



College & Association of Registered Nurses of Alberta

BYLAWS

September 2006

COLLEGE AND ASSOCIATION OF REGISTERED NURSES OF ALBERTA
BYLAWS

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Part I - GENERAL

1. Definitions

In these Bylaws:

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

2. Bylaws in Force

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

3. Enactment, Amendment and Repeal of Bylaws

- (1) Notice of a proposed enactment, amendment or repeal of a Bylaw shall be published in the College newsletter at least 60 days before the date of any meeting at which it is to be voted on.
- (2) The notice referred to in subsection (1) shall contain full particulars of the proposal.
- (3) The persons entitled to vote on a proposed enactment, amendment or repeal of a Bylaw are the members of Provincial Council.

- (4) No enactment, amendment or repeal of a Bylaw is effective unless at least two-thirds of those eligible to vote at a meeting vote in favour of the proposal.
- (5) Whenever amendments are made to Bylaws, consequential editorial changes may be made to the Bylaws as required.

Part II – GOVERNANCE

4. Provincial Council

4.1 Duties and Powers

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

4.2 Composition

Provincial Council is composed of 18 members as follows:

- (a) three (3) Registered Nurses elected from the Edmonton/West Region;
- (b) three (3) Registered Nurses elected from the Calgary/West Region
- (c) one (1) Registered Nurse elected from the South Region;
- (d) one (1) Registered Nurse elected from the Northeast Region;
- (e) one (1) Registered Nurse elected from the Northwest Region;
- (f) two (2) Registered Nurses elected from the Central Region;
- (g) the President, who is a representative of the members of the College at large and shall not be considered a representative of any geographical division of the province for any purpose;
- (h) the President-Elect, who is elected from and is a representative of the members of the College at large and shall not be considered a representative of any geographical division of the province for any purpose; and
- (i) five (5) public representatives appointed by the Lieutenant Governor in Council in accordance with the Act.

4.3 Terms of Office

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

4.4 Provincial Council Meetings

- (1) Provincial Council shall meet at least four times a year.
- (2) The President may call any additional meetings of Provincial Council that the President considers necessary.
- (3) Except when Provincial Council otherwise directs, Provincial Council meetings are open to the general membership and public.

4.5 Quorum

A quorum at Provincial Council meetings is 50% plus one of the

members of Provincial Council, which must include:

- (a) the President or President-Elect, and
- (b) at least six Registered Nurse members of Provincial Council.

4.6 Voting

- (1) Voting on matters by Provincial Council may be conducted:
 - (a) at a meeting of the Provincial Council; or
 - (b) with the authorization of the President, by a mail, e-mail or fax vote or a vote conducted during a telephone conference.
- (2) Unless otherwise provided in these Bylaws, a decision of Provincial Council shall be made as follows:
 - (a) at a Provincial Council meeting, by a vote of a majority of the members present and voting at the meeting;
 - (b) during a telephone conference, by a vote of a majority of those members participating in the conference and who vote;
 - (c) at a mail, e-mail or fax vote, by a vote of a majority of those members participating in the vote.
- (3) Only Provincial Council members may vote on a motion made by a Provincial Council member.

5. Provincial Executive Committee

5.1 Duties and Powers

- (1) The Provincial Executive Committee shall:
 - (a) administer affairs of the College between meetings of Provincial Council, as specified in these Bylaws and in accordance with Provincial Council policy;
 - (b) receive appeals of any decision made by the Elections and Resolutions Committee by a candidate for election to CARNA, and respond to the appeal within seven calendar days;
 - (c) act on any other matters delegated to it by Provincial Council.

- (2) The Provincial Executive Committee shall not change any policy of the College nor authorize or incur any extraordinary expenditure.

5.2 Composition

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

5.3 Provincial Executive Committee Meetings

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

6. Vacant Positions on Provincial Council

6.1 Regional Representatives

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

- (a) the position will remain vacant until the next regularly scheduled CARNA election, and
- (b) the term of the position will be adjusted to maintain the one-third turnover rate in accordance with Article 4.3.

6.2 Change of Residence

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

6.3 Succession of President-Elect to Fill Vacancy

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

6.4 Vacancy of President-Elect Position due to Succession

- (1) If the President-Elect succeeds to the office of President:
 - (a) between October 1 and December 31 in the first or

second years of their term of office, Provincial Council shall elect a registered nurse member of Provincial Council to serve as President-Elect until the immediately following September 30.

- (b) between January 1 and September 30:
 - (i) in the first year of their term of office, or
 - (ii) during a year where there is no regularly scheduled election for President-Elect,
- (c) between January 1 and September 30:
 - (i) in the second year of their term of office, or
 - (ii) during a year where there is a regularly scheduled election for President-Elect,

Provincial Council shall elect a registered nurse member of Provincial Council to serve as President-Elect until the following September 30.

- (2) The position of President-Elect shall be placed on the slate for the next regularly scheduled election necessary to fill vacancies resulting from the expiry of the terms of office referred to in clauses (a), (b) or (c).

6.5 Vacancy of President-Elect Position not due to Succession

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

- (a) the vacancy occurs between October 1 and December 31 in the President-Elect's first year of office:
 - (i) Provincial Council shall elect a registered nurse member of Provincial Council to serve as

President-Elect until the immediately following September 30; and

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

6.6 Alignment of Terms of Office

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

6.7 Vacancy of President or President-Elect Position: Other

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

6.8 Absence or Inability to Act

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

functions, duties, powers, and responsibilities of the President.

