

The Respiratory Therapists Act

SASKATCHEWAN COLLEGE OF RESPIRATORY THERAPISTS –
REGULATORY BYLAWS

Title

- 1 These bylaws may be referred to as *The SCRT Regulatory Bylaws Amendment, 2020*.

Definitions

- 2 In these bylaws, “Act” means *The Respiratory Therapists Act*.

Demand for special meeting

- 3 For the purposes of clause 7(2)(b) of the Act, the number of members who may demand that a meeting of members be held is the number equal to 10% of the total number of all practising members.

REGISTRATION AS A MEMBER

Educational programs

- 4 An education program, approved by the council, at a respiratory therapy school accredited by the Council on Accreditation for Respiratory Therapy Education in Canada or by a similar organization approved by council, or a program deemed equivalent by the council, is prescribed for the purpose of clause 20(1)(c) of the Act.

Examinations

- 5(1) The respiratory therapist registration examination administered by the Canadian Board for Respiratory Care, or an examination deemed equivalent by the council, is prescribed for the purposes of clause 20(1)(d) of the Act.
- (2) A person who applies for registration as a respiratory therapist must write the examination at the first writing of the examination after he or she becomes eligible to write it, unless the council or the registrar gives special written permission to defer the writing of the examination.
- (3) A person who fails the examination on first writing is required to rewrite the examination at the next opportunity, unless the registrar gives special written permission to write it at a later time.

Categories of membership

- 6 Membership in the college consists of the following categories:
- (a) full practising membership;
 - (b) graduate practising membership;
 - (c) temporary membership;
 - (d) non-practising membership;
 - (e) honorary membership.

General requirements for membership

- 7 All applicants for membership of any kind shall submit a completed membership application form provided by the college together with the appropriate fee required pursuant to *The Respiratory Therapists Administrative Bylaws*, and:

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- (a) in the case of an applicant whose first language is not English, evidence that the applicant meets the requirements for proficiency in English as recognized by the council; and
- (b) evidence satisfactory to the council of the applicant's good character and, where applicable, good professional record, including a Criminal Record Check from the RCMP or local constabulary.

Full practising membership

8(1) Full practising membership is available to a person who meets the requirements of subsection 20(1) of the Act and the general requirements for membership set out in section 7 of these bylaws.

(2) An applicant for full practising membership who is registered or licensed as a respiratory therapist in another jurisdiction in Canada may provide proof of meeting the requirements of subsection 20(1) of the Act by providing evidence of registration and good standing in that jurisdiction.

(3) Full practising membership entitles a person to the following privileges:

- (a) subject to obtaining a full practising licence in accordance with these bylaws, to practice respiratory therapy in Saskatchewan as a member;
- (b) to use the title "Registered Respiratory Therapist" or the initials "RRT";
- (c) to vote and hold office in the college.
- (d) to have a voice and a vote at the meetings of the college;
- (e) to be appointed to committees of the college;
- (f) to receive copies of the college's documents appropriate for distribution; and
- (g) to receive the publication of the college.

Graduate practising membership

9(1) Graduate practising membership is available to a person who meets the requirements of subsection 20(2) of the Act and the general requirements for membership set out in section 7 of these bylaws.

(2) Graduate practising membership entitles a person to the following privileges:

- (a) subject to obtaining a graduate practising licence, to practice respiratory therapy in Saskatchewan as a member in accordance with the conditions and restrictions attached to that licence and under the supervision of a full practising member;
- (b) to use the title "Graduate Respiratory Therapist" and the initials "GRT";
- (c) to have a voice, but no vote, at the meetings of the college;
- (d) to receive copies of the college's documents appropriate for distribution; and
- (e) to receive the publications of the college.

(3) For the purposes of clause (2)(a), "supervision" means that a member with a full practising licence is on site, readily available, and able to assist during all interactions and to provide validation of the work performed by the graduate member.

Temporary practising membership

10(1) Temporary practising membership in the college, for a specified purpose approved by the council, is available to a person who is a respiratory therapist in good standing registered with another respiratory therapy regulatory body in Canada, on the condition that the person remains registered with that other regulatory body and complies with the general requirements for membership set out in section 7 of these bylaws.

(2) Temporary practising membership entitles a person to the following privileges:

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- (a) subject to obtaining a full practising licence in accordance with these bylaws, to practice respiratory therapy in Saskatchewan as a member in accordance with the restrictions imposed and for the period of time specified on that licence;
- (b) to use the title “Registered Respiratory Therapist” and the initials “RRT”;
- (c) to have a voice, but no vote, at the meetings of the college;
- (d) to receive copies of the college’s documents appropriate for distribution; and
- (e) to receive the publications of the college.

Non-practising membership

11(1) Non-practising membership in the college is available to a person who:

- (a) is registered, or is eligible for registration, as a full practising member or graduate practising member; and
- (b) wishes to cease practice.

(2) A non-practising membership entitles a person to the following privileges:

- (a) to use the title “Registered Respiratory Therapist (non-practising)” or the initials “RRT (np)”;
- (b) to have a voice, but no vote, at the meetings of the college;
- (c) to be appointed to committees of the college;
- (d) to receive copies of the college’s documents appropriate for distribution; and
- (e) to receive the publications of the college.

Honourary Membership

12(1) The council may, in its absolute discretion, award an honorary membership to a person who has made a significant contribution to respiratory therapy in the province.

(2) Honourary membership entitles a person to the following privileges:

- (a) to receive copies of the college’s documents appropriate for distribution; and
- (b) to receive the publications of the college.

