



## **PLEASE NOTE**

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This document is *not* the official version of these regulations. The regulations and the amendments printed in the [Royal Gazette](#) should be consulted to determine the authoritative text of these regulations.

For more information concerning the history of these regulations, please see the [Table of Regulations](#).

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## CHAPTER R-8.1

### REGISTERED NURSES ACT

#### REGISTRATION AND LICENSING OF NURSES REGULATIONS

Pursuant to section 35 of the *Registered Nurses Act* R.S.P.E.I. 1988, Cap. R-8.1, the Lieutenant Governor in Council approved the following regulations made by the Association of Registered Nurses of Prince Edward Island:

- |  |                 |
|--|-----------------|
| 1. In these regulations  | Definitions     |
| (a) "Act" means the <i>Registered Nurses Act</i> R.S.P.E.I. 1988, Cap. R-8.1;  | Act             |
| (b) "CRNE" means the Canadian Registered Nurses Examination held under the auspices of the Canadian Nurses Association;        | CRNE            |
| (c) "former Act" means the <i>Nurses Act</i> R.S.P.E.I. 1988, Cap. N-4;  | former Act      |
| (d) "licensed member" means a member who holds a license or who is deemed under these regulations to hold a license. (EC93/06) | licensed member |

#### INITIAL MEMBERSHIP AND LICENSE HOLDERS

- |  |  |
|--|--|
| 2. Every person who, immediately before the date this section comes into force, is a member of the Association of Nurses of Prince Edward Island, is deemed on the date this section comes into force,   | Deemed initial membership, registration and licenses |
| (a) to be a member of the Association of Registered Nurses of Prince Edward Island and to be registered as a member under the Act and these regulations until the person ceases to be registered under the Act and these regulations; and  |  |
| (b) if the person holds a license under the former Act immediately before the date this section comes into force, to hold a license under the Act and these regulations until October 31, 2006, unless the license that is deemed to be held is sooner revoked under the Act or these regulations. (EC93/06) |  |

#### REGISTRATION

- |   |                          |
|---|--------------------------|
| 3. (1) An applicant for registration as a member pursuant to section 13 of the Act shall provide to the Registrar | Application requirements |
| (a) a completed application in a form approved by the Executive Director of the Association;                      |                          |
| (b) proof of identification acceptable to the Registrar;  |                          |

- (c) a criminal record check concerning the applicant that has been issued within a month prior to the date of the submission of the completed application form referred to in clause (a);
- (d) a statement from the relevant regulatory body of another jurisdiction indicating whether the applicant
  - (i) is suspended or is otherwise restricted in or disqualified from practising nursing in that jurisdiction by reason of illness, incapacity, professional misconduct, dishonesty or incompetence, or
  - (ii) is involved in a pending or ongoing discipline or professional conduct proceeding in that jurisdiction that has not been completed;
- (e) such information as the Registrar may require concerning any matter referred to in clause (d); and
- (f) such information and evidence as the Registrar may require to satisfy the Registrar that the applicant complies with or has the requirements and qualifications for registration that are set out in subsection 13(1) of the Act and in these regulations.

False or misleading statements

(2) An applicant for registration or a member shall be deemed not to have satisfied the requirements for registration if the applicant or member made a false or misleading statement or representation in respect of any application, statement, information or evidence provided to the Registrar pursuant to subsection (1).

Referral of application to Council or a committee

(3) The Registrar may

- (a) refer an application for registration to a committee established by the Council; or
- (b) refer the application to the Council, whether or not the Registrar has referred the application to a committee pursuant to clause (a). (EC93/06)

Incomplete applications

4. (1) Unless the Council directs otherwise, the Registrar shall deny or refuse any application for registration that is not completed within two years of the date the applicant submitted to the Registrar the completed application form referred to in clause 3(1)(a).

