

**NOVA SCOTIA REGULATOR OF
MEDICAL IMAGING AND RADIATION
THERAPY**

BY-LAWS

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**PROPERTY OF:
NOVA SCOTIA REGULATOR OF MEDICAL IMAGING AND RADIATION THERAPY**

**BOARD APPROVED:
IMPLEMENTED:
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NOTE

Where there is conflict between a provision of these By-laws and a provision of the *Regulated Health Professions Act*, the Regulated Health Professions General Regulations, or the Medical Imaging and Radiation Therapy Regulations, the provisions of the Act and/or Regulations prevail.

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Part 1 – Interpretation and Corporate Matters

1. Definitions

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

1.2 In these By-laws, unless the context requires:

- (a) "Act" means the *Regulated Health Professions Act*, SNS 2023, c 15;
- (b) "Board" when used in these By-laws includes the Initial Board and Subsequent Boards of the Nova Scotia Regulator of Medical Imaging and Radiation Therapy, unless the Initial Board or Subsequent Board is specifically identified;
- (c) "Board Competency Matrix" means the list of competencies, qualities and other criteria approved by the Board to describe the collective desired composition of the Board;
- (d) "Board Members Code of Conduct" means the Code approved by the Board governing the conduct of Board members;
- (e) "Chair" means the Chair of the Initial Board or the Chair of a Subsequent Board;
- (f) "Communications Liaison" means the Communications Liaison of the Board;
- (g) "cross-practice authorization process" means the process to authorize a registrant licensed in 1 licensing category to engage in the practice of 1 or more designated aspects of another licensing category that is approved by the Board;
- (h) "employee" means an individual employed on a full or part-time basis by the Regulator, but does not include an independent contractor, consultant or facilitator who otherwise provides services to the Regulator;
- (i) "good standing" for purposes of appointment as a registrant Board member, a registrant officer, or a registrant committee member, 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 a 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 an officer or as a member of a committee, or would otherwise be contrary to the objects of the Regulator;

- (j) "Initial Board" means the Board of the Regulator continued from the Legacy Board following the date of repeal of the *Medical Imaging and Radiation Therapy Professionals Act*, SNS 2013, c 7;
- (k) "Legacy Board" means the Board of the Nova Scotia College of Medical Imaging and Radiation Therapy Professionals in existence immediately prior to the repeal of the *Medical Imaging and Radiation Therapy Professionals Act*;
- (l) "Medical Imaging and Radiation Therapy Regulations" means the Medical Imaging and Radiation Therapy Regulations approved by Order in Council under the authority of the *Regulated Health Professions Act*;
- (m) "Meeting Rules" means such rules approved by the Board that govern the conduct of Board meetings that are not inconsistent with these By-laws;
- (n) "officer" or "officers" means any 1 or more persons, respectively, who have been appointed as officers of the Board, and includes the Chair, Vice-Chair, and Communications Liaison;
- (o) "Regulations" means either or both of Regulated Health Professions General Regulations and the Medical Imaging and Radiation Therapy Regulations, as the context requires;
- (p) "Regulator" means the Nova Scotia Regulator of Medical Imaging and Radiation Therapy;
- (q) "Reserved Practice" means an activity, procedure or service within the scope of practice of practice of medical imaging and radiation therapy profession that:
 - i. is identified by the Board as necessitating additional education, training or other requirements beyond an entry to practice level; and
 - ii. requires approval of the Registrar before a registrant may engage in the activity, procedure or service as part of their individual scope of practice;
- (r) "Subsequent Board" includes each Board appointed after the expiry of the term of the Initial Board;
- (s) "Vice-Chair" means the Vice-Chair of the Board.

2. Corporate Seal

2.1 The seal of the Regulator shall have the words "Nova Scotia Regulator of Medical

Imaging and Radiation 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. Notices

- 4.1 All notices or materials that are required to be issued pursuant to the Act, Regulations or by-laws that are not otherwise required by the Act, Regulations or By-laws to be served in a specified manner, shall be deemed to be issued on the date such notices or materials are sent by the most appropriate method, as determined by the Registrar; to include mail, courier, electronic communication or any other form of issuance.

5. Forms

- 5.1 Any forms not already specified in the Act or Regulations and necessary for the administration of the affairs of the Regulator shall be as approved by the Registrar.

