

S.I. 2008 No. 44

**Nurses Act
(Act 2008-3)**

NURSES RULES, 2008

The Council in exercise of the powers conferred on it by section 37 of the *Nurses Act*, with the approval of the Minister, makes the following Rules:

PART I

Preliminary

1. These Rules may be cited as the *Nurses Rules, 2008*.

2. In these Rules,

"psychiatric nurse" means a person whose name appears in that part of the Register of Nurses allocated for nurses qualified to practise psychiatric nursing;

"student psychiatric nurse" means a person who is undergoing a course of training with a view to registration as a nurse qualified to practise psychiatric nursing;

"student midwife" means a person who is undergoing a course of training with a view to registration as a midwife;

"student nurse" means a person who is undergoing a course of training with a view to registration as a nurse;

"trainee nursing assistant" means a person who is undergoing a course of training with a view to enrolment as a nursing assistant;

"trainee nursing auxiliary" means a person who is undergoing a course of training with a view to enrolment as a nursing auxiliary.

PART II

Nursing Council of Barbados

3. (1) The Nursing Council of Barbados, in these Rules referred to as the Council, shall meet at least once a month and at such other times as are necessary or expedient for the transaction of its business; and meetings of the Council shall be held at such places and times and on such days as the Council determines.

(2) Not less than 7 days' notice in writing of any meeting of the Council shall be given to its members.

4. (1) The Chairman shall summon a special meeting of the Council to be held not later than 14 days after the receipt by the Chairman of a written request for the purpose signed by 3 members of the Council.

(2) Not less than 7 days' written notice of the special meeting shall be given to members of the Council.

5. The decisions of the Council shall be by a majority of votes, and, in addition to an original vote, in any case in which the voting is equal, the Chairman of that meeting shall have a second or casting vote.

6. Minutes of the meetings of the Council shall be kept and copies furnished to each member of the Council not later than 14 days after the date on which the meeting is held.

PART III

Nurses

7. Where the Council with the approval of the Minister recognizes
- (a) any hospital, school or institution as a place of training for the purposes of section 7(4)(a) of the Act; or

- (b) any diploma, certificate or other status or form of recognition for the purposes of section 7(4)(b) of the Act,

the Registrar shall prepare and keep a list thereof and shall publish such list and any additions or alterations thereto in the *Official Gazette*.

8. No person shall be accepted as a student nurse unless that person has attained the age of 16 years.

9. In the training of student nurses the appropriate curriculum of study set out in Part I of the *First Schedule* shall be followed.

First
Schedule.

10. Subject to section 7 of the Act, no person shall be permitted to enter for the regional examination required for registration as a nurse, unless

- (a) that person has received training as a student nurse for a period of at least 3 years and has completed the course of training; and
- (b) that person is honest and of good moral character and that person's conduct during the period of training was satisfactory.

11. A person who has successfully completed

- (a) the curriculum of study set out in Part I of the *First Schedule*; and
- (b) the regional examination required for registration as a nurse,

First
Schedule.

may apply to the Council in the Form A set out in the *Third Schedule* to be registered as a nurse qualified to practise general nursing.

Third
Schedule.

PART IV

Psychiatric Nurses

12. (1) No person shall be accepted as a student psychiatric nurse unless that person is qualified under the Act to be registered as a general nurse.

First
Schedule

(2) The curriculum of study set out in Part II of the *First Schedule* shall be followed in respect of the training of nurses to be psychiatric nurses.

13. (1) The Council shall hold examinations in the curriculum of study referred to in rule 2(2) at such times and places and subject to such conditions as the Council determines.

Second
Schedule

(2) No person shall be permitted to enter for the final examination specified in Part I of the *Second Schedule* unless,

- (a) that person has completed training as a student psychiatric nurse for a period of at least one year; and
- (b) that person is honest and of good moral character and that person's conduct during the period of training was satisfactory.

PART V

Midwives

Second
Schedule
Third
Schedule

14. A person who has passed the final examination specified in Part II of the *Second Schedule* may apply to the Council in the Form A set out in the *Third Schedule* to be registered as a midwife.

15. No person shall be accepted as a student midwife unless that person is qualified under the Act to be registered as a general nurse.

16. The curriculum of study set out in Part III of the *First Schedule* shall be followed in respect of the training of nurses to practise midwifery. First
Schedule.

17. (1) The Council shall hold examinations in the curriculum of study referred to in rule 16 at such times and places and subject to such conditions as the Council determines.

(2) No person shall be permitted to enter for the final examination specified in Part II of the *Second Schedule*, unless Second
Schedule.

