



# Guidelines for Registered Psychiatric Nurses in Independent Practice

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# Practice Guidelines

## For Registered Psychiatric Nurses in Independent Practice



### Introduction and Background

The College of Registered Psychiatric Nurses of Manitoba recognizes that independent practice is a legitimate practice option for Registered Psychiatric Nurses. However, there are unique policy, practice and liability issues that arise for Registered Psychiatric Nurses in independent practice. Consistent with their mandates to ensure public protection, the bodies that regulate the psychiatric nursing profession in Canada, are responsible to ensure safe, competent and ethical practice. With the growing number of Registered Psychiatric Nurses choosing to enter into independent practice it is critical to ensure that Registered Psychiatric Nurses in independent practice understand the full extent of their professional responsibility. Registered Psychiatric Nurses and the four, provincial psychiatric nursing regulatory bodies believe that the development of an independent practice document is important to provide guidance to Registered Psychiatric Nurses in independent practice while ensuring the ongoing protection of the public.

The need for further qualifications for independent practice has been recognized and emphasized by Registered Psychiatric Nurses in independent practice and the regulators.

The professional responsibility falls upon the Registered Psychiatric Nurse in independent practice to ensure that the professional practice, liability and risk management issues have been addressed. This document provides guidelines to Registered Psychiatric Nurses in independent practice for that purpose.

### Definition of Independent Practice

Independent practice is the application of psychiatric nursing knowledge and principles in an unsupervised, self-employment setting in psychiatric nursing practice and/or psychiatric nursing services. Registered Psychiatric Nurses in independent practice must conform to their provincial **Standards of Psychiatric Nursing Practice** and the professional **Code of Ethics**.

The Registered Psychiatric Nurse in independent practice:

- is a graduate from an approved psychiatric nursing education program with additional education and/or experience in their area of practice;
- must be an active/practicing registrant with their respective provincial professional regulatory body; and
- is legally responsible for their practice.

## Context of Independent Practice

Independent practice is the application of psychiatric nursing theory and principles in a self-directed employment setting. The parameters are determined within the context of practice of the Registered Psychiatric Nurse, legislative regulations, the *Code of Ethics*, the *Standards of Psychiatric Nursing Practice* and *Registered Psychiatric Nurse Entry Level Competencies*.

Independent psychiatric nursing practice may occur in the domains of:

- clinical practice
- education
- research
- administration

## Preparation for Independent Practice

The public expects the Registered Psychiatric Nurse in independent practice will have the requisite knowledge, experience, skills and competencies and that the Registered Psychiatric Nurse has made provisions for continued education and continued competence in their area(s) of practice. Although this is not unlike the expectations for any Registered Psychiatric Nurse in any practice area the independent or self-employed nature of the practice puts a greater responsibility on the Registered Psychiatric Nurse.

The identified area(s) of practice or clinical focus of independent practice is where the Registered Psychiatric Nurse has their primary area(s) of competence and is the basis of their independent practice.

The RPN in independent practice is required to identify their own area(s) of practice or primary clinical focus of practice based on the education and experience the RPN has in a particular domain of practice or with a specific population, practice setting or range of services they can provide.

Some examples of identified areas of psychiatric nursing practice may include, but are not limited to:

- Child and adolescent
- Adult
- Geriatric
- Forensic
- Trauma informed care
- Rehabilitation
- Individual, family or group psychotherapy
- Education
- Vocational counseling
- Addictions

**The following provides a general guideline for Registered Psychiatric Nurses who are in or considering an independent practice:**

A Registered Psychiatric Nurse in independent practice has successfully completed an approved psychiatric nursing education program and one of the following options:

- 1) A Registered Psychiatric Nurse with a **Baccalaureate Degree recognized by the provincial regulatory body** such as a Bachelor of Health Sciences (Psychiatric Nursing) (BHScPN); a Bachelor of Science in Mental Health (BScMH); a Bachelor of Science in Psychiatric Nursing (BScPN); or a Bachelor of Psychiatric Nursing (BPN).

It is recommended that the Registered Psychiatric Nurse has been actively practicing for a minimum of five (5) years of full time equivalence in their identified area of practice prior to establishing an independent practice.

