



**The College of Audiologists and
Speech-Language Pathologists –
Newfoundland and Labrador**

ADMINISTRATIVE BY-LAWS

October 26, 2012

**The College of Audiologists and Speech-Language Pathologists –
Newfoundland and Labrador
ADMINISTRATIVE BY-LAWS**

1) These By-laws are the administrative by-laws of the College of Audiologists and Speech-Language Pathologists – Newfoundland and Labrador, made pursuant to section 31 of the *Health Professions Act*.

2) **Definitions**

In these By-laws:

- (a) “Act” means the *Health Professions Act*, SNL 2010, c.H-1.02 as from time to time amended and every statute that may be substituted therefore and, in the case of such substitution, any reference in the By-laws of the College to provisions of the Act shall read as references to the substituted provisions therefore in the new statute or statutes;
- (b) “Association” means Newfoundland and Labrador Association of Speech Language Pathologists and Audiologists;
- (c) “Audiologist” means a person who practices audiology;
- (d) “Audiology” means an autonomous profession with expertise in overall hearing and vestibular health and that identifies, assesses, diagnoses and treats individuals with peripheral or central hearing loss, tinnitus and balance disorders;
- (e) “Board” means the Board of Directors of the College established under **Section 6** of the CASLP-NL Administrative By-laws;
- (f) “Board member” means the Chairperson, the Vice-Chairperson and the other members appointed to the Board in accordance with **Section 6** of the Administrative By-Laws or elected to the Board in accordance with **Section 7** of the Administrative By-laws;
- (g) “CASLP-NL Administrative By-laws” means these By-laws;
- (h) “Chairperson” means chairperson of the College;
- (i) “College” means the College of Audiologists and Speech-Language Pathologists – Newfoundland and Labrador (CASLP-NL);
- (j) “College member” means a person whose name is entered on the Register as an Audiologist or as a Speech-Language Pathologist, and who has not surrendered his or her certificate of registration or has not had his or her name struck from the Register;

- (k) “Council” means the Newfoundland and Labrador Council of Health Professionals as established under the Act;
- (l) “financial year” means the year defined by **Section 11** of the CASLP-NL Administrative By-laws;
- (m) “good standing” means in relation to a College member that the College member’s registration is not subject to a suspension, that the College member’s certificate of registration has not been surrendered, that the College member’s name has not been struck from the Register, and that the College member has paid all outstanding fees due to the Council and to the College;
- (n) “health profession” means a health profession designated in the Schedule as governed by the Act;
- (o) “health professional” means a member of a health profession;
- (p) “Minister” means the minister appointed under the *Executive Council Act* to administer the Act;
- (q) “prescribed by College” means as prescribed by by-laws or policies made by the College;
- (r) “Province” means Province of Newfoundland and Labrador;
- (s) “Register” means the register established under section 13 of the Act, as it pertains to Audiologists and Speech-Language Pathologists;
- (t) “Registrar” means the registrar of health professionals appointed according to the Act;
- (u) “Regulations” means the regulations under the Act as published or from time to time amended and every regulation that may be substituted therefore and, in the case of such substitutions, any reference in the By-laws of the College to provisions of the regulations shall be read as references to the substituted provisions therefore in the new regulations;
- (v) “Speech-Language Pathologist” means a person who practices speech-language pathology;
- (w) “Speech-Language Pathology” means an autonomous profession with expertise in typical development and disorders of communication and that identifies, assesses, diagnoses and treats disorders of communication and swallowing;
- (x) “working day” means any day which is not a “holiday” as defined by the *Interpretation Act* of the Province, and may include a Saturday;

3) College

- (a) The College of Audiologists and Speech-Language Pathologists – Newfoundland and Labrador is continued as a corporation without share capital for the purpose of Part XXI of the Corporations Act.

- (b) A person who is registered under the Act as an Audiologist or Speech-Language Pathologist is a College member.
- (c) The objectives of the College are
 - (i) to assure to the general public the proficiency and competency in the practice of Audiology of persons entered on the Register as Audiologists;
 - (ii) to assure to the general public the proficiency and competency in the practice of Speech-Language Pathology of persons entered on the Register as Speech-Language Pathologists;
 - (iii) to regulate and govern persons entered on the Register as Audiologists in the practice of Audiology; and
 - (iv) to regulate and govern persons entered on the Register as Speech-Language Pathologists in the practice of Speech-Language Pathology.

4) Annual General Meeting of the College Members

- (a) The College shall hold an Annual General Meeting, to which all College members in good standing shall be invited.
- (b) The College shall hold its first Annual General Meeting not more than 15 months after the date the CASLP-NL Administrative By-laws are approved by the Board of the College and after that an Annual General Meeting must be held no later than May 31 of each calendar year. The Annual General Meeting shall be scheduled for a working day, which may include a Saturday. The agenda for the first Annual General meeting of the College shall include the ratification by the College members in good standing of the CASLP-NL Administrative By-laws.
- (c) Subject to **subsection 4 (b)** of the CASLP-NL Administrative By-Law, the College sets the place, day and time of the Annual General Meeting.
- (d) The agenda for the Annual General Meeting shall be set by the Board and shall include:
 - (i) for the first Annual General meeting, the ratification by the College members in good standing of the CASLP-NL Administrative By-laws;
 - (ii) a presentation of the financial statements of the College, and a report of the College's auditors for the previous financial year;
 - (iii) the appointment by the College of an auditor to audit the accounts of the College for the coming financial year;
 - (iv) a report on the work of the College in the past calendar year, which may be updated as far as considered practical by the College closer to the date of the Annual General Meeting; and
 - (v) such other matters as may be determined by the Board.