- (a) that person has completed training as a student midwife for a period of at least one year; and
- (b) that person is honest and of good moral character and that person's conduct during the period of training was satisfactory.

18. A person who has passed the final examination specified in Part II of the *Second Schedule* may apply to the Council in the Form A set out in the *Third Schedule* to be registered as a midwife. Second
Schedule.
Third
Schedule.

19. (1) A midwife, may in the course of her duties,

- (a) administer orally, or by subcutaneous or intramuscular injection, or by inhalation, as may be appropriate, analgesics, oxytocics and sedatives (including those with a tranquillizing effect);
- (b) suture perineal tears of the first degree;
- (c) prescribe dietary supplements;
- (d) in cases of grave emergency only;
 - (i) remove a placenta manually;
 - (ii) in multiple births, perform external version and artificial rupture of the membranes;

- (iii) administer intravenously electrolyte solutions, plasma, plasma substitutes or oxytocics;
- (e) perform and suture episiotomies for the relief of maternal or foetal distress;
- (f) set up intravenous lines; or
- (g) perform vein punctures for the purpose of blood collections.
- (2) A midwife may not
 - (a) administer any anaesthetic substance except by inhalation from a machine approved in writing by the Chief Medical Officer for the use of midwives;
 - (b) administer any blood transfusion, plasma or plasma substitute except in accordance with the written instructions of a registered medical practitioner;
 - (c) perform internal version; or
 - (d) perform any instrumental delivery.

Third
Schedule.

20. The report to be made by a midwife in accordance with section 30(2) of the Act shall be in the Form E set out in the *Third Schedule*.

PART VI

Nursing Assistants

21. Except with the approval of the Council, no person shall be accepted as a trainee nursing assistant unless that person has attained the age of 17 years.

First
Schedule.

22. In the training of nursing assistants, the curriculum of study set out in Part IV of the *First Schedule* shall be followed.

23. (1) The Council shall hold examinations in the curriculum of study referred to in rule 22 at such times and places and subject to such provisions as the Council determines.

(2) No person shall be permitted to enter for the final examination specified in Part III of the *Second Schedule*, unless

Second
Schedule.

(a) that person has received training as a trainee nursing assistant for a period of at least 12 months, and completed his or her course of training; and

(b) that person is honest and of good moral character and his or her conduct during the period of training was satisfactory.

24. A person who has passed the final examination specified in Part III of the *Second Schedule* may apply to the Council in the Form A set out in the *Third Schedule* to be enrolled as a nursing assistant.

Second
Schedule
Third
Schedule.

25. A certificate of enrolment to be issued under the Act to a nursing assistant shall be in the Form C set out in the *Third Schedule*.

Third
Schedule.

26. (1) A nursing assistant shall work under the supervision of a registered medical practitioner or nurse.

(2) In the performance of his or her professional duties, a nursing assistant shall not undertake any duty or carry out any procedure for which that nursing assistant has not been trained.

PART VII

Nursing Auxiliaries

27. Except with the approval of the Council, no person shall be accepted as a trainee nursing auxiliary unless that person has attained the age of 17 years.

28. (1) Any course of study provided by an educational institution for the training of persons to be nursing auxiliaries shall be subject to the approval of the Council.

(2) No person shall be permitted to enter for the final examination in the course of study referred to in paragraph (1), unless

- (a) that person has received training as a trainee nursing auxiliary for a period of at least 6 months, and completed his or her course of training; and
- (b) that person is honest and of good moral character and that person's conduct during the period of training was satisfactory.

29. A person who has successfully completed the course of study referred to in rule 28 or who satisfies the requirements of section 11(3) of the Act may apply to the Council in such form as may be approved by the Council to be enrolled as a trainee nursing auxiliary.

30. A certificate of enrolment to be issued under the Act to a trainee nursing auxiliary shall be in the Form D set out in the *Third Schedule*.

Third
Schedule.

PART VIII

Professional Conduct and General Fitness to Practise Nursing

31. It is the duty of the Council to do such things and to exercise such care as in its judgment are necessary to maintain proper standards of professional conduct in the practice of nursing and proper standards of general fitness to practise nursing by persons registered or enrolled under the Act.

