

2023

SSMLT Regulatory Bylaws



SSMLT

Website

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The SSMLT Regulatory Bylaws, 2023

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TITLE

Title

- 1 These bylaws may be referred to as *The SSMLT Regulatory Bylaws, 2023*.

DEFINITIONS

Definitions

- 2 In these bylaws:
- (a) "Act" means *The Medical Laboratory Technologists Act*;
 - (b) "field of practice" means one or more of the following:
 - (i) chemistry
 - (ii) clinical genetics (cytogenetics and molecular genetics);
 - (iii) cytogenetics;
 - (iv) cytology;
 - (v) diagnostic cytology (cytology and histology);
 - (vi) general practice (chemistry, hematology, histology, microbiology and transfusion medicine);
 - (vii) hematology;
 - (viii) histology;

- (ix) microbiology;
- (x) molecular diagnostics;
- (xi) molecular genetics;
- (xii) transfusions medicine;

(c) “prescribed fee” means the applicable fee prescribed in the fee bylaws of the SSMLT;

(d) “recognized medical laboratory technology education program” means an education program recognized by council pursuant to clause 18(1)(d) of the Act;

(e) “required examination” means an entry to practise examination approved by council;

(f) “SSMLT” means the Saskatchewan Society of Medical Laboratory Technologists.

REGISTRATION

Categories of membership

3 The following categories of membership are established:

- (a) practising;
- (b) provisional practising;
- (c) non-practising.

General requirements

4(1) All applicants for admission to membership in practising and provisional practising membership categories must:

- (a) meet the English language requirement approved by the council;
- (b) submit evidence of good character that includes a satisfactory police information record check;
- (c) submit government issued photo identification;
- (d) provide proof of insurance against liability for professional negligence in an amount that is at least \$2,000,000 per incident and \$2,000,000 per year; and
- (e) satisfactorily complete the SSMLT jurisprudence examination.

Practising

5(1) Practising membership and initial practising licensure is available to:

- (a) an applicant who meets the requirements of subsection 18(1.1) of the Act; or
- (b) an applicant who:
 - (i) meets the requirements of subsection 18(1) of the Act;
 - (ii) has successfully completed a recognized medical laboratory technology program within the previous five years or has worked in medical laboratory technology activities approved by the council for at least 1200 working hours during the previous five years; and

(iii) has successfully completed the required examination.

(2) An applicant who has completed an education program that is alleged to be equivalent to a recognized medical laboratory technology education program must:

- (a) provide an assessment of equivalency from an agency acceptable to council;
- (b) have worked in medical laboratory technology activities approved by the council for at least 1200 working hours during the previous five years; and
- (c) have successfully completed the required examination.

(3) Practising membership entitles the member to the following privileges:

- (a) to practise in accordance with the Act and these bylaws as a medical laboratory technologist in the fields of practice in which the member is licensed;
- (b) to use the title “medical laboratory technologist” or “registered medical laboratory technologist” or the abbreviations “MLT” or “Reg. MLT”;
- (c) to attend and participate at all meetings of the SSMLT;
- (d) to be eligible for election or appointment to council or SSMLT committees; and
- (e) to receive any notices and newsletters from SSMLT.

Provisional practising

6(1) Provisional membership and initial licensure is available to an applicant who:

- (a) has completed a recognized medical laboratory technology education program; and
- (b) is registered to write the required examination.

(2) An applicant who has completed an education program that is alleged to be equivalent to a recognized medical laboratory technology education program must:

- (a) provide an assessment of equivalency from an agency acceptable to council;
- (b) have successfully completed a recognized medical laboratory technology program within the previous five years or have worked in medical laboratory technology activities approved by the council for at least 1200 working hours during the previous five years; and
- (c) be registered to write the required examination.

(3) Provisional practising membership is only available for a maximum of 18 months.

(4) Unless the council or the executive director, on being provided with evidence of exceptional circumstances, directs otherwise in writing, a provisional practising member must:

- (a) write the required examination at the first opportunity after becoming eligible; and
- (b) if the member fails the required examination, rewrite it at the next opportunity.

(5) A provisional practising member who does not successfully complete the required examination after exhausting all examination attempts is not eligible for membership.

- (6) Provisional practising membership entitles the member to the following privileges:
- (a) to practise in accordance with the Act and these bylaws as a medical laboratory technologist in the fields of practice in which the member is licensed under the supervision of a member licensed to practise as a medical laboratory technologist with SSMLT in the same fields of practice;
 - (b) to use the title “provisional medical laboratory technologist” or “provisional registered medical laboratory technologist” or the abbreviations “provisional MLT” or “provisional Reg. MLT”;
 - (c) to attend and participate in all meetings of the SSMLT; and
 - (d) to receive any notices and newsletters from SSMLT.

