



COLLEGE OF
LICENSED PRACTICAL NURSES
OF ALBERTA

Policy

Personal Declaration for Registration Requirements

Revised: January 9, 2020



This document is linked to legislation:

[Health Professions Act](#)
[Licensed Practical Nurses Profession Regulation](#)

This document is linked to other documents that direct expectations of professional behaviour or requirements for practice:

[Standards of Practice](#)
[Code of Ethics](#)
[Professional Responsibility and Responsibility](#)

This document is linked to related supportive documents:

[Incapacity under the HPA](#)
[Duty to Report](#)

REVISIONS and UPDATES

Update September 2015
Editorial Update January 2020

The legislative mandate of the College of Licensed Practical Nurses of Alberta (CLPNA) is to serve and protect the public by ensuring its members deliver safe, competent and ethical nursing care. A CLPNA Policy outlines requirements and expected behaviours that will be monitored and enforced.

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INTRODUCTION The College of Licensed Practical Nurses (CLPNA) is mandated to regulate the profession in the public interest. In fulfilling its duty, the College requires that all applicants complete a Personal Declaration as part of the application process to register with CLPNA. “Applicants” in this policy document refers to individuals seeking initial registration with the College and regulated members already registered with CLPNA. The Personal Declaration provides the College with the supportive evidence required to determine applicant eligibility for initial registration, reinstatement¹ and registration renewal.

Under the *Health Professions Act, Section 28(1)(e)*¹ and *Licensed Practical Nurses Profession Regulation, Section 10 and 24(a)*² applicants are required to provide evidence of having good character and reputation, in partial fulfillment of the requirements for registration. This evidence is derived from the applicants’ self-reporting of their standing with another regulatory body and of information regarding their criminal record information.

Partial fulfillment of the requirements for registration also includes the applicant’s declaration of fitness to practice. This evidence is derived from the applicants’ self-reporting of any physical or mental condition or disorder that may impair the ability to provide safe, competent and ethical care.

PURPOSE The purpose of this practice policy is to establish CLPNA’s directive on the Personal Declaration for Registration Requirements, and to provide applicants with requisite accountabilities and responsibilities that are clearly defined.

POLICY All applicants applying for *initial registration* whether in-province, out-of-province or out-of-country, and all regulated members applying for *registration renewal* or *reinstatement* are required to declare to the College:

- any investigation, proceeding or discipline by another regulatory body
- any current charges for a criminal offence
- any pleading of guilty or of being found guilty of a criminal offence for which a pardon has not been granted
- any physical or mental condition or disorder that may impair the ability to provide safe, competent and ethical care, and whether the applicant is under the care of a physician or healthcare team and is following medical advice

Each series of questions are asked separately, and additional information will be required from the applicant for all “yes” responses. The information is reviewed and assessed by the Registrar or designate on a case-by-case basis.

Applicants are ethically required to answer the Personal Declaration honestly. Any untrue statements will be grounds to refuse an application for initial registration or registration renewal or, if discovered after registration, for disciplinary action.

Declaring Good Character and Reputation

Investigation, Proceeding, or Discipline for Unprofessional Conduct

Applicants who are under investigation, are the subject of a proceeding, or have been disciplined by another regulatory body are required to declare this information to the College. This registration requirement is in accordance with the *Health Professions Act, Section 28(1)(e)* and the *Licensed Practical Nurses Profession Regulation, Section 10(b)*. ‘Regulatory body’ in this section of the Personal Declaration includes a regulator of any profession in any jurisdiction in any province, territory or country.

