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For more information concerning the history of these regulations, please see the [Table of Regulations](#).

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CHAPTER R-8.1

REGISTERED NURSES ACT

REGISTRATION AND LICENSING OF NURSES REGULATIONS

Pursuant to section 35 of the *Registered Nurses Act* R.S.P.E.I. 1988, Cap. R-8.1, the Lieutenant Governor in Council approved the following regulations made by the Association of Registered Nurses of Prince Edward Island:

- 1.** In these regulations
- | | Definitions |
|---|-----------------|
| (a) "Act" means the <i>Registered Nurses Act</i> R.S.P.E.I. 1988, Cap. R-8.1; | Act |
| (b) "CRNE" means the Canadian Registered Nurses Examination held under the auspices of the Canadian Nurses Association; | CRNE |
| (c) "former Act" means the <i>Nurses Act</i> R.S.P.E.I. 1988, Cap. N-4; | former Act |
| (d) "licensed member" means a member who holds a license or who is deemed under these regulations to hold a license; | licensed member |
| (e) "NCLEX-RN" means the National Council Licensure Examination for Registered Nurses developed by the United States National Council of State Boards of Nursing. (EC93/06; 765/16) | NCLEX-RN |

INITIAL MEMBERSHIP AND LICENSE HOLDERS

- 2.** Every person who, immediately before the date this section comes into force, is a member of the Association of Nurses of Prince Edward Island, is deemed on the date this section comes into force,
- | | |
|--|--|
| (a) to be a member of the Association of Registered Nurses of Prince Edward Island and to be registered as a member under the Act and these regulations until the person ceases to be registered under the Act and these regulations; and | Deemed initial membership, registration and licenses |
| (b) if the person holds a license under the former Act immediately before the date this section comes into force, to hold a license under the Act and these regulations until October 31, 2006, unless the license that is deemed to be held is sooner revoked under the Act or these regulations. (EC93/06) | |

REGISTRATION

Application
requirements

3. (1) An applicant for registration as a member pursuant to section 13 of the Act shall provide to the Registrar

- (a) a completed application in a form approved by the Executive Director of the Association;
- (b) proof of identification acceptable to the Registrar;
- (c) a criminal record check concerning the applicant that has been issued within a month prior to the date of the submission of the completed application form referred to in clause (a);
- (d) a statement from the relevant regulatory body of another jurisdiction indicating whether the applicant
 - (i) is suspended or is otherwise restricted in or disqualified from practising nursing in that jurisdiction by reason of illness, incapacity, professional misconduct, dishonesty or incompetence, or
 - (ii) is involved in a pending or ongoing discipline or professional conduct proceeding in that jurisdiction that has not been completed;
- (e) such information as the Registrar may require concerning any matter referred to in clause (d); and
- (f) such information and evidence as the Registrar may require to satisfy the Registrar that the applicant complies with or has the requirements and qualifications for registration that are set out in subsection 13(1) of the Act and in these regulations.

False or misleading
statements

(2) An applicant for registration or a member shall be deemed not to have satisfied the requirements for registration if the applicant or member made a false or misleading statement or representation in respect of any application, statement, information or evidence provided to the Registrar pursuant to subsection (1).

Referral of
application to
Council or a
committee

(3) The Registrar may

- (a) refer an application for registration to a committee established by the Council; or
- (b) refer the application to the Council, whether or not the Registrar has referred the application to a committee pursuant to clause (a). (EC93/06)

Incomplete
applications

4. (1) Unless the Council directs otherwise, the Registrar shall deny or refuse any application for registration that is not completed within two years of the date the applicant submitted to the Registrar the completed application form referred to in clause 3(1)(a).

Destruction of
application
materials

(2) The Registrar may destroy the application and the supporting documentation of an applicant if the applicant has not completed the application within two years of the date the applicant submitted to the

Registrar the completed application form referred to in clause 3(1)(a). (EC93/06)

5. Where the Registrar has reasonable grounds to believe that a statement in an application or a document is false, or that the application or document is not authentic, the Registrar may refuse to register the person until the statement, application or document has been verified by such procedure as the Registrar may determine. (EC93/06) Verification

6. (1) For the purposes of clause 13(1)(b) of the Act, an applicant for registration shall, within three years of successfully completing the educational requirements in subclause 13(1)(a)(i) or (ii) of the Act, Examination

(a) have passed

(i) on or after January 1, 1982, but before January 1, 2015, the CRNE or the NCLEX-RN, or

(ii) on or after January 1, 2015, the NCLEX-RN; or

(b) where the NCLEX-RN is not offered, have attained the minimum standard set for a substitute examination approved or adopted by the Council in accordance with subsection (2).