- (e) The College shall give Notice of the Annual General Meeting to all College members who are currently in good standing, at least 42 working days before the meeting. The Notice shall
 - (i) state the place, date and time of the Annual General Meeting and the agenda for the meeting;
 - (ii) be sent by electronic mail or postal mail, if no e-mail address is provided, to the last known address of each College member in good standing on record with the College;
 - (iii) be deemed to have been received by the College member on the seventh working day following the sending of the notice in accordance with **paragraph 4) (e) (ii)** of the CASLP-NL Administrative By-laws, without any obligation on the College to prove actual receipt by the College member; and
 - (iv) be posted on the College website.
- (f) Each College member shall be responsible to provide the College, in writing, with his or her most current email address. College members who give notice to the College that they would prefer to receive correspondence via postal mail shall be responsible to provide the College, in writing, with his or her most current mailing address.
- (g) The non-receipt of the Notice of an Annual General Meeting by any College member shall not invalidate any appointment made or other business at the Annual General Meeting.
- (h) Each College member in good standing shall have the right to exercise one vote at the Annual General Meeting.
- (i) A quorum for the Annual General Meeting is 10% of the College members in good standing.
- (j) College members in good standing may participate in an Annual General Meeting, and be counted as part of the quorum of the College, by teleconference, videoconference or such other electronic means as may be approved by the College. The foregoing does not obligate the College to make arrangements for participation of a College member by teleconference, videoconference or other electronic means if the Board, in its opinion, determines that participation by such means would impose an undue cost on the College or would otherwise be impractical.
- (k) The College may establish a policy regarding information to be made available to the public regarding the Annual General Meeting and the reports delivered at the Annual General Meeting.

5) **Special Meeting of the College Members**

In addition to the Annual General Meeting, the Board may, from time to time as it deems necessary, give notice of and hold a Special Meeting of the College Members, to which all College members in good standing shall be invited. The agenda for a Special Meeting

shall be set by the Board, and the provisions of **subsections 4 (c), 4 (e), 4 (f), 4 (g), 4 (h), 4 (i), 4 (j) and 4 (k)** of the CASLP-NL Administrative By-laws shall apply, with necessary changes, to a Special Meeting, subject to the specific authority of the Board to abridge the notice period for a Special Meeting to less than 42 working days notice, if deemed necessary or desirable by the Board.

6) College Board of Directors

- (a) The College shall be governed by a Board of Directors consisting of:
- (i) **Chairperson**, who shall be chief executive officer of the College. It shall be his/her duty to call all meetings, to set meeting agendas, to book times for meetings, to preside at all meetings of the College and of the Board, to supervise the affairs of the College and to perform such duties as shall be assigned to the Chairperson under or pursuant to the by-laws. The Chairperson shall sit on the Council. The first chairperson of the College shall be the person appointed in accordance with paragraph 28 (7) (b) of the Act, until such time as the first election of the Board conducted in accordance with **Section 7** of the CASLP-NL Administrative By-Laws;
 - (ii) **Vice-Chairperson**, who shall sit on the Board of Directors and assume the duties of the Chairperson as necessary and assume duties as assigned by the Board. The first vice-chairperson of the College shall be the person appointed in accordance with paragraph 28 (7) (b) of the Act, until such time as the first election of the Board conducted in accordance with **Section 7** of the CASLP-NL Administrative By-Laws;
 - (iii) **Treasurer**, who shall be responsible to oversee the collection and disbursement of the funds of the College. The Treasurer is also responsible for ensuring that an accurate account of all financial transactions of the College is kept. The Treasurer shall present the financial statements of the College at the Annual General Meeting, and upon request at any time, provide copies of the financial statements and of the auditor's report, as presented at the Annual General Meeting, to the Board or to College members. With the approval of the Board, the Treasurer manages financial investments;
 - (iv) **Secretary**, who shall be responsible for the maintenance of records and proper dissemination of information pertaining to the College, including keeping of minutes of all meetings;
 - (v) **Member at Large**, who shall sit on the Board of Directors and assume duties as assigned by the Board of Directors.
- (b) One member elected from and by the College Members in good standing will serve as the **College Representative** to the Council, as contemplated by paragraph 8(1)(a) of the Act. The first College Representative shall be a person appointed by the Minister, until such time as the first election of the Board conducted in accordance with Section 7 of the Newfoundland and Labrador Council of Health Professionals Administrative By-Laws and with **Section 7** of the CASLP-NL Administrative By-Laws. The College Representative, in addition to his or her duties in relation to the Council, will also attend Board meetings ex officio and receive all communications of the Board.