Applicants answering “yes” on the declaration will be asked to provide additional information at the

¹ The term “reinstatement” in this Policy does not include applicants seeking reinstatement after cancellation of their registration and practice permit in the unprofessional conduct process. The Licensed Practical Nurses Profession Regulation includes a separate reinstatement process for those applicants. The term “reinstatement” does refer to applicants whose practice permit and registration have been cancelled due to lapse in completing the application and/or payment of registration fees.



request of the Registrar or designate. The information required includes:

- record of the hearing or decision at which the applicant's registration and practice permit were cancelled, revoked, suspended, or denied
- evidence that any conditions imposed at the time of cancellation have, or have not, been met
- evidence that the applicant is fit to practice and is not a threat to public safety

It is the applicant's responsibility to ensure information from the regulatory body comes directly to CLPNA's Registrar. In reviewing the application for registration, the College will consider the facts and findings, and assess whether the application for registration is:

- approved
- deferred until any conditions, if imposed, can be met
- refused

Convictions for Criminal Offence

Under the *Health Professions Act, Section 28(1)(e)* and the *Licensed Practical Nurses Profession Regulation, Section 10(c) and 24(a)*, applicants are required to report on their criminal record information. A criminal offence can refer to shoplifting, impaired driving, theft, fraud, sex offence and other offences. Conviction for a criminal offence appears on a person's criminal record. Applicants applying for registration must declare any current criminal charges and if they have pleaded guilty or have been found guilty of a criminal conviction for which a pardon has not been granted. If pardoned, the applicant is not required to disclose information.

For cases where a criminal charge or conviction has been declared, the College requires submission of the following information:

- a statement from the applicant describing the circumstances of the conviction and/or criminal offence and of all rehabilitation or self-improvement activities

- evidence of payment of fine and completion of probation or sentence
- a recent original criminal record check

In reviewing the file, the College will consider the facts and findings on a case-by-case basis to determine eligibility for registration and if any practice restrictions must be imposed.

Declaring Fitness to Practice

Physical or Mental Condition or Disorder

The *Code of Ethics and Standards of Practice*³ for the profession inherently require that an applicant is fit to practice practical nursing and does not pose a risk to public safety.

In the *Health Professions Act, Section 1(1)(s)*, incapacity is legally defined as "suffering from a physical, mental or emotional condition or disorder or an addiction to alcohol or drugs or other chemicals that impairs the ability to provide professional services in a safe and competent manner."⁴

CLPNA requires all applicants to declare any physical or mental condition or disorder that may impair their ability to provide safe, competent and ethical care. These conditions can include mental illness, physical illness, substance abuse and addictions. CLPNA requires that applicants declare if they are under the care of physician or healthcare team and if they are following medical advice.

Applicants who answer "yes" to having a physical or mental condition or disorder, and "yes" to being under medical care and to following medical advice, may be contacted by CLPNA to discuss their specific situation.

For cases where applicants answer "yes" to having a physical or mental condition or disorder, and "no" to being under the care of a physician or healthcare team or to following medical advice, the Registrar or designate will request additional information before a decision can be made to determine eligibility for registration, and under what conditions, if any. A decision will be made considering the facts on a case-by-case basis.



The *Health Professions Act, Section 28(3)* enables Colleges to have the initial registration applicant undergo a physical or mental examination if it is of the opinion that the applicant, practicing as a regulated member, would create a danger to the public or be unsafe because of a physical, mental or emotional disability or incapacity.⁵

Section 118 of the *Health Professions Act* provides that the College can also require physical or mental examinations for regulated members, including those applying for renewal, if the Complaints Director has grounds to believe that the regulated member is incapacitated.

It is expected by CLPNA that applicants who declare a physical or mental condition or disorder that impairs their ability to provide safe, competent and ethical care, would not be actively practicing in any setting that would put their clients at risk. It is unethical for LPNs to practice while unsafe to do so.

REFERENCES

¹ *Health Professions Act*, RSA 2000, c H-7.

² *Licensed Practical Nurses Profession Regulation*, Alta Reg 81/2003.

³ Canadian Council for Practical Nurse Regulators (CCPNR), *Standards of Practice for Licensed Practical Nurses in Canada* (2013), http://www.clpna.com/wp-content/uploads/2013/02/doc_CCPNR_CLPNA_Standards_of_Practice.pdf; CCPNR, *Code of Ethics for Licensed Practical Nurses in Canada* (2013), http://www.clpna.com/wp-content/uploads/2013/02/doc_CCPNR_CLPNA_Code_of_Ethics.pdf.

⁴ *Health Professions Act*, RSA 2000 c H-7, s 1(1)(s).

⁵ *Health Professions Act*, RSA 2000, c H-7.