected or, if that is not practicable, as soon as practicable after the personal information is collected.
- (3) A registrant is not required to take the steps referred to in Subsection (1) in relation to the collection of personal information from a patient, or the patient's representative, if the registrant has taken those steps in relation to the collection, from the patient or patient's representative, of the same information or information of the same kind for the same or a related purpose, on a recent previous occasion.
- (4) ~~(Delete) Despite~~ **(replace with) Notwithstanding** Subsection (1), a registrant is not required to comply with Subsection (1) if the registrant believes on reasonable grounds that:
- (a) ~~(delete) that~~ non-compliance is authorized by the patient concerned,
 - (b) ~~(delete) that~~ compliance would:
 - (i) prejudice the interests of the patient concerned, or
 - (ii) defeat the purpose or prejudice the use for which the information is collected,
 - (c) ~~(delete) that~~ compliance is not reasonably practical in the circumstances of the particular case, or
 - (d) ~~(delete) that~~ the information is about law enforcement or anything referred to in ~~(delete) Sections 15(1) or (2) of the Freedom of Information and Protection of Privacy Act.~~

73. Manner of Collection of Personal Information

- (1)** Personal information must not be collected by a registrant:
- (a) by unlawful means, or

- (b) by means that, in the circumstances of the case:
 - (i) are unfair, or
 - (ii) intrude to an unreasonable extent upon the personal affairs of the patient concerned.

74. Confidentiality of Personal Information

- (1) A registrant must at all times protect and maintain the confidentiality of personal information collected under Sections (delete) ~~71, 72 and 73~~ (replace with) 70, 71 and 72.

75. Accuracy of Personal Information

- (1) The registrant must make every reasonable effort to ensure that the information is current and legibly, accurately and completely recorded.

76. Right to Request Correction of Personal Information

- (1) A person who believes there is an error or omission in a record containing his or her personal information may request that the registrant having the record in his or her custody or control correct the information.
- (2) If after receiving a request for correction under Subsection (1), the registrant disagrees that there is an error or omission in the record, the registrant must note the request in the record with particulars of the correction that was sought.

77. Use of Personal Information by Registrant

- (1) A registrant may use personal information only:
 - (a) for the purpose of providing health care services to the patient or related administrative purpose,
 - (b) for a use or disclosure consistent with a purpose specified in paragraph (a),
 - (c) if the patient has consented to the use, or
 - (d) for the purpose which that information may be disclosed by the registrant under Section (delete) ~~76 and 79~~ (replace with) 76 and 78.

78. Disclosure of Personal Information by a Registrant

- (1) A registrant must maintain confidentiality of personal information and may disclose relevant personal information only:
 - (a) if the patient concerned has consented to the disclosure,

- (b) for the purpose of providing health care services to the patient or related administrative purpose or for a disclosure consistent with either purpose,
- (c) for the purpose of complying with an enactment of, arrangement or agreement made under an enactment of British Columbia or Canada,
- (d) for the purpose of complying with a subpoena, warrant or order issued or made by a court, person or body with jurisdiction to compel the production of information,
- (e) to an employee of, or contractor providing services to, the registrant, if the information is necessary for the performance of the duties of, or for the protection of the health or safety of, the employee or contractor,
- (f) to a lawyer acting for the registrant, with the consent of that individual for use in civil or criminal proceedings involving the registrant,
- (g) where necessary to comply with the Coroner's Act,
- (h) where necessary to comply with the Ombudsman Act,
- (i) for the purposes of:
 - (i) collecting a debt or fine owing by a patient to the registrant, or
 - (ii) making a payment owing by the patient to a registrant,
- (j) to an auditor, the College or any other person or body authorized by law, for audit purposes,
- (k) where the registrant believes on reasonable grounds that there is a risk of significant harm to the health or safety of any person and that the use or disclosure of the information would reduce that risk,
- (l) so that the next of kin or a friend of an injured, ill or deceased individual may be contacted,
- (m) in accordance with Sections (delete) ~~81 and 88~~ (replace with) 80 and 87 or
- (n) as otherwise required by law.

79. Definition of Consistent Purpose

- (1) A use or disclosure of personal information is consistent with the purposes of providing health care services to a patient or related administrative purposes under Sections (delete) ~~78 and 79~~ (replace with) 77 and 78 if the use or disclosure has a reasonable and direct connection to either purpose.

