

---

---

# **RULES**

## **PARAMEDIC ASSOCIATION OF NEW BRUNSWICK**

---

---

**RULES  
PARAMEDIC ASSOCIATION OF NEW BRUNSWICK  
TABLE OF CONTENTS**

	<u>PAGE</u>
 <b><u>DEFINITIONS</u></b>	
“Offence” or “charge” or “conviction” .....	1
 <b><u>PART 1 – REGISTRATION REQUIREMENTS</u></b>	
Initial Registration and Renewal of Registration - Proof of Good Character.....	1
Late Registration Fee and Unauthorized Practice Fees .....	3
Applicants from Other Jurisdictions .....	4
Emergency Temporary Registration Requirements.....	5
 <b><u>PART 2 – COMPLAINTS &amp; DISCIPLINE</u></b>	
Procedures for Registrar to Review Potential Complaints .....	7
Alternate Complaint Resolution Process .....	8
Writs of Subpoena.....	9
 <b><u>PART 3 – ANNUAL GENERAL MEETING</u></b>	
Annual General Meeting.....	10
Electronic Meetings and Electronic Voting.....	11
 <b><u>PART 4 – SCOPE OF PRACTICE REQUIREMENTS</u></b>	
Scope of Practice Requirements .....	11

## **DEFINITIONS**

Unless the context otherwise requires, any words used in these rules which are defined in the Act or the by-laws shall have the meaning set out in the Act or by-laws as the case may be.

“Offence” or “charge” or “conviction” respectively mean an offence or charge or conviction under the *Criminal Code of Canada* or under any other federal statute of Canada, including but not limited to the *Controlled Drugs and Substances Act*, or an offence, charge or conviction in respect of similar statutes in any jurisdiction outside of Canada.

## **PART 1 - REGISTRATION REQUIREMENTS**

### **Initial Registration and Renewal of Registration - Proof of Good Character**

1.01 All applicants for initial registration or initial temporary registration, and all renewal applicants who have responded yes to the question(s) on the renewal application respecting offences, charges and convictions, must satisfy the Registrar of his/her good character. The applicant must provide evidence of good character which includes but may not be limited to:

- (a) a completed “Applicant Information on Charges and Offences” form, including a current Criminal Record Check with vulnerable sector screening as specified in the form, if:
  - (i) the answer(s) respecting offences, charges or convictions on the application is yes, or
  - (ii) the Criminal Record Check submitted by an applicant for initial registration discloses charges or convictions;
- (b) satisfactory references from present or previous employers, or in the case of a student, verification of successful completion of an approved paramedic program by the program director or that person’s designate;
- (c) no record of outstanding charges or convictions relevant to the practice of paramedicine and membership in the Association;
- (d) no record of outstanding investigations or other disciplinary proceedings; and
- (e) no history of dishonest behaviour or misrepresentation on an application for membership.

1.02 An applicant with one or more outstanding charges or convictions for an offence is assessed according to the following criteria to determine eligibility for membership and shall provide such information as the Registrar requires:

- (a) the nature of the behaviour for which the charge or conviction was made, and, if repeated the threat to patient safety and to the employer's ability to operate safely and efficiently;
- (b) the circumstances of the charge or conviction and the particulars of the offence(s) involved; and
- (c) in the case of a conviction, efforts made at rehabilitation, likelihood of recurrences, and accomplishments of the individual since the conviction.

1.03 Subject to 1.04 below, applicants who are serving or subject to a sentence, which includes parole, suspended sentence, house arrest, conditional and absolute discharge, probation or other incomplete disposition by a court for an offence are not eligible for membership.

1.04 Notwithstanding 1.03 the Registrar may approve applicants for registration or temporary registration or renewal with outstanding charges or convictions:

- (a) if all of the following criteria are met:
  - (i) satisfactory references;
  - (ii) in the case of a conviction documentation supporting that the applicant has been of good character since the conviction;
  - (iii) there are no special circumstances that lead the Registrar to reasonably believe the applicant is not of good character; and
  - (iv) the conviction or charge is for impaired driving, theft under \$1000, or is marijuana-related (exclusive of trafficking).
- (b) in the case of a conviction for an offence other than the offences mentioned in 1.04(iv) above,
  - (i) there are no outstanding conditions such as completion of sentence, probationary period, suspension, etc. that lead the Registrar to reasonably believe the applicant should not be practising paramedicine until the completion of such sentence, probationary period, suspension, etc., and;
  - (ii) there are no circumstances that lead the Registrar to reasonably believe that the registration of the applicant would constitute a danger to the public or would adversely affect the good name of the Association or the paramedic profession.

