



***THE NOVA SCOTIA COLLEGE
OF
RESPIRATORY THERAPISTS***

GENERAL BYLAWS

Updated November 2018

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NSCRT GENERAL BYLAWS June 2008; Amended 2013 and 2018

1. Definitions

"**Annual meeting**" means the annual meeting of the NSCRT required by Article F (1).

"**Auditor**" means the person or firm appointed under Article G.

"**Board**" means the board of directors of the College and "director" means a member of the board.

"**By-law**" means this by-law and any other by-law of the College as amended and which are, from time to time, in force and effect.

"**Chair**" means the person designated to preside over meetings of statutory or non-statutory committees.

"**Committee**" means a statutory and/or non-statutory committee of the NSCRT.

"**Executive**" means the officers of NSCRT appointed by the board.

"**Ex-officio**" means by the virtue of one's office or position, not entitled to make a motion or vote, and is not counted when determining quorum.

"**NSCRT**" means the Nova Scotia College of Registered Respiratory Therapists.

"**Meeting of members**" includes an annual meeting of members or a special meeting of members; "special meeting of members" includes a meeting of any class or classes of members entitled to vote at an annual meeting of members.

"**Member**" means an individual registered with NSCRT.

"**Officer of NSCRT**" includes the President, the President-Elect, immediate Past-President, the Treasurer, and the Secretary. Collectively comprise the Executive of the NSCRT.

"**Ordinary resolution**" means a resolution passed by a majority of not less than 50% plus 1 of the votes cast on that resolution.

"**Regulations**" means the regulations made under the Act, as amended, restated or in effect from time to time.

"**Robert's Rules of Order**" means the manual of parliamentary procedure (rules, ethics, and customs) used to govern meetings.

"**Special meeting**" means a general meeting requested by at least a quorum of the voting members as required by Article F (3).

"**Special resolution**" means a resolution passed by a majority of not less than two-thirds (2/3) of the votes cast on that resolution.

2. FISCAL YEAR

The fiscal year of the Nova Scotia College of Respiratory Therapists (NSCRT), hereinafter referred to as the "College", shall be the period from the 1st day of April in any year to the 31st day of March in the year next following.

3. LICENSING REQUIREMENTS

- a) Annual Licensing Fees
 - i. The NSCRT Board, by resolution, shall determine Annual Fees for all categories of License and membership. NSCRT Members will be informed of the Annual Fee for the upcoming fiscal year at the Annual General Meeting. The Treasurer shall provide the financial reasons for any change in the amount of the Annual Fees.
 - ii. All Annual Licensing Fees shall be due and payable (in full) to the College on the 15th day of March for the year then commencing. Fees paid after this date, but before April 1 of the year commencing, will be subject to a \$50 late fee.
 - iii. Default in Payment of Annual Licensing Fees: A member whose Annual Licensing Fees remain unpaid on the 1st day of April shall be removed from the Register of Membership in the College.
 - iv. Reinstatement: If reinstatement is sought within the same fiscal year, a reinstatement fee of \$100 and Annual Licensing Fees are to be paid in full for the remainder of the fiscal term.
- b) Entry to Practice:
 - i. Respiratory Therapy education programs in Canada are accredited by a national accrediting body approved by the NSCRT Credentials Committee. Applicants must have completed a respiratory therapy education program that is accredited by a national accrediting body approved by the NSCRT Credentials Committee and noted in NSCRT Policy. Applicants who have not graduated from an accredited program shall submit to a competency assessment to determine whether their education and experience is equivalent to Canadian respiratory therapy education.
 - ii. All applicants must successfully complete the entry-to-practice exam administered by the Canadian Board for Respiratory Care (CBRC).
- c) Licence:

The Registrar of the College may upon receipt of such fees and compliance with such regulations as it may require, issue to any Member, a Licence for the College.
- d) Admission of Honorary Members:

An Honorary Life Membership Award may be awarded annually by the NSCRT Board of Directors in recognition of those individuals who have rendered distinguished service or valuable assistance to the Respiratory Therapy Profession.

4. QUALITY ASSURANCE

- a) The quality assurance process will be based on the development and maintenance of a professional portfolio. The professional portfolio consists of:
 - i. Completed RRT Continuing Competency Program
 - ii. A current Curriculum Vitae
 - iii. Record of hours that the member has worked for the previous four years.
- b) Audits of professional portfolios may be done randomly (10% of the membership per year). If a member has not complied with the requirements of the Quality Assurance program he/she will be evaluated by the Credentials Committee and a plan will be developed to enable the member to comply.

5. BOARD OF THE COLLEGE

The subscribers to the Memorandum of Association of the College shall be the First Board of the College.

- i. **Board**

The Board of the College (hereinafter known as the "Board") shall consist of a President, President-Elect OR Past-President, Treasurer and 4 (four) Director(s)-at-Large, and a minimum of 2 and not more than 3 public representatives (appointed by the Governor in Council as per the Respiratory Therapists Act section 7) The Board shall appoint one of the Directors-at-Large to serve as secretary to the Board.

ii. Election of Board

- a) The Board (with the exception of the public representatives who are appointed by the Governor in Council) shall be elected by the Members from among their number and shall act as the Board.
- b) The president-elect shall be elected at every third Annual General Meeting of the College, and automatically assume the Presidency at the end of the third year of the term of the incumbent President.
- c) The Past-President shall start his/her position following end of term as President, serving on opposite terms as the President-Elect.

iii. Expenses of Board

- a) Board members shall be reimbursed for expenses incurred related to attendance at board meetings (i.e. travel, parking, mileage, babysitting, etc.), upon submission of appropriate expense form with receipt.
- b) Upon the ratification of at least two-thirds (2/3) majority of the Voting Board Members present at a meeting called for that purpose, special expenses out of the funds of the College may be awarded to any of the Board Members or other duly appointed person, who performs any special mission on behalf of the College outside the work or service ordinarily required of the Board Member or person.