80. Disclosure for Research and Statistical Purposes

- (1) A registrant may disclose personal information for a research purpose, including statistical research, only if:
- (a) the research purpose cannot reasonably be accomplished unless that information is provided in individually identifiable form,
 - (b) any record linkage is not harmful to the individuals concerned and the benefits to be derived from the record linkage are clearly in the public interest,
 - (c) the head of the public body concerned has approved conditions relating to the following:
 - (i) security and confidentiality
 - (ii) the removal or destruction of individual identifiers at the earliest reasonable time, and
 - (iii) the prohibition of any subsequent use or disclosure of that information in individually identifiable form without the express authorization of the committee approved by the Board, (delete) ~~and~~
 - (d) the person to whom that information is disclosed has signed an agreement to comply with the approved conditions established by these Bylaws and any of the policies and procedures of the Committee approved by the Board relating to the confidentiality of personal information, (insert) **and**

Add new (e) as follows:

- (e) **be in accordance with the Freedom of Personal Information Protection Act.**

81. Storage and Retention of personal Information

- (1) A registrant must ensure that all records:
- (a) pertaining to his or her practice, and
 - (b) containing personal information are safely and securely stored.
- (2) Personal information must be retained for a period of (delete) ~~10~~ **(replace with) 7** years.

82. Manner of Disposal of Records

- (1) A registrant must ensure that records are disposed of only by:
- (a) transferring the record to another registrant or with the consent of the patient, to another health care agency or health care practitioner,

- (b) effectively destroying a physical record (insert) in the presence of the registrant by utilizing a shredder or by complete burning,
- (c) erasing information recorded or stored by electronic methods (delete) ~~on tapes; disks or cassettes in a manner that ensures that the information cannot be reconstructed,~~ or
- (d) transferring the record to the patient.

83. Registrant Ceasing to Practice

- (1) A registrant who ceases to practice for any reason must dispose of personal information in accordance with this part, notify the College, and provide the College with a written summary of the steps he or she has taken to dispose of the personal information.
- (2) A registrant must make appropriate arrangements to ensure that, in the event that the registrant dies or becomes unable to practice for any reason and is unable to dispose of the personal information, the personal information will be safely and securely transferred to another registrant.
- (3) A registrant who receives personal information transferred in accordance with Subsection (2) or Section (delete) 83 (replace with) 82(1)(a) must notify the patient concerned of the transfer.

84. Protection of Personal Information

- (1) A registrant must protect personal information by making reasonable security arrangements against such risks as unauthorized access, collection, use, disclosure or disposal.
- (2) A registrant must take reasonable measures to ensure that a third party, including a volunteer, employee of or contractor of the registrant or a health professions corporation or a student practitioner under the supervision of the registrant, does not access, collect, use, disclose, store or dispose of personal information except in accordance with the requirements of this part.

85. Contracts for Handling Personal Information

- (1) A registrant must ensure that, where personal information is transferred to any person or service organization for processing, storage or disposal, a contract is made with that person which includes an undertaking by the recipient that confidentiality and physical security will be maintained.

86. Remediating a Breach of Security

- (1) A registrant must take appropriate measures to remedy any unauthorized access, use, disclosure or disposal of personal information under this part as soon as possible after the breach is discovered, including:

- (a) taking steps to recover the personal information or to ensure its disposal if it cannot be recovered,
- (b) taking steps to ensure that any remaining personal information is secured,
- (c) notifying:
 - (i) anyone affected by the unauthorized access including patients and other health care providers,
 - (ii) the College, and
 - (iii) law enforcement officials, where criminal action may have contributed to the unauthorized action, and
- (d) modifying existing security arrangements to prevent a re-occurrence of the unauthorized access.

87. Patient Access to Personal Information

- (1) For the purposes of this section “access to” means the opportunity to examine or make copies of the original record.
- (2) If a patient or a patient representative makes a request for access to personal information about the patient, the registrant must comply as soon as practical but not more than [45days] following the request by:
 - (a) providing access to the patient or patient’s representative,
 - (b) providing access to the remainder of the personal information where that information excepted from disclosure under Subsection (3) can reasonably be severed, or
 - (c) providing written reasons for the refusal of access to the personal information or to any portion of the health records.
- (3) The registrant may refuse to disclose personal information to a patient or patient representative:
 - (a) where there is a significant likelihood of a substantial adverse effect on the physical, mental or emotional health of the patient,
 - (b) where there is a significant likelihood of harm to a third party, or
 - (c) if (delete) ~~the~~ disclosure could reasonably be expected to disclose personal information regarding another individual.

