



NOVA SCOTIA REGULATOR OF
RESPIRATORY THERAPY
— NSRRT —

Nova Scotia Regulator of Respiratory Therapy Bylaws

Implementation Date: November 1, 2025

Revised:

ACKNOWLEDGEMENT

The Nova Scotia Regulator of Respiratory Therapy acknowledges that we are in Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaq People and pays respect to the Indigenous knowledges held by the Mi'kmaq People, and to the wisdom of their Elders past and present.

The Mi'kmaq People signed Peace and Friendship Treaties with the Crown, and section 35 of the Constitution Act, 1982 recognizes and affirms Aboriginal and Treaty rights. We are all Treaty people.

The Regulator of Respiratory Therapy also acknowledges the histories, contributions, and legacies of African Nova Scotians, who have been here for over 400 years.

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1. DEFINITIONS

1.1 All words used in these bylaws that are not otherwise defined in the bylaws have the same meaning as set out in the Act or regulations.

1.2 In these bylaws, unless the context requires:

- a) **“Act”** refers to the *Regulated Health Professions Act*, SNS 2023, c13;
- b) **“Board,”** when used in these bylaws includes the Initial Board and Subsequent Boards, unless the Initial Board or Subsequent Board is specifically identified;
- c) **“Board Code of Conduct”** means the policy approved by the Board governing the conduct of Board members;
- d) **“Board Composition Matrix”** means the list of competencies, qualities and other criteria approved by the Board to describe the collective desired composition of the Board;
- e) **“Chair”** means the Chair of the initial board, the chair of the subsequent board or the chair of a committee, as the context requires.”
- f) **“Good standing”** for purposes of eligibility of a registrant to serve on the Board or a committee, means the status of a registrant who:
 - I. holds a practising licence or a conditional licence, unless there is a condition on the licence restricting the registrant from eligibility to serve on the Board or committee,
 - II. is current in their continuing competence requirements,
 - III. does not owe any outstanding fees or costs to the Regulator, and
 - IV. is not subject to any licensing sanction or ongoing regulatory process that in the opinion of the Board, impacts their ability to ethically and competently serve as a member of the Board or a committee, or would otherwise be contrary to the objects of the Regulator
- g) **“Initial Board”** means the Board of the Regulator continued from the Legacy Board following the date of repeal of the *Respiratory Therapists Act*, SNS 2007, c. 13;
- h) **“Legacy Board”** means the Board of the Nova Scotia College of Respiratory Therapists in existence immediately prior to the repeal of the *Respiratory Therapists Act*, SNS 2007, c. 13;
- i) **“Meeting Rules”** means such rules approved by the Board that govern the conduct of Board meetings that are not inconsistent with these bylaws;

- j) **"Officer"** or **"officers"** means any 1 or more persons, respectively, who have been appointed as officers of the Regulator, and includes the Chair, Vice-Chair, and Treasurer;
- k) **"Regulations"** include the *Regulated Health Professions General Regulations* and the *Respiratory Therapy Regulations* approved by Order in Council under the authority of the *Regulated Health Professions Act*; SNS 2023, c13;
- l) **"Reserved Practice"** means an activity, procedure or service within the scope of practice of the profession of respiratory therapy that involves sufficient risk to clients that the Board requires licensed individuals to have additional board approved education, training or other requirements beyond an entry to practice level, and requires approval of the Registrar before an individual registrant may engage in the activity, procedure or service;
- m) **"Subsequent Board"** includes each Board appointed after the expiry of the term of the Initial Board;
- n) **"Vice-Chair"** means the Vice-Chair of the Initial Board or any Subsequent Board, as the context requires.

2. CORPORATE SEAL

- 2.1 The seal of the Regulator shall have the words "Nova Scotia Regulator of Respiratory Therapy" endorsed thereon.

3. HEAD OFFICE

- 3.1 The head office of the Regulator shall be maintained within the province of Nova Scotia and located as to reasonably carry on the business of the Regulator.

