



# BYLAWS

**Enacted by Council on February 2, 2026**  
**College of LPNs and HCAs of Alberta**

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## 1. DEFINITIONS

1.1 In these Bylaws:

- (a) **“Bylaws”** means Bylaws of the College of Licensed Practical Nurses and Health Care Aides of Alberta.
- (b) **“CEO”** means the Chief Executive Officer and Registrar of the College of Licensed Practical Nurses and Health Care Aides of Alberta.
- (c) **“CLHA”** means the College of Licensed Practice Nurses and Health Care Aides of Alberta.
- (d) **“Consent Resolution Agreement”** means an agreement between the complaints director and a registrant or former registrant made pursuant to section 55(2)(a.1) of the HPA.
- (e) **“Council”** means the governing body of the CLHA established pursuant to section 5 of the HPA.
- (f) **“Council Member”** means a Registrant Council Member or a Public Member of Council.
- (g) **“Criminal Offence”** means an offence under the *Criminal Code of Canada*, the *Cannabis Act*, or the *Controlled Drugs and Substances Act*.
- (h) **“Council Officer”** means the President, Vice-President, and the CEO.
- (i) **“Education Program”** means any current or proposed practical nursing or health care aide program, including entry-level (diploma, refresher) and advanced training programs.
- (j) **“HCA”** means a Health Care Aide.
- (k) **“HPA”** means the *Health Professions Act* of the Province of Alberta.
- (l) **“Labour Mobility Instrument”** means:
  - The Canada Free Trade Agreement;
  - Any other domestic trade agreement entered into by the Government of Alberta;
  - The *Labour Mobility Act*; and
  - Any other Act of Alberta or regulation made thereunder in respect of labour mobility.
- (m) **“Minister”** means the Minister responsible for coordinating appointments of public members under the HPA.
- (n) **“LPN”** means a Licensed Practical Nurse.
- (o) **“Public Council Member”** means a member of the public appointed to Council pursuant to section 13 of the HPA.
- (p) **“Registrant Council Member”** means a registrant of the CLHA appointed to Council pursuant to Bylaw 2.18.
- (q) **“Registrant”** means an LPN or HCA who is a regulated member of the CLHA.
- (r) **“Registrar”** means the CEO of the CLHA when fulfilling the Registrar’s statutory duties under the HPA.
- (s) **“Regulation”** means the *Licensed Practical Nurses and Health Care Aides Profession Regulation*.

## **2.GOVERNANCE**

### **Duties and Powers of Council**

2.1 Council shall exercise all the powers and duties granted to a governing council under the HPA and necessarily incidental to its statutory authority including but not limited to:

- (a) establishing and revising Council policies;
- (b) setting fiscal policies and acting as the trustee of the funds and assets;
- (c) delegating authority and responsibility for implementation of CLHA policies to the CEO and any other individuals as prescribed by the HPA;
- (d) ensuring that CLHA policies are implemented including monitoring policy compliance;
- (e) approving Education Programs; and
- (f) hearing reviews and appeals.

### **Composition of Council**

2.2 The membership of Council is comprised of:

- (a) the following voting members:
  - six Registrant Council Members;
  - six Public Council Members; and
- (b) the following non-voting members:
  - the CEO; and
  - any other non-voting members appointed by a resolution of Council.

2.3 At least one Registrant Council Member must be registered on the general register for LPNs.

2.4 At least one Registrant Council Member must be registered on the general register for HCAs.

### **Eligibility for Appointment as Registrant Council Member**

2.5 A Registrant is eligible to apply for appointment as a Registrant Council Member if the Registrant:

- (a) is registered on the CLHA's general register as either an HCA or LPN;
- (b) is a resident of the Province of Alberta; and
- (c) Has not served as a Registrant Council Member longer than the period set out in Bylaws 2.12 or 2.13.

