



As of June 4 2019, the Nova Scotia College of Nursing (NSCN) was formed to regulate licensed practical nurses (LPNs), registered nurses (RNs) and nurse practitioners (NPs) on behalf of the public, replacing the former College of Licensed Practical Nurses of Nova Scotia (CLPNNS) and College of Registered Nurses of Nova Scotia (CRNNS) (the “legacy Colleges”).

Although the information in this document reflects our most current information about this topic, you will notice the content refers to the previous relevant legislation and the legacy College that published this document prior to June 4, 2019.

We appreciate your patience while we work towards updating all of our documents to reflect our new name, legislation and brand.

If you have additional questions about this document, please contact a NSCN Practice Consultant at practice@nscn.ca.



A Guide for Self-Employed Registered Nurses

2017



College of
**REGISTERED NURSES
OF NOVA SCOTIA**
Setting the Standard for Care.

Introduction

In 2013, 72 Registered Nurses reported their workplace as “self-employed” when they registered for the 2014 licensure year. The College of Registered Nurses of Nova Scotia (CRNNS) frequently receives questions from registered nurses on self-employed registered nurse practice; this guide has been developed as a resource for nurses who are considering this type of practice.

If you are considering this fulfilling area of practice we would suggest you review this document and consult with a Practice Consultant at CRNNS. They can be reached at 902-491-9744, Ext. 226, 250, 256 or practice@crnns.ca.

This guide contains: 1) information specific to the professional requirements of registered nurses in self-employed nursing practice; and, 2) general information to consider when starting a business. As a registered nurse in self-employed practice you are advised to contact a business consultant, a lawyer and/or an accountant to provide you with information on laws of regulations that apply to your practice (e.g. labour standards, taxation, privacy laws).

A review of these guidelines may help you answer questions you have about self-employed practice, such as:

- What are the most important steps to take in starting a self-employed practice?
- What education and/or experience do you need to be self-employed?
- What service(s) could you offer?
- What liability protection will you need?
- What type of documentation will you need to know about in terms of your nursing and business practices?
- What practices you will need to put in place regarding documentation and maintenance of client records to meet the requirement of the *Personal Health Information Act* (2012) legislation?

Self-Employed Nursing Practice

What is self-employed nursing practice?

Registered nurses in self-employed practice provide professional nursing services to clients in a variety of practice settings. They may provide these services independently, in partnership with other self-employed practitioners or as the employer of other health care providers. Clients of self-employed nurses may include individuals, families, groups, communities, corporations, educational institutions or agencies.

Nursing services provided by self-employed registered nurses are contingent on their legislated scope of practice, context of practice and the nurse’s specialized knowledge, skills and abilities. These services may be in the area of direct care or be of an educational, research, administrative or consultative nature.

What types of services do nurses provide in self-employed practice?

Examples of self-employed nursing services could include but are not limited to:

- health promotion and prevention services (e.g., health education, smoking cessation programs, health risk screening);
- curative, restorative, or palliative care (e.g., dressing changes, medication administration, home care, foot care, mental health counseling, respite care);
- serving as a consultant to agencies or organizations on health issues;
- starting your own business employing other health care providers.

Identification of Services

How do I decide what service(s) I could provide?

To identify what specific service(s) you could provide, you should first consider your education, experience and competencies. For example, a nurse employed in a long-term care facility for a number of years and has taken the advanced care foot course, would likely have extensive experience in providing foot care services to seniors. If this nurse planned to offer foot care services to seniors in a self-employed practice it is likely that she/he possesses the necessary competencies. If the same nurse, however, planned to provide prenatal classes, it is unlikely she/he would have the required competencies. It is critical that you provide only those services that are congruent with your education and experience, and which meet the definition of nursing.

When choosing the specific service(s) to be offered, you may want to consult with nursing colleagues and other health professionals. It may also be useful to assess the needs of your community to determine if the service(s) you are considering are actually needed. At this stage in your planning, you may find it helpful to contact a business or health consultant to assist you. The Government Canada has developed a [website](#) which may assist you in starting to think about your business plan.

Definition of Nursing

How would I know if the service I am planning to offer is within the scope of nursing practice? Will self-employment affect my eligibility to apply for the annual renewal of my licence to practice?

Before starting a self-employed nursing practice, you should thoroughly review the definition of nursing in the *Registered Nurses Act* (2006) to determine whether the service you plan to provide falls within this definition ([Refer to Figure 1](#)). If it does, your practice will qualify toward your required number of practice hours when applying for renewal of your annual licence. If the service you plan to provide is not classified as nursing practice, you could still provide the service assuming it does not violate other legislation, but it would not qualify as practice hours toward renewal of your annual licence.