- (4) Where a registrant provides access and the patient or patient representative requests a copy of the personal information, a copy must be provided if it can reasonably be reproduced.
- (5) A registrant may charge a reasonable fee for the reproduction of personal information which does not exceed the fee established in Schedule C.
- (6) Subject to Subsection (3), a patient under 19 years of age may have access to a record where, in the opinion of the registrant, the patient is capable of understanding the subject matter of the record.
- (7) Except where authorized by the patient, a registrant must not provide access to the records of a patient who is under 19 years of age to the guardian or parent of the patient where the subject matter of the record is health care which was provided without the consent of a parent or guardian in accordance with the requirements of (delete) Section 16 of the Infants Act.

Part VII Schedules

Insert New:

These schedules are not a part of these Bylaws and Rules. They are included for information only and may be amended from time to time by the Board.

SCHEDULE A: Code of Ethics

(1) Preamble

- (a) The fundamental responsibility of the Registered Psychiatric Nurse is to assist clients to achieve and maintain optimal mental health, to alleviate suffering, and to promote mental health.
- (b) The Registered Psychiatric Nurse renders mental health nursing services to individuals, groups, families and the community.
- (c) The ethics that guide this service evolve from beliefs held in common by members of the psychiatric nursing profession and the society within its functions.
- (d) At the core of psychiatric nursing practice is the therapeutic relationship between the individual, family, group and/or community and the individual Registered Psychiatric Nurse (delete). (insert) , (Delete) ~~Establishing and maintaining a professional therapeutic relationship is the responsibility of the Registered Psychiatric Nurse,~~ not the client, and every act or behaviour of the Registered Psychiatric Nurse must benefit the client. Above all, the Professional Code of Ethics is designed to provide guidance to protect the integrity of the therapeutic relationship.
- (e) The Code is divided into five sections representing areas of professional nursing obligation. Adoption of the Code reflects the efforts of the College of Registered Psychiatric Nurses of British Columbia and its members to accept responsibility for the values expressed.

(2) The Registered Psychiatric Nurse and the Individual

The Registered Psychiatric Nurse:

- (a) Respects and accepts an individual's uniqueness and integrity regardless of colour; race; national or ethnic origin; creed; sex; age; marital; family or legal status; lifestyle; or social status.
- (b) Is guided by consideration for the dignity, rights and independence of all clients.
- (c) Holds in confidence all information obtained in the nurse-client relationship and use professional judgement in sharing information when this is in the best interest of the client and society.

- (d) Is obligated to inform clients about their care and to ensure informed consent prior to providing care.
- (e) Demonstrates respect for the right of choice and personal freedoms held by clients and acknowledges that clients are partners in the decision-making process.
- (f) Upholds the competent person's legal and moral right to refuse treatment and to choose to live at risk, as long as those decisions are in keeping with the law.
- (g) Maintains a current awareness and will be compliant with all provincial legislation relating to confidentiality.
- (h) Will not initiate or participate in any practice that is considered harmful to the welfare of clients.

(3) The Registered Psychiatric Nurse and Practice

The Registered Psychiatric Nurse:

- (a) Accepts responsibility for specific acts and functions based on the Standards of Practice prepared by the College of Registered Psychiatric Nurses of B.C.
- (b) Practices within one's own level of competency; additional help or supervision will be sought when aspects of client care required are beyond their level of expertise.
- (c) Provides competent care to clients based on the Standards of Practice and is accountable for outcomes of nursing actions.
- (d) Actively participates in the Continuing Competency Program.

(4) The Registered Psychiatric Nurse and Society

The Registered Psychiatric Nurse:

- (a) Shares with other citizens the responsibility for initiating and supporting action to meet the mental health needs of individuals, families and groups within our society.
- (b) Is committed to client advocacy, public education and consumer involvement.