4. FORMS

- 4.1 Any forms required pursuant to the Act, regulations or by-laws shall be as approved by the Registrar.

5. APPOINTMENTS COMMITTEE

- 5.1 The Board shall establish an Appointments Committee comprised of at least three (3) Members.
- 5.2 The Board shall appoint:
 - a) members of the Appointments committee for a two-year term.
 - b) one of the members as chair of the Appointments Committee.
- 5.3 The Appointments Committee shall act in accordance with its Terms of Reference approved by the Board.

6. INITIAL BOARD

- 6.1 The Initial Board shall consist of the members of the Legacy Board.
- 6.2 The officers of the Initial Board are the Chair, Vice-Chair and Treasurer who occupied those positions in the Legacy Board.
- 6.3 The quorum for the Initial Board is a majority of its members, which must include at least one public representative.
- 6.4 Where a vacancy occurs due to the resignation, removal or otherwise of a registrant member of the Initial Board prior to the expiration of the term of the Initial Board, that vacancy may be filled with a registrant in good standing appointed by the Initial Board.
- 6.5 A registrant appointed by the Initial Board to fill a vacant position of a registrant member on the Initial Board pursuant to Article 6.4 shall serve for the duration of the Initial Board's term.
- 6.6 Where a vacancy occurs due to the resignation, removal or otherwise of the Chair of the Initial Board, the Vice-Chair shall assume the role of Chair for the duration of the Initial Board's term.
- 6.7 Where a vacancy occurs due to the resignation, removal or otherwise of the Vice-Chair of the Initial Board, that vacancy may be filled by the Initial Board with a member from amongst their number for the duration of the Initial Board, in such manner as determined by the Initial Board.
- 6.8 Where a vacancy occurs due to the resignation, removal or otherwise of the Treasurer, the Board shall appoint a person to fill the vacant role for the remainder of the term.
- 6.9 The Initial Board shall develop and approve the Board Composition Matrix for the Subsequent Board prior to the expiry of the term of the Initial Board.

7. COMPOSITON OF SUBSEQUENT BOARDS

- 7.1 Each Subsequent Board following the expiry of the term of the Initial Board shall consist of 7 persons, including:
 - a) Four (4) registrant members; and
 - b) Three (3) public members
- 7.2 The officers of each Subsequent Board are the Chair, Vice-Chair and Treasurer
- 7.3 Registrant Board members of Subsequent Boards shall be appointed in accordance with a process to be set out in By-laws to be approved by the Initial Board prior to the expiry of its term.
- 7.4 Officers of Subsequent Boards shall be appointed in accordance with a process to be set out in By-laws to be approved by the Initial Board prior to the expiry of its term.

- 7.5 The terms of office for registrant Board members for subsequent Boards, including the first subsequent Board, shall be set out in By-laws to be approved by the Initial Board prior to the expiry of its term.

8. CHAIR

- 8.1 The Chair shall:
- a) unless otherwise delegated, preside at all meetings of the Board;
 - b) act as the official spokesperson for the Board, unless this function is otherwise delegated;
 - c) perform all acts related to the office including such functions identified in a policy approved by the Board.
- 8.2 The Chair shall not vote at any meeting of the Board, except in the case of a tie, where the Chair shall cast the deciding vote.

9. VICE-CHAIR

- 9.1 The Vice-Chair shall:
- a) perform the duties of the Chair in the absence of the Chair; and
 - b) perform other duties as identified in a policy approved by the Board.

10. TREASURER

- 10.1 The Treasurer shall perform duties as identified in a policy approved by the Board.