iv. Terms of Board

- a) The President shall serve a three-year (3) term. At the end of this term, the President Elect shall automatically assume the Presidency.
- b) The President-Elect shall serve a one-year (1) term prior to serving a two-year (3) term as President.
- c) The Past-President shall serve a one-year (1) term following completion of his/her two-year (3) term as president.
- d) All other Board members shall serve for a two-year (2) term. Board members may serve two consecutive terms.

v. Limitation of Authority

No Director or Member shall obligate the College or commit to any significant policy, program, purchase, sale, or responsibility without the express authority of the Board.

vi. Powers of Board Members

- The management of the activities of the College shall be vested in the Board Members who, in addition to the powers and the authorities by these bylaws or otherwise expressly conferred upon them, may exercise all such powers and do all such acts and things as may be exercised or done by the College and are not hereby or by Statute expressly directed or required to be exercised or done by the College in general meeting.
- In particular, the Board Members shall have power to engage a Registrar to determine their duties and responsibilities and their remuneration.
- The Board Members may appoint, from time to time, committees consisting of such persons as the Board Members decide. The Board Members may also engage other staff and/or external agencies to support day to day operations of the College.

vii. Duties of President

- a) The President shall have general supervision of the activities of the College and shall perform such duties as may be assigned to them by the Board from time to time.
- b) The President shall attend, with the Registrar, the National Alliance of Respiratory

Therapy Regulatory Bodies (NSRTRB) meetings as deemed necessary by the Board. The President may designate another Board Members to attend in his/he absence.

viii. Duties of the President-Elect

- a) The President-Elect shall assist the President in all matters and in such manner as requested by the President.
- b) The President-Elect may accompany the President to attend, as an observer, the NARTRB meetings as deemed necessary by the Board.

ix. Duties of Past-President

The Past-President shall, at the request of the Board and subject to its directions, mentor the President and perform the duties of the President during the absence, illness or incapacity of the President, or during such period as the President may request.

x. Duties of Treasurer

- a) The Treasurer shall approve the receipts and disbursements of the College.
- b) The Treasurer shall perform all such duties as the President or the Board may assign them.
- c) The Treasurer shall present a quarterly financial statement to the Board and a yearly audited financial statement and bud The Treasurer shall present a monthly financial statement to the Board and a yearly audited financial statement and budget to the members at the General Meeting (Fall).

xi. Duties of Secretary

- a) The secretary shall record minutes of Meetings of the Board and Meetings of the Membership.
- b) The secretary shall develop meeting agendas with the President and the Registrar.
- c) The secretary shall distribute to the members, the prior meeting minutes, the agenda and other related documents.

xii. Duties of Directors-at-Large and Public Members

The Director(s)-at-Large and Public Members shall serve as a member of the Board and accept direction and duties as assigned by the President or Board.

xiii. Resignation of Board Members

In the event that a Board Member resigns his/her office or ceases to be a Member, whereupon his/her office as Board Member shall ipso facto be vacated, the vacancy thereby created may be filled for the remaining portion of the term by the Board from among the Members.

xiv. Removal of Board Members

The College may, by Special Resolution, remove a Board Member before the expiration of the period of office and appoint another person in his/her stead. The person so appointed shall hold office during such time only as the Board Member in whose place they are appointed would have held office if they had not been removed.

6. MEETINGS OF BOARD

i. Time and Place

Meetings of the Board shall be held as often as the business of the College may require and shall be called by the President.

ii. Notice

- a) A meeting of Board Members may be held at the close of every ordinary or Annual General Meeting of the College without notice.

- b) Notice of all other meetings, specifying the time and place thereof, shall be given either orally, electronically or in writing to each Board Member within a reasonable time before the meeting is to take place, but non-receipt of such notice by any Board Member shall not invalidate the proceedings at any meeting of the Board.
- iii. **Quorum**
No business shall be transacted at any meeting of the Board unless at least a majority in number of the Board Members are present at the commencement of such business. Quorum must include one of either the President, President-Elect or Past-President.
- iv. **Chairperson**
The President or, in their absence, the Past-President or, in the absence of both, the President-Elect shall preside as Chairperson at meetings of the Board.
- v. **Voting**
The Chairperson shall be entitled to vote as a Board Member and, in the case of an equality of votes, they shall have a casting vote in addition to the vote to which they are entitled as a Board Member.
- vi. **Virtual Meetings**
The Board shall hold Virtual Board Meetings (via conference call, via internet communication, etc) to accommodate attendance by board members throughout the province.
- vii. **Attendance**
Board members are expected to attend all meetings (in person or by virtual means), should a board member be absent for three consecutive meetings the Board Member can be removed from office by special resolution.

7. MEETINGS OF MEMBERSHIP

The College will hold an Annual General Meeting (AGM) which shall be held in the fall. All other meetings will be deemed Special General Meetings.

a) Annual General Meeting of College

The Annual General Meeting of the College shall be held within nine (9) months after the end of each fiscal year of the College (via electronic means and/or in person), at the Head Office of the College or elsewhere in the Province or in Canada as shall be determined by the Board. At this Annual General Meeting, the Board shall present a report to the Membership.

b) Special General Meetings of College

Special General Meetings of the College may be convened by order of the Board at any time on its own motion. The Board must call a Special General Meeting if it receives a request, in writing, by at least ten percent (10%) of the Registered Members of the Voting Members and specifying the business for which such meeting is required, the meeting to be called at the earliest convenience.

