



**THE NEWFOUNDLAND
AND LABRADOR GAZETTE**
EXTRAORDINARY

Part II

PUBLISHED BY AUTHORITY

ST. JOHN'S, TUESDAY, APRIL 30, 2013

**NEWFOUNDLAND AND LABRADOR
REGULATIONS**

NLR 45/13

NLR 46/13

NLR 47/13



**NEWFOUNDLAND AND LABRADOR
REGULATION 45/13**

*Proclamation bringing Act into force
(with respect to Audiologists and Speech-Language Pathologists)
(In force April 30, 2013)
under the
Health Professions Act
(O.C. 2013-110)*

(Filed April 30, 2013)

*ELIZABETH THE SECOND, by the Grace of God of the
United Kingdom, Canada and Her Other Realms and Territories
QUEEN, Head of the Commonwealth, Defender of the Faith.*

FRANK F. FAGAN
Lieutenant Governor

PAUL NOBLE
Deputy Attorney General

TO ALL TO WHOM THESE PRESENTS SHALL COME,

GREETING;

A PROCLAMATION

WHEREAS in and by section 60 of “*An Act Respecting The Regulation of Certain Health Professions*,” SNL2010 CHAPTER H-1.02 (the “Act”) it is provided that the Act shall come into force on a date to be fixed by Proclamation of Our Lieutenant Governor in Council, and it is further provided that the Act may come into force for one or more health professions listed in the Schedule;

AND WHEREAS it is deemed expedient that the Act shall now come into force for the health professions of Audiologists and Speech Language Pathologists;

NOW KNOW YE, THAT WE, by and with the advice of Our Executive Council of Our Province of Newfoundland and Labrador, do by this our Proclamation declare and direct that “*An Act Respecting The Regulation of Certain Health Professions*,” SNL2010 CHAPTER H-1.02 shall come into force for the health professions of Audiologists and Speech-Language Pathologists on April 30, 2013.

*Proclamation bringing Act into force
(with respect to Audiologists and Speech-Language
Pathologists) (In force April 30, 2013)*

45/13

OF ALL WHICH OUR LOVING SUBJECTS AND ALL OTHERS
whom these Presents may concern are hereby required to take notice
and to govern themselves accordingly.

IN TESTIMONY WHEREOF WE have caused these Our Letters to be
made Patent and the Great Seal of Newfoundland and Labrador to be
hereunto affixed.

WITNESS: Our trusty and well-beloved the
Honourable Frank F. Fagan, Member of the Order of
Canada, Chancellor of the Order of Newfoundland and
Labrador, Lieutenant Governor in and for
Our Province of Newfoundland and Labrador.

AT OUR GOVERNMENT HOUSE in Our City
of St. John's this 29th day of April,
in the year of Our Lord two thousand and thirteen
in the sixty-second year of Our Reign.

BY COMMAND,

KEVIN O'BRIEN
Registrar General



**NEWFOUNDLAND AND LABRADOR
REGULATION 46/13**

*Proclamation bringing Act into force
(with respect to Dental Hygienists)
(In force June 1, 2013)
under the
Health Professions Act
(O.C. 2013-110)*

(Filed April 30, 2013)

*ELIZABETH THE SECOND, by the Grace of God of the
United Kingdom, Canada and Her Other Realms and Territories
QUEEN, Head of the Commonwealth, Defender of the Faith.*

FRANK F. FAGAN
Lieutenant Governor

PAUL NOBLE
Deputy Attorney General

TO ALL TO WHOM THESE PRESENTS SHALL COME,

GREETING;

A PROCLAMATION

WHEREAS in and by section 60 of “*An Act Respecting The Regulation of Certain Health Professions*,” SNL2010 CHAPTER H-1.02 (the “Act”) it is provided that the Act shall come into force on a date to be fixed by Proclamation of Our Lieutenant Governor in Council, and it is further provided that the Act may come into force for one or more health professions listed in the Schedule;

AND WHEREAS it is deemed expedient that the Act shall now come into force for the health profession of Dental Hygienists;

NOW KNOW YE, THAT WE, by and with the advice of Our Executive Council of Our Province of Newfoundland and Labrador, do by this our Proclamation declare and direct that “*An Act Respecting The Regulation of Certain Health Professions*,” SNL2010 CHAPTER H-1.02 shall come into force for the health profession of Dental Hygienists on June 1, 2013.

OF ALL WHICH OUR LOVING SUBJECTS AND ALL OTHERS
whom these Presents may concern are hereby required to take notice
and to govern themselves accordingly.

IN TESTIMONY WHEREOF WE have caused these Our Letters to be
made Patent and the Great Seal of Newfoundland and Labrador to be
hereunto affixed.

