

The Respiratory Therapists Act

SASKATCHEWAN COLLEGE OF RESPIRATORY THERAPISTS —
REGULATORY BYLAWS

Title

- 1 These bylaws may be referred to as *The Respiratory Therapists Regulatory Bylaws*.

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 a program deemed equivalent by the council, is prescribed for the purposes 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) restricted 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:

- (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 publications of the college.

Restricted membership

9(1) Restricted 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) Restricted membership entitles a person to the following privileges:

- (a) subject to obtaining a restricted 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 “Registered Respiratory Therapist (Restricted)” and the initials “RRT (Restricted)”;
- (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.

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:

- (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 restricted member; and
- (b) wishes to cease to 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 not a 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.

Honorary 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) Honorary 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.

Council reviews

13 For the purposes of a review by council of a decision of the registrar in accordance with subsection 21(4) of the Act, an applicant who is refused registration shall, by written notice, apply to the council for a review within 30 days of receipt of the decision of the registrar.

LICENSURE

Licence required

14 Every practising member shall submit an application for a full practising licence or restricted 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) obtains 1,500 hours of work as a respiratory therapist over the previous four years; or
 - (b) has graduated from an educational program described in section 4 within the preceding 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) obtains 1,500 hours of work as a respiratory therapist over the previous four years or a prorated number of hours over the number of years since initial licensure.
- (3) A full practising licence is available to a temporary practising member for a period 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.

Restricted practising licence

- 16(1)** A restricted practising licence is available to a restricted member.
- (2) A restricted practising licence issued to a member who is waiting to write the registration examination or who is waiting to receive the examination result expires 12 weeks after the date on which the member writes the registration examination or on the date when the member receives the examination results, whichever is earlier, but, where the member fails the examination, the registrar may extend the licence for a period or periods sufficient to permit the member to re-write the examination as provided for in section 5.

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

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 license.

Liability insurance

20 All practising members are required to be insured against liability for professional negligence in an amount that is at least \$2,000,000.

Code of ethics

21 Every member shall comply with the code of ethics contained in Appendix 1.

Conflict of Interest

22(1) A conflict of interest may include, but is not limited to the following situations:

- (a)** a situation in which 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)** a situation in which 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)** a situation in which 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)** a situation in which 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 step down 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) It is the obligation of a member who has a conflict of interest to disclose the conflict but, if a member fails to disclose a conflict of interest, the conflict may be raised by anyone who has knowledge of it.

INVESTIGATION AND DISCIPLINE

Professional conduct committee

23(1) On receipt of an allegation or report regarding 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

24 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.

APPENDIX 1

CODE OF ETHICAL AND PROFESSIONAL CONDUCT FOR RESPIRATORY THERAPISTS

While performing their professional activities, respiratory therapists shall uphold the vision of the Canadian Society 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 CSRT 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 as outlined in the vision statement of the Canadian Society of Respiratory Therapists.
- 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 CSRT.
- 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.

Certified to be a true copy of the regulatory bylaws approved by the council of the Saskatchewan College of Respiratory Therapists:

CERTIFIED BY:

Mark Herzog,
President,
Saskatchewan College of Respiratory Therapists.
Date: October 17, 2008

APPROVED BY:

Honourable Don McMorris,
Minister of Health.
Date: November 18, 2008