Destruction of application materials

(2) The Registrar may destroy the application and the supporting documentation of an applicant if the applicant has not completed the application within two years of the date the applicant submitted to the Registrar the completed application form referred to in clause 3(1)(a). (EC93/06)

Verification

5. Where the Registrar has reasonable grounds to believe that a statement in an application or a document is false, or that the application or document is not authentic, the Registrar may refuse to register the

person until the statement, application or document has been verified by such procedure as the Registrar may determine. (EC93/06)

6. (1) An applicant for registration shall
- (a) have graduated from an approved school of nursing within the five years immediately preceding the date the applicant submitted to the Registrar the completed application form referred to in clause 3(1)(a); or
  - (b) have lawfully practised and been employed as a registered nurse in another jurisdiction for a total of 1125 hours within the five year period referred to in clause (a).
- Educational qualifications and practise experience
- (2) An applicant for registration shall
- (a) have taken and passed the theoretical and clinical components of the following subjects at a school of nursing, if the applicant has not graduated from an approved school of nursing:
    - (i) medical nursing,
    - (ii) obstetrical nursing,
    - (iii) paediatric nursing,
    - (iv) psychiatric nursing,
    - (v) surgical nursing; and
  - (b) have taken and passed all of the subjects offered at a school of nursing which Council has determined are prerequisites to registration.
- Idem*
- (3) Subject to subsection (5), an applicant for registration shall
- (a) have been registered and licensed, prior to August 1, 1970, as a registered nurse in another province; or
  - (b) have taken and passed the CRNE.
- Idem*
- (4) Where
- (a) an applicant has not taken and passed the CRNE; and
  - (b) the Canadian Nurses Association does not offer CRNE,
- the Council may approve or adopt, by resolution, a substitute examination for the applicant in the subjects the Council considers appropriate and establish a minimum standard that the applicant shall attain in the examination to qualify for the exemption provided by subsection (5).
- Substitute examination
- (5) An applicant is exempt from compliance with subsection (3) if the applicant
- (a) takes a substitute examination approved or adopted by the Council pursuant to subsection (4); and
  - (b) obtains or exceeds the minimum standard for the substitute examination that is established by the Council under subsection (4).
- Exemption
- (6) An applicant for registration who
- CRNE application

(a) does not meet the requirements of subsection (3); and  
 (b) is not exempt under subsection (5) from compliance with subsection (3),  
 shall apply in writing to the Registrar to take the CRNE.

*Idem*

(7) An applicant for registration who applies to the Registrar to take the CRNE may not take the CRNE unless the Registrar is satisfied that the applicant satisfies or has all of the other requirements and qualifications for registration that are set out in subsection 13(1) of the Act and in these regulations.

CRNE results

(8) The Registrar shall notify any applicant for registration who writes the CRNE of the results obtained by the applicant on the CRNE as soon as possible after the results are known.

Failure to pass examinations

(9) A person who, on three consecutive attempts,  
 (a) fails the CRNE; or  
 (b) fails to meet the minimum standard set by the Council for the CRNE or for a substitute examination referred to in subsection (5),  
 may not write the same category of examination again unless the person first takes the basic nursing education program offered by an approved school of nursing. (EC93/06)

Language tests

7. Where the first language of an applicant for registration is a language other than English, the applicant shall, before he or she may be registered, pass one or more English language proficiency tests, as required by the Council, with the minimum score determined by the Council. (EC93/06)

Offences

8. (1) Subject to subsection (2), an applicant for registration shall not have been found guilty of a criminal offence or an offence under the *Controlled Drugs and Substances Act* (Canada) or the *Food and Drugs Act* (Canada).

Exemption

(2) The Council may, on application, exempt an applicant for registration who has been found guilty of a criminal or other offence referred to in subsection (1) from the restriction in that subsection where the Council is satisfied that the offence is not of such a nature and direct relevance to practice that the applicant would pose a danger to clients if registered and allowed to practice. (EC93/06)

Entry of name and number of member in Register

9. (1) The Registrar shall, when entering an applicant in the Register as a member,  
 (a) enter the name of the member as it appears on the application form submitted pursuant to subsection 3(1); and  
 (b) assign to the member a unique registration number and enter the number in the Register.

(2) Where a member notifies the Registrar that the name in which the member practises as a registered nurse has changed to a different name and provides such proof of the lawful use of the different name as the Registrar considers sufficient, the Registrar

Change of name

(a) shall enter the new name of the member in the Register together with the date on which notice of the new name was provided to the Registrar; and

(b) shall not remove the previous name of the member from the Register.

(3) A member shall not engage in the practise of a registered nurse under a name that is different from the name last entered in the Register for the member.

Practising under  
different name

(4) Where

(a) the Review Committee dismisses a member from the Association and revokes the member's registration; or

(b) a member dies and a notice of the death is received by the Registrar,

Name of member  
struck from the  
Registrar

the Registrar shall strike the member's name from the Register. (EC93/06)

## LICENSES

**10.** (1) A license authorizes the person who holds the license to engage in the practice of a registered nurse only from its date of issue and until the expiry date stated in the license.