- (c) Board members and the College Representative are eligible to be re-elected but shall not be a Board member or a College Representative for more than 9 consecutive years, as more particularly set out in and in accordance with the provisions of Section 7 of the Newfoundland and Labrador Council of Health Professionals Administrative By-Laws and with **Section 7** of the CASLP-NL Administrative By-laws.

7) Election of College Board and of College Representative

(a) Election Committee

The Board shall appoint an Election Committee composed of at least three College members in good standing at least one hundred and fifty (150) days prior to the expiry of the applicable term of Board member positions that are to be filled by the election.

(b) Notice of Election

- (i) The Election Committee must notify every College member in good standing of an election by delivering a notice at least 120 days prior to the expiry of the applicable term of Board member positions that are to be filled by the election. The Notice shall be sent by electronic mail to the last known address on record with the College of each College member in good standing, or by postal mail if a mailing address has been provided to the College for the purpose of the College communicating with the member. The Notice shall also be posted on the College website.
- (ii) The Notice must contain information about the nomination procedure and the election procedure.
- (iii) The Notice shall be deemed to have been received by the College member on the seventh working day following the sending of the notice in accordance with **paragraph 7) (b) (i)** of the CASLP-NL Administrative By-laws, without any obligation on the College to prove actual receipt by the College member.
- (iv) The non-receipt of the Notice of an election by any College member shall not invalidate the nomination or election of any Board member.

(c) Nomination Procedure

- (i) Any College member in good standing may nominate any other College member in good standing to fill an available position as a Board member through the nomination procedure.
- (ii) In an election, a College member may not be nominated for more than one position available for election.
- (iii) The nomination form, duly completed and signed by the nominating College member, must be received by the Election Committee at the address specified in the nomination instructions included in the Notice of election, together with a letter of consent from the College member

nominated, at least 90 days prior to the expiry of the term of office for which the College member has been nominated.

(d) Election Procedure

- (i) The Election Committee must prepare and send to each College member in good standing an election ballot not less than 60 days prior to the expiry of the term of office. The election ballot shall be sent by electronic mail to the last known email address on record with the College of each College member in good standing, or by postal mail if a mailing address has been provided to the College for the purpose of the College communicating with the member.
- (ii) The election ballot shall be deemed to have been received by the College member on the seventh working day following the sending of the election ballot in accordance with **paragraph 7) (b) (i)** of the CASLP-NL Administrative By-laws, without any obligation on the College to prove actual receipt by the College member.
- (iii) The non-receipt of an election ballot by any College member shall not invalidate the election of any Board member.
- (iv) Subject to **paragraphs 7) (b) (iv), 7 (d) (ii) and 7 (d) (iii)** of the CASLP-NL Administrative By-laws, each College member in good standing is entitled to one ballot per available position.
- (v) For each available position, a College member in good standing may vote in favor of one candidate amongst the eligible candidates indicated on the ballot as running for that position.
- (vi) The Election Committee must not count a ballot unless it is received by the Election Committee, at the address specified in the ballot instructions included with the election ballot, by the date specified in the ballot instructions which shall be at least 30 days prior to the expiry of the term of office, and unless the ballot is signed by the College member and in all other respects is completed and delivered in accordance with the ballot instructions.
- (vii) Faxed or electronically scanned ballots are acceptable when the name and signature of the member is clearly identified on the ballot, provided they are delivered to the fax number or email address indicated in the ballot instructions, and in all other respects are completed and delivered in accordance with the ballot instructions.
- (viii) Anonymous ballots delivered by hand or mail are acceptable when received in an envelope where the name and signature of the member appears on the face of the envelope, provided they are delivered to the address indicated in the ballot instructions, in the case of hand-delivery are delivered during the office hours indicated in the ballot instructions, and in all other respects are completed and delivered in accordance with the ballot instructions.

- (ix) The eligible candidate receiving the most votes on the return of the ballots is elected to the position.
 - (x) In the case of a tie vote, the Election Committee must select the successful candidate by a random draw.
 - (xi) The Election Committee must supervise and administer all elections and may establish procedures, consistent with the CASLP-NL Administrative By-laws and as approved by the Board, for that purpose.
 - (xii) The Election Committee may determine any dispute or irregularity with respect to any nomination, ballot or election.
 - (xiii) When only one College member in good standing is nominated for an available position, the nominee is deemed to be elected by acclamation.
- (e) Nomination and Election of College Representative

The College Representative shall be nominated and elected in accordance with Section 7 of the Newfoundland and Labrador Council of Health Professionals Administrative By-Laws, using the written call for nomination process, and in accordance with the provisions of section 7 of the CASLP-NL Administrative By-laws, *mutatis mutandis*, provided that where necessary the time periods provided in section 7 of the CASLP-NL Administrative By-laws shall be amended to comply with Section 7 of the Newfoundland and Labrador Council of Health Professionals Administrative By-Laws.