Part 2 – Initial 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 Communications Liaison.
- 6.3 The Chair of the Initial Board is the Chair of the Legacy Board.
- 6.4 The Vice-Chair of the Initial Board is the Vice-Chair of the Legacy Board.
- 6.5 The Communications Liaison of the Initial Board is the Secretary of the Legacy Board.
- 6.6 The terms of office for the Chair, Vice-Chair, and Communications Liaison on the Initial Board are the same as the term of the Initial Board.
- 6.7 The quorum for the Initial Board is a majority of its members, which must include at least one public representative.
- 6.8 The terms of office served by registrant Board members and Officers on the Initial Board do not count towards the term limits set out in Part 3 – Subsequent Boards of these By-laws.
- 6.9 The Initial Board shall develop and approve the Board Competency Matrix for the first Subsequent Board prior to the expiry of the term of the Initial Board.

7. Vacancy on Initial Board

- 7.1 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. If the Vice-Chair is unwilling or unable to assume the role of Chair, the Initial Board shall appoint a Chair from amongst their number for the duration of the Initial Board's term, in such manner as determined by the Initial Board.
- 7.2 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's term, in such manner as determined by the Initial Board.
- 7.3 Where a vacancy occurs due to the resignation, removal or otherwise of the Communications Liaison 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's term, in such manner as determined by the Initial Board.
- 7.4 Where a vacancy occurs due to the resignation, removal or otherwise of a registrant Board member of the Initial Board who is not an officer, prior to the expiration of the term of the Initial Board, that vacancy may be filled by Initial Board with a registrant in good standing for the duration of the Initial Board's term, in such manner as determined by the Initial Board.

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Part 3 – Subsequent Boards

8. Composition of Subsequent Boards

- 8.1 Each Subsequent Board following the expiry of the term of the Initial Board shall consist of 9 persons, including:
- (a) 5 registrant members; and
 - (b) 4 public representatives.
- 8.2 The officers of each Subsequent Board are the Chair, Vice-Chair, and Communications Liaison.
- 8.3 Registrant Board members of Subsequent Boards shall be appointed in accordance with the process set out in Article 21.
- 8.4 Officers of Subsequent Boards shall be appointed in accordance with the process set out in Article 22.
- 8.5 A Subsequent Board may revise the Board Competency Matrix.

9. Board Meetings

- 9.1 The Chair of the Board shall call general meetings of the Board, with no less than 4 general meetings in a fiscal year.
- 9.2 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.
- 9.3 The Chair of the Board may call a special Board meeting at any time as required by the Chair or upon the written request of one-third of Board members indicating the subject(s) to be considered.
- 9.4 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. No matter shall be discussed at any special Board meeting apart from that specified in the notice.
- 9.5 Meetings may be conducted by such electronic means as determined by the Board.
- 9.6 Notice of and voting at Board meetings may take place by such electronic means as determined by the Board.
- 9.7 Accidental omission to deliver notice of meetings does not invalidate proceedings at the meeting.
- 9.8 Notice requirements for meetings may be waived by unanimous vote of those participating in the meeting.
- 9.9 Board meetings will be conducted in accordance with these By-laws and any Meeting Rules approved by the Board.

9.10 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.

10. Chair

10.1 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 delegated; and
- (c) perform all acts related to the office, including such functions as identified in a policy approved by the Board.

10.2 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.

11. Vice-Chair

11.1 The Vice-Chair shall:

- (a) perform the duties of the Chair in the absence of the Chair; and
- (b) perform all acts related to the office, including such functions as identified in a policy approved by the Board.

12. Communications Liaison

12.1 The Communications Liaison shall:

- (a) prepare the minutes of Board meetings; and
- (b) perform all acts related to the office, including such functions as identified in a policy approved by the Board.

13. Terms of Office for Registrant Board Members

13.1 The term of office of a registrant Board member is 3 years, excluding any term served on the initial Board.

13.2 A registrant may serve a maximum of two consecutive terms as a registrant Board member.

13.3 For clarity, no registrant may serve more than two consecutive terms on the Board.

13.4 A registrant Board member who has served two consecutive terms on a Subsequent Board is not eligible for appointment for an additional term as a registrant Board member unless two years have expired since last serving on the Board.

13.5 Incumbent registrant Board members who are eligible and seek appointment for a second term will be subject to the same requirements and process as new candidates

as set out in Article 21.