2.6 Despite Bylaw 2.5, a Registrant is not eligible to be appointed to Council if the Registrant:

- (a) is elected to federal or provincial public office;
- (b) represents HCAs or LPNs in collective bargaining or in proceedings under a collective bargaining agreement;

- (c) is employed by or elected to a position with a union that represents LPNs or HCAs;
- (d) is an officer or senior employee of a professional association that represents members of a regulated health profession;
- (e) is currently a CLHA employee or contracted to provide services to the CLHA or has been an employee or contractor of the CLHA or College of Licensed Practical Nurses of Alberta within the previous two years;
- (f) is employed by or contracted to provide services to another college regulated pursuant to the HPA;
- (g) is the subject of an outstanding complaint pursuant to Part 4 of the HPA that has been referred to a hearing and the proceedings are not concluded;
- (h) has conditions imposed on their practice permit as a result of proceedings under Part 4 of the HPA;
- (i) within the three years immediately before applying for an appointment the Registrant admitted to or was found to have engaged in unprofessional conduct under Part 4 of the HPA or in professional conduct proceedings in any other jurisdiction; or
- (j) within the previous 10 years has been convicted of a Criminal Offence for which a record suspension has not been granted.

## **Appointment of Registrant Council Members**

- 2.7 Council will establish an Appointment Committee to review applications for Registrant Council Member positions, interview candidates, and make recommendations to Council.
- 2.8 The Appointment Committee will consist of the members designated by Council, who will consider the competencies of applicants and Council's needs before making its recommendations.
- 2.9 Council will, after considering the recommendations made by the Appointment Committee, appoint eligible Registrants to fill vacant Council positions.
- 2.10 If a Registrant Council Member resigns before concluding the term of their appointment, Council may appoint a successor for the remainder of the term, or for a longer term to a maximum of three years.

## **Terms of Registrant Council Members**

- 2.11 Council will, when appointing Registrant Council Members, establish the term of their appointment to a maximum of three years.
- 2.12 Unless a Registrant Council Member is elected as a Council Officer, they may not be appointed to serve for more than six consecutive years.
- 2.13 Despite Bylaw 2.12, if following an election Council appoints a Registrant Council Member to serve as a Council Officer, Council may re-appoint the Registrant Council Member for an additional term to a maximum of three years.

## **Conduct of Council Members**

2.14 Council Members must:

- (a) conduct themselves in an ethical and professional manner;
- (b) adhere to the CLHA's policies applicable to Council Members, including the Code of Conduct; and
- (c) act in a manner that is consistent with the public interest and the objectives of the CLHA.

## **Council Officers**

2.15 The following are the officers of Council:

- (a) the President;
- (b) the Vice-President; and
- (c) the CEO.

## **Eligibility to Serve as President and Vice-President**

2.16 A Registrant Council Member or a Public Council Member are eligible to serve as President or Vice-President.

## **Appointment of President and Vice-President**

2.17 The President and Vice-President are appointed by Council resolution following an election to be conducted in accordance with policy and procedures adopted by Council.

## **Term of Appointment for Council Officers**

2.18 Subject to Bylaw 2.13, when Council appoints the President and Vice-President, the resolution appointing them must specify the term of the appointment, which will not exceed three years.

## **Vacancy Before End of Term**

2.19 If the office of the President or Vice-President becomes vacant before the end of the term, Council may:

- (a) appoint a Council Member to serve as President or Vice-President for the remainder of the term; or
- (b) appoint a new President or Vice-President following an election in accordance with Bylaw 2.17.

## **Powers of Council Officers**

2.20 The President:

- (a) provides overall leadership to Council;
- (b) ensures the integrity of Council governance process;
- (c) presides at all meetings of Council;

- (d) calls meetings of Council if necessary or desirable;
- (e) carries out the functions of the President in accordance with the HPA; and
- (f) performs other duties as Council may direct from time to time.

2.21 The Vice-President:

- (a) performs all duties of the President if the President is absent or unavailable to fulfill their duties; and
- (b) upon request of the President, performs any powers and duties of the President.

2.22 The CEO:

- (a) implements policy established by Council;
- (b) creates and implements operational policies;
- (c) oversees the administration of the CLHA;
- (d) reports to and takes direction from Council; and
- (e) carries out the duties and functions of the Registrar under the HPA, unless otherwise delegated.

2.23 Council Officers may carry out any other duties or powers as directed by Council from time to time.

## **Council Meetings**

2.24 Council shall hold regularly scheduled meetings a minimum of four times per year.

2.25 Special meetings may also be called:

- (a) by the President; or
- (b) at the request of three Council Members, who must provide notice to the President of their request for a special meeting.