(5) The Registered Psychiatric Nurse and Co-workers

The Registered Psychiatric Nurse:

- (a) Co-operates and collaborates with other health team members to meet clients' needs for care.
- (b) Reports to the appropriate authorities and to the College of Registered Psychiatric Nurses of B.C. any incompetent or unethical behaviour of associates, while guarding against petty or trivial accusations.
- (c) Takes appropriate action when actions of any health team member are not in conformity with accepted standards of care.

(6) The Registered Psychiatric Nurse and the Profession

The Registered Psychiatric Nurse:

- (a) Demonstrates knowledge of and practices within the boundaries defined by the provincial legislation related to the practice of psychiatric nursing.
- (b) Takes responsibility for continuing individual professional growth and development.
- (c) Shares with the professional College, governments, educational facilities and employers, the responsibility for ensuring that programs for the professional development and continued quality of care are available.
- (d) Participates in the efforts of the profession to develop, maintain, monitor, and review the Standards of Psychiatric Nursing Practice and Psychiatric Nursing Education, as legislated under the Health Professions Act.
- (e) Refrains from permitting their name along with professional credentials to be used in connection with the endorsement of commercial products.

SCHEDULE B: Standards of Psychiatric/Mental Health Nursing Practice

- (1) The Registered Psychiatric Nurse systematically collects, analyses, and synthesizes data about a client's health status.
- (2) The Registered Psychiatric Nurse develops a specific psychiatric nursing care plan based on the nursing diagnosis.
- (3) The Registered Psychiatric Nurse carries out the planned interventions in assisting the client achieve optimal health.
- (4) The Registered Psychiatric Nurse observes and evaluates client's health status in accordance with the plan of care designed to assist the client achieve optimal health.
- (5) The Registered Psychiatric Nurse practices within the limitations established by law.
- (6) The Registered Psychiatric Nurse practices within the boundaries established by the CRPNBC Code of Ethics.
- (7) The Registered Psychiatric Nurse functions effectively with other members of the health care team.
- (8) The Registered Psychiatric Nurse demonstrates responsibility for professional growth and contributes to the professional growth of others.
- (9) The Registered Psychiatric Nurses in independent practice/community mental health is an advanced level RPN using counselling, psychotherapy or case management interventions to assist clients in improving or regaining their optimal health.
- (10) The Registered Psychiatric Nurse in management is an advanced level nurse qualified by education and experience.

SCHEDULE C: Fees for Information Requests (Delete) (Section 41 and 88)

(1) For applications other than commercial applicants:

(a) for locating and retrieving a record	\$7.50 per ¼ hour after the first 3 hours.
(b) for producing a record manually	\$7.50 per ¼ hour.
(c) for preparing a record for disclosure and handling a record	\$7.50 per ¼ hour.
(d) for shipping copies	actual costs of shipping by method chosen by applicant.
(e) photocopies and computer printouts	(i) \$.25 per page (8.5 x 11, 8.5 x 14); (ii) \$.30 per page (11 x 17), (iii) floppy disks \$10.00 per disk
Add: (f) to (j) new: (f) for producing a record from a machine readable record	\$16.50 per minute for cost of use of central mainframe processor and all locally attached devices <u>plus</u> \$7.50 per ¼ hour for developing a computer program to produce the record.
(g) photographs (colour or black and white)	\$5.00 to produce a negative.
(h) hard copy laser print, colour	\$1.65 each.
(i) audio cassette duplication	\$10.00 <u>plus</u> \$7.00 per ¼ hour.
(j) video cassette duplication	\$20.00 per cassette <u>plus</u> \$11.00 per ¼ hour of recording.

(2) For commercial applicants for each service listed in item 1 the actual cost of providing that service.

SCHEDULE D: Approved Psychiatric Nursing Education Programs

Latest addresses and additional training programs are included in this Schedule.

Douglas College Department of Psychiatric Nursing

David Lam Campus

1240 Pinetree Way

Coquitlam, BC

V3B 7X3

Phone: 604-527-5400

Mailing Address: PO Box 2503, New Westminister, B.C. V3L 5B2

(1) Kwantlen Polytechnic University

12666-72nd Avenue

Surrey, B.C.

V3W 2M8

Phone: 604-599-2100

(2) Stenberg College

#750 – 13450-102nd Avenue

Surrey, B.C.