- 13.6 Where a registrant Board member's term expires, the position shall be filled in accordance with Article 21.
- 13.7 Notwithstanding Article 13.1, for the purpose of establishing a stagger in the terms of office for the registrant Board members appointed after the expiry of the term of the Initial Board, the Initial Board may establish a process to designate that, for one or more specified registrant Board members on the first Subsequent Board, their term of office is 2 or 3 years.
- 13.8 The designation by the Initial Board of a term of office for a registrant Board member under Article 13.7 is only effective if made:
- (a) by a resolution of the Initial Board; and
 - (b) before the Initial Board appoints the registrant Board member.
- 13.9 Terms of office for the Chair, Vice-Chair, and Communications Liaison are not independent of the terms of a registrant Board member.

14. Terms of Office for Officers

- 14.1 Subject to Articles 16.3, 17.3, and 18.3, the term of office for the positions of Chair, Vice-Chair, and Communications Liaison on a Subsequent Board is one year.
- 14.2 A person is eligible to serve a maximum of two consecutive terms as Chair.
- 14.3 A person is eligible to serve a maximum of two consecutive terms as Vice-Chair.
- 14.4 A person is eligible to serve a maximum of two consecutive terms as Communications Liaison.
- 14.5 Time served by a registrant Board member in an Officer position counts toward the term limit for registrant Board members.

15. Removal of Officers and Registrant Board Members

- 15.1 Notwithstanding any other provisions of the By-laws, 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 registrant Board member from the Board 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 Notwithstanding any other provisions of the By-laws, 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 officer from their office before the expiration of their term of office, where the Board believes it is consistent with the objects of the Regulator to do so.
- 15.3 The Board may not remove a public representative appointed by the Governor-in-Council from the Board.

- 15.4 Examples 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 Code of Conduct policy.
- 15.5 A decision of the Board under this Article is final.

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Part 4 – Vacancies on Subsequent Boards

16. Vacancy of Chair

- 16.1 If the term of the Chair on a Subsequent Board is not completed, the Board shall appoint a replacement Chair from among the serving Board members, who may be the Vice-Chair.
- 16.2 The replacement Chair will serve for the balance of the term of the outgoing Chair.
- 16.3 Notwithstanding Article 14.1, the Board may determine that the replacement Chair may serve an additional year as Chair in addition to the unexpired term of the outgoing Chair.
- 16.4 Where a person is appointed to fill a vacancy under Article 16.1, the unexpired term served to fill the vacancy does not count towards the term limit pursuant to Article 14.2.
- 16.5 Where the Vice-Chair is appointed to fill the role of Chair, the Board shall appoint a new Vice-Chair from among the serving Board members, whose term shall mirror the term of the replacement Chair.

17. Vacancy of Vice-Chair

- 17.1 If the term of the Vice-Chair on a Subsequent Board is not completed, the Board shall appoint a replacement Vice-Chair from among the serving Board members.
- 17.2 The replacement Vice-Chair shall serve for the balance of the unexpired term of the outgoing Vice-Chair.
- 17.3 Notwithstanding Article 14.1, the Board may determine that the replacement Vice-Chair may serve an additional year as Vice-Chair in addition to the unexpired term of the outgoing Vice-Chair.
- 17.4 Where a person is appointed to fill a vacancy under Article 17.1, the unexpired term served to fill the vacancy does not count towards the term limit pursuant to Article 14.3.

18. Vacancy of Communications Liaison

- 18.1 If the term of the Communications Liaison on a Subsequent Board is not completed, the Board shall appoint a replacement Communications Liaison from among the serving Board members.
- 18.2 The replacement Communications Liaison shall serve for the balance of the unexpired term of the outgoing Communications Liaison.
- 18.3 Notwithstanding Article 14.1, the Board may determine that the replacement Communications Liaison may serve an additional year as Communications Liaison in addition to the unexpired term of the outgoing Communications Liaison.
- 18.4 Where a person is appointed to fill a vacancy under Article 18.1, the unexpired term served to fill the vacancy does not count towards the term limit pursuant to Article 14.4.

19. Vacancy of Registrant Board Member

- 19.1 A registrant Board member shall be considered to have vacated their position on the Board in any of the following circumstances:
- (a) the member resigns from office;
 - (b) the Board removes the member in accordance with Article 15 of these By-laws and Board policy;
 - (c) the member ceases to be in good standing;
 - (d) the member dies;
 - (e) the member becomes an employee of the Regulator;
 - (f) the provisions of subsection 8(2) of the Act apply; or
 - (g) the member becomes an employee of or holds any position of responsibility with a professional association that may be incompatible with service on the Regulator's Board, as determined by the Board.
- 19.2 Where a vacancy occurs under this Article, that vacancy may be filled by Board with a registrant in good standing for the duration of the outgoing registrant Board member's term, in such manner as determined by the Board.
- 19.3 Where a registrant is appointed to fill a vacancy of an outgoing registrant Board member's term, the time spent filling such vacancy does not count as a term.

