

CANADIAN REGULATORY FRAMEWORK FOR REGISTERED NURSES

CNA POSITION

The purpose of professional regulation is to serve and protect the public. The regulation of nurses¹ is carried out to ensure that the Canadian public receives safe and ethical nursing care from competent, qualified registered nurses. Regulation defines the practice of nursing and describes the boundaries within which the nursing profession operates, including the requirements and qualifications to practise the profession.

The Canadian Nurses Association (CNA) believes that the public is best served when nurses are given the legislative mandate to regulate nursing in the interest of the public. Nursing self-regulation recognizes that the profession is best qualified to identify the standards for practice and the professional ethics required to deliver safe, competent and ethical care. Nursing regulation in Canada, carried out through its long history of self-regulation, safeguards patient safety through its capacity to offer clarity and assurance about nurses' competencies and qualifications and to establish, monitor and enforce standards for nursing practice.

Nursing regulation involves many stakeholders working together. These stakeholders include the individual nurse, the nursing profession, governments, the public, other health-care professions and professionals, educational institutions and employers. Consultation, collaboration and communication among these and other groups are imperative to ensure that nursing is being regulated in an effective, efficient and coordinated manner and in the interest of the public.

In Canada, nurses are regulated by the provincial and territorial nursing colleges and/or nursing associations. CNA is committed to advancing the regulation of registered nurses in the interest of the public and to supporting CNA provincial and territorial members in their mandate of public protection.

Regulatory Framework

A comprehensive, proactive regulatory framework is key to maintaining the public's high level of trust in the nursing profession. A framework that supports coordinated regulatory approaches in Canada promotes consistent standards across the country and eliminates barriers to the mobility of nurses across provincial and territorial borders.

CNA believes that the public interest is best served when nursing regulatory bodies adopt a comprehensive regulatory framework that promotes good practice, prevents poor practice and intervenes when unacceptable practice occurs. Public protection is promoted when regulatory frameworks strengthen nursing practice and leadership in all domains of practice, including clinical practice, administration, education and research; when they provide supports to correct and improve practice; and when they focus not only on individual nurses but also on practice environments that support nurses in providing safe, competent and ethical care.

¹ Nurses refers to registered nurses throughout.



An effective regulatory framework supports nurses in maintaining their competence and professional commitment throughout their nursing careers. It is essential that all elements of this regulatory framework be implemented in a fair, transparent and equitable manner.

Key elements

The following are key elements of the Canadian regulatory framework for registered nurses:

Legislative mandate

Governments, in consultation with nursing regulatory bodies and others, create and amend the legislation that governs nursing. Legislation governing nursing may be specific to nursing or it may be “umbrella” legislation that governs all or most health-care professionals in a jurisdiction. Through legislated acts, the provincial and territorial governments have delegated the authority to self-regulate to the nursing profession while ensuring that the profession remains accountable to governments and the public. In many cases, legislation provides for public input into nursing regulation through the inclusion of public members on the boards or councils of nursing regulatory bodies.

Title protection

In Canada, regulatory titles are protected and include registered nurse and RN. Other titles such as nurse, nurse practitioner and NP may or may not be protected according to the legislation of specific jurisdictions. Only individuals currently registered/licensed with a nursing regulatory body may use protected titles. Restricting the use of professional titles allows the public to distinguish between regulated and unregulated professionals.²

Scope of practice

Scope of practice refers to the activities that nurses are educated and authorized to perform as set out in legislation and complemented by standards, guidelines and policy positions of nursing regulatory bodies. Scopes of practice of registered nurses and nurses in expanded roles such as nurse practitioners often overlap with those of other health-care professionals. Scopes of practice need to evolve to respond to changing health-care needs of the public.

Requirements for initial licensure/registration

Criteria for initial licensure/registration for Canadian graduates and for registered nurses from other countries seeking first-time registration/licensure in Canada are set to ensure that the registered nurses entering the profession have the necessary knowledge, judgment, attributes and skills to provide safe, competent and ethical care. Regulatory bodies in consultation with employers, educators, government and others identify the current competency requirements for entry to the profession. Regulatory bodies determine whether a nurse meets the competency requirements by reviewing the nurse’s education and competencies achieved and by requiring successful completion of a nursing registration/licensure exam. Regulatory bodies also establish a nurse’s ability to practise safely and effectively through setting other requirements for registration/licensure such as demonstrating language competency, good character, ethical professional conduct and fitness to practice (i.e., not having health problems or conditions that impair capacity to practise as a registered nurse).

² (Canadian Nurse Practitioner Initiative, 2006)



Standards for nursing practice and ethics

Establishing and enforcing standards for practice, including ethical practice, is also an essential aspect of regulation. Regulatory bodies develop and maintain standards of nursing practice that specify the level of performance expected of registered nurses to provide safe, competent and ethical care. These standards identify what the profession, employers and the public expect of registered nurses. As part of these standards, nurses are also required to practise according to ethical codes, standards or guidelines. In most Canadian jurisdictions, nurses are required to practise according to the CNA *Code of Ethics for Registered Nurses* (2002), which reflects the values of the nursing profession and states nurses' ethical responsibilities.

Continuing competence

Provincial and territorial nursing regulatory bodies also have continuing competence programs to provide a framework for nurses to demonstrate how they have maintained their competence and enhanced their practice.³ Nurses must satisfy continuing competence requirements annually to be eligible to renew their registration/licensure.

Professional conduct review

Regulatory bodies also have professional conduct review programs to investigate and act upon complaints about a nurse's practice. If there is evidence that a nurse's practice is below the benchmark established in the nursing practice standards, a regulatory body will take action.

Evaluation

Evaluating the effectiveness of regulatory approaches is key to ensuring that regulatory mechanisms, policies and practices are viable, appropriate and responsive.⁴ It is essential that nursing regulation be responsive to provincial, territorial, national and global environments and to the changing needs of the Canadian public.

BACKGROUND

Canada's professional regulatory system reflects the uniqueness of the country's federal and provincial/territorial government structure. Our national health system is based on the provisions of the *Canada Health Act* and the principles of primary health care. Health-care delivery, however, is the responsibility of the provincial and territorial governments, as is the regulation of health-care professions.

In most provinces and territories, registered nurses and other categories of nurses, such as licensed practical nurses and, in the western provinces, registered psychiatric nurses, are regulated by separate organizations. In Ontario, the same organization regulates both registered nurses and registered practical nurses.

CNA works with its jurisdictional members on the development of regulatory approaches that are coordinated, consistent, proactive, accountable and value added.⁵ CNA has a long history of providing support to its jurisdictional members in their regulatory work; for example, it has developed the *Code of Ethics for Registered Nurses*,

³ (Canadian Nurses Association, 2007)

⁴ (International Council of Nurses & World Health Organization, 2005)

⁵ (CNA, 2005)

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the Canadian Registered Nurse Exam (CRNE) and the Canadian Nurse Practitioner Exam Family All Ages (CNPE:F/AA). The CNA Certification Program, which offers certification in many specialty areas of nursing, gives national scope to the principle of continuing competence.

To maintain public protection, registered nurses engage in self-regulation as individuals and collectively as a profession. Nurses must be leaders in monitoring regulatory standards and processes and collaborating with other stakeholders to influence positive change and promote quality care.

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International Council of Nurses & World Health Organization. (2005). *Nursing regulation: A futures perspective*. Geneva: Authors.

Also see:

Related CNA Publication:

Regulation and Integration of International Nurse Applicants into the Canadian Health System [position statement] (2005)

Replaces:

Nursing Professional Regulatory Framework (2001)

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