## **Late Registration Fee and Unauthorized Practice Fees**

- 1.05 All applicants for renewal of registration who fail to register by the date required in any year shall not be eligible for registration until the applicant has complied with all other requirements for registration and has paid the following fees in amounts determined by the Board by resolution from time to time:
- (a) a late registration fee; and
  - (b) if the applicant has practised in New Brunswick while unregistered:
    - (i) registration fees for the period during which the applicant practised without being registered; and
    - (ii) unauthorized practice fees in amounts determined by the Board by resolution from time to time.
- 1.06 If an applicant has failed to renew registration when required and has practised while unauthorized two or more times, the Registrar shall forward a complaint against the member to the Complaints Committee for unauthorized practice and failure to comply with the Act and the by-laws.

[June 22, 2016]

- 1.07 An applicant for renewal of registration who fails to register and pay all applicable fees, including the required late registration fee and any applicable unauthorized practice fees, by January 15<sup>th</sup> in any given year shall not be eligible to be registered until the applicant has completed the entry-to-practice examination and paid the required examination fee. [April 11, 2018]
- 1.08 If an applicant has paid the examination fee required under 1.07, the applicant is not required to pay the late registration fee. [April 11, 2018]

### **1.09 Readmission**

A former member may apply for readmission to membership as follows:

- (a) Lapsed or inactive status for less than 2 calendar years:
  - (i) pay the registration fee and any late registration or unauthorized practice fee;
  - (ii) complete the entry-to-practice examination;
  - (iii) submit a completed Reactivation of Registration form;

- (iv) submit, from an approved source, an Enhanced Police Information Check (E-Pic) performed within 60 days from the date of the examination; and
  - (v) submit proof of valid Health Care CPR level C (must be issued within the last 12 months).
- (b) Lapsed or inactive status for more than 2 but less than 5 calendar years:
- (i) complete a refresher program that incorporates a clinical and preceptorship component;
  - (ii) pay the registration fee;
  - (iii) complete the entry-to-practice examination;
  - (iv) submit a completed Reactivation of Registration form;
  - (v) submit, from an approved source, an Enhanced Police Information Check (E-Pic) performed within 60 days from the date of the examination; and
  - (vi) submit proof of valid Health Care CPR level C (must be issued within the last 12 months).
- (c) Lapsed or inactive status for more than 5 calendar years:
- (i) complete a new paramedic certificate program; and
  - (ii) applicants are treated as new graduates to the profession.

[April 11, 2018]

### **Applicants from Other Jurisdictions**

1.10 Effective June 1, 2017 all new applicants for registration who are or were registered in a jurisdiction other than New Brunswick or who have obtained their paramedic training in another jurisdiction and whose practice registration or training in such other jurisdiction did not include the full scope of practice, functions and tasks set out in the most recent National Competency Profile for Primary Care Paramedics referred to in By-law 14.02(b)(vi) shall:

- (a) be restricted and limited from practising the elements of the scope of practice, functions and tasks of a Primary Care Paramedic for which the applicant has not been previously registered or trained (the “restrictions”);
- (b) be issued a licence containing the relevant restrictions on his or her right to practise; and

- (c) provide evidence satisfactory to the Registrar of the completion of the training necessary to have the restrictions removed within 12 months of the date of initial registration.

1.11 The registration of a member who fails to complete the necessary training within 12 months of initial registration to have the restrictions removed as provided in 1.10, shall be suspended automatically until he or she provides evidence satisfactory to the Registrar of the completion of the training necessary to have the restrictions removed.

[June 8, 2017]

### **Emergency Temporary Registration Requirements**

1.12 For the purposes of this rule:

“direct supervision” means supervision of a temporary member by a Qualified Supervisor on the same premises or in close proximity to the temporary member being supervised such that the temporary member may receive direction and guidance without undue delay and can also include supervision at a distance, through electronic means such as interactive video, audio, computer and telecommunications technology where the contact is in real time and interactive;

“indirect supervision” may include a variety of techniques including telephone communications, reviewing of Patient Care Records and follow up meetings with the supervised member or such other means as the Registrar may determine;

“Qualified Supervisor” means a registered paramedic who has at least 12 months of experience or another health professional regulated under an Act of the Legislature of the Province of New Brunswick as designated by the Registrar from time to time;

“Registrar” is the Registrar of the Paramedic Association of New Brunswick and in this rule includes the Deputy Registrar.

