



COLLEGE OF REGISTERED PSYCHIATRIC NURSES OF ALBERTA

BYLAWS

Approved November 2005

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**COLLEGE OF REGISTERED PSYCHIATRIC NURSES OF ALBERTA
BYLAWS**

UNDER THE HEALTH PROFESSIONS ACT

-November 2005 Amended December 2009-

PART I: GENERAL

1. Definitions

In these Bylaws:

- (a) "Act" means the Health Professions Act;
- (b) "College" and "CRPNA" mean the College of Registered Psychiatric Nurses of Alberta;
- (c) "Council" means the governing body of the CRPNA, established under section 5 of the Act;
- (d) "Executive Director" means the Executive Director of the College;
- (e) "Membership Year" means the period of time from May 1 to the following April 30; with permit renewal deadline of April 30 and permit expiry of May 31;
- (f) "Regulations" means the regulations made under section 131 of the Act.

2. Bylaws in Force

These Bylaws come into force on the same day that the Health Professions Act, Schedule 25, is proclaimed in force.

3. Enactment, Amendment and Repeal of Bylaws

- (1) Notice of a proposed enactment, amendment or repeal of a Bylaw shall be published in the College publication at least 30 days before the date of any meeting at which it is to be voted on to allow for membership feedback.
- (2) The persons entitled to vote on a proposed enactment, amendment or repeal of a regulation or Bylaw are the members of Council.
- (3) Whenever amendments are made to Bylaws, consequential editorial changes may be made to the Bylaws as required.

PART II: GOVERNANCE

4. Council

4.1 Duties and Powers

The Council of the College will exercise all the powers and duties granted to a governing council under the Act. (Section 6 and 19 of the Act) Including the empowerment to:

- (1) adopt new Bylaws or amend the Bylaws of the CRPNA by motion of Council
- (2) establish and revise policies which govern the activities of the CRPNA
- (3) delegate authority and responsibility for the implementation of CRPNA policy to the Executive Director
- (4) ensure that CRPNA policies are implemented through the monitoring of compliance with policies

- (5) appoint any committees, in addition to the committees referenced in this bylaw, as Council may consider necessary or advisable and may by resolution and without requirement of further bylaws, designate such further committees and the powers and duties of any committee
- (6) control the activities of the CRPNA and be the trustees of the funds and assets, and shall not engage in high risk ventures
- (7) approve psychiatric nurse education programs
- (8) hear appeals from decisions and hearing tribunals and decisions concerning applications for registration and practice permits
- (9) recognize registered psychiatric nurse interest groups that apply to the Council requesting the Council to exercise its discretion to approve such recognition
- (10) appoint a registrar of the College

4.2 Composition

Council is composed of 12 members as follows:

- (a) seven (7) Registered Psychiatric Nurses who are elected from and who are representatives of the members of the College at large;
- (b) the President, a Registered Psychiatric Nurse who is a representative of the Members of the College at large;
- (c) the President-Elect, a Registered Psychiatric Nurse who is a representative of the Members of the College at large;
- (d) three (3) public representatives appointed by the Minister of Health in accordance with the Act.

4.3 Terms of Office

- (1) Except when these Bylaws otherwise provide, the Term of office of the President is two years commencing directly following the Annual General Meeting of the year of his/her election.
- (2) Except when these Bylaws otherwise provide, the Term of office of the President-Elect is two years commencing directly following the Annual General Meeting of the year of his/her election, after which time subject to Article 4.7 of these Bylaws, the President-Elect succeeds to the office of President.
- (3) Except when these Bylaws otherwise provide, the term of office of all other Registered Psychiatric Nurse members of the Council is a two year term commencing directly following the Annual General Meeting of the year of his/her election, with approximately one-half of the Registered Psychiatric Nurse members elected each year. Nothing contained in these by-laws shall prevent any officer, if willing, from being re-elected at the end of his/her two-year term.
- (4) In accordance with section 5(4) of the Act, a member of Council, other than the President and President-Elect, continues to hold office after the expiry of that member's term until a successor is elected or appointed.
- (5) Council is empowered to increase or decrease the length of the term of office of Council members, including those already elected to a specific term of office, in order to maintain the one-half turnover rate in accordance with subsection (3) above.