There are a number of services that are not consistent with the definition of nursing when performed in isolation of other nursing functions/service. To determine if the service you plan to provide will meet the definition of nursing, please contact a consultant in CRNNS' Registration Services. It would be helpful at that time to have a written job description or outline of your proposed service.

Consider the case of a registered nurse in self-employed practice providing venipuncture for clients in their homes. Although venipuncture is considered a nursing skill, it is not unique to nursing as other health providers also perform this service. Therefore, if venipuncture is performed without the use of the nursing process (assessment, planning, implementation and evaluation), this task would not reflect “the application of specialized and evidence-based knowledge of nursing theory, health and human sciences, inclusive of principles of primary health care” (RN Act, 2006). In this instance, the sole performance of the procedure would not meet the definition of nursing and would not fulfill annual renewal requirements.

On the other hand, when the registered nurse performs venipuncture in conjunction with client health assessments, health education and counselling to promote and maintain health, the practice would meet the definition of nursing. In this case, the nurse would be providing “professional nursing services requiring substantial specialized knowledge of nursing theory and the biological, physical, behavioral, psychological, and sociological sciences as the basis for the nursing assessment, planning, intervention, and evaluation in the promotion and maintenance of health.”

Although aspects of some complementary therapies may be associated with nursing care (e.g., massage, therapeutic touch, relaxation), registered nurses interested in practising these therapies, either extensively in their direct patient

care or as the sole focus of their practice, should confirm with CRNNS that the practice is consistent with the Act.

Figure 1

Definition of the Practice of Nursing from *Registered Nurses Act* (2006)

Section 2 (a) “practice of nursing” means the application of specialized and evidence-based knowledge of nursing theory, health and human sciences, inclusive of principles of primary health care, in the provision of professional services to a broad array of clients ranging from stable or predictable to unstable or unpredictable, and includes

- i) assessing the client to establish the client’s state of health and wellness,
- ii) identifying the nursing diagnosis based on the client assessment and analysis of all relevant data and information,
- iii) developing and implementing the nursing component of the client’s plan of care, iv) co-ordinating client care in collaboration with other health care disciplines,
- iv) monitoring and adjusting the plan of care based on client responses, vi) evaluating the client’s outcomes,
- v) such other roles, functions and accountabilities within the scope of practice of the profession that support client safety and quality care, in order to
 - A promote, maintain or restore health,
 - B prevent illness and disease,
 - C manage acute illness,
 - D manage chronic disease,
 - E provide palliative care,
 - F provide rehabilitative care,
 - G provide guidance and counselling, and
 - H make referrals to other health care providers and community resources,

and also includes research, education, consultation, management, administration, regulation, policy or system development relevant to subclauses (i) to (vii);

Competencies of Self-Employed Registered Nurses

How do I determine if I have the necessary competencies to practice a particular service independently?

In this province, the practice of all registered nurses, regardless of their context of practice/employment, is regulated by the College of Registered Nurses of Nova Scotia under the *Registered Nurses Act* (2006). Registered nurses are accountable to practise safely, competently, compassionately, and ethically regardless of practice setting. Authority to perform a service does not necessarily equate to the competence required to provide the service. Registered nurses are authorized to practise only those competencies for which they have appropriate educational preparation and experience.

Generally, nurses complete formal entry-level education in their field of expertise and attain considerable practice experience before considering self-employment. As a self-employed nurse, it is crucial that you are able to consistently demonstrate your competence. You may not have the same access to nursing consultation, supervision or quality monitoring as nurses practising in health care agencies. It may be helpful for you to identify a professional support system that can assist you in attaining and maintain your nursing competencies.

How are self-employed nursing practices regulated?

There is no special roster or licence for nurses in self-employed practice. Like all active-practising registered nurses in Nova Scotia, nurses in self-employed practice must have their names entered on the active-practising roster at CRNNS. Nurses in self-employed practice must meet the licensure requirements for active-practising class according to the *Registered Nurses Act* (2006).

As a nurse interested in self-employment, you should become completely familiar with the *Registered Nurses Act* (2006), Canadian Nurses Association's *Code of Ethics for Registered Nurses* (2017), the *Regulations* (2009) and *By-Laws* (2013) and the *Standards of Practice for Registered Nurses* (2017). Other resources available through CRNNS include:

- [Medication Guidelines for Registered Nurses \(2011\)](#)
- [Care Directives: Guidelines for Registered Nurse \(2012\)](#),
- [Delegated Functions: Guidelines for Registered Nurses \(2012\)](#),
- [Documentation Guidelines for Registered Nurses \(2012\)](#),
- [Personal Health Information Act: Questions & Answers for Registered Nurses \(2013\)](#)

Besides the RN Act, what other legislation should I be aware of or familiar with?