- (f) Terms of Office
- (i) Subject to **subsection 7) (e)** of the CASLP-NL Administrative By-laws, the term of office for an elected Board member is three years.
 - (ii) An elected Board member may serve a maximum of three consecutive terms as a Board member, regardless of the Board office held in any term by that Board member.
 - (iii) A period in office as a Chairperson, Vice-Chairperson or College Representative appointed in accordance with paragraph 28 (7) of the Act shall not count as a term of office for the purposes of **paragraphs 7) (f) (i) and 7) (f) (ii)** of the CASLP-NL Administrative By-laws, nor apply to the maximum period of nine years referred to in **subsection 6) (c)** of the CASLP-NL Administrative By-laws.
 - (iv) The term of office for a College Representative is two years.
 - (v) A College Representative may serve a maximum of four consecutive terms as a College Representative.
 - (vi) A period of time spent by a College member serving as a Board member shall be counted in determining maximum period of nine consecutive years that a College Representative may serve referred to in **subsection 6) (c)** of the CASLP-NL Administrative By-laws.

(vii) A period of time spent by a College member serving as a College Representative shall be counted in determining maximum period of nine consecutive years that a Board member may serve referred to in **subsection 6) (c)** of the CASLP-NL Administrative By-laws.

(g) Terms of Office for the First Elected Board of Directors

Notwithstanding **subsection 7) (f)** of the CASLP-NL Administrative By-laws, the first terms of office of the first elected Board members and College Representative are:

- three years for the Chairperson and the Treasurer.
- two years for the College Representative to the Council, Secretary and Vice-Chairperson.
- one year for the Member at Large.

8) Replacement of Board Members or College Representative

- (a) If the Board determines that a Board member or College Representative is not adequately fulfilling the responsibilities of his or her office, a recommendation may be made by the Chairperson to the Board that the Board member or College Representative be asked by the Board to resign.
- (b) If a Board member resigns, dies or becomes incapable or performing his or her duties, the Board of Directors of the college shall appoint a replacement Board member until the term of office of that position expires.
- (c) If a College Representative resigns, dies or becomes incapable or performing his or her duties, the Board of Directors of the college shall appoint a replacement College Representative in accordance with **subsection 7(e)** of the Administrative By-laws.
- (d) If a Board member or College Representative loses his or her status as a College member in good standing, then if he or she does not or cannot restore his or her good standing status within 30 days of being notified by the Board, he or she shall be deemed to be incapable of performing his or her duties for the purposes of **subsection 8 (b)** or **subsection 8 (c)**, as applicable, of the CASLP-NL Administrative By-laws.

9) Payments to Board Members and College Representative

- (a) Board members and the College Representative shall serve without payment for their services or reimbursement for lost wages from other employment. The travel and other expenses of Board Members or College Representative (as an ex officio member of the Board) incurred in respect of their duties in relation to the functions of the Board may be paid or reimbursed by the College, in accordance with the applicable policy established by the Board, but travel and other expenses of the Chairperson, Vice-Chairperson and College Representative incurred in respect of their duties in relation to the functions of the Council shall not be the responsibility of the College.

- (b) Remuneration of staff and consultants shall be according to scales set by the Board.

10) Fees

- (a) Money received by the College

All money received by the College in payment of fees shall be applied solely to discharge the duties of the College under the Act.

- (b) Registration Fees

Subject to **subsection 10) (a)** of the CASLP-NL Administrative By-laws, all money received in payment of registration requirements of professional members shall be applied and invested in accordance with the College's financial policies.

- (c) Funds

- (i) All monies received by the College, or by its Board, agents or employees in relation to their respective College functions, shall be receipted and recorded in accordance with the College financial policy, and shall be kept in a secure place until deposited.

- (ii) The banking business of the College or any part thereof shall be transacted with such bank or trust company as the Board may designate, appoint or authorize from time to time by resolution and all such banking business or any part thereof shall be transacted on the College's behalf by two or more Board members.

11) Financial Year

The financial year of the College commences on July 1 and ends on June 30 of the following year.

12) Signing Authority

- (a) The Chairperson, or designate as determined by the Chairperson, shall sign all official correspondence.
- (b) Two or more Board members shall be designated by the Board as signing authorities for the College's financial transactions. Two signatures shall be required on all financial documents and cheques.

13) Media Relations

- (a) The Chairperson or designate as appointed by the Chairperson shall be the spokesperson for the College
- (b) The Chairperson or designate as appointed by the Chairperson shall oversee all publications and statements issued on behalf of the College, including use of the name of the College, in any manner whatsoever.

14) Annual Report

- (a) The annual report presented at the Annual General Meeting shall contain:
 - (i) the College's financial statements, and the report of the College's auditors, for the previous year; and
 - (ii) such other information regarding the operations, objectives and duties of the College as the Board may determine.