2.26 Council meetings may be held:

- (a) in person with technology to permit the attendance of Council Members unable to attend in person; or
- (b) exclusively using conferencing technology for all attendees that allows all persons attending to hear and be heard.

## **Quorum**

2.27 Quorum for a Council meeting consists of a majority of Council Members appointed to Council.

2.28 Where there is a vacancy on Council for one or more of the following reasons, the vacant position will not be counted for the purposes of determining quorum if:

- (a) the Council Member is suspended;
- (b) the Council Member has been terminated or resigned and the vacancy has not yet been filled; or

- (c) there are one or more vacant Public Council Member positions and the Lieutenant Governor in Council has not yet appointed a member of the public to fill the position.

## **Access to Council Meetings**

- 2.29 Except when Council otherwise directs, Council meetings are open to the public.
- 2.30 Notice of a desire to attend shall be made to the CEO at least three days in advance of a Council meeting.
- 2.31 Meetings or parts of meetings may be closed or held *in camera* when Council deems appropriate.

## **Voting**

- 2.32 Voting on matters by Council may be conducted:
  - (a) at a meeting of Council; or
  - (b) with the authorization of the President by mail, email, a vote conducted during a teleconference, or by any other means.
- 2.33 Unless otherwise provided in these Bylaws, a decision shall be made by a majority vote of the Council Members participating in the vote, provided that the number of votes cast meets quorum.
- 2.34 Subject to Bylaw 2.2(b), all Council Members, including the President, shall be entitled to one vote.
- 2.35 In the event of a tie vote:
  - (a) the motion is considered to have failed; and
  - (b) a Council Member who voted against the motion may move to have further deliberations and a subsequent additional vote on the motion.

## **Resignation**

- 2.36 A Registrant Council Member must resign if they no longer meet the eligibility requirements specified in Bylaws 2.5 and 2.6.
- 2.37 A Registrant Council Member may resign prior to the end of their term by submitting written notice of resignation to the President.
- 2.38 A Public Council Member may resign prior to the end of their term by submitting written notice of resignation to the Minister and providing a copy of the notice to the President.

## **Termination of Registrant Council Members**

- 2.39 Council may, by a two-thirds vote, remove a Registrant Council Member if, after following the procedures established in Council policy, Council determines that the Registrant Council Member:

- (a) no longer meets the eligibility requirements in Bylaws 2.5 and 2.6 but has refused to resign;
- (b) has failed to comply with the CLHA's policies, including the Code of Conduct applicable to Council Members; or
- (c) has otherwise acted in a manner that undermines the CLHA and its objectives.

### **Recommendation for Removal of Public Council Members**

2.40 Council may, by a two-thirds vote, after following the procedures established in Council policy, recommend to the Minister that the appointment of a Public Member be rescinded if Council determines that the Public Council Member has:

- (a) been convicted of a Criminal Offence for which a record suspension has not been granted;
- (b) failed to adhere to the CLHA's policies, including the Code of Conduct applicable to Council Members; or
- (c) has otherwise acted in a manner that undermines the CLHA and its objectives.

### **Suspension of Participation in Council**

2.41 Council may, by a two-thirds vote, after following the procedures established in Council policy, temporarily prohibit a Council Member from acting on behalf of Council or attending or participating in a meeting of Council if:

- (a) the Council Member has been charged with a Criminal Offence, but the criminal proceedings have not yet concluded or been stayed;
- (b) Council is investigating an allegation that the Council Member has breached CLHA's policies including the Code of Conduct for Council Members or has acted in a manner that undermines the CLHA and its objectives, but no findings have been made; or
- (c) the Registrant Council Member is the subject of a complaint of unprofessional conduct under Part 4 of the HPA, and the proceedings have not yet been concluded.

### **3.APPROVAL OF EDUCATION PROGRAMS**

#### **Education Standards Advisory Committee**

- 3.1 Council establishes the Education Standards Advisory Committee (ESAC).
- 3.2 ESAC will provide recommendations to Council regarding:
  - (a) adoption of program approval standards and indicators;
  - (b) approval of new Education Programs, with or without conditions;
  - (c) approval of changes in the existing approval status of Education Programs;
  - (d) rescinding approval of Education Programs; or
  - (e) imposing conditions or providing warnings to Education Programs.