11. BOARD MEETINGS

- 11.1 The Chair of the Board shall call general meetings of the Board, with no less than 4 general meetings in a fiscal year.
- 11.2 The Registrar shall ensure notice of the Board meetings is given to Board members at least 14 days in advance of the meeting, stating the time and whether the meeting is in person, virtual, or hybrid.
- 11.3 The Chair of the Board may call a special Board meeting at any time required by the Chair or upon the written request of one-third of Board members indicating the subject(s) to be considered.
- 11.4 At least 3 days prior to a special Board meeting, notice shall be issued to each Board member. The notice shall state the purpose of the meeting.
- 11.5 No matter shall be discussed at any special Board meeting apart from that specified in the Notice.
- 11.6 Notice of and voting at Board meetings may take place by such electronic means as determined by the Board.

- 11.7 Accidental omission to deliver notice of meetings does not invalidate proceedings at the meeting.
- 11.8 Notice requirements for meetings may be waived by unanimous vote of those participating in the meeting.
- 11.9 Board meetings will be conducted in accordance with these By-laws and any Meeting Rules approved by the Board.
- 11.10 Where not inconsistent with the By-laws or Meeting Rules, the Chair may make procedural rulings or determinations on any matter relevant to the meeting.

12. REMOVAL OF REGISTRANT MEMBERS OF THE BOARD AND OFFICERS

- 12.1 Notwithstanding any other provisions of the By-laws, the Board may, by a two-thirds majority vote of the Board members participating at a special meeting called for the purpose, remove any registrant Board member or registrant officer before the expiration of their term of office, where the Board believes it is consistent with the objects of the Regulator to do so.
- 12.2 Notwithstanding any other provisions of the By-laws, the Board may, by a two-thirds majority vote of the Board participating at a special meeting called for the purpose, remove any public representative as an officer before the expiration of their term of office, where the Board believes it is consistent with the objects of the Regulator to do so.
- 12.3 Circumstances where the Board may believe it consistent with the objects of the Regulator to remove a registrant Board member or officer include, but are not limited to:
 - a) failing to attend 3 consecutive Board meetings, without sufficient cause accepted by the Board; and
 - b) acting contrary to the Board's Code of Conduct.
- 12.4 A decision of the Board under this Article is final.

13. APPOINTMENT OF REGISTRANT COMMITTEE MEMBERS

- 13.1 With respect to the appointment of registrants to Committees of the Regulator, the Appointments Committee shall, at such times as directed by the Board:
 - a) in collaboration with Committee Chairs, advertise for and seek candidates to fill current and/or anticipated registrant vacancies on a Committee of the Regulator based on a competency matrix approved by the Board;
 - b) ensure all candidates are registrants in good standing, and if there is any question, seek a ruling from the Board as to the good standing of a candidate;

- i. assess the degree to which candidates meet the desired competencies and qualities to best fulfil the role of committee members, and rank all candidates found to be in good standing;
- ii. prepare a ranked slate of candidates for each committee vacancy, based on the competency matrix, to put forward to the Board for appointment; and
- iii. perform such other functions related to the appointment of registrants to Committees of the Regulator as identified by the Board.

13.2 In order for a registrant to be considered by the Board, the registrant must submit a form signifying a willingness to serve as a Committee member and to abide by the Act, Regulations, bylaws and policies of the Regulator. The form must be submitted within such timelines as approved by the Appointments Committee.

13.3 A decision of the Appointments Committee under this Article is final.

13.4 Upon receipt from the Appointments Committee of a list of registrants pursuant to Article 5, the Board shall consider the names of the registrants and determine which registrants shall be appointed to fill the anticipated registrant vacancies on a Committee of the Regulator. The terms of office of registrant members and all matters relevant to the work of the Committee shall be as set out in the Terms of Reference of the Committee, unless otherwise established under the Act or the Regulations.