7. Termination of Membership on Provincial Council

7.1 Automatic Termination

A member of Provincial Council who:

- (a) is suspended or ceases to be a Registered Nurse, or
 - (b) has been found to be guilty of unprofessional conduct
- automatically ceases to be a member of Provincial Council.

7.2 Impeachment

- (1) A person may make a written complaint about a Provincial Council member to the Provincial Executive Committee if the member of Provincial Council:
 - (a) has been found to be guilty of an offense under the Criminal Code (Canada), or
 - (b) is or has been engaged in any conduct or activity that undermines the College or its objectives.
- (2) On receipt of a written complaint under subsection (1), the Provincial Executive Committee shall notify all members of Provincial Council, and the member whose conduct is the subject of concern, according to the process approved by Provincial Council.
- (3) The concern shall be brought before Provincial Council as a whole for discussion and decision regarding whether the Provincial Council member will be disqualified from membership on Provincial Council.
- (4) Provincial Council shall consider the matter and vote on the following question: "Are you in favour of removing _____ as a member of Provincial Council?"
- (5) If two-thirds or more of the members of Provincial Council present and voting vote in favour of the question in subsection (4) above, the member concerned shall thereby be removed

from office as a member of Provincial Council.

- (6) The member of Provincial Council who is the subject of the vote under subsection (4) shall not vote.

7.3 Resignation

A Registered Nurse member of Provincial Council who runs for federal or provincial public office must resign their position on Provincial Council.

Part III - ELECTIONS

8. President-Elect Election

8.1 Eligibility for President-Elect

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

8.2 Nomination for President-Elect

Nomination of a candidate as President-Elect requires:

- (a) the signatures of at least ten registered nurses; and
- (b) the written acknowledgment of the nominee that the nominee is prepared to accept the nomination.

9. Provincial Council Election

9.1 Eligibility for Provincial Council

- (1) A person nominated for membership on Provincial Council shall be:
 - (a) a Registered Nurse; and

- (b) a resident of the Region in which they are nominated.
- (2) A Provincial Council member is not eligible to be nominated in the year that they are serving on Provincial Council.
- (3) Notwithstanding subsection (2), a Provincial Council member who is filling a vacant Provincial Council position of up to 12 months is eligible to be nominated for Provincial Council in the year that they are serving on Provincial Council.

9.2 Nomination for Provincial Council

Nomination of a member for election to Provincial Council requires:

- (a) the signatures of at least five Registered Nurses who are residents of the Region; and
- (b) the written acknowledgment of the nominee that they are prepared to accept the nomination

10. Election Process

10.1 Campaign and Election Rules

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

10.2 Receipt of Nominations

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

10.3 Campaign Activities

- (1) Campaigning is limited to the time period from April 15 to July 10. Candidates are not permitted to make public comments regarding their campaign prior to April 15. Factual news announcements, without candidate comment, will not be considered campaigning. Campaigning outside the specified time period may result in an Elections and Resolutions Committee decision to disqualify the candidate.
- (2) The use of CARNA letterhead and/or logo on any promotional material is strictly prohibited.

10.4 Withdrawal

A candidate may withdraw from the campaign at any time by notifying the Elections and Resolutions Committee in writing of their intention to withdraw. Removal of the candidate's name from the ballot will depend on the date by which such notification is received by the committee.

10.5 Preparation of Ballot

- (1) Voting shall be by written ballot mailed from the Provincial Office.
- (2) A ballot shall be prepared of the names of the candidates, listed in alphabetical order of surnames.
- (3) The ballot shall be mailed by June 1 to each Registered Nurse, Nurse Practitioner and Certified Graduate Nurse member of each Region in which there is an election, and shall be mailed to the members at the address shown on the Register of Regulated Members as of May 1 in the year of the election.
- (4) Ballots shall be received by the Provincial Office on or before July 10.
- (5) If there is a disruption or threatened disruption of the mail which would or could make the receipt of ballots under this section impossible, the Elections and Resolutions Committee may make any rules for the distribution, casting and receipt of ballots that

are considered necessary in the circumstances.

10.6 Counting of Ballots

- (1) Ballots will be counted on the first business day following the deadline for the receipt of ballots. If the date must be changed, candidates will be notified as soon as possible of the new date and time.
- (2) The counting of ballots shall be carried out by employees of the College at the Provincial Office, under the supervision of a Scrutineer.
- (3) The candidate receiving the most votes in an election is the successful candidate.
- (4) The Scrutineer shall determine if a ballot is spoiled. If one portion of the ballot only is spoiled, that portion is not counted; however, the entire ballot is not considered to have been spoiled.

10.7 Recounting of Ballots

- (1) All ballots will be counted only once unless:
 - (a) There is an equal number of votes for two or more candidates, in which case the ballots for each candidate shall be counted two (2) more times. If there is an equal number of votes for two or more candidates after counting the ballots for each nominee a total of three (3) times, the Scrutineer appointed by Provincial Council shall, by drawing the name of one of the tied candidates, break the tie, and the candidate whose name is drawn is the successful candidate.
 - (b) A candidate is not elected but has received within ten (10) votes of an elected candidate, in which case that candidate's

ballots shall be counted two (2) more times.