Part 5 – Appointments and Committees

20. Appointments Committee

- 20.1 The Board shall establish an Appointments Committee comprised of at least:
- (a) 2 registrants in good standing; and
 - (b) 1 public representative.
- 20.2 No more than one Board member may serve on the Appointments Committee.
- 20.3 The members of the Appointments Committee shall hold office for such term as set by the Board who appoints them, which shall not be longer than 3 years. A member of the Appointments Committee may be appointed for one additional 3-year term by the Board.
- 20.4 The Board shall appoint one of the members as Chair of the Appointments Committee.
- 20.5 The Board shall approve the Terms of Reference of the Appointments Committee.
- 20.6 The Appointments Committee shall act in accordance with these By-laws and its Terms of Reference.

21. Appointment of Registrant Board Members

- 21.1 With respect to the appointment of registrant Board members to a Subsequent Board, the Appointments Committee shall perform the following functions, in accordance with the process and timelines approved by the Board that are not in conflict with these By-laws:
- (a) compare the composition of the Board with the Board Competency Matrix and identify the competencies, qualities, diversity, and other criteria needed to fill identified vacancies;
 - (b) seek candidates to fill current and/or anticipated registrant vacancies on the Board;
 - (c) assess the degree to which candidates fill the desired competencies, qualities, diversity, and other criteria identified by the Appointments Committee to align with the Board Competency Matrix;
 - (d) advance all candidates to the Board where the Appointments Committee is satisfied that a registrant is in good standing;
 - (e) make recommendations to the Board regarding candidates who in its opinion best meet the desired competencies, qualities, diversity, and other criteria identified by the Appointments Committee to align with the Board Competency Matrix; and
 - (f) perform such other functions related to the appointment of registrant Board members as identified by the Board.

- 21.2 In order for a candidate to be considered by the Appointments Committee, the candidate must submit a form signifying a willingness to serve as a registrant Board member and to abide by the Act, Regulations, By-laws and policies of the Regulator.
- 21.3 The form must be submitted within such timelines as approved by the Appointments Committee.
- 21.4 Any incumbent registrant Board member who wishes to be nominated for a subsequent term must submit their name and the approved form to the Appointments Committee, and if found eligible, the incumbent's name will be put forth with other nominees for the Board vacancies.
- 21.5 If the Appointments Committee determines a candidate is not eligible for nomination as a registrant Board member, the Appointments Candidate shall not advance the candidate's name to the Board.
- 21.6 Upon receipt from the Appointments Committee of the names of candidates pursuant to Article 21.1, the Board must consider the names of the candidates and determine which candidates shall be appointed to fill the number of anticipated vacancies on the Board.
- 21.7 For clarity, the registrant Board members of the first Subsequent Board shall be appointed by the Initial Board.
- 21.8 Decisions of the Appointments Committee and the Board under this Article are final.

22. Appointment of Officers

- 22.1 The Chair, Vice-Chair, and Communications Liaison shall be appointed by the Board members serving on the Board immediately prior to the end of the term of the incumbent Chair, Vice-Chair, and Communications Liaison.
- 22.2 The Chair, Vice-Chair and Communications Liaison shall be appointed in the following manner:
- (a) prior to the completion of the term of the incumbent Chair, Vice-Chair, and Communications Liaison, the Board shall request and encourage expressions of interest from Board members seeking to serve as the next Chair, Vice-Chair, or Communications Liaison;
 - (b) the Board shall
 - (i) evaluate the candidates using such processes as the Board considers appropriate;
 - (ii) prepare a recommendation for the position of Chair, Vice-Chair, and Communications Liaison;
 - (c) if the Board approves the recommended candidate for the position of Chair, the candidate is deemed appointed, effective the day following the date the incumbent's term expires;

