

October 2015

New Bylaw change that affects Practicing Licensure

On July 28, 2015 the SRNA received notice from the Minister of Health regarding the approval of the bylaw for practicing members to immediately report a criminal conviction or a finding of guilt for any criminal offence under *The Criminal Code* (Canada) or any similar legislation in any province, territory, state, or country, or any offence in relation to the practice of nursing or another profession in any jurisdiction. This bylaw was passed by the SRNA Membership at the 2015 Annual Meeting. Members have an obligation to notify the SRNA if an offence as stated in the bylaw occurs. This can be done by contacting the Registrar at register@srna.org; Phone: (306) 359-4200 (Regina); Toll Free: 1-800-667-9945.

What should a registered nurse do if he/she is convicted of a criminal offence?

The registered nurse should notify the SRNA immediately and provide the required documentation. The member will be provided information about the process and will have a fair opportunity to be heard and present relevant information.

Will an applicant or member be denied registration if they are convicted of a criminal offence?

Each application is considered on a case by case basis. Factors that are considered include, but are not limited to:

- Type and nature of the offence.
- Age of the person at the time.
- Description of circumstances including penalty imposed and whether the penalty is satisfied.
- Candor in admitting offence or attempts to conceal the information.
- Did the offence occur when applicant was/in in a position of trust.
- Relevance of the offence to the practice of registered nursing – does the behavior(s)/offence demonstrate behavior(s) that would be considered misconduct or breach of *The Registered Nurses Act, 1988*, the *SRNA Standards and Competencies for the Practice of Registered Nurses*, or the *CNA Code of Ethics*?
- Does the behavior pose a threat to patient safety – i.e. sexual assault, assault causing bodily harm, armed robbery or use of a firearm.
- Convictions related to drugs and alcohol, trafficking and impaired driving.
- Demonstration of successful efforts made at rehabilitation and other factors that eliminate or reduce the risk of the likelihood of reoccurrence.

[SRNA Bylaw Gazetted August 7, 2015](#)

The following bylaw that was approved at the May 2015 SRNA Annual Meeting is now in effect:

Pursuant to subsection 15(2) of *The Registered Nurses Act, 1988*, the regulatory bylaws of the Saskatchewan Registered Nurses' Association are hereby amended as follows:

Bylaw IV subsection 2(3) is amended to read:

“(3) Practicing membership carries obligations including but not limited to the following:

- to adhere to the Canadian Nurses Association *Code of Ethics for Registered Nurses* contained in bylaw XIV;
- to adhere to nursing standards and competencies for the practice of registered nursing contained in bylaw XV; and
- to immediately report:
 - a conviction or finding of guilt for any criminal offence under the *Criminal Code* (Canada), *The Controlled Drugs and Substances Act* (Canada), or any similar legislation in any province, territory, state, or country, or any offence in relation to the practice of nursing or another profession in any jurisdiction;”.

Bylaw IV subsection 3(3) is amended to read:

“(3) Graduate nurse membership carries obligations including but not limited to the following:

- (a) to adhere to the Canadian Nurses Association *Code of Ethics for Registered Nurses* contained in bylaw XIV;
- (b) to adhere to nursing standards and competencies for the practice of registered nursing contained in bylaw XV;
- (c) and to immediately report:
 - (i) a conviction or finding of guilt for any criminal offence under the *Criminal Code* (Canada), *The Controlled Drugs and Substances Act* (Canada), or any similar legislation in any province, territory, state, or country, or any offence in relation to the practice of nursing or another profession in any jurisdiction;”.