It is important to ensure your practice as a self-employed nurses does not contravene legislation related to the practice of other health care providers. Other legislated health disciplines have exclusive rights to specific practices. You may need to review the chiropractic, dental, medical, occupational therapists, psychologists, or social workers' Acts. Copies of these health discipline Acts may be viewed on the government [website](#).

Registered nurses and nurse practitioners must be knowledgeable about regulatory policy, relevant federal and provincial legislation and integrate it appropriately into their practice in Nova Scotia. To obtain an RN or NP licensure, new graduates and Canadian and internationally educated nurses registering for the first time in Nova Scotia are required to write the Jurisprudence Examinations.

However, all currently licensed RNs and NPs still have access to these valuable resources that inform their practice. Links are provided to all relevant CRNNS publications, and all relevant Acts and health care policies. In some cases, a synopsis of the various Acts and policies has been provided as well as links to applicable CRNNS e-learning modules. [Click here for a link for a selection of resources.](#)

Do the Standards of Practice for Registered Nurses and the Code of Ethics apply to self-employed nurses?

The *Standards of Practice for Registered Nurses* (2017) apply to registered nurses in all contexts of practice, including self-employment. These standards describe the desirable and achievable level of performance of registered nurses in Nova Scotia and serve as a benchmark for the practice of nursing.

The *Code of Ethics* (2017), which has been adopted by CRNNS, also applies to all registered nurses in Nova Scotia. The code is a statement of the ethical commitments of nurses to those they service. It sets out ethical behaviour expected of registered nurses in Canada.

The standards and the code should be used by self-employed registered nurses to support their practice and guide their conduct, to develop policies and procedures for their specific area of practice and to assist in decision making in relation to their nursing practice. Nurses interested in obtaining the *Standards of Practice for Registered Nurses* (2017) can do so through CRNNS website or the *Code of Ethics* (2008) through the CNA [website](#).

What are the Guidelines for Care Directives and Delegated Functions?

CRNNS' documents, *Care Directives: Guidelines for Registered Nurse* (2012) and *Delegated Functions: Guidelines for Registered Nurses* (2012), were designed to promote collaborative decision making among registered nurses, other health professionals and agencies, in the delivery of effective health care services to clients/patients. These guidelines enhance the coordination of client/patient care, help clarify the accountability of registered nurses and other health professionals, and assist registered nurses in establishing and maintaining specific competencies.

Self-employed nurses are sometimes contracted by pharmacists or physician offices to provide immunizations. Care directives are frequently used to administer immunizations to clients. In this specific circumstance, the contracting agency would be accountable for the development of the care directive and the registered nurse would be accountable to ensure that the care directive was in place and met required criteria as outlined in the care directive guidelines developed by CRNNS.

How would I acquire and maintain competency in nursing procedures?

Regardless of the process used to establish and maintain competence, you should develop comprehensive policies to identify methods to be used to maintain your competence, like specific protocols for your practice, if applicable and any necessary referral mechanisms. Utilizing experts and/or agencies with expertise as stakeholders in policy development may be beneficial in maintaining currency in practice. In addition, policies should be developed to inform clients/patients of the services you will provide and when you would consult with or forward a referral to a physician.

How could I evaluate my practice?

In addition to possessing the required competencies, self-employed nurses are encouraged to develop quality monitoring processes for their practice to ensure continuing competence. CRNNS' Continuing Competence Program requires registered nurses to complete a self-assessment of their practice in relation to the *Standards of Practice for Registered Nurses* (2017) and *Code of Ethics* (2017). There may also be standards specific to your proposed practice and consulting peers who are knowledgeable in your practice area who may be useful. Again, policies should be developed outlining the processes to be used in evaluating your practice and the methods to be used in addressing your identified learning needs.

Would I need to develop a job description?

After you have made a decision on the specific service(s) to provide, you should write a detailed description of your practice. This description should include the position title and role expectations, as well as the specific services.

Policy and Procedure Development

Would I need policies for the business aspects of my practice?

The development of policies and procedures to guide your nursing practice will be extremely important. There are many areas of policy development that should be considered in self-employed practice, including policies pertaining to the scope of services to be provided, referral mechanisms, quality monitoring mechanisms, advertising, and when applicable, competence certification. Possessing a thorough understanding of the role of the registered nurse and other health care providers, both licensed and unlicensed, will be valuable in self-employed practice situations.

What policies and procedures would I need to guide my nursing practice?

The *Registered Nurses Act* (2006) and other relevant documents should be considered in the development of policies/procedures. In addition to policies/procedures specific to your area of practice, policies related to documentation, confidentiality and storage of personal health information, and informed consent must be developed.

