

## NSCN Reinstatement Committee Terms of Reference



In accordance with the requirements of the *Nursing Act*, S.N.S. 2019, c.8, and the by-laws made thereunder, the NSCN Board shall appoint a Reinstatement Committee composed of:

- At least one (1) public representative;
- At least one (1) registrant from each designation regulated by the College; and
- Such other number of registrants and public representatives as the Board determines.

### **Committee Membership\***

Committee composition will be at least five (5) members, including a minimum of:

- One (1) licensed practical nurse;
- One (1) registered nurse;
- One (1) nurse practitioner; and
- Two (2) public representatives.

The Board shall appoint the Chair of the Reinstatement Committee, and may appoint a Vice Chair.

### **Term of Office**

Committee members hold office for one (1), two (2) or three (3) year terms as directed by the Board, and are eligible for reappointment.

Registrant members who have a complaint filed against them shall recuse their membership on the Committee unless the Chair determines otherwise.

### **Quorum**

Pursuant to the *Nursing Act*, a quorum of the committee shall consist of three (3) Committee members, at least one of whom must be a public representative.

### **Mandate**

The Reinstatement Committee is established by the *Nursing Act* to exercise the powers and functions as provided for in the Act, Regulations and By-laws, including without limitation the following activities:

- Review applications for reinstatement of registration and licence following revocation of the registration or licence of a registrant, in accordance with the *Nursing Act*, regulations, by-laws and policies;

- Where needed in the performance of its mandate, exercise the powers, privileges and immunities of a commissioner under the *Public Inquiries Act*, except the powers of contempt, arrest and imprisonment;
- Set the date, time and place of hearings of reinstatement applications;
- Determine the extent to which hearings are open to the public;
- Conduct hearings to review reinstatement applications in accordance with the processes set out in the *Nursing Act*, regulations, by-laws and policies;
- After considering the evidence and the representations from the parties, the Committee must:
  - do one of the following:
    - accept the reinstatement application;
    - accept the reinstatement application with restrictions and/or conditions; or
    - reject the reinstatement application;
  - render a written decision with reasons as soon as practical after the completion of the hearing;
  - direct the manner of publication of the Committee's decision;
  - assess costs, if any, to be paid by the applicant;
- If the application is rejected the Committee must consider the timing of any subsequent applications for reinstatement from the applicant.

In addition, the Chair of the Committee, or Vice-Chair acting as chair in the absence of the Chair, is responsible for chairing meetings of the Committee, and ensuring written decisions are complete, include sufficient reasons.

### **Criteria for Membership**

- For the initial Committee formed at the time of the proclamation of the *Nursing Act*, members must have been a member of a regulatory committee, board or council of the CLPNNS or CRNNS at the time of proclamation.
- No committee member may be a member of the NSCN Board or an employee of NSCN.

### *\*Additional Criteria for Registrant Members\*:*

- A registrant must hold a licence at the time of initial appointment to the Committee (the time they are first appointed to the Committee, not including any reappointments).
- Registrants whose licences expire while serving on the Committee, who do not renew those licences, remain eligible to serve on the Committee until the expiry of their term.
- Such registrants may be eligible for reappointment if the overall composition of the Committee ensures sufficient numbers of licensed registrants are available to meet the requirements of the By-laws.

- Generally, a registrant who has not held a licence for a period of five years, will not be eligible for reappointment.

*Additional Skills for Chair and Vice Chair:*

- The Chair must have experience conducting meetings, previous experience in holding hearings and be able to write comprehensive decisions incorporating reasons for decisions. Prior legal experience is preferred.

Approved: June 5, 2019  
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