- (2) A candidate may request a recount of ballots by submitting such a request in writing to the Elections and Resolutions Committee within seven days of receiving notification of the results.

10.8 Observers at Ballot Count

- (1) Candidates for election may not be present at the ballot count.
- (2) Each candidate for President-Elect and Provincial Council is permitted to have one observer present for the ballot count.
- (3) The observer must be a Registered Nurse, from any Region.
- (4) The observer shall not interfere with the counting process, but shall be present to observe the process and report any perceived discrepancies to the Scrutineer and the candidate.
- (5) The candidate must notify the Elections and Resolutions Committee in writing of the name, address and phone number of the observer seven days prior to the ballot count.
- (6) Costs for observers will be borne by the candidate.
- (7) In the event that the date of the ballot count is changed, it is the responsibility of the candidate to inform their observer, to make alternative arrangements if necessary, and to advise the Elections and Resolutions Committee accordingly.

10.9 Retention and Destruction of Ballots

Ballots shall be kept at the Provincial Office building for six (6) months following the election of any particular year, and shall be destroyed one (1) year following the election in which they were cast.

10.10 Reporting of Election Results

- (1) The Scrutineer will complete a Scrutineer report form for each CARNA Region, and in a year when a President-Elect is chosen, for the election of President-Elect. All Scrutineer's reports will be sent to the CARNA President.
- (2) The Scrutineer appointed by Provincial Council shall report the results of the election to the President on the day of the election.
- (3) All candidates will be contacted by the President or their delegate on the day of the ballot count, with the results of the ballot count. The President will share information contained in the Scrutineer's reports with each candidate. The President shall ask each candidate if they wish to have a copy of the information in the Scrutineer's reports, and if so, by which means.
- (4) The following information shall be published in the College newsletter and on the CARNA web site following the election:
 - (a) the names of all elected representatives
 - (b) the name of the Scrutineer
 - (c) statistical information for each Region, including the total number of ballots mailed, the total number of ballots returned, the percentage of ballots returned, and the total number of spoiled ballots
- (5) Voter profiles by age and current practice will also be posted on the CARNA web site.
- (6) All information pertaining to election results shall be explicitly available to any Registered Nurse, Nurse Practitioner or Certified Graduate Nurse member of the College on request.

Part IV - MEMBERSHIP

11. Regulated Members

11.1 Categories of Regulated Members

The following categories of regulated members are established, in accordance with the Regulations:

- (a) Registered Nurse member
- (b) Nurse Practitioner member
- (c) Certified Graduate Nurse member
- (d) Temporary member
- (e) Courtesy member

11.2 Register of Regulated Members

The College will maintain one register with the following categories:

- (a) Registered Nurse (RN)
- (b) Nurse Practitioner (NP)
- (c) Certified Graduate Nurse (CGN)
- (d) Temporary, which shall include members who are:
 - (i) waiting to take the registration exam, or
 - (ii) enrolled in refresher education for the purposes of the clinical practicum
- (e) Courtesy, which shall include registered nurses from other jurisdictions who require registration in Alberta on a temporary basis for a specified purpose and period of time approved by the Registrar.

11.3 Registered Nurse and Nurse Practitioner Members

- (1) Every Registered Nurse is a member of the College in the category of membership called "Registered Nurse member".
- (2) Every Nurse Practitioner is a member of the College in the category of membership called "Nurse Practitioner member".
- (2) In addition to the rights, duties and responsibilities a Registered Nurse has under the Act, Regulations, and these Bylaws, Registered Nurse members and Nurse Practitioner members:
 - (a) are entitled to nominate and be nominated for office including Provincial Council, and for the position of President-Elect;
 - (b) are entitled to vote in elections for membership on Provincial Council, and for the position of President-Elect;
 - (c) may attend meetings of the College and serve on

- committees and boards of the College;
- (d) are members of the Canadian Nurses Association, which in turn is a member of the International Council of Nurses;
- (e) are entitled to receive the College publication;
- (f) may receive such other benefits as Provincial Council from time to time determines.

11.4 Certified Graduate Nurse Members

- (1) Every Certified Graduate Nurse is a member of the College in the category of membership called "Certified Graduate Nurse member".
- (2) In addition to the rights, duties and responsibilities a Certified Graduate Nurse member has under the Act, Regulations, and Bylaws, a Certified Graduate Nurse member:
 - (a) is entitled to vote in elections for membership on Provincial Council and for the President-Elect;
 - (b) may attend meetings of the College and serve on committees and boards of the College;
 - (c) is entitled to receive the College publication;
 - (d) may receive such other benefits as Provincial Council from time to time determines.

12. Non-Regulated Members

12.1 Additional Categories Established

- (1) The following categories of non-regulated membership in the College are established:
 - (a) Associate member;
 - (b) Nursing Student member;
 - (c) Registered Nurse (Retired) member;
 - (d) Initial Non-Practicing member;
 - (e) Honorary member.

- (2) On the coming into force of the Act, an individual registered on the register or roster for any of the above categories under the *Nursing Profession Act* is deemed to be a non-regulated member of the category under the *Health Professions Act*.