Non-practising

7(1) Non-practising membership is available to a person who is a practising member in good standing with SSMLT at the time they apply to become non-practising or retire from practise.

- (2) Non-practising membership entitles the person to the following privileges:
- (a) to attend all meetings of the SSMLT;
 - (b) to use the title of “non-practising medical laboratory technologist” or “retired medical laboratory technologist” or “non-practising registered medical laboratory technologist” or “retired registered medical laboratory technologist” or “non-practising MLT” or “non-practising Reg. MLT” or “retired MLT” or “retired Reg. MLT” or; and
 - (c) to receive the publications of the SSMLT.

LICENSURE

Emergency registration and licensure

8 Notwithstanding any other provision of these bylaws, in an emergency, the executive director may register and issue a licence to practise to a person who has been licensed to practise as a medical laboratory technologist in Canada under any terms or conditions that the executive director considers appropriate.

Register

9 The executive director shall maintain the register pursuant to subsection 17(1) of the Act in an electronic form and shall include the following information with respect to each member:

- (a) date of initial registration as a member;
- (b) current membership and licence status;
- (c) field of practice;
- (d) any limitations or restrictions on the member’s practise; and
- (e) any disciplinary findings.

Licence required to work

- 10(1) A member must have a valid and subsisting licence with SSMLT to practise or work as a medical laboratory technologist in Saskatchewan.
- (2) All licences expire on November 30 of each year unless otherwise indicated on the licence.
- (3) Pursuant to clause 14(2)(b)(iii) of the Act, a licence may specify terms and conditions.
- (3) A member may apply to renew a licence by submitting the required form, together with the prescribed fee and any other fees or charges owing to the SSMLT for any reason, on or before November 30 in each year.
- (5) A member who does not renew a licence is not entitled to practise or work as a medical laboratory technologist in Saskatchewan after the licence expires.

Licence renewal

- 11 In order to be eligible to renew a licence, a member must:
- (a) pay the prescribed fee;
 - (b) where the member has been convicted of a criminal offence in the previous 12 months, submit a satisfactory police information record check;
 - (c) provide proof of insurance against liability for professional negligence in an amount that is at least \$2,000,000 per incident and \$2,000,000 per year; and
 - (d) in the case of a practising member:
 - (i) have worked in medical laboratory technology activities approved by the council for at least 1200 working hours during the previous five years; and
 - (ii) accumulated at least 30 hours of continuing professional education in accordance with Table A during the previous five years.

Resignation on medical or other grounds

- 12(1) The council may, on the recommendation of the executive director, accept the resignation of a member who wishes to resign their membership in SSMLT for medical or any other reason acceptable to council.
- (2) Where the resignation of a member is accepted by the council, the executive director shall note in the register the reasons for which the member has resigned, and the notation shall be provided to any person who inquires as to the former member's membership status.
- (3) A member whose resignation is accepted by the council may apply to be reinstated as a member and shall, in addition to meeting all other requirements for registration as a member pursuant to the *Act* and the bylaws, demonstrate to the satisfaction of the council that the reasons that resulted in the resignation from SSMLT no longer exist.

Licence revocation

- 13 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.

Licence reinstatement

14 (1) A person who has had their licence revoked or suspended 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:

- (a) satisfactory evidence of having met the requirements for registration;
- (b) the reinstatement form and fee as determined by council;
- (c) the applicable annual licence fee; and
- (d) evidence they meet requirements for licence renewal.

(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.

INDEPENDENT PRACTICE

Requirements

15 A member who is self-employed or is employed as an employee of an entity that is substantially controlled by the member is required to:

- (a) annually report to the SSMLT the fact that they are engaged in independent practice;
- (b) provide to the SSMLT, on request, copies of policies and procedures the member has adopted in relation to:
 - (i) test requests;
 - (ii) record keeping;
 - (iii) patient consent;
- (c) comply with *The Medical Laboratory Licensing Act, 1994* and the regulations made under the authority of that Act; and
- (d) provide to the SSMLT, on request, a copy of the licence issued under *The Medical Laboratory Licensing Act, 1994* or notice that a licence is not required.

PRACTICE STANDARDS

General

16 All members shall ensure that they practise within their fields of practice, educational preparation, and level of competence.

Code of professional conduct

17 Every member shall comply with the *Code of Professional Conduct* approved by council from time to time.

Standards of practice

18 Every member shall comply with the *Standards of Practice* approved by council from time to time.

COMPLAINT INVESTIGATION AND DISCIPLINE**Counselling and investigation committee**

19(1) The council shall designate the chairperson and vice-chairperson of the counselling and investigation committee.

(2) The term of office for members of the committee is three years and members may be reappointed for one additional three-year term.