1. Policies and procedures pertaining to documentation or charting are varied and depend upon the type of service you plan to offer. Generally, policies in this area should cover the type of documentation to be used and the frequency of documentation;
2. Policies and procedures pertaining to confidentiality of documents, patient/client access to records and the storage of records (security, length of storage, destruction of records, etc.) must consider the [Personal Health Information Act](#). For more information, please read CRNNS's [Personal Health Information Act Q&A for RNs](#).
3. It is recommended that you consult with a lawyer in the development of policies related to documentation, retention of records and informed consent. Another resource is the Canadian Nurses Protective Society (CNPS), which publishes an information bulletin called infoLAW. All active-practising members of CRNNS are members of CNPS. CNPS can be contacted directly at 1.800.267.3390 or at www.cnps.ca.

In addition to policies for your nursing practice, you should also create policies for the business aspects of your practice. It would be best to seek the advice of a business consultant, lawyer, or accountant for the development of these policies. These policies should be kept separate from the nursing practice policies and procedures. Policies on budget, client accounts and billing, and the filing of tax forms are examples of business-related policies.

The Registered Nurse as an Employer

As an employer, a registered nurse in self-employed practice should have a working knowledge of the provincial labour standards and code. The government of Nova Scotia has published a user-friendly guide entitled called [Guide to the Labour Standards Code of Nova Scotia](#). It is a condensed version of, but not meant to replace, the *Nova Scotia Labour Standards Code*. The guide discusses the employers' and employees' rights and responsibilities. Staff at the Labour Standards Division of the Department of Environment and Labour can also provide more information.

Compensation and Fee Structure

What can I expect in terms of compensation?

At present there is no legislation comparable to the MSI coverage for physicians that create a provincial insurance plan for nursing services. Nurses in self-employed practice provide services on a direct fee-for-service basis, with the fees being paid either by private insurance companies or directly by clients. Again, a business consultant can help you assess the market value of the nursing service that you are proposing to provide.

Advertising

If I decide to advertise my nursing services, what would be considered appropriate advertising?

Advertising is a significant aspect of self-employed practice. Among other things, potential clients will want to know the type and nature of services to be provided, the cost of these services and your qualifications.

Examples of information you might want to advertise include your name, your credentials — including RN designation — the type of services to be provided, your background experience and fees. This information can be presented to

potential clients in a number of ways, including business cards, pamphlets, flyers, the internet and/ or newspaper advertisements. If you have questions related to using social media for advertising your services please see CRNNS's [Social Media Position Statement](#). If you are including the RN designation as part of your credentials then you must be registered with CRNNS in the active-practising class.

When nurses in self-employed practice advertise their business, they must do so within legal limits and ethical guidelines. In seeking or advertising business, nurses must act in a manner that is consistent with the public interest and which does not detract from the integrity and dignity of the nursing profession. The *Registered Nurses Act (2006)* gives example of inappropriate advertising of nursing services:

- (x) Inappropriately using professional nursing status for personal gain,
- (xi) Promoting for personal gain any drug, device, treatment, procedure, product or service that is unnecessary, ineffective or unsafe,
- (xii) Publishing, or causing to be published, any advertisement that is false, fraudulent, deceptive or misleading,

Liability Protection

What liability protection would I need in my nursing practice?

All active-practising members of CRNNS have professional liability protection through the Canadian Nurses Protective Society (CNPS). Registered nurses in a self-employed practice with other business partners are encouraged to consult with both a lawyer to discuss additional liability protection and with a business consultant to discuss other forms of insurance. Nurses considering self-employed practice are encouraged to contact CNPS to discuss issues related to liability protection.

Professional Consultation

You may find it helpful to discuss your plans for self-employed practice with a consultant at CRNNS who can provide you with information on the *Standards of Practice for Registered Nurses (2017)* and the *Code of Ethics (2017)*, and assist you with issues related to professional nursing practice.

If you have further questions on self-employment, or would like to discuss your plans with a practice consultant, please contact the:

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Tel 902.491.9744, ext. 226, 250 or 256
Toll-free (NS) 1.800.565.9744
Fax 902.491.9510
practice@crnns.ca

Recommended Supporting Documents

- Canadian Nurses Association. (1996). On your own: The nurse entrepreneur. *Nursing Now: Issues and trends in Canadian nursing*, 1, 1-4. Ottawa: Author.
- Canadian Nurses Association. (2002). *Discussion guide for the unique contribution of the registered nurse*. Ottawa: Author.
- Canadian Nurses Protective Society. (2007). *Quality documentation: Your best defence*. Ottawa: Author.
- International Council of Nurses. (2004). *Guidelines on the nurse entre intrapreneur providing nursing service*. Geneva: Author
- College of Registered Nurses of British Columbia. (2012). *Private Practice Checklist*. Vancouver. Author
- College of Registered Nurses of Nova Scotia. (2012). *Resolving professional practice issues: A toolkit for registered nurses*. Halifax: Author.

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