Duration

(2) A license is issued validly if the license bears a date of issuance and the Registrar has signed it, and a license that purports to be signed by the Registrar is not invalid merely because the signature is reproduced mechanically or by a stamp, unless the contrary is proved.

Validity

(3) The Registrar shall keep, or cause to be kept, a record of all licenses issued.

Record of licenses

(4) Where

(a) the Review Committee revokes the license of a member under section 31 of the Act;

(b) a member dies and a notice of the death is received by the Registrar,

Striking name of  
member

the Registrar shall strike the member's name from the record required to be kept under subsection (3). (EC93/06)

**11.** (1) All applications for licenses shall

(a) be made in writing in a form approved or provided by the Registrar;

Applications in  
writing

- (b) be dated and signed by the applicant; and
- (c) be addressed and delivered to the Registrar.

Verification

(2) Where an application states a fact and the application form or the Registrar requires that the fact shall be verified by a document submitted to the Registrar by a person other than the applicant, including a government, an institution of learning or a regulatory body, the Registrar may refuse to issue a license to the applicant until the document is submitted by that person to the Registrar.

*Idem*

(3) Where the Registrar has reasonable grounds to believe that a statement in an application or in a document submitted in support of an application is false, or that the application or document is not authentic, the Registrar may refuse to issue a license to the applicant until the statement, application or document has been verified by such procedure as the Registrar may determine. (EC93/06)

Council may require evidence of competence

**12.** (1) The Council may require an applicant for a license to provide evidence, as determined by the Council, to establish that the applicant is competent to be issued a license, and the Council may direct an applicant to take further education and examinations.

Proof of qualification and competence

(2) A member who applies for a license shall provide such information and proof as the Registrar may require to establish that the member has the qualifications and competence to practice the profession in a manner that is conducive to the protection of the public in the provision of the professional services of a registered nurse failing which the Registrar shall not issue a license to the applicant. (EC93/06)

Member not subject of investigation elsewhere

**13.** (1) A member who applies for a license shall provide such information or evidence as the Registrar may require to establish that the member is not, as of the date of the application, or as of the date when the member would otherwise qualify for a license, a person who is the subject in any jurisdiction of an investigation or proceeding, or who was prior to that time the subject of an investigation or proceeding, in respect of an act that relates to the member's practice as a registered nurse in any jurisdiction or that is derogatory to the honour and dignity of the profession and which, in either case, could have, or has, resulted in a sanction imposed by a proper authority.

Member was subject to investigation elsewhere

(2) Where a member who applies for a license is a person who was, prior to the date of the application, the subject of an investigation or proceeding in any jurisdiction in respect to an act referred to in subsection (1) and the member discloses the existence of the investigation or proceeding and the sanction imposed, if any, in the application, the Registrar may issue the license applied for if the Registrar is satisfied that

- (a) no sanction was imposed on the member as a result of the investigation or proceeding; or
- (b) the Council, with knowledge of the investigation or proceeding and the sanction imposed, if any, has determined that the member is fit to practice and has approved the issuance of a license notwithstanding the investigation or proceeding and the sanction. (EC93/06)

**14.** (1) A licensed member shall apply for a new license at least two weeks before the expiry of the current license that the licensed member holds or is deemed to hold. Subsequent license applications

- (2) Where an application for a license is made Late fee
  - (a) by a licensed member within two weeks of the expiry of the current license that the licensed member holds or is deemed to hold; or
  - (b) by a member after the expiry of the last license that the member held or was deemed to have held,

the licensed member or member, as the case may be, is liable to pay and shall submit to the Registrar, together with his or her application, the late fee established by the bylaws. (EC93/06)

**15.** (1) On receipt of an application by a licensed member for a new license, the Registrar may not issue the new license to a licensed member unless the member establishes to the Registrar's satisfaction that the member has, within the five years immediately preceding the date the application is submitted to the Registrar, Required practise or refresher course

- (a) lawfully practised as a registered nurse in any jurisdiction for a cumulative total of 1125 hours;
- (b) has successfully completed a refresher course in nursing that is established or approved by the Council under subsection (2); or
- (c) has graduated from an approved school of nursing.