13.5 A decision of the Board under this article is final.

14. APPOINTMENT OF PUBLIC REPRESENTATIVE COMMITTEE MEMBERS

14.1 With respect to the appointment of public representatives to Committees of the Regulator, the Appointments Committee shall:

- a) seek members of the public to fill current and/or anticipated public representative vacancies on a Committee of the Regulator, based on a competency matrix approved by the Board;
- b) publicly advertise to invite expressions of interest in serving as a public representative on a Committee of the Regulator for at least 30 days, except when the Board seeks to appoint a public representative from a pool established under Section 25 of the Act;
- c) assess the degree to which those expressing interest meet the desired competencies and qualities to best fulfil the role of committee members, and

rank all candidates in accordance with the Appointments Committee's assessment;

- i. advance to the Board the ranked names of all who persons who expressed interest;
- ii. perform such other functions related to the appointment of public representative Committee members as identified by the Board.

14.2 In order for a member of the public to be considered by the Appointments Committee, the member of the public must submit a form approved by the Appointments Committee signifying a willingness to serve as a Committee member and to abide by the Act, regulations, bylaws and policies of the Regulator.

14.3 The form must be submitted within such timelines as approved by the Appointments Committee.

14.4 Upon receipt from the Appointments Committee of the expressions of interest pursuant to Article 21.1, the Board must consider the names and determine which members of the public shall be appointed to fill the number of anticipated public representative vacancies on a Committee of the Regulator.

14.5 The terms of office of public representative members of committees and all matters relevant to the work of the Committee shall be as set out in the Terms of Reference of the Committee, unless otherwise established under the Act or the Regulations.

14.5 A decision of the Board is final.

15. REMOVAL OF COMMITTEE MEMBERS

15.1 Notwithstanding any other provisions of these bylaws, the Board may, by a two-thirds majority vote of the quorum participating at any Board meeting or a special meeting called for the purpose, remove any committee member before the expiration of their term of office, where the Board believes it is consistent with the objects of the Regulator to do so.

15.2 Examples where the Board may believe it consistent with the objects of the Regulator to remove a committee member include, but are not limited to:

- a) failing to attend 3 consecutive committee meetings, without sufficient cause accepted by the chair of the committee;
- b) acting contrary to any committee Code of Conduct policy;
- c) the committee member is no longer in good standing;

15.3 A decision of the Board under this Article is final.

16. PROFESSIONAL PRACTICE COMMITTEE

- 16.1 The Board shall establish a Professional Practice Committee comprised of at least four (4) registrants in good standing.
- 16.2 The Board shall appoint members of the Professional Practice committee for a two-year term.
- 16.3 The Board shall appoint one of the members of the Professional Practice Committee as chair of the committee.
- 16.4 The Professional Practice Committee shall perform its responsibilities and operate in accordance with the Act, Regulations, bylaws and Terms of Reference approved by the Board.

17. RESERVED PRACTICE

- 17.1 The Board shall:
 - a) identify whether any professional activity, procedure or service within the scope of practice of respiratory therapy is a reserved practice; and
 - b) determine the additional education, training or other requirements beyond entry to practice level that must be completed before a license holder may engage in the reserved practice as part of their individual scope of practice.
- 17.2 A license holder must:
 - a) meet all requirements of any practice standard developed to address the reserved practice;
 - b) obtain the approval of the Registrar prior to engaging in a reserved practice.
- 17.3 Where the Board determines that practice standards are required under article 24.1 the Registrar shall establish the procedure for applying for approval to engage in a reserved practice.
- 17.4 The Registrar may:
 - a) approve the application;
 - b) deny the application;
 - c) approve the application with conditions or restrictions specific to the license holder.
- 17.5 Where the Registrar approves or denies an application, or approves an application with conditions or restrictions, the Registrar shall notify the registrant in writing of the decision and provide reasons for the decision.
- 17.5 If the Registrar denies an application from a license holder to engage in a reserved practice or proposes conditions and restrictions, the Registrar shall advise the applicant of a right to seek review of the Registrar's decision by the Registration and Licensing Review Committee.