(3) In addition to its duties as set out in section 22 of the Act, the committee shall:

- (a) advise the member that a complaint has been received;
- (b) provide them with a copy of the complaint;
- (c) invite member comments in reply;
- (d) provide the member with the committee's investigation procedures;
- (e) notify the complainant that the complaint has been received and will be reviewed;
- (f) hold in confidence all information and documentation it receives; and
- (g) prepare an annual report to council of the number and nature of investigations conducted.

(4) A panel of the counselling and investigation committee may be established to investigate each complaint and shall consist of:

- (a) at least 3 committee members, selected by the chair of the committee; and
- (b) the majority of whom are practising members.

Discipline committee

20(1) The council shall designate the chairperson and vice-chairperson of the discipline committee.

(2) The term of office for members of the committee is three years and members may be reappointed for one additional three-year term.

(3) In addition to its duties as set out in sections 24 and 25 Act, the committee shall:

- (a) provide the member with a copy of the committee's hearing procedures;
- (b) provide the complainant with a copy of the notice of hearing;
- (c) serve notices to any witnesses required for the hearing;
- (d) publish the notice of hearing and committee's hearing procedures on the SSMLT website;

- (e) hold in confidence all information and documentation it receives;
 - (f) post summaries of decisions of the committee on the SSMLT website; and
 - (g) prepare an annual report to council of the number and nature of hearings conducted.
- (4) A panel of the discipline committee may be established to hear each complaint referred to it and shall consist of:
- (a) at least 3 committee members, selected by the chair of the committee;
 - (b) one of whom is a public appointee appointed pursuant to section 8 of the Act; and
 - (c) the majority of whom are practising members.

GENERAL

Review of decisions

21(1) A person who applies for a review of a decision delegated to the executive director pursuant to subsection 19(1) of the Act shall forward their application for review in writing to the SSMLT council within 30 days of having received the delegated decision in writing and shall:

- (a) set out the grounds on which the applicant alleges that the delegated decision is in error, and:
 - (b) submit any documentation necessary to support the allegation.
- (2) The council shall provide an applicant for review of a decision with an opportunity to make a presentation to the council, if desired by the applicant, as soon as possible after the application is received.
- (3) The council shall provide an applicant for review of a decision with a written decision within 30 days following receipt of all documentation and conclusion of the applicant's presentation to council.

Conflict of interest

22(1) A conflict of interest may involve:

- (a) those elected or appointed to council;
 - (b) members appointed to statutory, standing, or ad hoc committees;
 - (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 and includes the following:
- (a) where a member is involved in the investigation or discipline process of another member to whom they are related;
 - (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 a committee;
 - (c) where the member is involved in determining or reviewing the licensing eligibility of a person they are related to;

(d) where the member is involved in negotiating wages or employment contracts for staff they might be related to.

(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 themselves from participating in any way with the matter that is subject of the conflict.

Demand for special meeting

23 For the purposes of clause 6(2)(b) of the Act, the number of members who may demand that a special meeting be held is the number equal to 10% of the total number of all practising members who are currently licensed.

Electronic service of notices

24 Any documents that are required or permitted by the Act or the bylaws to be served on or given to a member may be served by email to the member at the email address in the records of the SSMLT.

Repeal of former regulatory bylaws

25 All former regulatory bylaws of SSMLT are repealed.

Coming into force

26 Pursuant to subsection 13(6) of the Act, these bylaws come into force when they are approved by the Minister and published in *The Saskatchewan Gazette*.

Table A

Continuing Professional Education Requirements

30 hours in the previous 5-year period. Minimum of 15 hours must be Category 1.

Category 1: MLT Practice- evidence required

Events

Conferences/Lectures/Presentations/Seminars
Webinar/podcast

Courses

General computer
Safety
Equity, Diversity, and Inclusion
Operational organization
Leadership
Basic, Refresher and Advanced MLT Practice

Activities

Lecture provided by member
Poster presentation
Scientific article author
Assessor- Laboratory or Laboratory Education program accreditation

Course development/author
Scientific article - author or reviewer

Training

Instrument training-key operator
Instrument training-vendor presented

Other

Items not listed- submit details for consideration (review by: Professional Practices committee)

Category 2: Personal Improvement – evidence not required

Training and orientation

Initial job-by another MLT
New instrument - by another MLT
New bench or technique – by another MLT

Performance

Competency assessment
Proficiency testing
Computer courses-not in Category 1

Meetings

Council/Committee- SSMLT
Board/Committee- MLT related organization
Committee- Workplace

Reading

Scientific journal or article
Workplace manuals

Mentor or Preceptor

Student
New employee

Other

Items not listed- submit details for consideration (review by: Professional Practices committee)