

RHPA Q and A

This document is updated with new Questions and Answers as members send questions.

2018-08-10

Q: Where can I find the Regulated Health Professions Act (RHPA)?

A: The RHPA is available on the government website at

https://www.princeedwardisland.ca/sites/default/files/legislation/r-10-1-regulated_health_professions_act.pdf

Q: Where can I find the new Regulations for Registered Nurses and NPs?

A: The new regulations are available on the government website at

https://www.princeedwardisland.ca/sites/default/files/legislation/r10-1-8-regulated_health_professions_act_registered_nurses_regulations.pdf

Q: Who am I paying my dues to?

A: Your dues still come to the College with a portion being re-directed to CNA and CNPS as in the past.

Q: Has the registration year changed?

A: No, the registration year remains the same. It is November 1st to October 31st of each year. The only change is the date at which renewal must be completed, which is now October 1st. The Act requires renewal to occur 30 days before registration expiration. When you pay your fees by October 1st of any given year, you are paying for the registration year November 1st to October 31st.

Q: Do employees of the College get paid by government?

A: No, employees of the College are not government employees and therefore continued to be paid from College funds.

Q: What methods of payment are available for my fees?

A: Fees can be paid by credit or debit only. Cash will no longer be accepted.

Q: Will there be annual meetings?

A: There will no longer be annual meetings, there will be special meetings called by Council with all members invited during the year such as for review of the annual financial report. The Act does not provide for an AGM.

Q: Will Council positions still be chosen by vote?

A: No, the Act requires the Minister to appoint Council RN members and Lieutenant Governor in Council (LGC) to appoint public representatives to Council. There will be a nomination process whenever a Council position is going to be vacated and names will be provided to the Minister and LGC according to the type of member required. The Minister or LGC chooses from among the nominees.

Q: Can I register for the first six months of the year or only the last 6 months of the year?

A: Partial year registration is only available for someone registering for the first time. There is no option in the new Act or regulation that allows for lapses in registration, therefore anyone currently registered who plans to work at any time in the coming registration year must be registered by October 1st.

Q: Why did this change from Association to College happen?

A: In 2013 when RHPA came into force in PEI, the Association was notified that it was the government's intention to repeal the RN Act and move the regulation of RNs and NPs into RHPA. In early 2017, ARNPEI approached government to ask for some revisions to the RN Act. At that time, a decision was made by government to require ARNPEI to move governance of RNs and NPs to the RHPA.

Q: Referring to Bylaw 4.7.2 regarding working and residing in PEI, if someone works less than full-time can they be on Council?

A: Yes, this bylaw refers to 75% of a person's working hours, not a .75 FTE. This does not prevent anyone working in PEI from being on Council, unless the majority of their working hours are off-Island.

Q: Do I need to complete a verification of hours form if I am currently registered and renewing?

A: No, you will self-report your hours of work for the current year on your renewal form.

2018-06-20

Q: When does RHPA govern Registered Nurses?

A: Effective July 4th, 2018, the regulation of registered nurses and nurse practitioners in PEI will transition to the Regulated Health Professions Act and ARNPEI will become the College of Registered Nurses of Prince Edward Island.

Q: What does it mean to be a member under RHPA?

A: Once RNs are in RHPA, no person shall practice the regulated health profession except as a member of the college for the regulated health profession.

Title protection is also prescribed by RHPA – only persons who are members of the college can use the title of Registered Nurse.

Q: Does the incorporation change?

A: Moving to RHPA, means the Association of RNs of PEI is replaced by the College of Registered Nurses of Prince Edward Island. The Incorporation of the Association of Nurses of PEI, later known as the Association of Registered Nurses of PEI, and now to be known as the College of Registered Nurses of PEI, will remain as incorporated in 1922. Which means despite name and mandate changes, we will be able to celebrate 100 years as an organization in 4 years time.

Q: What are the objects of the College?

A: The objects of the College include primarily a regulatory mandate in accordance with the Act, the regulations (available on July 4th) and bylaws (which will be set by Council in the coming weeks):

- To regulate the practice of its regulated health profession and govern its members in accordance with this Act, the regulations and bylaws
- To develop, establish, maintain, monitor compliance with and enforce standards for registration of a member
- To develop, establish, maintain, monitor and enforce standards of practice
- To develop, establish, maintain, monitor compliance with and enforce standards respecting continuing education
- To provide information for the public about the regulated health profession of Registered Nurse
- To promote and enhance relations between the college and its members
- To promote inter-professional collaboration with other colleges, and
- To administer the College's affairs and perform its duties and carry out its powers in according with the Act, the regulations and the bylaws.

The College has a limited ability to engage in Association-type activities including:

- To develop, establish and maintain programs to promote the ability of its members to response to changes in practice environments, advances in technology and other emerging issues.

Q: Who is a member?

