



Bylaws

June 3, 2023

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Bylaws in Force

These Bylaws are enacted by the Council of the College of Medical Laboratory Technologists of Alberta pursuant to section 132 of the *Health Professions Act*.

PART I – TERMINOLOGY AND INTERPRETATION

1. DEFINITIONS

In these Bylaws:

- (a) “Bylaws” means these bylaws;
- (b) “Code of Ethics” means the code of ethics adopted by the College under section 133 of the *Health Professions Act*;
- (c) “College” means the College of Medical Laboratory Technologists of Alberta established pursuant to section 1(1) of Schedule 11 of the *Health Professions Act*;
- (d) “Complaint Review Committee” means a complaint review committee established pursuant to section 16 of the *Health Professions Act*;
- (e) “Complaints Director” means the complaints director of the College appointed under section 14(3) of the *Health Professions Act*;
- (f) “Council” means the Council of the College established pursuant to section 5 of the *Health Professions Act*;
- (g) “Council Member” means a member of the Council elected or appointed as listed in Article 2.2 of the Bylaws;
- (h) “Hearing Tribunal” means a hearing tribunal established pursuant to section 16 of the *Health Professions Act*;
- (i) “Hearings Director” means the hearings director of the College appointed under section 14(1) of the *Health Professions Act*;
- (j) “Good standing” means a regulated member of the College who
 - i. Has a valid practice permit;
 - ii. Has a practice permit that is not restricted, suspended, or cancelled pursuant to Part 4 or pursuant to section 118 of the *Health Professions Act*;
 - iii. Has no fines, fees, costs, or levies owing to the College;
 - iv. Is not in breach of any discipline orders issued pursuant to Part 4 of the *Health Professions Act*; and
 - v. Has complied with all College continuing competence program requirements.
- (k) “President” means the president of the Council of the College as described in section 7 of the *Health Professions Act* and as elected pursuant to these Bylaws;
- (l) “Public member” means a person appointed, by the Lieutenant Governor, to Council in accordance with the *Health Professions Act*;
- (m) “Regulated member” means a person whose name is entered in the Register established pursuant to section 33(1) (a) of the *Health Professions Act* and section of the *Medical Laboratory Technologists Profession Regulation*;
- (n) “Registrar” means the individual appointed pursuant to section 8 of the *Health Professions Act*;
- (o) “Regulation” means the *Medical Laboratory Technologists Profession Regulation*;
- (p) “Special Meeting” means meetings convened in accordance with Part III or Article 2.3.2 of the Bylaws;
- (q) “Standards of Practice” means the standards of practice adopted by the College under sections 133 and 133.1 of the *Health Professions Act*;
- (r) “Vice President” means the vice-president of the Council elected pursuant to these Bylaws.

1.1 INTERPRETATION

- (a) Reference to Council, an officer, person, or committee in these Bylaws includes any delegate.
- (b) These Bylaws are to be read with all changes to number and gender required by context.
- (c) The provisions of these Bylaws are independent and severable. If any part of these Bylaws becomes invalid, it does not affect the validity of the rest of these Bylaws which continue to be in full force and effect.



- (d) The headings in these Bylaws are for ease of reference only and do not affect in any way the meaning or interpretation of these Bylaws.
- (e) Where the *Health Professions Act*, the Regulation, the Standards of Practice, the Code of Ethics, and these Bylaws are silent, College policies apply.

PART II – GOVERNANCE

2. COUNCIL OF THE COLLEGE

2.1 POWERS OF COUNCIL

The governing body of the College is the Council. Council is empowered to:

- (a) act on behalf of the College to implement the applicable requirements of the *Health Professions Act*;
- (b) establish, revise, and monitor policies to govern the College's activities;
- (c) delegate authority and responsibility for implementation of the College's policies to the Registrar; and
- (d) establish committees as Council may consider necessary and advisable, appoint and remove regulated members to the committees, and designate committee duties.

2.2 COMPOSITION OF COUNCIL

- 2.2.1 The Council of the College shall consist of the following members:
 - (a) Six regulated members;
 - (b) Six public members; and
 - (c) Ex-officio non-voting members as determined by Council.