WITNESS: Our trusty and well-beloved the
Honourable Frank F. Fagan, Member of the Order of
Canada, Chancellor of the Order of Newfoundland and
Labrador, Lieutenant Governor in and for
Our Province of Newfoundland and Labrador.

AT OUR GOVERNMENT HOUSE in Our City
of St. John's this 29th day of April,
in the year of Our Lord two thousand and thirteen
in the sixty-second year of Our Reign.

BY COMMAND,

KEVIN O'BRIEN
Registrar General



**NEWFOUNDLAND AND LABRADOR
REGULATION 47/13**

Audiologists and Speech-Language Pathologists Regulations
under the
Health Professions Act

(Filed April 30, 2013)

Under the authority of section 53 of the *Health Professions Act*, the Newfoundland and Labrador Council of Health Professionals, with the approval of the Minister of Health and Community Services, makes the following regulations.

Dated at St. John's, April 30, 2013.

Leona Lewis
Co-Chairperson of the Council

John Crellin
Co-Chairperson of the Council

Susan Sullivan
Minister of Health and Community Services

REGULATIONS

Analysis

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Short title

1. These regulations may be cited as the *Audiologists and Speech-Language Pathologists Regulations*.

Definitions

2. In these regulations,

- (a) "applicant" means a person who applies to the registration committee for registration as an audiologist or speech-language pathologist;
- (b) "audiologist" means a person who practices audiology and is registered under these regulations;
- (c) "audiology" means the practice of identifying, assessing, diagnosing and treating individuals with peripheral or central hearing loss, tinnitus and balance disorders;
- (d) "college" means the College of Audiologists and Speech-Language Pathologists - Newfoundland and Labrador established under the Act;
- (e) "continuing education" means a continuing education program developed by the college under paragraph 29(3)(b) of the Act;
- (f) "general status" means the status of a member who is registered under section 5;

- (g) "general temporary status" means the status of a member who is registered under section 6;
- (h) "member" means a member of the college;
- (i) "non-practicing status" means the status of a member who is registered under section 7;
- (j) "registration committee" means the committee established under subsection 19(1) of the Act;
- (k) "speech-language pathologist" means a person who practices speech-language pathology and is registered under these regulations; and
- (l) "speech-language pathology" means the practice of identifying, assessing, diagnosing and treating disorders of communication and swallowing.

Members register

3. (1) The register of health professionals maintained by the registrar shall have the following categories for the purpose of registration of members:

- (a) general status;
- (b) general temporary status; and
- (c) non-practicing status.

(2) When a member's name has been added to the register, the registration committee shall issue a certificate of registration which shall be valid for the period of time set out on the certificate and which shall expire at the end of that period, unless renewed or extended in accordance with these regulations.

(3) Upon each renewal of registration, the registration committee shall issue a certificate of registration to the member.

Requirements for registration

4. (1) An applicant shall comply with the following registration requirements:

- (a) submission of a completed application for registration in the form set by the registration committee;

- (b) payment of any required fees; and
- (c) provision of the following information as requested by the registration committee:
 - (i) proof of identity by means of a valid photo identification card issued by the province or another government or other proof of identity acceptable to the registration committee,
 - (ii) a current Certificate of Good Conduct from the Royal Newfoundland Constabulary, Royal Canadian Mounted Police or other appropriate policing agency,
 - (iii) a current Vulnerable Sector Check from the Royal Newfoundland Constabulary, Royal Canadian Mounted Police or other appropriate policing agency,
 - (iv) a written consent for release of information,
 - (v) a declaration stating
 - (A) that the applicant has never been convicted of an offence under the *Criminal Code* (Canada), the *Controlled Drugs and Substances Act* (Canada) or a similar penal statute of another country, or
 - (B) the details of his or her conviction under the *Criminal Code* (Canada), the *Controlled Drugs and Substances Act* (Canada) or a similar penal statute of another country,
 - (vi) proof of professional liability insurance of a type and in an amount acceptable to the council, except where an applicant is applying for registration as a member with a non-practicing status, and
 - (vii) proof of a working knowledge of the English language that the registration committee considers sufficient to enable the person to practice audiology or speech-language pathology in the province.

(2) In addition to the requirements of subsection (1), where an applicant is currently or was previously licensed or registered to practice audiology or speech-language pathology in another jurisdiction, the applicant shall provide a letter of good standing from the licensing or registration body of that jurisdiction which includes confirmation of whether or not the applicant is or has been the subject of investigative or disciplinary proceedings in the jurisdiction and the particulars of those investigative or disciplinary proceedings.

General status

5. (1) Subsections (3) and (4) apply to an applicant who has successfully completed before 2013 an audiology or speech-language pathology program of study approved by the college.

(2) Subsections (5) and (6) apply to an applicant who has successfully completed in or after 2013 an audiology or speech-language pathology program of study approved by the college.

