



New Nursing Act: Q&A

1. Why do we need to change the Act?

The current *Nurses Act* came into force in 1984, and some portions of the Act are the same as they were even before then. In the last 40 years, while some amendments have been made, the *Nurses Act* has not seen substantive updates despite many developments in the practice of nursing, in the regulation of nursing and health professions across the country, and changes in health care needs of New Brunswickers over that period of time.

2. How long has NANB been working on a new Act?

NANB has been working on this important project for nearly three years. During the NANB AGM in May 2022, voting members adopted a resolution which stated in part that NANB would divest its advocacy/association activities and would proceed with research, discussions, and partners consultation regarding the introduction of a new Nurses Act. Since then, with the support of NANB's Board of Directors, the work associated with moving to a single mandate regulatory organization has been ongoing.

3. Will the name of NANB change?

Yes. To assist in underscoring the distinction between a regulatory body and a membership/advocacy body and to align with naming conventions for most health profession regulators across the country, the New Brunswick Nurses Association will be renamed the College of Nursing of New Brunswick / Ordre des infirmières et infirmiers du Nouveau-Brunswick.

4. Will NANB's mandate change?

NANB is and has been the regulatory body for registered nurses (RNs) for over 100 years and nurse practitioners (NPs) since they were first introduced in New Brunswick. The college will continue regulating RNs and NPs, approving nursing education programs whose graduates will be eligible to become registered with NANB, establishing practice standards for nurses, and intervening through the complaints process when nurses' practice falls short of those standards. In this sense, the mandate of the new College will not change.

The current *Nurses Act* includes references to the interests of the nursing profession and subjects some Board decisions to the approval of registrants. This will change in the new Act to permit the new College to operate in accordance with best practices in regulation and will prioritize the public interest. The new Act removes any suggestion that the regulator also has a professional advocacy mandate. This is the approach consistently taken across the country in recent years.



5. If the new College will not be an advocacy body on behalf of nurses, who will do that important work?

NANB recognizes the value and importance of advocacy on behalf of the nursing profession. For this reason, NANB's Board of Directors has set aside funds to help a new nursing association become established and to thrive as a stand-alone entity. NANB has sent communication about this opportunity to all nurses in New Brunswick and has met with interested groups to establish the best way forward. The objective would be to have the new nursing association up and running at the same time the new Act comes into force.

6. Will the proposed new Act include an obligation for Registered Nurses and Nurse Practitioners to join a new nursing association?

The proposed new Act makes no provision for this. It is best practice in nursing and healthcare regulation for regulators and regulatory legislation to focus on public protection and NOT to dictate anything regarding an association/advocacy body. NANB acknowledges that nursing advocacy bodies have an important role and that they contribute to public protection, but their focus is and should be on the interests of their members. In some cases, the interests of individual nurses, or of nurses in general, conflict with the interests of the public. This is why it is important that legislation clearly separates regulatory functions from association/advocacy functions to ensure that the regulator's focus is always on the public interest.

7. Will employers, other professionals, and members of the public still be able to file complaints?

Yes, the new Act modernizes the complaints and hearing processes and introduces more flexible options for resolution of complaints. The proposed changes align with complaints, discipline, and fitness to practice processes employed by many regulators across the country and are consistent with best practices in regulation.

The new Act distinguishes between the discipline process and the fitness to practice process and permits flexible and appropriate outcomes to best address fitness to practice issues. This will be a welcome change from the current *Nurses Act*, which envisions identical processes to address both discipline and fitness to practice issues.

8. Will the review process for nursing education programs change?

No, the new Act does not change this.



9. Will there still be a Board of Directors?

Yes, but there will be some changes. The current Act permits the Board to have up to 25 directors, with a minimum of 3 public directors (non-nurses). Under the current Bylaws, the Board consists of 12 directors: the President, President-Elect, 3 members of the public, and 7 directors elected by region.

Under the new Act and Bylaws, a new Board will be established within one year of the Act coming into force. The new Board will consist of at least 7 and a maximum of 13 directors. Public directors will comprise between 33% and 49% of the Board. As the priority of professional regulators is public protection, regulators across the country have increased public representation on regulatory Boards and Committees.

