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The Social Workers Act

[subsection 15(1)]

THE SASKATCHEWAN ASSOCIATION OF SOCIAL WORKERS — GENERAL BYLAWS

Pursuant to subsection 15(1) of *The Social Workers Act*, the General Bylaws of the Saskatchewan Association of Social Workers are repealed and replaced by the following:

Title

- 1 These bylaws may be cited as *The Social Workers General Bylaws*.

DEFINITIONS**Definitions**

- 2 “**Council**” means the council composed of:
- (a) the officers of the association;
 - (b) any person appointed pursuant to section 9(1) of the Act; and
 - (c) members at large as elected at an annual general meeting.

MEMBERSHIP**Categories of Membership**

- 3 The categories of membership in the association are:
- (a) practicing membership;
 - (b) temporary membership;
 - (c) non-practicing membership;
 - (d) student membership; and
 - (e) **Repealed.**

Practicing Membership

- 4(1) Registration as a practicing member of the association is available to a person who meets the requirements of subsection 21(1) or (2) of the Act.
- (2) **Repealed.**
- (3) **Repealed.**
- (4) A practicing member may:
- (a) practice social work;
 - (b) use the title “social worker”;
 - (c) participate and vote at annual and special meetings of the association;
 - (d) stand for election to council;
 - (e) be appointed to committees;
 - (f) receive a copy of the association documents designated for distribution to practicing members;
 - (g) receive the newsletter of the association; and
 - (h) receive all privileges of membership in affiliated national and international associations.
- (5) A practicing member shall:
- (a) adhere to the *The Canadian Association of Social Workers Code of Ethics (2005)* and Standards of Practice for Social Workers as adopted by the association; and
 - (b) use established social work standards as a guide for the practice of social work.

TEMPORARY MEMBERSHIP

- 5(1) Registration as a temporary practicing member is available to a person who is registered in good standing in another jurisdiction recognized by the council.
- (2) A temporary practicing member may:
- (a) practice registered social work; and
 - (b) use the title “social worker”.
- (3) A temporary practicing member shall:
- (a) adhere to the *The Canadian Association of Social Workers Code of Ethics (2005)* and Standards of Practice for Social Workers as adopted by the association; and
 - (b) use established social work standards as a guide for the practice of social work.
- (4) Temporary membership is available for a maximum of four months in any one-year period.

Non-practicing Membership

- 6(1) Registration as a non-practicing member is available to a person who is not currently practicing within the scope of social work and:
- (a) has been registered as a practicing member; or
 - (b) meets the requirements of subsections 21(1) or (2) of the Act.
- (2) A non-practicing member may:
- (a) use the title “social worker”;
 - (b) participate and vote at annual and special meetings of the association, and hold office;
 - (c) be appointed to committees;
 - (d) receive the newsletter of the association; and
 - (e) receive all privileges of membership in affiliated national and international associations.
- (3) A non-practicing member shall:
- (a) adhere to the *The Canadian Association of Social Workers Code of Ethics (2005)* and Standards of Practice for Social Workers as adopted by the association; and
 - (b) use established social work standards as a guide for the practice of social work.

Student Membership

- 7(1) Student membership is available to a person who is currently enrolled in an accredited social work education program.
- (2) A student member may:
- (a) participate and vote at annual and special meetings of the association;
 - (b) be appointed to committees;
 - (c) receive a copy of the association documents designated for distribution to practicing members; and
 - (d) receive the newsletter of the association.

Affiliate Membership

8 Repealed.

REGISTRATION

Register

- 9(1) The registrar shall ensure that the register kept as required by section 19 of the Act contains the following information for each social worker registered:
- (a) registration number;

- (b) name and address;
- (c) field of practice;
- (d) license issued;
- (e) encumbrances, conditions or restrictions on the licence; and
- (f) such other information as may be required.