2.3 MEETINGS OF COUNCIL

- 2.3.1 Meetings of Council shall be held at least four times a year at such time and place as determined by the President acting reasonably. Council meetings, including deliberations and voting, may, at Council's discretion, be conducted face-to-face, via conference call, using various audiovisual means, or other electronic media. All votes, motions, or resolutions occurring through any of those means are valid as if they occurred at an in-person meeting of Council.
- 2.3.2 Unless deemed an emergency by the President and sufficient notice cannot be given, written notice of the date, time, and location of each Council meeting will be provided to each Council member electronically at least fifteen days before the scheduled meeting.
- 2.3.3 Special Meetings of Council may be called by the President, acting reasonably, or upon the request of two Council members providing not less than seven days written notice by email to the other members of Council. The notice of meeting must include reasons for the meeting. Special Meetings of Council may be conducted face-to-face or via conference call, using various audiovisual means, or other electronic media. Only the matters in the notice of meeting may be considered at a Special Meeting.
- 2.3.4 Except where the Council otherwise directs, Council meetings are open to regulated members and the public as observers. Notwithstanding the foregoing, Council may direct that all or a portion of a Council meeting be held in private.

- 2.3.5 The President, with the approval of Council, may invite other individuals to take part in the discussions on pertinent business at any meeting of Council.
- 2.3.6 Fifty percent of the Council members present at any Council meeting constitutes a quorum. Council members participating through conference call, audiovisual means, or other electronic media are present for the purpose of establishing quorum and voting.
- 2.3.7 In the absence of both the President and the Vice President at a scheduled meeting of Council, the Council members present shall choose one of the members of Council to chair the meeting.

2.4 VOTES OF COUNCIL

- 2.4.1 Each Council member present, except the President, is entitled to one vote. In the event of a tie vote, the President shall cast a vote.
- 2.4.2 Unless otherwise specified in these Bylaws, decisions of Council shall be made at duly constituted Council meetings by a vote of the majority of Council members present, including those participating in person or by conference call, audiovisual means, or other electronic media, and voting at the meeting.

3. ELECTION OF COUNCIL (EXCLUDING PUBLIC MEMBERS)

3.1 ANNUAL ELECTION

Council members shall be elected by the voting of regulated members.

- 3.1.1 The election of Council members shall occur once each year on or before September 30.
- 3.1.2 Unless otherwise directed by Council, the election shall be by electronic ballot and by means determined by Council.

3.2 NOMINATION AND ELIGIBILITY FOR NOMINATION

- 3.2.1 Subject to these Bylaws, all regulated members in good standing are eligible for nomination except for:
 - a) Senior officials of unions and professional associations that:
 - represent regulated members in the collective bargaining process,
 - represent regulated members in disciplinary matters,
 - set fees or guide fees charged by regulated members for professional services, and/or
 - act as an employee representative in the administration of the collective agreement.
 - b) Senior employees of unions.
 - c) Employees who represent their employer in:
 - the collective bargaining process; and/or
 - the disciplinary process of CMLTA regulated members.
 - d) Elected federal, provincial, and local government officials.
 - e) Employees with the Alberta Government as an Assistant Deputy Minister or Higher.
- 3.2.2 A call for nominations shall be forwarded to all regulated members, at the electronic address shown in the records of the College, at least 60 days prior to August 15 of each year, notwithstanding delays due to extenuating circumstances including but not limited to natural disasters, industrial action, or electronic/network malfunction.



- 3.2.3 Nomination forms shall be submitted to the College within the time provided for in the call for nominations. The nomination of regulated members for Council may be submitted by the regulated member seeking election or by a regulated member or members nominating another regulated member who has consented in advance and in writing to the nomination.
- 3.2.4 After the closing date for nominations, the Registrar shall prepare a list of the eligible candidates that have been nominated and forward it to Council for information.
- 3.2.5 If the number of nominees is equal to or less than the number of vacant regulated member Council positions, the nominees are deemed to be acclaimed.

3.3 VOTING

- 3.3.1 Upon receipt of the list of candidates, the Registrar shall:
 - (a) prepare a list of eligible voters; and
 - (b) provide the following information electronically to each regulated member of the College who is eligible to vote:
 - Biographies pertaining to each candidate
 - Instructions to submit an electronic vote
 - Notification of the date on which completed electronic votes must be submitted, which shall be no later than August 15 of each year.
- 3.3.2 Candidates shall be elected by a plurality of votes. In the event of a tie in voting, another vote shall be held as the tie-breaking vote.
- 3.3.3 After the deadline for receipt of ballots has passed, the votes shall be counted, and the Registrar shall provide the Council with:
 - (a) a list of the successful candidates;
 - (b) the number of votes received by each candidate; and
 - (c) an accounting of any voting discrepancies due to spoilage or other factors.
- 3.3.4 The Registrar shall retain and securely store the electronic votes for 90 days post-election.