- (d) if the Board approves the recommended candidate for the position of Vice-Chair, the candidate is deemed appointed, effective the day following the date the incumbent's term expires;
 - (e) if the Board approves the recommended candidate for the position of Communications Liaison, the candidate is deemed appointed, effective the day following the date the incumbent's term expires;
 - (f) if the Board does not approve the recommended candidate for Chair, Vice-Chair, or Communications Liaison, the Board will prepare a new recommendation for the Board's consideration, and such process shall continue until a new Chair, Vice-Chair, and Communications Liaison are appointed;
 - (g) if there are no members of the Board willing to serve as Chair, Vice-Chair, or Communications Liaison, the Board must appoint individuals to fill these positions in such manner as the Board determines.
- 22.3 The Board may request the assistance of the Appointments Committee with respect to any and all steps of the appointment process for officers as set out in Article 22.2.
- 22.4 For clarity, notwithstanding any other provision of these by-laws, the Board may extend the term of a serving Chair, Vice-Chair, or Communications Liaison if no other Board member is willing to serve in these roles, for such time and on such conditions as the Board may determine.
- 22.5 The Board may make appointment rules and set such deadlines as it deems appropriate, as long as such rules are not inconsistent with these By-laws.
- 22.6 A decision of the Board is final.
- 23. Appointment of Registrants to Statutory Committees**
- 23.1 With respect to the appointment of registrants to Committees of the Regulator, the Appointments Committee shall:
- (a) seek candidates to fill current and/or anticipated registrant vacancies on a Committee of the Regulator;
 - (b) advance all candidates to the Board where the Appointments Committee is satisfied that a registrant is in good standing; and
 - (c) perform such other functions related to the appointment of registrants to Committees of the Regulator as identified by the Board.
- 23.2 In order for a registrant to be considered by the Appointments Committee, the registrant 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, By-laws and policies of the Regulator.
- 23.3 The form must be submitted within such timelines as approved by the Appointments Committee.

- 23.4 If the Appointments Committee determines a registrant is not eligible for nomination as a Committee member, the Appointments Candidate shall not advance the registrant's name to the Board.
- 23.5 A decision of the Appointments Committee is final.
- 23.6 Upon receipt from the Appointments Committee of the names of registrants pursuant to Article 23.1, the Board must consider the names of the registrants and determine which registrants shall be appointed to fill the number of anticipated registrant vacancies on a Committee of the Regulator.
- 23.7 A decision of the Board is final.

24. Appointment of Public Representatives to Statutory Committees

- 24.1 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;
 - (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;
 - (c) advance all expressions of interest to the Board;
 - (d) perform such other functions related to the appointment of public representative Committee members as identified by the Board.
- 24.2 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, By-laws and policies of the Regulator.
- 24.3 The form must be submitted within such timelines as approved by the Appointments Committee.
- 24.4 Upon receipt from the Appointments Committee of the expressions of interest pursuant to Article 24.1, 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.
- 24.5 A decision of the Board is final.

25. Governance Committee

- 25.1 The Board shall establish a Governance Committee comprised of at least:
- (a) 2 registrants in good standing;
 - (b) 1 public representative.

- 25.2 No more than 1 Board member may serve on the Governance Committee.
- 25.3 The Board shall appoint members of the Governance Committee for a three-year term. Members of the Governance Committee are eligible for reappointment for a second term.
- 25.4 The Board shall appoint one of the members as Chair of the Governance Committee.
- 25.5 The Board shall approve Terms of Reference for the Governance Committee.
- 25.6 The Governance Committee shall act in accordance with its Terms of Reference approved by the Board.

26. Regulator Risk Assessment Committee

- 26.1 The Board shall establish a Regulator Risk Assessment Committee comprised of at least:
 - (a) 2 registrants in good standing;
 - (b) 1 public representative.
- 26.2 No more than 1 Board member may serve on the Regulator Risk Assessment Committee.
- 26.3 The Board shall appoint members of the Regulator Risk Assessment Committee for a three-year term. Members of the Regulator Risk Assessment Committee are eligible for reappointment for a second term.
- 26.4 The Board shall appoint one of the members as Chair of the Regulator Risk Assessment Committee.
- 26.5 The Board shall approve Terms of Reference for the Regulator Risk Assessment Committee.
- 26.6 The Regulator Risk Assessment Committee shall act in accordance with its Terms of Reference approved by the Board.

Part 6 – Scope of Practice

27. Scope of Practice for Diagnostic Medical Sonography

27.1 A diagnostic medical sonographer (cardiac, general, or vascular) may engage in those aspects of the practice of medical imaging and radiation therapy that are:

- (a) taught in approved education programs for diagnostic medical sonographers (cardiac, general, or vascular); or
- (b) set out in the competency framework, standards of practice, and practice guidelines for diagnostic medical sonographers (cardiac, general, or vascular) as approved by the Board.