15) Board Meetings

- (a) There shall be a minimum of four Board meetings per year, with further meetings convened by the Chairperson, or Vice-Chairperson where the Chairperson is unavailable, as required.
- (b) A quorum of the Board is 50% plus one Board member, not including ex officio members.
- (c) Where a quorum of the Board is not present at the opening of, or during, a Board meeting, the meeting may be adjourned to another fixed time and place. All information about an adjournment must be communicated to all Board members within 24 hours.
- (d) Where a quorum of the Board exists, a majority of that number is sufficient to make decisions, and in the event of a tie the Chairperson of the meeting shall cast the deciding vote.
- (e) In the absence of either the Chairperson or Vice-Chairperson, the Board members in attendance at a meeting may appoint another member to chair the meeting.
- (f) A Board member may, where all Board members at the meeting consent, participate in a meeting of the Board by means of telephone or by electronic means that permits all persons participating in the meeting to communicate with each other.
- (g) The Board may allow for voting at a Board meeting in person, by means of the telephone or by electronic means.
- (h) Notice of cancellation of a Board meeting, due to inclement weather or other reasons, should be made by the Chairperson or designate as soon as possible and when possible at least 24 hours before the planned start of the meeting.

16) Confidentiality Policies

The College shall have a policy to protect the confidentiality of personal health information regarding patients or clients of Audiology and Speech-Language Pathology collected by the College for the purpose of their quality assurance and disciplinary processes.

17) Committees

- (a) The Board may establish standing and ad hoc committees of the College for the purpose of fulfilling the duties and obligations of the College.
- (b) A committee of the College shall include at least one Board member and any members of the committee who are College members shall be in good standing. The chair of a committee of the College shall be appointed by the Board, or if not appointed by the Board, shall be proposed by the majority of the committee members for approval by the Board.
- (c) A decision of a committee of the College, if duly approved by the Board, shall be considered to be a decision of the College.
- (d) Members of committees of the College shall serve for a term of three years or until a successor has been appointed or until their appointment has been terminated by the Board, but in any case shall not serve more than three consecutive terms.

18) General Procedures for Committees

- (a) The chair of a committee, or designate of the chair, calls committee meetings.
- (b) Each committee:
 - (i) records minutes of its meetings for review on request by the Board; and
 - (ii) provides reports to each Board meeting, or as otherwise requested by the Board.
- (c) A quorum for committee meetings is 50% plus one of the committee members.

19) Standing Committees

- (a) The Standing Committees of the College are as follows:
 - (i) **By-laws Committee**, whose function is to review and make changes to the by-laws as deemed necessary by the Board. The committee shall consist of at least three members in good standing.
 - (ii) **Website Committee**, whose function is to maintain and update the College website as necessary and in accordance with section 30 of the Act. The committee shall consist of at least four members in good standing.
- (b) The Board shall appoint the persons to serve on a standing committee, in accordance with the Act and the CASLP-NL Administrative By-laws.

20) Ad hoc Committees

Ad hoc committees may be appointed by the Board for specific purposes as determined by the Board, or as may be required from time under the CASLP-NL Administrative By-laws, including without limiting the foregoing, an Election

Committee as contemplated by subsection 7) (a) of the CASLP-NL Administrative By-laws.

21) Code of Ethics

The Code of Ethics establishes the ethical standards of the College and sets out guidelines for the maintenance of proper standards of practice of professional conduct by its members. The Code of Ethics is set out in Appendix A to the CASLP-NL Administrative By-laws, and is incorporated by reference as part of the CASLP-NL Administrative By-laws.

22) Scope of Practice and Standards of Practice

Members of the College are ethically and professionally bound to provide service that is within the scope of their competence, education and experience. Scopes of Practice for audiology and speech-language pathology are set out in Appendix B to the CASLP-NL Administrative By-laws, and are incorporated by reference as part of the CASLP-NL Administrative By-laws.

The Board for and on behalf of the College may make or incorporate by reference standards of practice for Audiologists and Speech-Language Pathologists, by by-law made pursuant to section 31 of the Act and sections 25 and 26 of the CASLP-NL Administrative By-laws.

23) Quality Assurance

To promote high standards of practice within audiology and speech-language pathology members of the College shall follow the College's Quality Assurance Program to promote continuing competence and continuing quality improvement.

The Board for and on behalf of the College may approve schools and programs respecting Audiologists and Speech-Language Pathologists, by by-law made pursuant to section 31 of the Act and sections 25 and 26 of the CASLP-NL Administrative By-laws.

24) Limitation to Practice

- (a) An Audiologist who is a College member in good standing shall be entitled to practice audiology as a registered audiologist, using the designation "Audiologist". A person shall not practice or offer to practice as an audiologist for gain or reward or use the designation "Audiologist" or words or letters indicative of the designation, or convey the impression that he or she is practicing as an Audiologist, unless the person is an audiology member, in good standing, of the College.
- (b) A Speech-Language Pathologist who is a College member shall be entitled to practice speech-language pathology as a registered speech-language pathologist, using the designation "Speech-Language Pathologist". A person shall not practice or offer to practice as a speech-language pathologist for gain or reward or use the designation "Speech-Language Pathologist" or words or letters indicative of the designation, or convey the impression that he or she is practicing

as a speech-language pathologist unless the person is a speech-language pathology member, in good standing, of the College.

