



The Saskatchewan Society of Medical
Laboratory Technologists
Regulatory Bylaws
2018

Approved April 5, 2019

**The SSMLT Regulatory Bylaws
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Saskatchewan Society of Medical Laboratory Technologists Bylaws

(Regulatory Bylaws pursuant to the *Medical Laboratory Technologists Act, 1995*)

Title

- 1 These bylaws may be referred to as *The Saskatchewan Society of Medical Laboratory Technologists (SSMLT) Regulatory Bylaws, 2018*.

Definitions

- 2(1) In these bylaws:
 - (a) "Act" means *The Medical Laboratory Technologists Act*
 - (b) "area of practice" means General Practice, Diagnostic Cytology or Clinical Genetics.
 - (c) "prescribed fee" means the applicable fee prescribed in the administrative fee bylaws of the SSMLT;
 - (d) "recognized medical laboratory technology educational program" means a program described in section 4 of the regulatory bylaws;
 - (e) "required examination" means the examination(s) described in section 5 of the regulatory bylaws;
 - (f) "CSMLS" means Canadian Society for Medical Laboratory Science;
 - (g) "SSMLT" means the Saskatchewan Society of Medical Laboratory Technologists;
 - (h) "CAMLPR" means Canadian Alliance for Medical Laboratory Professionals Regulators;
 - (i) "PLA" means Prior Learning Assessment from CSMLS.

Demand for special meeting

- 3 For the purposes of section 14 (2) (n) of the Act, the number of members who may demand that a special meeting of members be held is the number equal to 10% of the total number of all practicing members.

REGISTRATION AS A MEMBER

Educational programs

- 4 Council recognizes all Canadian accredited medical laboratory technology programs, or any program council deems its equivalent, for the purposes of section 18 (1) (d) of the Act.

Examinations

- 5(1) The certification examinations administered by CSMLS, or an examination deemed equivalent by council, is required for registration as a member for the purposes of section 18 (1) (b) of the Act.
- (2) A person who applies for registration as a Medical Laboratory Technologist (MLT) must challenge the required examination at the first opportunity of the examination after he or she becomes eligible, unless the council or the Executive Director, on being furnished with evidence of a candidate's exceptional circumstances directs otherwise.
- (3) A person who writes the required examination and who fails on a writing is required to rewrite the examination at the next opportunity, unless the council or the Executive Director, on being furnished with evidence of a candidate's exceptional circumstances directs otherwise.
- (4) A person who fails the required examination on three occasions is not eligible for registration as a medical laboratory technologist.

Categories of membership

- 6(1) Membership shall consist of the following categories:
 - (a) practicing member
 - (b) temporary practicing member
 - (c) non-practicing member
 - (d) retired member
 - (e) honorary member

General requirements of membership

- 7(1) All applicants for membership of any kind shall submit the appropriate fee required pursuant to *The Medical Laboratory Technologists Administrative Fee Bylaws and*:
 - (a) a completed membership application form approved by council, together with the prescribed fee(s);
 - (b) submit all documents required by council;
 - (c) provide evidence that the applicant meets the requirements for proficiency in English that is recognized by council;
 - (d) provide evidence satisfactory to the council of the applicant's good character;
 - (e) provide evidence of Registration in Good Standing, where applicable; and
 - (f) provide government issued photo identification as approved by council.

Practicing Membership

- 8(1) Practicing membership is available to a person who meets the requirements of sections 18 of the Act and has met the general requirements of membership under section 7 of the regulatory bylaws.

- (2) Practicing membership entitles the person to the following privileges and obligations:
- (a) voting at all Annual, Special Meetings and in Ballots and shall be eligible to stand for and be elected to any office and be appointed to any Committee;
 - (b) practicing in accordance with these bylaws, as a medical laboratory technologist in his or her area of practice as a member;
 - (c) using the title of "medical laboratory technologist" or "registered medical laboratory technologist" as described in section 20 of the Act;
 - (d) receiving the publications of the SSMLT;
 - (e) receiving a copy of SSMLT documents designated for distribution to practicing members;
 - (f) adhering to the Code of Professional Conduct as adopted by council;
 - (g) adhering to Standards of Practice adopted by council; and
 - (h) attending the Annual or Special meetings of the SSMLT.

Non-practicing Membership

- 9(1) Non-practicing membership is available to a person who:
- (a) has met the registration requirements in section 7 of the regulatory bylaws and chooses not to practice as a Medical Laboratory Technologist.
- (2) Non-practicing membership entitles the person to the following privileges:
- (a) attending at all Annual and Special Meetings;
 - (b) using the title of "medical laboratory technologist" or "registered medical laboratory technologist" as described in section 20 of the Act; and
 - (c) receiving the publications of the SSMLT.