27.2 The scope of practice of diagnostic medical sonography (cardiac, general, or vascular) includes the safe and competent performance of any or all of the following activities:

- (a) the application of high frequency sound waves to perform procedures and produce high quality diagnostic images;
- (b) the education, advocacy and application of ultrasound field safety in the protection of patients, health care professionals and the public;
- (c) the assessment of patients before, during and after the application of ultrasound;
- (d) the use of pharmaceuticals in the performance of diagnostic and therapeutic interventions to enhance images; and
- (e) evaluation and interpretation of diagnostic images distinguishing artifact from pathological process and communication of results to the reporting physician.

27.3 The scope of practice for diagnostic medical sonography (cardiac, general, or vascular) also includes relevant research, education, inter-professional collaboration, consultation, management, administration, advocacy, regulation, or system development relevant to the above.

28. Scope of Practice for Magnetic Resonance Technology

28.1 A magnetic resonance technologist may engage in those aspects of the practice of medical imaging and radiation therapy that are:

- (a) taught in approved education programs for magnetic resonance technology; or
- (b) set out in the competency framework, standards of practice, and practice guidelines for magnetic resonance technology as approved by the Board.

28.2 The scope of practice of magnetic resonance technology includes the safe and competent performance of any or all of the following activities:

- (a) the use of magnetic fields to obtain pulse sequence data sets and produce high quality diagnostic images;

- (b) the education, advocacy and application of magnetic field safety in the protection of patients, health care professionals and the public;
- (c) the assessment of patients before, during and after the application of magnetic resonance imaging;
- (d) the use of pharmaceuticals in the performance of diagnostic and therapeutic interventions to enhance magnetic resonance images; and
- (e) evaluation and interpretation of diagnostic images.

28.3 The scope of practice for magnetic resonance technology also includes relevant research, education, inter-professional collaboration, consultation, management, administration, advocacy, regulation, or system development relevant to the above.

29. Scope of Practice for Nuclear Medicine Technology

29.1 A nuclear medicine technologist may engage in those aspects of the practice of medical imaging and radiation therapy that are:

- (a) taught in approved education programs for nuclear medicine technology; or
- (b) set out in the competency framework, standards of practice, and practice guidelines for nuclear medicine technology as approved by the Board.

29.2 The scope of practice of nuclear medicine technology includes the safe and competent performance of any or all of the following activities:

- (a) the use of radiopharmaceuticals to produce high quality images for the diagnosis and treatment of disease;
- (b) the education, advocacy and application of radiation safety in the protection of patients, health care professionals and the public;
- (c) the assessment of patients before, during and after the application of nuclear medicine imaging and therapy;
- (d) the use of pharmaceuticals in the performance of diagnostic and therapeutic interventions to enhance images; and
- (e) evaluation and interpretation of diagnostic images.

29.3 The scope of practice for nuclear medicine technology also includes relevant research, education, inter-professional collaboration, consultation, management, administration, advocacy, regulation, or system development relevant to the above.

30. Scope of Practice for Radiation Therapy

30.1 A radiation therapist may engage in those aspects of the practice of medical imaging and radiation therapy that are:

- (a) taught in approved education programs for radiation therapy; or

- (b) set out in the competency framework, standards of practice, and practice guidelines for radiation therapy as approved by the Board.
- 30.2 The scope of practice of radiation therapy includes the safe and competent performance of any or all of the following activities:
- (a) the planning for and application of ionizing radiation to patients in accordance with a prescription and instructions from a radiation oncologist;
 - (b) the education, advocacy and application of radiation safety in the protection of patients, health care professionals and the public;
 - (c) the assessment of patients before, during and after the application of radiation therapy treatments;
 - (d) the use of pharmaceuticals in the performance of diagnostic and therapeutic interventions to enhance treatment; and
 - (e) evaluation and interpretation of treatment.
- 30.3 The scope of practice for radiation therapy also includes relevant research, education, inter-professional collaboration, consultation, management, administration, advocacy, regulation, or system development relevant to the above.

