

Policy AA-1

Health Profession Corporation

Approved By	CEO/Registrar	Review Frequency	Every five years
Approval Date	May 31, 2018	Date Reviewed/Revised	October 20, 2026

Rationale:

The [Regulated Health Professions Act \(RHPA\)](#) of Manitoba authorizes registrants of the College of Registered Nurses of Manitoba (College) to provide nursing services through a Health Profession Corporation (HPC) when legislative and regulatory requirements are met. This policy is important because it supports consistent decision-making, transparent registry practices and clear expectations for registrants who apply for, renew or maintain an HPC permit. The College's position is that HPC permits must be administered in a way that protects the public, supports regulatory accountability and is consistent with applicable legislation, regulations, bylaws and College policy.

Purpose:

The purpose of this policy is to outline the requirements and processes for issuing, renewing, changing, censuring and appealing HPC permits. This policy also describes the information that must be included in the HPC Permit Registry and explains how the College administers these requirements.

Authority:

This policy is authorized by the RHPA, including sections 58 - 74, and the [College of Registered Nurses of Manitoba General Regulation \(General Regulation\)](#), including sections 4.13 and 5.1 - 5.8. Additional requirements related to applications and notice of change are set out in the [College Bylaws](#), Article 14.

Policy:

Registry

1. The [HPC Permit Registry](#) shall contain the following information for each HPC [RHPA 73(3); General Regulation 5.4]:
 - a. Name of the HPC;
 - b. Name of each regulated registrant who is a shareholder or director of the HPC;
 - c. The name of each regulated member through whom the HPC will be carrying out the practice of the regulated health profession will be provided upon request by the College;
 - d. The conditions, if there are any, imposed on the permit;
 - e. The date the permit was issued;
 - f. The HPC's address, fax number, telephone number, and e-mail address;
 - g. The time period during which the HPC's permit is valid;
 - h. Information about any suspension or cancellation of the HPC's permit or alternative action taken under section 66 of the RHPA, including conditions placed on the permit.
2. The information contained in section 1(a-h) of this policy must be made available to the public during normal business hours.
3. The Registrar ensures all HPCs listed on the HPC Permit Registry are in compliance with all applicable legislation, bylaws, and policy related to HPCs through implementation of initial application, renewal application, censure of permits, change of particulars, and appeals policies as established in this document.

Initial Applications

1. Initial applications may be submitted by registrants registered in [good standing*](#) upon receipt of:
 - a. An [HPC Permit Application](#);
 - b. A [Name Reservation Form](#) from the Companies Office with an HPC name that meets the requirements outlined in section 60(1) of the RHPA;
 - c. The non-refundable application fee and permit fee; and
 - d. A [Self-employed Nursing Practice Notification & Declaration](#) form reflecting the identified corporation's name.
2. Upon review of the initial application, a consent to incorporate letter may be sent to the applicant provided that:
 - a. The application is completed in full, including signature;

- b. The services provided by the HPC fall within the scope of practice of the profession; and
 - c. The declarations are signed identifying consultation with an advisor(s) confirming that the corporation meets the criteria for an HPC in accordance with the RHPA and the General Regulations.
3. Should a director, officer or shareholder be found to have a cancelled or suspended HPC permit, the College may consult with legal counsel to determine if a permit may be issued before granting the consent to incorporate. This is a discretionary decision.
4. If any requirements outlined in section 2(a-c) of this policy are not satisfied, the College may refuse to issue a consent to incorporate letter.
5. The consent to incorporate letter is valid for 6 months from the date of issue and shall not be considered to be approval of the HPC. An HPC application is not eligible to receive final approval until section 5.2 of the General Regulations has been met:
 - a. A copy of all Articles of Incorporation, Articles of Amendment, Articles of Continuance, Articles of Amalgamation or like Articles have been reviewed to confirm compliance with section 60(1) of the RHPA; and
 - b. A Certificate of Status issued under [The Corporations Act](#) is received.
6. Once all documents are received, the application may be approved with or without conditions.
7. Should evidence indicate that the requirements outlined in the RHPA have not been met, the Registrar may refuse to issue the permit.
8. Upon issuance of the permit, the HPC must be added to the HPC Permit Registry. The permit is valid for one year.
9. If the permit is issued with conditions, the corporation must be notified promptly of the conditions; the conditions must be included in the written permit, as well as the right of the registrant to have the decision reviewed by the College.
10. Any false declaration or breach of the declarations will lead to a review by the CEO/Registrar.

* In good standing means the applicant(s) certificate to practice is not suspended, cancelled or voluntarily surrendered, and there are no unfulfilled requirements as a result of a decision of the Complaints Investigation or Inquiry Committee.

Renewal

1. Applications and fees for renewals of HPC permits must be received at least 15 days prior to the permit expiration date per Bylaw Article 14. Failure to submit 15 days in advance may result in permit expiry.