32. (1) For the purposes of the Act and these Rules, professional misconduct on the part of a person registered or enrolled under the Act includes any act or thing done that is contrary to the generally recognized

duty and responsibility of such person to a patient or that is contrary to professional ethics or the failure to do any act or thing with respect to a patient in accordance with generally recognized professional ethics, and, without limiting the generality of the foregoing, includes

- (a) immorality or other improper conduct or association with a patient;
- (b) the performance of any professional procedures not authorised by the Act or these Rules;
- (c) wilful or deliberate betrayal of a professional confidence;
- (d) abandonment of a patient in danger;
- (e) knowingly issuing a certificate with respect to birth, stillbirth or immunization or with respect to any matter relating to health which the person issuing the certificate knows or ought to know is untrue, misleading or otherwise improper;
- (f) the excessive ingestion of intoxicating liquor or drugs;
- (g) the impersonation of another person registered or enrolled under the Act;
- (h) falsely holding out to the public directly or indirectly that his or her name is entered in the Register or on the Roll;
- (i) knowingly practising as a nursing professional while suffering from a mental or physical condition or while under the influence of alcohol or drugs to such an extent as to constitute a danger to a patient;
- (j) dishonesty, negligence or incompetence in the performance of his or her duties;
- (k) refusal without lawful excuse or proper excuse to obey a lawful order given in the course of duty by a person in authority;

- (l) unkindness to or ill-treatment of a patient, or, except in self-defence or the interest of a patient, the use of excessive force or violence in the performance of his or her duties;
- (m) the doing of or failure to do any act or thing in connection with his or her professional practice, the doing of which, or the failure to do which, is, in the opinion of the Council, unprofessional, unethical or discreditable.

(2) For the purposes of paragraph (1)(c), any disclosure which is legally justifiable or required for the treatment of a patient shall be deemed not to be a wilful or deliberate betrayal of a professional confidence.

PART IX

Discipline

33. (1) Where a complaint is made to the Council against a person registered or enrolled under the Act, alleging professional misconduct or a conviction as mentioned in paragraph (a) or (b) of section 25(1) of the Act, or where such an allegation comes to the notice of the Council, the Council shall refer the matter to a committee appointed in accordance with paragraph 2(a) of the Schedule to the Act (in these Rules referred to as the Complaints Committee).

(2) On a complaint being referred to it under paragraph (1), the Complaints Committee shall direct the Registrar to investigate the matter and submit the findings thereon.

34. The Registrar shall, within 7 days of the date of submitting the findings to the Complaints Committee, notify in writing the person affected (in these Rules referred to as the respondent) of the nature of the allegation, and request that the respondent submit within 21 days of the date of the request, a written statement of such explanations or representations as are necessary.

35. (1) The Complaints Committee having regard to any explanation or representation made by the respondent may

- (a)* determine that no enquiry shall be held;
- (b)* refer the matter in whole or in part to a committee appointed in accordance with paragraph 2(*a*) of the Schedule to the Act (in these Rules referred to as the Disciplinary Committee); or
- (c)* take such other steps as it considers appropriate in the circumstances.

(2) If the Complaints Committee determines that no enquiry shall be held, the Registrar shall inform any complainant and the respondent of that fact, in such manner as the Complaints Committee directs.

36. (1) Where the Disciplinary Committee institutes disciplinary proceedings against the respondent, the Registrar shall serve on the respondent a notice of enquiry (in these Rules referred to as the notice) which shall

- (a)* specify, in the form of a charge, the matters into which the enquiry is to be held; and
- (b)* state the time and place at which the enquiry is proposed to be held.

(2) Except with the consent of the respondent, an enquiry shall not be fixed for a date earlier than 28 days after the date of the notice.

(3) The notice shall be served personally or by prepaid registered post on the respondent at the address shown on the Register or Roll or at that person's last known address if that address differs from that on the Register or Roll.

(4) A copy of the notice shall be sent to the complainant where there is a complainant.

37. The respondent is entitled to receive free copies of, or to be allowed access to, any documentary evidence relied on for the purpose of the enquiry, and upon request, the complainant shall be given a copy of the evidence (including copies of documents tendered in evidence) after the enquiry is closed.

38. Where in the opinion of the Disciplinary Committee an enquiry into a matter referred to it under rule 32(1)(b) should not be held, the Registrar shall so notify any complainant and the respondent.

39. The respondent is entitled to be represented by an attorney-at-law in any disciplinary proceedings instituted against the respondent.

40. Where the respondent does not appear at the date fixed for the hearing of the enquiry, the Disciplinary Committee, if it is satisfied that a notice has been served on the respondent, may proceed with the enquiry in the absence of the respondent.

41. Where witnesses are examined by the Disciplinary Committee, the respondent shall be given an opportunity of attending and of putting questions to the witnesses in his or her own behalf, and no documentary evidence shall be used against the respondent unless the respondent has previously been supplied with a copy thereof or given access thereto.

42. The respondent shall be permitted to give evidence, call witnesses and make submissions orally or in writing on his or her own behalf.