3.4 TERM OF OFFICE FOR COUNCIL MEMBERS

The term of office for regulated member Council members shall be three years, to a maximum of two consecutive three-year terms, unless the Council member is selected by Council to serve as President or Vice-President in accordance with Article 4.1 of the Bylaws, in which case the Council member's term may exceed three years. Regulated member Council members who have fulfilled two full terms on Council are eligible to stand for election to Council after two years have passed since the end of their last term on Council.

3.5 RESIGNATION OF A COUNCIL MEMBER

A Council member may at any time resign by letter or electronic notice directed to the President and copied to the Registrar.

3.6 REMOVAL FROM OFFICE

- 3.6.1 A regulated member Council member is automatically, and without the necessity of any further steps, removed from Council if the regulated member:

- (a) has their registration cancelled or their practice permit suspended through disciplinary action by the College;
 - (b) has their practice permit suspended pursuant to section 118 of the *Health Professions Act*;
 - (c) is found guilty of unprofessional conduct under the *Health Professions Act*;
 - (d) has registration cancelled by the College (other than under Part 4 of the *Health Professions Act*) unless there are extenuating circumstances acceptable to Council;
 - (e) becomes incapacitated; or
 - (f) ceases to meet specified eligibility requirements for election.
- 3.6.2 A regulated member Council member may be removed from Council in the event the member:
 - (a) misses three consecutive meetings of Council without, in the opinion of the other Council members acting reasonably, a reasonable excuse;
 - (b) is found guilty of an offence under the Criminal Code of Canada; or
 - (c) is or has been engaged in any conduct or activity that, in the opinion of the other Council members acting reasonably, undermines the College or its objectives or harms the integrity of the Council or the profession.
- 3.6.3 In the case of any of the circumstances arising in Article 3.6.2, pursuant to a written resolution made by a Council member and provided to all Council members seven days in advance, a regulated member Council member may be removed from the Council by a two-thirds majority vote of the other members of the Council. The Council member who is the subject of the removal resolution shall not be entitled to vote. The said resolution shall be considered and voted on by the other Council members in person, via conference call, audiovisual means, or other electronic media as set out in the removal resolution.

3.7 COMPLAINTS ABOUT COUNCIL MEMBERS

- 3.7.1 A person may make a written complaint regarding the conduct of a Council member to the President if the Council member has been found guilty of an offence under the Criminal Code of Canada or is or has been engaged in any conduct or activity that undermines the College or its objectives or harms the integrity of the Council or the profession.
- 3.7.2 On receipt of a written complaint regarding the conduct of a Council member, the President shall arrange for an investigation to be conducted in accordance with the process approved by Council.
- 3.7.3 If, following the investigation regarding the conduct of a Council member, the President determines there are reasonable grounds to believe the Council member who is the subject of the complaint has been found guilty of an offence under the Criminal Code of Canada, or is or has been engaged in conduct or activity that undermines the College or its objectives or harms the integrity of the Council or the profession, then the President shall call a meeting of Council to review and discuss the results of the investigation. Written notice of this meeting shall be provided to the members of the Council not less than ten days prior to the meeting in a form determined by the President (including electronic notice) and the meeting shall be conducted in person, via conference call, audiovisual means, or other electronic media as determined by the President.
- 3.7.4 At the meeting, Council shall consider the matter and vote on the following question:
 - (a) If the Council member is a regulated member, "Are you in favour of removing _____ as a member of Council?"
 - (b) If the Council member is a public member, "Are you in favour of recommending to the Lieutenant Governor in Council that the appointment of _____ to Council be rescinded?"
- 3.7.5 The Council member who is the subject of the complaint may attend any such meeting of Council and be heard; however, that member shall abstain from the vote on the issue and shall be absent during the vote on the issue.