Initial Registration as a Practicing Member

10 A person applying for initial registration with the association shall provide:

- (a) proof to the council that they meet the requirements for registration as defined in subsections 21(1) or (2) of the Act;
- (b) the prescribed application forms and the fees set by the association in the manner prescribed by council policy;
- (c) reference(s) and a criminal record check as prescribed by council policy; and
- (d) any further documentation prescribed by council policy.

Licence

11(1) The registrar shall issue an annual licence to a person upon their initial registration as a practicing member.

(2) The registrar shall issue a renewal of an annual licence to a practicing member who:

- (a) submits the prescribed application form;
- (b) pays the prescribed fee in accordance with the bylaws;
- (c) provides confirmation of continuing education hours as required by council; and
- (d) provides any other prescribed documentation.

Temporary Licence

12 Repealed.

AUTHORIZED PRACTICE ENDORSEMENT**Authorized Practice Endorsement**

12.1(1) A practising member who wishes to apply for an Authorized Practice Endorsement (APE) shall provide to the registrar:

- (a) transcripts documenting conferral of a master's degree in social work with a clinical/direct practice focus from a social work program approved pursuant to section 13 of these bylaws, forwarded directly from the issuing institution;
- (b) evidence of specific academic requirements:
 - (i) course work in psychotherapeutic methods;
 - (ii) course work in psychopathology;
 - (iii) course work in psychopharmacology as it relates to social work practice in mental health;
 - (iv) course work related to working with specific populations; and
 - (v) orientation to inter-professional practice in health/mental health settings;
- (c) documentation as prescribed by council of:
 - (i) at least of 3000 hours of supervised clinical social work experience over a minimum two-year and maximum five-year period after having obtained the degree in clause (a); and
 - (ii) at least 100 hours of the 3000 hours described in subclause (i) must be direct clinical supervision with a focus on differential diagnosis process and practice and demonstration of diagnostic competence;

- (d) references on a form approved by council attesting to the practice skills and competence of the applicant, from three individuals satisfactory to the council:
 - (i) each of whom is a registered social worker or registered psychologist with an APE, or a registered psychiatrist;
 - (ii) each of whom has knowledge of the applicant's clinical practice; and
 - (iii) one of whom has directly supervised the applicant's clinical practice;
 - (e) a signed application for APE on a form approved by the registrar;
 - (f) the APE application fee approved by council;
 - (g) a criminal record and vulnerable sector screening check, that is current within six months of the date of application for APE; and
 - (h) evidence of insurance against liability in an amount of at least \$2,000,000.
- (2) After the requirements described in subsection (1) have been satisfied, the registrar shall approve the practising member to sit for the Association of Social Work Boards (ASWB) clinical social work examination.
- (3) The examination described in subsection (2) shall assess knowledge gained through clauses (1)(b) and (c).
- (4) The registrar shall grant an APE to a practicing member mentioned in subsection (2) on receipt of evidence that the member has passed the ABSW clinical social work examination.
- (5) Where the practising member mentioned in subsection (2) fails the examination described in subsection (2), the registrar shall provide them with two additional opportunities to sit for the examination.
- (6) Where the practising member mentioned in subsection (2) fails the examination described in subsection (2) for a third time, the Association shall re-assess the applicant's readiness to continue their application for APE.
- (7) A practising member who has received an APE may undertake the independent use of standardized diagnostic systems for the purpose of assessing, diagnosing, treating and preventing mental, mood and behavioural disorders and conditions.
- (8) A practising member with an APE shall not prescribe or dispense medication.
- (9) A practising member who wishes to maintain the APE shall provide annually to the registrar:
- (a) evidence of at least of 20 hours per year of continuing professional development with a clinical focus; and
 - (b) evidence of at least of 10 hours per year of clinical supervision/consultation.

Grandparenting Provisions

12.2(1) In this section, "implementation date" means the date on which the Association's APE Application process, as set out in this section, is officially launched.

