

Continuing Care Assistants Registry Act

CHAPTER 4 OF THE ACTS OF 2021



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**An Act to Establish a Registry
for Continuing Care Assistants**

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(The table of contents is not part of the statute)

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Short title

1 This Act may be cited as the *Continuing Care Assistants Registry Act*. 2021, c. 4, s. 1.

Purpose

2 The purpose of this Act is to improve workforce-planning data for the health-care system of the Province and to recognize the valuable role that continuing care assistants fulfil in providing supportive health care to Nova Scotians. 2021, c. 4, s. 2.

Interpretation

3 In this Act,

(a) “Administrator” means the Administrator designated under Section 4;

(b) “certified continuing care assistant” means a continuing care assistant who has been certified under Section 8 and has been added to the Registry;

(c) “continuing care assistant” means a person who provides assistance with activities of daily living and instrumental activities of daily living to persons of all ages in hospitals, long-term care homes, home care and private residences for the purpose of promoting holistic health and independence and enriching quality of life;

- (d) “Continuing Care Assistant Certification Program” means the Continuing Care Assistant Certification Program operated by the Administrator;
- (e) “Department” means the Department of Health and Wellness;
- (f) “Minister” means the Minister of Health and Wellness;
- (g) “Registry” means the Continuing Care Assistants Registry established under Section 5. 2021, c. 4, s. 3.

Administrator

4 The Minister may designate a person as the Administrator for the purpose of this Act. 2021, c. 4, s. 4.

Continuing Care Assistants Registry

5 (1) The Administrator shall keep a Continuing Care Assistants Registry in which the names of those persons who qualify for registration pursuant to this Act and the regulations are recorded.

(2) The Registry must, in addition to the information referred to in subsection (1), include for each registrant

- (a) a registration number;
- (b) the status of the registrant’s compliance with this Act and the regulations; and
- (c) such other information as may be prescribed by the regulations.

(3) The Minister may enter into an agreement with a person or organization for the administration of the Registry. 2021, c. 4, s. 5.

Entry in Registry

6 (1) The Administrator shall, on application, enter in the Registry every person who

- (a) has been certified by the Administrator under the certification process referred to in Section 8; and
- (b) is employed in the Province as a certified continuing care assistant.

(2) The Administrator may, on application, enter in the Registry a person who

- (a) has been certified by the Administrator under the certification process referred to in Section 8; and
- (b) is actively pursuing employment in the Province as a certified continuing care assistant.

(3) An application under subsection (1) or (2) must include

- (a) the person’s

- (i) name,
 - (ii) employment status,
 - (iii) employer, and
 - (iv) address, telephone number and email address;
- and
- (b) any other information required by the regulations.

(4) A person who meets the criteria referred to in subsection (1) shall apply under that subsection. 2021, c. 4, s. 6.

Renewal of registration

7 (1) A person who continues to meet the criteria for registration under subsection 6(1) shall apply to renew the person's registration annually.

- (2) An application under subsection (1) must include
 - (a) any change in the person's
 - (i) name,
 - (ii) employment status,
 - (iii) employer, or
 - (iv) address, telephone number or email address;
- and
- (b) any other information required by the regulations.
- 2021, c. 4, s. 7.

Certification

8 (1) The Administrator shall, in accordance with the regulations, operate a continuing care assistant certification program.

- (2) The Administrator shall certify a person as a certified continuing care assistant
 - (a) who has successfully completed the certification program; or
 - (b) whose qualifications have been assessed by the Administrator and, in the opinion of the Administrator, has training and experience equivalent to completion of the certification program.
- 2021, c. 4, s. 8.

Ownership of Registry and offence

9 (1) The Registry and any information contained in the Registry is the property of the Department.

- (2) No person shall disclose information contained in the Registry except in accordance with this Act or the regulations. 2021, c. 4, s. 9.

Use of Registry

10 (1) The name, registration number and compliance status of a person listed in the Registry must be available to the public.

(2) The Department may collect, use and disclose information contained in the Registry for the purpose of workforce planning.

(3) The Department may disclose information contained in the Registry to any person for research and analysis consistent with the purpose of this Act.

(4) Information disclosed under subsection (3) must be in a non-identifiable aggregate form.

(5) Information disclosed under subsection (2) or (3) must be secured, stored and managed in accordance with the regulations. 2021, c. 4, s. 10.

Prohibition

11 No person shall use the title “Certified Continuing Care Assistant”, “continuing care assistant” or any word, title or designation, or any derivation or abbreviation thereof, either alone or in combination with other words, letters or description to infer that the person is a certified continuing care assistant unless the person

- (a) is certified by the Administrator under Section 8; and
- (b) is registered in the Registry. 2021, c. 4, s. 11.

Dispute resolution and fine

12 (1) The Administrator shall attempt to resolve a potential offence against this Act or the regulations through informal means, including by providing assistance with registration.

(2) Where a person has committed a potential offence against this Act or the regulations and the Administrator has not been successful in resolving the matter under subsection (1), the Administrator shall change the person’s registration, if any, to indicate that the person is non-compliant.

(3) Where the Administrator has taken steps under subsections (1) and (2) and has provided reasonable opportunity for the person to comply with this Act or the regulations and the person has continued to fail to comply, the Administrator may issue a fine, in accordance with the regulations, of not more than \$50.

(4) Where a fine has been issued under subsection (3) and the offence is not continuing, no prosecution may be commenced respecting the matter for which the fine was issued.

(5) A fine imposed under subsection (3) is a debt owing to Her Majesty in right of the Province and may be collected in any court of competent jurisdiction. 2021, c. 4, s. 12.

Regulations

13

- (1) The Governor in Council may make regulations
 - (a) establishing timelines for the purposes of registration and renewal of registration;
 - (b) prescribing information that must be included in the Registry;
 - (c) respecting information that must be included in an application for registration in the Registry or an application for renewal of registration;
 - (d) respecting the Continuing Care Assistant Certification Program;
 - (e) respecting information in the Registry that is available to the public;
 - (f) respecting the securing, storage and management of information from the Registry disclosed to a person other than the Administrator or Department;
 - (g) respecting the registration of other assistive care personnel or health support providers in the Registry;
 - (h) respecting fines imposed under Section 12, including
 - (i) the form in which a fine must be issued,
 - (ii) how a fine must be served,
 - (iii) how and to whom a fine may be appealed, and
 - (iv) criteria under which a fine may be forgiven;
 - (i) defining any word or expression used but not defined in this Act;
 - (j) further defining any word or expression defined in this Act;
 - (k) respecting any matter or thing the Governor in Council considers necessary or advisable to effectively carry out the intent and purpose of this Act.

(2) The exercise by the Governor in Council of the power conferred under subsection (1) is a regulation within the meaning of the *Regulations Act*. 2021, c. 4, s. 13.

Effective date

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This Act comes into force on such day as the Governor in Council orders and declares by proclamation. 2021, c. 4, s. 14.

Proclaimed	-	February 1, 2022
In force	-	February 1, 2022