- 3.7.6 In a vote under subsection (5), the President shall be entitled to vote unless the President is the subject of the complaint.
- 3.7.7 If two-thirds or more of the Council members present and voting, vote in favour of the question in subsection (5) above:
 - (a) if a regulated member is the subject of the complaint, then they shall be removed from office effective immediately.
 - (b) if a public member is the subject of the complaint, then Council shall recommend to the Lieutenant Governor in Council that their appointment be rescinded.
- 3.7.8 If two-thirds or more of the Council members present and voting do not vote in favour of the question in subsection (5) above, then the member who the subject of the complaint shall not be removed from office and Council shall proceed to consider the seriousness of the issue and may take other action as deemed appropriate.
- 3.7.9 Notwithstanding anything to contrary in Bylaws 3.7.1 to 3.7.8, if the written complaint relates to the President, then the duties and responsibilities of the President in Bylaws 3.7.1 to 3.7.8 shall be carried out by the Vice-President.

3.8 APPOINTMENT TO VACANCY

Where a vacancy of a regulated member Council member occurs, Council may appoint a regulated member in good standing to fill the vacancy. Any Council member appointed pursuant to this article is eligible to be elected at the next scheduled election for two further three-year terms.

4. EXECUTIVE OFFICERS

The executive officers of the College shall consist of the President and Vice President.

4.1 ELECTION OF THE PRESIDENT AND VICE PRESIDENT

Immediately after the election referred to in Bylaw 3.3, the President and Vice President shall be elected by the Council from amongst the regulated members. The election of the Vice President shall be made after elections to office are confirmed each year and shall be made on or before December 31 each year.

4.2 TERM OF OFFICE

- 4.2.1 The terms of office for the President and Vice President shall be for one year commencing January 1.
- 4.2.2 The Vice President succeeds to the office of President. If the Vice President is in the final year of the three-year term of office, succession to the office of President proceeds without election.
- 4.2.3 Subject to Article 4.3.2(b) of the Bylaws, Council may appoint a successor to assume the duties of the President and Vice President for the remainder of the term in the event of those offices becoming vacant.

4.3 DUTIES OF THE PRESIDENT AND VICE PRESIDENT

- 4.3.1 The President shall:
 - (a) provide overall leadership to the College;
 - (b) preside at all meetings of the College and Council;
 - (c) conduct general supervision of the affairs of the College and shall perform such other duties as Council may from time to time direct;
 - (d) in conjunction with the Registrar, liaise with the Canadian Society for Medical Laboratory Science and the Minister of Health; and

- (e) carry out all duties which may be prescribed by the Council, the *Health Professions Act*, the Regulation, and these Bylaws.

4.3.2 The Vice President shall:

- (a) whenever necessary, due to the absence or the inability of the President, assume the duties and responsibilities of the President;
- (b) automatically succeed to the office of the President should the office become vacant during the President's term. In this case, the office of Vice President shall remain vacant until the next election; and
- (c) carry out all other duties as prescribed in these Bylaws and as assigned by Council.

4.4 THE REGISTRAR

- 4.4.1 The Registrar shall be appointed by Council in accordance with the *Health Professions Act*.
- 4.4.2 The Registrar carries out the duties and responsibilities and functions of the Registrar under the *Health Professions Act*.

5. OTHER COMMITTEES

- 5.1 In addition to committees established in the *Health Professions Act* or in these Bylaws, Council may establish such committees as it considers necessary in carrying out its duties and responsibilities. Council shall set out a process in policy for the appointment and removal of members of committees.
- 5.2 Council shall approve terms of reference for all committees established in the *Health Professions Act* and in these Bylaws.

PART III – SPECIAL MEETINGS OF THE COLLEGE

6. SPECIAL MEETING

A Special Meeting of the College may be called at any time by the President of the College, with the approval of Council, or upon a written request signed by at least five percent of the regulated members of the College, in good standing, for the purpose of considering a specific matter.

6.1 NOTICE OF A SPECIAL MEETING

Notice of a Special Meeting, together with the purpose for holding the meeting, shall be sent to regulated members at their electronic address as shown on the register or record of the Registrar not less than 21 days prior to the date of the Special Meeting. The specific date, time, and place for the meeting shall be at the discretion of Council acting reasonably.

6.2 AGENDA FOR A SPECIAL MEETING

Only the matter(s) set out in the notice of the Special Meeting shall be considered at the Special Meeting.

6.3 RESOLUTIONS AT A SPECIAL MEETING

Resolutions passed by regulated members at Special Meetings are advisory to Council.