25) Board acts on behalf of the College

The Board is authorized to act for and on behalf of the College.

26) Notice of By-Laws Change in by-Laws

- (a) A by-law may be made, amended or repealed at a meeting of the College provided that 30 days' notice, in writing, of the making, amendment or repeal of the by-law and of the meeting is given to College members.
- (b) The College shall provide the Council with a copy of a proposed by-law to be made, amended or repealed at least 60 days before it is intended to made, amended or repealed.
- (c) Once the by-law is made, amended or repealed, notice shall be given by posting the information on the College's website and providing copies of the by-law, amended by-law or notice of the by-law repeal to each of the College members.
- (d) Notwithstanding **subsection 26) (a)** of the CASLP-NL Administrative By-laws, these first CASLP-NL Administrative By-laws shall be initially made by the Board, and be binding upon the Board, the College and College members for the period prior to and including the first Annual General Meeting, after which they will only continue to be binding if ratified at that Meeting.
- (e) Notwithstanding **subsection 26) (a)** of the CASLP-NL Administrative By-laws, new by-laws for the purposes of **section 22** or **section 23** of the CASLP-NL Administrative By-laws may initially be made by the Board, and be binding upon the Board, the College and College members for the period prior to and including the next Annual General Meeting or the next Special Meeting called for the purpose of ratifying the new by-laws, after which they will only continue to be binding if ratified at that Meeting..

Motion to adopt these by-laws

That these by-laws of the College of Audiologists and Speech-Language Pathologists – Newfoundland and Labrador be adopted.

Mover	<u>Marcella Dumaresque</u>
Seconder:	<u>Rayleen Rice</u>
Adoption Date:	<u>April 16, 2013</u>

Appendix A

College of Audiologists and Speech-Language Pathologists- Newfoundland and Labrador

Code of Ethics

Preamble

College of Audiologists and Speech-Language Pathologists – Newfoundland and Labrador (CASLP-NL) members (referred to below as audiologists, speech-language pathologists or registrants) shall abide by the Code of Ethics, By-Laws and policies of CASLP-NL and Newfoundland and Labrador Council of Health Professionals (NLCHP). The Code of Ethics sets forth the fundamental values and standards essential to the responsible practice of audiology and speech-language pathology. The underlying values of the Code form the rationale for ethical standards and provide the basis for ethical practice and decision making. The standards within the Code guide members in maintaining professionally acceptable behavior in their practice.

This Code is construed as a general guide and not a denial of the existence of other duties equally imperative or other rights not specifically mentioned. Any act or omission by a registrant that is in violation of the spirit and purpose of this Code may be found to be unethical. A significant breach of the Rules Governing Practice set out in this Code may be considered to be conduct deserving of sanction under the *Health Professions Act* SNL 2010.

This Code of Ethics seeks to provide ethical foundations for the practice of audiology and speech-language pathology which are consistent with the *Health Professions Act* SNL 2010.

Ethical Principles

Principle 1

The primary ethical obligation of audiologists and speech-language pathologists is to practice their skills for the benefit of their patients/clients.

Principle 2

In the pursuit of patient/client benefit, audiologists and speech-language pathologists have an ethical obligation to respect patients/clients as persons.

These two principles support the following rules governing the legal, professional, personal, public and business dimensions of the practice of audiologists and speech-language pathologists.

Rules Governing Practice

1. Legal Constraints on Practice

Audiologists and Speech-Language Pathologists:

- 1.1 will abide by the laws of Newfoundland and Labrador and Canada including the *Health Professions Act* SNL 2010, and the regulations and by-laws made there under;

- 1.2 will be registered with the College of Audiologists and Speech-Language Pathologists-Newfoundland and Labrador and abide by the regulations, by-laws, policies and standards of the College and the Council;
- 1.3 will be honourable and truthful in all their professional relations;
- 1.4 will respect patients'/clients' choice of practitioners;
- 1.5 will respect the patients'/clients' right to participate in treatment decisions and to be informed of potential risks and benefits of treatment options;
- 1.6 will respect the patients'/clients' right to decline treatment;
- 1.7 will not discriminate in their relationships with either their patients/clients or their colleagues on the basis of race, religion, gender, sexual orientation, marital status, disability or age;
- 1.8 will, conditional upon employment policies, have the right to select their caseload;
- 1.9 will make clear the constraints placed by research and educational goals on the patient/client-practitioner relationship.