- (2) For the purposes of clause (1)(b), the Council shall, by resolution, Refresher course
  - (a) establish a refresher course in nursing; or
  - (b) approve as a refresher course in nursing such course that the Council considers appropriate that is offered by a professional organization, university or other person.

- (3) When establishing a refresher course in nursing, the Council may Idem
  - (a) establish the content of the refresher course;
  - (b) determine the fee for the course and to whom the fee shall be paid;
  - (c) establish a method of assessment for the successful completion of the refresher course;
  - (d) establish a minimum standard for the successful completion of the refresher course;



- (e) determine when a refresher course will be conducted;
- (f) determine who may be a participant in the refresher course; and
- (g) determine who will instruct participants in the refresher course and who will assess their performance. (EC93/06)

Continuing  
competence  
program

**16.** (1) The Council shall, for the purpose of maintaining the nursing competence of all licensed members, establish, by resolution, a continuing competence program that promotes the enhancement and application of the knowledge, skills, judgement and personal attributes required for safe, ethical nursing practice in a specific role and setting.

Copy of details of  
program to be  
provided to  
members

(2) The Registrar shall provide a copy of the details and requirements of the continuing competence program to a member on the website of the Association.

Compliance

(3) Unless exempted by the Registrar, every licensed member shall, during the term of the license, comply with or fulfill the requirements of the continuing competence program established under subsection (1).

Supply of  
documentation  
proving compliance

(4) The Registrar may, before issuing a new license to a licensed member, require the licensed member to provide documentation or evidence satisfactory to the Registrar that indicates that the licensed member has complied with or fulfilled the requirements of the continuing competence program during the term of the licensed member's current license.

*Idem*

(5) Every licensed member who is required by the Registrar to provide documentation or evidence of compliance with the continuing competence program under subsection (4) shall provide such documentation or evidence prior to making an application for a new license.

Temporary license

(6) Where a licensed member applies for a new license and the licensed member

(a) has been required by the Registrar to provide documentation or evidence of compliance with the continuing competence program under subsection (4); and

(b) has failed to provide that documentation or evidence to the Registrar as required by subsection (5),

the Registrar shall, if the licensed member meets the other requirements of the Act and these regulations, issue a temporary license to the member for a term not exceeding 90 days for the purpose of permitting the member to provide the documentation or evidence of compliance required by the Registrar.

Failure to comply  
within term of  
temporary license

(7) Where a member who is issued a temporary license under subsection (6) fails to provide the documentation or evidence of

compliance with the continuing competence program required by the Registrar during the term of the temporary license, the Registrar may not, subject to the other requirements of the Act and these regulations, issue a further license to the member until the member provides the documentation or evidence of compliance required by the Registrar. (EC93/06)

#### RECORDS AND DOCUMENTS

**17.** Records and documents relating to an application for registration or a license are confidential and shall not be disclosed to any person other than the following, unless Council authorizes such disclosure: Records and documents

- (a) the applicant;
- (b) an employee, officer or Council member of the Association, acting in the course of their authority;
- (c) a member of the Review Committee, when acting as such in relation to the applicant;
- (d) participants in a legal proceeding involving the member and the Association; and
- (e) legal counsel to the Association. (EC93/06)

#### APPLICATIONS OUTSTANDING

**18.** These regulations apply in respect of an application for registration, or for a license, that was commenced under the former Act and that has not, as of immediately before the date this section comes into force, been granted or refused. (EC93/06) Applications outstanding under former Act

#### PERMITS

**19.** (1) The minimum qualifications referred to in clause 17(1)(b) of the Act that an applicant shall have to be issued a permit are the qualifications required for compliance with the following provisions: Minimum qualifications

- (a) clause 3(1)(d) of these regulations in which the statement provided from the other jurisdiction indicates that the applicant
  - (i) is not suspended, restricted or disqualified, and
  - (ii) is not involved in a pending proceeding within the meaning of clause 3(1)(d);
- (b) subsection 6(1) of these regulations;
- (c) subclause 13(1)(a)(ii) of the Act;
- (d) clause 13(1)(c) of the Act.

(2) The Registrar shall indicate when a permit expires in the record of permits issued that is required to be kept by the Registrar under subsection 17(3) of the Act. Record of expiry of permit

Revocation of  
permit

(3) Subsection 10(4) applies, with such changes as are necessary, in respect of the revocation of a permit or the death of a member who holds a permit. (EC93/06)