6.4 QUORUM FOR SPECIAL MEETINGS



The presence of 20 regulated members, exclusive of Council members, constitutes a quorum for any Special Meeting of the College.

6.5 RESCHEDULING OF SPECIAL MEETINGS

- 6.5.1 If a quorum is not present within one-half hour after the time set for a Special Meeting of the College, the meeting may be rescheduled to a date, time, and place selected by Council acting reasonably.
- 6.5.2 If a quorum is not present within one-half hour after the set time of the second Special Meeting, the second Special Meeting will proceed with the regulated members in attendance.

PART IV – REGISTRATION

7. APPLICATION REQUIREMENTS

- 7.1 Applicants for registration as a regulated member of the College shall provide the information required by the College in accordance with the *Health Professions Act*, the Regulation, and any other information deemed necessary by the administration of the College.
- 7.2 The Registrar shall consider all complete applications for registration.

8. PROFESSIONAL LIABILITY INSURANCE

- 8.1 An applicant for registration or a regulated member must provide evidence of professional liability insurance satisfactory to the Registrar.
- 8.2 An applicant for registration or the regulated member must have professional liability insurance themselves directly or through their employing agency at a minimum of \$5,000,000 per occurrence.

9. CITIZENSHIP

An applicant for registration as a regulated member must provide evidence, satisfactory to the Registrar, that the applicant is a Canadian citizen or is lawfully admitted to and entitled to work in Canada.

10. LANGUAGE PROFICIENCY

- 10.1 An applicant for registration as a regulated member must be sufficiently proficient in English to be able to engage safely and competently in the practice of the profession.
- 10.2 An applicant may be required by the Registrar to demonstrate proficiency as required by subsection 10.1 in accordance with requirements approved by Council.

11. REGULATED MEMBER

- 11.1 The Registrar shall maintain the regulated members' registers which shall include the information required by the *Health Professions Act* clearly identifying the category of registration for each regulated member. The categories of register are:
- (a) General
 - (b) Diagnostic Cytology
 - (c) Clinical Genetics
 - (d) Provisional
 - (e) Courtesy

12. PRACTICE PERMITS

- 12.1 The Registrar shall consider complete applications for a practice permit, in accordance with the *Health Professions Act* and the Regulation.
- 12.2 A practice permit, as approved by the Registrar, may include conditions and restrictions in accordance with the *Health Professions Act* and the Regulation.
- 12.3 A practice permit shall be effective January 1 and shall expire on December 31 of each year, unless otherwise indicated on the practice permit.

13. RENEWAL

Regulated members shall apply for the renewal of their practice permits by December 31 each year. In accordance with sections 39 and 43 of the *Health Professions Act*, failure to apply for renewal of the practice permit by December 31, may result in the suspension of the practice permit.

14. REINSTATEMENT

- 14.1 A regulated member whose registration and practice permit are cancelled under the *Health Professions Act*, except if cancelled under Part 4 of the *Health Professions Act*, may apply in writing for reinstatement of the registration and practice permit, to the Registrar by:
- (a) completing the required form;
 - (b) submitting the reinstatement fee and paying prior outstanding fees or costs owed to the College;
 - (c) submitting evidence of current competency to practice in the profession;
 - (d) submitting evidence of having good character and reputation; and
 - (e) submitting any other information required by the Registrar.
- 14.2 Upon receipt of the reinstatement application, the Registrar shall within 30 days consider the reinstatement application:
- (a) approve the application with or without conditions;
 - (b) defer approval of the application until the applicant has successfully completed any requirements determined by the Registrar; or
 - (c) refuse the application.

15. CHANGES TO THE REGISTER

- 15.1 No information recorded on a register may be changed or added to except in accordance with the direction of the Registrar. The Registrar may enter and remove information regarding regulated members pursuant to section 33(5) of the *Health Professions Act*.



- 15.2 A regulated member shall notify the Registrar of any change in the information contained in any register which relates to that regulated member as soon as reasonably possible.

16. REMOVAL FROM THE REGISTER

No name shall be removed from a register except in accordance with the *Health Professions Act* or an Order of a Court of competent jurisdiction.