2. The previous permit will continue in force until a decision has been made regarding the renewal if the application for renewal and fees are received 15 days in advance.
3. A completed application for renewal of permit consists of:
 - a. A completed application for renewal form;
 - b. A copy of the most recent Annual Return filed with the [Manitoba Companies Office](#) per the General Regulation section 5.3(a);
 - c. A copy of a current [Certificate of Status](#); and
 - d. Permit fee.
4. A renewal application may be approved with or without conditions provided that:
 - a. The application is completed in full, including signature.
 - b. The details within the application demonstrate compliance with the RHPA.
 - c. The Annual Return is consistent with the corporation as listed on the HPC Registry.
 - d. Any director, officer or shareholder of the corporation that is or has been a director, officer or shareholder of another HPC is confirmed to have not had that HPC permit cancelled, suspended, or surrendered.
5. Should evidence indicate requirements outlined in 4 above have not been met, the College may refuse to issue renewal of the permit.
6. Upon approval of the application for renewal, the College shall issue a permit with or without conditions for one year and update the HPC Permit Registry accordingly.
 - a. If the permit is renewed with conditions, the corporation must be notified promptly of the conditions; the conditions must be included on the written permit, as well as the right of the registrant to have the decision reviewed by the Council.
 - b. Directors of an HPC that do not renew their permit must ensure they fulfill requirements for closing, leaving, or moving a self-employed practice as outlined in the General Regulation 4.13(1) and College policy [AA-17](#).

Change of Particulars

1. The HPC has an obligation to ensure through consultation with their advisor(s) that the corporation continues to meet the criteria for an HPC in accordance with the RHPA and the General Regulation.

Censure of Permits

1. If the College receives information that the HPC:
 - a. Ceases to meet eligibility requirements,
 - b. Contravenes the RHPA, General Regulation, Bylaws or policies of the College,

- c. Contravenes any conditions on the permit regarding conditions imposed on a regulated registrant, or
 - d. That in the course of providing health care on behalf of the HPC, the registrant acts or results in the registrant's certificate being suspended or cancelled, the CEO/Registrar may:
 - i. cancel the permit;
 - ii. suspend the permit;
 - iii. reprimand the HPC or one or more directors or voting shareholders;
 - iv. impose conditions on the permit; or
 - v. impose a fine not exceeding \$25,000.00 on the HPC, payable to the College.
2. The permit cannot be cancelled or suspended if the only reason is that:
- a. One or more shares in the HPC have vested;
 - i. in an executor or administrator of an estate of an individual because of death of the said individual, or
 - ii. a trustee in bankruptcy on the bankruptcy of the owner of the shares, unless the HPC is not carrying on the practice of the regulated health profession through any other regulated member or,
 - iii. the shares continue to be vested in the executor, administrator or trustee for more than 180 days, or for any longer period allowed by the CEO/Registrar,
 - b. The former spouse or common-law partner of a voting shareholder continues to own a share of the HPC after the end of their marriage or common-law relationship;
 - c. The registration or certificate of practice of a registrant has been suspended, unless:
 - i. the registrant remains a director or officer of the HPC for more than 14 days after the commencement of the suspension, or
 - ii. the HPC does not provide health care through any other regulated member;
 - d. The registration or certificate of practice of a registrant has been surrendered or cancelled, unless:
 - i. the registrant remains a director or officer of the HPC for more than 14 days after the surrender or cancellation,
 - ii. the registrant remains a voting shareholder of the HPC for more than 90 days after the surrender or cancellation, or for any longer period allowed by the CEO/Registrar, or

- iii. the HPC is not practising the profession or providing health care directly associated with the practice of the profession through any other regulated member unless an exemption under the General Regulation under the RHPA has been granted.
3. The CEO/Registrar must give written notice of decisions, as well as reasons to suspend or cancel the permit, and must give notice of the right to appeal the decision to the Court of King's Bench.
4. Upon cancellation of a permit, the CEO/Registrar must remove the permit from the record of Health Profession Corporations as per the General Regulation section 5.8.

Appeals

1. An HPC that was refused a permit, or granted a permit with conditions, may appeal the decision per RHPA section 60. The right to appeal also applies to permit suspensions or cancellations.
2. The appeal must be submitted as a written request no later than 30 days after the HPC receives notice of the decision.
3. Upon receiving the appeal, the CEO/Registrar must immediately refer the application to the Council. The CEO/Registrar must also forward a copy of the file to the Council members. The Council must convene as soon as practicable.
4. The Council shall review the decision and written request for appeal and will decide to either dismiss the appeal or reverse the decision and issue the permit either with or without conditions.
5. The Council shall notify the HPC in writing of the action taken with respect to the appeal and provide reasons for the decision(s).
6. An HPC may apply to the Court of King's Bench by filing a notice of appeal within 30 days after receiving notice of the Council's decision to further appeal the decision of the Council.