(2) For a period of 12 months following the implementation date, a practicing member may apply for an APE if they meet the following conditions:

- (a) have an MSW completed at least five years prior to the implementation date;
- (b) have a minimum of five years of post-MSW experience over the past eight years in a professional service setting where clinical social work services are provided;
- (c) have satisfactory professional references attesting to the applicant's clinical knowledge and skills from three clinicians (registered social worker or registered psychologist who has the APE, or a psychiatrist), at least one of whom must have direct knowledge of the applicant's practice through a supervisory or consultative relationship; and
- (d) demonstrates, by submission of documentation, that they have met the academic requirements noted in clause 12.1(1)(b), through a combination of university courses and continuing education; and
- (e) have passed the ASWB clinical social work examination.

Authorized Practice Endorsement Equivalencies

12.3(1) A person registered or licensed as a social worker with APE or equivalent in another jurisdiction who wishes to receive an APE in Saskatchewan shall make application to the registrar and provide documentation including:

- (a) evidence of registration and good standing in the jurisdiction of origin;
- (b) **Repealed.**
- (c) any practice restrictions on their licence; and
- (d) any complaint history.

(2) The SASW may require individuals requesting recognition in Saskatchewan of an APE or equivalent granted by another jurisdiction to meet all required application, supervision and examination criteria as outlined in subsection 12.1(1) in instances where:

- (a) diagnostic practice in the jurisdiction of origin differs significantly from that of the SASW (e.g., is more limited in scope);
- (b) there are practice restrictions on the applicant's license;
- (c) there is a history of complaint; or
- (d) the applicant has not held an active license in the last three years and is resuming active practice.

(3) Subsections 12.1(4), (5), and (6) apply to this section, with any necessary modification.

APPROVED UNIVERSITIES**Approved Universities**

13 Approved universities for the purposes of subclause 21(1)(e)(i) of the Act are those that offer a social work program that is:

- (a) accredited by the Canadian Association of Social Work Education in Canada;
- (b) recognized by another statutory regulatory body for social work in Canada; or
- (c) accredited by the Council on Social Work Education in the United States;
- (d) **Repealed.**

FOREIGN CREDENTIALS ASSESSMENT

13.1 A first-time applicant with a degree earned from a non-approved university must apply to have their credential assessed. The assessment must be conducted by an agency approved by Council.

CODE OF ETHICS**Code of Ethics**

14 *The Canadian Association of Social Workers Code of Ethics (2005)* is adopted as the Code of Ethics of the association.

SPECIAL MEETINGS**Special Meetings**

15(1) Not less than one hundred (100) members of the association may request the holding of a special meeting by providing a written request with the printed name, signature, and registration number of each member making the request.

(2) The request for a special meeting must specify the reason for the request.

(3) Upon confirmation of the identity of the signatories, council shall schedule a special meeting to be held within 90 days of receiving the request.

PROFESSIONAL CONDUCT COMMITTEE**Professional Conduct Committee**

16(1) Upon receipt of a request by council to consider a complaint, or upon receipt of a written complaint, the Professional Conduct Committee shall notify, in writing, the party who made the complaint that the complaint will be reviewed and may be investigated.

- (2) In fulfilling the requirements of clause 26(1)(b) of the Act, the Professional Conduct Committee may:
 - (a) notify, in writing, the member who is the subject of the complaint and request a written response;
 - (b) request any person to answer any questions and to request any party to produce any records, notes, books, papers or other documents or things in the party's possession or under their control that are or may be relevant to the report or conduct being investigated; and
 - (c) with the consent of the party producing them, copy and keep copies of any of the records, notes, books, papers or other documents or things requested pursuant to clause (2)(b).
- (3) Subject to any requirements in law, the Professional Conduct Committee shall hold in confidence, all documentation and information received.
- (4) Where a notice of hearing has been served upon a member and she/he or legal counsel for the member signifies the intention to plead guilty, the Professional Conduct Committee may approve an agreed statement of facts and documents establishing the factual basis of the allegations.
- (5) The Professional Conduct Committee may make a recommendation on the appropriate disposition, however, the discipline committee is not bound by such recommendations.
- (6) If, at the conclusion of its investigation, the committee finds there is insufficient evidence to refer a matter to discipline, but the investigation tends to show undesirable practice, the Professional Conduct Committee may issue written communication of guidance for the purpose of giving feedback or suggestions in order to improve social work practice.
- (7) Unless the Act, bylaws or policies of council state to the contrary, the Professional Conduct Committee may set its own practices and procedures.