#### **Determination by Council**

- 3.3 After considering ESAC's recommendations, Council will determine all matters referred to in Bylaw 3.2.

## 4. REGISTRATION AND RENEWAL

- 4.1 The Registrar will consider completed applications for registration, applications for renewal of practice permits, or applications for reinstatement and will determine whether to approve (with or without conditions), defer, or refuse the application.
- 4.2 In addition to the information referred to in the HPA and the Bylaws, the Registrar may request any additional information from an applicant or Registrant they consider relevant with respect to registration, renewal, or reinstatement.
- 4.3 The Registrar may, in their sole discretion, refer any application for registration, renewal of a practice permit, or reinstatement to the Competence Committee for determination.

### Information

- 4.4 In addition to information required to be provided pursuant to the HPA, an applicant must provide the following information when requested by the Registrar:
  - (a) full legal name;
  - (b) previous legal name(s) or aliases;
  - (c) year of registration;
  - (d) areas of practice;
  - (e) advanced authorizations;
  - (f) name of current employers;
  - (g) contact information, including:
    - home and employment/business address;
    - personal and business email address; and
    - personal and employment/business phone number;
  - (h) date of birth;
  - (i) gender;
  - (j) education, training, and experience, including:
    - degrees, diplomas, certificates or other programs completed;
    - educational institutions attended and entry and graduation dates;
    - professional examinations undertaken, including unsuccessful completions; and
    - credential verification including any identifier code;
  - (k) employment and practice information including:
    - employer names and contact information;
    - names and contact information for supervisors and supervisees;
    - practice locations;
    - date of commencement and termination of employment; and
    - employment status and hours worked;
  - (l) confirmation of previous or current registrations with any other professional regulatory organization or professional association in Alberta or any jurisdiction;

- (m) information collected by:
  - a workforce planning entity, or
  - any other health information statistics entity; and
- (n) any other information the Registrar considers relevant.

## **Labour Mobility Applicants and Equivalent Jurisdictions**

4.5 Subject to any exceptions under a Labour Mobility Instrument:

- (a) an applicant for registration as an LPN may provide evidence of competence to practice if they are currently registered with another practical nurse regulator in any province or territory in Canada; and
- (b) an applicant for registration as an HCA may provide evidence of competence to practice if they are:
  - registered as a Personal Support Worker in Ontario;
  - registered as a Certified Continuing Care Assistant in Nova Scotia; or
  - enrolled in the British Columbia Care Aide & Community Health Worker Registry.

## **English Language Proficiency**

4.6 An applicant must be sufficiently proficient in the English language to be able to provide professional services safely and competently in English.

4.7 An applicant must provide evidence of English language proficiency in accordance with requirements approved by the Registrar, which may include one or more of the following:

- (a) evidence of attaining a minimum score established by the Registrar on one of the English language proficiency tests approved by the Registrar;
- (b) evidence of completion of nursing or health care aide education or other education in English;
- (c) evidence of providing health care services to patients primarily in English within the previous two years;
- (d) current registration in another Canadian jurisdiction that has already determined that the applicant meets English language proficiency requirements; or
- (e) any other information requested by the Registrar.

## **Good Character and Reputation**

4.8 In addition to the information referred to in the HPA, an applicant must provide any additional information requested by the Registrar to determine good character and reputation.

## **Professional Liability Insurance**

4.9 An applicant for registration or renewal must provide evidence of adequate professional liability insurance upon request.

4.10 A policy of professional liability insurance must:

- (a) specifically identify whether the policy applies to the HCA or LPN profession;
- (b) include coverage for:
  - errors and omissions (general malpractice) with a liability limit of at least \$2,000,000 per occurrence and \$5,000,000 aggregate; and
  - disciplinary expenses with a liability limit of at least \$50,000 per occurrence and annual aggregate;
- (c) insure the applicant personally (not through the employer); and
- (d) insure the applicant until at least the end of the current registration year.