12.2 Associate Members Register

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

12.3 Associate Members

- (1) A person who was formerly a Registered Nurse or Certified Graduate Nurse in good standing in Alberta may apply to the Registrar for membership in the College as an Associate member.
- (2) An Associate member is entitled to:
 - (a) attend meetings of the College;
 - (b) receive the College publication;
 - (c) serve on committees and boards of the College as a non-voting member.
- (3) No Registered Nurse or Certified Graduate Nurse may be an Associate member.

12.4 Nursing Student Members Register

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

12.5 Nursing Student Members

- (1) A person who is enrolled in an education program approved by NEPAB may apply to the Registrar for membership in the College as a Nursing Student member.
- (2) A Nursing Student member is entitled to:
 - (a) attend meetings of the College;
 - (b) receive the College publication;
 - (c) serve on committees and boards of the College as a non-voting member.

12.6 Registered Nurse (Retired) Members Register

- (1) There is hereby established a Registered Nurse (Retired) Register, which shall contain with respect to each person entered on the Register:
 - (a) name, date of birth, address and telephone number (if provided);
 - (b) initial date of registration as a Registered Nurse and date the individual ceased to be a Registered Nurse;
 - (c) employment status;

- (d) education, including the school of nursing attended;
- (e) historical information relevant to the person;
- (f) such other information as Provincial Council may prescribe.

12.7 Registered Nurse (Retired) Members

- (1) A person who was formerly a Registered Nurse in good standing in Alberta may apply to the Registrar for membership in the College as a Registered Nurse (Retired) member.
- (2) A Registered Nurse (Retired) member is entitled to:
 - (a) attend meetings of the College;
 - (b) receive the College publication;
 - (c) serve on committees and boards of the College as a non-voting member.

12.8 Initial Non-Practicing Members Register

- There is hereby established an Initial Non-Practicing Members Register which shall contain with respect to each person entered on the Register:
- (a) name, date of birth, address and telephone number (if provided);
 - (b) date of initial registration;
 - (c) education including school of nursing attended;
 - (d) information as to registration in any other province, state or country, if applicable;
 - (e) historical information relevant to the person;
 - (f) any note of reprimand, suspension, or sanction;
 - (g) such other matters as Provincial Council may prescribe.

12.9 Initial Non-Practicing Members

- (1) A person who has met all the Alberta educational requirements for registration under the Act as a Registered Nurse, but who does not intend to practice in Alberta, may apply for membership in the

College as an Initial Non-Practicing member.

- (2) An initial non-practicing member is entitled to attend meetings of the College as a non-voting member in that membership year.

12.10 Honorary Members Register

There is hereby established an Honorary Members Register, which shall contain, with respect to each person entered on the Register:

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

12.11 Honorary Members

- (1) Honorary members are those upon whom the designation has been conferred by Provincial Council.
- (2) Except as otherwise provided, Honorary members are not required to pay fees, dues or levies and have all the privileges of membership in the College except those of proposing or seconding motions, of voting, and of holding office in the College.
- (3) If an individual on whom honorary membership has been conferred is a Registered Nurse or Associate member and wishes to continue membership in that category or, not being a member, is eligible for membership, may, in accordance with the Act, Regulations, and these Bylaws retain their category of membership or become a member, as the case may be, with all the rights and privileges to which a member in good standing in that category of membership is entitled.

13. Registers and Records

13.1 Historical Record

The Registrar shall continue the historical record of every person registered as a Registered Nurse containing such information as the Registrar considers appropriate.

13.2 Changes to Information

- (1) No information recorded on any Register may be changed or added to except in accordance with the direction of the Executive Director or Registrar.
- (2) No name shall be removed from any Register except in accordance with:
 - (a) an order of the Complaint Review Committee, Hearing Tribunal, Appeals Committee or a court of competent jurisdiction;
 - (b) a direction of the Registration Committee under the Act;
 - (c) a direction of the Registrar following failure to comply with a notice under the Act;
 - (d) a direction of the Registration Committee, Registration Review Committee or Competence Committee, when a person fails or refuses to comply with the conditions of renewal for an annual practice permit;
 - (e) a direction of the Registrar when the Registrar is satisfied that a Registered Nurse or practice permit holder has died.

13.3 Written and Computer Records

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

13.4 Confidentiality

- (1) Except as otherwise provided in the Act, only the Executive Director, Registrar, or persons authorized by the Executive Director or Registrar, or by Provincial Council, shall have access to the Registers or records of the College and the information on them.
- (2) An individual may, on reasonable notice to the Registrar and during normal working hours, inspect the information recorded about her/him on the Register or the historical record.

13.5 Determination of Residence

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

14. Membership Meetings

14.1 Annual General Meeting

- (1) The Annual General Meeting of the College shall be held at such date, time and place as is determined by Provincial Council.
- (2) The purposes of the annual meeting are:
 - (a) to provide through the submission of resolutions:
 - (i) a forum through which regulated members are able to raise issues of importance; and
 - (ii) proposals for policy direction for College activities;

- (b) to report and provide information to the members on the actions taken by Provincial Council and the activities in which the College is involved;
- (c) to provide an opportunity for members to comment on College direction and priorities;
- (d) to address any other matters considered appropriate by Provincial Council.