4.4 Council Meetings

- (1) Council shall meet at least four times a year.
- (2) Council meetings shall be held at such time and place as the Council members thereof determine or as determined by the President.
- (3) The President may call any additional meetings of the Council that the President considers necessary.
- (4) If 2/3 of the members of Council request a meeting the President shall call that meeting of Council.
- (5) Except when Council otherwise directs, Council meetings are open to the general membership and public.
- (6) A quorum at Council meetings is 50% plus one member of Council, which must include the President or President-Elect.
- (7) Voting on matters by Council may be conducted:
 - (a) at a meeting of the Council
or
 - (b) with the authorization of the President, by a mail, e-mail or fax vote or a vote conducted during a telephone conference.
- (8) Unless otherwise provided in these Bylaws, a decision of Council shall be made as follows:
 - (a) at a Council meeting, by a vote of a majority of the members present and voting at the meeting;
 - (b) during a telephone conference, by a vote of a majority of those members participating in the conference and who vote;
 - (c) at a mail, e-mail or fax vote, by a vote of a majority of those members participating in the vote.
- (9) Only Council members may vote on a motion made by a Council member.
- (10) Council shall determine the procedure to be used at Council meetings.
- (11) The Council may remove from Council, any council member who:
 - a. Consistently fails or refuses to perform the duties assigned him by the President or the Council; or
 - b. Fails or refuses to adhere to the Regulations, Bylaws or Policies of the College;
or
 - c. Is absent for any reason from three meetings of the Council during a year.
 - d. Is suspended or ceases to be a Registered Psychiatric Nurse, or has been found to be guilty of unprofessional or unskilled conduct.

4.5 Executive Committee of the Council

- (1) The Executive Committee of the Council shall be composed of the President, President-Elect, Treasurer and one other Council member named as an Executive Officer. The Executive Director shall be a non-voting member of the Executive Committee of the Council.
- (2) The Executive Committee Members are elected from within the Council by Council
- (3) The Executive Committee shall administer affairs of the College between meetings of Council and act on any other matters delegated to it by Council.
- (4) The Executive Committee has the authority to act on behalf of the Council.

- (5) The Executive Committee shall not change any policy of the College nor authorize or incur any extraordinary expenditure.
- (6) All decisions made by the Executive Committee are subject to review by the Council.

4.6 Executive Officers of the CRPNA

- (1) The executive officers of the Council are:
 - a. President
 - b. President-Elect
 - c. Treasurer
 - d. One additional Council member as an Executive Officer
 - e. Executive Director

- (2) The President provides overall leadership to the CRPNA. It shall be the duty of the President to:
 - a. preside at all meetings of the College and the Council;
 - b. ensure the integrity of the Council governance process;
 - c. take all necessary steps to see that the officers of Council perform their respective duties;
 - d. call meetings of Council and order special meetings of the Council and of the College when deemed necessary;
 - e. be an ex-officio member of all committees or boards;
 - f. in consultation with Council, appoint all chairmen of committees established by the Council;
 - g. carry out the functions of President by the HPA;
 - h. perform such duties as Council may from time to time direct;
 - i. delegate to the Executive Director such administrative responsibilities as deemed appropriate.

- (3) The President-Elect shall, upon request of the President, and in the absence of the President perform the duties of the President during his/her absence, illness or incapacity.

- (4) The Executive Director / Registrar acts as chief administrative officer of the CRPNA and is responsible for the implementation of policy and direction established by Council. The Executive Director reports to and takes direction from Council and oversees the administration of the CRPNA, and carries out the duties and responsibilities and functions of the registrar under the HPA, unless otherwise delegated in accordance with these By-laws.

- (5) The Treasurer shall ensure the integrity of all financial records and present the true statement of all income and expenditures to the Council at such time as the Council may determine. The Treasurer may delegate to the Executive Director such administrative responsibilities as deemed appropriate.