(2) Where the NCLEX-RN is not offered, the Council may approve or adopt, by resolution, a substitute examination and shall set a minimum standard that a person writing the substitute examination shall attain to pass it. (EC93/06; 765/16) Substitute examination

6.1 (1) For the purposes of clause 13(1)(c) of the Act, an applicant for registration shall, within the five years immediately preceding the date the applicant submits a completed application form under clause 3(1)(a), have Currency of practice

(a) successfully completed the educational requirements in subclause 13(1)(a)(i) or (ii) of the Act; or

(b) lawfully practised and been employed as a registered nurse in a jurisdiction recognized by the Council for a total of at least 1,125 hours.

(2) Where an applicant does not meet the currency of practice requirements in subsection (1), the applicant may demonstrate currency of knowledge and skills for the purposes of clause 13(1)(c) by passing the NCLEX-RN or, where the NCLEX-RN is not offered, a substitute examination approved or adopted by the Council in accordance with subsection 6(2). Alternative where lapse

(3) For greater certainty, subsection (2) is in addition to and separate from the requirements in subsection 6(1). (EC765/16) Clarification of examination requirements

6.2 (1) Where an applicant for registration does not meet the requirements of subsection 6(1) or 6.1(1), the applicant may apply in Application for examination

writing to the Registrar to take the NCLEX-RN or a substitute examination, if applicable, and the Registrar shall permit the applicant to take the examination, if the Registrar is satisfied that the applicant meets all other requirements and qualifications for registration set out in subsection 13(1) of the Act and in these regulations.

Examination results	(2) The Registrar shall notify an applicant for registration who writes the NCLEX-RN or a substitute examination, if applicable, of the results the applicant obtained on the examination as soon as possible after the results are known. (EC765/16)
Required courses	<p>6.3 (1) Subject to subsection (2), for the purposes of clause 13(1)(e) of the Act, an applicant for registration shall have successfully completed, at a school of nursing, the theoretical and clinical components of courses in the subject areas considered by the Council to be prerequisites for registration, including</p> <ul style="list-style-type: none"> (a) medical nursing; (b) obstetrical nursing; (c) paediatric nursing; (d) psychiatric nursing; and (e) surgical nursing.
Applicant with extra-provincial certification	(2) An applicant referred to in subsection 13(1.1) of the Act is deemed to meet the requirements of subsection (1). (EC765/16)
Language tests	7. Where the first language of an applicant for registration is a language other than English, the applicant shall, before he or she may be registered, pass one or more English language proficiency tests, as required by the Council, with the minimum score determined by the Council. (EC93/06)
Offences	8. (1) Subject to subsection (2), an applicant for registration shall not have been found guilty of a criminal offence or an offence under the <i>Controlled Drugs and Substances Act</i> (Canada) or the <i>Food and Drugs Act</i> (Canada).
Exemption	(2) The Council may, on application, exempt an applicant for registration who has been found guilty of a criminal or other offence referred to in subsection (1) from the restriction in that subsection where the Council is satisfied that the offence is not of such a nature and direct relevance to practice that the applicant would pose a danger to clients if registered and allowed to practice. (EC93/06)
Entry of name and number of member in Register	<p>9. (1) The Registrar shall, when entering an applicant in the Register as a member,</p> <ul style="list-style-type: none"> (a) enter the name of the member as it appears on the application form submitted pursuant to subsection 3(1); and

(b) assign to the member a unique registration number and enter the number in the Register.

(2) Where a member notifies the Registrar that the name in which the member practises as a registered nurse has changed to a different name and provides such proof of the lawful use of the different name as the Registrar considers sufficient, the Registrar

(a) shall enter the new name of the member in the Register together with the date on which notice of the new name was provided to the Registrar; and

(b) shall not remove the previous name of the member from the Register.

(3) A member shall not engage in the practise of a registered nurse under a name that is different from the name last entered in the Register for the member.