43. The Disciplinary Committee may call additional witnesses and may adjourn the proceedings to another convenient time or place.

44. If having heard the evidence in support of the charges, the Disciplinary Committee is of the opinion that the evidence is insufficient, it may dismiss the charges without calling upon the respondent for his or her defence.

45. If at the conclusion of the hearing the Disciplinary Committee is of the opinion that the respondent is not guilty of professional misconduct or that the respondent has not been convicted as mentioned under paragraph (a) or (b) of section 25(1) of the Act, it shall immediately notify the respondent of its findings; but where the respondent is found guilty of any such charge, the Disciplinary Committee shall proceed to deal with the matter in accordance with section 25(2) of the Act.

46. Where a person registered or enrolled under the Act is convicted of an indictable offence in Barbados

- (a) the Registrar of the Supreme Court, in the case of a conviction on indictment; or
- (b) the magistrate, in the case of a summary conviction, shall as soon as practicable thereafter notify the Registrar of the conviction.

PART X

General

47. A candidate who in any one academic year has had more than 10 days' leave of absence in excess of the normal vacation leave entitlement shall not be permitted to sit for any examination specified in the *Second Schedule*, or the regional examination required for registration as a nurse unless the Council approves.

48. A person who has received training and qualification outside Barbados and wishes to be registered as a nurse or enrolled as a nursing assistant may apply for registration or enrolment in the Form A set out in the *Third Schedule*.

49. A certificate of registration to be issued under the Act in respect of a nurse shall be in the Form B set out in the *Third Schedule*.

50. (1) A person who is entitled pursuant to section 10 of the Act to be enrolled as a graduate nurse may apply to the Council in such form as may be approved by the Council to be enrolled as a graduate nurse.

(2) A certificate of enrolment in respect of a graduate nurse shall be in such form as may be approved by the Council.

51. A nursing professional shall notify the Council of every change of that person's permanent address and for the purposes of these Rules, the last address so notified shall be deemed to be the registered address of that nursing professional.

Fourth
Schedule.

52. The *Fourth Schedule* shall have effect with respect to the matters specified therein.

53. Expenses incurred by the Council in the conduct of examinations under the Act shall be paid by the Registrar on the authorization of the Council.

S.I. 1973
No. 116.

54. The *Nurses and Midwives (Registration) Rules, 1973* are revoked.

FIRST SCHEDULE

(Rules 9, 12, 16 and 23)

PART I

Curriculum

GENERAL NURSING

1. Social and behavioural sciences.
2. Biological and physical sciences.
3. Non-clinical and clinical nursing, including
 - (i) Nursing fundamentals;
 - (ii) Medical and surgical nursing;
 - (iii) Nursing of children;
 - (iv) Introduction to obstetric nursing;
 - (v) Introduction to psychiatric nursing;
 - (vi) Introduction to public health nursing;
 - (vii) Introduction to research methodology;
 - (viii) Introduction to management;
 - (ix) Introduction to gerontological nursing.
4. General education.

PART II

PSYCHIATRIC NURSING

1. An introduction to the study of mind and body.
2. Human development and human behaviour within the family and society.
3. Introduction to psychological concepts – human biology.
4. Human behaviour in relation to illness.

FIRST SCHEDULE - *Cont'd*

5. Psycho-physical disturbances and physical illness.
6. Principles and practice of psychiatric nursing.
7. Management.
8. General care of the patient.
9. Nursing care in relation to psychiatric treatment.
10. Nursing procedures.
11. First aid treatment in emergencies and applied anatomy.
12. Concepts of mental illness, psychiatry and psycho-pathology.
13. The background of mental illness, psychiatry and psychiatric treatment.
14. Legal and administrative aspects.

PART III

Midwifery

1. Social and behavioural sciences.
2. Biological and physical sciences.
3. Nursing fundamentals.
4. Midwifery
 - (i) ante-natal care;
 - (ii) care during labour;
 - (iii) post-natal care;
 - (iv) care of the neonate.
5. General education.

FIRST SCHEDULE - *Concl'd*

PART IV

Training for Nursing Assistants

1. Elementary concepts of biological and physical sciences.
2. Elementary concepts of social and behavioural sciences.
3. Nursing fundamentals.
4. Introduction to the elementary concepts in
 - (i) medical and surgical nursing;
 - (ii) nursing of children;
 - (iii) nursing the aged;
 - (iv) nursing of the emotionally disturbed;
 - (v) preventive health measures.
5. General education.