31. Scope of Practice for Radiological Technology

- 31.1 A radiological technologist may engage in those aspects of the practice of medical imaging and radiation therapy that are:
- (a) taught in approved education programs for radiological technology; or
 - (b) set out in the competency framework, standards of practice, and practice guidelines for radiological technology as approved by the Board.
- 31.2 The scope of practice of radiological technology includes the safe and competent performance of any or all of the following activities:
- (a) the application of ionizing radiation to perform procedures and produce high quality diagnostic images;
 - (b) the education, advocacy and application of radiation safety in the protection of patients, health care professionals and the public;
 - (c) the assessment of patients before, during and after the application of radiological technology;
 - (d) the use of pharmaceuticals in the performance of diagnostic and therapeutic interventions to enhance images; and
 - (e) evaluation and interpretation of diagnostic images.
- 31.3 The scope of practice for radiological technology also includes relevant research,

education, inter-professional collaboration, consultation, management, administration, advocacy, regulation, or system development relevant to the above.

32. Cross-Practice Authorization

32.1 The Board shall approve the requirements of the cross-practice authorization process that registrants must meet and the standards of practice that authorized registrants must adhere to when practising a designated aspect of another licensing category and may establish any of the following as part of those approvals:

- (a) the designated aspects of another licensing category that a registrant can practise and whether the registrant requires authorization prior to practising a designated aspect;
- (b) restrictions and conditions under which an authorized registrant must practise when practising a designated aspect of another licensing category, including in relation to the practice setting and supervision requirements;
- (c) application requirements, including forms and fees;
- (d) educational requirements, including approved institutions or programs;
- (e) examination requirements;
- (f) currency of practice requirements;
- (g) continuing competence requirements;
- (h) standards of practice;
- (i) any other requirements the registrant must meet to ensure that they possess the capacity, competence and character to safely and ethically engage in the practice of a designated aspect of another licensing category.

32.2 A registrant must obtain cross-practice authorization from the Registrar prior to engaging in a designated aspect of another licensing category.

32.3 The Registrar shall establish the procedure for a registrant to apply for cross-practice authorization to engage in a designated aspect of another licensing category.

32.4 When the Registrar authorizes a registrant to engage in a designated aspect of another licensing category, the Registrar will publish the following information on the registrant's public directory on the Regulator's website:

- (a) the nature of the designed aspect of the other licensing category;
- (b) any titles or permits authorized by the Registrar to signify authorization to engage in the designated aspect of the other licensing category; and
- (c) any conditions or restrictions respecting the authorization.

32.5 Despite this Article, any requirements for application for authorization to practise 1 or more designated aspects of another licensing category may be waived if it is determined by the Registrar to be in the public interest to do so.

32.6 If the Registrar denies an application from a registrant to engage in a designated aspect of another licensing category, the Registrar shall advise the applicant of a right to seek review of the Registrar's decision by the Registration and Licensing Review Committee, if the registrant provides a notice in writing to the Registrar to this effect within 30 days of the Registrar's decision.

32.7 The procedure for a review shall be conducted as set out in sections 51 - 58 of the Act.

32.8 A decision of the Registration and Licensing Review Committee is final.

33. Reserved Practice

33.1 The Board may identify any activity, procedure or service within the scope of practice of medical imaging and radiation therapy as a reserved practice.

33.2 Where the Board identifies a reserved practice, the Board shall determine if practice standards are required to establish expectations for registrants in the performance of such reserved practice.

33.3 Where the Board determines that practice standards are required under Article 33.2, the Board shall approve such practice standards.

33.4 Where a reserved practice has been identified by the Board under Article 33.1, the Board must approve the additional requirements beyond entry to practice competencies that must be completed by a registrant before the registrant is allowed to engage in the reserved practice.

33.5 A registrant must obtain the approval of the Registrar prior to engaging in a reserved practice.

33.6 The Registrar shall establish the procedure for applying for approval to engage in a reserved practice.

33.7 When the Registrar approves a registrant to engage in a reserved practice, the Registrar will publish the following information on the registrant's public directory on the Regulator's website:

- (a) the nature of the approved activity, procedure or service;
- (b) any titles or permits authorized by the Registrar to signify approval to engage in the approved activity, procedure or service; and
- (c) any conditions or restrictions respecting the approved activity, procedure, or service.

33.8 If the Registrar denies an application from a registrant to engage in a reserved practice, the Registrar shall advise the applicant of a right to seek review of the Registrar's

decision by the Registration and Licensing Review Committee, if the registrant provides a notice in writing to the Registrar to this effect within 30 days of the Registrar's decision.

33.9 The procedure for a review shall be conducted as set out in sections 51 - 58 of the Act.

33.10 A decision of the Registration and Licensing Review Committee is final.

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Part 7 – Registration, Licensing and Competence

34. Registration and Licensing Examinations

34.1 The examinations required for registration and licensing as a diagnostic medical sonographer, medical resonance technologist, nuclear medicine technologist, radiological technologist, or radiation therapist are the entry to practice examinations approved by the Board.