(4) Where

(a) the Review Committee dismisses a member from the Association and revokes the member's registration; or

(b) a member dies and a notice of the death is received by the Registrar,

the Registrar shall strike the member's name from the Register. (EC93/06)

LICENSES

10. (1) A license authorizes the person who holds the license to engage in the practice of a registered nurse only from its date of issue and until the expiry date stated in the license.

(2) A license is issued validly if the license bears a date of issuance and the Registrar has signed it, and a license that purports to be signed by the Registrar is not invalid merely because the signature is reproduced mechanically or by a stamp, unless the contrary is proved.

(3) The Registrar shall keep, or cause to be kept, a record of all licenses issued.

(4) Where

(a) the Review Committee revokes the license of a member under section 31 of the Act;

(b) a member dies and a notice of the death is received by the Registrar,

the Registrar shall strike the member's name from the record required to be kept under subsection (3). (EC93/06)

- Applications in writing
- 11.** (1) All applications for licenses shall
- (a) be made in writing in a form approved or provided by the Registrar;
 - (b) be dated and signed by the applicant; and
 - (c) be addressed and delivered to the Registrar.
- Verification
- (2) Where an application states a fact and the application form or the Registrar requires that the fact shall be verified by a document submitted to the Registrar by a person other than the applicant, including a government, an institution of learning or a regulatory body, the Registrar may refuse to issue a license to the applicant until the document is submitted by that person to the Registrar.
- Idem*
- (3) Where the Registrar has reasonable grounds to believe that a statement in an application or in a document submitted in support of an application is false, or that the application or document is not authentic, the Registrar may refuse to issue a license to the applicant until the statement, application or document has been verified by such procedure as the Registrar may determine. (EC93/06)
- Council may require evidence of competence
- 12.** (1) The Council may require an applicant for a license to provide evidence, as determined by the Council, to establish that the applicant is competent to be issued a license, and the Council may direct an applicant to take further education and examinations.
- Proof of qualification and competence
- (2) A member who applies for a license shall provide such information and proof as the Registrar may require to establish that the member has the qualifications and competence to practice the profession in a manner that is conducive to the protection of the public in the provision of the professional services of a registered nurse failing which the Registrar shall not issue a license to the applicant. (EC93/06)
- Member not subject of investigation elsewhere
- 13.** (1) A member who applies for a license shall provide such information or evidence as the Registrar may require to establish that the member is not, as of the date of the application, or as of the date when the member would otherwise qualify for a license, a person who is the subject in any jurisdiction of an investigation or proceeding, or who was prior to that time the subject of an investigation or proceeding, in respect of an act that relates to the member's practice as a registered nurse in any jurisdiction or that is derogatory to the honour and dignity of the profession and which, in either case, could have, or has, resulted in a sanction imposed by a proper authority.
- Member was subject to investigation elsewhere
- (2) Where a member who applies for a license is a person who was, prior to the date of the application, the subject of an investigation or proceeding in any jurisdiction in respect to an act referred to in subsection (1) and the member discloses the existence of the

investigation or proceeding and the sanction imposed, if any, in the application, the Registrar may issue the license applied for if the Registrar is satisfied that

- (a) no sanction was imposed on the member as a result of the investigation or proceeding; or
- (b) the Council, with knowledge of the investigation or proceeding and the sanction imposed, if any, has determined that the member is fit to practice and has approved the issuance of a license notwithstanding the investigation or proceeding and the sanction. (EC93/06)

14. (1) A licensed member shall apply for a new license at least two weeks before the expiry of the current license that the licensed member holds or is deemed to hold. Subsequent license applications

- (2) Where an application for a license is made Late fee
 - (a) by a licensed member within two weeks of the expiry of the current license that the licensed member holds or is deemed to hold; or
 - (b) by a member after the expiry of the last license that the member held or was deemed to have held,

the licensed member or member, as the case may be, is liable to pay and shall submit to the Registrar, together with his or her application, the late fee established by the bylaws. (EC93/06)

15. (1) On receipt of an application by a licensed member for a new license, the Registrar may not issue the new license to a licensed member unless the member establishes to the Registrar's satisfaction that the member has, within the five years immediately preceding the date the application is submitted to the Registrar, Required practise or refresher course

- (a) lawfully practised as a registered nurse in any jurisdiction for a cumulative total of 1125 hours;
- (b) has successfully completed a refresher course in nursing that is established or approved by the Council under subsection (2); or
- (c) has graduated from an approved school of nursing.