- (3) Provincial Council may prescribe rules for the presentation of resolutions and the manner in which they are dealt with at the annual meeting.
- (4) Provincial Council shall consider all resolutions submitted at the Annual General Meeting which receive a majority vote of members, and shall determine whether such resolutions merit amendment of Provincial Council policy, whether they are inherent in directions already delegated to the Executive Director, or whether there are compelling reasons not to implement the resolutions.
- (5) Provincial Council shall ensure that the membership receives a report annually on the disposition of resolutions.
- (6) Provincial Council shall promote member attendance, interaction and participation at annual meetings.

14.2 Special Membership Meetings

- (1) Special meetings of members may be called by Provincial Council.
- (2) The President shall preside at a special meeting of the members.
- (3) The purpose of a special meeting of the members is to:
 - (a) provide an opportunity for discussion of extraordinary issues before the College and to seek direction and input from the general membership;

- (b) provide the members with an opportunity to bring extraordinary issues to the attention of Provincial Council.

15. Fees

15.1 Setting of Fees

- (1) Provincial Council shall establish fees for the following:
 - (a) application for initial registration as a Registered Nurse;
 - (b) application for registration as a Nurse Practitioner;
 - (c) annual practice permit as a Registered Nurse, a Certified Graduate Nurse or a Nurse Practitioner;
 - (d) application for registration as a Temporary or Courtesy member;
 - (e) practice permit for a Temporary or Courtesy member;
 - (f) application for registration as an Initial Non-practicing member;
 - (g) annual registration as an Associate member, a Nursing Student member, or a Registered Nurse (Retired) member;
 - (h) persons seeking verification of their membership status for another jurisdiction;
 - (i) individuals requesting a review under Sections 31 or 41 of the Act.
- (2) Provincial Council may determine such other fees, dues or levies as are required under the Act, Regulations or these Bylaws or for anything it considers necessary for services provided to a member or any other person.

15.2 Fee Changes

If Provincial Council proposes to change any of the fees set out in 15.1 above, it shall give at least sixty days'

notice of its intention to do so by notice in the College publication.

15.3 Special Levy

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

15.4 Notice of Fees, Dues and Levies

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

15.5 Expiry of Annual Practice Permit

- (1) An annual practice permit expires on September 30 each year, unless otherwise provided for in the Act.
- (2) A regulated member whose practice permit and registration are cancelled for non-payment of fees may have the practice permit reissued and registration reinstated upon payment of any outstanding fees.
- (3) A regulated member whose practice permit and registration are cancelled, other than under Part 4 of the Act, may apply for the practice permit to be reissued and the registration to be reinstated by applying in writing to the Registrar.

15.6 Pro-Rata Payments

Provincial Council may:

- (a) establish a pro-rata system of fee payment;
- (b) provide for the crediting of the payment of all or part of a temporary permit fee against the payment of any other fee payable to the College in such circumstances and under such conditions as Provincial Council prescribes;

- (c) establish such other rules for the payment, rebating, reduction or crediting of the payment of fees, dues or levies as it considers appropriate.

- (b) cancel a practice permit if satisfied that the applicant has not met the conditions imposed when the practice permit was issued, and
- (c) undertake any other power or duty given to it under the Act, the Regulations, or the Bylaws.

Part V - REGISTRATION

16. Registrar

16.1 Duties and Powers

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

17. Registration Committee

17.1 Duties and Powers

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

- (a) consider and decide on an application for registration or an application for practice permit, if so referred by the Registrar,

17.2 Delegation

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

17.3 Composition

- (1) The Registration Committee shall be composed of at least four but not more than seven Registered Nurses appointed by Provincial Council.
- (2) The Chairman of the Registration Committee shall be selected each year by and from members of the Committee.
- (3) The Registrar, or designate, shall attend meetings of the Registration Committee.

17.4 Prohibition of Membership

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

17.5 Term of Office

- (1) The term of office of each member of the Registration Committee is three years with one or more members of the committee being replaced annually to maintain continuity of membership.
- (2) An appointment to the Registration Committee may be extended for one additional year.
- (3) A member of the Registration Committee continues to hold office after the expiry of the member's term until the member is reappointed or a successor is appointed.

- (4) If a vacancy occurs on the Registration Committee, Provincial Council may:
 - (a) appoint another Registered Nurse as a member of the Committee; or
 - (b) leave the vacancy unfilled, unless the membership would be reduced below three, in which case another Registered Nurse shall be appointed as a member of the Registration Committee.
- (5) Pending the appointment of a Registered Nurse by Provincial Council under subsection (3), the Provincial Executive Committee may make a temporary appointment.

17.6 Quorum

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

17.7 Conduct of Meetings

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

17.8 Confidentiality

- (1) Information respecting applications under the Act, the Regulations or these Bylaws that is received by a member of the Registration Committee shall be kept confidential by that member.
- (2) Information given to the Registration Committee shall be

disclosed only in accordance with the Act, the Regulations, these Bylaws or as otherwise required by law.

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

17.9 Publication of Information

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

as the committee considers appropriate.

17.10 Termination

A member of the Registration Committee who:

- (a) is suspended or who ceases to be a Registered Nurse;
 - (b) has been found to be guilty of unprofessional conduct;
 - (c) is disciplined for failure to comply with the requirements for confidentiality required by the Act or these Bylaws; or
 - (d) fails to attend three meetings of the Registration Committee without reasonable cause;
- automatically ceases to be a member of the Registration Committee.