Retired Membership

- 10(1) Retired membership is available to a person who was a practicing member in good standing of the SSMLT at the time of retirement.
- (2) Retired membership entitles the person to the following privileges:
- (a) attending all Annual or Special Meetings;
 - (b) using the title of "medical laboratory technologist" or "registered medical laboratory technologist" as described in section 20 of the Act; and
 - (c) receiving the publications of the SSMLT.

Honorary membership

- 11(1) Council may extend Honorary membership to a person who has made an outstanding contribution to the profession of medical laboratory technology or to the SSMLT.
- (2) Honorary membership entitles the person to the following privileges:
 - (a) attending all Annual or Special Meetings; and
 - (b) receiving the publications of the SSMLT.

LICENSURE

Licence Required to Work

- 12 Every practicing and temporary practicing member must have a valid and subsisting licence to practice medical laboratory technology in Saskatchewan.

Practicing Licence

- 13(1) A practicing licence is available to a person who:
 - (a) has met the educational requirements set out in section 4 of the regulatory bylaws; or
 - (b) where an applicant for admission has completed education that is alleged to be equivalent to a recognized medical laboratory technology educational program, the applicant must provide:
 - i. an assessment of equivalency from an agency acceptable to council and/or any other information that the council may require to determine equivalency; and
 - (c) has met the examination requirements set out in section 5 (1) of the regulatory bylaws;
 - (d) submit evidence of at least 30 hours continuing professional education in the previous 5 years set out in section 20 of the *regulatory bylaws*; and
 - (e) submit evidence of at least 1200 practice hours in the previous 5 years set out in section 21 of the *regulatory bylaws*.
- (2) A practicing licence may specify terms, conditions and/or restrictions as determined by council.
- (3) Notwithstanding subsection (1), the council may register as a member, and issue a licence to a person who is a registered as a Medical Laboratory Technologist in good standing pursuant to legislation of another jurisdiction in Canada.

Temporary Practicing Licence

- 14(1) A temporary practicing licence may be issued for a specified timeframe to a person who:
 - (a) has met the educational requirements set out in section 4 of the regulatory bylaws and is eligible to challenge or is awaiting results of the required examination set out in section 5; or

- (b) completed the recognized PLA program and is eligible to challenge or is awaiting results of the required examination set out in section 5; or
 - (c) in the case of an application for a renewal of a licence, when a practicing member has not completed continuing professional education or practice hours requirements in accordance with section 16 of the regulatory bylaws; or
 - (d) in the case of an application for re-entry to practice, a Temporary practicing licence may be issued until all conditions of the *SSMLT Re-entry to Practice policy* have been met.
- (2) Persons practicing under a temporary practicing licence shall practice under the supervision of a practicing member.
 - (3) A temporary practicing licence may specify terms, conditions and/or restrictions as determined by council.
 - (4) An extension or renewal of a temporary practicing licence may be available to a member that has met the terms and conditions as approved by council.
 - (5) Registration as a temporary practicing member as described in section 14 (1) (a) and section 14 (1)(b) is only available for the period commencing when eligibility requirements to write the required examination are met and ending on successful completion of the required examination or on a third failure of that examination.
 - (6) The length of a temporary practicing licence including an extension or renewal shall not exceed 18 months.

Term of Licence

- 15(1) Practicing and temporary practicing licences shall be effective December 1 of the year issued and shall expire on November 30 of the following year, unless otherwise indicated on the licence.
- (2) Every practicing member must obtain a licence in each year to practice by submitting the required form, together with the prescribed fee and/or any other fees or charges owing to the SSMLT for any reason, on or before November 30 in each year.
- (3) A practicing member who does not obtain or renew a licence ceases to be licenced and is not entitled to practise or work as a medical laboratory technologist as of December 1 of the year for which the licence is required.

Licence Renewal

- 16(1) In order to be eligible to obtain a renewal of a licence to practise, a member must:
 - (a) have obtained at least 30 hours of continuing professional education as set out in section 20 of the regulatory bylaws; and
 - (b) have worked at least 1200 practice hours in the previous 5 years as set out in section 21 of the regulatory bylaws.