V3T 5X3

Phone: 604-580-2772

SCHEDULE E: Registration and Examination Fees (Current as of 2009)

Registration Fee Structure:

(1) Assessment Fees for Applicants:

- (a) International - \$200.00 + GST
- (b) Canadian- not registered any jurisdiction - \$50.00 + GST

(2) Initial Registration Fees:

- (a) Practicing - \$50.00 + GST
- (b) Non-practicing - \$50.00 + GST
- (c) Interim practice permit - \$35.00 + GST

(3) Examination Fees:

- (a) Examination Fee Structure - \$200.00 + GST

(4) Registration Fees:

- (a) Registration fees are paid on an annual basis in advance.
- (b) The membership year commences on March 1st and ends on the last day of February.
- (c) A registrant who fails to pay their registration fees on or before the last day of February ceases to be a registered member.

(5) Practicing Registration Fees:

- (a) Practicing Fees - \$340.00 + GST
- (b) Practicing Fees are pro-rated for the year if paid between the following dates:
 - March 1 – May 31 - \$340.00 + GST
 - June 1 – August 31 - \$255.00 + GST
 - Sept. 1 – Nov. 30 - \$170.00 + GST
 - Dec. 1 – Feb. 28 - \$ 85.00 + GST

(6) Non-Practicing Registration Fees:

- (a) Non Practicing Fees: \$60.00 + GST
- (b) Non Practicing Fees are Pro-rated for the year if paid between the following dates:
 - March 1 – May 31 - \$60.00 + GST
 - June 1 – August 31 - \$45.00 + GST
 - Sept. 1 – Nov. 30 - \$30.00 + GST
 - Dec. 1 – Feb. 28 - \$15.00 + GST

(7) Late Renewal (last day of February) and Reinstatement of Registration Fees:

- (a) Practicing + re-entry - \$408.00 + GST
- (b) Practicing re-entry fee - \$60.00 + GST
- (c) Non-Practicing + re-entry - \$75.00 + GST
- (d) Non-Practicing re-entry - \$12.00 + GST

(8) Retirement or Maternity Leave Fees:

- (a) Retirement or maternity leave fees are pro-rated for the year if paid between the following dates:

March 1 – May 31 - \$ 85.00 + GST
June 1 – August 31 - \$170.00 + GST
Sept. 1 – Nov. 30 - \$255.00 + GST
Dec. 1 – last day of February - \$340.00 + GST

- (b) Membership cards for those registering for retirement or maternity leave will have an expiry date specified on them, the member's employer will be sent a letter and the College will keep a list in the office.

(9) Verification Registration Fees: \$2.00 + GST per RPN.

(10) Copy of Receipt of Registration Fee: \$5.00 + GST.

SCHEDULE F: (Delete) College of Registered Psychiatric Nurses of British Columbia ~~(Replace with) Tariff of Costs (Discipline Committee)~~

Delete all of Schedule F as follows:

~~TRAVEL: — Automobile @ .40 cents per kilometre~~

~~MEALS: — Breakfast \$9.00 Max; Lunch \$10.75 MAX; Dinner \$19.75 Max. Daily Total \$39.50 per day.~~

~~ACCOMMODATION: Hotel reservations shall be made by CRPNBC at corporate rates and billed directly to the office. PRIVATE LODGING ALLOWANCE \$30.00 (Maximum) per day.~~

~~SALARY REPLACEMENT: Salary replacement may be claimed by elected or appointed members for board and committee meetings and other designated College activities. A claim may be made for a partial day and will be pro-rated accordingly.~~

~~REIMBURSEMENT FOR LOSS OF BUSINESS INCOME: Salary reimbursement may be claimed by elected and appointed members for board and committee meetings and other designated College activities. A claim may be made for a partial day and will be pro-rated accordingly.~~

~~Self-employment income reimbursement may be claimed provided the CRPNBC meeting or activity occurs when the claimant normally would be earning self-employment income. Such reimbursement may not be claimed for any day when the honorarium is being claimed. The maximum fee which will be paid by CRPNBC is limited to the amount which normally would have been earned on that occasion, but may not exceed **\$350.00 per day**. The normal fee rate card or schedule of the business must be attached to all invoices submitted. A claim may be made for a partial day and will be pro-rated accordingly.~~