PART V – PROFESSIONAL CONDUCT

17. HEARING TRIBUNALS

17.1 HEARING TRIBUNAL LIST

- 17.1.1 Council shall appoint no fewer than four regulated members in good standing to a Hearing Tribunal list to be used for appointing members to Hearing Tribunals. The term of the appointment shall be as determined by Council.
- 17.1.2 Council shall ensure the regulated members appointed receive appropriate training.
- 17.1.3 Council Members are not eligible for appointment to the Hearing Tribunal list.

17.2 POWERS AND DUTIES OF A HEARING TRIBUNAL

A Hearing Tribunal may:

- (a) conduct hearings under the *Health Professions Act*; and
- (b) undertake any other power or duty assigned under the *Health Professions Act*.

17.3 COMPOSITION OF HEARING TRIBUNAL

- 17.3.1 The Hearing Tribunal is comprised of regulated members and public members appointed by the Hearings Director.
- 17.3.2 The Hearings Director shall designate a member of the Hearing Tribunal to act as Chair of the Hearing Tribunal.

17.4 PROCEDURE OF A HEARING TRIBUNAL

- 17.4.1 Subject to section 12 of the *Health Professions Act*, two regulated members and two public members constitute quorum for a hearing.
- 17.4.2 Subject to the *Health Professions Act*, a Hearing Tribunal may determine its own rules of procedure.
- 17.4.3 A decision of the Hearing Tribunal shall be by a vote of a majority of the Hearing Tribunal members present at the hearing.

18. COMPLAINT REVIEW COMMITTEE

18.1 COMPLAINT REVIEW COMMITTEE LIST

- 18.1.1 Council shall appoint no fewer than three regulated members to a Complaint Review Committee membership list to be used for appointing members to a Complaint Review Committee. The term of the appointment shall be as determined by Council.

- 18.1.2 Council shall ensure the regulated members appointed receive appropriate training.
- 18.1.3 Council members are not eligible for appointment to the Complaint Review Committee.

18.2 POWERS AND DUTIES OF COMPLAINT REVIEW COMMITTEE

The Complaint Review Committee may:

- (a) review and ratify settlements under section 60 of the *Health Professions Act*;
- (b) conduct reviews under section 68 of the *Health Professions Act*; and
- (c) undertake any other power or duty given to it under the *Health Professions Act*.

18.3 COMPOSITION OF COMPLAINT REVIEW COMMITTEE

- 18.3.1 The Complaint Review Committee is comprised of regulated members and public members appointed by the Hearings Director from the approved list.
- 18.3.2 The Hearings Director shall designate a member of the Complaint Review Committee to act as Chair of the Complaint Review Committee.

18.4 PROCEDURE OF THE COMPLAINT REVIEW COMMITTEE

- 18.4.1 Subject to section 12 of the *Health Professions Act*, 2 regulated members and 1 public member constitute quorum of a Complaint Review Committee.
- 18.4.2 Subject to the *Health Professions Act*, a Complaint Review Committee may determine its own procedural rules.
- 18.4.3 A decision of the Complaint Review Committee shall be by a vote of a majority of the members present at the review.

19. DESIGNATIONS BY COUNCIL

Under Sections 65 and 86 of the *Health Professions Act*:

- 19.1 Council hereby designates a person or committee to make decisions under section 65(1) of the *Health Professions Act*.
- 19.2 Council hereby designates a person or committee to make decisions under section 86(1) of the *Health Professions Act*.

PART VI – ADMINISTRATION

20. THE OFFICE

The office of the College is located in Edmonton, Alberta. Relocation of the office may occur by resolution of Council acting reasonably.

21. THE EXECUTIVE DIRECTOR

Council shall engage an executive director whose duties include:

- (a) responsibility for the implementation of policy established by Council;
- (b) oversight of the administration of the College;
- (c) reporting to and taking direction from Council; and
- (d) preparing and maintaining custody of minutes of the College's Council, committees, and all other relevant records or documents.



22. FORMS AND DOCUMENTS

The Registrar is authorized to prescribe such forms, certificates, permits, or other documents that may be required for the purpose of the *Health Professions Act*, the Regulation, or these Bylaws.

23. FEES

23.1 Council may establish fees, costs, levies, or assessments for the following:

- (a) administration fees;
- (b) registration fees;
- (c) registration review fees;
- (d) practice permit fees;
- (e) practice permit review fees;
- (f) fees for reviews or appeals of any decisions under the *Health Professions Act*; and
- (g) refunds.