Re-entry to Practice

- 17(1) A person who has not been licenced to practice in the year prior to the registration year for which membership is sought shall either:
 - (a) provide evidence of eligibility for licence renewal, including continuing professional education and practice hours accompanied by applicable fees; or
 - (b) complete the requirements of the *SSMLT Re-entry to Practice Policy*.
- (2) In the case of a new applicant that does not have the required continuing professional education or practice hours for a practicing licence, he or she must complete the requirements of the *SSMLT Re-entry to Practice Policy*.

Reinstatement

- 18(1) A person who has had their licence revoked or suspended in accordance with the Act will have no SSMLT membership privileges during the period the licence is revoked or suspended.
- (2) Reinstatement of membership shall be in accordance with section 35 of the Act.
- (3) A person whose licence has been revoked by council, may make application to be reinstated by submitting the reinstatement form, duly completed and accompanied by:
 - (a) satisfactory evidence of having met the requirements for registration;
 - (b) the reinstatement application fee as determined by council;
 - (c) the applicable annual licence fee; and
 - (d) satisfactory evidence of continuing professional education and practice hours according to SSMLT Continuing Professional Education and Practice Hours Policies.
- (4) Upon receiving application for reinstatement, council shall review the evidence submitted, the SSMLT policies and exercise its discretion in the best interest of the public and may impose or waive conditions for reinstatement including examinations, payment of fees and penalties for late payment of fees.

Liability Insurance

- 19(1) In accordance with section 14 (2)(o) of the Act, each licenced practicing and temporary practicing member must hold and maintain professional liability insurance in an amount that is at least \$2,000,000.
- (2) SSMLT shall obtain directors and officers liability insurance for coverage when conducting SSMLT business.

CONTINUING PROFESSIONAL EDUCATION

Requirement of continuing professional education

- 20(1) Each practicing member is required to maintain an inventory of continuing professional education with such evidence to be made available if requested by council or the Executive Director.
- (2) A practicing licence applicant or member must submit evidence of the required 30 hours of continuing professional education within the previous 5

years in accordance with *SSMLT Continuing Professional Education Policy* to be eligible for a licence.

- (3) Graduates from a recognized medical laboratory technology education program shall have five (5) years to obtain the required continuing professional education.
- (4) A person who has not maintained continuing professional education eligibility for a licence or renewal may, at the discretion of council be issued a temporary practicing licence for a specified timeframe to obtain the required continuing professional education.

PRACTICE HOURS

Requirement of practice hours

- 21(1) A practicing licence applicant or member must submit evidence of the required 1200 practice hours within the previous 5 years in accordance with the *SSMLT Practice Hours policy* to be eligible for a licence.
- (2) Graduates from a recognized medical laboratory technology education program shall have five (5) years to obtain the required practice hours.
- (3) A person who has not maintained practice hours eligibility for a licence or renewal may, at the discretion of council be issued a temporary practicing licence for a specified timeframe to obtain the required practice hours.

GENERAL

Licence revocation

- 22 The Executive Director may immediately suspend the licence of a member where the Executive Director determines that the member was not eligible for the licence when it was obtained, and the Executive Director shall refer the issue to the Counselling and Investigation Committee as a complaint.

REVIEW OF DECISIONS OF EXECUTIVE DIRECTOR

Review of Decisions

- 23 A person who applies for a review of a decision delegated to the Executive Director pursuant to section 19(4), (5), (6), (7) of the Act shall forward his or her application for review in accordance with *SSMLT Appeal of Registration Policy*, within 30 days of having received the decision of the Executive Director.

PROFESSIONAL CONDUCT

General

- 24 All members shall ensure that they practice within their area of practice, educational preparation and level of competence.

Code of Ethics

- 25 Every member shall comply with the *Code of Professional Conduct for Medical Laboratory Technologists* in Canada approved and adopted by the Canadian Alliance of Medical Laboratory Professionals Regulators (CAMLPR) contained in Schedule A

Standards of Practice

- 26 Every member shall comply with the *Standards of Practice for Medical Laboratory Technologists* in Canada approved and adopted by the CAMLPR.

Conflict of Interest

- 27(1) A conflict of interest may involve:
- (a) elected members of council;
 - (b) members appointed to statutory, standing or ad hoc committees; and
 - (c) employees of the SSMLT.
- (2) A conflict of interest exists when a member has a personal or organizational interest in any action taken by, or on behalf of, the SSMLT. A conflict of interest includes, but are not be limited to, the following:
- (a) where a member is involved in the investigation or discipline process of another member who may be related to that member;
 - (b) where the member, the member's family, employees of the college, partner or associate might personally or financially benefit from decisions made by, or information gained from, involvement on council or committees;
 - (c) where the member is involved in determining or reviewing the registration or licencing eligibility of other members and the member is related to that member; and
 - (d) where the member is involved in negotiating wages or employment contracts for college staff that might be related to that member.
- (3) Members serving on council or committees shall declare a conflict of interest in matters under consideration or in decisions taken in which they have a conflict of interest.
- (4) It shall be at the discretion of the chair of council or the committee whether the member declaring a potential conflict of interest should recuse himself or herself from participating in any way with the matter that is subject of the conflict.