~~HONORARIUM: An honorarium may be claimed by elected or appointed members for board and committee meetings and other designated College activities.~~

~~The purpose of the honorarium is to compensate individuals for presumed costs such as dependent care or loss of casual work. Participation in College affairs usually assumes some degree of voluntary contribution. It is expected that each member will consider the intent of the honorarium provision when applying for it. An honorarium may be claimed for part of a day on a pro-rated basis and up to \$175 per day for Board or Committee members and \$225 per day for Chair, but not on a day when salary replacement or loss of business income is being claimed.~~

Replace with the following new Schedule F:

(1) Interpretation

- (a) In this tariff “process” means the drawing, filing, service or delivery of a document and any amendment to it or particulars of it, but does not include an application made with respect to the process or any part of the process.

(2) Internal Appeal

- (a) This tariff applies to internal appeals to an initial Discipline Committee decision in the same way as to the initial decision.

(3) Scale of costs

- (a) Where a tribunal has made an order for costs, it may fix the scale, from Scale 1 to 3 in Subsection (2), under which the costs will be assessed, and may order that one or more steps in the proceeding be assessed under a different scale from that fixed for other steps.
- (b) In fixing the scale of costs the tribunal shall have regard to the following principles:
 - (i) Scale 1 is for matters of little difficulty;
 - (ii) Scale 2 is for matters of ordinary difficulty or complexity;
 - (iii) Scale 3 is for matters of more than ordinary difficulty or complexity.
- (c) In fixing the appropriate scale under which costs will be assessed, the tribunal may take into account the following:
 - (i) whether a difficult issue of law, fact or construction is involved;
 - (ii) whether an issue is of importance to a class or body of persons, or is of general interest;
 - (iii) whether the result of the proceeding effectively determines the rights and obligations as between the parties beyond the relief that was actually granted or denied.
- (d) Where an order for costs has been made, or where, on a settlement, payment of assessed costs has been agreed to, but no scale has been fixed or agreed to, then the costs shall be assessed under Scale 2, unless a party, on application, obtains an order of the tribunal that the costs be assessed under another scale.
- (e) Where costs may be assessed without order or agreement, the scale of costs shall be fixed by the tribunal upon the assessment.

(4) Value of Units

- (a) The value for each unit allowed on an assessment is as follows:
 - (i) Scale 1 — \$75 for each unit;
 - (ii) Scale 2 — \$120 for each unit;
 - (iii) Scale 3 — \$150 for each unit.

- (b) Where the maximum and minimum numbers of units are provided for in an Item in the Tariff, the tribunal has the discretion to allow a number within that range of units.
- (c) In assessing costs where the Tariff indicates a range of units, the tribunal shall have regard to the following principles:
 - (i) one unit is for matters upon which little time should ordinarily have been spent;
 - (ii) the maximum number of units is for matters upon which a great deal of time should ordinarily have been spent.

(5) Per diem rates

- (a) Where in a Tariff Item a number of units is allowed for each day but the time spent during a day is not more than 4 hours, only $\frac{1}{2}$ of the number of units shall be allowed for that day.
- (b) Where in a Tariff Item a number of units are allowed for each day but the time spent during a day is more than 8 hours, the number of units allowed for that day shall be increased by $\frac{1}{2}$ of the number.
- (c) Where in a Tariff Item a number of units are allowed for preparation for an attendance but the time spent on the attendance is not more than 4 hours, only $\frac{1}{2}$ of the number of units for preparation shall be allowed.
- (d) Where in the Tariff units may be allowed for preparation for an activity, the tribunal may allow units for preparation for an activity that does not take place or is adjourned up to the maximum allowable for one day.

(6) Offer To Settle Bill of Costs

- (a) A party to an assessment may deliver to another party an offer to settle the amount the bill of costs and, after the assessment has been completed, and if the offer to settle is not accepted, may produce the offer to the tribunal, and the tribunal shall determine whether the offer should have been accepted and, if so, may disallow items of the Tariff which relate to the assessment of the party presenting the bill, and:
 - (i) allow, by way of set off, items of the Tariff which relate to the assessment of the party making the offer, or
 - (ii) allow double the value of items of the Tariff which relate to the assessment of the party presenting the bill and making the offer.