**OR**

- 2) A Registered Psychiatric Nurse with a **Baccalaureate Degree recognized by the provincial regulatory body that is considered equivalent to one of the degrees noted in the option above.**

It is recommended that the Registered Psychiatric Nurse has been actively practicing for a minimum of five (5) years of full time equivalence in their identified area of practice prior to establishing an independent practice.

**OR**

- 3) A Registered Psychiatric Nurse with a **combination of experience and formal and informal education which includes:**
  - active practice as a Registered Psychiatric Nurse for a minimum of five (5) years full time equivalence in the identified area of independent practice
  - provisions for continued education and continuing competence

The Registered Psychiatric Nurse in independent practice must seek professional assistance, support or referral for clinical, ethical and other issues where gaps and limitations in knowledge base are evident or when a client's needs exceed the competencies of the Registered Psychiatric Nurse.

## Responsibilities of the Registered Psychiatric Nurse in Independent Practice

1. The Registered Psychiatric Nurse must hold a current and valid active practice permit to use the protected title of Registered Psychiatric Nurse or RPN in their course of business; and
2. The Registered Psychiatric Nurse must carry professional malpractice liability insurance and provide a current insurance certificate to the Regulatory body; and
3. The Registered Psychiatric Nurse must provide written notice to the Regulatory Body if a change or addition in focus of independent practice [see section: [Preparation for Independent Practice](#)] occurs and is responsible to only offer services for which they are competent or have achieved additional education or supervision when extending their area(s) of competence; and
4. The Registered Psychiatric Nurse must practice within the boundaries of legislative, regulatory, business, ethical and professional standards.

## Service Delivery Plan

There are two distinct components to independent psychiatric nursing practice: service delivery and business management. Service delivery includes such aspects as law, ethics and risk management. Business management includes the organization and operation of a business and the financial structures which support the delivery of the psychiatric nursing services. It is recommended that Registered Psychiatric Nurses in independent practice consult a business lawyer and/or accountant regarding business and financial structures.

The Registered Psychiatric Nurse in independent practice is advised to develop a Service Delivery Plan. The Service Delivery Plan may include:

- an outline of the clinical focus and the scope of services or independent practice
- the purpose, goals and expected outcomes of the services or practice
- location of the business, telephone number and hours of operation
- fees and payment schedules
- qualifications of the independent practitioner - education, experience and specialization
- expectations of the nurse/client relationship
- accountability for service
- informed consent
- confidentiality
- conflict of interest
- malpractice liability insurance
- documentation and records including electronic files
- continuous quality improvement
- continuing competence
- termination of practice

Registered Psychiatric Nurses in independent practice are encouraged to keep a copy of all of their documentation.

## Critical Considerations for Independent Practice Service Delivery

There are a number of critical considerations for Registered Psychiatric Nurses in independent practice. Registered Psychiatric Nurses in independent practice are strongly encouraged to explore these considerations in the independence practice context and to develop a plan to address them. Registered Psychiatric Nurses in independent practice are also encouraged to keep a record of this plan.

### Accountability

The Registered Psychiatric Nurse in independent practice demonstrates accountability to the client, the public and the professional regulatory body by:

- recognizing personal and professional boundaries and limitations
- making appropriate referrals
- seeking out appropriate personal and professional resources
- assuming responsibility for continually maintaining and upgrading skills and education in clinical areas of focus
- applying the concepts of accountability, responsibility and continuing competence
- knowing professional issues in psychiatric nursing practice
- knowing and applying the *Standards of Psychiatric Nursing Practice* and professional *Code of Ethics*
- identifying and incorporating best practices

### Informed Consent

The Registered Psychiatric Nurse in independent practice demonstrates knowledge and understanding that the issues of competency, capacity and consent arise in numerous contexts including, but not limited to:

- consent and competency/capacity to consent to admission/entry to a hospital/facility, agency/service or psychiatric nursing care, treatment, psychiatric nursing interventions, tests and procedures, research and release of information

The Registered Psychiatric Nurse in independent practice demonstrates an understanding that the legal principles governing competence/capacity to consent vary depending on the context:

