

PRACTICE GUIDELINE:

Fitness to Practice



ANBLPN

Association of New Brunswick Licensed
Practical Nurses

AIAANB

L'Association des Infirmier(ère)s Auxiliaires
Autorisé(e)s du Nouveau-Brunswick

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Introduction

The Association of New Brunswick Licensed Practical Nurses (ANBLPN), or the Association, is the regulatory authority for Licensed Practical Nurses in New Brunswick. The Association's mandate is to protect the public by promoting the provision of safe, competent, ethical, and compassionate nursing care. The Association sets, monitors and enforces standards for entry into the profession of practical nursing, practical nurse education, registration and professional conduct. The Association creates Standards of Practice, establishes a Code of Ethics, develops and implements a Continuing Competence Program and publishes policies and interpretive documents to support the practice of Licensed Practical Nurses in New Brunswick.

Using this Document

Guidelines are developed to assist and support Licensed Practical Nurses so that LPNs understand their legal responsibilities in order to make safe, competent, informed and ethical decisions. This, as with all Association documents, can be used with ANBLPNs Standards of Practice, Code of Ethics and all other applicable practice guidelines found on the Association website at www.anblpn.ca

Fitness to Practice

Fitness to Practice means that LPNs, and those pursuing a career in practical nursing, possess the qualities and capabilities that are relevant for practice. This includes, but is not limited to, freedom from any cognitive, physical, psychological, or emotional conditions or a dependence on alcohol or drugs that impairs their ability to practice nursing (CCPNR, 2013). As such, LPNs are accountable to ensure that they maintain the required mental and physical wellness to meet the responsibilities of their role as outlined in the [Code of Ethics](#) and [Standards of Practice](#).

LPNs are responsible for their own practice and are also accountable to recognize when a physical or psychological condition impacts their ability to provide safe, competent, ethical and compassionate care. Accountability is inherent to the role of the LPN and all LPNs have a responsibility to keep clients safe (ANBLPN, 2016a)

If a fitness to practice issue occurs, the LPN is required to take appropriate action, such as seeking medical advice, accessing an Employee Assistance Program or discontinuing their practice until their condition improves. When an LPN is managing their fitness to practice the employer would not be required to report this to ANBLPN because an appropriate plan that will protect the public has been put into place. If an LPN has taken a leave of absence due to a fitness to practice issue, the employer and LPN should collaborate to establish a return to work plan. When a return to work plan has been established, it increases the LPNs likelihood of success as they transition back to work, supports the health of the LPN and ensures client safety (CLPNNS, 2017).

Incapacity

Incapacitated is defined in the [LPN Act](#) (Part I, Section 23) as a member that is suffering from a physical or mental condition or disorder that makes it desirable in the interest of the public that the member no longer be permitted to practise or that the member's practice be restricted. Most often this occurs in

relation to a mental health condition or substance use disorder as these often cloud a persons judgement and a person's ability to recognize the impact it has had on their practice.

In instances where incapacity has been determined, a return to work plan should be developed in collaboration with an appropriate health care professional who has been managing the issue. When incapacity has been determined the return to work plan is interdisciplinary, comprehensive and often involves the regulatory authority (CLPNNS, 2017).

Duty to Report

As self-regulating professionals, LPNs are accountable to ensure clients are provided with safe, competent, ethical, and compassionate nursing care. If an individual is concerned that an LPN may be incapacitated they are accountable to notify the LPNs manager and, in some cases, the Association should also be notified (ANBLPN, 2016b).

If an LPN has reasonable grounds to believe that another health care provider has engaged in professional misconduct, is incompetent, incapacitated or is practicing in a manner that is putting the public in danger then they have a legal duty to report this to the regulatory authority (ANBLPN) in writing (ANBLPN, 2016b). Once notified, the Association will investigate the issue and take the necessary actions to ensure protection of the public.

As per the [Standards of Practice](#) and [Code of Ethics](#), LPNs have a professional obligation to maintain their health and well-being and to ensure that they have the capacity to meet their standards of care and provide safe and competent nursing services. Demonstrating fitness to practice is a regulatory requirement for registration with the professional regulatory authority (CCPNR, 2013).

References

Association of New Brunswick Licensed Practical Nurses (2016a). *Self-Regulation: Professional Practice Series*. Fredericton, NB: Author.

Association of New Brunswick Licensed Practical Nurses (2016b). *Duty of Care: Professional Practice Series*. Fredericton, NB: Author.

Canadian Council for Practical Nurse Regulators (2013). *Becoming a Licensed Practical Nurse in Canada: Requisite Skills and Abilities*. Retrieved from <http://www.ccpnr.ca/wp-content/uploads/2013/09/IJLPN-RSA-Final.pdf>

College of Licensed Practical Nurses of Nova Scotia (2017). *Fitness to Practice and Incapacity: Guidelines for LPNs and Others*. Halifax, NS: Author.

Licensed Practical Nurses Act (2014). Statutes of New Brunswick. Fredericton, NB: Government of New Brunswick.