c) Notice

- i. The notice of the Annual General Meeting shall be given at least thirty (30) days prior to the date set of the Annual General Meeting.
- ii. A printed, written, typewritten or electronic notice stating the day, hour and place of meeting, and the general nature of the business to be transacted, shall be served either personally or by sending such notice to each Member through the post in a post-paid letter, or by electronic means at such address as appears on the Register, or if no address is given therein then to the last known address of such Member; provided always that a meeting may be held at any time at the Head Office of the College or elsewhere in the Province or in Canada without such notice, if such notice is waived by all Voting Members in writing or electronic communication. Notice of any meeting or any irregularity in any meeting, or in the notice thereof may be waived by any Member.
- iii. The non-receipt of any notice of any Member or Members shall not invalidate any resolution passed or any proceeding taken at any meeting. With respect to every notice sent by post or electronic means, it shall be sufficient to prove that the envelope or wrapper containing notice was

properly addressed and put into the Post Office or into an official Canada Post mailbox.

d) Quorum

- i. Ten percent (10%) of the Voting Members as recorded in the Register of the College shall constitute a quorum of the College. Such representation may be personal or by proxy (but not by both), or via electronic means (i.e. teleconference).
- ii. Once the meeting has commenced, further members shall be admitted to the meeting but will not have voting rights.
- iii. No business shall be transacted at any meeting of the College unless a quorum of Members is present at the commencement of such business.
- iv. If within one-half hour from the time appointed for the meeting, a quorum of Members is not present, the meeting, if convened upon the requisition of the Members, shall be dissolved. In any other case, it shall stand adjourned to such time and place as a majority of the Members then present shall direct and if at such adjourned meeting a quorum of Members is not present, it shall be adjourned.

e) Proxies

- i. Every Member entitled to vote at meetings may, by instrument in writing, appoint a proxy to attend and act at the meeting in the same manner, to the same extent, and with the same power as if the Member were present at the meeting.
- ii. The instrument appointing a proxy shall be in writing, and shall cease to be valid after the expiration of one year from the date thereof. The instrument appointing a proxy may be in any form not inconsistent with the provision of the Company's Act.
- iii. At the discretion of the Board, the notice calling any meeting may state that no proxy shall be entitled to vote at such meetings unless the instrument appointing them shall have been deposited with the Registrar before the time at which such meeting commences.

f) Chairing of Meetings

- i. The President shall preside as Chairperson at every meeting of the College.
- ii. If there is no President or if at any meeting they are not present at the time of holding the same, the Past-President or -President Elect shall preside as Chairperson.

g) Business

At each Annual General Meeting of the College, the following items of business shall be deemed to be ordinary business:

- a. Minutes of preceding General Meeting.
- b. Consideration of the Annual Reports of the Board Members.
- c. Consideration of the financial statements, including balance sheet and operating statement and the report of the Auditors of the College thereof.
- d. Appointment of Auditors of the College.
- e. Election of Board Members for the ensuing year.
- f. Setting of Annual Membership Fees for the College for the upcoming fiscal year.

All other business transacted at the Annual General Meeting shall be deemed to be special business and all business shall be deemed special that is transacted at a Special General Meeting of the College.

h) Voting

- i. Each voting Member of the College shall be entitled to vote on all questions.
- ii. The Chairperson shall have no vote except in the case of an equality of votes. In the case of an equality of votes, he/she shall have a casting vote.
- iii. If a poll is requested by three or more Voting Members, it shall then be taken in such manner as the Chairperson of the meeting shall direct. Names of the Voting Members requesting the poll shall be entered in the Minutes to the meeting.

- iv. Unless a poll is requested, a declaration by the Chairperson of the meeting that a resolution has been carried or lost and an entry in the Minute Book to that effect shall be deemed to be conclusive evidence of the fact. The Chairperson of the meeting shall be the sole and absolute judge of the validity of any vote or votes cast at any meeting and as such may direct that any votes which he/she deems to be invalid not to be counted for any purpose.

i) Adjournment

The Chairperson may, with the consent of the meeting, adjourn any meeting from the time and from place to place, but no business shall be transacted at any adjourned meeting, other than the business left unfinished at the meeting from which the adjournment took place, unless notice of such new business is given to the Members.

j) Minutes

The minutes from any Meeting of Membership shall be distributed, within sixty (60) days, to the Members either personally, through the post, or by electronic means at such address as appears on the Register, or if no address is given therein then to the last known address of such Members.

k) Books and Records

The books and records of the College may be inspected by any member at any reasonable time within two days prior to the Annual General Meeting at the Registered Office of the College.

8. ACCOUNTS

a) Appointment of Auditor(s)

The Auditors) shall be appointed annually by the NSCRT Board Members at the Annual General Meeting.

b) Audit of Account

- i. The College shall make a written report to the Members as to the financial position of the College and the report shall contain a balance sheet and operating account.
- ii. The Auditors shall make a written report to the Members upon the balance sheet and operating amount and, in every such report, they shall state whether in their opinion, the balance sheet is a full and fair balance sheet containing particulars required by the College and properly drawn up so as to exhibit a true and correct view of the College's financial affairs, and such report shall be read at the General Meeting.

9. GENERAL BYLAWS

- The College has the power to repeal or amend any of these bylaws by Special Resolution passed in the manner prescribed by law.
- Any proposed changes to the General Bylaws of the College will be distributed to the Members at least thirty (30) days prior to the date of the Annual General Meeting or General Meeting.
- Any General Bylaw of the College that requires amendment, subsequent to a proposed change in any other bylaw, does not have to be distributed to the Members nor does a vote have to be taken to amend said bylaw.

10. COMMITTEES

Throughout these terms of reference, the Act refers to the Respiratory Therapy Act, c.141, S.N.S. 2007

a. Credentials (Registration) Committee

TERMS OF REFERENCE

MEMBERSHIP

- The Credentials Committee shall consist of one (1) public member and two (2) active practice members in good standing.
- Registrar (ex officio)

- The Board shall appoint as chair of the Credentials Committee the immediate Past President or a Director at Large in the absence of a past-president.
- If the term of office of an appointed member, including the past-president, is not completed, the Board may appoint a replacement who shall hold office until the completion of the vacated term.