10. Will nurses still make up the majority of Board directors and Board committee members under the proposed new Act?

Yes. Although the new Act proposes increased representation of members of the public, in line with Canadian regulatory best practice, the majority of Board directors and committee members will be nurses.

11. Will there still be an Annual General Meeting (AGM)?

No, Annual General Meetings will no longer be held. This is consistent with best practices in regulation, as AGMs including motions from registrants and registrant voting to approve Board activities are associated with advocacy groups and membership-based associations as opposed to public interest regulators. However, the new Act prioritizes transparency and accountability requires publication of an annual report which includes financial information.

12. Will the scope of practice of RNs and NPs change?

The current *Nurses Act* does not adequately set out RN or NP scope of practice. The proposed wording in the new Act for both scopes of practice is more detailed and is designed to provide greater clarity and guidance regarding the respective scopes. The scope statements reflect the best approaches to allow nurses to practice in the areas in which they have been educated and trained.

The new Act includes the concept of expanded scope of practice, which would permit registrants, who meet Board-established educational and other requirements, to engage in an expanded scope, for example RN prescribing.

13. Will restrictions on NP practice be removed?

Yes, the new Act better defines the scope of practice for NPs and has removed many legislative restrictions on NP practice. The proposed legislation takes a permissive rather than prescriptive approach which is consistent with the approach taken by many other nursing



regulatory bodies, and consistent with the evolution of the NP profession in Canada. For more details, please refer to the Scope of Practice of Nurse Practitioner section in the Summary of Nursing Act and Bylaws document.

14. Will the new Act affect the scope of practice of other healthcare professions?

No, the new Act only affects the scope of practice of RNs and NPs.

15. Will registration fees increase?

There is no connection between updating the legislation and registration fees. Registration fees are set by the Board of Directors and have not increased in ten years. NANB's fees are the second lowest in Canada for Registered Nurses and the lowest for Nurse Practitioners.

16. Will the standards of practice for RNs and NPs change?

No, the new Act will not have any direct impact on standards of practice.

17. Will the new Act have an impact on the day-to-day work of RNs or NPs?

No, the new Act will not change most day-to-day functions of RNs/NPs.

18. Will the new Act affect Licensed Practical Nurses (LPNs)?

No, the new College only regulates RNs and NPs. The Association of New Brunswick Licensed Practical Nurses (ANBLPN) regulates LPNs in New Brunswick.

19. Will it be possible to include Licensed Practical Nurses (LPNs) in the proposed new Act?

One of the key principles underlying the proposed new Act is the use of enabling language, i.e. language that makes the Act more flexible and adaptable to ongoing changes in the nursing profession and the healthcare system. The addition of a regulated nursing profession, such as licensed practical nurses (LPNs), is therefore possible. NANB remains open to pursuing discussions in this direction with interested parties, should they wish.

20. What is the difference between being licensed and being registered?

Registration is the activity that occurs when an applicant applies to become a registrant for the first time. For example, at the registration stage, an applicant must provide proof of graduation from an approved nursing education program and must meet other first-time requirements to become a registrant. Once registered, a registrant then must annually meet the criteria for one of the categories of licence and must renew their licence each year in order to continue in practice.



21. When do you expect the new Act to come into force?

There is still a lot of work to be done. The consultation process led by NANB is only the first step and will last at least until the end of May 2025. All feedback will be considered then, after approval by the Board of Directors, the results of the consultations and a draft Act will be forwarded to the Government of New Brunswick, which will in turn conduct its own review and consultation process. If all goes as planned, the new legislation could come into force in the first half of 2026.

22. Where can the new Act be reviewed/accessed?

All relevant documentation about the new Act is posted on the NANB website, under [Public Consultations and Engagement](#). An online [survey](#) is also available to gather feedback and comments. All feedback is welcomed.

23. Will the results of NANB's consultation be made public?

The overall goal of our collective engagement and consultation activities is to inform, consult, involve and collaborate with interested parties to develop an enhanced consistent, efficient and collaborative approach to nursing regulation. A Public Consultation Report with a summary of findings, approved by the Board of Directors, will be made available.