1.13 Notwithstanding any other provisions of the by-laws and the rules, the following provisions apply to temporary registrations from March 24, 2020, until amended or repealed by the Board or the Executive Committee:

(a) Subject to 1.17, all applicants for temporary registration shall:

- (i) submit a completed Application for Temporary Registration in the form approved by the Registrar from time to time;
- (ii) provide a copy of a valid CPR level C card issued within the preceding year;

- (iii) provide a current (within the last 60 days) copy of a criminal background check (including a vulnerable sector screening);
  - (iv) provide proof of professional liability insurance individually, or be employed by an employer providing liability coverage for the temporary member, to the satisfaction of the Registrar;
  - (v) have no record of outstanding charges or convictions relevant to the practice of paramedicine and membership in the Association;
  - (vi) have no record of outstanding investigations or other disciplinary proceedings; and
  - (vii) have no history of dishonest behaviour or misrepresentation on an application for membership.
- (b) Applicants who retired or became inactive more than 2 years before the date of application shall successfully complete the entry-to-practice exam. There shall be no fee associated with the exam.

#### 1.14 **Direct Supervision**

- (a) Temporary members in the following categories will be required to practise under the direct supervision of a Qualified Supervisor:
- (i) retired or inactive members who have retired or became inactive more than 2 years before the date of application; and
  - (ii) students who successfully completed didactic and simulated preceptorship portions of their training but not clinical preceptorship.

#### **Indirect Supervision**

- (b) Temporary members who are students who have successfully completed the didactic, clinical and preceptorship portions of their training will be required to practise under the indirect supervision of a Qualified Supervisor.

- 1.15 (a) Subject to the requirements for direct or indirect supervision set out for the categories of temporary members referred to in 1.14(a) and (b), and any requirements, conditions, limitations or restrictions imposed under 1.17, temporary members shall be entitled to practise the full scope of practice of a primary care paramedic.
- (b) Retired and inactive members who have been retired or inactive for less than 2 years do not require any supervision.

- 1.16 There is no fee for temporary registration under this rule.
- 1.17 The Registrar shall have the discretion to require further information from any applicant, to refuse any application for temporary registration and to impose further requirements, conditions, limitations or restrictions the Registrar deems necessary to protect patient and public safety.
- 1.18 If the Registrar has reasonable grounds to believe that the continued registration of a temporary member could result in a danger or risk to patient safety or the protection of the public, the Registrar may in the Registrar's absolute discretion and without notice revoke a temporary registration issued under this rule. The Registrar may consult with such persons the Registrar deems appropriate when making a determination on whether a temporary registration issued under this rule should be revoked.

[March 24, 2020]

## **PART 2 – COMPLAINTS & DISCIPLINE**

### **Procedures for Registrar to Review Potential Complaints**

- 2.01 The Registrar shall, upon receiving a potential complaint, review the documents and information received to determine whether the potential complaint meets the definition of a complaint under section 23(1) of the Act, and whether in substance it alleges that the member is guilty of conduct listed in paragraph 24(1)(a) or in substance it alleges that a member is suffering from an ailment or condition as described in 24(1)(b).
- 2.02 The Registrar shall, upon receiving a potential complaint, make such enquiries and obtain such information as the Registrar deems necessary in order to determine if the potential complaint in substance warrants further consideration in respect of the member and, in making such decision, shall consider:
- (a) if the potential complaint is frivolous or vexatious; and
  - (b) if there is insufficient evidence of actions or conduct of the member who is the subject of the potential complaint to be considered.
- 2.03 If the Registrar determines, after considering the requirements of this Rule, and after consulting with the Chairperson of the Complaints Committee, that the potential complaint does not warrant further consideration, the Registrar may dismiss the potential complaint and so advise the member and the complainant of the Registrar's decision.

[May 1, 2016]