- age of consent identified under federal and provincial/territorial legislation
- client's ability to understand the nature of the treatment or procedure, the benefits and risks
- client's intellectual capacity to understand what is proposed
- client's cognitive capacity to understand and comprehend what is being proposed
- client's mental status



The Registered Psychiatric Nurse in independent practice demonstrates knowledge of and effective application of the principles of consent as it applies to psychiatric nursing practice including, but not limited to:

- implicit or explicit consent
- consent is considered valid only when given “voluntarily” (client’s decision is the product of the conscious mind) and not coerced in any way
- consent is considered to be valid only if the client is competent
- consent of next-of-kin is only relevant if the client is not capable of consenting and if the next-of-kin is duly appointed as the substitute decision-maker
- consent is to be obtained in advance of the initiation of any test, procedure or psychiatric nursing intervention
- consent must relate to specific treatment or psychiatric nursing intervention(s) undertaken
- record keeping, reporting and other disclosures of information
- full and frank disclosure of the nature of the intervention(s), the risks and alternatives
- the scope of consent
- withdrawal of consent
- emergency treatment under provincial or federal law, imminent and serious risk to self or imminent and serious risk to others

Informed consent must be obtained at the beginning of the professional relationship. If the conditions that the client imposes would render the intervention(s) futile or harmful, the Registered Psychiatric Nurse in independent practice should withdraw from the relationship.

The Registered Psychiatric Nurse must clearly identify processes to be followed to address issues of consent.

## **Confidentiality**

Written client authorization is required prior to the releasing or obtaining of information about that client to or from anyone, including referring agencies or individuals. Professionally acquired information must be treated as confidential communication. The obligation of confidentiality begins in any situation in which there would be a reasonable expectation of privacy.

The Registered Psychiatric Nurse in independent practice demonstrates knowledge and application of confidentiality principles in the therapeutic relationship and manages and stores all information about clients in ways that maintain confidentiality.

The Registered Psychiatric Nurse in independent practice is familiar with the legal and ethical guidelines concerning confidentiality and demonstrates knowledge and ability to define those circumstances where confidentiality can be breached.

These include:

- imminent or serious risk to self
- imminent or serious risk to others
- imminent risk for substantial mental or physical deterioration

- court subpoena or when required by law
- where the Registered Psychiatric Nurse is a defendant in a civil, criminal or disciplinary action arising from the professional relationship
- where there is informed consent previously obtained in writing; and then, such information may only be revealed in accordance with the terms of the consent

### **Conflict of Interest**

The Registered Psychiatric Nurse in independent practice adheres to all ethical principles and abides by the *Code of Ethics*. Such issues include, but are not limited to:

- directly or indirectly recruiting clients from one's employer
- providing services to a client personally known to the Registered Psychiatric Nurse on a social basis
- providing services to a minor unless parental consent is formally obtained
- recognition of conflict of interest situations

The Registered Psychiatric Nurse in independent practice is advised to seek professional assistance and/or consultation with the provincial regulatory body if it is unclear whether or not a specific situation constitutes a conflict of interest.

### **Malpractice Liability Insurance**

The Registered Psychiatric Nurse in independent practice must have adequate professional liability and business insurance coverage. Proof of insurance is required. Registered Psychiatric Nurses in independent practice are encouraged to contact their provincial regulatory body to determine which insurance documentation must be submitted and when.

### **Documentation and Records**

The responsibility rests with the Registered Psychiatric Nurse in independent practice to become familiar with the issues surrounding ownership and access to health records and requirements arising through provincial and federal information management and privacy legislation.

Records refer to documentation kept about clients, whether on paper, on computer, or by any other means and include appropriate storage, retention and authorized release of client information.

It is recommended that the documentation include:

- a general client information form
- a voluntary consent form signed and dated by the client or by a duly appointed substitute decision-maker
- a contract signed and dated by both the independent practitioner and the client
- documentation of services provided and any organizational/operational policies used in practice
- times and dates of contacts with clients
- referral forms for consultation with other professionals in situations requiring additional expertise
- a signed release of information in the event of referral to other health care professionals or agencies

At all times the client files (electronic or hard copy) and pertinent documentation must be properly secured and maintained to ensure client confidentiality. The files and documentation will be maintained in accordance with privacy legislation in each provincial jurisdiction. Registered Psychiatric Nurses in independent practice are encouraged to familiarize themselves with all pieces of legislation that address access, use, disclosure and storage of personal health information.