- (6) If no person is able or willing to serve as President or President-Elect in accordance with these Bylaws or circumstances arise making it impossible to comply with these Bylaws, Provincial Council may make such appointments or arrangements as it considers necessary in the circumstance.

4.7 Vacant Positions on Council

If any officer or Council member shall resign his/her office, be removed from Council, or otherwise become disqualified for such position, the Council shall declare his office vacant and shall appoint a successor in his place in the manner hereinafter set out to hold office until the end of her current term of office.

- (a) A vacancy in the office of the President shall be filled by the President-Elect who shall hold the office as President for the remainder of their predecessor's term of office, and will continue in office thereafter as President for a two year term.
- (b) If a vacancy occurs in the office of President-Elect it shall be filled by a majority vote of Council of a registered psychiatric nurse member of Council
- (c) A vacancy of any other elected council member may be filled by a majority vote of Council, of a member who is an Active member of the College for the remainder of that term, except as provided in Bylaw 4.2
- (d).

4.8 Elections

- (1) Except for the appointed members of the public, Council members shall be elected by secret ballot at the annual general meeting of the College for a term of office not to exceed two years. If a vacancy occurs as a result of a lack of candidates for a position, and a Provincial Council Member is unable to fulfill their commitment under Article 4.3(4) of these Bylaws, the position will remain vacant until the next regularly scheduled CRPNA election, and the term of the position will be adjusted to maintain one-half turnover rate, or Council may make such appointments or arrangements as it considers necessary in the circumstance.
- (2) Nomination of these Council members shall be made by a nominating committee appointed by the Council, and such nominees, together with further nominations from the floor at an annual general meeting, shall constitute the nominees.
- (3) The Council members shall, by secret ballot, within sixty days following the annual general meeting of the College, elect from among themselves a President-Elect, Treasurer and Executive officer who shall, in addition to the President comprise the Executive Officers of the College, for a term not to exceed two years.
- (4) In transition of coming under these Bylaws the first year of elections under these Bylaws the election of the Executive Officers shall include the election of a President

PART III: MEMBERSHIP

5. Regulated Members

5.1 Categories of Regulated Members

The following categories of regulated members are established, in accordance with the Regulations:

- (a) Registered Psychiatric Nurse
- (b) Registered Mental Deficiency Nurse
- (c) Temporary member
- (d) Courtesy member

5.2 Register of Regulated Members

The College will maintain a register of regulated members who in addition to the rights, duties and responsibilities a Registered Psychiatric Nurse and Registered Mental Deficiency Nurse has under the Act, Regulations and these By-laws is:

- (a) entitled to nominate and be nominated for office including Provincial Council
- (b) entitled to vote in elections for membership on Provincial Council
- (c) may attend meetings of the College and serve on committees of the College
- (d) entitled to receive the College publication
- (e) may receive such other benefits as Provincial Council from time to time determines.

6. Non-Regulated Members

6.1 Additional Categories Established

The following categories of non-regulated membership in the College are established:

- (a) non-practicing member
- (b) retired member – non-practicing
- (c) psychiatric nursing student
- (d) honorary member

6.2 Register of Non-Regulated Members

The College will maintain a register of non-regulated members, which shall contain, with respect to each person entered on the register:

- (a) name, date of birth, address and telephone number
- (b) initial date of registration as a Registered Psychiatric Nurse or Registered Mental Deficiency Nurse and the date they ceased to be on the regulated register, if applicable
- (c) employment status
- (d) education
- (e) historical information relevant to the person
- (f) such other information as Council may prescribe

A non-regulated member shall be entitled:

- (a) to attend meetings of the College
- (b) to receive the College publication
- (c) to serve on committees and boards of the College as a non-voting member

7. Membership Meetings

7.1 Annual General Meeting

- (1) The annual general meeting of the College shall be held at such date, time and place as is determined by Council, and Council may designate the notice to be given to the Regulated Members
- (2) A quorum shall consist of fifteen (15) Regulated Members personally present. If there is no quorum within thirty minutes of the time specified in the notice, the meeting shall not proceed and the Council shall be authorized to proceed with the business, which was to have been done at such meeting and need not call a further meeting of the CRPNA during that calendar year.
- (3) Council shall promote member attendance, interaction, and participation at annual general meetings.
- (4) The purposes of the annual general meeting are:
 - (a) to report and provide information to the members on the actions taken by Council and the activities in which the College is involved
 - (b) a forum through which members are able to raise issues of importance
 - (c) to provide an opportunity for members to comment on College direction and priorities
 - (d) to address any other matters considered appropriate by Council