2. Professional Constraints on Practice

Audiologists and Speech-Language Pathologists:

- 2.1 will behave in a professionally exemplary manner refraining from physical, emotional, sexual, or financial abuse of patients/clients;
- 2.2 will practice within the limits of their competence as determined by their education, training and professional experience;
- 2.3 will administer only necessary assessment/diagnostic tests, accept persons for treatment if benefit can reasonably be expected to accrue, and continue treatment only if benefit can reasonably be expected;
- 2.4 will regularly participate in professional development and educational programs designed to improve quality of care;
- 2.5 will not allow supportive personnel or students to render services without adequate supervision;
- 2.6 will ensure that interpretation of results from assessment and treatment via Telehealth or other electronic means is completed by an audiologist or speech-language pathologist as appropriate;
- 2.7 will not participate in activities that could be construed as involving a conflict of interest; should a registrant identify himself/herself to be in such a conflict, the registrant is responsible for the prompt resolution of the conflict;
- 2.8 will exercise independent professional judgment before implementing professional service/prescription;

- 2.9 will maintain adequate records of services rendered and products dispensed and will allow access to these records when appropriately authorized;
- 2.10 will maintain the confidentiality and privacy of the information and records of those receiving services or involved in research, as required by the *Personal Health Information Act (PHIA)*;
- 2.11 will notify the Registrar when there is reason to believe that another registrant of the College has violated the Code;
- 2.12 will advise and cooperate with the Complaints Authorization Committee during investigations of alleged violations of the Code, By-laws and policies of the College;
- 2.13 will ensure that all equipment used is calibrated and in proper working order.

3. Personal Characteristics

Audiologists and Speech-Language Pathologists:

- 3.1 will not practice if a physical or mental impairment affects their ability to provide quality services;
- 3.2 will protect the health and well being of their patients/clients and advocate for them when appropriate;
- 3.3 will utilize all possible resources to ensure that quality service is provided;
- 3.4 will provide a realistic statement of outcome;
- 3.5 will apprise patients/clients of programs and services from which they may benefit and initiate referrals as appropriate to others whose knowledge may contribute to the diagnosis, assessment/treatment and overall well being of those served;
- 3.6 will make available for potential public benefit any of their professional discoveries;
- 3.7 will develop and maintain positive professional relationships with their colleagues, students and other professionals.

4. Public Relations

Audiologists and Speech-Language Pathologists:

- 4.1 will not misrepresent credentials, competence, education, training or experience;
- 4.2 will not represent themselves to the public as exclusive agents of the methods or techniques they employ;
- 4.3 will undertake to provide accurate information to the public;
- 4.4 will maintain the standards and dignity of the profession in all media involvement;
- 4.5 will acknowledge the contributions of others in a publication, presentation or product;

4.6 will cooperate with appropriate public officials to the extent required by law.

5. Business Relations

Audiologists and Speech-Language Pathologists:

5.1 will set reasonable fee structures based on fair value for services rendered and will provide this information in advance of rendering these services;

5.2 will refrain from securing patents and copy rights that restrict practice and research.

Approved by the CASLP-NL Board of Directors, October 11, 2012

Footnote: Code of Ethics, Canadian Association of Speech-Language Pathologists and Audiologists (CASLPA), February, 2005

Code of Ethics, College of Audiologists and Speech-language Pathologists of Ontario, (CASLPO), December 2010

Appendix B

College of Audiologists and Speech Language Pathologists- Newfoundland and Labrador

Scope of Practice for Audiology

Audiologists are ethically bound to provide services that are consistent with the scope of their competence, education and experience. The scope of practice document is not intended to be an exhaustive list of activities and some may not fall into the exclusive domain of an audiologist.

Definition

Audiologists are autonomous professionals who have expertise in overall hearing and vestibular health. Audiologists identify, assess, diagnose and treat individuals with peripheral or central hearing loss, tinnitus and balance disorders.

Audiologists provide a number of different services related to hearing, tinnitus and balance for the individuals they serve. They are involved in a number of different activities to promote effective communication. These services may include:

- Assessment of hearing and balance disorders, which may involve screening, identification, evaluation and diagnosis.
- Intervention for hearing and balance disorders, which may involve promotion, prevention, counselling, treatment, consultation, management, (re)habilitation and education.
- Education and supervision of students and professionals, including supportive personnel.
- Consultation with and referral to other professionals.
- Research.
- University and/or college education and training.
- Administration, management and policy development.

Audiologists may work directly with clients, and/or with their caregivers and/or other persons who regularly interact with the client (e.g. friends, relatives, professionals, colleagues, supportive personnel) for the purpose of creating environments that promote optimal communication and vestibular health.

Roles and Responsibilities

Audiologists may work alone or as part of an inter-professional team to help individuals of all ages to maximize their hearing health. As such, they provide a broad range of services that include the following activities:

- Clinical and/or instrumental screening, assessment, identification, diagnosis and treatment of:

- Hearing disorders in infants, children and adults involving both peripheral and central pathways of hearing;
 - Auditory processing disorders;
 - Tinnitus, hyperacusis and misophonia; and
 - Balance disorders.
- Assessment, selection, taking ear mold impressions, dispensing, validation, verification and servicing of hearing aids.
 - Assessment, selection and development of other appropriate hearing assistive and (re)habilitative strategies for individuals with hearing impairment, auditory processing, balance dysfunction, tinnitus and/or related disorders. This could include implantable hearing devices, assistive listening technology, aural (re)habilitation, tinnitus re-training and vestibular (re)habilitation.
 - Intraoperative monitoring.
 - Promotion of hearing health.
 - Prevention, counseling and education services to clients, families, caregivers, other professionals and the public regarding all aspects of hearing and balance function.
 - Advocacy on behalf of individuals with hearing, auditory processing, tinnitus and balance disorders and populations that are at risk.
 - Consultation, assessment and management of educational, workplace and other public acoustical environments.
 - Consultation with government, industry and community agencies regarding improvements to noise legislation and implementation of environmental and occupational hearing conservation programs.
 - Consultation with worker's compensation boards and Veterans Affairs Canada regarding criteria and determination of pension/benefits for individuals with hearing loss and related disorders. Medical legal consultation including forensic audiology.
 - Consultation with and referral to other professionals.
 - Inter-professional collaboration.
 - Case management and coordination of service delivery.
 - Supervision and training of supportive personnel.
 - Education, supervision and mentoring of students.
 - University and/or college education and training related to hearing, balance and other related disorders.