TERM OF OFFICE

Three (3) Years (eligible for re-appointment).

QUORUM

- A majority of committee members.
- All decisions require the vote of a majority of the Committee or the majority of the quorum.

MANDATE

- The Credentials Committee shall approve registration policies that are consistent with the statutory requirements for admission into the NSCRT Register and shall review applications that are referred to the committee by the Registrar.

b. Professional Practice Committee

TERMS OF REFERENCE

MEMBERSHIP

- A minimum of Four (4) Active practice members in good standing appointed by the Board.
- Registrar (ex-officio)
- Director at Large
- The Board shall appoint the Chair chosen from the committee members

TERM OF OFFICE

Three (3) years (eligible for re-appointment)

QUORUM

- A majority of the members of the committee

MANDATE

1. Ensuring that Respiratory Therapy services provided to the public by it's members are delivered in a safe, competent and ethical manner consistent with the Standards of Practice and Code of Ethics.
2. Advise/review/approve professional practice issues consistent with the Act in collaboration with Health agencies such as but not limited to; Delegated Medical Functions, Advanced Education Skill acquisition, Medical Directives and Changing Scope of Practice.
3. Assures Quality of Practice for Respiratory Therapists in Nova Scotia.
4. Collaborate with members of the Nova Scotia Regulated Health Professions Network (NSRHPN) on Scopes of Practice issues and develop joint position statements.

c. Nominations Committee

TERMS OF REFERENCE

MEMBERSHIP

- The Board shall appoint as Chair of the Nominations Committee the immediate Past-president of the Board or a Director at Large in the absence of a Past-president.
- Two (2) active practicing registrants in good standing appointed by Board, who are not members of Board.
- If the term of office of an appointed member, including the past-president, is not completed, the Board may appoint a replacement who shall hold office until the completion of the vacated term.

TERM OF OFFICE

Three (3) Years (eligible for re-appointment for an additional term).

QUORUM

- A majority of committee members.
- All decisions require the vote of a majority of the Committee or the majority of the quorum.

MANDATE

- 1) Recruitment of Board Members, the Nominations Committee shall call for a competitive list of nominations representative of the active practicing membership; taking into consideration geographic distribution, for the positions of President-Elect, Directors-at-Large, and any other committee appointments as directed by the Board according to the terms of reference of the committee.
- 2) The Nominations Committee shall ensure that there is at least one candidate for each available position. If no nominations are forthcoming, the Nominations Committee shall nominate a slate of candidates.
- 3) The Nominations Committee shall establish a deadline for the call for nominations as necessary so as to meet the election timelines.

The chair of the Nominations Committee, or designate, presents the list of candidates at the College's Annual General Meeting.

d. **Registration Appeal Committee****TERMS OF REFERENCE****MEMBERSHIP**

- One public representative who is a member of Board.
- Two (2) active practicing registrants in good standing registered Respiratory Therapists from the active-practicing class.
- The Board shall appoint the Chair of the Registration Appeal Committee.

TERM OF OFFICE

Three (3) years (eligible for reappointment for an additional term).

QUORUM

- A majority of committee members.
- All decisions require the vote of a majority of the Committee or the majority of the quorum.

MANDATE

The Registration Appeal Committee shall be appointed by the Board as required and will:

- 1) Set a date for the hearing of the appeal, which shall be not later than sixty days following receipt of the written notice of appeal;
- 2) Serve written notice of the date, time and place for the hearing of the appeal upon the applicant and the Registrar;
- 3) Advise the applicant of the right to:
 - a. Be represented by legal counsel, a union representative or another representative at their expense;
 - b. Disclosure of any information provided to the Committee;
 - c. A reasonable opportunity to present a response and make submissions;
- 4) Hold a hearing of the appeal in accordance with the Act and applicable common law principles.
- 5) Review the decision made by the Registrar and/or Board and the documents upon which the decision was based;
- 6) Make any determination that in its opinion ought to have been made by the Registrar.
- 7) Give its decision, including reasons, in writing and send to the applicant and Registrar, a copy of the written decision by registered mail or personal service.
- 8) When the Registrar refuses to register or license a person pursuant to the Act, the Registration Appeal Committee may, at any time, permit such a person to be registered or licensed or to remain registered or licensed upon such terms and conditions as the Committee may direct following an appeal to the Committee.

CRITERIA FOR REGISTRANT MEMBERSHIP

- 1) Registration with the Nova Scotia College of Respiratory Therapists.
- 2) A member of the College in good standing as defined in the College By-Laws (2007) for both initial and continuing membership.

- 3) Have at least five years of experience as a Respiratory Therapist.
- 4) Understanding of self-regulation.
- 5) Knowledgeable about the College's governing legislation.
- 6) Ability to objectively analyze evidence presented and make decisions based on evidence.
- 7) Ability to communicate committee decisions in a written report.
- 8) Ability to undertake the required time commitment of one/two days per appeal. (Possibly 1 - 2 appeals per year.)

CRITERIA FOR NON-REGISTRANT MEMBERSHIP

- 1) Understanding of self-regulating professions.
- 2) Ability to objectively analyze evidence presented and make decisions based on evidence.
- 3) Ability to undertake the required time commitment of one/two days per appeal. (Possibly 1 - 2 appeals per year.)

e. Complaints Committee

TERMS OF REFERENCE

MEMBERSHIP

- A minimum of five (5) active practice registrant in good standing, including a Chair and Vice-Chair, to be appointed by the Board, one of whom shall be a public member.
- When a complaint is ready to be heard by the Complaints Committee, the Chair will appoint a panel of three (3), one of whom will be a public member, to sit to hear the complaint.
- The Complaints Committee will commence to hear a complaint only when all three (3) members are present.