### **Deadline to Apply for Renewal**

4.11 The registration year of the CLHA is December 1<sup>st</sup> to November 30<sup>th</sup>.

4.12 Registrants must submit a completed application for renewal of a practice permit during the annual renewal period:

- (a) commencing on a date in September each year determined by the Registrar; and
- (b) no later than the following November 30<sup>th</sup>.

4.13 If approved, a practice permit will be effective following the renewal period commencing December 1<sup>st</sup>.

### **Requirements for Renewal of a Practice Permit**

4.14 In addition to renewal fees established by Council, and in addition to any information referred to in the HPA, a Registrant must submit the following information to the Registrar when applying for renewal of a practice permit:

- (a) information referred to in Bylaw 4.4;
- (b) evidence of good character and reputation referred to in Bylaw 4.8; and
- (c) evidence of adequate professional liability insurance referred to in Bylaw 4.9.

### **Suspension and Cancellation of Practice Permit**

4.15 A Registrant whose complete application for a practice permit and practice permit fee is not received by November 30<sup>th</sup> will have their practice permit suspended effective December 1<sup>st</sup> until they have met all outstanding requirements for permit renewal.

4.16 Where a Registrant's practice permit is suspended due to failure to renew, the practice permit may be cancelled in accordance with the HPA.

4.17 If a Registrant's practice permit has been suspended due to failure to renew by the deadline, but the practice permit has not yet been cancelled, the Registrant's practice permit may be reinstated upon:

- (a) meeting all outstanding requirements for practice permit renewal; and
- (b) paying any fees and arrears, including a late fee as required.

## **Reinstatement of Former Registrants**

4.18 If a Registrant's registration and practice permit has been cancelled, except under Part 4 of the HPA, the former Registrant may apply to have their registration and practice permit reinstated by submitting a reinstatement application and demonstrating that they meet eligibility requirements for registration or renewal in effect at the time of the application.

## **Notification of Change of Information**

4.19 A Registrant must notify the Registrar as soon as reasonably practicable if there are any changes to information provided when applying for initial registration or renewal of their practice permit, including:

- (a) any changes to information referred to in Bylaw 4.4;
- (b) cancellation or modification of professional liability insurance;
- (c) information that is relevant to the assessment of good character and reputation, including whether the Registrant:
  - has been charged or convicted of a criminal offence;
  - is the subject of a complaint alleging unprofessional conduct in another jurisdiction in which the Registrant is registered; and
- (d) information that is relevant to the Registrant's fitness to practice.

## **5. PROFESSIONAL CONDUCT**

### **Appointment of Hearings Director and Complaints Director**

5.1 Council delegates its authority to appoint a Hearings Director and a Complaints Director to the CEO.

### **Membership List**

5.2 Council shall appoint no fewer than 16 Registrants to the membership list to be used for both Hearing Tribunals and Complaint Review Committees.

5.3 Registrants who meet eligibility requirements determined by Council may be appointed to the membership list for a term of two years, or such other period as determined by Council.

5.4 Registrants are eligible to be re-appointed to the membership list for two additional consecutive terms, to a maximum of six consecutive years.

5.5 No person appointed to the membership list shall be a member of the:

- (a) Competence Committee;
- (b) Education Standards Advisory Committee;
- (c) Council Appointments Committee; or
- (d) Council.

### **Procedures**

5.6 Subject to the HPA, a Hearing Tribunal and Complaint Review Committee can determine its own procedures.

### **Complaint Review Committee**

5.7 Upon receiving a request for review of a dismissal of a complaint, the Hearings Director will establish a Complaint Review Committee to consider the request for review.

5.8 A quorum of a Complaint Review Committee is:

- (a) at least one Registrant selected from the membership list; and
- (b) at least two public members appointed to the public member list pursuant to section 13(1)(b) of the HPA.

5.9 The Hearings Director shall designate a member of the Complaint Review Committee as Chair.

5.10 A decision of a Complaint Review Committee shall be by a majority vote.

## **Hearing Tribunal**

- 5.11 The Hearings Director will establish a Hearing Tribunal after receiving a referral for a hearing.
- 5.12 The Hearings Director shall designate a member of the Hearing Tribunal as Chair.
- 5.13 A quorum of a Hearing Tribunal is:
  - (a) at least one Registrant selected from the membership list; and
  - (b) at least two public members from the public member list pursuant to section 13(1)(b) of the HPA.
- 5.14 The Hearings Director may not appoint any person to a Hearing Tribunal if they were appointed to the Complaint Review Committee with respect to the same matter.
- 5.15 A decision of a Hearing Tribunal shall be by a majority vote.

