

NSCN PROFESSIONAL CONDUCT COMMITTEE

Chair Directive on Appointment of Panels



Panel Composition

Per section 84 of the Act, where a matter is referred to the Professional Conduct Committee, the Chair shall appoint a panel to act as the committee.

Per section 84 of the Act and section 17 of the By-laws, the panel must be composed of at least 3 members of the committee, including:

- at least one public representative;
- at least one registrant with the same designation as the respondent.

In an application for consent revocation or where a settlement agreement is referred for consideration by the Professional Conduct Committee, unless otherwise directed by the Chair, a panel will be composed of 3 members, constituted as follows:

- one public representative;
- one registrant with the same designation as the respondent;
- one registrant with any designation.

In a hearing before the Professional Conduct Committee, unless otherwise directed by the Chair, a panel will be composed of 5 members, constituted as follows:

- one public representative;
- three registrants with the same designation as the respondent;
- one committee member who may be a public representative or a registrant with any designation.

The Chair retains the discretion (subject to the requirements of the Act and By-laws) to appoint a greater or, in the case of a hearing, lesser number of members to the panel, or to change the membership composition as the Chair considers appropriate in the circumstances.

Panel Appointment Procedure:

The Chair directs that the following procedure will typically be followed in appointing a panel. The Chair retains discretion to modify or depart from this procedure as the Chair considers appropriate in the circumstances.

1. Upon receipt of a referral, the Chair will be contacted to direct the appointment of a panel to act as the Committee. (In the absence of the Chair, the Vice Chair shall act as Chair.)
2. The Chair will either direct that:
 - An existing panel will be appointed to act as the Committee; or
 - A new panel will be appointed in accordance with the rotation appointment process below.
3. Where practicable, the Chair will give preference to referring a matter to an existing panel in order to promote efficiency and effective use of resources.

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Rotation Appointment Process

4. NSCN will develop an alphabetical master list of all members for each committee.
5. The Chair will determine whether he/she shall sit on a particular panel. If the Chair sits on the panel, he/she shall act as chair of the panel. If the Chair of the Committee is not available to sit on the panel, the Vice-chair of the Committee will be given the opportunity to sit on the panel and act as Chair of the panel.
 - If neither the Chair nor the Vice-chair sits on the panel, the Chair of the Committee shall appoint a chair from the appointed panel members.
 - Where the Chair or Vice-chair sits on the panel, he/she fulfills the composition requirement for one member of their designation (public representative, LPN, RN, or NP).
6. Staff are directed to select the panel members (or the remaining panel members where the Chair or Vice-chair sits on the panel) as follows:
 - Begin with the first person on the alphabetical master list whose name immediately follows the name of the last person who was appointed to a panel.
 - That person will be appointed to the panel if he/she:
 - Meets the composition requirements of a vacant panel position; and
 - Confirms availability to sit on the panel.
 - If that person:
 - Does not meet the composition requirements of a vacant panel position;
 - Cannot be reasonably contacted; or
 - Is not available to sit on the panel,he/she will not be appointed to the panel and staff will consider the next person on the alphabetical list.
 - Staff will follow this same process until the requisite number and composition of panel members are appointed.
7. Staff are to document the following for each matter referred to Committee:
 - Date the Chair is contacted and whether the Chair is available to sit on the panel.
 - If the Vice Chair is contacted: Date of contact, and whether the Vice Chair is available to sit on the panel.
 - Directions provided to staff regarding panel appointment.
 - Time and date each committee member is considered/contacted.
 - If the member is not contacted, include the rationale.
 - If the member is contacted, record whether he/she is available to sit on the panel.