NOTIFICATION

Electronic service of notices

- 28 Documents that are required or permitted by the Act and the bylaws to be served on or given to a person by email will be sent to the person at the email address in the records of the SSMLT. It is the responsibility of the member to ensure his or her email address is current.

INVESTIGATION AND DISCIPLINE

Counselling and Investigation Committee

- 29(1) Council shall designate the chairperson of the Counselling and Investigation committee.
- (2) The term of office for members of the Counselling and Investigation committee is three years and may be renewed for one additional three-year term.
- (3) The duties of this Committee shall be:
 - (a) to receive and review complaints brought against any member in writing;
 - (b) upon completion of its investigation, to make a written report as prescribed in section 22 of the Act, to the discipline committee recommending:
 - (i) that no further action be taken with respect to the matter under investigation; or
 - (ii) the matter has been resolved with the consent of the complainant and the member who is the subject of the complaint; or
 - (iii) that the discipline committee hear and determine the formal complaint set out in the written report.
 - (c) to hold in confidence all sessions and documentation; and
 - (d) to prepare for the council an annual report of its investigations.

Discipline Committee

- 30(1) The council shall designate the chairperson and vice-chairperson of the Discipline Committee.
- (2) The term of office for members of the Discipline Committee shall be three years and can be renewed for one additional three-year term.
- (3) The duties of the Committee shall be:
 - (a) to hear any complaint referred by Counselling and Investigation Committee and determine whether the conduct of the member constitutes professional incompetence or professional misconduct;
 - (b) where a member is found guilty of professional incompetence or professional misconduct, to issue orders as outlined under section 25 of the Act;
 - (c) to hold in confidence all sessions and documentation;
 - (d) report discipline decisions to council;
 - (e) post summaries of decisions of the Discipline Committee to the SSMLT website; and
 - (f) to prepare and to provide to council an Annual Report of the number and nature of hearings conducted.

Repeal of former regulatory bylaws

31 All former regulatory bylaws of SSMLT are repealed.

Coming into Force

32 Pursuant to section 15(2) of the Act, these bylaws come into force when they are approved by the Minister and published in the *Saskatchewan Gazette*.

Schedule A

Canadian Alliance of Medical Laboratory Professionals Regulators National Code of Ethics for Medical Laboratory Technologists

Introduction

The Code of Ethics describes the expected ethical obligations and principles that patients, the profession and the public believe will guide the professional and personal conduct of all medical laboratory technologists (MLTs). These principles can be thought of more as exhibited behaviours than the knowledge and skills listed in a Standards of Practice document.

The Code of Ethics, along with the Standards of Practice, defines professionalism in the practice of medical laboratory technology. MLTs adhere not only to the guidelines, but also to the underlying spirit and precepts.

A medical laboratory technologist's fundamental responsibility is to manage the prescribed medical laboratory services for patients in an effort to improve their health. MLTs have professional obligations to work collaboratively with colleagues and other healthcare providers to deliver professional services.

Patient safety and protection is paramount at all times.

The Code of Ethics will:

- Promote an MLT's recognition of the professional and personal conduct expectations for medical laboratory technology practice.
- Represent the minimum standards of professional behavior and ethical conduct expected of all MLTs.
- Apply to MLTs at all times in all dimensions of professional and personal conduct, including technical and nontechnical fields such as education, administration, quality assurance, and research.

The ethical obligations and principles are not listed in order of importance. They should be balanced against each other and considered in relation to all of the obligations and principles described by the Code of Ethics. Over time, it will evolve in response to regulatory, legal, and ethical expectations and will be adopted only after stakeholder consultation. Legislation, regulations, bylaws, Code of Ethics, Standards of Practice and practice guidelines collectively establish a framework for the practice of ethical and safe medical laboratory technology.

Ethical Obligations

Medical laboratory technologists demonstrate an application of their ethical obligations through their professional and personal conduct.

Obligations to Patients:

Medical laboratory technologists put their patient(s)' interest(s) above their personal interest(s). MLTs carry out their professional duties competently and with integrity. They respect their patients' individual needs and overall welfare at all times, including the patients' right to freedom of choice in health care provider, free and enlightened consent, and an expectation of confidentiality of all patient information, in accordance with existing legislation.