The Registered Psychiatric Nurse in independent practice is required to keep accurate and adequate records. Failure to do so could be considered to be professional misconduct.

## **Continuous Quality Improvement**

The Registered Psychiatric Nurse in independent practice must be personally and professionally responsible for all clinical and business aspects of the service. These aspects include, but are not limited to:

- scheduling of clients
- purchasing of equipment and supplies
- developing referral sources
- maintaining client records
- paying bills and taxes
- collecting fees
- writing reports
- maintaining appropriate insurance
- keeping accurate records
- nature and scope of the service
- service location
- mutual expectations between the client and the Registered Psychiatric Nurse
- education and experience, diplomas, certificates and other relevant documents available for inspection upon request
- contractual agreements with established agencies for third party reimbursement

The Registered Psychiatric Nurse in independent practice ensures mechanisms to evaluate psychiatric nursing practice and services.

The Registered Psychiatric Nurse in independent practice ensures that any advertising will provide accurate and factual information and will not exaggerate the benefits of the services provided, mislead the public, or detract from the public image of the psychiatric nursing profession.

The Registered Psychiatric Nurse in independent practice may not use the logo of the regulatory body or make any other representation which would imply speaking on behalf of or in any way representing the regulatory body.

The Registered Psychiatric Nurse in independent practice must recognize the need for referrals and consultation with other professionals or resources in situations requiring additional expertise.

The Registered Psychiatric Nurse in independent practice must meet the continuing competence requirements in their province of practice.

## **Termination of Practice**

The Registered Psychiatric Nurse in independent practice must have a plan for the termination of practice as it relates to:

- clients of the service
- referral sources
- professional colleagues
- transfer of clients
- transfer of client files when appropriate written permission has been obtained from the client
- maintaining or destroying client files in a confidential manner in accordance with provincial legislation
- arrange for a transfer of client files to a trustee under provincial legislation
- closure of business accounts and payment of fees
- catastrophic events such as death or unforeseen circumstance

## Glossary

<b>abilities</b>	application of knowledge and skill in performing activities with judgement, reasoning and comprehension.
<b>accountability</b>	being answerable for one's own actions.
<b>boundaries</b>	the limits or margins that support and maintain therapeutic relationships.
<b>client</b>	anyone to whom a Registered Psychiatric Nurse provides service. An individual, family, group or community that participates with Registered Psychiatric Nurses through promotion, prevention or rehabilitation. A client may be more than someone receiving direct "patient" care; for example, an educator's clients may include students; a researcher's clients may include the research subjects; an administrator's clients may include staff.
<b>collaboration</b>	the process of co-operation or joint effort that embraces respect and shared responsibility. The focus is on problem solving.
<b>community</b>	a body of people united by common needs and interests.
<b>competency</b>	the knowledge, skills, judgements, attitudes and values required for successful functioning of the Registered Psychiatric Nurse.
<b>continuing competency</b>	maintaining competence throughout one's career.
<b>counselling</b>	the process of developing authentic partnerships with clients that are time-limited and goal-directed. The Registered Psychiatric Nurse strives to instill hope while promoting the sharing of responsibility, accountability and decision-making.
<b>consultation</b>	interactional or communication process between two or more persons; one being the consultant, the other(s) the consultee.
<b>evaluation judgement</b>	the planned systematic comparison with the stated outcomes, objectives or standards to form an opinion about, to estimate, to appraise.
<b>leadership</b>	the use of one's own skill to influence others to perform to the best of their abilities. A process of influencing the activities of an organized group toward goal-setting and goal-achievement.
<b>mental health</b>	a state which supports affective, cognitive and relational capacity to experience the triple standard of employment, leisure and relationships.
<b>mental illness</b>	an imprecise term that classifies or groups conditions which create imbalances in a person's holistic health.
<b>scope of practice</b>	area(s) covered by an individual's professional practice.



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