TERM OF OFFICE

Three (3) years (eligible to re-offer for additional terms).

QUORUM

- Any two persons from the panel, with at least one active practice registrant, constitute a quorum.
- All decisions require the vote of a majority of the panel.

MANDATE

The Complaints Committee members:

- 1) Receive an investigative report from the College investigator.
- 2) Comprehensively review the investigative report prior to attending a meeting of the Complaints Committee.
- 3) Attend a Complaints Committee meeting and discuss the investigative report, and any other information received, with other members of the Complaints Committee.
- 4) Determine whether there is sufficient evidence which, if proven, could reasonably amount to a finding of professional misconduct, incompetence, incapacity and/or conduct unbecoming the profession.
- 5) Dispose of the complaint in accordance with the Regulations.
- 6) Prepare a written decision to be sent to the complainant, respondent and any other persons the Complaints Committee deems appropriate.
- 7) Accept or reject Settlement Proposals tendered to them by respondents.
- 8) At all times, act in accordance with the duties established by the RT Act and in accordance with applicable common law principles.

In addition, the Chair, or Vice-Chair acting as Chair, of the Complaints Committee:

- 1) Selects a panel of three members, one of whom will be a non-registrant, to hear a complaint.
- 2) Where the Chair does not sit on this panel, appoints one of the three members on the selected panel to serve as Chair.
- 3) The Chair of the panel is responsible for ensuring the written decision is complete, reviewed by all members of the panel and forwarded to appropriate persons.
- 4) The Chair of the panel is responsible for recording the time period of the meeting/teleconference and determining the reasonable amount of preparation time to be utilized for salary/income replacement purposes.

CRITERIA FOR REGISTRANT MEMBERSHIP

- 1) A member of the College in good standing, as defined in the College By-Laws, for both initial and continuing membership.
- 2) Ability to undertake the required time commitment (approximately 1 day per month).
- 3) Understanding of self-regulation.
- 4) Knowledgeable about the Standards of Practice and the Code of Ethics for Respiratory Therapists.
- 5) Working knowledge of the College's governing legislation.
- 6) Ability to make objective decisions based on written and verbal information.

CRITERIA FOR NON-REGISTRANT MEMBERSHIP

- 1) Ability to undertake the required time commitment (approximately 1 day per month).
- 2) Understanding of self-regulating professions.
- 3) Willing to become knowledgeable with the Standards of Practice and the Code of Ethics for Respiratory Therapists and the College's governing legislation.
- 4) Ability to bring the consumer perspective to matters before the Complaints Committee.
- 5) Ability to make objective decisions based on written and verbal information.

ADDITIONAL SKILL PREFERRED FOR CHAIR OF COMMITTEE

- Experience in conducting a meeting

f. Reinstatement Committee**TERMS OF REFERENCE****MEMBERSHIP**

- Not less than three (3) and not more than five (5) members of the Board, at least one of whom shall be a public representative.

TERM of OFFICE

Three years (eligible for reappointment for an additional term)

QUORUM

- Any three members of the committee regardless of whether such members are registrants or public representatives, constitute a quorum.
- All decisions require the vote of a majority of the committee or a majority of the quorum of the committee.

MANDATE

The Reinstatement Committee members will:

- 1) Review applications for reinstatement of license to practice Respiratory Therapy and any attached report/s.
- 2) Set a date for a hearing and advise applicant of that date.
- 3) Attend a meeting to discuss information in application and attached report/s.
- 4) When applicable, hear evidence from the applicant and a representative from the College.
- 5) Discuss with committee, information and evidence received and reject or accept application, with or without conditions.
- 6) Prepare a written decision and forward to applicant and Registrar.
- 7) At all times act in accordance with the duties established by the RT Act and in accordance with applicable common law principles.

CRITERIA FOR REGISTRANT MEMBERSHIP

- 1) A member of the College in good standing, as defined in the College By-Laws, for both initial and continuing membership.
- 2) Ability to undertake the required time commitment (varies according to number of applications forwarded to committee).
- 3) Understanding of self-regulation.
- 4) Knowledgeable about the Standards of Practice and the Code of Ethics for Respiratory Therapists and Objects of the Professional Conduct Process.

- 5) Working knowledge of the College's governing legislation.
- 6) Ability to objectively analyze evidence presented and make decisions based on evidence.

CRITERIA FOR NON-REGISTRANT MEMBERSHIP

- 1) Ability to undertake the required time commitment (see criteria [1] under Criteria for College Membership).
- 2) Understanding of self-regulating professions.
- 3) Willing to become knowledgeable about with the Standards of Practice and the Code of Ethics for Respiratory Therapists, and the College's governing legislation.
- 4) Ability to bring the consumer perspective to matters before the Reinstatement Committee.
- 5) Ability to objectively analyze evidence presented and make decisions based on evidence.

g. Professional Conduct Committee

TERMS OF REFERENCE

MEMBERSHIP

- The Board shall appoint a Chair and a Vice-chair of the Professional Conduct Committee.
- The Chair of the Professional Conduct Committee shall appoint a panel of five (5) persons from the Professional Conduct Committee, at least one of whom shall be a public representative, to act as the Professional Conduct Committee for purposes of the professional conduct process.

TERM OF OFFICE

Three (3) years (eligible to re-offer for additional terms).

QUORUM

- Any three (3) persons from the panel appointed pursuant to subsection (5), regardless of whether such persons are members or public representatives, constitute a quorum of the Professional Conduct Committee.
- All Professional Conduct Committee decisions require the vote of a majority of the panel of the Professional Conduct Committee appointed pursuant to subsection (5), or the quorum of such panel in the event the full panel is not sitting.