SECOND SCHEDULE

(Rules 13, 17 and 23)

EXAMINATIONS

PART I

Psychiatric Nursing

Final examination after 13 months of training

- (i) Clinical and functional nursing papers;
- (ii) Practical examination.

PART II

Midwifery

Final examination at end of 1 year of training

- (i) Clinical midwifery papers;
- (ii) Practical midwifery;
- (iii) Oral midwifery.

PART III

Nursing Assistants

Final examination at end the of 1 year of training

- (i) Clinical nursing papers;
- (ii) Practical examination.

THIRD SCHEDULE

(Rules 11, 14, 18, 24 and 48)

FORM A

The Nursing Council of Barbados

(The Nurses Act (Act 2008-3))

APPLICATION FOR REGISTRATION OR ENROLMENT

Mr.
I, Mrs. (nee)
Miss (name in full) (if married woman)

born on in
(date of birth) (country of birth)
of
(permanent address)

hereby apply to be registered/enrolled*
as a

The following persons can serve as referees as to my character

- (1)
(Name)
.....
(Address)
(2)
(Name)
.....
(Address)

*I passed the examination for nurse registration/enrolment
.....
(state relevant examination)
on
(date)

I attach my certificate of registration/enrolment
as
in
(country)

.....
Date Signature

*Delete whichever is inapplicable.

FORM B

(Rule 49)

Number in the Register.....

The Nursing Council of Barbados

(CREST)

(The Nurses Act (Act 2008-3))

CERTIFICATE OF REGISTRATION

We hereby certify that was
(Name)
on the day of 20.....
admitted to the Register of Nurses pursuant to the *Nurses Act, (Act 2008-3)* and
is qualified to practise and entitled to
(State branch of Nursing)
take and use the title of

The seal of the Council is hereunto affixed this day of
.....20.....

.....
Registrar

.....
Chairman of Council
.....
Member of Council

FORM C

(Rule 25)

Number on the Roll.....

The Nursing Council of Barbados

(CREST)

(The Nurses Act (Act 2008-3))

CERTIFICATE OF ENROLMENT IN RESPECT
OF NURSING ASSISTANTS

We hereby certify that
(Name)
was on the day of 20.....
admitted to the Roll of Nursing Assistants pursuant to the *Nurses Act*,
(Act 2008-3) and is entitled to take and use the title of Enrolled Nursing Assistant.

The seal of the Council is hereunto affixed this day of
..... 20.....

.....
Chairman of Council

.....
Registrar

.....
Member of Council

FORM D

(Rule 30)

Number on the Roll.....

The Nursing Council of Barbados

(CREST)

(The Nurses Act (Act 2008-3))

**CERTIFICATE OF ENROLMENT IN RESPECT
OF NURSING AUXILIARIES**

We hereby certify that
(Name)
was on the day of 20.....
admitted to the Roll of Nursing Auxiliaries pursuant to the *Nurses Act,*
(Act 2008-3) and is entitled to take and use the title of Enrolled Nursing Auxiliary.

The seal of the Council is hereunto affixed this day of
..... 20.....

.....
Registrar

.....
Chairman of Council

.....
Member of Council

FORM E

(Rule 20)

MEDICAL EMERGENCY REPORT

(The Nurses Act (Act 2008-3))

To: The Chief Medical Officer,
Ministry of Health.

In accordance with section 11(2) of the *Nurses Act*, (Act 2008-3), I,
..... a registered midwife, have to report the
(name in block letters)
occurrence of an emergency in my midwifery practice. The particulars are as
follows:

Name of patient

Address of patient

Date of first attendance.....

Date and time of emergency

at

Nature of emergency

.....

.....

.....

*I called Dr. of

..... to my assistance.

* I conveyed the patient to

Hospital by

(means of transport)

.....
Date

.....
Signature of Midwife

*Delete whichever is inapplicable.

FOURTH SCHEDULE

(Rule 52)

PART I

Examination Fees

The fees payable by each candidate for examination shall be \$ 25.00 per paper

PART II

Examiners' Fees

The fees payable to each member of the Committee of Examiners shall be

A. Examiners

- (i) for each objective type question set \$ 5.00
- (ii) for each item corrected and analysed in respect of an
objective type question \$ 2.00
- (iii) for each essay type question set \$10.00
- (iv) for each item marked in respect of an essay
type question \$ 5.00
- (v) for each practical examination per hour \$ 33.00

B. Invigilators

for each session \$ 50.00

C. Supervisor

for each examination period \$600.00

Made by the Council this 26th day of June, 2008.

MITCHELL CLARKE
Chairman.

Approved by the Minister this 2nd day of July, 2008.

DAVID ESTWICK
Minister responsible for Health Services.