18. Registration Review Committee

18.1 Duties and Powers

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

18.2 Composition

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

18.3 Prohibition on Membership

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

18.4 Term of Office

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

18.5 Quorum

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

18.6 Conduct of Meetings

The Registration Review Committee shall, subject to the Act, determine its own rules of procedure, calling of meetings, conduct of hearings, and matters related to them. Meetings of

the committee are held in camera unless otherwise determined by the committee.

18.7 Confidentiality

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

18.8 Termination

A member of the Registration Review Committee who:

- (a) is suspended or who ceases to be a Registered Nurse;
- (b) has been found to be guilty of unprofessional conduct;
- (c) is disciplined for failure to comply with the requirements for confidentiality required by the Act or these Bylaws; or
- (d) fails to attend three meetings of the Registration Review Committee without reasonable cause;

automatically ceases to be a member of the Registration Review Committee.

PART VI – CONTINUING COMPETENCE

19. Competence Committee

19.1 Duties and Powers

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

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

19.2 Delegation

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

19.3 Composition

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

19.4 Prohibition on Membership

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

19.5 Term of Office

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

19.6 Quorum

- (1) A quorum on the Competence Committee is four members of the committee. A member of the Competence Committee who does not participate at a meeting

or hearing due to a conflict of interest or bias, shall still be included in determining the quorum for that hearing or meeting.

- (2) A decision of the Competence Committee shall be by a vote of a majority of the members present and voting at a meeting.

19.7 Conduct of Meetings

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

19.8 Confidentiality

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

Bylaws or as otherwise required by law.

- (4) The Competence Committee may authorize the disclosure of information for statistical use when the information cannot be attributed to a particular individual or facility.

19.9 Termination

A member of the Competence Committee who:

- (a) is suspended or who ceases to be a Registered Nurse;
 - (b) has been found to be guilty of unprofessional conduct;
 - (c) is disciplined for failure to comply with the requirements for confidentiality required by the Act or these bylaws; or
 - (d) fails to attend three meetings of the Competence Committee without reasonable cause;
- automatically ceases to be a member of the Competence Committee.

PART VII – PROFESSIONAL CONDUCT

20. Complaints Director

20.1 Duties and Powers

- (1) The Complaints Director appointed under Section 14 of the Act may:
 - (a) undertake any power or duty given to the Complaints Director under the Act, the Regulations or these Bylaws, and
 - (b) subject to sections 19 and 20 of the Act, execute any powers and duties delegated by Provincial Council.
- (2) The Complaints Director may delegate some or all of their duties to an employee of CARNA, with the exception of the Hearings Director.
- (3) The Complaints Director shall not disclose any information regarding a complaint or disciplinary proceeding unless the information is required to be disclosed for the purpose of the Act, the

Regulations, these Bylaws or otherwise required by law.

21. Hearings Director

21.1 Duties and Powers

- (1) The Hearings Director appointed under Section 14 of the Act may:
 - (a) undertake any power or duty given to the Hearings Director under the Act, the Regulations or these Bylaws, and
 - (b) subject to sections 19 and 20 of the Act, execute any powers and duties delegated by Provincial Council.
- (2) The Hearings Director may delegate some or all of their duties to an employee of CARNA, with the exception of the Complaints Director.
- (3) The Hearings Director shall not disclose any information regarding a complaint or disciplinary proceeding or a hearing or matter before the Hearing Tribunal unless the information is required to be disclosed for the purpose of the Act, the Regulations, these Bylaws or otherwise required by law.

22. Appeals Committee

22.1 Establishment of Appeals Committee

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

22.2 Duties and Powers

A panel of Provincial Council from the Appeals Committee shall:

- (a) carry out the duties and powers of Provincial Council under sections 87 through 89 inclusive of the Act to the Appeals Committee.
- (b) carry out the duties and powers of Provincial Council under section 93 of the Act.
- (c) carry out the duties and powers of Provincial Council under section 118 (6) to 118 (8) of the Act.

- (d) exercise any other authority specifically delegated to it in the Regulations or these Bylaws.

22.3 Composition

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

22.5 Term of Office

- (1) The term of office of Appeals Committee members shall be one year, unless, at the time of appointment, Provincial Council specifies a different term.
- (2) Members of the Appeals Committee who are continuing members of Provincial Council, and who have been part of a hearing panel that has commenced a hearing of an appeal, shall continue to be members of that panel and the Appeals Committee for the sole purpose of concluding that appeal hearing.
- (3) Vacancies on the Appeals Committee shall be filled on or before the expiry of their term. However, a newly appointed member of the Appeals Committee shall not participate in a hearing that was commenced prior to their appointment.

22.6 Quorum

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

22.7 Confidentiality

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

23. Hearing Tribunal

23.1 Duties and Powers

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

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

23.2 Composition

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

the information cannot be attributed to a particular individual or facility.