- 17.6 Where the Registrar denies an application to engage in a reserved practice or imposes conditions or restrictions, and the applicant seeks a review, the review process shall be initiated by submitting a written request to the Registration and Licensing Review Committee within the timeframe specified by the Registrar. The Committee shall consider all relevant information and provide the applicant with an opportunity to be heard before rendering a decision.
- 17.7 Applications for review of the decision must be submitted in writing to the Registrar within 30 days of the Registrar's decision. The procedure for a review shall be conducted as set out in sections 51-58 of the Act.
- 17.8 The decision of the Registration and Licensing Review Committee is final.
- 17.9 Where the Registrar or the Registration and Licensing Review Committee approves a registrant to engage in a reserved practice, the Registrar shall publish notice of such approval as required by clause 7(1)(d) of the General Regulations.

18. REGISTRATION AND LICENSING EXAMINATIONS

- 18.1 The examination required for registration as a registered respiratory therapist is the entry to practice examination(s) approved by the Board.
- 18.2 The examination required for licensing is the jurisprudence examination approved by the Board.

19. CONTINUING COMPETENCE PROGRAM

- 19.1 The Board shall:
- a) approve a continuing competence program for each licensing category and designation; and
 - b) approve reporting requirements for registrants respecting the continuing competence program.
- 19.2 A registrant must retain documentation and records related to continuing competence program activities for at least the previous 4 years.
- 19.3 For the purpose of verifying a registrant's compliance with the continuing competence program, the Registrar may at any time conduct an audit of the documentation and records kept under Article 26.2.

20. PRACTICE HOURS

- 20.1 A registrant must keep a record of the hours that the registrant worked for at least the immediately previous 4 years.
- 20.2 The Registrar may at any time conduct an audit of records kept under Article 20.1

21. CURRENCY OF PRACTICE REQUIREMENTS

- 21.1 An applicant for a licence or renewal of license must provide satisfactory proof to the registration and licensing decision maker that the applicant meets one or more of the following currency of practice requirements, unless exempted from these requirements in accordance with a policy approved by the Board:
- a) current licensure in an equivalent category of license in another Canadian jurisdiction;
 - b) graduated from an approved respiratory therapy education program no more than two years prior to applying to the Regulator;
 - c) engaged in practice for a minimum of 1500 hours in the four years immediately preceding an application for a licence or renewal of a licence;
 - d) successfully completed a competence assessment and/or bridging education within the previous two years prior to applying to the Regulator.

22. TRANSCRIPTS

- 22.1 A registrant who requests that a transcript be made of a regulatory process is responsible for paying the full cost of the transcript.

23. FINES AND PENALTIES

- 23.1 The fine that may be imposed by the Registrar for the reinstatement of a suspended licence in accordance with section 154 of the Act should not exceed the equivalent of double the annual licensing fee.
- 23.2 The fine that may be imposed by the Registrar under section 155 of the Act for a registrant who has practised without a licence should not exceed the equivalent of double the annual licensing fee for each month, or a portion thereof, the registrant practiced without a licence.
- 23.3 The fine that may be imposed by the Registrar under section 154 of the Act for a registrant who has practised without Personal Liability Insurance (PLI) should not exceed the equivalent of double the annual licensing fee.

24. CODE OF ETHICS

- 24.1 The Code of the Ethics approved under the Act is the Code approved by the existing regulator prior to the establishment of the Nova Scotia Regulator of Respiratory Therapy under the Act.

25. STANDARDS OF PRACTICE

- 25.1 The Standards of Practice approved under the Act are those approved by the existing regulator prior to the establishment of the Nova Scotia Regulator of Respiratory Therapy under the Act.

26. COMPETENCIES

- 26.1 The Competencies approved under the Act are those approved by the existing regulator prior to the establishment of the Nova Scotia Regulator of Respiratory Therapy under the Act.

27. SALE OF EQUIPMENT

- 27.1 A registrant may only sell or promote the sale of equipment or products to a client for profit, if done in accordance with the standards of practice.