MANDATE

- 1) Review and accept or reject applications for removal of a respondent's name from the College's register (consent revocation).
- 2) Review and accept, reject, or suggest amendments to settlement proposals forwarded from the Complaints Committee.
- 3) Prepare for and attend formal hearings to hear evidence presented with respect to complaints forwarded by the Complaints Committee.
- 4) Make decisions, supported by reasons, as to whether allegations have been proven in accordance with the required standard of proof.
- 5) Make decisions, supported by reasons, as to whether evidence supports a finding of professional misconduct, incompetence, incapacity and/or conduct unbecoming the profession.
- 6) Where evidence supports findings of professional misconduct, incompetence, incapacity and/or conduct unbecoming the profession, dispose of complaints through issuing revocations, suspensions, restrictions, and/or reprimands, or mandating some type of remedial action as set out in the Act, and determine the reasons for such disposition.
- 7) Assist, when requested by Chair, in preparing written decisions for complainants and respondents.
- 8) Review written decisions and indicate in writing agreement or disagreement with the decisions.
- 9) At all times, act in accordance with the duties established by the RT Act and in accordance with applicable common law principles.

In addition, the Chair, or Vice-Chair acting as Chair, of the Professional Conduct Committee:

- 1) Selects a panel of five (5) members, at least one of who will be a non-registrant, to hear a complaint.
- 2) Chairs meetings and hearings of the Professional Conduct Committee.

- 3) Where the Chair does not sit on this panel, appoints one of the five (5) members on the selected panel to serve as Chair.
- 4) The Chair of the panel is responsible for ensuring written decision are complete, reviewed by all members of the panel and forwarded to appropriate persons.
- 5) The Chair of the panel is responsible for recording the time period of meetings/ hearings/ teleconferences and determining the reasonable amount of preparation time to be utilized for salary/income replacement purposes.

CRITERIA FOR REGISTRANT MEMBERSHIP

- 1) A member of the College in good standing, as defined in the College By-Laws, for both initial and continuing membership.
- 2) Ability to undertake the required time commitment (approximately five to ten days per year, with possibility of more in complex cases for formal hearings).
- 3) Understanding of self-regulation.
- 4) Knowledgeable about the Standards of Practice and the Code of Ethics for Respiratory Therapists.
- 5) Working knowledge of the College's governing legislation.
- 6) Ability to objectively analyze evidence presented and make decisions based on evidence.

CRITERIA FOR NON-REGISTRANT MEMBERSHIP

- 1) Ability to undertake the required time commitment (approximately five to ten days per year, with possibility of more in complex cases for formal hearings).
- 2) Understanding of self-regulating professions.
- 3) Willing to become familiar with the Standards of Practice and the Code of Ethics for Respiratory Therapists, and the College's governing legislation.
- 4) Ability to provide a consumer perspective on matters heard by the Professional Conduct Committee.
- 5) Ability to objectively analyze evidence presented and make decisions based on evidence.

ADDITIONAL SKILL FOR CHAIR OF COMMITTEE

- 1) Able to conduct a hearing.
- 2) Ability to write, or assist in writing, comprehensive decisions incorporating reasons for decisions taken.

11. Seal of the College

The Seal of the College shall be in the custody of the Registrar and may be affixed to any document upon resolution of the Board.

12. Forms

The Board will develop forms as required and post on the NSCRT website at www.nscrt.com.

13. Education Funding

The Board will develop policies and procedures to provide educational funding for members of the College to ensure continuing competence and protection of the public.

14. Membership in Organizations

- a) The NSCRT will maintain membership in the National Alliance of Respiratory Therapy Regulatory Bodies and shall pay the annual fee required for the membership.
- b) The NSCRT may maintain memberships or affiliations with other organizations (e.g. Council on Licensure, Enforcement & Regulation (CLEAR), Canadian Network of Agencies for Regulation (CNAR)) in order to further the goals of the NSCRT and shall pay the annual or other fees required.
- c) The Registrar shall represent the NSCRT at the meetings of the organizations identified in this Article.

Appendix 1

CODE OF ETHICAL AND PROFESSIONAL CONDUCT FOR RESPIRATORY THERAPISTS

(The NSCRT would like to acknowledge the Canadian Society of Respiratory Therapists who developed the Standards of Practice and Code of Ethics adopted by the College)

While performing their professional activities, respiratory therapists shall uphold the vision of the Nova Scotia College of Respiratory Therapists by adhering to the following principles of ethical and professional conduct.

SAFE AND COMPETENT CARE

- Respiratory therapists shall perform their duties in a safe and competent manner, being guided at all times by their concern for the health and well-being of the patient.
- Respiratory therapists shall perform their duties within their own level of competence and authority assigned to them. Should the delivery of care extend beyond their level of competence, respiratory therapists must seek additional knowledge or assistance from another member of the healthcare team.
- Respiratory therapists shall perform their duties in accordance with the NSCRT Standards of Practice for respiratory therapy and all other applicable laws and regulations.

DIGNITY AND CONFIDENTIALITY

- Respiratory therapists shall provide care without discrimination, with respect for the rights and dignity of all individuals.
- Respiratory therapists shall respect and protect the legal rights of the patient, including the right to informed consent and refusal or withdrawal of treatment.
- Respiratory therapists shall keep in confidence all privileged information concerning the patient in accordance with the Personal Information Protection and Electronic Documents Act, and any other health information protection legislation that may apply in their province.