(3) An applicant under subsection (1) is entitled to be registered with a general status where he or she has

(a) complied with the requirements of section 4; and

(b) provided proof of successful completion of an audiology or speech-language pathology program of study approved by the college within the 4 years immediately preceding the application.

(4) Notwithstanding the time period referred to in subsection (3), where at least 4 years have elapsed between the submission of the application for registration and the completion of a program of study referred to in paragraph (3)(b), the applicant shall provide proof that he or she

(a) within the 4 years immediately preceding the application has been employed for at least 1000 hours in the practice of either audiology or speech-language pathology for which registration is sought;

(b) within the 4 years immediately preceding the application has completed a refresher course or re-entry program that is approved by the college respecting the practice of either audiology or speech-language pathology for which registration is sought; or

(c) has agreed to complete a period of practice that will be supervised, in a manner acceptable to the council, by a member of the same health profession who is registered with a general status and whose registration is not subject to conditions or restrictions.

(5) An applicant under subsection (2) is entitled to be registered with a general status where he or she has

(a) complied with the requirements of section 4;

(b) provided proof of successful completion of an audiology or speech-language pathology program of study approved by the college within the 4 years immediately preceding the application; and

(c) provided proof of successful completion of a registration exam approved by the college within the 4 years immediately preceding the application.

(6) Notwithstanding the time periods referred to in subsection (5), where at least 4 years have elapsed between the submission of the application for registration and either the completion of a program of study referred to in paragraph (5)(b) or the completion of the registration exam referred to in paragraph (5)(c) or both, the applicant shall provide proof that he or she, within the 4 years immediately preceding the application,

(a) has been employed for at least 1000 hours in the practice of either audiology or speech-language pathology for which registration is sought;

(b) has completed a refresher course or re-entry program that is approved by the college respecting the practice of either audiology or speech-language pathology for which registration is sought; or

(c) has completed a period of practice that has been supervised, in a manner acceptable to the council, by a member of the same health profession who is registered with a general status and whose registration is not subject to conditions or restrictions.

General temporary
status

6. (1) An applicant under subsection 5(5) who has not successfully completed the registration exam referred to in that subsection is entitled to be registered with a general temporary status where he or she

(a) has complied with the requirements of section 4; and

(b) in the 4 years immediately preceding the application, has successfully completed a program of study referred to in paragraph 5(5)(b).

(2) The registration of a member with a general temporary status is valid for the period of time set by the registration committee and is not subject to renewal but may be extended by the registration committee.

(3) A member registered with a general temporary status shall notify the registration committee of the date on which he or she is scheduled to write the registration exam referred to in paragraph 5(5)(c).

(4) When a member registered with a general temporary status passes the registration exam and continues to comply with the requirements of section 4, he or she shall be registered

(a) with a general status; or

(b) where the member satisfies the registration committee that he or she does not intend to maintain an active practice of audiology or speech-language pathology in the province, with a non-practicing status.

(5) When a member registered with a general temporary status does not pass the registration exam within the period of time set by the registration committee under subsection (2), his or her registration shall expire and may not be further extended.

(6) A member registered with a general temporary status shall not practice audiology or speech-language pathology unless he or she is supervised, in a manner acceptable to the council, by a member of the same health profession who is registered with a general status and whose registration is not subject to conditions or restrictions.

Non-practicing
status

7. (1) An applicant is entitled to be registered as a member with a non-practicing status where he or she

- (a) complies with the requirements of section 5; and
- (b) satisfies the registration committee that he or she does not intend to maintain an active practice of audiology or speech-language pathology in the province.

(2) A member who is registered with a non-practicing status is not required to carry professional liability insurance.

(3) A member who is registered with a non-practicing status shall not engage in the practice of audiology or speech-language pathology.

(4) A non-practicing registration shall expire on the date specified in the certificate of registration.

(5) A member who is registered with a non-practicing status may, while that registration is in effect, make application to the registration committee to have his or her status changed to that of a member with a general status and he or she is entitled to be registered as a member with a general status where the following conditions are met:

- (a) the member pays any required fee;
- (b) the member provides proof of professional liability insurance of a type and in an amount acceptable to the council;
- (c) the member satisfies the continuing education requirements of subsection 9(1); and
- (d) where registration as a member with a non-practicing status has been held for 12 consecutive months or longer, the member continues to meet the requirements of section 4 and the registration committee is satisfied that the applicant has the knowledge, skill and judgement necessary to be registered with a general status.

Conditions and
restrictions

8. (1) The registration committee may attach those conditions or restrictions to a registration that the registration committee considers appropriate, including

- (a) placing limits on the activities the member may perform; and
- (b) setting requirements for supervision of the member which may include specifics on the form or duration of the supervision.

(2) A member shall comply with all conditions and restrictions that are attached to his or her registration by the registration committee.