(7) Disbursements

- (a) In addition to the tariff, actual and reasonable disbursements will be recoverable.

		TARIFF	
Part 1	ITEM	Description	Units
1.		Instructions and Investigations Correspondence, conferences, instructions, investigations or negotiations by a party relating to a proceeding, whether before or after commencement, for which provision is not made elsewhere in this tariff.	Minimum 1 Maximum 20
2.		Initiating Complaint or Citation Costs associated with filing of complaint or inquiry, consideration of complaint or inquiry, and any reports submitted regarding the complaint or inquiry.	Minimum 1 Maximum 20
3.		Disclosure All processes associated with obtaining or providing disclosure, including documents.	Minimum 1 Maximum 20
4.		Pre (Discipline Committee) Hearing Applications Preparation for attendance referred to in Item 6, for each day of attendance.	Minimum 1 Maximum 5
5.		Attendance at a pre-hearing application for each half day.	Minimum 1 Maximum 5
6.		Discipline Committee Hearing Preparation for an application or other matter referred to in Item 8, for each day of hearing commenced: (a) where unopposed (b) where opposed	3 5
7.		Preparation for hearing, if proceeding set down for each day of hearing.	5
8.		Attendance at hearing of proceeding, or of an issue in proceeding, for each day.	10
9.		Written argument where requested by the tribunal	Minimum 1 Maximum 10
10.		Attendance at the hearing where party is ready to proceed and when hearing not commenced.	3

11.	Settlement of Costs	Minimum 1 Maximum 5
12.	Settlement of Order	Maximum 1
13.	Process relating to the tribunal signing the order	Minimum 1
14.	Alternative Dispute Resolution Negotiations, including mediation and process for settlement, discontinuance or dismissal by consent of any proceeding if settled, discontinued, dismissed by consent as a result of the negotiations	Minimum 1 Maximum 10

	PART 2 DISBURSEMENTS	
PART 3 ITEM	Including, but not limited to...	PART 4 COSTS
1.	Photocopying	\$.25 per page
2.	Binding costs	Actual Reasonable
3.	Hearing room expenses	Actual Reasonable
4.	Recording	Actual Reasonable
5.	Expert Witness Fees	Actual Reasonable
6.	Travel Costs Traveling and subsistence expenses shall be allowed	Actual Reasonable

SCHEDULE G: Registered Psychiatric Nursing Endorsement Agreement

(1) Endorsement is defined as:

Once a graduate of an approved program has established registration to practice or eligibility for registration in one of the four western Canadian provinces, that person, upon making application, should be granted registration on the basis of having been registered, or eligible to be registered in any one of those four provinces, provided that the psychiatric nurse's registration is in good standing, or was in good standing at the date of last registration, that the psychiatric nurse has met the requirements regarding current practice in the province last registered and that the psychiatric nurse can show proof of good character.

(2) The intent of this statement is as follows:

- (a) "once a graduate of an approved program has established registration or eligibility for" the psychiatric nurse must be registered or eligible for registration in British Columbia, Alberta, Saskatchewan or Manitoba;
- (b) "upon making application" . . . the psychiatric nurse must apply for a registration to practice on forms provided by the province to which registration is sought;
- (c) "on the basis of having been registered" . . . credentials have been screened by one of the four provinces, all basic requirements have been met and the registration examination has been successfully completed;
- (d) "registration is in good standing" . . . registration has not been suspended or revoked for reasons of incompetence or unethical practice or conduct unbecoming or incapacity to practice;
- (e) "met the requirements regarding current practice" . . . the psychiatric nurse has met the continuing competency requirements in the province last licensed;
- (f) "proof of good character" . . . the psychiatric nurse meets the requirements of safety to practice in the province to which registration is sought;
- (g) "registration to practice" . . . may include licensure or licence to practice.

Registration to practice by endorsement facilitates mobility of Registered Psychiatric Nurses in the four western provinces. The Endorsement Agreement creates a high degree of reliable and consistent recognition of the qualifications of Registered Psychiatric Nurses by psychiatric nursing regulatory bodies in Canada. Where this agreement conflicts with provincial legislation governing the profession, the provincial legislation supersedes this agreement.