- (2) For the purposes of clause (1)(b), the Council shall, by resolution, Refresher course
 - (a) establish a refresher course in nursing; or
 - (b) approve as a refresher course in nursing such course that the Council considers appropriate that is offered by a professional organization, university or other person.

- (3) When establishing a refresher course in nursing, the Council may Idem
 - (a) establish the content of the refresher course;
 - (b) determine the fee for the course and to whom the fee shall be paid;

- (c) establish a method of assessment for the successful completion of the refresher course;
- (d) establish a minimum standard for the successful completion of the refresher course;
- (e) determine when a refresher course will be conducted;
- (f) determine who may be a participant in the refresher course; and
- (g) determine who will instruct participants in the refresher course and who will assess their performance. (EC93/06)

Continuing
competence
program

16. (1) The Council shall, for the purpose of maintaining the nursing competence of all licensed members, establish, by resolution, a continuing competence program that promotes the enhancement and application of the knowledge, skills, judgement and personal attributes required for safe, ethical nursing practice in a specific role and setting.

Copy of details of
program to be
provided to
members

(2) The Registrar shall provide a copy of the details and requirements of the continuing competence program to a member on the website of the Association.

Compliance

(3) Unless exempted by the Registrar, every licensed member shall, during the term of the license, comply with or fulfill the requirements of the continuing competence program established under subsection (1).

Supply of
documentation
proving compliance

(4) The Registrar may, before issuing a new license to a licensed member, require the licensed member to provide documentation or evidence satisfactory to the Registrar that indicates that the licensed member has complied with or fulfilled the requirements of the continuing competence program during the term of the licensed member's current license.

Idem

(5) Every licensed member who is required by the Registrar to provide documentation or evidence of compliance with the continuing competence program under subsection (4) shall provide such documentation or evidence prior to making an application for a new license.

Temporary license

(6) Where a licensed member applies for a new license and the licensed member

(a) has been required by the Registrar to provide documentation or evidence of compliance with the continuing competence program under subsection (4); and

(b) has failed to provide that documentation or evidence to the Registrar as required by subsection (5),

the Registrar shall, if the licensed member meets the other requirements of the Act and these regulations, issue a temporary license to the member for a term not exceeding 90 days for the purpose of permitting the

member to provide the documentation or evidence of compliance required by the Registrar.

(7) Where a member who is issued a temporary license under subsection (6) fails to provide the documentation or evidence of compliance with the continuing competence program required by the Registrar during the term of the temporary license, the Registrar may not, subject to the other requirements of the Act and these regulations, issue a further license to the member until the member provides the documentation or evidence of compliance required by the Registrar. (EC93/06)

Failure to comply
within term of
temporary license

RECORDS AND DOCUMENTS

17. Records and documents relating to an application for registration or a license are confidential and shall not be disclosed to any person other than the following, unless Council authorizes such disclosure:

Records and
documents

- (a) the applicant;
- (b) an employee, officer or Council member of the Association, acting in the course of their authority;
- (c) a member of the Review Committee, when acting as such in relation to the applicant;
- (d) participants in a legal proceeding involving the member and the Association; and
- (e) legal counsel to the Association. (EC93/06)

APPLICATIONS OUTSTANDING

18. These regulations apply in respect of an application for registration, or for a license, that was commenced under the former Act and that has not, as of immediately before the date this section comes into force, been granted or refused. (EC93/06)

Applications
outstanding under
former Act

PERMITS

19. (1) The minimum qualifications referred to in clause 17(1)(b) of the Act that an applicant shall have to be issued a permit are the qualifications required for compliance with the following provisions:

Minimum
qualifications

- (a) clause 3(1)(d) of these regulations in which the statement provided from the other jurisdiction indicates that the applicant
 - (i) is not suspended, restricted or disqualified, and
 - (ii) is not involved in a pending proceeding within the meaning of clause 3(1)(d);
- (b) subsection 6.1(1) of these regulations;
- (c) clause 13(1)(d) of the Act.

- Record of expiry of permit (2) The Registrar shall indicate when a permit expires in the record of permits issued that is required to be kept by the Registrar under subsection 17(3) of the Act.
- Revocation of permit (3) Subsection 10(4) applies, with such changes as are necessary, in respect of the revocation of a permit or the death of a member who holds a permit. (EC93/06; 765/16)