Continuing education

9. (1) A member shall participate in continuing education as directed by the council.

(2) Where a member who is registered with a general status does not comply with subsection (1), the registration committee may require the member

- (a) to complete a program of continuing education within a specified period of time; or
- (b) to undergo a period of supervised practice.

(3) Where a member who is registered with a non-practicing status does not comply with subsection (1), the registration committee may require the member to complete a program of continuing education within a specified period of time.

Registration renewal

10. (1) The registration committee shall advise each member who is registered with a general status or a non-practicing status of the expiry date of his or her registration and the renewal date applicable to that registration at the time of the initial registration and upon each renewal of that registration.

(2) An application to renew a member's registration shall be made before the expiry date of the member's registration and as directed by the registration committee.

Renewal requirements

11. (1) A member who is registered with a general status or a non-practicing status is entitled, on application to the registration committee, to have his or her registration renewed under section 10 where that member

- (a) provides a written consent for release of information as requested by the registration committee;

- (b) pays the required fees and, except in the case of a member applying for renewal of a non-practicing status, provides proof of professional liability insurance of a type and in an amount acceptable to the registration committee;
- (c) provides proof that he or she
 - (i) has successfully completed an audiology or speech-language pathology program of study, as appropriate, approved by the college within the 4 years immediately preceding the application,
 - (ii) has been employed for at least 1000 hours in the practice of either audiology or speech-language pathology, as appropriate, within the 4 years immediately preceding the application, or
 - (iii) has completed a refresher course or re-entry program that is approved by the college respecting the practice of either audiology or speech-language pathology, as appropriate, within the 4 years immediately preceding the application;
- (d) provides evidence of his or her participation in or completion of continuing education programs and professional development requirements as directed by the council; and
- (e) provides a declaration stating
 - (i) that, within the past year, the member has not been convicted of an offence under the *Criminal Code* (Canada), the *Controlled Drugs and Substances Act* (Canada) or a similar penal statute of another country, or
 - (ii) the details of his or her conviction, within the past year, under the *Criminal Code* (Canada), the *Controlled Drugs and Substances Act* (Canada) or a similar penal statute of another country.

(2) In addition to the requirements of subsection (1), where the member was, within the 12 months immediately preceding the application for renewal of registration, licensed or registered to practice audiology or speech-language pathology in another jurisdiction, the mem-

ber shall provide a letter of good standing from the licensing or registration body of that jurisdiction which includes confirmation of whether or not the member is or has been the subject of investigative or disciplinary proceedings in the jurisdiction and the particulars of those investigative or disciplinary proceedings.

(3) In addition to the requirements of subsection (1), where a member who is registered with a non-practicing status applies to have his or her registration renewed as a member with a general status, he or she shall satisfy the requirements of subsection 7(5).

Failure to renew
registration

12. Where a member registered with a general status or a non-practicing status fails to renew his or her registration on or before the expiry date, his or her registration shall expire and the member's name shall be removed from the register.

Registration after
expiry

13. A member who allows his or her registration to expire and whose name has been removed from the register under section 12 shall, for the purpose of a subsequent registration, meet the requirements imposed on a new applicant and comply with the applicable requirements of these regulations and with any conditions or restrictions attached to the registration by the registration committee under section 8.

Designated titles -
audiologist

14. (1) Only a member who is registered as an audiologist with a general status shall be entitled to use the title "Audiologist" or "Registered Audiologist" or an associated derivation or abbreviation.

(2) Only a member who is registered as an audiologist with a general temporary status shall be entitled to use the title "Audiologist - Temporary" or an associated derivation or abbreviation.

(3) Notwithstanding subsection (1), a member who is registered as an audiologist with a non-practicing status shall be entitled to use the title "Audiologist" or "Registered Audiologist" or an associated derivation or abbreviation and shall indicate in the title that he or she is non-practicing.

Designated titles -
speech language
pathologist

15. (1) Only a member who is registered as a speech language pathologist with a general status shall be entitled to use the title "Speech-Language Pathologist" or "Registered Speech-Language Pathologist" or an associated derivation or abbreviation.

(2) Only a member who is registered as a speech language pathologist with a general temporary status shall be entitled to use the title "Speech-Language Pathologist - Temporary" or an associated derivation or abbreviation.

(3) Notwithstanding subsection (1), a member who is registered as a speech language pathologist with a non-practicing status shall be entitled to use the title "Speech-Language Pathologist" or "Registered Speech-Language Pathologist" or an associated derivation or abbreviation and shall indicate in the title that he or she is non-practicing.

Notification of
changes

16. A member shall notify the council immediately of a change in his or her

(a) mailing address; or

(b) employer.

Commencement

17. These regulations come into force on the day the *Health Professions Act* comes into force with respect to the designated health professions of audiologists and speech language pathologists.

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Extraordinary Gazette Index

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