PROFESSIONAL INTEGRITY AND ACCOUNTABILITY

- Respiratory therapists shall conduct themselves with honesty and integrity in all of their professional interactions.
- Respiratory therapists shall avoid any activity that creates a conflict of interest or violates any local, provincial or federal laws and regulations.
- Respiratory therapists shall advocate their role as leaders in the promotion of health and the delivery of quality respiratory care.
- Respiratory therapists shall be accountable for their practice, and will act in a manner that is consistent with the philosophy and Standards of Practice of the NSCRT.
- Respiratory therapists shall strive to be a role model for other members of the healthcare team by demonstrating responsibility, cooperation, accountability, and competence in meeting the healthcare needs of the public.

Appendix 2

STANDARDS OF PRACTICE FOR RESPIRATORY THERAPISTS

SPECIALIZED BODY OF KNOWLEDGE

Respiratory therapists possess a specialized body of knowledge and base the performance of their duties on respiratory therapy theory and practice.

Respiratory therapists are essential members of the healthcare team and assume a variety of roles in different areas of practice, such as clinical, education, health promotion, management, research, administration, and consulting.

Respiratory therapists practice independently, interdependently, and collaboratively, and may practice within legislated professional regulations.

SAFE PRACTICE AND APPLICATION OF KNOWLEDGE AND TECHNOLOGY

Respiratory therapists safely and effectively apply their skills, knowledge, and judgment based on the needs of their patients.

Respiratory therapists are committed to quality outcomes and intervene so as to contribute to the best possible outcomes for their patients.

Respiratory therapists who are involved with technical procedures must do so in accordance with any regional, provincial, or manufacturer standards or recommendations. These procedures must incorporate best practice standards, and should be research based.

Respiratory therapists, in consultation with peers, relevant others, equipment manuals, and CSA guidelines shall select, operate and maintain equipment to provide safe, effective care.

Respiratory therapists ensure that all equipment is appropriately cleaned, disinfected or sterilized, and is properly maintained and calibrated by trained personnel.

Respiratory therapists will notify and discuss with the physician if he or she feels the ordered therapy/diagnostic procedure is inappropriate for the patient's condition. The respiratory therapist may refuse to perform such therapy/diagnostic procedure if they feel that it is detrimental to the patient. Such refusal must be made clear to the physician and be documented.

COMMUNICATION AND COLLABORATION

Respiratory therapists shall understand the objective of the ordered therapy/diagnostic procedure and will clarify with the physician if necessary.

Respiratory therapists will inform the patient of the therapy/diagnostic procedure that will be performed, respecting the personal and legal rights of the patient including the right to informed consent and refusal of treatment.

Respiratory therapists will maintain effective communication with members of the healthcare team regarding the patient's status and progress.

Respiratory therapists will institute immediate supportive measures and notify relevant members of the healthcare team in the event of deterioration of the patient's condition.

Respiratory therapists will document all information relevant to the provision of care as per organizational policies and procedures.

ASSESSMENT

Respiratory therapists will determine the initial clinical status of the patient and ensure the ordered therapy/diagnostic procedure is consistent and correct for the patient's condition.

Respiratory therapists will collect data from the patient, the patient's family, members of the healthcare team, health records and reference material to identify the patient's level of function as well as relevant risks affecting and factors contributing to the patient's health.

PLANNING

Respiratory therapists will develop and implement the plan of care in collaboration with members of the healthcare team.

Respiratory therapists use evidence-based knowledge in selecting strategies and interventions.

Respiratory therapists select strategies and interventions according to their effectiveness, efficiency and suitability in relation to the goals of the plan and ensure that the goals of the plan are appropriate for each patient.

Respiratory therapists will maintain, modify, or discontinue the plan in consultation with members of the healthcare team.

EVALUATION

Respiratory therapists will evaluate the effectiveness of strategies and interventions by comparing actual outcomes to anticipated outcomes.

Respiratory therapists will use the results of the evaluation to improve policies and procedures in respiratory therapy practice related to patient care.

Respiratory therapists will evaluate his/her performance of individual procedures and overall practice.

PROFESSIONAL ACCOUNTABILITY AND RESPONSIBILITY

Respiratory therapists are accountable for meeting the ethical and legal requirements of the profession of respiratory therapy.

Respiratory therapists shall follow sound scientific procedures and promote ethical behaviour in practice and in research.

Respiratory therapists shall demonstrate behaviour that reflects integrity and compassion, supports objectivity, and fosters trust in the profession and its professionals.

Respiratory therapists shall report unsafe practice or professional misconduct of a peer or other healthcare worker to appropriate authorities.

Respiratory therapists will provide care without discrimination on any basis, with respect for the rights and dignity of all individuals.

Respiratory therapists shall refrain from indiscriminate and unnecessary use of resources, both economic and natural, in their practice of the profession.

Respiratory therapists promote disease prevention and wellness.

Respiratory therapists promote the growth of the profession and present a positive image of respiratory therapy to the community.

CONTINUING EDUCATION AND COMPETENCE

Respiratory therapists are committed to life-long learning to upgrade their knowledge and skills in order to keep their practice current.

Respiratory therapists shall assume responsibility for maintaining competence in their practice of respiratory therapy and shall seek opportunities for professional growth.

Respiratory therapists shall acknowledge limitations in their knowledge, skills, or judgment, and will function within those limitations.

Respiratory therapists strive for excellence in the profession by participating in and promoting the use of self-assessment tools as well as obtaining feedback from appropriate others in order to determine and improve their knowledge, skills, and judgment.