## **Alternate Complaint Resolution Process**

- 2.04 Pursuant to paragraph 26(7)(c) and subsection 26(12) of the *Paramedic Act*, a proposal to resolve a complaint and the issues arising from a complaint may be considered by the Discipline or Fitness to Practise Committee (hereinafter in sections 2.04 to 2.09 referred to as the “Committee”) provided it is tendered in writing to the other party, includes an admission or admissions by the member to one or more of the allegations set out in the complaint and arising from the documents submitted in respect of the complaint, and contains the member’s consent to a specified order, conditional upon the acceptance of the proposal by the Committee.
- 2.05 If the member, the complainant and the Association’s Registrar are in agreement with a resolution proposal tendered, the proposal shall be forwarded to the applicable Committee for consideration.
- 2.06 In preparing a resolution proposal, the parties, if agreeable, may use a mediator, and the costs of the mediator shall be divided as agreed by the member and the complainant.
- 2.07 The Committee may, in its discretion, accept a resolution proposal if satisfied that:
- (a) the public is protected;
  - (b) the member’s conduct or its causes can be, or have been, successfully remedied or treated, and if appropriate, the member is likely to successfully pursue remediation or treatment; and
  - (c) the resolution proposal is in the best interests of the public and the profession.
- 2.08 If the Committee accepts a resolution proposal,
- (a) the proposal shall form part of the decision and order of the Committee made in accordance with the provisions of the *Paramedic Act*, disposing of the complaint; and
  - (b) there shall be no hearing before the Committee.
- 2.09 If the Committee does not accept a resolution proposal, it may suggest amendments to the proposal and return it to the parties for review and
- (a) if both parties do not agree with the amendments to the proposal, the proposal shall be deemed to be rejected and the matter shall be referred to another panel of the Committee for a hearing, or
  - (b) if both parties agree with the amendments to the proposal, the proposal shall be sent back to the Committee, which may
    - (i) accept the amended proposal, or

- (ii) reject the amended proposal and refer the matter to another panel of the Committee for a hearing.
- (c) Where a proposal is rejected by the Committee, the hearing before another panel of the Committee shall proceed without reference to the proposal or any admissions contained in the proposal.

[June 3, 2020]

### **Writs of Subpoena**

- 2.10 The Registrar may create and adopt application forms for subpoenas under subsection 27(1) of the *Paramedic Act*. The fee for such application by a party or party's legal counsel under paragraph 27(1)(a) is \$75.00 per witness.
- 2.11 The prescribed form of Writ of Subpoena under subsection 27(1) of the *Paramedic Act* is as set out below, with such modifications which may be made by the Registrar from time to time as necessary in the circumstances of any particular case.

[April 19, 2021]

### **Subpoena to Witness to Attend and Produce Documents**

IN THE MATTER OF A COMPLAINT respecting \_\_\_\_\_  
[*Member's name*] pursuant to the *Paramedic Act*, SNB 2006, c 33.

### **WRIT OF SUBPOENA AD TESTIFICANDUM AND SUBPOENA DUCES TECUM**

TO: \_\_\_\_\_ [*Name of Witness*]  
\_\_\_\_\_ [*Address of Witness*]

**YOU ARE REQUIRED TO ATTEND** before the Discipline Committee/Fitness to Practice Committee [*choose one*] of the Paramedic Association of New Brunswick at [*location*], Fredericton, New Brunswick, on the [*day*] day of [*month*], 20\_\_, at the hour of [*time*] o'clock in the [*fore/after*]noon, and so from day to day until the above-mentioned complaint is heard, to give evidence before the said Committee and also to bring with you and produce at the time and place aforesaid the following:

- (a) [*List specific documents if any – if no specific documents known, use (b)*];  
and
- (b) any and all other documents in your possession or control relating to the subject matter [*insert details*].

**IF YOU FAIL TO ATTEND** or to remain in attendance at the time and place aforesaid as required by this Writ, proceedings may be taken against you pursuant to subsection 27(2) of the *Paramedic Act* and an order may be issued compelling your attendance.

This Writ is signed by the Registrar of the Paramedic Association of New Brunswick, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

---

Registrar of the Paramedic Association  
of New Brunswick

This Writ is issued pursuant to subsection 27(1) of the *Paramedic Act* upon the application of \_\_\_\_\_ [*Name of applicant*].

[April 19, 2021]

### **PART 3 – ANNUAL GENERAL MEETING**

- 3.01 In the event of a public health crisis or similar exceptional circumstance which makes it unlawful or impractical to hold the AGM in-person, the AGM may proceed, in whole or in part, virtually on such electronic platform as may be determined by the Board. The place where the Chairperson is located shall be deemed to be the place of the meeting.
- 3.02 The Board shall select an electronic platform that permits communication among participants and is able to accommodate a similar number of participants as an in-person AGM.
- 3.03 Only persons who register shall be permitted to attend the virtual AGM. Registration of members will be prioritized over students, observers and guests.
- 3.04 All participants will be required to provide a valid email address at the time of registration to which information and technical instructions relating to the AGM will be sent.
- 3.05 The rules shall be modified as follows for a virtual AGM:
  - (a) The agenda containing the order of business shall be electronically distributed to all registered participants at least 72 hours in advance of the AGM, along with instructions as to how to connect to the virtual platform.
  - (b) Any resolutions arising from the business of the AGM as set out in the agenda must be emailed to the Chairperson by 3:00 p.m. on the day prior to the AGM.

