

Health Publications

o Comments

Professional Self-Regulation

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SRNA POSITION

Competent, caring nursing for the people of Saskatchewan

SRNA POSITION

The SRNA believes that:

- * The primary purpose of professional self-regulation is protection of the public from harm. This is best accomplished through the regulation of professional conduct and competence. Effective professional self-regulation maximizes positive health outcomes;
- * Professional self-regulation is premised on the belief that those within that profession possess the knowledge, skill and judgment to best regulate that profession;
- * The role of the professional self-regulating body is to ensure that all individuals seeking entry into and maintenance on the register, are qualified, competent and ethical professionals, and that it is only these individuals that are entitled to practice within a specific regulated professional category (e.g. RN);
- * Adherence to the principles of fairness, transparency, accountability and public participation build public confidence and trust and ensure that the work of the profession is in the public interest. Public representation and open communication are key public accountability mechanisms;
- * Self-regulation is reserved for those occupations that meet the definition of a profession - possessing a specialized body of knowledge, under a duty of service to society to apply that knowledge, and providing a unique service to the public which the public is unable to provide for themselves. Characteristics of a profession include:
 - * Providing a socially necessary function
 - * A specialized body of knowledge
 - * Independent scope of practice
 - * Professional standards of practice and education
 - * A code of ethics
 - * A process to address professional conduct and competence issues
 - * Legislated self-regulation or formal association for the purpose of self-regulation

- * Exercising independent professional judgment
- * Compensation for services rendered
- * Responsibility for educating prospective professionals;
- * Legislation governing professional self-regulation is essential for those occupations that present sufficient risk to the public; the greater the risk, the more restrictive the form of regulation;
- * The register, regulatory documents, communiqués and meetings should be open and available to the public;
- * Advocacy in the public interest is a core professional responsibility. If tension arises between advocacy and the fulfillment of its legislative requirements, the self-regulating body will always defer to legislative requirements;
- * Professional regulation has its foundational core based in law. Key components of a professional regulatory framework should include:
 - * Protection of title
 - * Scope of practice and accommodation of overlapping scopes
 - * A code of ethics to guide the profession
 - * Officers of the professional association as practicing members
 - * Enablement of standards for professional education and practice
 - * Complaints resolution process
 - * Continuing competence requirements;
 - * Using evidence-based information, the professional self-regulatory body continuously innovates towards best practice in regulatory policy;
 - * Professional regulatory bodies should maintain liability protection for their practicing membership. This serves a dual purpose: to ensure that members are protected and to ensure that the public can seek compensation for harm;
 - * Confirmation of registration and licensure status by the employer on an ongoing basis, ensures protection of the public and the provision of safe, competent care;
 - * Professional self-regulatory bodies should strive for global and national standards that enable mobility of the profession.
 - * Professional self-regulatory bodies should work on human resource planning, policy and evaluation at both the global, national, provincial and local levels.

BACKGROUND

Society has and continues to value the importance of professional self-regulation wherein professionals are responsible and accountable for meeting their professional obligations. The Supreme Court of Canada has concluded that it is difficult to overstate the importance in our society of the proper regulation of our learned professions.

The primary purpose of the establishment of self-governing (regulating) professions is the protection of the public. Through legislation, provincial governments grant professions the privilege of self-regulation. This legislation bestows upon the professional organizations the power to self-regulate, and with it the responsibility to fulfill its mandate to the public.

Government involvement is minimal in professional self-regulation and frequently takes the form of government appointed public representatives to the boards or councils of these organizations. Public participation is a crucial component of effective professional self-regulation and ensures that the public interest is addressed.

The Canadian health care system continues to experience rapid reform driven by issues critical to its survival: sustainable funding, health human resource shortages, evolving and overlapping scopes of practice, accountability to the public, assurance of quality services/continuous improvement, facultative environments and growing consumer expectations.