

*Self Regulation:
Professional Practice Series*



ANBLPN

Association of New Brunswick Licensed
Practical Nurses

AIAANB

L'Association des Infirmier(ère)s Auxiliaires
Autorisé(e)s du Nouveau-Brunswick

Mission

The Association of New Brunswick Licensed Practical Nurses ensures the public of their commitment to safe, competent, and compassionate, ethical care by regulating and enhancing the profession of practical nursing.

Acknowledgements

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Self-Regulation

Introduction

The Association of New Brunswick Licensed Practical Nurses (ANBLPN), or the Association, is the regulatory body for Licensed Practical Nurses (LPNs) in New Brunswick. The Association's mandate is to protect the public by promoting the provision of safe, competent, ethical, and compassionate nursing care. The Association sets, monitors and enforces standards for entry into the profession, practical nurse education, registration and professional conduct. The Association creates Standards of Practice, establishes a Code of Ethics, develops and implements a Continuing Competence Program, and publishes policies and interpretive documents to support the practice of licensed practical nurses in New Brunswick.

Using this document

Guidelines are documents that outline the licensed practical nurse's accountability in specific practice contexts. They reflect relevant legislation and are designed to help licensed practical nurses understand their responsibilities and legal obligations in order to they make safe and ethical nursing decisions.

Guidelines for Licensed Practical Nurses: Self-Regulation was developed to assist licensed practical nurses understand self-regulation. This, as with all Association documents, can be used with ANBLPN Standards of Practice, Code of Ethics and all applicable practice guidelines or position statements found on the Association website at <http://anblpn.ca>.

Professional Regulation

Professional regulation is the process of creating, monitoring, and enforcing regulations that have been formed by legislation for the purposes of establishing standards of conduct for the members of a profession. A profession can be regulated one of two ways: either directly by the government or by the profession itself.

Professional Self-Regulation

Professional self-regulation is when an occupational group formally regulates the activities of its members, (Benton, Gonzalez-Juardo & Beneit-Montesinos, 2013; CNA, 2007). Professions self-regulate because their specialized body of knowledge positions them to develop standards for education and practice and to ensure these standards are met (Schultze, 2008). In New Brunswick, all nursing professionals are regulated by the profession, or self-regulated.

The Goal of Self-Regulation

Certain professions and occupations perform work of such a nature that if it is carried out in a negligent or fraudulent way, it can be dangerous to the public or contrary to the public interest (Schultze, 2008). The goal of self-regulation is the delivery of safe and competent services by the members of the profession based on principles that promote good practice, prevent poor practice, and intervene when practice is unacceptable (CNA, 2007).

Self-Regulation

The Authority to Self-Regulate

The authority to self-regulate is granted to a profession by the government through law or legislation. A regulatory body is created to facilitate the day-to-day activities of self-regulation as outlined by the legislation. The government in granting the capacity to self-regulate retains some control over the practice of a profession and the services provided by its members (Randall, 2000).

The LPN Act

In New Brunswick, the LPN Act (2014) authorizes the Association to regulate LPNs. The Act outlines the legal capacity that the government has delegated to the Association as the regulatory body. The Association is expected to develop, implement, and enforce various regulatory standards, processes and policies in exchange for the benefits of professional status associated with self-regulation, (Randall, 2000). These standards, processes and policies create a regulatory framework designed to protect the public by ensuring that services from LPNs are provided in a safe, competent, compassionate and ethical manner.

The Association's Objectives

Along with authorizing the Association to regulate LPNs, the LPN Act (2014) also outlines four objectives or objects. These objects must be met in all of the Association regulatory activities:

1. To serve and protect the public interest;
2. To preserve the dignity of the practical nursing profession;
3. To maintain public confidence in the ability of the practical nursing profession to regulate itself, and;
4. To regulate the practice of licensed practical nurses through the development of various processes.