35. Continuing Competence Program

35.1 The Board shall approve a continuing competence program for each licensing category.

35.2 The Board shall approve reporting requirements for registrants respecting the continuing competence program.

35.3 A registrant must retain documentation and records related to continuing competence program activities for a minimum of three years following the submission deadline, where applicable.

35.4 For the purpose of verifying a registrant's compliance with the continuing competence program, the Regulator may at any time conduct an audit of the documentation and records kept under Article 35.3.

36. Practice Hours

36.1 A registrant must keep a record of the hours that the registrant practised in the immediately previous three years.

36.2 The Regulator may at any time conduct an audit of records kept under Article 36.1.

37. Licensing and Renewal Criteria

37.1 If proof of registration or licensing criteria was not submitted at the time of application for registration, licensing or renewal, a registration and licensing decision maker may request the registrant submit proof that they meet the criteria for registration, licensing or renewal, upon applying for a licence or renewal.

38. Currency of Practice

38.1 A registrant may be licensed in more than one licensing category. A registrant must remain current in all licensing categories for which they are licensed.

38.2 Practice hours in one licensing category do not count toward practice hours in another licensing category.

38.3 An applicant for a licence or renewal of a licence must provide satisfactory proof to the

registration and licensing decision maker that the applicant meets at least one 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 licence in another Canadian jurisdiction;
- (b) for a registrant licensed in only one licensing category, engaged in practice for a minimum of 1200 hours in the 5-year period prior to the date of application for a licence or renewal of a licence;
- (c) for a registrant licensed in two licensing categories, engaged in practice for a minimum of 1200 hours in the first licensing category and 400 hours in the second licensing categories in the 5-year period prior to the date of application for a licence or renewal of a licence;
- (d) for a registrant licensed in only one licensing category, engaged in practice for a minimum of 540 hours in the one year period prior to the date of application for a licence or renewal of a licence;
- (e) for a registrant licensed in two licensing categories, engaged in practice for a minimum of 540 hours in the first licensing category and 180 hours in the second licensing category in the one year period prior to the date of application for a licence or renewal of a licence;
- (f) graduated from an approved education program within 3 years prior to the date of application for a licence or renewal of a licence;
- (g) graduated from an international education program assessed as substantially similar to an approved education program by the registration and licensing decision within 3 years prior to the date of application for a licence or renewal of a licence; or
- (h) successfully completed a re-entry program, competence assessment and/or bridging education within the 18 months prior to the date of application for a licence or renewal of a licence.

39. Graduate

39.1 An applicant granted conditional registration and licensing pursuant to subsections 13(4) and 14(4) of the Medical Imaging and Radiation Therapy Regulations who has not yet passed the examinations for registration or licensing must use the title "Graduate" in addition to title corresponding to their category of licensing. For example:

- (a) Diagnostic Medical Sonographer (Graduate);
- (b) Magnetic Resonance Technologist (Graduate);
- (c) Nuclear Medicine Technologist (Graduate);
- (d) Radiation Therapist (Graduate);

- (e) Radiological Technologist (Graduate).

Part 8 – Standards and Enforcement

40. Code of Ethics

- 40.1 The Code of Ethics approved under the Act is the Code approved by the existing regulator prior to the establishment of the Nova Scotia Regulator of Medical Imaging and Radiation Therapy, and may be revised or replaced by the Board, from time to time, as necessary.

41. Standards of Practice

- 41.1 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 Medical Imaging and Radiation Therapy, and may be revised or replaced by the Board, from time to time, as necessary.

42. Competencies

- 42.1 The Competencies approved under the Act are those approved by the existing regulator prior to the establishment of the Nova Scotia Regulator of Medical Imaging and Radiation Therapy, and may be revised or replaced by the Board, from time to time, as necessary.

43. Transcripts

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

44. Fines and Penalties

- 44.1 The fine that may be imposed for the reinstatement of a suspended licence in accordance with section 154 of the Act shall be an amount outlined in policy approved by the Board.
- 44.2 The fine that may be imposed by the Registrar under section 155 of the Act for a registrant who has practised without a licence shall be an amount outlined in policy approved by the Board.
- 44.3 Where a registrant fails to maintain required professional liability insurance while holding a license, the Registrar may impose a fine as set by the Board and outlined in the policy approved by the Board.