- Research in the areas of hearing, balance and other related disorders.
- Screening for speech and language development for the purpose of hearing evaluation and/or the identification of individuals with other communication disorders that may require intervention.
- Cerumen management.

Practice Settings

Audiologists work in a variety of health and education settings, including but not limited to hospitals, public health units, community health centres, schools, private practice, industrial settings, hearing aid and cochlear implant manufacturers, professional associations, universities, colleges and long term care facilities. Audiologists may function independently or within an inter-professional framework, collaborating with a variety of professionals.

Approved by the CASLP-NL Board of Directors, October 11, 2012

College of Audiologists and Speech Language Pathologists- Newfoundland and Labrador

Scope of Practice for Speech-Language Pathology

Speech-language pathologists are ethically bound to provide services that are consistent with the scope of their competence, education and experience.

The scope of practice document is not intended to be an exhaustive list of activities and some may not fall into the exclusive domain of a speech-language pathologist.

Definition

Speech-language pathologists are autonomous professionals who have expertise in typical development and disorders of communication and swallowing and who identify, assess, diagnose and treat disorders of communication and swallowing.

Speech-language pathologists provide a number of different services related to effective communication and swallowing for the individuals they serve. They are involved in a number of different activities to promote effective communication. These activities may include:

- Assessment of communication and swallowing disorders, which may involve: screening, identification, evaluation, and diagnosis.
- Intervention for communication and swallowing disorders, which may involve: promotion, prevention, counselling, treatment, consultation, management, (re)habilitation, and education.
- Education and supervision of students and professionals, including supportive personnel.
- Consultation with and referral to other professionals.
- Research.
- University and/or college education and training.
- Administration, management and policy development.

Speech-language pathologists may work directly with clients, and/or with their caregivers and/or other persons who regularly interact with the client (e.g. friends, relatives, professionals, colleagues, supportive personnel) for the purpose of creating environments that promote optimal communication and swallowing.

Roles and Responsibilities

Speech-language pathologists may work alone or as part of an inter-professional team to help individuals of all ages to communicate effectively and to swallow safely and efficiently. As such, they provide a broad range of services and related activities including:

- Clinical and/or instrumental screening, assessment, identification, diagnosis, treatment, and management of:
 - Speech delays and disorders including articulation, phonology, motor speech.
 - Language delays and disorders including expression and comprehension in oral or non-verbal modalities.
 - Fluency disorders.
 - Voice and resonance disorders.
 - Swallowing and feeding disorders in adult and pediatric populations including oral-motor function.
 - Cognitive-communicative disorders including social communication skills, reasoning, problem solving, and executive functioning.
 - Preliteracy and literacy skills including phonological awareness, decoding, reading comprehension, and writing.
 - Communication and swallowing disorders in the context of other diagnoses or impairments including but not limited to hearing impairments, traumatic brain injury, dementia, developmental, intellectual or genetic disorders, and neurological impairments.
- Assessment, selection, and development of augmentative and alternative communication systems and devices for individuals who are limited in their ability to communicate verbally, and provision of education and training in their use.
- Promotion, prevention, counseling, and education services to clients, families, caregivers, other professionals, and the public regarding all aspects of human communication, and disorders of communication and swallowing.
- Advocacy on behalf of individuals with communication and swallowing disorders and those who are at risk.
- Enhancement of speech and language proficiency and communication effectiveness including accent modification.
- Screening of hearing and other factors for initial identification and referral to audiologists, educators, and to other health and/or school-based professionals.
- Consultation with, and referral to, other professionals.
- Inter-professional collaboration.
- Case management and coordination of service delivery.
- Supervision and training of supportive personnel.
- Education, supervision, and mentoring of students.

- Research related to communication sciences and disorders and swallowing.
- University and/or college education and training related to communication sciences and disorders and swallowing.
- Administration, management and policy development.

Practice Setting

Speech-language pathologists work in a variety of health and education settings, including but not limited to hospitals, public health units, community health centres, schools, private practice, professional associations, universities, colleges and long term care facilities. Speech-language pathologists may function independently or within an inter-professional framework, collaborating with a variety of professionals.

Approved by the CASLP-NL Board of Directors, October 11, 2012

Footnote: Speech-Language and Audiology Canada (SAC): Scope of Practice for Speech-Language Pathology, 2014