## **Interim Orders and Stays of Hearing Tribunal Decisions**

- 5.16 The CEO is the person designated by Council to:
  - (a) make interim orders pursuant to section 65(1) of the HPA to impose conditions on a practice permit or suspend the practice permit pending completion of the conduct proceedings under Part 4 of the HPA; and
  - (b) determine whether to stay a decision of a Hearing Tribunal pending appeal in accordance with section 86 of the HPA.

## **6. COUNCIL APPEALS AND REVIEWS**

### **Panel of Council**

- 6.1    Reviews and appeals of the following decisions made pursuant to the HPA will be considered by a Panel of Council:
  - (a) Reviews of decisions regarding applications for registration under section 31;
  - (b) Reviews of decisions regarding application for renewal of practice permits under section 41;
  - (c) Reviews of decisions regarding application for reinstatement under section 45.1(7);
  - (d) Appeals of decisions of a Hearing Tribunal under sections 87 to 89;
  - (e) Appeals of directions regarding incapacity under section 118(6); and
  - (f) Applications to vary an Order under section 93 of the HPA.
- 6.2    The Panel of Council will be appointed by the Hearings Director from amongst the Council Members as a whole and the Hearings Director will designate a member of the Panel to act as the Chair.
- 6.3    A quorum of a Panel of Council is:
  - (a) at least one Registrant Council Member; and
  - (b) at least two Public Council Members.
- 6.4    A decision of a Panel of Council is by a majority vote.

## **7.COMMITTEES**

### **Statutory Committees**

7.1 The Competence Committee is established.

### **Other Committees**

7.2 Council may in its discretion establish additional non-statutory committees not referred to in these Bylaws.

### **Terms of Reference**

7.3 Council may enact Terms of Reference establishing the powers, procedures, and composition for any statutory or non-statutory Committee, provided it is not inconsistent with the HPA or the Bylaws.

## **8.ADMINISTRATION**

### **Fiscal Year**

8.1 The Fiscal Year of the CLHA is December 1<sup>st</sup> to November 30<sup>th</sup>.

### **Fees**

8.2 Council may establish fees, costs, levies, or assessments for the following:

- (a) applications for registration and advanced practice;
- (b) examinations;
- (c) fees related to Education Programs including:
  - new program application fees (including refresher programs, advanced practice programs and brokered diploma programs);
  - annual fees;
  - scheduled or unscheduled program reviews; and
  - any other fees relating to program approvals;
- (d) renewal or reinstatement of registration and practice permits;
- (e) reviews or appeals of any decisions under the HPA; and
- (f) other fees, costs, levies, or assessments considered necessary.

8.3 If Council increases the fees referred to in Bylaw 8.2, it will provide at least 60 days' notice of its intention to do so by notice on the CLHA website or by notifying the affected parties or institutions.

### **Forms**

8.4 The Registrar may prescribe any forms, certificates, permits, or other documents that may be required for the purposes of the HPA, Regulation, or these Bylaws.

### **Removal of Information**

8.5 The Registrar may remove or correct information in the register if the information:

- (a) was entered due to a misrepresentation or omission by an applicant or Registrant;
- (b) was entered due to a clerical error; or
- (c) is no longer accurate.

### **Notices**

8.6 Unless otherwise required under an enactment of Alberta or Canada, any document or notice required to be given under the HPA or the Bylaws may be given by:

- (a) personal service;
- (b) postal mail;
- (c) courier or other form of recorded mail;
- (d) electronic mail;
- (e) posting on the CLHA's website; or

(f) any other means that may be available for transmission provided such means is reliable.

### **Electronic Signature**

8.7 Unless otherwise required by law, a requirement for a document to be signed may be satisfied by an electronic signature that reliably identifies the person signing.