(3) New Graduates:

- (a) New graduates of approved psychiatric nursing programs are eligible to register in any of the four western provinces within four years of their graduation. Graduates must also have successfully completed the registration examination in the province in which they graduated. If they do not register to practice within four

years of graduation, they will be required to take a refresher course in order to re-establish eligibility.

(4) Out of Jurisdiction Graduates:

- (a) All applications from outside the four western provinces are assessed for eligibility to register by respective provincial regulatory bodies. Minimum criteria for acceptance into the profession includes: graduation from a basic program in psychiatric nursing, approved by the regulatory body in the country from which they graduated; current registration or eligibility for registration as a psychiatric nurse in the jurisdiction from which they are applying, registration has not been suspended or revoked for reasons of incompetence or unethical practice or conduct unbecoming or incapacity to practice; proof of proficiency in the English language, where required; and successful completion of the provincial registration examination. Some jurisdictions may require the completion of a Refresher Program.
- (b) Initial registration must be obtained in the province to which one is applying.
- (c) All costs incurred by this process are paid by the applicant.

(5) Applicants Previously Registered as a Registered Psychiatric Nurse in Canada:

- (a) Those applicants previously registered in one of the four western provinces are eligible to register to practice in any of these provinces provided that they:
 - (i) meet the requirements regarding current practice in the province last registered to practice;
 - (ii) where a member in good standing, at time of last registration,
 - (iii) are not suspended or removed from the register in the province last registered to practice, and
 - (iv) meet the test of good character/safety to practice requirement of the province to which they are applying. In addition, they must make application, complete release of information forms and pay the appropriate fees.

(6) This Endorsement Agreement is supported by the Following Colleges as Indicated by the Signature of the President or Designate:

Delete previous names and dates as follows:

RPNAM	Cheryl Adams	Date: May 10, 1998
RPNAS	Cindy Sherban	Date: May 10, 1998
RPNAA	Judy Dahl	Date: May 10, 1998
CRPNBC	Linda Moyneur	Date: May 10, 1998

Insert the following:

- (a) College of Registered Psychiatric Nurses of B.C. (CRPNBC),
- (b) College of Registered Psychiatric Nurses of Alberta (CRPNA),
- (c) College of Registered Psychiatric Nurses of Manitoba (CRPNM),
- (d) Registered Psychiatric Nurses Association of Saskatchewan (RPNAS).

SCHEDULE H: Continuing Competency Program for Registered Psychiatric Nurses

(1) Continuing Competence Requirements

- (a) The requirements of the continuing competency program are:
 - (i) self assessment of the Registered Psychiatric Nurses individual practice, based on the Standards of Registered Psychiatric Nurses of British Columbia,
 - (ii) the development of a learning plan based on self assessment,
 - (iii) evaluating the outcome/results of the learning plan, (add) and
 - (iv) reporting annually regarding their participation in the continuing competency program.

(2) Requirements for Practice Hours

- (a) In the immediate five years preceding renewal applicants for registration must have:
 - (i) practiced as an RPN a total of 1400 hours, or
 - (ii) completed an approved Refresher Program for Registered Psychiatric Nurses, or
 - (iii) graduated from a Diploma/Degree Program in Psychiatric Nursing within British Columbia, Alberta, Saskatchewan or Manitoba.

Add New Schedule I as follows:

**Schedule I: College of Registered Psychiatric Nurses of British Columbia
Expense Guidelines**

TRAVEL: Automobile @ .49 cents per kilometre

MEALS: Breakfast - \$11.25 Max.; Lunch - \$13.00 Max.; Dinner - \$22.00 Max.;
Daily Total - \$46.25 Max. Per Day

ACCOMMODATION: Hotel reservations shall be made by CRPNBC at corporate rates and billed directly to the office. **PRIVATE LODGING ALLOWANCE - \$30.00 (Maximum) Per day.**

SALARY REPLACEMENT: Salary replacement may be claimed by elected or appointed members for board and committee meetings and other designated College activities. A claim may be made for a partial day and will be pro-rated accordingly.

REIMBURSEMENT FOR LOSS OF BUSINESS INCOME: Salary reimbursement may be claimed by elected and appointed members for board and committee meetings and other designated College activities. A claim may be made for a partial day and will be pro-rated accordingly.

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The Board may vote at a later date to implement changes to the expense guidelines without amending these Bylaws and Rules.

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