23.3 Prohibition on Membership

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

23.4 Term of Office

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

23.5 Quorum

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

23.6 Conduct of Meetings

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

23.7 Confidentiality

- (1) Each member of a Hearing Tribunal shall keep information received by her/him as a member of the Hearing Tribunal confidential.
- (2) Information given to the Hearing Tribunal shall be disclosed only in accordance with the Act, the Regulations, these Bylaws or as otherwise required by law.
- (3) The Hearing Tribunal may authorize the disclosure of information for statistical use when

23.8 Termination of Membership

A Registered Nurse member of a Hearing Tribunal who:

- (a) is suspended or who ceases to be a Registered Nurse;
 - (b) has been found to be guilty of unprofessional conduct;
 - (c) is disciplined for failure to comply with the requirements for confidentiality required by the Act or these Bylaws; or
 - (d) fails to attend three meetings of the Hearing Tribunal without reasonable cause
- automatically ceases to be a member of the Hearing Tribunal.

24. Complaint Review Committee

24.1 Duties and Powers

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

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

24.2 Composition

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

24.3 Prohibition on Membership

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

24.4 Term of Office

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

24.5 Quorum

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

24.6 Conduct of Meetings

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

24.7 Confidentiality

- (1) Each member of the Complaint Review Committee shall keep information received by her/him as a member of the Complaint Review Committee confidential.
- (2) Information given to the Complaint Review Committee shall be disclosed only in accordance with the Act, the

Regulations, these Bylaws or as otherwise required by law.

- (3) The Complaint Review Committee may authorize the disclosure of information for statistical use when the information cannot be attributed to a particular individual or facility.

24.8 Termination of Membership

A member of the Complaint Review Committee who:

- (a) is suspended or who ceases to be a Registered Nurse;
- (b) has been found to be guilty of unprofessional conduct;
- (c) is disciplined for failure to comply with the requirements for confidentiality required by the Act or these Bylaws; or
- (d) fails to attend three meetings of the Complaint Review Committee without reasonable cause automatically ceases to be a member of the Complaint Review Committee.

25. Reinstatement Review Committee

25.1 Duties and Powers

A Reinstatement Review Committee established under the regulations may:

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

25.2 Composition

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

member of the Hearing Tribunal as chair.

25.3 Prohibition on Membership

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

25.4 Term of Office

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

25.5 Quorum

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

25.6 Conduct of Meetings

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

25.7 Confidentiality

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

Regulations, these Bylaws or as otherwise required by law.

25.8 Termination of Membership

A Registered Nurse member of a Reinstatement Review Committee who:

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

26. Delegation

- (1) Provincial Council designates the Director, Regulatory Services as the individual to carry out the duties under Section 65 of the Act.
- (2) Provincial Council designates the Director, Regulatory Services as the individual to carry out the duties under Section 86 of the Act.

27. Notices

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

28. Publication of Conduct Information

- (1) The College shall publish or distribute information with respect to professional conduct matters of an individual only as permitted by the Act, Regulations or these Bylaws, or as otherwise required by law, or on the direction of the Hearing Tribunal or Appeals Committee.
- (2) The Hearing Tribunal or panel of Council hearing an appeal can order

information to be published in any way deemed appropriate.

- (3) When the Alternative Complaint Resolution process results in a ratified settlement between the parties, the College may publish information respecting the complaint and the ratified settlement, and may reveal the identity of the complainant and/or the investigated member, if authorized to do so pursuant to the ratified settlement.

29. Disclosure of an Investigation Report

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

Part VIII – Nursing Education Program Approval Board (NEPAB)

30. NEPAB

30.1 Purpose of Bylaw

The purpose of Article 30 is

- (a) to continue the membership and functions of the Nursing Education Program Approval Board (NEPAB) as an impartial decision making body of the College to perform the functions required of it under the Act, Regulations and this Article; and
- (b) through the membership and operation of NEPAB:
 - i. to continue a collaborative process to serve the interests of the public and the nursing profession in the delivery of nursing education;
 - ii. to maintain effective links among those having an interest in the development and delivery of nursing education.

30.2 Duties and Powers

NEPAB may:

- (a) Establish policies and processes respecting any matters that are required to secure an effective nursing education program leading to initial entry to practice as a Registered Nurse;
- (b) Establish the minimum nursing education standards and criteria required to obtain and maintain the

designation of “approved nursing education program”, which must be ratified by Provincial Council before they become effective;

- (c) Grant to and withdraw from a nursing education program the designation “approved nursing education program”, based on the nursing education standards and criteria ratified under subsection (b), with or without conditions, terms, limitations and restrictions;
 - (d) Verify compliance with any policies and processes established under subsections (a) and (b);
 - (e) Provide for the publication of any rules made under subsections (a) and (b);
 - (f) Maintain a continuing review of compliance with the nursing education standards and criteria;
 - (g) Establish policies and processes respecting
 - (i) who is entitled to apply for approval of a nursing education program
 - (ii) the times at which an application may be made
 - (iii) the process by which an application is to be reviewed and by whom, including requirement for self-assessment by the applicant
 - (iv) the nature of the decisions made on an application
 - (v) the periodic review of approved nursing education programs;
 - (h) Perform any other functions required in order to meet the requirements of the Act, Regulations or this Article;
 - (i) Establish any dispute resolution mechanisms it considers desirable; and
 - (j) Establish policies and processes to receive complaints or concerns about approved nursing education programs.
- #### **30.3 Composition**
- (1) NEPAB is to be composed of persons appointed as follows:
 - (a) three persons from nursing education programs approved

by NEPAB and appointed by Provincial Council from a list of names provided by the Alberta Nursing Education Administrators;

- (b) two persons appointed by Provincial Council from a list of names submitted by the Council of Chairs of the Regional Health Authorities;
 - (c) one member of the public appointed by Provincial Council from a list of names submitted by the government; and
 - (d) three Registered Nurses appointed by Provincial Council.
- (2) The chair of NEPAB is selected from and by the members of NEPAB, who will determine the manner in which the chair is to be selected, and the term of office of the chair at the time of selection.
 - (3) The chair of NEPAB must designate one or more members of NEPAB to act as chair in the event of a vacancy in the office of chair or in the event of the chair's absence or inability to act.
 - (4) NEPAB will establish policies and processes for chair succession.
 - (5) Nothing in this section affects the application of section 30.5 (3).