7.2 Special Membership Meetings

- (1) Special meetings of members may be called by Council
- (2) The President shall preside at a special meeting of the members
- (3) The purpose of a special meeting of the members is to:
 - (a) provide an opportunity for discussion of extraordinary issues before the College and to seek direction and input from the general membership
 - (b) provide the members with an opportunity to bring forward extraordinary issues to the attention of Council

8. Fees

8.1 Setting Fees

- (1) Council may establish fees, costs, levies or assessments for the following:
 - (a) application fees
 - (b) registration fees
 - (c) registration review fees
 - (d) practice permit fees
 - (e) practice permit review fees

- (f) late registration fees
 - (g) online registration fees
 - (h) fees for reviews or appeals of any decision under the Act
- (2) Council may determine such other fees, dues or levies as are required under the Act, Regulations, or these Bylaws or for anything it considers necessary for services provided to a member or any other person.

8.2 Fee Changes

If Council proposes to change any of the fees set out in 8.1 above, it shall give at least thirty days' notice of its intention to do so by notice in the college publication

8.3 Special Levy

If special circumstances arise requiring additional funding for the College, Council may impose a special levy against the members or a category of membership.

8.4 Notice of Fees, Dues and Levies

When fees, dues or levies are payable, notice of the fees, dues or levies payable shall be sent to those members or persons required to pay them.

8.5 Expiry of Annual Practice Permit

An annual practice permit expires on May 31 each year, unless otherwise provided for in the Act or regulations.

8.6 Pro-Rata Payments

Council may:

- (a) establish a pro-rata system of fee payment
- (b) Provide for a crediting of the payment of all or part of a temporary permit fee against the payment of any other fee payable to the College in such circumstances and under such conditions as Council prescribes
- (c) Establish such other rules for the payment, rebating, reduction, or crediting of the payment fees, dues or levies as it considers appropriate.

PART IV: REGISTRATION

9. Registrar

9.1 Duties and Powers

- (1) Subject to sections 19 and 20 of the Act, the Registrar performs any powers and duties delegated by the Council.
- (2) The Registrar may in their sole discretion decide to refer any application for registration to the Registration Committee for their determination.
- (3) The Registrar may delegate all or any of their duties and responsibilities to an Assistant Registrar or other staff member, with or without conditions.

10. Registration Committee

10.1 Duties and Powers

The Registration Committee established under section 9 of the Act may:

- (a) review an application for registration, if so referred by the Registrar
- (b) undertake any other power or duty given to it under the Act, the Regulations, or the Bylaws.
- (c) Delegate any of its powers or duties to the Registrar, with or without conditions.

10.2 Composition

- (1) Council shall appoint no fewer than three Regulated members to the Registration Committee for a term to be determined by Council.
- (2) Council shall designate a member of the Registration Committee to act as the Chair.
- (3) The Registrar may attend meetings of the Registration Committee
- (4) A quorum of the Registration Committee is three (3) members of the committee.
- (5) Subject to the HPA, the Registration Committee may determine its own rules of procedures.
- (6) A decision of the Registration Committee shall be by a vote of a majority of the members present at a meeting.
- (7) The Registration Committee is able to make recommendations to Council regarding the continuing competence program, and shall carry out the powers and duties of a competence committee as defined under section 10 of the Act.

PART V: PROFESSIONAL CONDUCT

11. Complaints Director

- (1) Subject to section 19 and 20 of the Act, the Complaints Director performs any powers and duties delegated by the Council.
- (2) The Complaints Director may delegate some or all of their duties to an employee of the CRPNA, with the exception of the Hearings Director.
- (3) The Complaints Director shall not disclose any information regarding a complaint or disciplinary proceeding unless the information is required to be disclosed for the purpose of the Act, the regulations, the Bylaws or otherwise required by law.