Emergency Registration and Licensure

12(2) Notwithstanding any other provision of these bylaws, in a declared emergency, the registrar may, under any terms or conditions that the registrar considers appropriate with respect to each person:

- (a) register as a full practicing member and issue a full practicing license to a person who is currently or has been licensed to practice as a respiratory therapist in Canada;
 - i. this includes; waiving of the requirements for licensure contained in sections of The Act
- (b) register as a graduate practicing member and issue a graduate practicing license to a person who has substantially completed an education program described in section 4 and allowed as per *The Act 20 (2)a*.

12(3) A license granted under authority of Bylaw 12.2 may be subject to conditions or limitations including but not limited to:

- (a) a restriction that the member may practice only under supervision as defined by the College and;
- (b) a restriction that the member may only practice in a specified area of defined practice and;
- (c) a condition that the license is only valid for a limited time and may be revoked if the emergency conditions warranting its issuance are no longer in effect.

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Council reviews

13 For the purpose of subsection 21(4) of the Act, an applicant who wishes to appeal a decision of the registrar must apply in writing for a review by council within 30 days of receipt of the registrar's decision.

LICENSURE

Licence required

14 Every practising member shall submit an application for a full practising licence or graduate practising licence to the college in accordance with these bylaws, together with the licence fee required pursuant to *The Respiratory Therapists Administrative Bylaws*.

Full practising licence

15(1) An initial full practising licence is available to a full practising member who:

- (a) has worked in respiratory therapy activities approved by the council for at least 1,500 working hours during the previous four years; or
- (b) has graduated from an educational program described in section 4 within the previous three years.

(2) A renewal of a full practising licence is available to a full practising member who:

- (a) obtains 48 credits of continuing education activities every two years after initial licensure; and
- (b) has worked in respiratory therapy activities approved by the council for at least 1,500 working hours during the previous four years or a prorated number of hours during the number of years since initial licensure.

(3) A full practising licence is available to a temporary practising member for a period of three months from the date of its issue, and may be renewed for a period or periods of time not exceeding one year in total.

Graduate practising licence

16(1) A graduate practising licence is available to a graduate member from the date of completion of the education program until the date when the member receives the results of prescribed examination.

(2) If a member fails an examination, his or her graduate practising licence may be renewed for a period of time up to a maximum of two years after the initial date of issuance of the licence.

Expiration of licences

17 Unless otherwise specified on the licence or pursuant to these bylaws, all licences expire on March 31 following the date of their issue.

GENERAL

Continuing education

18(1) Each member is required to prepare a personal inventory of continuing education credits obtained by the member and shall maintain that inventory for a period of at least three years.

(2) The council shall determine the activities that are acceptable by the college for continuing education credits and the number of credits to be assigned to each such activity.

Re-entry

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19 A member who does not qualify for continued licensure under subsection 15(2) may make an application for re-entry by providing the registration committee of the college with information sufficient for the committee to determine whether the member should be required to complete any academic upgrading, practical training, registration examination or another examination prior to obtaining a licence.

Liability insurance

20 A practising member must be insured for at least \$2,000,000 against liability for professional negligence.

Code of Ethics

21 Every member shall comply with the most current version of the SCRT Code of Ethics as approved by the council and the membership.

Standards of Practice

22 Every member shall comply with the most current version of the SCRT Standards of Practice as approved by the council and the membership.

Conflict of Interest

23(1) A conflict of interest includes, but is not limited to, a situation in which:

- (a) the member is involved in negotiating wages or employment contracts or completing performance appraisals for college staff who may be related to or practising with that member;
- (b) the member is involved in determining or reviewing credentials and eligibility for registration or licensure of an applicant or another member who may be related to or practising with that member;
- (c) the member is involved in the investigation or discipline process affecting another member who may be related to or who is, has been or may be practising with that member; and
- (d) the member or their family member might personally or financially benefit from decisions or information gained from involvement on the council or committees.

(2) Members serving in an official capacity as council members, committee members or representatives of the college and employees of the college shall declare a conflict of interest in matters under discussion, business of the college or in decisions taken in which they have a vested interest.

(3) It is the responsibility of the presiding officer to ensure that members or employees identifying a conflict of interest shall leave the meeting during considerations of the pertinent issue and the secretary of the meeting shall record the departure of the member in the minutes.

(4) Members who represent the college shall not assume a position if a conflict of interest is identified.

(5) A member of the professional conduct committee or the discipline committee who has a conflict of interest in respect of a complaint shall recuse himself or herself from dealing with it, and the council may appoint a replacement to deal with the specific complaint with respect to which the conflict arose.

(6) A member who has a conflict of interest must disclose the conflict but, if the member fails to disclose a conflict of interest, the conflict may be disclosed by anyone who has knowledge of it.

INVESTIGATION AND DISCIPLINE

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Professional Conduct Committee

24(1) On receipt of an allegation of professional incompetence or professional misconduct on the part of a member, the professional conduct committee shall:

- (a) notify the complainant that the committee will review the complaint;
- (b) notify the member that it has received the complaint and require the member to respond to the complaint in writing; and
- (c) initiate an investigation.

(2) The professional conduct committee may delegate its authority to investigate to one or more committee members, who shall provide a written report to the committee on the conclusion of the investigation.

(3) The professional conduct committee may, with the consent of the complainant and the member whose conduct is the subject of the complaint, resolve the substance of the complaint through a non-disciplinary alternative dispute resolution process which may include the issuance of a counselling or cautionary directive by the committee to the member.

Discipline Committee

25 Decisions of the discipline committee are matters of public interest and as such shall be reported in college publications and, where appropriate, to the member's employer.

CERTIFIED BY:

Winnifred Haines, BA RT RCPT
Executive Director/Registrar

Date: _____

APPROVED BY:

Minister of Health

Date: _____