30.4 Prohibition on Membership

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

30.5 Term of Office

- (1) Members of NEPAB hold office for a five-year term, unless earlier terminated by Provincial Council under section 30.12(3).
- (2) If a member of NEPAB ceases to hold office before their term expires, Provincial Council may appoint a person as a member of

NEPAB for the balance of the unexpired term.

- (3) The term of office of a member of NEPAB who has been part of a decision regarding an application for approval, re-approval and/or assessment continues until the decision is made.

30.6 Quorum

A majority of the persons who are appointed as members of NEPAB from time to time constitute a quorum of NEPAB.

30.7 Voting

Each member of NEPAB has one vote, except the chair, who may only vote in the event of a tie vote.

30.8 Conduct of Meetings

- (1) Subject to the Act, Regulations and these Bylaws, NEPAB may determine its own rules respecting the calling of and conduct of its meetings, or the handling of matters within its jurisdiction including the appointment of individuals or committees, or both, to assist or advise NEPAB.
- (2) NEPAB meetings are held in camera unless otherwise determined by NEPAB.

30.9 Confidentiality

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

30.10 Collaborative Decision Making

- (1) NEPAB must, when required by the Act and at any other time it considers appropriate to do so, invite comment and give consideration to any comment

received from the Minister of Health and Wellness and the Minister of Advanced Education.

- (2) Before granting or withdrawing approval from a nursing education program, including the stipulation of conditions or terms on an approval, NEPAB must provide the persons concerned with:
 - (a) its preliminary views, and
 - (b) a reasonable opportunity to discuss these preliminary views with NEPAB;
- (3) After considering any response it receives to its preliminary views and giving the matter any further consideration it considers warranted, including providing any additional forum for giving and receiving information it considers necessary:
 - (a) NEPAB may make a final decision whether or not to approve the nursing education program, and
 - (b) NEPAB must notify the Minister of Health and Wellness and the Minister of Advanced Education of its decision.

30.11 Annual Budget

- (1) NEPAB must annually submit to the Executive Director of the College an action plan outlining its objectives, in general terms, for the coming fiscal year of the College, including its estimated budget requirements to meet these objectives.
- (2) NEPAB is responsible for performing its functions within the resources allocated by Provincial Council.

30.12 Annual Report

On or before April 1 of each year, NEPAB must submit an annual report to:

- (a) The President of Provincial Council
- (b) The Executive Director of the College
- (c) Each of the nominating bodies having members on NEPAB, and

- (d) Any other persons NEPAB considers necessary.

30.13 Resignations and Terminations

- (1) The chair of NEPAB may resign by giving the President of Provincial Council 30 days written notice.
- (2) Other members of NEPAB may resign by giving written notice to the chair who will notify the President of Provincial Council and request a new appointment.
- (3) A Registered Nurse member of NEPAB who:
 - (a) is suspended or who ceases to be a Registered Nurse,
 - (b) has been found to be guilty of unprofessional conduct
 - (c) is disciplined for failure to comply with the requirements for confidentiality required by the Act or these Bylaws;
 - (d) fails to comply with NEPAB's ethical conduct policy; or
 - (e) fails to attend three meetings of NEPAB without reasonable causemay be terminated from office by resolution of Provincial Council.

Part IX - ADMINISTRATION

31. Executive Director

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

32. Forms and Documents

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

33. Seal

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

34. Use of Funds

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

35. Fiscal and Membership Year

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

36. Committees

36.1 Regulatory Committees

- (1) Regulatory committees shall each establish criteria for membership on their respective committees.
- (2) In making appointments to a regulatory committee, Provincial Council shall have regard to the criteria established by the committee to which the appointment is being made.
- (3) Notwithstanding anything to the contrary in these Bylaws, on the coming into force of the Act, all regulatory committee members shall be re-appointed to their committees, under such terms of office as prescribed by Provincial Council.
- (4) Regulatory committees shall, each year, prepare and submit to Provincial Council, via the Executive Director, a report on

their activities for the preceding twelve (12) months.

36.2 Standing and Special Committees

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

36.3 Costs and Expenses

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

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

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

38. Specialty Practice Groups

38.1 Definition

A Specialty Practice Group shall be defined as a group of at least 25 members of the College from one or more CARNA Regions

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

38.2 Policies

The policies of the College shall provide for the recognition of appropriate specialty practice groups.

38.3 Removal of Recognition as Specialty Practice Group

Recognition as a Specialty Practice Group will be removed by Provincial Council in the event that the activities of the group are contrary to the Act, Regulations or Bylaws under which the College operates, or contrary to the objectives, vision, mission, values or positions of the College.