12. Hearings Director

- (1) Subject to sections 19 and 20 of the Act, the Hearings Director performs any powers and duties delegated by Council.
- (2) The Hearings Director may delegate some or all of their duties to an employee of the CRPNA, with the exception of the Complaints Director.

- (3) The Hearings Director shall not disclose any information regarding a complaint or disciplinary proceeding or a hearing or matter before the Hearing Tribunal unless the information is required to be disclosed for the purpose of the Act, the Regulations, the Bylaws or otherwise required by law.

13. Hearing Tribunal

- (1) A Hearing Tribunal established under section 16 of the Act may:
 - (a) Conduct hearings under Part 4 of the Act, and
 - (b) Undertake any other power or duty given it under the Act, the Regulations, or the Bylaws.
- (2) Council shall appoint Regulated Members to a Hearings Tribunal membership list to be used for appointing members to Hearings Tribunals. The Hearings Director shall establish a Hearing Tribunal from the members appointed by Council to the membership list.
- (3) A hearing tribunal shall be composed of no fewer than two Registered Psychiatric Nurse members appointed by Council to the membership list, and one public representative.
- (4) The Hearings Director shall designate a Registered Psychiatric Nurse member of the Hearing Tribunal as Chair.
- (5) A quorum for a Hearing Tribunal is three members of the Hearing Tribunal, at least two of whom must be Registered Psychiatric Nurse members.
- (6) A decision of a Hearing Tribunal shall be by majority vote.
- (7) Subject to the Act, Regulations and these Bylaws, a Hearing Tribunal may determine its own rules respecting the calling of and conduct of its meetings, hearings, or the handling of matters within its jurisdiction.
- (8) Information given to the Hearing Tribunal shall be disclosed only in accordance with the Act, the Regulations, the Bylaws or as otherwise required by law.

14. Complaint Review Committee

- (1) The Complaint Review Committee established under Section 16 of the Act may:
 - (a) review and ratify settlements under section 60 of the Act
 - (b) conduct reviews under section 68 of the Act
 - (c) undertake any other power or duty given to it under the Act, the Regulations, or the Bylaws.
- (2) Council shall appoint Regulated Members to a Complaint Review Committee membership list to be used for appointing members to a Complaint Review Committee. The Hearings Director shall establish a Complaint Review Committee from the members appointed by Council to the membership list.
- (3) A Complaint Review Committee shall be composed of no fewer than two Registered Psychiatric Nurse members appointed by Council to the membership list, and one public representative.
- (4) The Hearings Director shall designate a Registered Psychiatric Nurse member of the Complaint Review Committee as Chair.

- (5) A quorum for a Complaint Review Committee is three members, at least two of whom must be Registered Psychiatric Nurse members.
- (6) A decision of a Complaint Review Committee shall be by majority vote.
- (7) Subject to the Act, a Complaint Review Committee may determine its own rules of procedure, calling of meetings, and matters related to them.

PART VI: ADMINISTRATION

15. Executive Director

- (1) Council shall appoint a Registered Psychiatric Nurse as Executive Director of the College
- (2) The Executive Director may delegate any of their duties and responsibilities to another person.
- (3) The Executive Director is authorized to prescribe such forms, certificates, permits or other documents that may be required for the purposes of the Act, the Regulations or these Bylaws.

16. Official Seal

The College shall have a Seal which shall consist of the words “College of Registered Psychiatric Nurses of Alberta”. The President and the Executive Director of the College and such other person or persons as may be authorized by the Council shall have authority to affix the Seal of the College to any document requiring the Seal to be affixed.

17. Use of Funds

- (1) The College is entitled to make use of all revenues received from membership fees and other sources of income to carry out the objectives of the College.
- (2) Financial policy pertaining to the College shall be determined by Council and the College shall publish annually a financial statement.
- (3) The College shall reimburse travel expenses and such other costs and expenses for members of committees and boards under the Act, the Regulations and Bylaws in accordance with policies made by Council.
- (4) The fiscal and membership year of the College shall be from May 1 to the following April 30.