### **Conduct Information**

8.8 In addition to information authorized or required to be disclosed or published pursuant to the HPA, the Hearings Director may publish on the CLHA's website or distribute to any person additional information regarding a complaint, a direction to cease practice, or a hearing including:

- (a) the date and location of a hearing or appeal;
- (b) the name of the Registrant alleged to have engaged in unprofessional conduct;
- (c) the allegations that are the subject of the hearing or the appeal;
- (d) the Hearing Tribunal or Panel of Council's written decision(s);
- (e) written decisions imposing interim conditions or an interim suspension; and
- (f) consent Resolution Agreements pursuant to section 55(2)(a.1) or ratified settlements under section 60(2);
- (g) an order made under section 65(2) of the HPA;
- (h) a stay made under section 86(1) of the HPA;
- (i) a direction made under section 118(4) of the HPA; and
- (j) decisions issued by a Court.

### **Additional Information**

8.9 In addition to information authorized or required to be published pursuant to the HPA, the CEO may publish on the CLHA's website or distribute to any person additional information including:

- (a) information about the CLHA including governance, operations, and regulation;
- (b) general information about the LPN and HCA professions;
- (c) employer verification of the status of an LPN or HCA;
- (d) notices to Registrants or potential applicants;
- (e) information about Registrants referred to in section 33 of the HPA;
- (f) any other demographic information about Registrants submitted to the Registrar;
- (g) notices to the public in respect of the approval status of a program of study, including:
  - whether approval of a program of study has been withdrawn or suspended;
  - any conditions imposed on the operations of a program of study;
- (h) notices to the profession; and
- (i) any other information relevant to the CLHA's operations.

- 8.10 Except as otherwise provided in the Bylaws or in Council policy, all operational powers of the CLHA may be exercised by the CEO or their delegate.
- 8.11 Subject to any limitations in the HPA, any person or committee to whom a power or duty is given under the HPA or the Bylaws may delegate the power or to one or more persons or committees, with or without conditions.
- 8.12 A reference in the HPA or the Bylaws to Council, an officer, person, or a committee includes any delegate of Council, an officer, person, or committee.

## **9. LIABILITY AND INDEMNITY**

- 9.1 Every Council Member and Officer of the CLPNA, in exercising their powers and discharging their duties, will act honestly and in good with a view to the best interests of the CLHA and exercise the care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances.
- 9.2 Subject to Bylaw 9.1, no Council Member or Officer shall be liable for the acts, receipts, neglects, or defaults of any other Council Member or Officer or employee; or for joining in any receipt or other act for conformity; or for any loss, damage or expense happening to the CLHA through the insufficiency or deficiency of title to any property acquired for on behalf of the CLHA; or for the deficiency of any security in or upon which any monies of the CLHA shall be invested; or for any loss or damage arising from bankruptcy, insolvency, or tortious acts of any person with whom any of the monies, securities or effects of the CLHA shall be deposited; or for any loss occasioned by an error of judgment or oversight on their part; or for any other loss, damage or misfortune that occurs in the execution of their duties.
- 9.3 The CLHA shall indemnify a current or former Council Member, committee, or tribunal member, officer, agent or employee of the CLHA, and their heirs and legal representatives, against all costs, charges, fees and expenses, including an amount paid to settle an action or satisfy a judgment, reasonably incurred by them in respect of any civil, criminal, or administrative action or proceeding to which they are made a party by reason of being or having been a Council Member or Officer, committee or tribunal member, officer, agent, or employee of the CLHA provided that they carried out their duties:
  - (a) in good faith; and
  - (b) pursuant to the HPA, an order of the Minister, the Bylaws or any direction of Council.
- 9.4 The CLHA shall also indemnify such person in such other circumstances as the HPA permits or requires.
- 9.5 Nothing in this Bylaw limits the right of any person entitled to indemnity to claim indemnity apart from the provisions of this Bylaw.

## **10. BYLAWS, STANDARDS OF PRACTICE, AND CODE OF ETHICS**

- 10.1 The CEO may develop and propose a Code of Ethics and Standards of Practice in accordance with the procedures set out in section 133 of the HPA and in accordance with procedures adopted by Council.
- 10.2 No resolution making or amending a Code of Ethics, Standards of Practice, or Bylaws is valid unless it is supported by a two-thirds majority of Council Members present and voting.