DISCIPLINE COMMITTEE

Discipline Committee

17(1) Repealed.

- (2) Council shall designate a chair for the discipline committee.
- (3) A decision of the majority of the discipline committee is a decision of the committee.
- (4) The discipline committee shall conduct all hearings in the City of Regina unless the committee determines otherwise.
- (5) Discipline hearings shall be open to the public.
- (6) Notwithstanding subsection (5), the discipline committee may exclude any members of the public and the complainant from any part of the hearing, when the committee determines that the evidence brought in the presence of the persons to be excluded will unduly violate the privacy of a person other than the member(s) whose conduct is the subject of the hearing.
- (7) When evidence presented at a hearing of the discipline committee involves the confidential records of clients, numbers or letters may be assigned to replace names.
- (8) All evidence presented at a hearing of the discipline committee shall be recorded by any method that the discipline committee determines.
- (9) The discipline committee may, as it determines, provide written notice regarding the findings of a hearing to:
 - (a) the general public; and/or
 - (b) other professional associations.
- (10) The discipline committee may, order that the findings of a hearing be published in the association's newsletter, on the association's website, or in another manner suitable to the circumstances as a means of educating the association's membership.
- (11) Notwithstanding subsection (10), where the discipline committee determines the need to protect the identity of the parties to a hearing, the findings of a hearing may be published without identifying information.

MANDATORY CONTINUING EDUCATION**Mandatory Continuing Education**

18(1) Every member with a license to practice shall satisfy the requirements for continuing professional education as may be prescribed by policy statement of council.

(2) The registrar may deny an application for membership or membership renewal if the applicant has failed to comply with council's current policy on continuing professional education.

(3) An applicant who cannot meet the requirements for continuing professional education as prescribed by council due to extenuating circumstances may apply to the registrar to have the requirement waived or amended. For such an application, the following shall be provided:

- (a) evidence that all other requirements have been met;
- (b) a letter outlining the extenuating circumstance(s).

CONFLICT OF INTEREST

19(1) If a member of Council, Professional Conduct Committee or a Discipline Committee is in a real or perceived conflict of interest regarding a matter, that person shall declare the conflict and not participate in any discussion or decision regarding the matter.

(2) If doubt exists:

The decision whether a person as outlined above is in a conflict of interest situation regarding a specific matter under consideration shall be made by:

- (a) the president and the executive director if a Council member or the chair of a regulatory committee is the person in the possible conflict of interest situation;
 - (b) the vice president or the president-elect, and the executive director if the president is the person in the possible conflict of interest situation;
 - (c) the chair of the regulatory committee and the executive director or registrar if a member of a regulatory committee is the person in the possible conflict of interest situation.
- (3) Any member of Council or a regulatory committee who is under investigation on a disciplinary matter may be required to take a leave from responsibilities until the matter is resolved. Decision-making in this area shall be by:
- (a) the president and the executive director if a council member or the chair of a regulatory committee is the person under investigation;
 - (b) the vice president or president-elect, and the executive director if the president is the person under investigation;
 - (c) the chair of the regulatory committee and the executive director or registrar if a member of a regulatory committee is the person under investigation.

CERTIFIED TRUE COPY:

Fay Schuster, MSW, RSW, Registrar,
Saskatchewan Association of Social Workers.

Dated: June 12, 2017.

APPROVED BY:

Honourable Tina Beaudry-Mellor,
Minister of Social Services.

Dated: June 12, 2017.