23.2 Council may establish such other fees, costs, levies, and assessments as it deems advisable for any accreditation, review, appeal, or service provided by the College to a regulated member or to any other person.

24. FINANCE AND AUDITING

24.1 The fiscal year of the College ends on December 31 of each year.

24.2 At least once each year there shall be an audit of the College's books, accounts, and records performed by a chartered professional accountant appointed by Council.

24.3 The audited financial statements shall be published in the annual report of the College.

25. REIMBURSEMENT OF EXPENSES

25.1 The College shall reimburse expenses incurred by Council members, employees, committee, and tribunal members while carrying out their duties under the *Health Professions Act*, the Regulation, and these Bylaws, in accordance with policies made by Council.

25.2 The College shall pay per diems to members of the Hearing Tribunal, the Complaint Review Committee, the Finance/Audit Sub-Committee, the Legislation Sub-Committee, and any other committee deemed appropriate by the Council in accordance with policies made by Council.

26. USE OF FUNDS

26.1 The College may make use of all revenues received from membership fees and other sources of income to carry out the objectives of the College.

26.2 Financial policies pertaining to the College shall be determined by Council. The College shall publish annually a copy of its financial information in the form required by the Minister under section 4(1)(f) of the *Health Professions Act*.

PART VII – PUBLICATION AND DISTRIBUTION OF INFORMATION BY THE REGISTRAR

27. UNPROFESSIONAL CONDUCT DECISIONS

The College shall publish on the College website all Hearing Tribunal decisions and orders and any appeal decisions by Council made under Part 4 of the Act with the regulated member's name.

Any record of discipline or conditions placed on a practice permit related to sexual abuse or sexual misconduct shall be published for an indefinite period.

PART VIII – DELEGATION

28. DELEGATION

Subject to sections 19 and 20 of the *Health Professions Act*:

- (a) Council may, by resolution, delegate any of its powers and duties under the *Health Professions Act* and these Bylaws to one or more persons or committees.
- (b) a person or committee to whom a power or duty is given under the *Health Professions Act*, or these Bylaws may in writing delegate the power or duty to one or more persons or committees.

PART IX – CODE OF ETHICS AND STANDARDS OF PRACTICE

29. AMENDMENTS

- 29.1 Council may, by resolution, adopt or amend a Code of Ethics and Standards of Practice after completing any consultation required by the *Health Professions Act* and any other consultation Council deems advisable.
- 29.2 No fewer than 30 days before adopting a proposed Code of Ethics or Standards of Practice or amendment, Council shall post a copy on the College's website for review and comment and shall indicate a deadline for Council to receive comments.
- 29.3 Council shall consider any written submissions received in accordance with the above before adopting a Code of Ethics and Standards of Practice.



PART X – ADOPTION OR AMENDMENT OF BYLAWS

30. NEW BYLAWS

Council may, by resolution of Council, adopt new Bylaws or amend the College's current Bylaws.

31. BYLAW REVIEW

Council may consult with regulated members on proposed Bylaw amendments and may revise or amend Bylaws in consideration of that consultation.

32. OTHER MATTERS

- 32.1 Within 30 days of Council approving changes to the Bylaws, the Registrar will notify regulated members about where to access a copy of the Bylaws. Notice will be by email to the last known contact information of each regulated member.
- 32.2 Despite anything to the contrary in these Bylaws, Council may, by its own motion, temporarily suspend or amend portions of these Bylaws during an internal or external disaster, public health emergency, state of emergency or similar event to ensure efficient functioning of the College provided:
- (a) the motion lists the specific Bylaw suspensions and amendments;
 - (b) the motion specifies the number of days the suspension or amendment is in effect, not to exceed 120 days; and
 - (c) the motion is approved by a simple majority of Council.

PART XI – PROTECTION AND INDEMNITY

33. INDEMNIFICATION

- 33.1 The College shall indemnify a current or former Council member, committee or Hearing Tribunal member, employee, or volunteer against all costs, charges, and expenses, including an amount paid to settle an action or satisfy a judgment, reasonably incurred in connection with any action, suit, or proceeding to which they are made a party to by reason of having been engaged, employed, elected, or appointed by the College.
- 33.2 Notwithstanding the above, the College will not provide indemnification to the extent that such costs, charges, expenses, or amounts paid to settle an action or satisfy a judgment are attributable to the person's wilful misconduct or lack of good faith.



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