Role of the Association as the Regulatory Body

The Association develops the framework for self-regulation. To do this, the Association:

1. Sets standards (for who may enter the profession, for approval of practical nurse education programs, and for the practice and conduct of those working in the profession);
2. Creates processes for when and how members may be removed from the profession (Lahey, 2013),
3. Provides direction and support to LPNs so they may maintain their competence and professional commitment throughout their nursing careers, (CNA, 2007).

The Association creates Standards of Practice, establishes a Code of Ethics, develops and implements a Continuing Competence Program, establishes registration, licensing and professional conduct processes and publishes policies and interpretive documents to support the practice of licensed practical nurses in New Brunswick as part of the self-regulatory framework.

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Self-Regulation is a Privilege and a Responsibility

Self-regulation is a privilege. Like all privileges, it can be taken away by the same governmental body that granted it. To keep the privilege, self-regulated professions are accountable to the public and the government to consistently satisfy their objectives of public safety, (CNA, 2007).

Accountability is inherent in the role of the LPN in New Brunswick. The responsibility to keep clients safe is part of the greater accountability that all LPNs bear. Self-regulation, as a framework for the delivery of safe care, is inherent in the LPNs professional responsibility to practice in the best interest of the client.

Why Self-Regulation is Important

Self-regulation involves licensed practical nurses regulating their practice in the best interest of the public. LPNs up-hold the standards of practice and code of ethics of the profession as part of the self-regulatory process and in doing so, they earn public trust and confidence (CNA, 2007; CRNBC, 2013).

Regulation versus Advocacy

There is significant distinction between regulation and advocacy. The role of regulation is protection of the public through the creation of regulatory framework (standards, code, policy, interpretive documents and process). Advocacy is typically focused on the promotion of the professional interests of the professions members, (Schultze, 2008).

The Association assumes some of the advocacy role in the absence of a professional association for LPNs in New Brunswick. It is important to recognise that the public interest is also served by the protection and promotion of the profession, (Schultze, 2008). Practice supports (e.g. standards, guidelines, documents, policies, and programs) developed by the Association are designed to help LPNs understand their practice so that they may make the best decisions possible as part of the delivery of safe, competent, ethical and compassionate care. However, where the interests of the public and the profession compete, professional self-interest must yield to public interest.

The Association must ensure that activities are consistent with its legislative mandate and objects as set by the LPN Act. Involvement in activities beyond the profession may be seen as imposing its views on the public, clients, or other stakeholders. The Association does not directly involve itself in employer-employee relations or criticize employers' actions, as these activities are not consistent with its objects. There are occasions however, where the Association may be asked to serve in a consulting capacity these matters.

Self-Regulation of Licensed Practical Nurses

The goal of self-regulation is the delivery of safe and competent care. Practical nurses participate in the self-regulatory process at a variety of levels.

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At the **regulatory level**, the Association participates in self-regulation by developing and approving standards for PN education and programs, entry-to practice competencies, LPN practice and registration processes. These elements set the context and practice expectations to ensure the delivery of safe care.

At the **practice level**, practical nurses participate in the self-regulation process by agreeing to practice according to the standards and processes set by the regulatory body. It is important to note that practicing according to standard or policy is compulsory for every LPN in every practice context.

At the **individual professional level**, each LPN participates in the self-regulation process by: being accountable for their own actions at all times; making appropriate decisions based on a decision making framework, practice context, and employer or Association policies, participating in their continuing competence program, (Lahey, 2011), and; working in partnerships to create quality practice environments that support professional practice and client safety (CNA, 2007).

Conclusion

Self-regulation is a privilege granted to the practical nursing profession in order to serve the public interest. It is the role and responsibility of the Association to ensure that entry into the practical nursing profession in New Brunswick is protected by strict standards of qualification and that members, once admitted, are regulated by high standards of practice, competence and conduct, (Schultze, 2008). It is also the responsibility of the Association to establish a continuing competence program to ensure that LPNs maintain competence through-out their careers. It is the responsibility of each member to continuously improve their competency in the profession to ensure the delivery of safe, competent, ethical and compassionate nursing care to clients, (Vernon, Chiarella, & Papps, 2013).

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