A: The membership of the college comprises those individuals whose names appear on the register of the College and who have paid the fees provided for in the bylaws.

Q: Where do my Fees go?

A: Fees will be paid to the College just as they were paid to the Association.

Q: Will the Fees and deadlines for payment change?

A: The Fee schedule will be available shortly after July 4th. There will be some changes in fees and deadlines for fee payment. Details to come.

Q: What type of registration exists in the new Regulation?

A: Regular registration and special registration are the types of registration in the new regulation. The category of Associate membership, or referred in some jurisdictions as non-practicing membership, no longer exists in RHPA.

Q: What does Council do?

A: The Council of the college shall:

- a) Manage and conduct the business and affairs of the college; and
- b) Exercise the college's rights, powers and privileges in the college's name and on the college's behalf.

Q: Who is on Council and how does someone get on Council?

A: Members of council shall consist of at least 6 persons who are either:

- a) Members of the college, nominated in accordance with the college's bylaws and appointed by the Minister; or
- b) Public representatives appointed by the Lieutenant Governor in Council;
- c) At least 1/3 of the members of a council shall be public representatives.

Q: When will the changes to Council occur?

A: There are no immediate changes to the membership of Council since attrition this past spring resulted in 7 members of Council, one of whom is a public representative. The make-up of Council will be determined in the bylaws in the coming weeks.

The College has 2 years to meet the requirements set out in the RHPA for the Council.

New Terms and Conditions:

- 1) There will be 1 register for nursing with 2 parts and 3 classes of registration
 - The 2 parts are the registered nurses part and the graduate part
 - The 3 classes are general class, extended class and special class
- 2) Nurse Practitioners are registered nurses in the extended class
- 3) Special class is registration for registered nurses or nurse practitioners who are registered for a special purpose or a special period – who hold a registration in another jurisdiction – referred to as their “home jurisdiction.”
- 4) Nursing License becomes *Certificate of Registration*
- 5) Graduate Nurse is referred to as “a GN”, not “a GAR”
- 6) Renewal period is 30 days, with the deadline moved back to **October 1st** for November 1st registration.
- 7) **Employers are responsible** to ensure that staff who are employed in a nursing position are registered – with registration requirements submitted by October 1st.

The responsibility includes **all nursing positions**, including nursing management positions.

- 8) The practice of registered nurses going on leave and **suspending** their registration is no longer possible. Anyone who plans to work anytime during the registration year is required to apply for renewal and complete all requirements by October 1st whether or not they are working at that point in time.
- 9) The registrar, may initiate an **informal resolution** process to resolve a complaint.
- 10) A complaint is considered by an investigation committee within **30 days**.
- 11) When a member is found guilty of wrongdoing under the Act, there are two ways that wrongdoing can be described in RHPA:
 - **Professional misconduct**, or
 - **Incompetence**
- 12) The requirement for **continuing competency** is identified in RHPA.

13) The details to meet the CCP requirement are detailed in policy. This is **not optional**, casual employees are equally accountable for CCP as permanent full-time employees.

14) **Duty to report** – a member who has knowledge or reasonable grounds to believe there is incompetence must report; failure to report can result in discipline, when it becomes known.

2018-04-13

Q: What does RHPA stand for?

A: RHPA is the Regulated Health Professions Act which was proclaimed Dec 20, 2013. Since that time there have been several amendments.

Q: What other Health Professions are under the RHPA?

A: Dietitians, Licensed Practical Nurses, Occupational Therapists, Pharmacists and Pharmacy Technicians.

Q: Will registration numbers change?

A: No, you will keep your registration number.

Q: Will the Association of Registered Nurses of Prince Edward Island stay the same in RHPA?

A: ARNPEI will become a College.

Q: Will there be opportunity to be continue Association-type activities or will the activities be purely regulatory?

A: The College will be able to continue some association activities, the details of which will be determined in the coming months. See the following CNA Fact sheet for more information about the Complementary Roles of Nursing Regulatory Bodies and Professional Associations. https://www.cna-aiic.ca/-/media/cna/page-content/pdf-en/cna_ccnr-fact-sheet-on-completmentary-roles.pdf?la=en&hash=1B19EE2FFDED19820B737FE41DC01BA74C671EDE

Q: Should I read the RHPA?

A: Yes, you will find the RHPA document on the Government Website at https://www.princeedwardisland.ca/sites/default/files/legislation/r-10-1-regulated_health_professions_act.pdf

Q: Will I find the new Regulation for Registered Nurses and Nurse Practitioners on the Government website?

A: Not yet, once the Regulation is in force, there will be a copy on the Government website with the RHPA.

Q: What is a Jurisprudence exam?

A: A jurisprudence exam is used to measure awareness of provincial and regulatory policies and any provincial and federal laws related to nursing practice in this province. Being knowledgeable about legislation and regulatory policies enhances a nurse's or NP's ability to practise safely, ethically and competently – and within legal parameters.