Appendix 3

Approved Schools of Respiratory Therapy

Alberta

1. Northern Alberta Institute of Technology (NAIT)

11762 106 Street, Edmonton, AB, T5G 2R1
Contact: Andrew Witschen, Program Chair
Tel.: (780) 471-7778
Fax: (780) 471-8770
Email: bwitsche@nait.ca
www.nait.ab.ca

2. Southern Alberta Institute of Technology (SAIT)

1301 16th Ave. NW, Calgary, AB, T2M 0L4
Contact: Meena Kumar, Academic Chair,
Respiratory Therapy and Advanced Patient Care
School of Health and Public Safety
Tel.: (403) 284-8847
Fax: (403) 284-8171
Email: meena.kumar@sait.ca
www.sait.ca

British Columbia

1. Thompson Rivers University

900 McGill Rd., Kamloops, BC, V2C 0C8
Contact: Linda Mueller, Academic, Coordinator, Respiratory Therapy Program
Tel.: (250) 828-5479
Email: lmueller@tru.ca
www.tru.ca

Manitoba

1. University of Manitoba

R106 - 771 McDermot Avenue, Winnipeg, MB R3E 0T6
Contact: Ken Chambers, Acting Department Head
Department of Respiratory Therapy
Tel.: (204) 787-2900
Fax: (204) 787-4862
Email: ken.chambers@umanitoba.ca
www.umanitoba.ca/medrehab/

New Brunswick

1. New Brunswick Community College (NBCC)

P.O. Box 2270
Saint John NB E2L 3V1
Contact: Tammie Fournier, Program Coordinator
Tel.: 506-648-6023
Fax: 506-643-2853
Email: tammie.fournier@nbcc.ca

2. CCNB- Dieppe

330 avenue Université
Moncton, NB E1C 2Z3
Contact: Julie Cyr – Chef de département
Tel.: 506-869-2017
Fax: 506-869-6295
Email: julie.cyr@vitalitenb.ca
www.ccnb.nb.ca and www.umoncton.ca

Nova Scotia

1. QEII Dalhousie University School of Health Sciences

1276 South Park St., Room 629, Bethune Bldg.,

Halifax, NS B3H 2Y9

Contact: Irene Fitzgerald, Administrator

Tel.: (902) 473-7939

Fax: (902) 473-5115

Email: Catherine.Gunn@ns.health.ca

www.dal.ca

Ontario

1. The Michener Institute for Applied Health Sciences

222 Saint Patrick Street, Toronto, ON M5T 1V4

Contact: Kathleen Olden-Powell, Program Communication Liaison

Tel.: (416) 596-3101 ext. 3216, 1-800-387-9066 ext. 3216

Fax: (416) 596-3115

Email: koldenpowell@michener.ca

www.michener.ca

2. Algonquin College of Applied Arts and Technology

1385 Woodroffe Ave., Building J, Room 117, Ottawa, ON K2G 1V8

Contact: Joan Degan, Curriculum Coordinator, Respiratory Therapy Program

Tel.: (613) 727-4723 ext. 7054

Fax: (613) 727-7616

Email: Adrienne Leach: leacha1@algonquincollege.com

www.algonquincollege.com

3. Canadore College of Applied Arts and Technology

P.O. Box 5001, 100 College Drive, North Bay, ON P1B 8K9

Contact: Mrs. Sandra Walsh, Coordinator, Respiratory Therapy Program

Tel.: (705) 474-7601 ext. 5224

Fax: (705) 474-2384

E-mail: Sandra.walsh@canadorecollege.ca

www.canadorec.on.ca

4. La Cité collégiale - Collège d'arts appliqués et de technologie

801 Aviation Drive, Ottawa, ON K1K 4R3

Contact: Ginette Aubin, Coordinator, Respiratory Therapy Program

Tel.: (613) 742-2493 ext. 2501

Fax: (613) 742-2467

Email: gaaubin@lacitec.on.ca

www.lacitec.on.ca

5. St. Clair College

2000 Talbot Road West, Windsor, ON NgA 6S4

Contact: Connie Sivyver, Coordinator and Professor, Respiratory Therapy, School of Health Sciences

E-mail: csivyver@stclaircollege.ca

www.stclaircollege.ca

6. Fanshawe College of Applied Arts and Technology

1001 Fanshawe College Blvd., Room D 3018, London, ON N5V 5R6

Contact: Paul Williams, Coordinator, Respiratory Therapy Program

Tel.: (519) 452-4430 ext. 4350

Fax: (519) 659-5781

Email: pwilliams@fanshawec.ca

www.fanshawec.ca

7. Conestoga College Institute of Technology and Advanced Learning

299 Doon Valley Drive, Kitchener, ON N2G 4M4

Contact: Tim LePage, Program Coordinator, Respiratory Therapy

Tel.: (519) 748-5220 ext. 3948

Fax: (519) 748-5926

Email: tlepage@conestogac.on.ca

www.conestogac.on.ca

Quebec

1. Vanier College

821 Sainte-Croix Blvd., St. Laurent, QC, H4L 3X9

Contact: Patricia McClurg, Program Coordinator

Tel.: (514) 744-7500 ext. 7467

Fax: (514) 744-7952

Email: mcclurgp@vaniercollege.qc.ca

www.vaniercollege.qc.ca

2. Cégep de l'Outaouais

Respiratory Therapy Program

Campus Gabrielle-Roy

333 boul. de la Cité-des-Jeunes,

Gatineau, secteur Hull, QC J8Y 6M4

Contact: Pascal Rioux, coordonateur

Tel.: (819) 770-4012 ext.: 2527

Appendix 4

Member Fees

Application Fee:

\$75.00 which must be submitted with the application.

Licence Fee:

Membership fees are determined by the Board of Directors during annual budget planning and submitted to the membership for review at the Annual General Meeting.

New Members:

New applicants who have never been registered with the College shall pay a prorated registration fee. This prorated fee shall be determined by the Board based on the current annual licensing fee. Fees will be detailed in policy.

Reinstatement Fee:

\$100.00

Members Leave of Absence:

Members may request a leave of absence from the active practice roster due to health or personal reasons. Members who are on leave of absence shall pay \$25.00 at the time of annual membership renewal.

Returning Members:

Former members returning to the College are required to pay the full licensing fee regardless of the month in which the application is made.