- (c) The virtual platform shall provide a mechanism for participants to ask questions and to speak to motions or resolutions. The Chairperson is responsible for electronically assigning the floor and for limiting the debate.
  - (d) Voting upon resolutions shall occur by secure electronic means either during or immediately following the AGM. Only members who register and attend the AGM shall be eligible to vote. Eligible voters may vote electronically on their own behalf in a manner to be set out in the instructions to be forwarded under Rule 3.04. Eligible voters may also vote on behalf of any members for whom they were appointed as proxies in accordance with the by-laws and rules, with such modifications as may be necessary, and any instructions issued under Rule 3.04.
- 3.06 Except as otherwise provided in this Rule, the virtual AGM shall be conducted as far as possible in accordance with the by-laws and rules applicable to an in-person AGM, with such modifications as are reasonably necessary to accommodate the virtual format and any technical limitations of the virtual platform.

### **Electronic Meetings and Electronic Voting**

- 3.07 The Association, Board and any committee of the Board or of the Association may conduct meetings by electronic communication facilities in the manner and on the terms and conditions approved the Board by resolution from time to time or as set out in the rules and persons participating in a meeting by such means shall be deemed to be present in person at that meeting.
- 3.08 Notwithstanding the provisions of By-law 6 and any other provisions of the by-laws, in addition to voting in person or by proxy at a meeting of the Association in accordance with the by-laws, voting on any question at a meeting of the Association and voting for the election of any officer or director of the Association may be conducted by a system of electronic voting approved by the Board by resolution from time to time or as set out in the rules.

[September 16, 2020]

### **PART 4 – SCOPE OF PRACTICE REQUIREMENTS**

- 4.01 No paramedic shall practise outside their scope of practice.
- 4.02 Subject to the by-laws and the rules, registered members may carry out and perform the scope of practice, functions and tasks set out in the most recent National Competency Profile for Primary Care Paramedics issued by the Paramedic Association of Canada.
- 4.03 Subject to the by-laws and the rules, registered members may administer antiemetics so long as they complete the educational and training requirements for the administration of antiemetics approved by the Board from time to time.

[October 14, 2020]

4.04 Subject to the by-laws and the rules, registered members may administer immunizations so long as they complete the educational and training requirements for the administration of immunizations approved by the Board from time to time.

[February 1, 2021]

**LIST OF REVISIONS  
TO THE RULES OF THE  
PARAMEDIC ASSOCIATION OF NEW BRUNSWICK**

Initial Date of Publication: September 5, 2014

<b>Date of Revision [Board Approval]</b>	<b>Numbers of Revised Rules</b>
September 5, 2014	Definitions Part 1 – Initial Registration and Renewal of Registration – Proof of Good Character – <u>Rules 1.01 to 1.04</u> (Doc # 4128-6704-6935.4)
Revised July 26, 2016 [June 22, 2016] [May 1, 2016]	Part 1 – Late Registration Fee and Unauthorized Practice Fees – <u>Rules 1.05 to 1.06</u> Part 2 – Procedures for Registrar to Review Potential Complaints – <u>Rules 2.01 to 2.03</u> (Doc # 4128-6704-6935.6)
Revised June 16, 2017 [June 8, 2017]	Part 1 – Applicants from Other Jurisdictions – <u>Rules 1.10 &amp; 1.11</u> (Doc # 4128-6704-6935.7)
Revised January 20, 2020 [April 11, 2018]	Part 1 – <u>Rules 1.07, 1.08 and 1.09</u> (Doc # 4128-6704-6935.8)
Revised March 24, 2020 [March 24, 2020]	Part 1 – Emergency Temporary Registration Requirements – <u>Rules 1.12 to 1.18</u> (Doc # 4128-6704-6935.9)
Revised June 8, 2020 [June 3, 2020]	Part 2 – Alternate Complaint Resolution Process – <u>Rules 2.04 to 2.09</u> (Doc # 4128-6704-6935.10)
Revised October 1, 2020 [September 16, 2020]	Part 3 – Annual General Meeting – <u>Rules 3.01 to 3.08</u> (Doc # 4128-6704-6935.11)
Revised February 10, 2021 [October 14, 2020]	Part 4 – Scope of Practice Requirements – <u>Rules 4.01 to 4.03</u> (Doc # 4128-6704-6935.12)
Revised February 10, 2021 [February 1, 2021]	Part 4 – Scope of Practice Requirements – <u>Rule 4.04</u> (Doc # 4128-6704-6935.12)
Revised April 26, 2021 [April 19, 2021]	Part 2 – Writs of Subpoena – <u>Rules 2.10, 2.11 and form of Writ of Subpoena</u> (Doc # 4128-6704-6935.13)