Obligations to the Public:

Medical laboratory technologists are dedicated to serving the public's health care needs through respectful, accessible, and cooperative interactions with the public and patients, other healthcare providers, and students. MLTs facilitate awareness and understanding of the medical laboratory technology profession.

Obligations to the Profession:

Medical laboratory technologists contribute to the profession's development through collaboration, mentorship, self-development, and support of its institutions. MLTs strive for excellence in their professional practice, and professional and personal conduct through life-long learning. Medical laboratory technologists recognize, disclose, and resolve conflicts of interest to safeguard patient care.

Obligations to the Regulatory Body:

Medical laboratory technologists understand, respect and comply with provincial Acts and regulations, and the Code of Ethics, Standards of Practice, bylaws and practice guidelines approved by their regulatory body. Medical laboratory technologists cooperate and maintain harmonious relations with, and promptly reply to all correspondence from the regulatory body at all times.

Obligations to Oneself:

Medical laboratory technologists are accountable and responsible for their professional and personal conduct. MLTs practice within their scope of professional competence and recognize their professional and personal limitations. Medical laboratory technologists maintain and improve their knowledge, skills, judgement and behaviours to ensure the best possible patient care.

Ethical Principles

Medical laboratory technologists demonstrate the following ethical principles through the medical laboratory technology services delivered, either alone or in collaboration with a multidisciplinary team, and any services rendered under the MLTs' direction and supervision.

Confidentiality / Privacy / Conflict of Interest

Medical laboratory technologists shall:

- Respect and protect patient confidentiality and privacy by understanding and complying with applicable privacy legislation and policies regarding the collection, use, and disclosure of confidential information.
- Recognize, disclose, and act appropriately to resolve conflicts of interest that arise in the course of professional activities. They will maintain the integrity of personal health information, maintain transparency, and deliver unbiased patient-centered care. MLTs never use confidential information to the detriment of a patient or to benefit themselves or another person.

Diversity / Respect / Dignity / Consent

Medical laboratory technologists shall:

- Value, respect and protect the rights, welfare, and dignity of all patients by providing patient care and service with respect for human rights, regardless of, but not limited to race, ethnicity, religion, language, sexual orientation, age and socio-economic status, mental or physical abilities at all times.

- Obtain free and informed consent from patients before undertaking any action, in accordance with relevant legislation and policies, recognizing that consent can be withdrawn at any time.
- Maintain appropriate professional boundaries with patients, colleagues, and other healthcare providers while delivering patient-centered care.

Safety

Medical laboratory technologists shall:

- Practice according to established protocols, safety guidelines, relevant current provincial and federal legislation, institutional policies and procedures, and environmental considerations. They do so to protect patients, colleagues, healthcare providers, society, the environment, and themselves from any potential harm while acting in the best interest of the patient.
- Promote a culture of safety with colleagues, and other healthcare team members.

Accountability / Responsibility

Medical laboratory technologists shall:

- Exercise independent judgment accept responsibility for their actions and the foreseeable consequences of their actions and recognize their accountability for the service they provide.
- Practice within the scope of their professional competence, recognize the competence of others and seek their assistance as required.
- Take appropriate action in responding to situations which may jeopardize patient care or harm the profession, including reporting impaired, incompetent, and/or unethical colleagues in accordance with their legal requirements.

Professionalism / Behaviours / Attitudes / Professional Development

Medical laboratory technologists shall:

- Strive for excellence in their professional practice, and in their professional and personal conduct to uphold the integrity of the profession and the public trust.
- Communicate effectively with patients, the public, colleagues and other healthcare providers, contributing to a healthy and positive work environment
- Maintain and enhance professional practice and augment their knowledge, skills, judgement, and behaviour through self-reflection and self-directed professional development and by demonstrating continued competence
- Demonstrate collegiality, mentorship, and sharing of new and emerging professional knowledge.

Collaboration

Medical laboratory technologists shall:

- Display integrity and respect in all interactions and collaboration with healthcare providers and others involved in patient care.
- Contribute to ongoing improvement in healthcare provision through an application of a process-orientation and focus on quality.
- Promote learning by facilitating the sharing of knowledge, skills and judgment processes with colleagues, students, other healthcare professionals, and the public.

Summary

While the ethical obligations and principles are presented as discrete sections, medical laboratory technologists recognize that in practice they are implemented as part of daily processes and do not stand alone. MLTs use a combination of their knowledge, skills, judgment and behavior to adjust to changing circumstances and evolving environments.